

**Order No 81/2019
of the Director of the National Science Centre
enacting the Code of Ethics for Experts of the National Science Centre
of 13 December 2019**

Pursuant to § 2 (3) of the Organisational Regulations of the National Science Centre's Office and according to the tasks of the Scientific Coordinators of the National Science Centre, the uniform text of which constitutes Annex 1 to Order No 66/2019 issued by the Director of the National Science Centre on 19 September 2019, it is hereby decided as follows:

§ 1.

The Code of Ethics for Experts of the National Science Centre attached hereto as Annex 1 is hereby enacted.

§ 2.

This Order shall enter into effect on the date of its execution.

Director of the National Science Centre

Annex 1 to Order No 81/2019 of the Director of the National Science Centre enacting the Code of Ethics for Experts of the National Science Centre of 13 December 2019

CODE OF ETHICS FOR EXPERTS OF THE NATIONAL SCIENCE CENTRE

§1. Terms

1. Definitions:

- 1) NCN – National Science Centre;
- 2) Director – Director of the National Science Centre;
- 3) Expert – a member of the Expert Team, referred to in Article 22 (1) of the Act or an external reviewer who is not a member of the Expert Team, referred to in Article 22 (2) of the Act or an expert referred to in Article 22 (3) of the Act, or an expert-member of the Audit Team, referred to in Article 34 (3) (2);
- 4) Principal Investigator – the head of an NCN-funded research project, a person who has been awarded an NCN-funded post-doctoral fellowship, a person who has been awarded an NCN-funded doctoral scholarship or a person carrying out an NCN-funded one-off research activity;
- 5) Principal Investigator named in the Proposal – the head of a research project submitted under a call for proposals, a fellowship candidate, a doctoral scholarship candidate or a person to carry out a one-off research activity to be funded;
- 6) NCN Calls – calls for proposals launched and operated by the National Science Centre;
- 7) Auditor in charge of the Audit – an employee of the National Science Centre acting as a member of the Audit Team, in charge of, *inter alia*, the organisation of the Team's operations;
- 8) Scientific Coordinator – an employee of the National Science Centre in charge of organising Expert Teams' operations and operating calls for research projects in individual disciplines or groups of disciplines, including, in particular, ensuring their proper, impartial and accurate operation;
- 9) Review – an individual opinion drafted by an Expert pursuant to a framework cooperation agreement with the NCN, whose subject-matter covers evaluation of:
 - a. Proposals submitted under the calls launched and operated by the National Science Centre, or
 - b. merit-based evaluation related to the settlement of grants, or
 - c. related to other tasks of the NCN, in particular those arising under Article 35 (a) of the Act;
- 10) Contact Person – an employee of the NCN who sends an Invitation to the Expert, is named as the contact person and coordinates performance of the Agreement under a given Invitation;
- 11) Report – a final report on the implementation of a research project, a post-doctoral fellowship, a doctoral scholarship, a research activity, which constitutes the basis for a financial and merit-based settlement of a grant;
- 12) Proposal – a proposal submitted under an NCN Call;
- 13) Applicant – an entity submitting a proposal under an NCN Call pursuant to Article 27 (1) (1) – (7) and (9) (with the exception of natural persons) of the Act;
- 14) Grant – funds granted by the NCN as a doctoral scholarship for a research project, a post-doctoral fellowship or a one-off research activity;
- 15) Investigator – a person other than the Principal Investigator, named in the Report or a Proposal as performing work in the research project;
- 16) Invitation – a request for a Review sent to an Expert by e-mail or by mail;



- 17) Team – an Expert Team appointed by the Director to evaluate proposals submitted under the NCN Calls or for the merit-based evaluation of final Reports related to the settlement of funds or an Auditory Team;
- 18) Act – the Act on the National Science Centre of 30 April 2010 (uniform text in Journal of Laws of 2018, item 947).

