

UNIVERSITY RESEARCH ETHICS COMMITTEE

THE PRINCIPLES OF INTEGRITY IN RESEARCH & PROCEDURES FOR DEALING WITH ALLEGATIONS OF RESEARCH MISCONDUCT

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Safeguarding integrity in research and dealing with allegations of misconduct in research

1 Introduction

- 1.1 In the wake of recommendations made by an international committee for the safeguarding of scientific integrity, a number of UK and international research funding bodies have sought to impose guidelines on recipients of research funding. Following the US example, the Association of Medical Research Charities, the Research Councils UK, Universities UK and the Wellcome Trust, amongst others, have mandated the adoption of self-regulatory codes of scientific practice broadly based on the above recommendations, by research organisations in receipt of their funds. Many have also issued specific recommendations related to their fields and indicated that sponsorship will be conditional upon the implementation of key elements of the code within recipient organisations. Indeed, some have stated that sanctions will be imposed on those that fail to do so. This has required universities to produce their own research ethics policies and procedures.
- 1.2 The terms 'scientific misconduct' and 'research misconduct' are used interchangeably in this document as they are in the wider literature.
- 1.3 There is little evidence of significant occurrence of scientific misconduct in the UK. Nevertheless, in addition to the importance of satisfying research funding bodies, it is also incumbent to train and develop both new staff and students in good research practice.
- 1.4 Furthermore, the potential for reputational damage that can surround the incidence or alleged incidence of, scientific misconduct suggests that it would be prudent for the University to have in place procedures designed to minimise the negative impact of such occurrence. Therefore, this paper draws on a wide consensus across the UK research sector in respect of good practice for dealing with scientific misconduct, should this occur.
- 1.5 This policy is divided into two sections:
 Section One - The Principles of Integrity in Research
 Section Two - Procedures for dealing with Allegations of Research Misconduct.

Section 1 applies to all research undertaken by the University, including research undertaken by students. However, section 2 does not apply to allegations of research misconduct against undergraduate students or students on taught masters' level courses, which will be dealt with in accordance with the Academic Misconduct Regulations for students. Allegations of research misconduct against doctoral or research masters students will be dealt with under the Policy and Procedures for Dealing with Allegations of Research Misconduct against Doctoral or Research Masters Students. In cases where members of staff are also registered for research degrees, the appropriate procedure will be determined by whether or not the research in question is related to the research degree.

Section One Principles of Integrity in Research

1.1 Good Research Practice

Good Research practice includes fundamentals of research work such as;

- maintaining professional standards;
- ensuring that all legal requirements are met;
- documenting progress and results;
- questioning one's own findings;
- attributing honestly the contribution made by oneself and by others; providing leadership and fostering co-operation in research groups;
- Taking special account of the needs of new researchers;

- ensuring that all equipment and other materials used in research properly maintained and regularly checked;
- securing and storing primary data;
- acknowledging and addressing any conflicts of interest.

1.2 These principles should be widely disseminated within the University and should be integrated into academic teaching, research training of doctoral students and training of research supervisors and research managers. These principles, and those elaborated on below, are supplementary to standards issued by professional societies and to international standards such as the Helsinki Declaration, and the University's Ethics Policy for research involving human participants.

2. Leadership and organisation

It is the responsibility of the University's senior management, Pro Vice-Chancellors, Directors of Research Institutes and Centres, and Heads of Department to ensure that a climate is created that allows research to be conducted within the principles of good research practice.

Whilst adherence to principles of good research practice is the responsibility of each individual, the University and each of its research units has a responsibility to provide an environment conducive to such good practice. This includes:

- Providing an environment that allows for mutual trust in conversations, discussion and even disagreements;
- Ensuring that managerial pressures do not influence the research process;
- Development of a division of labour within research groups and a culture that allows reciprocal criticism and verification of new findings within the group;
- Research group leaders should maintain an awareness of activity within their group and the leadership chain in any group should not become too long;
- Ensuring that commercial pressures do not unduly influence research outcomes and that integrity is maintained;
- Requiring research staff to declare any potential conflicts of interest with regard to their research and ensuring that these are managed within research groups;
- Introducing adequate induction programmes and training provision for new and experienced research staff and for all research students and their supervisors;
- Providing working environments that adhere to University policy and guidance and ensuring work practices meet with UK legislative requirements including, but not limited to, Health and Safety, Equality and Diversity and Data Protection requirements as specified by the University.

3. Education of researchers

The continuing education and development of all researchers needs special attention. Research Institutes and Centres should ensure that responsibility for mentoring researchers is clear, with special attention given to early career researchers or those new to the University.

