

Research Misconduct Policy

The University expects all research undertaken on University premises or using University facilities to be conducted observing the highest standards of research practice. Members of the University and those working on University premises are expected to behave in an honest and responsible way at all times.

Nonetheless, notwithstanding this, individuals have a right and a duty to raise matters of concern regarding serious research misconduct or malpractice which they believe to be true and in the public interest to disclose. An allegation made in these circumstances should be without fear of reprisal. Please refer to the University's [Whistleblowing Policy and Procedure](#)

Research misconduct includes (but is not limited to):

- Deliberate, dangerous or negligent variation from practice which might result in unreasonable risk to humans, animals or the environment
- Fabrication, falsification, plagiarism, corruption or deception in preparing, carrying out or reporting the outcome of research including omission of data which does not fit expected results
- Disclosure of research data which is false and misleading
- Planning, conspiring or assisting in research misconduct including the incitement of others to be involved and concealment of misconduct
- Unethical behaviour in carrying out research including treatment of research participants or researchers or failure to obtain appropriate ethical permission
- Unauthorised use, disclosure or damage to research data, apparatus, hardware/software or other substance used in carrying out research.

Genuine mistakes, authentic academic/scientific error, honest disagreement, and poor research, unless there is an intention to deceive, do not constitute research misconduct. Such issues should normally be raised with the person concerned or their line-manager. Disciplinary, grievance, performance, harassment and equality issues should be raised through the appropriate channels for these issues.

This Procedure allows the full and fair investigation of research-related issues, using an expert panel to investigate the matters raised, and to reach a conclusion on any allegations of misconduct prior to considering any disciplinary or other non disciplinary steps that might be required or recommended.

In research, situations arise that might present as misconduct but are the result of either a misunderstanding or a dispute between individuals. It may be possible to mediate or resolve such

- Where the allegations are within the definition of misconduct in research, the Designated Person will inform the University's:
 - Head of Organisation;
 - Head of Personnel;
 - Head of Research; and
 - Head of Finance;

that allegations of misconduct in research have been received on a particular date and that it will be investigated using this Procedure. They will be provided in confidence with the following information:

- the identity of the Respondent;
- the identity of the Complainant;
- details of all sources of internal and external funding;
- details of all internal and external collaborators for the research in question; and
- other details that the Designated Person considers appropriate.

It will be stressed that the allegations of misconduct in research that are to be investigated are as yet unproven and that the information is confidential.

The Head of the Organisation will not take charge of the investigation or otherwise become involved in the Procedure at this stage, as he/she may later need to take a role in the management of the investigation. Should it be clear that the Designated Person is not handling the investigation effectively the Head of the Organisation will take steps to remedy the situation.

- The Designated Person will then, in conjunction with the nominated individuals in Personnel and Finance/ Research Grants Office, investigate the contractual status of the Respondent and the contractual details specific to the research project(s) related to the allegations.

If the University is not the Respondent's primary employer, the Respondent having only an honorary or secondary contract with them, the Designated Person will contact the Designated Person of the Respondent's primary employer and inform him/her of the allegations.

The Designated Person will investigate whether the research project which the allegations relate to includes contractual obligations that require the University to undertake prescribed steps in the event of allegations of misconduct in research being made. Such an undertaking might be in:

- a contract from a funding organisation;
- a partnership contract/agreement/Memorandum of Understanding; or
- an agreement to sponsor the research.

An external Sponsor, funding organisation and/or collaborators might have a valid interest in, or responsibility for, the way that the investigation is conducted. The Designated Person will confirm whether the University has any contractual/legal obligations towards such

investigated. Steps to suspend or bar a member of staff will take into account his/her responsibilities for supervision, teaching and management and make alternative arrangements to meet these responsibilities. Any suspension or barring of the Respondent will be reviewed throughout the Procedure to ensure that it is not unnecessarily protracted.

