

HR Excellence in Research

GAP Analysis (Charter and Code Checklist)

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Case number

2023RO111493

Name Organisation under review

Institutul National de Cercetare-Dezvoltare pentru Fizica Materialelor

Organisation's contact details

Atomistilor 405A, Magurele, Ilfov, 077125, Romania

Date endorsement charter and code

12/06/2023

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05/06/2024

GAP Analysis overview

The Charter and Code provides the basis for the Gap analysis. In order to aid cohesion, the 40 articles have been renumbered under the following headings. Please provide the outcome of your organisation's GAP analysis below. If your organisation currently does not fully meet the criteria, please list whether national or organisational legislation may be limiting the Charter's implementation, initiatives that have already been taken to improve the situation or new proposals that could remedy the current situation. In order to help the organisation's recruitment strategy, a specific self-assessment checklist is provided for Open, Transparent and Merit-Based Recruitment.

European Charter for Researchers and Code of Conduct for the Recruitment of Researchers : GAP analysis overview

- **Status** : to what extent does this organisation meet the following principles?
- **Implementation (++, +/-, -/+, --)** :
 - ++ fully implemented
 - +/- almost but not fully implemented
 - -/+ partially implemented
 - -- insufficiently implemented
- **GAP** : In case of --, -/+, or +/-, please **indicate the actual "gap"** between the principle and the current practice in your organisation.
- **Implementation impediments** : If relevant, please list any national/regional legislation or organisational regulation currently impeding implementation.
- **Initiatives undertaken/new proposals** : If relevant, please list any initiatives that have already been taken to improve the situation and/or new proposals that could remedy the current situation.

Status

Ethical and Professional Aspects

Status

1. Research freedom

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|-----------------------|---|---|
| ++ fully implemented | | This aspect is implemented through the individual work contract, including hierarchical subordination with related constraints and obligations to report and obey assigned tasks. |

2. Ethical principles

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|-----------------------|---|---|
| ++ fully implemented | | There is an ethic code at institute level and a commission to judge ethical problems, if any reported in the institute. |

3. Professional responsibility

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|-------------------------------|---|---|
| +/- almost but not fully i... | Missing a data management plan | A procedure for data manipulation and sharing will be conceived and implemented, according to EU and national regulations and protecting the IPR. |

Status

4. Professional attitude

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|-------------------------------|---|--|
| +/- almost but not fully i... | A centralized procedure for monitoring the research projects at institutional level is missing. Project directors obey the rules set by the funding agencies but, sometimes, they fail to inform the governing bodies of the institute on possible problems in the implementation of their projects. That can have detrimental consequences on the institution. | Reinforcing the role of the Scientific Council as the supervising body of all the research activities in the institute. Introducing in the individual contracts the obligation of researchers to timely inform the Board of Directors and the Scientific Council on any potential problem impeding successful implementation of their projects. All the researchers must adhere to the internal regulation of organization and functioning of the institute. |

5. Contractual and legal obligations

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|-------------------------------|---|---|
| +/- almost but not fully i... | Some researchers do not have a professional attitude, interpreting the research freedom to extreme, without obeying the internal regulations and without respecting the constraints imposed by the organizational structure of the institute. | Update the individual work contracts (the position fiche containing the rights and obligations). Reinforce and apply disciplinary measures against those researchers who do not obey to the internal regulations and consider that they can do what they want, whenever they want, engaging the institute's infrastructure in research activities that were not prior approved by the institute's governing bodies. |

Status

6. Accountability

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|----------------------|--|--|
| ++ fully implemented | | <p>There is an internal regulation for organization and functioning, describing in detail the rights and obligations of each staff member. Each staff member signs an individual work contract, with specific tasks for the irrespective position. It is hold accountable against the tasks assumed by the work contract. There are also national rules for accountability of researchers, including avoiding double funding, misconduct in using the public funds, etc. All these are usually specified in the work packages for project calls.</p> |