- 3.1 Each researcher should have a more senior researcher primarily responsible for their progress and should receive appropriate supervision.
- 3.2 The Postgraduate Research Tutor in each Institute will act as a confidential independent source of information and advice for early career researchers if they are experiencing difficulties in their immediate research team.
- 3.3 It is important to ensure that students and early career researchers are not put under unwarranted pressure to produce results at any cost. This could result from an over emphasis on producing publishable results for future employability for example or to gain additional

funding from sponsors. Doctoral students should not be pressurised to undertake research out with their doctoral programme if this is likely to be detrimental to the timely completion of their degree.

4. Retention of primary data

The University has a Research Data Management Policy concerned with promoting the highest standards of integrity, impartiality and respect for data. Effective research data management through the research life cycle is a key component of good research conduct and contributes to a culture of research excellence. Primary data produced at the University as the basis for publication should be stored at the University, for a period of at least ten years or as long as that required by any sponsor that has funded the research or as set out in the University Records Retention Schedule.

<https://portal.shu.ac.uk/departments/srd/other/sec/ig/pages/records%20management.aspx>

- 4.1 Storage of primary data is essential for reproducibility, both internally and by external laboratories, and is therefore an indispensable condition of good research. The loss of primary data is common to cases of scientific misconduct and justifies a prima facie assumption of dishonesty or negligence.
- 4.2 Retention of data is also key to working efficiency. It becomes all the more important where the published results are challenged by others. Data may be stored on space saving techniques, where appropriate but it is important that data is retained in the University Research Data Archive even following relocation of principle investigators to other institutions, irrespective of statutory or professional obligations.
- 4.3 In addition, the maintenance of laboratory notes is increasingly important for the protection of intellectual property (detailed advice on this and booklets on keeping laboratory notes are available from the Intellectual Property team in RIS).

5. Responsibility for publications

The University has an Open Access Publication Policy that is committed to making the outputs of its research as widely available as possible and supports the principles of open access to make the outputs of publicly funded research available through unrestricted online access. Authors of research publications must abide by the Policy and are always responsible for the content of their publications. So-called 'honorary authorships' are not permissible. All authors must be able to identify their specific intellectual contributions to a paper or report.

- 5.1 Other contributions to the work from which the publication arises, including significant ones such as listed below, are not by themselves regarded as sufficient to justify authorship:
 - Responsibility for obtaining the funds for the research;
 - The contribution of materials;
 - The training of co-authors in certain methods;
 - Involvement in providing access to research participants or data.
 - Directing an institution or working unit in which a publication arises.
- 5.2 Where there are a large number of contributors to a piece of research, it is advisable at an early stage to produce a written agreement to clarify the authorship and other rights. In this context, it is also important to note that, normally, only the person who produces the research text will have copyright in the work (which may then be vested in the University).

6. Responsibility for integrity of externally submitted research applications

Principal Investigators and those responsible within Institutes, Research Centres and Departments for authorising external applications are responsible for taking all reasonable measures to ensure accuracy of the information included in funding applications.

6.1 The University acting through its officers - primarily through those authorised to sign-off external applications such as Directors of Institutes, Associate Deans for Research, Deans, Heads of Department and Pro Vice-Chancellors - also have a responsibility to ensure that research misconduct does not occur.

6.2 In this respect, Research Institutes and Departments should also seek to encourage the practice of internal and/or external peer review as appropriate to the subject content over and above the signing off of applications by the appropriate manager.

6.3 When undertaking external peer review of research proposals or publications academic and research staff should adhere strictly to the guidelines provided by the sponsoring body or, where external guidance does not exist, University guidance.

7. Standards in public life

Attention should also be drawn to the recommendations of the Nolan Committee on Standards in Public Life. The Committee sees higher education as one of the key areas of public life and the seven principles outlined by the committee have relevance to best practice in the conduct of research, namely: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

Section Two - Dealing with Allegations of Research Misconduct

Scope

This policy and associated procedures apply to all employees, visiting researchers and fellows working at the time the misconduct is alleged to have occurred within the University establishments and teams. Where allegations of misconduct are made by an individual or body external to the University, that individual or body will be made aware of the University's procedure and of the University's expectation that they will comply with its requirements.

