

# Recommendations from the Code of Conduct Proto-Committee

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*This document contains the recommendations of the Code of Conduct Proto-Committee concerning how to oversee the Code of Conduct, DUNE-doc-4967. Reflections are first presented such as to provide motivation for the recommendations. The overall recommendations, and the corresponding detailed recommendations, follow thereafter. Additionally, a companion document detailing findings and serving as further motivation for these recommendations is available.*

## **Reflections guiding the recommendations**

The Code of Conduct Proto-Committee was charged with preparing a suitable system to oversee and support the DUNE Code of Conduct. Based on a survey of the collaboration and external experiment's policies and procedures, the Proto-Committee learned the following.

- The Code of Conduct is a living document, and continued education and resources are desired as the collaboration evolves. These aspects should be overseen by committed collaboration members who would review the Code of Conduct policies and provide guidance to the rest of the collaboration.
- DUNE collaborators, as physicists, are not trained to respond to the sensitive nature of violations of the Code of Conduct. Situations may even be exacerbated by real or perceived conflicts of interest. An independent, trained professional would complement and support the collaboration in a new and valuable way, especially for junior members.

23 This professional would not lead any investigation themselves as systems  
24 are already in place for this purpose, be it at Fermilab or at the home  
25 institutions of the collaboration members.

- 26 • Some collaboration members that are victims of a Code of Conduct vi-  
27 olation might not be comfortable discussing incidents. An anonymized  
28 system, formed after the establishment of an ombudsperson, would pro-  
29 vide a lower threshold to communicate incidents and show patterns of  
30 behaviour in the collaboration.

31 Given these considerations, the Code of Conduct Proto-Committee has for-  
32 mulated the following set of recommendations.

### 33 **Overall recommendations**

- 34 1. Creating a DUNE committee related to the oversight and support of  
35 the Code of Conduct.
- 36 2. Creating an ombudsperson role either within the collaboration or at  
37 Fermilab.
- 38 3. Creating an anonymous online system to report potential violations of  
39 the Code of Conduct.
- 40 4. Structuring a system to respond to violation reports within the collab-  
41 oration.
- 42 5. Updating in a timely manner the Code of Conduct and its policies.

### 43 **Detailed recommendations**

- 44 1. Code of Conduct Committee
  - 45 (a) A DUNE Code of Conduct Committee (CCC) should be created.
  - 46 (b) The CCC should be formed of two senior collaborators and one  
47 early-career collaborator (“early-career” to be defined as eligible  
48 for membership in Young DUNE). The senior members should not  
49 include the senior management (e.g. Executive Board members).  
50 The spokespeople appoint two senior candidates based on nomi-  
51 nations from the collaboration for a period of two years. Young  
52 DUNE decides on how to choose their candidate.

- 53 (c) The formation of the committee should aim to represent the di-  
54 versity of the DUNE collaboration. In particular, the commit-  
55 tee should include members of different institutions, genders and  
56 backgrounds.
- 57 (d) The role of the committee should be
- 58 i. To collect and disseminate best practices with regards to pro-  
59 fessional behaviour, mental health, diversity and bias.
  - 60 ii. To provide formal and informal support to collaborators via  
61 workshops, online training, collated reports, and presenta-  
62 tions at meetings. There should be an opportunity to present  
63 a relevant topic in every collaboration meeting to ensure vis-  
64 ibility.
  - 65 iii. To provide a regular report on climate as based in surveys  
66 to the DUNE and Fermilab community, and to share any ad-  
67 ditional relevant public details from the ombudsperson (role  
68 defined below).
  - 69 iv. To assist collaborators in identifying and connecting with ex-  
70 isting avenues of support.
  - 71 v. To regularly review the system that the collaboration has in  
72 place for handling violations of the Code of Conduct.
  - 73 vi. To recommend modifications to the Code of Conduct and its  
74 related policies.
- 75 (e) The committee should be advisory to the spokespeople and col-  
76 laboration and should have no executive power.
- 77 (f) The young member of the CCC should act as a link to Young  
78 DUNE and provide support to collaboration members in terms  
79 of linking them to appropriate resources. They should not be  
80 party to any confidential information or specific complaints unless  
81 directly approached by the complainant. They should never be  
82 required to advocate against a senior collaborator on behalf of a  
83 complainant.
- 84 (g) The members of the Code of Conduct Proto-Committee should  
85 act as interim members of the CCC until the appointment of the  
86 CCC members.

