

Code of Ethics of the National Institute of Mental Health (NIMH)

Preamble

Code of Ethics of the National Institute of Mental Health summarizes the basic ethical requirements for employee behavior related to their professional activities both inside and outside the workplace. Requirements for ethical conduct are based on generally accepted moral principles of advanced democratic society, taking into account the specifics of work in basic and applied research and in the education and support of scientific and professional workers. The establishment of basic ethical standards of behavior aims to shape the National Institute of Mental Health as an employer that offers its workers an open, transparent, non-discriminatory and friendly working environment stimulating creative work and enabling long-term professional development.

PART ONE

Introductory Provisions

Article 1: Background

- (1) The background for preparing the Code of Ethics of the National Institute of Mental Health (hereinafter the “Code of Ethics”) were the following materials and formulations specified therein:
 - ▶ Ethical Framework of Research, Decree of the Government of the Czech Republic of 17 August 2005 no. 1005;
 - ▶ Code of Ethics of Researchers in the Academy of Sciences of the Czech Republic;
 - ▶ European Charter for Researchers, 2005/251/EC, Official Journal of the European Union of 22. 3. 2005.

Article 2: Basis of the Code of Ethics

- (2) The Code of Ethics summarizes the framework principles and values of good behaviour of NIMH staff in the following provisions, thus promoting the consolidation of desirable moral standards in all activities that are carried out at NIMH.
- (3) The Code of Ethics and its general provisions are binding for all NIMH staff in all forms of employment, i.e. in particular for employees employed at NIMH on the basis of employment or agreements on work carried out outside of employment (all hereinafter the “employees”) Specific provisions pursuant to part three to six of this Code clarify the moral standards of specific NIMH employee groups and are also binding for them.

PART TWO

General principles and obligations

Article 3: General employee obligations

- (4) As part of his or her activities at NIMH, an employee:
- ▶ upholds and respects fundamental moral principles, the principles of general and professional ethics and the principles outlined in this Code of Ethics;
 - ▶ requires behaviour from his or her co-workers that is consistent with these principles and values according to the previous point;
 - ▶ adheres to valid legal regulations, as well as the internal documents of NIMH;
 - ▶ does not advocate or tolerate behaviour that is contrary to the principles set forth in this Code of Ethics;
 - ▶ abstains from unethical and inappropriate use of knowledge acquired in relation to his or her work at NIMH;
 - ▶ based on his or her capabilities, broadens and deepens his or her knowledge and strives to improve his or her professional skills;
 - ▶ maintains a critical attitude to one's own knowledge and results, as well as the results of his or her co-workers;
 - ▶ whilst working at NIMH, honours the principles of freedom of thought, expression, exchange of views and information and rejects the use of unscientific approaches;
 - ▶ requests all of the necessary authorizations, including the conclusion of relevant contractual relationships, before research work is begun or he or she obtains access to the resources provided;
 - ▶ cooperates during all legitimate audits or inspections related to his or her research, whether this consists of internal inspections within NIMH or external inspections by public authorities or other authorized entities.

Article 4: Principles of ethical behaviour of an employee in relation to co-workers

- (5) Teamwork is the basis of the activities of NIMH. The employee:
- ▶ as a team member, ensures good interpersonal relationships between colleagues, subordinates and superiors, and emphasizes professionalism;
 - ▶ passes on his or her professional and practical experience to colleagues and co-workers at NIMH;
 - ▶ always acts with respect toward his or her co-workers, with dignity, honesty and courteousness;

- ▶ is obliged to avoid discrimination, harassment and behaviour showing features of physical or psychological violence toward all co-workers;
- ▶ employees primarily express their reservations about the work of other employees and opinions or standpoints on NIMH's activities in internal discussions in a suitable place and in an appropriate manner. This does not affect the employee's right to conduct public professional discussions in an appropriate manner.

(6) Managers:

- ▶ apply the principle of a non-discriminatory approach irrespective of race, ethnic or social origin, nationality, gender, sexual orientation, age, health disability, religion, faith or worldview, property, genus or other status, and on the grounds of the nationality of the employees of the organization;
- ▶ avoid any form and manifestation of behaviour that features physical or psychological violence toward all co-workers;
- ▶ monitor the knowledge and abilities of subordinate employees and create conditions for their development;
- ▶ apply the principle of equal opportunities for women and men.