1. Introduction

- 1.1 If a prima facie case of research misconduct arises within the University, the matter will be dealt with by the following procedure. This procedure has been informed by the recommendations of a range of organisations detailed in Appendix 2. Professional body codes of conduct have also been incorporated as appropriate. The UK Research Integrity Office Procedure for the Investigation of Misconduct in Research in Health and Biomedical Sciences has provided the structure for the investigation.
- 1.2 The majority of the above recommend a three stage approach, as is adopted below, involving the following stages:
- Stage 1 Initial Scrutiny - which aims to clarify that there is potentially an issue which falls within the remit of the policy.
 - Stage 2 Screening Stage - establishes whether the issue is serious enough to warrant a formal investigation and resolves issues if possible.
 - Stage 3 Formal Investigation.
- 1.3 The procedure below also adopts a delegated approach. The procedures will operate independently of the project management and line management of the researcher(s) allegedly involved. The principles to be followed throughout are those of **fairness, integrity, confidentiality, prevention of detriment** and **balance**. While different individuals are involved in making the judgments at Stages 2 and 3, continuity is assured by assigning responsibilities to oversee the process and ensure that the process is adequately documented to one named individual. This named individual is required to have knowledge and experience of research and its ethical conduct and cannot be the Vice Chancellor, the Pro Vice-Chancellor Research or the Director of Human Resources & Organisational Development (HROD). The Head of Research Ethics or the Deputy Chair of the University Research Ethics Committee, unless there is a conflict of interest, will be the named person and have responsibility to receive allegations of research misconduct, initiate and oversee the investigative process and correspond on behalf of the university with the accused and the accuser. The Vice Chancellor (or nominee) will hear the final Appeal so is not involved in the earlier stages but is kept informed.
- 1.4 Attention is also drawn to the Public Interest Disclosure Act, 1998 which states that employees who disclose information on certain matters in good faith will be legally protected from being disciplined, dismissed or victimised by their employer as a result. Staff who believe there to be a serious case of research misconduct are encouraged to use the following procedure. Further information can be found in the University's Public Interest Disclosure policy which is located on the Human Resources & Organisational Development (HROD) Intranet pages.

2. What is research misconduct?

In the context of this procedure, the term 'Research Misconduct' includes the following:

1. **Failure to undertake an appropriate level of ethical scrutiny;**

2. **Non-compliance and failures in duty of care**- the failure to comply with statutory obligations and/or to follow accepted research procedures or established ethical procedures or to behave appropriately with regard to their responsibilities to:
- a. avoid unreasonable risk or harm to humans or animals used in research and to the environment;
 - b. obtain appropriate permissions to undertake research from participants and organisations;
 - c. handle privileged or confidential information on individuals collected during research in an approved manner, including appropriate disposal of such material;
 - d. follow approved procedures when producing or dealing with hazardous materials, including chemical, biological and genetically modified materials;
3. **Fabrication** - the invention of data or other documentation such as consent forms etc;
4. **Falsification** - the rejection of undesired results, the distortion of conclusions or misrepresentation of results of other researchers;
5. **Plagiarism** - the presentation of documented words or ideas of another as one's own work, without attributions. It may be deliberate or occur unintentionally as the result of poor academic skills, but in either case it constitutes misconduct. It can take many forms from cutting and pasting from journal articles, books or internet sites etc.;
6. **Contract cheating** - submitting work bought or commissioned from others;
7. **Misrepresentation** of research data and/or interests/expertise and or involvement in the research. This includes bestowing gift /honorary authorships (e.g. including as authors individuals such as external examiners, who have had little or no involvement in the research in order to improve the chances of publication or improve the status of the publication or to enhance the individual's career). This also includes failure to acknowledge individuals who have made intellectual contributions to the research and its publication or including as authors individuals who have not given their permission to be included;
8. **Breach of confidence** - making use of ideas in breach of confidentiality associated with peer review, supervision or other collaborations
9. Conducting research in a way that could **threaten national or international security**;
10. **Duplicate publication** - reporting exactly the same data in two or more publications or so-called "**salami-publication**" where one study that share the same hypotheses, population and methods is broken up into slices (papers) with no acknowledgment of the earlier paper(s) that use the same data set. With large publicly available data sets, or data collected longitudinally researchers may produce more than one paper but failure to acknowledge the source of the data set and reference earlier papers produced from it constitutes research misconduct.
11. **Facilitating misconduct by collusion or concealment** - failing to challenge or choosing deliberately to ignore unethical research practices amongst other researchers.
12. **Improper dealing with allegations of misconduct** - for example trying to influence witnesses, alter evidence or have allegations withdrawn.
13. **Failure to ensure that appropriate ethical scrutiny** of their students' research occurs or to take reasonable steps to assure the integrity of the research they are supervising or otherwise comply with the Code of Practice for Research Students and Supervisors;
14. **Improper dealing with allegations of misconduct** – for example trying to influence witnesses, alter evidence or have allegations withdrawn.

