

MOSAIC Code of Conduct and E.D.I. policies

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Preface

MOSAIC is the ground-layer adaptive optics-enabled combined multi-object fibre-fed spectrograph and multi-object integral field units in the visible and near-infrared for the ESO ELT. The Project is composed of the Consortium and ESO together with third-party suppliers of components and material, alongside sub-contractors where required by the Consortium and ESO. The Consortium consists of the MOSAIC Board which represents the national funding agencies and Partners, and then a plurality of Institutes from the partner nations and organisations. ESO, from the Project perspective, consists of staff providing deliverables, their Project Office, and their Follow-up Team.

The Consortium is tasked with defining the scientific and engineering goals to produce a suitable MOS/IFU, which can then achieve defined goals alongside defined requirements from ESO, together set by the Project. The Project is multi-national, multi-lingual, multi-institution in composition. Accordingly, where national or institutional responsibility for Professional Work takes precedence, the Project will devolve responsibility accordingly, via the MOSAIC Board

where necessary. Where the Project has responsibility for Professional Work, this document explains the Code Of Conduct expected by all members.

Commenté [BA1]: Here I have assumed that responsibility for professional behaviour in MOSAIC that falls inside of national or insitutional boundaries is to be assumed by the board.

Commenté [BA2]: Here instead MOSAIC has responsibility for professional behaviour, for example during meetings, and so then our code of conduct would apply. I think the separation gives us the right legal balance between what this document can do and the requirements for each institute.

Goals and Requirements

The goal of the Code of Conduct for the Project is to foster a professional working environment for all members regardless of their background. By making clear how interpersonal relationships should be carried out to form collaborative and team-oriented working practices, the goals and requirements of the Project as regards its human resources will be clear. In short, how everyone can work together smoothly and with respect for each other.

Equity, Diversity, Inclusivity, and Accessibility considerations for all Consortium members will deliver a transparent, healthy, and innovative environment. Alongside the goals which deliver these four considerations, the requirements for Ethical behaviour are also stated in this Code. Therefore while some aspects are aspirational, others are mandatory and Sanctions exist to enforce them.

Aims and Ambitions: how to make it right

Equity and Inclusion

All MOSAIC Project members should strive to treat everyone encountered in their professional life with respect, to solicit and listen to diverse opinions, and to treat such opinions with civility. They should be alert to behaviour from themselves or others that would act to exclude or disregard other members in work-related activities. The Code is *not* intended to stifle open discussions or strong disagreements that naturally occur in collaborative projects but these should always take place in an inclusive environment. To ensure this happens, remember to remove anticipated barriers and provide requested support.

All MOSAIC Project members should be aware of and actively promote equality of opportunity and treatment for all their colleagues, regardless of racial identity, ethnic origin, religious beliefs, political affiliation, gender, gender identity, sexual orientation, disability, age, family and/or socio-economic status, cultural background, or other factors unrelated to professional merit.

All MOSAIC Project members should give credit to those whose work is presented, and where members are unsure, it is better to be generous to your colleagues and add their names and affiliations rather than exclude them unintentionally.

Communication

This Code of Conduct is applicable to all forms of communication within the MOSAIC Project, whether in person at the workplace or at meetings, during video- and teleconferences, in emails or messages, using any of the MOSAIC Project communication tools, or on social media. For communications without face-to-face contact, special care should be taken as the non-verbal context is lacking and immediate feedback and clarification cannot always be provided, hence creating the potential for long lasting misconceptions and aggravations.

The Code of Conduct recognizes that English is not the first language for a majority of Project members. Everyone, particularly native English speakers, should use language which is unambiguous and clear and culturally neutral. It is encouraged that, if unsure, Project members should ask for clarification, whether for written work or spoken phrases.

Work/Life Balance

To respect Project members private time, meetings shall be scheduled in regular working hours, as far as possible given the multiple time zones that exist.

The expectation of a reply between MOSAIC members should always be within their mutual working hours, and exclude vacation time and other absences, unless there is a justified case of emergency.