7. Good practice in research

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|-------------------------------|--|--|
| +/- almost but not fully i... | <p>Procedures for data protections, including GDPR, are not clear.</p> | <p>A clear procedure will be conceived, clarifying which data can be made public and which data cannot be made public, how to store and protect the primary research data, how to store and protect personal data. Informative workshops will be organized for all staff to inform about national and internal data manipulation and protection regulations.</p> |

Status

8. Dissemination, exploitation of results

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|-----------------------|---|---|
| ++ fully implemented | | The researchers are free to publish, to participate to specific events or to submit patent applications. This are parts of the collective work agreement and individual work contracts. |

9. Public engagement

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|-------------------------------|---|---|
| +/- almost but not fully i... | The public communication is still deficient, although some of the research results are advertised through mass-media channels | Reinforce to public communication service with the aim to increase the awareness of the larger public on the importance of the research in the field of condensed matter physics and materials science. |

10. Non discrimination

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|-----------------------|---|---|
| ++ fully implemented | | All the procedures for hiring, career development, internal regulations, administrative rules, etc. are transparent and non-discriminatory. |

Status

11. Evaluation/ appraisal systems

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|-------------------------------|---|--|
| +/- almost but not fully i... | There is a procedure for evaluation of researchers performance, agreed by a vast majority of researchers, but an independent evaluation committee is missing although the institute is periodically evaluated by the public authority for R&D&I in Romania, based on a methodology approved at national level, and using independent evaluation committees. | Independent, including from abroad, experts will be co-opted in the Scientific Council. They will play also a key role in re-framing the evaluation procedures and regulation, if found necessary. |

Recruitment and Selection - please be aware that the items listed here correspond with the Charter and Code. In addition, your organisation also needs to complete the checklist on Open, Transparent and Merit-based Recruitment included in a separate section, which focuses on the operationalization of these principles.

12. Recruitment

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|----------------------|----------------------------------|---|
| ++ fully implemented | | There are procedures and regulations regarding hiring in the institute and promotion to the next career stage (see https://infim.ro/en/rules-and-regulations/). |

Status

13. Recruitment (Code)

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|----------------------|--|--|
| ++ fully implemented | | There are procedures and regulations regarding hiring in the institute and promotion to the next career stage (see https://infirm.ro/en/rules-and-regulations/). Open positions are advertised on EURAXESS, other job portals, and in a journal of national circulation (these are conditions imposed by the law 319/2003). |

14. Selection (Code)

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|----------------------|-------------------------------------|--|
| ++ fully implemented | | The rules to nominate commissions for R3 and R4 are established by law 319/2003. For R2, the commission is nominated by the General Director, and includes at least one expert from outside the institute. |

Status

15. Transparency (Code)

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|-------------------------------|---|--|
| +/- almost but not fully i... | Language barrier | All rules and regulations are available on the web page of the institute. However, for the time being, all are in Romanian and a translation to English may be necessary in the near future, to make them understandable for researchers from abroad. However, learning Romanian language (at least basic level) may be necessary for foreign researchers if they intend to obtain permanent positions in the institute and remain for long period of time in the country. |

16. Judging merit (Code)

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|-----------------------|---|---|
| ++ fully implemented | | The present rules and regulations include a large variety of quantitative indicators as well as qualitative ones. The rules include, besides and extensive CV and an auto-evaluation template, with clear thresholds for each quantitative indicator (for R3 and R4 these are set at national level by Ministry order), a written exam consisting of a research project adapted to career stage (testing the creativity, innovative capacity, team work, etc.), and an interview with the commission. |

Status

17. Variations in the chronological order of CVs (Code)

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|-----------------------|---|---|
| ++ fully implemented | | See the rules and regulations for hiring (web page of the institute) as well as the rules set by law 319/2003 regarding the number of years spend at a certain career stage prior applying for promotion to the next stage. |

18. Recognition of mobility experience (Code)

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|-----------------------|---|---|
| ++ fully implemented | | This is considered by law as working time if appropriate documents are provided (e.g. fellowships, working contracts abroad, or similar). |

