



PREAMBLE

The subprojects of CRC 1208 are generating, collecting and compiling various datasets. The interdisciplinary focus of CRC 1208 offers opportunities for collaborative research across individual projects. To take full advantage of synergies and gain a wider interdisciplinary understanding of critical issues, the sharing and collaborative use of research data is crucial. Research data produced by CRC 1208 projects require thorough data documentation, quality and access control, as well as long-term storage, preservation and accessibility. These topics are subject of this policy.

The aim of the information infrastructure project (INF) of CRC 1208 is to further improve research data management within CRC 1208. Accordingly, this data policy will be constantly refined to finally achieve clear guidance and detailed advice in all aspects of research data management for the members of CRC 1208. These changes have to be approved by all principle investigators (PIs) of CRC 1208.

§1 Coverage

This policy applies to all CRC 1208 members: PIs, doctoral and postdoctoral researchers, student research assistants, associate members and fellows, as far as research activities are carried out within the CRC 1208 program or data shall be used that were generated within the program.

By agreeing to this data policy all members of the CRC 1208 are bound to the following

Vertraulichkeitsvereinbarung

„Alle Mitglieder des SFB 1208 verpflichten sich zur vertraulichen Behandlung aller Forschungsdaten, die sie in Projekten des SFB generiert haben oder von denen sie im Rahmen der gemeinsamen Arbeit im SFB Kenntnis erlangt haben. Erst nach der Erklärung der Vertraulichkeit kann die Arbeit in einem Projekt des SFB aufgenommen werden. Die Verpflichtung zur Vertraulichkeit besteht auch über das Ende der Mitgliedschaft im SFB, z.B. durch den Abschluss einer Dissertation in einem SFB-Projekt hinaus, für die Dauer von fünf Jahren. Alle von einem SFB-Mitglied erzeugten Forschungsdaten verbleiben nach dessen Ausscheiden grundsätzlich im SFB 1208. Alle Ausnahmen davon sowie von der Verpflichtung zur Vertraulichkeit werden nachfolgend in dieser Richtlinie zum Umgang mit Forschungsdaten des SFB 1208 („CRC 1208 Data Policy“) geregelt, um das einvernehmliche Teilen und die Veröffentlichung von Forschungsdaten des SFB 1208 zu ermöglichen. Ein Verstoß gegen diese Vereinbarung kann eine Verletzung arbeits- und/oder dienstvertraglicher Pflichten darstellen. Er kann darüber hinaus auch zivil- und/oder strafrechtliche Folgen haben. Bei Missachtung dieser Vereinbarung wird der Vorstand des SFB informiert, der seinerseits die Kommission zur Einhaltung guter wissenschaftlicher Praxis an der HHU zur Beratung hinzuziehen kann.“

Confidentiality agreement

All members of the CRC 1208 commit themselves to the confidentiality of all research data generated in projects of the SFB or which they have gained knowledge of in the course of their joint work in the CRC. Only after confidentiality has been declared can work on a project of the CRC be started. The obligation to maintain confidentiality continues to exist even after the end of membership in the CRC, e.g. by completing a dissertation in an CRC project. All research data generated by a CRC member remains in the CRC 1208 after the member has left the CRC. All exceptions to the obligation of confidentiality are regulated below in this policy for handling CRC 1208 research data ("CRC 1208 Data Policy") to enable the consensual sharing and publication of CRC 1208 research data. A breach of this agreement may constitute a breach of employment and/or service contract obligations. Any violation of this agreement may also result in civil and/or criminal prosecution. The SFB's board of directors is informed in case of violation of this agreement. The CRC Steering Board in turn can call in the Commission for Good Scientific Practice at the HHU if advice is needed.

- *Juristisch bindend ist die deutsche Version dieser Vertraulichkeitsvereinbarung.*
- *The German version of this confidentiality agreement is legally binding.*

§2 Data Management Board

A Data Management Board (DMB) comprising members of the Steering Board of CRC 1208 and the Data Representatives sets data standards and serves to adjudicate possible disputes relating to this policy. The PIs of the INF project are the Data Representatives. The Data Representatives can delegate part of their responsibilities. Representatives of the Dean's office, the ZIM (Zentrum für Informations- und Medientechnologie) and ULB (Universitäts- und Landesbibliothek) or the RDCC (Research Data Competence Centre) may join the DMB as advisory members.

