



Code of Ethics

German Graduate School of Management and Law gGmbH
Heilbronn, a State-recognised University

This Code of Ethics was approved by the Senate of the German Graduate School of Management and Law gGmbH Heilbronn on 31 March 2016 and put into effect on 31 March 2016 by the Executive Board.

Preamble

As a university recognized by governmental authorities, and in accordance with its Constitutional Order (*Grundordnung*) the German Graduate School of Management and Law gGmbH Heilbronn, a State-recognized University (hereafter: German Graduate School of Management and Law), is responsible for the organization and promotion of education and research. Based on this mandate the school's mission is to educate professionals, executives, entrepreneurs, and the next generation of leaders by developing the professional qualifications and personal strength they need to perform responsibly and successfully. In the pursuit of this mission the school has a special social responsibility to promote and ensure ethical behavior of its community of faculty, staff, and students (members of the community). In the awareness of this responsibility the German Graduate School of Management and Law adopts the following Code of Ethics.

In accordance with the school's mission, vision and strategy the community of the German Graduate School of Management and Law commits itself to the highest ethical standards of personal and collective behavior: *honesty, fairness, trust, respect and integrity*.¹

Honesty

Honesty is being truthful and sincere in communications and actions. It implies straightforward conduct and compliance with legislation and regulations.

Fairness

Fairness is making decisions impartially and objectively. Conduct is free from competing self-interest, prejudice, and favoritism.

Trust

Trust is to believe that someone is good and honest and will not harm you, or that something is safe and reliable.

¹ Cf. Cambridge English Dictionary, <http://www.dictionary.cambridge.org/dictionary/english/>, Date of access: 02/14/2016.

Respect

Respect is admiration felt or shown for someone or something that you believe has good ideas or qualities.

Integrity

Integrity is rigorous adherence to the moral rules and duties imposed by honesty and truthfulness.

These standards guide and challenge the community in its principles of thinking and acting in accordance with its strategic core values: responsibility, research orientation, relevance, engagement, excellence, innovation.² They also guide its commitment to diversity and equality.

This Code of Ethics is a shared statement of commitment by all members of the community to upholding these standards as the basis for daily as well as long-term decisions and actions. As such it constitutes a common framework for the school's policies and procedures, especially in teaching, research and executive education. The school is committed to spreading the knowledge and understanding of this Code of Ethics and to foster its application through putting appropriate measures in place as specified in part 2 of this document.

All members of the German Graduate School of Management and Law are each individually accountable for their own actions and, as a community, are collectively responsible for sustaining the school's ethical standards and acting in compliance with all principles and commitments of this Code.

² Cf. Mission and Vision Statements 2016 pp. 2-3.

Part 1

Principles in Accordance with our Strategic Core Values *Responsibility, Research Orientation, Relevance, Engagement, Excellence, Innovation*

Art. I: Principles in Accordance with our Strategic Core Value *Responsibility*

We are dedicated to promote sustainable economic growth and entrepreneurial success and are committed to the benefit of environment and society. Each member of our community takes decisions under consideration of their economical, ecological and social impact. It is our core spirit, that individual and organizational success can only be achieved through creating sustainable value. We are dedicated to take responsibility through leading by example and therefore establish procedures and measures of continuous improvement. In our fields of teaching, research and executive education our merit shall be based on the impact and benefit we create for others and ourselves.

All members of our community establish relationships of respect and trust with those with whom they work. We are aware of our responsibilities to society and to the specific communities in which we act. We uphold our respective professional standards of conduct, clarify our roles and obligations, accept appropriate responsibility for our behavior, and seek to avoid conflicts of interest that could lead to exploitation or harm. We are concerned about the ethicality of our colleagues' scientific, educational, and professional conduct.

Art. II: Principles in Accordance with our Strategic Core Value *Research Orientation*

We create and disseminate knowledge. We create new knowledge through excellence in research and honest academic conduct and we openly share our knowledge with students, the academic and the corporate communities. We systematically incorporate the existing

knowledge of these communities into our quest for new horizons and consequently build on the state of the art in research.

We uphold knowledge as a key economic resource. By dedicating our research to improve the current understanding of the global economic landscape we create and add value for our students, colleagues and corporate partners. We advocate promising innovations through research and contribute to fostering a knowledge-based economy and society.

Art. III: Principles in Accordance with our Strategic Core Value *Relevance*

In our striving for knowledge creation and dissemination we incorporate the needs of economic practice and respect its concerns. Through our teaching, research and executive education we create relevant knowledge and learnings to facilitate the effective development and implementation of practice and policy.

In our quest to find solutions to specific problems we seek to understand and meet the specific needs of the involved stakeholders. Our mindset is dedicated to seek clarity and aim to achieve progress and remedy instead of finding fault. We provide helpful answers to complex questions and our research results are meant to be applicable to the real world.