Article 5: Principles of ethical behaviour of an employee in relation to the employer

(7) The employee

- ▶ responsibly adheres to ethical principles and values toward his or her employer, and also whilst carrying out his or her work toward other public or private entities and to society as a whole;
- ▶ is loyal to NIMH as a whole, avoids any action by word or deed that could damage the good reputation of the institute; this provision does not affect any employee reporting obligations according to legal regulations;
- ▶ does not knowingly engage in any activity that is incompatible with or restricts the proper performance of his or her duties at NIMH;
- ▶ avoids conflicting his or her private interests and obligations from his or her employment position at NIMH; in particular, as part of his or her employment at NIMH, the employee shall not grant special treatment or benefits to close persons and others to whom personal relationship or interest connects him or her, unless such treatment or benefits are provided to others, and always acts in the best interest of NIMH;
- ▶ during his or her activities, strives for efficient and economical use of financial and personnel resources. All property, whether tangible, intellectual, electronic or intangible, including intellectual property rights, is used responsibly within the scope of his or her work competences, and always looks after the legitimate purpose of use. In the event of ascertaining loss or damage to the property of NIMH, he or she must notify a supervisor of such a fact;
- ▶ is aware of the fact that his or her behaviour at and outside the workplace represents NIMH, and therefore he or she proceeds in accordance with laws and rules of civil decency.

Article 6: Principles of ethical behaviour of NIMH management toward employees:

(8) NIMH management

- ▶ continually strives for permanent sustainability of the organization's activities and ensuring its stability,
- ▶ leads employees to account for their work and performance,
- ▶ creates prerequisites for ensuring a correct and cooperative environment throughout NIMH,
- ▶ develops dialogue between employees and management,
- ▶ respects employees' opinions and helps them achieve their personal goals so that they can further professionally develop,
- ▶ adopts measures to protect both the intellectual property of researchers and the intellectual property of NIMH,
- ▶ eliminates any discrimination or preferences toward all workers based on race, ethnic or social origin, nationality, gender, sexual orientation, age, health disability, religion, religious belief, faith or worldview, property, genus or other status, and on the grounds of nationality,
- ▶ recognizes all researchers who engage in the research profession as members of a professional group and deals with them appropriately at all levels regardless of their inclusion.

Article 7: Ethics and sensitive data, communication

- (9) Employees handle with all confidentiality information obtained in the course of their profession and give them the necessary protection under applicable law. However, whilst doing this they take into account the right of the public to access information to the extent required by applicable law.
- (10) Employees shall be obliged to maintain confidentiality even after the end of their employment.
- (11) The spokesperson or persons authorized by the NIMH management shall provide information and NIMH statements and opinions to the media. This does not affect the employee's (in particular a researcher) right to conduct public professional discussions in an appropriate manner.

Article 8: Gifts and other offers

- (12) Employees shall not request or accept and shall refuse gifts, favours or any other benefits from third parties that could influence the fulfilment of their professional obligations at NIMH, or that could be considered a reward for a job that is in their job description at NIMH and as such was already paid to the employee by NIMH.

In connection with the fulfilment of their obligations at NIMH, employees shall be obliged to always refuse gifts of a higher value from third parties and all funds in any amount and currency from third parties.

- (13) Gifts that are considered to be part of a social etiquette (flowers, souvenirs, small items, etc.) and are provided in the course of work meetings are not considered a bribe. If an employee has doubts about a gift, he or she shall consult the matter with a supervisor.
- (14) Sponsorship and donations in the form of financial and material gifts is a special category that is purposefully tied to a specific department. This area is taken care of by the non-profit NIMH Association, which records and supervises that all of the donated funds and gifts are intended to support the activities of NIMH, specifically according to the wishes of the donor.

PART THREE

Specific principles and obligations of a researcher

Article 9: Basic ethical principles of research work

(15) The researcher:

- ▶ focuses his or her research on expanding the boundaries of scientific knowledge and ensures that its practically exploitable results serve the benefit of society;
- ▶ conducts research in such a way as not to endanger society, the environment or cultural values above the level set out by legal regulations;
- ▶ is responsible for the accuracy and objectivity of the research he or she conducts and is aware of the limits of the research methods used;
- ▶ when publishing knowledge and results, he or she is responsible for their completeness and verifiability and interprets them in an undistorted way;
- ▶ after publication, keeps the primary data and documentation of all significant results for the usual period in mental health research, unless other obligations (even contractual) or regulations prevent this;
- ▶ is responsible for the purposeful and effective use of research resources and does not duplicate research conducted elsewhere, unless it is necessary for verification, supplementation or comparison of results;
- ▶ principally avoids all kinds of plagiarism and adheres to the rules of intellectual property and intellectual ownership of results for research conducted jointly with other researchers.