§2. Confidentiality

1. Experts draft Reviews in compliance with the confidentiality and data protection principles.
2. In view of the above, the Experts are prohibited from:
 - a) passing or disclosing any documents received from the National Science Centre for the purpose of conducting a Review to third parties;
 - b) disclosing information from any such documents to persons who have not been officially appointed for participation in the Team's operations;
 - c) contacting members of the Team in between Sessions in order to exchange information or opinions on the Proposals or Reports;
 - d) using information included in the Proposal or other documents received for the purpose of drafting a Review to obtain a personal benefit or for the benefit of third parties;
 - e) contacting the Applicant, the Principal Investigator named in the Proposal or the Principal Investigator concerning matters related to the Review;
 - f) granting anyone access to the ZSUN/OSF on-line submission system;
 - g) disclosing, in whatever manner, to anyone not appointed as member of the Team, information obtained during a session/meeting of the Team, concerning the session/meeting, a discussion thereat and/or a Review;
 - h) disclosing information on the Proposal's final grade or on the Review related to the settlement of the Applicant's Grant, to the Principal Investigator named in the Proposal, the Principal Investigator and/or other persons before the National Science Centre has officially served the decision or disclosed information in this respect;
 - i) participating in the Team's operations or drafting a Review not having declared beforehand:
 - a. that confidentiality and data protection will be maintained pursuant to Annex 1,
 - b. that there is no conflict of interest with the Applicant, the Principal Investigator named in the Proposal and/or the Investigators, as outlined in Annex 2.
3. Should an Expert fail to comply with the above-mentioned rules, the NCN may, in order to maintain a reliable peer review process, impose the following sanctions on the Expert:
 - a) terminate the agreement forming the basis for cooperation with the Expert;
 - b) remove the Expert from office as member of the Team;
 - c) report the breach to the Committee of Research Integrity at the NCN pursuant to the Code of the National Science Centre on research integrity and applying for research funding.
4. The sanctions set forth in Clause 3 may be applied jointly.
5. The measures referred to in Clause 3 shall be initiated upon a request of the Scientific Coordinator or Auditor in charge of the Audit addressed to the Director.
6. Should the above-mentioned provisions be breached by an Expert, the NCN shall not be held liable for any damage caused to third parties.
7. The confidentiality obligation shall not apply to any information that:
 - a) is in the public domain at the time of disclosure;



- b) has been obtained by an Expert from a source other than the NCN, provided that the Expert has obtained it in compliance with the law and there is no legal impediment to its disclosure;
- c) must be disclosed pursuant to applicable laws.

§3. Conflict of interest

1. The Experts shall seek to avoid a situation in which past relations or experiences may wittingly or unwittingly bring bias to judgement, and hinder objective Review.
2. A situation in which an Expert is unable to pass an objective decision because of a bias, be it real or perceived as such, arising from an individual or institutional interdependence between the Expert and the Applicant, Principal Investigator named in the Proposal or Principal Investigator, shall be deemed a conflict of interest.
3. A conflict of interest referred to in the foregoing Clause may take place, in particular, in the following relations:
 - a) marriage, parentage or affinity up to the second degree;
 - b) legal relationship over the past three years preceding the Review that may affect the Expert's rights and obligations;
 - c) research cooperation (including joint publication of the results) within three years preceding the Review;
 - d) personal relationship;
 - e) different research views or outright competition within a research domain;
 - f) gaining personal or institutional financial benefits or losses;
 - g) involvement in drafting the Proposal;
 - h) involvement in the implementation of a research project, doctoral scholarship or a post-doctoral fellowship;
 - i) other important circumstances that may compromise the reliability and impartiality of an Expert's Review.
4. In the event of a conflict of interest, the Expert must immediately report it to a Scientific Coordinator, an Auditor in charge of the Audit or another person named as the Contact Person in the Invitation.
5. A Scientific Coordinator or an Auditor in charge of the Audit may exclude the Expert from the Review proceedings in the event of there being a risk of a conflict of interest.
6. A decision to fully or partially exclude an Expert from the Team's operations or Review of individual Proposals, merit-based or financial evaluation related to the settlement of individual Grants shall be taken based on an analysis of generally available information as well as the National Science Centre's documents, documented in a memorandum.
7. If an Expert is fully excluded from the Team's operations, a procedure shall be initiated upon request of a Scientific Coordinator or an Auditor in charge of the Audit, addressed to the Director.