19. Recognition of qualifications (Code)

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|-----------------------|---|--|
| ++ fully implemented | | At national level it is established a center for recognition and equivalent of high education diplomas obtained abroad. Other certifications and qualifications are recognized at institute level if these bring added value to the institute. |

Status

20. Seniority (Code)

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|----------------------|----------------------------------|---|
| ++ fully implemented | | The rules and regulations presented on the web page of the institute (see https://infirm.ro/en/rules-and-regulations/) consider the entire career of the applicant, the main criterion is the excellence in research, while for young assistant researchers (R1 level) the main criteria are the knowledge gained in the higher education system, relevant for the institute, and the career development plan. |

21. Postdoctoral appointments (Code)

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|-------------------------------|--|--|
| +/- almost but not fully i... | Post-doctoral positions are not in line with the present provisions of law 319/2003, which set up the following research positions: assistant researcher; senior researcher, senior researcher rank III; senior researcher rank II and senior researcher rank I. Sometimes this is in contradictions with rules from work packages for different project calls, requiring the presence of post-docs in the project team. | The law should be amended, but this is possible only at Ministry level. As pointed in another place, mobility is not very popular among Romanian young researchers (mainly due to family reasons). Another aspect to be considered is that a researcher can be hired on limited time contract only for maximum 3 years in a row, then has to be hired on a permanent position or have to leave the institute. These are aspects that cannot be solved at institute level. We only can encourage our young researchers to go for post-doc stages at collaborating institution from abroad, and encourage young researchers from abroad to come and work in the institute. This is way all the open positions are advertised on EURAXESS portal. |

Working Conditions and Social Security

Status

22. Recognition of the profession

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|----------------------|----------------------------------|---|
| ++ fully implemented | | This is stipulated at national level by the law 319/2003. |

23. Research environment

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|----------------------|----------------------------------|---|
| ++ fully implemented | | The conditions are set by the collective work agreement and by the internal regulation for organization and functioning. All the administrative structures work to provide an efficient and friendly environment for the research work. |

24. Working conditions

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|----------------------|----------------------------------|---|
| ++ fully implemented | | The conditions are set by the collective work agreement and by the internal regulation for organization and functioning. The conditions to access the infrastructure are part of the internal regulation for functioning of the institute. The safety measures are periodically reminded, in agreement with existing national regulations. There is a person appointed to take care of work safety regulation and implementation in the institute. Each employee signs a work safety instruction card whenever new rules are implemented. |

Status

25. Stability and permanence of employment

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|----------------------|--|---|
| ++ fully implemented | | This is part of the strategic development plan of the institute. As the national rules does not allow limited time contracts for more than 3 years in a row, procedures where established for a proper selection of those who will get a permanent position in the institute. |

26. Funding and salaries

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|----------------------|--|--|
| ++ fully implemented | | The institute is self-funding; it does not get funds directly from the public budget. Therefore, the top priority of the governing bodies is the ensure enough funding sources for the recurrent salaries of the staff. A credit line to commercial bank is open to cover possible lack of cash for paying the salaries, the debt being paid when the money for projects are reimbursed by the funding agencies. |

27. Gender balance

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|----------------------|-------------------------------------|---|
| ++ fully implemented | | The gender balance is about 50-50. There is a gender equality strategy and a gender equality plan in action, that will be periodically upgraded, if necessary |

Status

28. Career development

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|-------------------------------|--|--|
| +/- almost but not fully i... | Although it is mentioned in the collective work agreement at institute level the framing of an annual development professional plan, such a plan has been not yet conceived and implemented. However, there are internal regulations for promoting from one career stage to the next, based on a national set of minimum thresholds. | Framing and implementing a development professional plan for researchers and for the administrative staff, plan including workstages, courses, programs deemed necessary for career development and for enhancing the expertise of the personnel hired in the institute. |

29. Value of mobility

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|-------------------------------|---|---|
| +/- almost but not fully i... | Mobility of researchers is not very popular in Romania, especially for long term grants as PhD students or post-doc. There are procedures and conditions foreseen in the collective work agreement, protecting the position for those on leave with mandate from the institute. | Framing a mobility plan, especially for young researchers, apart from participating at conferences, workshops, etc. That can include workstages at collaboration institutes abroad, summer schools and similar. We underline here that leaving for long term stages is encouraged by the institute but, at the end, is a personal choice. |