§3 Definitions

- The term "research data" refers to all data generated by experiment or computations in analogue or digital format that were created, developed, evaluated or obtained by processing other data in the course of conducting research within the CRC 1208 research project by any of its members.
- The term "metadata" refers to any data describing and documenting "research data".
- The "data creator" corresponds to the person or persons who were responsible for the original collection, procurement and/or compilation of the data as the result of an intellectual creation. Typically, this will include PhD, postdoctoral researchers and PIs as well as project associated technical assistants. In case of research data resulting from joint research activities, "data creator" includes all contributing parties.

§4 Rights and responsibilities

- CRC 1208 members have in principle the right to access all research data in order to carry out their own research within CRC 1208 and to achieve the objectives of CRC 1208. However, CRC 1208 members also have the right to expect that their intellectual input and their academic interests will be protected in regard to research data. Both rights must be in accordance with §5 (restrictions and conditions). Both

rights must be equally respected and an appropriate balance between both should be determined within the rules of this Policy.

- b. A CRC 1208 member must respect the rights of other CRC 1208 members relating to research data in accordance to this protocol.

§5 Restrictions and conditions

- a. This agreement does not affect any rights of CRC 1208 members under applicable copyright legislation or intellectual property issues. In so far as research data are subject to regulations by a third party, or the right of the CRC 1208 members not to publish the results of their research (negative publication right) such rights must be respected.
- b. Authorship shall be determined by reference to national and international best practice in the sciences and relevant standards regarding good academic practice. At the Heinrich Heine University Düsseldorf (HHU) these can be found here: <http://www.forschung.uni-duesseldorf.de/gute-wissenschaftliche-praxis-an-der-hhu.html>
- c. Certain types of data have legal access restrictions, e.g., information related to any data classified as confidential, such as personal data, or intellectual properties. If such data is held in the CRC1208 Information System, all legal restrictions will be enforced. Access to and use of such data is limited to forms that do not violate applicable laws and regulations.

§6 Data delivery

- a. All research data acquired within CRC 1208 projects need to be stored in accordance with DFG [1] and HHU [2] rules.
- b. CRC 1208 members are responsible for storing and backing up research data safely according to recognized standards for scientific research. The INF project constantly monitors and consults the research projects of CRC 1208 for appropriate measures.
- c. All data sets will be stored with information about who collected them, about which version of the data is being used, and the date of the latest update.
- d. In the interest of collaborative research and the objectives of CRC 1208, data creators are required to provide CRC 1208 with metadata on research data and to submit data to CRC 1208's Information System in due time:
 - Research data must be deposited as soon as possible, at the latest one year after experiments or computations have been completed.
- e. Changes to research data or metadata must be updated in the CRC 1208 Information System. A final version including research data and metadata must be deposited in parallel to submitting the dissertation in case of doctoral researchers (in other cases, a final version must be deposited upon the finalization of other research outputs or the termination of the employment contract).
- f. At the end of a particular subproject, a project phase, or the entire CRC 1208, including in the case of early termination, as well as upon the acceptance of a publication or the public release of a dissertation, CRC 1208 members must submit to CRC 1208 all related research data, metadata, and relevant information for specific use at the latest at the due date of the final report for the specific project phase.

- g. All time frames for data delivery come into effect as soon as this Policy is ratified, and the CRC 1208 information system provides the functions necessary for the data delivery. The PIs are responsible for ensuring the data delivery within the period stipulated. If there are legitimate reasons, PIs can request an extension of the timeframes as described in this paragraph. Decisions concerning such extensions will be made by the Data Management Board by simple majority.
- h. Data creators must deliver research data and metadata in an appropriate form according to common standards and good academic practices. For appropriate forms, the INF Project can be consulted.
- i. All research data and metadata will be stored at HHU or alternatively, in repositories accepted in the respective scientific community. All research data and metadata will be mirrored; the mirroring will be on a regular basis according to ZIM standard. Changes to research data, metadata and access rights can only be made at the server at HHU. All rules and restrictions in this Agreement and the access rights set within the CRC 1208 Information System apply to all servers at HHU and to any other additional mirror server.