Article 10: Principles of disclosure of findings and results

(16) The researcher:

- ▶ may be listed as the author of a publication if he or she created it
- ▶ may be listed as the co-author of a publication if he or she contributes creatively to its creation; a co-author is not someone who contributed to the publication only by providing assistance or advice of a technical, administrative or professional nature, or by providing documentation or technical material, or who only initiated the publication;
- ▶ acknowledges in the publication the scientific contribution of his or her predecessors and colleagues to the researched issue, to which it is directly linked and, when citing

the findings and knowledge of other authors, he or she makes a clear reference to the relevant source;

- ▶ also cites essential works that are not consistent with his or her own results and conclusions;
- ▶ if a significant error appears in his or her published data, he or she will take the relevant steps;
- ▶ does not unnecessarily divide results and knowledge into multiple publications to artificially increase his or her number of works;
- ▶ makes data collection and analysis methods, results and detailed data available for internal and external review whenever necessary, and when requested by competent authorities;
- ▶ before submitting a draft for publication, sends the final wording of the publication to all employees who have participated as co-authors in the publication for comments.

Article 11: Principles of cooperation with other researchers

(17) The researcher:

- ▶ recruits researchers (in particular young researchers) and co-workers in research based on an objective assessment of their intellectual, ethical and personality characteristics;
- ▶ ensures correctness and openness in mutual communication if he or she leads a research team;
- ▶ assesses co-workers on the basis of the results achieved and treats them fairly; does not require them to carry out activities that are his or her own duties;
- ▶ transfers his or her knowledge, skill and principles of good behaviour in science by word and by example to his co-workers;
- ▶ devotes time to teaching students, develops their independent critical thinking and responsible approach to work and respects their right to free expression of their views about research or clinical experience;
- ▶ promotes the growth of beginning researchers and subordinate researchers, as well as their research and publishing activities and international contacts and, if they have contributed creatively to its creation, they are specified amongst the co-authors of the publication, under the conditions set out in Article 10, paragraph 16, i.e. if they have been involved in the creative activity of the publication.

Article 12: Principles of obtaining informed consent for research involving human subjects

(18) If personal data is used as part of research, this will require the informed consent of the participants. When obtaining informed consent, the researcher shall be obliged to inform potential participants and research participants of:

- ▶ the purpose of the research and its expected duration and course,

- ▶ their rights to refusal to participate in the research, the right to revoke the consent already granted and the consequences of such refusal or withdrawal of the consent once granted,
- ▶ serious foreseeable factors that may affect willingness to participate in research, such as potential risks (of all kinds), inconveniences or negative effects,
- ▶ the benefits arising from the research,
- ▶ the degree of confidentiality of the research and the use of its results,
- ▶ potential remuneration for participation in the research,
- ▶ persons who will respond to questions about the research and rights of the participants, and their contact information.

(19) The researcher does not need to request informed consent for the research only if there are grounds given by legal regulations or decisions of public authorities, and the research does not cause damage, discomfort or other harm to anyone and includes:

- ▶ concealing of certain aspects of sociological and psychological research and some other types of research (educational methods, health care) for the time strictly necessary,
- ▶ study of educational or psychotherapeutic methods and forms or group training,
- ▶ anonymous inquiries, investigations, surveys, natural observation and archival research, the publication of which does not present any legal or other threat (loss of reputation, status or employment of the research participant).

PART FOUR

Specific principles and obligations of doctors, nurses and healthcare professionals from non-medical fields and other support staff

Article 13: Purpose of specific principles and obligations

(20) The common aim of all NIMH doctors, nurses, healthcare professionals from non-medical fields and other support staff of the NIMH clinic (hereinafter healthcare professionals) is to ensure qualified, high-quality diagnostic, medical, psychotherapeutic and nursing care and care for psychosocial needs in a pleasant and secure environment for all.