30. Access to career advice

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|----------------------|----------------------------------|---|
| ++ fully implemented | | All senior researchers have in their work contracts stipulated the obligation to train, teach, advice young researchers in every aspect of their carrier. |

Status

31. Intellectual Property Rights

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|----------------------|----------------------------------|--|
| ++ fully implemented | | There is implemented a management system for intellectual property rights, with a innovation officer taking care of all aspects related to IPR, including periodic training of personnel on latest changes in the national laws regarding IPR. |

32. Co-authorship

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|----------------------|----------------------------------|--|
| ++ fully implemented | | There is a national law addressing all ethic aspects of the research activities (law 206/2004). These were then translated into the ethic code of the institute. |

Status

33. Teaching

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|----------------------|--|--|
| ++ fully implemented | | <p>The institute is not part of a higher education institution, it is a R&D public institution. There are no teaching obligations for the researchers, except for those which are associated professors to doctoral schools. However, there are internal teaching courses for the newly hired assistant researchers, addressing specific aspects of the condensed matter physics and materials science, including principles of the characterization techniques used in the institute. Apart from these, each senior researches has the obligation to teach and train the young researcher from her/his group.</p> |

34. Complains/ appeals

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|----------------------|-------------------------------------|---|
| ++ fully implemented | | <p>The collective work agreement and the internal regulation for organization and functioning have special chapters for how complains/appeals are handled under the supervision of the legal officer.</p> |

Status

35. Participation in decision-making bodies

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|----------------------|--|---|
| ++ fully implemented | | <p>The representative body of researchers is the Scientific Council. It has 21 members. All the members except the General and Scientific Directors are elected by the research staff, proportional with the number of established researchers in each laboratory. There are also suppliant members, one for each laboratory, and observers from the young researchers (R1 or R2). Each laboratory is organizing periodic meetings to communicate the problems, the decisions of the governing bodies, and to discuss every aspects of the work. All the heads of laboratories are part of the Direction Committee, thus can communicate both ways problems and solutions when necessary.</p> |

Training and Development

36. Relation with supervisors

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|----------------------|--|--|
| ++ fully implemented | | <p>Senior researchers have by work contracts the mission to train young researchers. Few of the senior researchers are also PhD supervisors, being affiliated to the doctoral schools of Bucharest University. There relation with the PhD students is regulated by the contract with the doctoral school and by the laws related to higher education.</p> |

Status

37. Supervision and managerial duties

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|----------------------|--|--|
| ++ fully implemented | | Senior researchers (R4 and R3) are supervising the research work of their groups, including the professional progress of the young researchers. This task is included in the work contract and in the collective work agreement. Only R4 and R3 can occupy top management positions as stipulated in the law 319/2003. |

38. Continuing Professional Development

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|----------------------|-------------------------------------|--|
| ++ fully implemented | | This is an obligation from the law 319/2003 and from the work contract, each researcher have to keep himself informed with the latest development in her/his field of expertise. |

39. Access to research training and continuous development

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|----------------------|----------------------------------|--|
| ++ fully implemented | | This is granted through the collective work agreement. |

Status

40. Supervision

| Implementation | GAP / Implementation impediments | Initiatives undertaken/new proposals |
|----------------------|--|--|
| ++ fully implemented | | <p>As stated in the law 319/2003, by the collective work agreement and individual work contracts, senior researchers supervise the activity of the young researchers from their groups/laboratories. The organizational scheme contains one large Research Department, divided in this moment in 8 laboratories. Laboratories can coagulate or dissolve based on common research interests. Migration from one laboratory to another is allowed based on the mutual consensus of laboratory heads. As previously mentioned, each laboratory organize periodic meetings in which the status of different projects is presented, including presentations of young researchers about their work for PhD thesis or other tasks assigned by the laboratory head. This ensure supervision and timely correction of errors or problems.</p> |