Complaints and Sanctions: when it goes wrong

Harassment and Bullying

The MOSAIC Project will not tolerate verbal, non-verbal, physical, or sexual harassment or bullying of any kind in the work environment of its members, and violations can lead to Sanctions as described below. Behaviour and language acceptable to one person may not be acceptable to another. Members should make every effort to ensure that words and actions communicate respect for others. Unwelcome attention, threatening or abusive language, insulting, hurtful, or disrespectful comments, have no place in the MOSAIC Project.

Bullying¹ is behaviour, usually repeated over time, where there is a deliberate intention to hurt or humiliate. It can happen in many forms including the use of written communications, phone conversations and supervision methods. Harassment relates to unwanted conduct, which affects or violates a person's dignity, or when a person, or groups' behaviour creates an intimidating, hostile, degrading, humiliating or offensive environment for that individual. Members shall not recklessly or maliciously injure, or attempt to injure, directly or indirectly, the reputation and career prospects of others.

The Project places a high priority on eliminating sexual harassment² from the workplace. Sexual harassment includes (but is not limited to):

1. making submission to or rejection of sexual advances, requests for sexual favours, and verbal or physical conduct of a sexual nature either explicitly or implicitly a condition for further career decisions; or
2. sexual advances, requests for sexual favours, and verbal or physical conduct of a sexual nature that have the purpose of or the effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating, or sexually offensive work environment.

¹ See <https://www.durham.ac.uk/about-us/professional-services/equality-diversity-inclusion/initiatives/bullying-and-harassment/what-do-we-mean-by-bullying-and-harassment/> for details

² For a more comprehensive list of examples, see section 4.2 here <https://www.durham.ac.uk/media/durham-university/support-services-/student-support-and-wellbeing/student-conduct/SMV-POLICY.pdf>

Scientific Misconduct

All MOSAIC Project members shall demonstrate individual and organizational integrity in all professional matters. Fabrication of data or selective reporting of data with the intent to mislead or deceive is unacceptable. The same applies to plagiarism, including from personal communications, leading to the appropriation of unpublished data or results from others without both permission and attribution. It should be recognized that honest errors are an integral part of the scientific enterprise. It is not unethical to be wrong, provided that errors are promptly acknowledged and corrected when they are detected.

Resolution of Conflicts and Complaints

Where a complaint must be made, due to a conflict or other unprofessional behaviour, sanctions are the final step and only applied after other attempts to achieve conflict resolution have failed. Regardless of how a complaint is handled, GDPR requirements must be adhered to.

Any unlawful acts, either in the past or those foreseen, or any harm or potential harm to the physical or mental health of any member, will immediately result in the Project contacting the relevant national authority. This Code cannot not replace or alter any national laws, institutional policies, funding agency requirements, nor any reporting members are subject to, but instead aims to ensure that the method to both report a complaint within the Project and resolve it is clearly stated.

The initiator of a complaint need not be the victim but must have either have been witness or have evidence which can be substantiated.

First, a complaint within the Consortium, between members of the same organisation, should be handled using the procedures available at their institute or laboratory.

Second, a complaint which involves members at different organisations and in the context of Professional Work can use the following procedure.

Respectful Workplace Adviser

It is advised that the complaint is first discussed with a **Respectful Workplace Adviser**. The choice of Advisor is entirely up to the person making the complaint and they should choose the person they feel most comfortable discussing the issue with.

Respectful Workplace Advisers are trained to be familiar with the MOSAIC Project organisation and the procedures and policies relating to Professional Work. They are a member of the Project, but their formal role will not have a leadership or supervisory role (e.g. a program manager or someone holding a grant) that could compromise their impartiality. They are trained to offer independent and neutral advice, including how to mediate conflicts by direct communication or through a trained professional. **They can also advise** if the complaint should be raised to a more senior level through the formal procedure. No record of advice will be stored nor will the complaint be shared further, unless agreed with the person raising the complaint or it is a legal requirement.

Commenté [BNA3]: if we cannot have a panel of these people, speaking various languages, and spread across the consortium then this aspect is doomed.

Commenté [BNA4R3]: HARMONI suggests minimum language requirements are additionally French, German, and Spanish which seems to also be good for MOSAIC, if we also add Portuguese.

Commenté [BNA5R3]: Also gender variation.

Commenté [BNA6]: Give examples? Holding a grant or being a program manager are two examples.