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2. Ombudsperson

- (a) An ombudsperson role should be created such as to be a confidential source of advice to collaborators with Code of Conduct related questions or issues.
- (b) The ombudsperson should provide impartial advice and guidance; help resolve interpersonal disputes; listen, share and examine pre-occupations or problems; and guide people in applying the Code of Conduct.
- (c) This person should not be a mandatory reporter. It is vital that someone coming to the ombudsperson maintains control over what happens to their issue.
- (d) The ombudsperson facilitates investigations when necessary but should not be part of them. This should enable them to preserve their role as advocate and confidential advisor to the collaborator. Investigations would be conducted by the relevant legal channels (e.g. Fermilab Human Resources, university, etc) as they currently are for violations of the Fermilab Statement of Community Standards.
- (e) The ombudsperson should provide statistics to the CCC about how many times they were contacted and also about reports, which may require an action, and disclosures, which will not trigger any action but will allow patterns of behaviour to be recognized.
- (f) To minimize perceived or real conflicts of interest, this person should be outside of the collaboration and be a trained professional who can act as a liaison between the complainant and DUNE or Fermilab.
- (g) About the selection of the ombudsperson:
  - i. If a Fermilab ombudsperson position is created, it should serve the role of the DUNE ombudsperson if the position is separated from Fermilab Human Resources and if the other details of the position are deemed suitable for the ombudsperson role of the collaboration. This would enable a common ombudsperson across Fermilab experiments, able to track patterns of behaviour across experiments and cross-collaboration support.

123           ii. Should there not be a Fermilab ombudsperson, or if the Fer-  
124           milab ombudsperson position is not created in a timeframe  
125           considered suitable by the CCC and spokespeople or does not  
126           satisfy the requirements of the collaboration, the ombudsperson  
127           role should be created by another external mechanism to  
128           provide an independent, confidential advice with appropriate  
129           sensitivity.

130           iii. The members of the CCC should not fill the ombudsperson  
131           role.

132       (h) Until the ombudsperson position is created, violations of the Code  
133       of Conduct should be reported to the spokespeople, the CCC  
134       members or Fermilab (DUNE collaborators may contact the Fer-  
135       milab Human Resources Partner for Neutrino Division, per the  
136       Statement of Community Standards).

### 137       3. Online reporting system

138       (a) An online reporting system should be created in which collabora-  
139       tors can communicate violations of the Code of Conduct.

140       (b) The online reporting system should

141           i. Allow for reports and disclosures.

142           ii. Allow for the possibility of anonymous reporting.

143           iii. Comply with laws regarding the recording of electronic data  
144           about personal information.

145       (c) Only the ombudsperson should be able to access the full reports  
146       and disclosures in the online reporting system . If the reporting  
147       system has different levels of access, the DUNE CCC could have  
148       access to metadata on the reports and disclosures.

149       (d) While anonymous reporting does not provide a way of following up  
150       on particular issues by design, it should allow to track behavioural  
151       patterns and to build a picture of the climate of the collaboration.

152       (e) Directly contacting the ombudsperson to make a report or a dis-  
153       closure should be possible.

154       (f) All collaborators should be empowered to report violations of the  
155       Code of Conduct, whether they are personally involved in an in-  
156       cident or a witness.

- 157 4. Responses to violation reports
- 158 (a) Every report of a violation of the Code of Conduct should be  
159 looked into by the ombudsperson within a reasonable amount of  
160 time.
- 161 (b) The ombudsperson should consult with the reporter to advise  
162 them of their options, including:
- 163 i. No action.  
164 ii. Action with no investigation.  
165 iii. An investigation.  
166 iv. A notification to other relevant authorities (e.g. collaborators'  
167 home institutions).  
168 v. A notification to law enforcement.
- 169 (c) Mediation should remain a possible solution, but should never be  
170 required unless desired by the complainant.
- 171 (d) Investigations should be conducted by the human resources and  
172 legal offices of Fermilab, and possibly by those of relevant other  
173 institutions.
- 174 (e) Possible actions based on the results of the investigation should  
175 include, but not limited to
- 176 i. No action.  
177 ii. Removal from in-person events.  
178 iii. Removal from consideration for DUNE talks.  
179 iv. Removal from convenership or other leadership role.  
180 v. Removal from the collaboration.
- 181 (f) The actions should be either temporary or permanent.
- 182 (g) The recommendation on what action to take should be approved  
183 by the Institutional Board.
- 184 5. Updating the Code of Conduct
- 185 (a) Once the CCC is created, the CCC should update the Code of  
186 Conduct based on the recommendations of this document.

- 187 (b) Once the ombudsperson position is created, the CCC should up-  
188 date the Code of Conduct regarding the ombudsperson role in  
189 DUNE with specific details.
- 190 (c) Once the ombudsperson position is created, the details of the re-  
191 porting system needs to be investigated and specified by the CCC  
192 in consultation with the ombudsperson.
- 193 (d) Changes to the Code of Conduct and its related policies should  
194 be approved by the Institutional Board.