§4. Peer Review

1. Review of the Proposals and the Review related to the settlement of Grants shall be carried out by way of a discussion held at a session of the Team or in writing.
2. During a session/meeting of the Team, an Expert should:
 - a) refrain from delivering speeches and asking rhetorical questions;
 - b) ask concise questions and the remarks should be unambiguous and constructive;
 - c) behave in a way that shows respect for and understanding of all participants of the session/meeting of the Team.
3. Should an Expert be in breach of the provisions referred to in Clause 2 (c), a Scientific Coordinator or an Auditor in charge of the Audit may:
 - a) reprimand the Expert;
 - b) ask the Expert to leave the session/meeting of the Team,



- c) request the Director, stating the reasons, for the Expert to be reprimanded in writing, or for the Expert to be removed from office as a member of the Team.
4. The measures referred to in Clause 3 may be applied jointly.
5. The Experts' written Reviews and comments shall constitute the basic information shared with the Applicant, the Principal Investigator named in the Proposal or the Principal Investigator, and as such they should be evidence-based, reliable, concrete, relevant and polite.
6. When drafting their Reviews, the Experts should comply with the following guidelines:
 - use clear, analytical and unambiguous phrasing;
 - formulate their opinions and comments in indicative sentences;
 - formulate their opinions in a way that shows respect for the Applicant, the Principal Investigator named in the Proposal, the Principal Investigator or the research domain;
 - use correct sentences, avoid colloquial expressions and jargon;
 - name strong and weak points of the research tasks outlined in the Proposal or carried out;
 - avoid highlighting insufficient expertise of the Principal Investigator named in the Proposal or the Principal Investigator in terms of the domain under evaluation;
 - avoid presenting personal opinions regarding the form or style in which a Proposal or Report has been drafted;
 - make no references to the age, nationality, gender or any other aspects of the private life of the Principal Investigator in charge of the Proposal, the Principal Investigator or the Investigators;
 - avoid describing parts of the Proposal or Report or repeating the contents thereof;
 - avoid references to their own research activities in a manner that may allow their identity to be disclosed;
 - avoid references to their own domain of expertise.
7. A Scientific Coordinator or an Auditor in charge of the Audit shall be responsible for the evaluation of the integrity and impartiality of the opinions drafted by the Experts and where any negligent or offensive expressions are found in the opinion, it shall be returned to the Expert for correction.

§5. Other rules

The principles and guidelines set forth in the document *Dobre obyczaje w nauce (Good Manners in Science)* and *Dobra praktyka badań naukowych (Good Research Practice)* shall apply to all matters that have not been regulated herein.

Annex 1

I, the undersigned hereby represent that I have read and understood the confidentiality and data protection principles set forth in the Code of Ethics for Experts of the National Science Centre.

I declare that upon assuming the role of Expert, I fully understand the confidential nature of the Review process, and I promise:

- a) not to grant anyone access to my account in the ZSUN/OSF, which allows for entering an opinion, amending the opinion, or sending it to the NCN;
- b) not to disclose nor discuss the Proposals, Reports or other materials obtained from the NCN for Review-related purposes; this pertains to any person other than those authorised in this respect on behalf of the NCN.
- c) not to disclose information on any session/meeting of the Team, discussions and scores to anyone;
- d) not to disclose information on the Results of evaluation to anyone before the NCN has officially serviced the decision or information in this respect;
- e) not to use any information included in the reviewed Proposal or Report with a view to obtaining a personal benefit, nor to disclose any such information to third parties with a view to obtaining a personal benefit;
- f) to destroy, discard or return all materials related to the Review conducted for the benefit of the NCN;
- g) to address any queries and/or doubts concerning the drafting of the Review to the NCN's Contact Person.

Furthermore, I am aware of the measures that may be taken by the NCN in the event of a breach of the above provisions.

I shall notify the NCN of any events or circumstances that may raise doubts as to whether the above provisions have been respected.

Expert's signature

Date

Annex 2

I, the undersigned hereby represent that I have read and understood the principles of actual and potential conflict of interest, described in § 3 (3) of the Code of Ethics for Experts of the National Science Centre.

In view of the above, I declare that there are no grounds that could actually or potentially impact my impartial merit-based Review of the Proposal or settlement of the Grant.

Expert's signature

Date