Article 14: Ethics and professionalism

(21) In all circumstances, NIMH healthcare professionals respect the Code of Ethics of their profession, in particular:

- ▶ Code of Ethics for a Doctor (Czech Medical Chamber)
- ▶ Code of Ethics for the Czech Association of Nurses (ČAS)
- ▶ Codes of Ethics and ethical principles for healthcare professionals from individual non-medical fields

Article 15: Ethics in relation to patients/clients

- (22) Healthcare professionals respect the uniqueness of each person irrespective of their race, ethnic or social origin, nationality, gender, sexual orientation, age, health disability, religion, faith or worldview, property, genus or other status and nationality.
- (23) Healthcare professionals create a pleasant and safe environment that will, as necessary, respect the individual needs of the patient/client and his or her human dignity. The healthcare professional must always treat the patient/client with the due respect. The healthcare professional must not misuse the trust and dependency of the patient/client. Healthcare professionals build trustworthy and fair relationships with patients/clients and with each other.
- (24) Healthcare professionals respect the rights of patients/clients, the rights of specific groups of patients/clients and, above all, an individual approach to patients/clients in meeting their general and specific needs, stemming in particular from:
- ▶ The Code of Ethics for Patients' Rights of the Central Ethics Committee of the Ministry of Health of the Czech Republic
 - ▶ Charter of Children's Rights in the Hospital of the Central Ethics Committee of the Ministry of Health of the Czech Republic
 - ▶ The Charter of Rights and Obligations of Disabled People issued by the Organization of Disabled People
 - ▶ UN resolution "Rights of the mentally disabled"

PART FIVE

Specific principles and responsibilities of staff working with animals

Article 16: Ethics in relation to laboratory animals

- (25) In their activities, employees working with animals follow valid legislation, in particular Act No. 246/1992 Coll., on the Protection of Animals Against Cruelty, as amended, Decree No. 419/2012 Coll., on the Protection of Experimental Animals, as amended, Directive 2010/63/EU of the European Parliament of 22 September 2010 and the Council on the Protection of Animals used for Scientific Purposes, guidelines on the care and use of animals for scientific purposes issued by the National Advisory Committee for Laboratory Animal Research 2004, the Committee recommendation of 18 June 2007 concerning instructions on the location and care of animals used for experimental and other scientific purposes (2007/526/EC), Act No. 78/2004., on the Use of Genetically Modified Organisms and Genetic Products and Decree No. 209/2004 Coll., on Detailed Conditions for the Use of Genetically Modified Organisms and Genetic Products, as amended.
- (26) Employees working with animals are familiarized with standards for the protection of animals against cruelty, consistently uphold and defend them, and are constantly being educated in this area.
- (27) The NIMH management ensures that only laboratory staff demonstrably familiarized with and trained in the field of the protection of animals against cruelty work with lab animals. The

NIMH management also ensures that a sufficient number of employees hold a Certificate of Professional Competence in the Field of Experimental Animals.

PART SIX

Specific principles and obligations of employees in specific work positions

Article 17: Employee ethics in certain specific positions

(28) If certain specific employee positions require individual configuration of ethical principles and obligations (e.g. internal auditor, ombudsman, etc.), these principles and obligations will be determined either by adopting the publicly proclaimed principles and obligations of the given profession (e.g. professional codes of ethics of professional chambers or professional associations) or the ethical principles and obligations are set out in the job description of the individual employee.

PART SEVEN

Procedure for resolving violations of the Code of Ethics

Article 18: Violations of the Code of Ethics – solutions

(29) Violations of the Code of Ethics should be first addressed directly within the research team on the level of its organizational structure. In the event that a violation of the Code of Ethics occurs outside of work in a specific research team, such a violation shall be resolved by the immediate superior of the employee who was to have committed the violation of the Code of Ethics.

(30) In the event that a violation of the Code of Ethics is not satisfactorily resolved at the level of the research team or at the level of the closest supervisor in accordance with the preceding paragraph, any party, i.e. the employee who was to have committed the violation of the Code of Ethics, as well as the representative of the research team or supervisor who dealt with such a violation of the Code of Ethics, has the right to appeal to the Committee on NIMH Ethical Affairs (hereinafter the “Committee”) in the manner given by its statute.

(31) Meetings in the Committee are carried out in conjunction with all interested parties, while ensuring the highest possible level of privacy. The conclusions of the investigation are submitted by the Committee to the Director of the NUDZ and are further communicated to all concerned persons. The conclusions also include measures leading to rectifying the situation if a violation of the code of ethics is ascertained. During this, in justified cases, the Committee may recommend to NIMH director to use the provisions of the relevant generally binding regulations and internal regulations.

PART EIGHT

Closing provisions

Article 19: Validity and effect

(32) This Code is issued for an indefinite period of time.

(33) This Code shall become valid and effective on the date it is issued.

In Klecany on 25th October 2019

prof. MUDr. Cyril Höschl, DrSc. FRCPsych.,
Director