THIS TRANSLATION OF THE ‘Grundsätze der Universität zu Köln zu Fragen der Befangenheit vom xx month 2018‘

IS NOT LEGALLY BINDING.

**Principles of the University of Cologne on bias issues**

**as of 07 June 2018**

The University of Cologne attaches great importance to dealing responsibly and transparently with bias issues. For this reason, it has developed these principles in particular for application in appointment procedures, committees and boards, in evaluations of academic and other units of the University of Cologne, and in reviews within the framework of internal funding lines.

All (internal and external) members of committees and boards as well as all experts are obliged to check and state whether they could appear to be biased. In the case of committees and boards, the respective chairperson shall work towards compliance with these principles.

If a person is suspected to be biased, he or she may not continue to participate on the committee or board or as an expert (in the case of appointment committees, this applies to the entire appointment procedure); any statements and reviews already submitted are not to be considered further.

The decision to exclude a member is not to be interpreted as a vote of no confidence. The decisive factor is not whether bias actually exists, but rather whether third parties could be given the impression, based on objectively determinable facts, that bias exists.

The following lists examples of criteria that may give rise to the appearance of bias. Considering and adding Sections 20 and 21 VwVfG NRW (Administrative Procedure Act NRW) and following the German Research Centre’s guidance on bias issues, these criteria are divided into two categories: “exclusion” and “particular case decision”.

If a criterion of the category “exclusion” is fulfilled, bias is abstractly irrefutably assumed and exclusion from further participation is automatic.

If a criterion of the category “particular case decision” is fulfilled, the members of the committee or the board or, in the case of written expert opinions, the persons responsible for obtaining the expert opinions shall deliberate and decide, excluding the person concerned, whether there is an appearance of bias and the person concerned shall be excluded from further participation.

**List of bias criteria**

In principle, exclusion is provided for in the following circumstances:

1. relations up to third degree relatives (including e.g. nephews/nieces, aunts/uncles, cousins); marriage, registered partnership or marriage-like community (in each case existing or having existed in the past)

2. own economic interests in the decision or economic interests of persons listed under no. 1

3. current or planned close scientific cooperation

4. official dependency or supervision relationship (e.g. teacher-pupil relationship up to and including the post-doctoral phase) up to six years after termination of the relationship

In principle, a particular case decision is provided for in the following circumstances:

5. relationships not covered by no. 1; other personal ties or conflicts

6. economic interests of persons listed under no. 5

7. close scientific or economic cooperation within the last six years, e.g. within the framework of joint projects or publications

8. direct scientific or economic competition (e.g. within the framework of ongoing appointment procedures or appointment procedures completed within the last twelve months)

9. participation in mutual reviews within the last twelve months

10. business relationship of a certain duration and based on a special personal relationship of trust

This list is not exhaustive. Other circumstances can also give rise to the appearance of bias, as can certain actions or statements by a person. All participants are therefore requested to disclose any reasons not listed here that could give rise to the appearance of bias.

Issued on the basis of the resolution of the Senate of the University of Cologne of 30 May 2018.

Cologne, xx month 2018

University of Cologne

The Rector

Professor Dr Axel Freimuth