§7 Data access

- a. The access and release of all data must be in accordance with §5 (restrictions and conditions).
- b. Data accessed by CRC 1208 members should primarily be used for purposes necessary to carry out their own research in CRC 1208.
- c. CRC 1208 members must prevent third parties from gaining access to the CRC 1208 Information System by applying reasonable measures of protection and will not provide research data to third parties without the prior consent of the data creator.
- d. All metadata will be available on the CRC 1208 Information System in accordance with §5 (restrictions and conditions) and will be made publicly available after five years. This period can be extended to eight years on request to the DMB due to scientific or e.g. patent law reasons.
- e. Each CRC 1208 member should have access to all research data within the CRC 1208 Information System via the data creator. The PIs of the data creator's project will be informed about the request. A request for access to research data by a CRC 1208 member must in principle be granted.
- f. The data creators are responsible for determining the point of time at which their research data will be internally available (without the need of a formal request) and publicly available within the CRC 1208 Information System. Data creators are encouraged to make their data internally and publicly available within the CRC 1208 Information System earlier than the periods stipulated in §7 g.
- g. At the latest, all research data will be automatically made internally available two years after collection of the research data and publicly available five years after collection of the research data. Both periods may be extended for a further three years on request to the DMB due to scientific or e.g. patent law reasons.

§8 Data use

The use of unpublished data or data not released under a license specifying the terms of use must always be based on an agreement between the data creator and the data user. The following procedure will be implemented:

- a. The data user informs the PI of the data creator's project about the intended use.
- b. The data creator provides, after consultation with the PI, the data user with a written agreement in which the involvement in the use of the data is regulated. Agreements on co-authorship of publications must be in accordance with §5 (restrictions and conditions). The PI informs all members of the data creator's project about the agreement.
- c. The data creator and/or the PI of the data creator grant access to the requested data to the data user. This ensures that the exact data version used can be documented.
- d. Before anything is submitted for publication from the side of data user, the PI of data creator's project and all members must be informed.
- e. All permissions given concerning the access and use of research data must be documented. Publications must acknowledge the following: "The data were compiled within the Collaborative Research Center 1208: Identity and dynamics of membrane systems – from molecules to cellular functions funded by the Deutsche Forschungsgemeinschaft (DFG, German Research Foundation) – Project-ID 267205415 – SFB 1208".
- f. The use of research data is limited to scientific and non-commercial use. For an exception of this limitation, explicit permission must be sought from data creator and/or the PIs of the respective projects after consultation with the DMB. Decision will be made based on simple majority and all exceptions must be in accordance with §5 (restrictions and conditions).
- g. Use of data by third parties may be granted upon prior request from the same. The PIs of the respective projects decide on those requests after consultation with the DMB. The use of this research data by authorized third parties shall be subject to a written agreement by that party, to respect rights and interests of the other parties and of CRC 1208 members in accordance with §5 (restrictions and conditions).
- h. Any dispute or difference regarding access or use of research data will be moderated by the DMB. The DMB will take appropriate decisions on a case-by-case basis. The DMB may also adjudicate on these disputes or may refer to the involved parties to appropriate authorities such as the committee for good scientific practice at the HHU.

References

- [1] DFG Senate (2015): DFG Guidelines on the Handling of Research Data
- [2] HHU Amtliche Bekanntmachungen Nr 43/2022: Forschungsdatenrichtlinie

Düsseldorf, January 2023

Additional Information on this document

Status

This document is considered as a pre-final version.

Objective

The CRC 1208 Data Policy is intended to define and set rules for the following issues:

- *general handling of research data (responsibilities, security, rights)*
- *rights of CRC members concerning research data (authorship, scientific objectives)*
- *data transfer to the CRC 1208 Information System (obligations, timeframes, data quality)*
- *access to and use of data (availability, timeframes, data sharing, publications)*
- *general restrictions and limitations (e.g. confidential data)*

Process

This document is based on an examination of the CRC 990 EForTS Data Exchange Agreement (DEA) and several policies and agreements of related recent DFG funded projects dealing with data (see sources below). The results of several discussions have been taken into account, such as a discussion during the kick-off-meeting with the PIs of CRC 1208 in January 2020.

Document structure

The paragraphs are structured by subjects and each includes the related rights, duties, responsibilities or other regulations. After general regulations applying to all paragraphs the main processes are defined in:

- *Data delivery (6): data safety, data quality, obligations for delivery, timeframes, responsibilities*
- *Data access (7): availability, timeframes, internal sharing, security*
- *Data use (8): procedure for use and publication, use by third parties*

Some of the procedures (such as data use) are described and regulated on a very detailed level. Please note that this also reflects the technical capabilities of the CRC 1208 Information System, in which most of the work flows will be assisted or automated and therefore will not create unnecessary work for CRC members.

Sources / References

Template: Data policy of the CRC 990 Ecological and Socioeconomic Functions of Tropical Lowland Rainforest Transformation Systems in Sumatra, Indonesia (EForTS)

TRR 170 Late Accretion onto terrestrial planets

The Göttingen eResearch Alliance