

Position paper

Misconduct at Maastricht University; Acknowledge, Act and Lead by Example

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Recent investigations have shown that **about half of all university employees report of an unfair or unsafe working environment**, with women reporting of such a scenario more often than men. Examples of misconduct include intimidation, bullying, discrimination, abuse of power, exclusion, withholding of relevant information, humiliation and (sexual) intimidation. Although existing throughout all layers of academia, PhD students and post-docs seem to be particularly vulnerable in this respect. Whereas there is public awareness of this problem, at least among the scientific community, universities generally struggle in how to deal with related matters.

Although various types of hierarchical organizations suffer from similar issues, universities in particular seem unable to tackle associated problems efficiently. There are several possible explanations for this notion. First of all, there is still a general **lack of supervision and leadership skills** among the scientific community, where making a career in academia has long been almost exclusively dependent on an individual's scientific track record and like-knows-like. While universities like the UM have started training (and judging) their top talents in terms of leaderships skills, with obvious success, academia is generally still lagging behind in this respect, which may be partially related to the fact that training often only starts in more advanced career stages, with a lot of the damage already done. A potential solution may be to implement a code of conduct and ethics training program covering all career phases.

In addition, and probably even more important, both **reporting and monitoring systems at universities often fall short**. While several reporting systems have been set in place, including e.g. PhD student representatives, counselors/trustees, and an Ombudsperson, PhD students and post-docs often lack awareness of, or confidence in reporting instruments. Furthermore, junior scientists are often simply afraid to speak up, due to e.g. the highly competitive academic culture, the huge work pressure generally associated with performing a PhD or post-doc, the career-dependence on bringing a PhD to a successful end, the lack of room for maneuver they are experiencing with their supervisor(s), and because of the fact that when they do speak up, this may do more damage than anything else.

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Similarly, monitoring systems including prevention officers and PhD tracking systems, despite their good intentions, often lack efficacy, while others aware of ongoing issues (e.g. colleagues within the same organizational unit) generally remain silent for a similar reason as described above: speaking up often does more damage than anything else. At any level, basically. Why? Well, often there is conflict of interest, even when unintended. Those directly monitoring misconduct, or the ones informed indirectly on misconduct observed by others and asked to take action, often have close ties in some

form with either the victim, the person accused of misbehavior, or both. In addition, they may experience other forms of pressure, as in e.g. missing out on financial incentives when PhD trajectories are not brought to a successful end. As a result, those in the lead and expected to act, usually feel tied down, even when willing to take action, which obstructs adequate follow-up, with potentially dire consequences. For reasons like these, to protect all parties involved, **the UM should prioritize the use of independent review boards**, consisting of e.g. research integrity and academic misconduct officers, to investigate possible violations to the code of conduct. That would do justice to both the victims, those accused of misconduct, as well as line-managers who are now often struggling to stand up to close colleagues directly.

All in all, currently, despite commendable efforts, both reporting and monitoring systems are often not well-aligned and not implemented effectively. This, with reports, if existent in the first place, not being followed up adequately and monitoring systems often failing to do their job, i.e. to actually monitor. With the victim of misconduct still left behind in despair too often.

“Do not leave dealing with potential misconduct up to e.g. direct colleagues, such as line-managers, but establish independent review boards to investigate possible violations to the code of conduct.”

As said, while there has always been general awareness of a culture of fear and passive aggression and misconduct, e.g. involving PhD students and their supervisors, within certain units within universities like the UM, only occasionally such reports reach the surface, e.g. through traditional or social media. And when they do, it often does not lead to (evident) action. While it is understandable that an organization prefers to keep misbehavior quiet to some degree, keeping things internally should not be confused with covering them up, which seems to occur on a regular basis or at least that is how this is often being perceived by others. And even when not intended as a cover-up, remaining silent in cases of misbehavior visible to a larger audience can be seen as siding with the persecutor, which will lower trust among employees and students, while at the same time strengthening the position of those engaging in misconduct. As such, **the apparent discrepancy between general awareness of misconduct and lack of acknowledgement and action in response to it may have a destructive character.**

“While publically acknowledging misconduct and taking action might seem to lead to negative attention in the short run, the benefits of such a fair policy in the longer run are likely much bigger... Be open, proactive and reach out. Acknowledge the occurrence of e.g. misconduct and show how you as an institution act. Do not look away. Set an example.”

So, are we lost? No, not at all, in fact. Recently, there have been numerous developments in the right direction and the UM, being relatively progressive in general, has made a lot of progress in this respect, which is something that should be acknowledged. **Initiatives addressing e.g. work pressure and the “Recognition & Rewards” programme show the UM is willing to change.** However, the danger is that society is developing more rapidly than academia’s commitment to act can deal with right now in this respect. As a result, we as an institution, despite being progressive, might in fact lose trust and commitment of those people most suited to secure the necessary change after all. **As such, the UM should not just be willing to change, we should be proactively committed, and lead by example, as**

an institution. Revising our policy when it comes to misconduct would perfectly fit the newly developed strategic programme of the UM, which emphasizes the importance of diversity and inclusivity, sustainability, mutual respect, integrity, and transparency. In view of the latter, it is important to mention that while publically acknowledging misconduct and taking action might seem to lead to negative attention in the short run, the benefits of such a fair policy in the longer run are likely much bigger. Being transparent about such issues and showing you as an institution do not accept misbehavior is also a matter of “Recognition and Rewards”. By doing so, you create an open and safe environment, which would benefit all of us working in academia...

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Let us turn a threat into an opportunity. In the end, the solution in fact is rather straightforward. It is simply a matter of choosing the right side: those engaging in misconduct should feel the pain in the end, not those reporting or doing something about it. **The seven-step approach (“Zevensprong”)** listed below, based on the discussion outlined above, may serve as a point of departure in this respect. It will not just allow dealing with misconduct properly, but when implemented well, its preventive character could ensure the UM turning to a safe haven that fosters ethical behavior throughout its organization. While the original “Zevensprong” linked to the introduction of problem-based learning (PBL) brought the UM fame over the last decades, the one outlined below could ensure a sustainable future, for the UM, and academia as a whole. Let the UM continue to lead by example as an institution.

How to counter and prevent misconduct at Maastricht University (UM); UM's new SEVEN-STEP approach ("Zevensprong")

1. Establish a strong policy

Establish straightforward guidelines. Create awareness.

2. Monitoring

Install an efficient monitoring system. Update/upgrade existing initiatives and implement procedures for staff to request private meetings with supervisors responsible for ethics oversight.

3. Reporting

Review and adapt, where necessary, UM's reporting system that allows our employees to disclose unethical behavior. Be accessible and supportive.

4. Independent review

Do not leave dealing with potential misconduct up to e.g. direct colleagues, such as line-managers, but establish independent review boards to investigate possible violations to the code of conduct.

5. Acknowledge and act

Be open, proactive and reach out. Acknowledge the occurrence of e.g. misconduct and show how you as an institution act. Do not look away. Set an example.

6. Training

Intensify UM's leadership and communication training programs for managers and supervisors. Offer code of conduct / ethics training throughout all career phases.

7. Foster ethical behavior

Distribute responsibilities among employees, schools and departments, collaboratively reducing the risk of unethical behavior. Become a safe haven where one's virtue and moral compass is as important as any other core competence.

All in all, implementing such a policy will not only support dealing with misconduct properly; its main strength lies in its preventive character.