Art. IV: Principles in Accordance with our Strategic Core Value *Engagement*

We acknowledge engagement as a driving force in both economic and scholarly development. To foster a spirit of engagement we actively seek and develop opportunities on a fair basis. We constantly seek and embrace change, respond to it in a respectful manner and aim to exploit it as an opportunity to the benefit of the school and its stakeholders.

We strive to create an environment that encourages trustful partnership between the academic and the entrepreneurial world and believe through embracing reliable relationships, innovation becomes the rule and not the exception. We believe organizations flourish

through the fusion of reflection and execution and therefore welcome the execution of new ideas, demanding objective measurement, benchmarks, and continuous improvement.

Art. V: Principles in Accordance with our Strategic Core Value *Excellence*

We hold ourselves up to the highest standards of academic and professional performance. Excellence is not an act, but a habit and we strive with passion to live up to and exceed the self-set goals. We aim to contribute to academic progress through state of the art research and best practices in teaching. In order to safeguard the integrity of our academic work we follow our principles and procedures of good scientific practice and academic integrity.³

We aim to become a top-tier business school in Germany. In order to achieve and assure long term quality, we commit ourselves to continuous advancement and improvement in alignment with our mission and strategy. To our students, our academic partners and our corporate clients we strive to find, create and provide but the best solution and contribution to common success.

Art. VI: Principles in Accordance with our Strategic Core Value *Innovation*

We strive to incorporate a spirit of innovation in all our tasks and processes and aim to achieve innovation leadership in research and teaching. We honestly claim authorship of innovation and assess its impact by the potential to create and contribute to market and society. We develop and provide the relevant curricular formats that match the learning desires and needs of our students and corporate clients and create an atmosphere of innovative approaches to teaching, learning and ways of thinking.

We appreciate innovation as a source of improvement of efficiency, quality of life and productive growth. We embrace change as a constant source of innovation, but reject innovation for the pure sake of feasibility. We constantly question our status quo and seek fair possibili-

³ As formulated in the school's Code of Conduct To Promote Research Integrity and Address Research Misconduct (*Ordnung zur Sicherung guter wissenschaftlicher Praxis und zum Umgang mit wissenschaftlichem Fehlverhalten*), enacted 19 March 2015.



ties for individual and collective growth and improvement. To our students, academic partners and corporate clients we seek to identify future possibilities of support. We honor and credit the intellectual property of others and our community and strictly comply with intellectual property rights. In our teaching we equip our students with the methodological competence to develop and use innovation for their benefit and the benefit of their business and civil environment.

Commitment to Diversity and Equality

Art. VII: Commitment to Diversity and Equality

We are committed to creating an environment of equal opportunity where diversity is appreciated and everyone is treated fairly regardless of gender, disability, ethnic origin, religion or belief, sexual identity, marital status, age, or nationality. We practice zero tolerance for any form of discrimination and disrespect.

Diversity enriches our program curricula and is a substantial part of a responsible and international education. Diversity enhances the quality of teaching and research because it enlarges the talent pool and promotes a diversity of perspectives, thus the inclusion of relevant diversity aspects is a key ingredient of high-quality teaching and research.

We appreciate international and intercultural diversity amongst faculty, staff and students, in order to encourage intercultural dialogue and to foster a stimulating and challenging environment. We strive to become a welcoming place for the international exchange of people and ideas, in order to seek and provide answers to the challenges of a globally changing economic and research environment. We encourage students and faculty to engage in intercultural exchange and dialogue to mutual benefit.

We set into place relevant procedures and policies to safeguard diversity and equality and assure equal development opportunities for all member of our community. GGS's commitment to equal treatment on the grounds mentioned above is also legally binding as stated in the German General Equal Treatment Act (*Allgemeines Gleichbehandlungsgesetz, AGG*).⁴

⁴ German General Equal Treatment Act (*Allgemeines Gleichbehandlungsgesetz, AGG*), August 14, 2006, (BGBl. I p. 1897), last amended by Article 8 on April 3, 2013 (BGBl. I p. 610), <https://www.gesetze-im-internet.de/agg/BJNR189710006.html>, date of access: 01/24/2016; official English version: <http://www.antidiskriminierungsstelle.de/>

The German Graduate School of Management and Law requires every member of faculty and staff to sign her/his commitment to the German General Equal Treatment Act (AGG) and, therewith, the fair treatment and non-discrimination at the school (see attached Staff Commitment to AGG).