Commenté [BA7]: Give a set of examples of what is and what is not within scope

Formal Complaint Procedure

The formal avenue for raising a complaint within the Consortium is to contact the MOSAIC Board member³ for each relevant institution. If it is more appropriate to report to another person with authority, the Project Manager in the Project Office will be contacted.

The MOSAIC Board will appoint three members from different institutions to form a Complaints Panel and they will review all complaints in a timely manner. Between acknowledgement of a complaint and the initial review should take no more than ten working days, and an initial response to the person making the complaint received within three working days from the initial review. The Panel can investigate as they see fit, including an internal investigation or referring the complaint to a relevant national authority which may include the institution employing the person/persons addressed in the complaint. The process will be open and transparent and will be shared with all parties concerned unless there is a request to maintain confidentiality in which case the Panel has discretion (but not a mandate) to redact names to prevent the identification of people.

The Panel handling of the complaint should reach a final or intermediate conclusion, which may be awaiting the outcome of an external body or additional information, within 20 working days and reach a final conclusion within 40 working days.

The importance of keeping people informed but only sharing appropriate information is emphasised here. Records cannot include excessive personal information; such information must be kept secure and only shared with those required to know such information.

Any complaint which is false, malicious, or otherwise deliberately misleading is a violation of this Code. Any questions from Respectful Workplace Advisers or the Complaints Panel must be answered honestly, truthfully and without compromising the personal information of colleagues. To successfully pursue a complaint, sufficient information is necessary and be aware that there are limits to what the MOSAIC Project can do and be responsible for; but in all cases, every colleague is important and all complaints will be taken seriously.

Retaliation against any member of the project involved in a complaint—making, investigating, or resolving one—is a violation of this Code and could have legal consequences.

Sanctions

All MOSAIC Project members are expected to abide by this Code of Conduct, and prospective members must agree to the terms of the Code of Conduct as a condition of acceptance into the Project. Project membership is at the discretion of the MOSAIC Board, or ESO, and may be revoked upon reasonable grounds, including but not limited to violations of this Code of Conduct.

Violations of this Code of Conduct can result in a wide range of sanctions, depending on the severity, including, in the most extreme case, suspension or revocation of MOSAIC Project membership. Should a formal sanction be imposed, the home institution of the sanctioned person, and the MOSAIC Institutional Board will be informed.

The first level of sanction will be a verbal censure from the MOSAIC Leadership for breaching the Code of Conduct. We will clearly identify the offensive action, and its consequences, and

³ A full and up-to-date list of members of the MOSAIC Board can be found here [FILLMEIN](#)

ask the person to reflect on the perceived impact. The Project Leadership may also decide to immediately restructure lines of reporting to avoid potential future conflict.

In the case of repeat offences, or those where the violation is extreme / unlawful, the MOSAIC consortium will initiate formal action with the host Institute to have the person removed from the MOSAIC Project.

MOSAIC Project members can use the complaints process described above to initiate a formal complaint against a MOSAIC Project member who has been sanctioned or censured by their department, institution, or professional society based on conduct violations. The Complaints Panel has the right to apply similar sanctions or censure without any further detailed investigation provided sufficient information is available to determine that the concerned activities violate the MOSAIC Code of Conduct or place MOSAIC Project members at risk.

Provenance

We thank the HARMONI consortium (in particular the PI Naranjan Thatte) for sharing their Code of Conduct with us. This document draws heavily (including re-using text) from their CoC. We also acknowledge the EAS Ethics Statement, SDSS Code of Conduct, WEAVE Code of Conduct for their additional inspiration that helped us guide the structure of this document.

Definitions Used by The Authors

- Consortium: all the organisations designing and building MOSAIC, and does not include ESO
- Project: all organisations participating in MOSAIC, so the Consortium + ESO. The Code of Conduct covers everybody in the Project.
- MOSAIC Board: the members representing the Consortium who oversee how MOSAIC is run.
- Partners: the universities and other institutes whose staff/members represent the people who meet regularly when working on MOSAIC.
- Professional Work: the activities carried out by all people in the Project which are for developing MOSAIC and so falls under the responsibility of either the Project or (for legal reasons) National or Institutional organisations.