



ACS Publications Ombuds Charter

Establishment of ACS Publications Ombuds Program

To support the American Chemical Society's commitment to the principles embedded in [The Chemical Professional's Code of Conduct](#) and its [Publishing Policies](#), ACS Publications has decided to provide ombuds services, on the terms and conditions of this Charter, in connection with its commitment to help combat bias in all aspects of the publishing process. ACS Publications' goal is to provide services that are as inclusive and accessible as possible for the chemistry community, regardless of gender, sexual orientation/identity, race/ethnicity, religion, employment status or status in the field. In addition, ACS Publications desires to improve the conduct and climate of the peer review process with aggregate data and non-confidential feedback on trends and recommendations from the Ombuds.

The ACS Publications Ombuds Program is an independent, impartial, off-the-record, and confidential channel for concerns regarding the peer review process. The Ombuds selected to provide these services ("Ombuds") is available to provide information confidentially and strives to provide a safe place for people to discuss such issues as: Editor misconduct (suspected bias, handling of the peer review process, mismanagement of appeals and concerns around scientific misconduct, etc.), Editorial Advisory Board member and reviewer misconduct (suspected bias, peer-review manipulation), Editor professionalism, and Editor and Editorial Advisory Board member conduct at events at which they are representing ACS Publications. The Ombuds does not investigate complaints about journal content or concerns about scientific misconduct by authors, which need to be brought to the attention of the relevant journal and/or institution. However, the Ombuds is available to provide guidance on approaching these items with a journal or other formal channels. Additionally, the Ombuds' scope excludes manuscript decisions without clear indication of bias. The Ombuds is a resource to informally discuss any of these or other peer-review-related concerns.

This Charter sets forth the operating principles under which the ACS Publications Ombuds Program will operate and reflect the American Chemical Society's commitment to the Ombuds and the role of this position.

Standards of Operation

The ACS Publications Ombuds shall be a member of the International Ombudsman Association (IOA) and shall adhere to IOA's [Code of Ethics and Standards of Practice](#) in performing ombuds

services for ACS Publications. These tenets require organizational ombuds programs to be independent, neutral, informal, and confidential:

1. Independence

The ACS Publications Ombuds is an independent contractor and not a member or staff of the American Chemical Society. The Ombuds functions outside existing administrative structures pursuant to a Services Agreement between the Ombuds and ACS Publications.

2. Impartiality

The ACS Publications Ombuds provides impartial assessments of concerns. As a neutral third-party, the Ombuds is a resource for equitable and fair process, and the fair administration of process. The Ombuds does not, however, provide legal or other kinds of advocacy or enforce ACS Publications Code of Professional Conduct and Ethics. The Ombuds does not render services or become involved in any matter that would be a conflict of interest for the Ombuds to do so.

3. Informality

The Ombuds provides a means for off-the-record discussions of concern. The Ombuds is empowered to provide only informal assistance, and does not conduct investigations, make or override decisions, determine policy, testify or participate in formal or administrative proceedings with respect to confidential communications, provide legal advice, or accept legal notice of claims against the American Chemical Society, ACS Publications, or any other organization, entity, or person. For those wishing to assert claims or have on-the-record communications, the Ombuds can identify resources to appropriate formal channels so that individuals may make informed choices about which process they decide is best for them to pursue.

4. Confidentiality

Communications with the Ombuds are confidential to the maximum extent permitted by law. This principle of confidentiality helps the Ombuds provide a safe place for the chemistry community to voice concerns, evaluate issues, and identify options for possible further action. The Ombuds is a purely voluntary resource. No one is required to use it, but those who do will be deemed to have agreed to respect and abide by the above principles on which it was created and not to call the Ombuds to testify or produce documents related to confidential communications in any administrative or legal proceeding. The American Chemical Society has also agreed not to call upon or attempt to have the Ombuds disclose confidential communications or to testify or produce documents relating to confidential communications in any administrative or legal proceeding.

Consistent with the International Ombudsman Association Code of Ethics and Standards of Practice, the only exceptions to this confidentiality principle are: (a) when, during the course of communications with the Ombuds, an inquirer gives the Ombuds permission to make a disclosure and the Ombuds agrees it is appropriate to do so, or (b) when the Ombuds determines that there is an imminent threat of serious harm.

Scope of Services

The Ombuds will be available to consult with concerned individuals about Editor misconduct (suspected bias, handling of the peer review process, mismanagement of appeals and concerns around scientific misconduct, etc.), EAB member and reviewer misconduct (suspected bias, peer-review manipulation), Editor professionalism, and Editor and Editorial Advisory Board member conduct at events at which they are representing ACS Publications. The Ombuds does not investigate complaints about journal content or concerns about scientific misconduct by authors, which need to be brought to the attention of the relevant journal and/or institution. However, the Ombuds is available to provide guidance on approaching these items with a journal or other formal channels. Additionally, the Ombuds' scope excludes manuscript decisions without clear indication of bias.

As a neutral third-party, the Ombuds is an advocate for fair and equitable process. The Ombuds may also act to facilitate conversation, when acceptable, to remedy a situation. The Ombuds does not, however, provide legal advice, engage in other kinds of advocacy, or take action to enforce the American Chemical Society's Code of Professional Conduct and Ethics.

Accountability and Reporting

The Ombuds reports to the ACS Publications Editorial Director. The Ombuds may also meet with and alert senior leadership of ACS Publications and of the American Chemical Society of any systemic issues or trends the Ombuds believes may help the organization address identified or potential issues, improve the climate for the peer-review process, or improve its policies and practices. Even when reporting issues to senior leadership, the Ombuds *will do their best to protect* the confidentiality of those using the Ombuds' services.

Record Keeping

The Ombuds provides only informal assistance, and although informal notes may be temporarily created only as needed, the Ombuds does not retain permanent records containing personally identifiable information or confidential communications. Any reporting to senior leadership will contain only aggregate data and the Ombuds insights and observations on the types of issues raised on any organizational recommendations. The Ombuds will retain anonymous statistical data.