Related Policies, Procedures and Documents Part 1

- Signatory UN Principles for Responsible Management Education (PRME, since 2009); Founding Member UN PRME D-A-CH Chapter
- Signatory Heilbronn Declaration (*Heilbronner Erklärung*) on social responsibility (since 2012).
- Code of Conduct To Promote Research Integrity and Address Research Misconduct (Ordnung zur Sicherung guter wissenschaftlicher Praxis und zum Umgang mit wissenschaftlichem Fehlverhalten), enacted 19 March 2015.
- General Master's Examination Regulations (*Rahmenprüfungsordnung*).
- General Educational Regulations (*Rahmenstudienordnung*).
- Study and Examination Regulations for the Master's Study Programs in management (MBA and M.Sc.) at the German Graduate School of Management and Law.
- GGS Annual Reports UN PRME (2011, 2013, 2015)
- GGS CSR Reports (2014, 2015; *CSR Berichte*).
- German General Equal Treatment Act (*Allgemeines Gleichbehandlungsgesetz, AGG*), August 14, 2006, (BGBl. I p. 1897), last amended by Article 8 on April 3, 2013 (BGBl. I p. 610), <https://www.gesetze-im-internet.de/agg/BJNR189710006.html>, date of access: 01/24/2016; official English version: http://www.antidiskriminierungsstelle.de/SharedDocs/Downloads/EN/publikationen/agg_in_englischer_Sprache.pdf?__blob=publicationFile&v=1, date of access: 01/24/2016.
- Staff Commitment to the German General Equal Treatment Act (*Allgemeines Gleichbehandlungsgesetz, AGG*).
- General Master's Examination Regulations (*Rahmenprüfungsordnung*), § 12 Compensation for Disadvantage (*Nachteilsausgleich*).

[SharedDocs/Downloads/EN/publikationen/agg_in_englischer_Sprache.pdf?__blob=publicationFile&v=1](http://www.antidiskriminierungsstelle.de/SharedDocs/Downloads/EN/publikationen/agg_in_englischer_Sprache.pdf?__blob=publicationFile&v=1), date of access: 01/24/2016.

Part 2

Ombudsperson, Ethics Commission and Procedures for Misconduct Review

In the following, the German Graduate School of Management and Law specifies the establishment of an Ombudsperson, an Ethics Commission and the procedures for breaches of this Code of Ethics (misconduct), in particular non-compliance with the ethical standards of honesty, fairness, respect, trust, and integrity as well as diversity and equality.

Art. I: Ombudsperson

- (1) The German Graduate School of Management and Law appoints a permanent staff member as the contact person (Ombudsperson) for members of the school to voice suspicions of breaches of this Code of Ethics and ethically questionable behavior, as well as a deputy who must also be a permanent staff member. The Ombudsperson counsels persons who provide information about suspected misconduct and seeks convincing evidence which might come from a third party. The Ombudsperson examines the plausibility of the allegations in terms of their concreteness and implication, in terms of possible motive, and in view of potential ways to refute the allegations.
- (2) The Ombudsperson and deputy are appointed by the Executive Board upon recommendation of the Senate. The period of service is three years; a one-time reappointment is allowed.
- (3) Only those individuals can serve as Ombudsperson who are not required by virtue of their position on the Executive Board or as supervisor to take direct action based on possible information received. In cases of conflict of interest or absence, the deputy will act in place of the Ombudsperson. A conflict of interest is considered to be present as soon as the issue is raised.
- (4) Every member of the German Graduate School of Management and Law has a right to speak with the Ombudsperson in person within a reasonable period of time. The names of both Ombudsperson and deputy will be made public within the institution.

Art. II: Ethics Commission

- (1) The German Graduate School of Management and Law establishes a standing Ethics Commission (Commission) for the formal investigation of breaches of this Code of Ethics and ethically questionable behavior. The commission is called into session either by the Ombudsperson or by one of its members. The actions of the Commission do not replace other legal or statutory proceedings.
- (2) The Commission consists of six members and is comprised of three members of the faculty, one external member, one student representative, and one non-academic staff member, at least one of whom must be formally qualified as a judge. The Commission must adequately reflect diversity across its members.
- (3) Members of the Commission will be appointed by the Executive Board upon recommendation of the Senate. The period of service is three years; a one-time reappointment is allowed.
- (4) The Commission selects a chair among its members. The Commission has a quorum when at least three members are present. Decisions are made based on a simple majority; in the event of a tie, the chairperson's vote decides.
- (5) The Ombudsperson and deputy participate in the sessions of the Commission in an advisory and non-voting capacity
- (6) Commission members who deem themselves to have a conflict of interest in a specific case must recuse themselves from the initial and formal investigations of the Commission. A conflict of interest also exists for a Commission member if the person under suspicion asserts one and if a majority of the members of the Commission, upon consulting with both the Commission member and the person under suspicion; find a conflict of interest exists. If required for a particular case, a suitable replacement member will be found for the remainder of the case. The replacement will be approved through a simple majority vote of the remaining Commission members.