- In considering the allegations and the information available, the Designated Person may decide that additional investigations into related but separate issues of misconduct in research need to be instigated.
- The Designated Person may wish to consult UKRIO r1 Tf0. (e)3 (s 0. (e)3 .005 Tc jk005 Tc o 8 (r)4 (e.(i)s)
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- If the allegations cannot be entirely discounted at this point, the Designated Person will convene a Screening Panel, as detailed below.
- The Screening Stage is intended to determine whether there is prima facie evidence of misconduct in research. The Screening Panel will be constituted and work in accordance with the Principles outlined at Annex 1 and the process outlined in Annex 4 of UKRIOs [Procedure for the Investigation of Misconduct in Research](#). The Screening Panel will consist of at least three senior members of staff selected by the Designated Person from those (within the University), who have previously indicated their willingness to serve on such a Panel.
- The Screening Panel will determine whether the allegations of misconduct in research:
 - are mistaken, frivolous, vexatious and/or malicious;
 - should be referred directly to the University's disciplinary process or other internal process; or
 - have some substance but due to a lack of intent to deceive or due to their relatively minor nature, should be addressed through education and training or other non-

- When the allegations have some substance, but there is a lack of clear intent to deceive or they are of relatively minor nature, the matter will be addressed through the University's competency, education and training mechanisms, or other non-disciplinary processes, rather than through the Procedure's Formal Investigation stage. The investigation using the Procedure would then conclude at this point. The Designated Person will take steps to establish a programme of training or supervision in conjunction with the Respondent and his/her line manager. This programme will include measures to address the needs of staff and students working with the Respondent.
- When the Screening Panel considers that the allegations are sufficiently serious and have sufficient substance to warrant recommending a Formal Investigation, the Designated Person will take immediate steps to set up a Formal Investigation.
- Where the Screening Panel recommends that the Procedure will progress to the Formal Investigation stage, the Designated Person will take immediate steps to set up the Investigation Panel.
- The Designated Person will inform the following that a Formal Investigation of the allegations is to take place:
 - Respondent (and his/her representative by agreement);
 - Complainant (and his/her representative by agreement);
 - Head of Organisation;
 - Head of Personnel;
 - Head of Research; and
 - Designated Person of any Partner Organisation with which either the Respondent and/or Complainant has an honorary contract, and through him/her the Heads of Organisation, Personnel and Research.

At this stage, the Designated Person may consult UKRIO for advice and guidance, particularly regarding the nomination of members from outside the University to the Formal Investigation Panel.

- The Designated Person will then convene the Formal Investigation Panel. The Investigation Panel will be constituted and work in accordance with the Principles outlined at Annex 1 and the process outlined in Annex 5 for UKRIO's [Procedure for the Investigation of Misconduct in Research](#). The Investigation Panel will examine the evidence collected during the Screening Panel's investigation following the original allegations and investigate further as required. The Investigation Panel will consist of at least three, and always an uneven number of, senior members of sta as (w)-4 (in)-4 (g)1ns o (w)-4ms on-£522 (f.)J0 m ()-10 0 Tw 0 Td()

- upheld in full;
 - upheld in part; or
 - not upheld.
- The standard of proof used by the Investigation Panel is that of “on the balance of probabilities”.
 - The Investigation Panel may conclude that allegations are not upheld for reasons of being mistaken, frivolous, vexatious and/or malicious.
 - Should any evidence of Misconduct be brought to light during the course of the Formal Investigation that suggests:
 - further, distinct instances of misconduct in research by the Respondent, unconnected to the allegations under investigation; or
 - misconduct in research by another person or persons,

then the Investigation Panel will submit these new allegations of misconduct in research to the Designated Person in writing, along with all supporting evidence, for consideration under the initial steps of the Procedure.

- The Investigation Panel must be appointed within 30 working days of the submission of the Screening Panel’s report recommending a Formal Investigation. In carrying out the Formal Investigation the Investigation Panel will not work to a prescribed timetable. The Panel will conduct the investigation as quickly as possible without compromising the principles of the procedure.
- The Chair of the Investigation Panel will report the progress made by the Investigation Panel, by reference to criteria agreed by the Panel in advance, to the Designated Person on a monthly basis. The Designated Person will also then provide appropriate information on the progress of the investigation to other interested parties, which may include sending details of progress to UKRIO using the relevant forms.

The Report will be sent to the Designated Person.

- If all or any part of the allegations are upheld, the Designated Person, the Head of Personnel and at least one other member of senior staff will then decide whether the matter should be referred to the University's disciplinary process or for other formal actions.
- The Designated Person will inform the following of the conclusion of the Formal Investigation:
 - The Respondent and the Complainant (and their representatives by agreement);
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