Art. III: Procedures for Misconduct Review

Preliminary Inquiry

- (1) An individual with information to support a concrete allegation of misconduct should communicate immediately with the Ombudsperson or a member of the Ethics Commission. The information should be presented in writing. In the case of verbal communication, written documentation of the suspicion and alleged evidence thereof must be made. All information received by the Ombudsperson and/or the Commission members in the course of the preliminary inquiry and the formal investigation of a case of potential misconduct is to be treated in strict confidence. Exceptions to this confidentiality requirement apply only where this is necessary to comply with legal requirements or in situations explicitly defined as such in this Code of Ethics.
- (2) The Ombudsperson presents accusations of misconduct to the Commission, maintaining strict confidentiality to protect the informant and the person under suspicion
- (3) The Commission will communicate without undue delay with the individual under suspicion, stating the alleged facts and supporting evidence as well as the names of the members of the Commission. The individual will have an opportunity to respond. The time limit for this response is two weeks. The name of the informant will not be revealed to the respondent at this stage without the informant's consent.
- (4) Once the person under suspicion has offered a response or allowed the time limit to expire, the Commission will decide within two weeks whether to end the preliminary inquiry – conveying their reasons for this decision to both the informant and the respondent – because the allegations are not sufficiently supported by evidence, because the alleged misconduct has been completely clarified, or because a formal investigation is now required.
- (5) If the informant does not agree with the outcome of the preliminary inquiry, she/he has a right to appear before the Commission within two weeks after notification to request a review of the decision.

Formal Investigation

- (1) The chair of the Commission will inform the Executive Board when a formal investigation is opened.

- (2) The Commission will discuss the case in closed session. They will closely examine the evidence independently and without prejudice to determine whether research misconduct has taken place. The respondent has the opportunity to state her/his case in a suitable manner. The respondent may request the chance to testify in person; she/he may be accompanied by a trusted advisor. The same condition applies to other individuals who speak before the Commission.
- (3) The Commission may deem it necessary to consult with specialists in the relevant field as well as experts in handling similar cases. These individuals will join the Commission in an advisory capacity.
- (4) The name of the informant may need to be disclosed if the person under suspicion of misconduct is otherwise unable to defend him/herself adequately and requests, for example, that the credibility and motives of the informant with regard to the complaint of misconduct be scrutinized.
- (5) If the Commission reaches a conclusion that misconduct has taken place, they will present the results of their investigation to the Executive Board and provide a recommendation for further action, keeping in mind the protection of individual rights. If the Commission finds no proof of misconduct, the procedure will be formally terminated.
- (6) The primary reasons leading to the termination of the procedure or the forwarding of the results to the Executive Board must be communicated without undue delay in writing to the respondent and the informant.
- (7) An internal procedure to contest the decision of the Commission is not provided.
- (8) At the conclusion of the formal investigation, the Ombudsperson identifies all individuals involved in the case. She/he counsels the persons unintentionally involved in activities of misconduct in order to reinforce their personal integrity.
- (9) Records of the formal investigation will be kept for 10 years. The persons named in the misconduct case have a right ask the Ombudsperson for a letter (to exonerate them) that attests to the length of this storage time.

Conclusion of the Procedure

- (1) If the formal investigation determines that a breach of this Code of Ethics has occurred, the Executive Board will consider appropriate, necessary and reasonable measures to take in the specific case.
- (2) The Executive Board communicates its recommendation for action – in so far as required by the applicable GGS Constitutional Order – to all entities and committees at the German Graduate School of Management and Law.
- (3) If the recommendation of the Executive Board is accepted by the affected entity (or entities or committees), the Executive Board will take disciplinary action, which in each individual case must follow a principle of reasonableness toward the individual being held accountable.
- (4) Should the recommendation of the Executive Board not be accepted, the Executive Board must prepare an additional recommendation taking into account the reasons given by the entity or committee for opposing the previous recommendation. If at this point there is still no agreement, the Senate will make a binding decision about measures to be taken.
- (5) The committees must work together with the Executive Board to determine whether and to what extent to inform existing and potential collaborators, research entities, academic journals and publishers, funding institutions, professional organizations, ministries and government entities. The German Graduate School of Management and Law commits to unrestricted cooperation with all affected entities to the degree permissible by law and in so far as is necessary and reasonable with respect to the person involved.
- (6) Third parties and/or the public affected by the situation should be informed by reasonable means of the outcome of the investigation in the service of protecting other parties. The Executive Board decides in each case how and whether to make results public.

Lastly, the Executive Board duly examines the need for all responsible entities and committees to initiate or request potential labor, civil, criminal or regulatory legal proceedings, should such be necessary and reasonable in the given case. This examination does not depend on the outcome of the formal investigation stipulated.