It does not include honest error or honest difference in methodological approach, research design, interpretations or judgements of data. For the judgment of research misconduct to

be made, there needs to be evidence of wilful intention to commit the misconduct or recklessness or disregard for established procedures.

3. Confidentiality

An allegation of research misconduct is serious and potentially defamatory, and therefore could be actionable in law. Consequently, for the protection of the person making the allegation and the person against whom the accusation is made, all information submitted in relation to an allegation of misconduct will be dealt with confidentially and will only be disclosed to those parties involved in the investigation and judgement of the allegation, or as is necessary to progress the accusation, or as required by law.

4. Stage 1 – Initial Scrutiny

- 4.1. Allegations should be made to the Head of the Research Ethics (HRE) who shall consider the allegation to determine whether it falls within the remit of the policy and whether an assessment is warranted using the definition in section 2. Should the HRE be unavailable or there be a conflict of interest in the HRE undertaking the initial review, the Deputy Chair of the University Research Ethics Committee will undertake the role. Administrative support will be provided by the Research and Innovation Service (RIS).
- 4.2. The HRE acknowledges receipt of the allegation and informs the complainant of the procedure that will be followed.
- 4.3. The initial approach to the HRE can be made anonymously but normally for an allegation to be investigated the complainant needs to submit a written statement to the HRE.
- 4.4. The HRE reviews the allegation against the criteria specified in section 2 and may arrange to meet with the complainant to explore the nature of the allegation further. The complainant may be accompanied by a work colleague. Administrative support for this will be provided by RIS. The HRE may also seek confidential advice from relevant senior researchers and managers.
- 4.5. If there is no substance to the allegation, the HRE should dismiss it and inform the party making the allegations accordingly. Should the allegation be a genuine issue but falls outside the scope of this procedure, the party making the allegations will be informed of alternative systems that are more appropriate for addressing the complaint.
- 4.6. If the allegations cannot be immediately dismissed, the HRE will consult with the Human Resources and Organisational Development Directorate (HROD) and RIS to ascertain the contractual status of the individual(s) the allegation is made against, the contractual basis of the research and funding status to ascertain whether the funding organisation or research sponsors require to be notified of the allegation. If the University is not the primary employer of the accused, as in the case of honorary contracts or partnerships the HRE with support from the HROD will ensure that the complaint is handed over to the primary employer, but the University will require to be kept informed and will cooperate fully. The accuser will be notified should this occur.
- 4.7. The HRE will notify the individual responsible for the alleged misconduct in writing that an allegation of research misconduct has been made against them but at this stage the source of the allegation will not be identified; details of the procedure to be followed, the timetable and details of potential sources of support will be provided. The individual will be invited to respond in writing to the allegations should they wish. Notification that the individual will be invited to a confidential meeting to discuss the allegation under Stage 2 of the process will be included. The individual may be accompanied at this meeting by a work colleague or trade

union representative. This is in line with the University's Problem Resolution Framework. If allegations are made against several researchers, they will be dealt with individually.

- 4.8 If potentially unsafe practices have been uncovered, the HRE with advice from other relevant senior staff and after consultation with the Pro Vice-Chancellor Research and Innovation will take any necessary actions to protect research participants and/or staff and avoid risks to health and safety. (It will be made clear that this action does not necessarily indicate that the allegation is considered to be true but is purely preventative). If illegal activity is involved, it may be necessary to notify the relevant authorities and proceed to an external investigation. Internal proceedings should be suspended pending the outcome of any external inquiries.
- 4.9 The initial scrutiny will normally be completed within 10 working days.

The allegation then proceeds to the Stage 2 Assessment. At this point the HRE shall immediately inform the Vice Chancellor, the Pro Vice-Chancellor Research and Innovation, the Director of HROD and the Director of Finance that an allegation of research misconduct requiring investigation has been received. They will be informed in confidence of the identities of the complainant and respondent, funding sources for the research, names of research collaborators, and any other relevant information.

In compliance with RCUK guidance, for research funded by any of the UK research councils when the decision is made to undertake an assessment at Stage 2, the relevant research council will be notified.

5 Stage 2 Assessment

- 5.1 The purpose of this stage is to determine whether there is prima facie evidence of research misconduct. The HRE will undertake an enquiry into the allegations taking advice as necessary from members of staff with relevant knowledge and experience. This will depend on the nature of the allegation. The HRE may in addition seek confidential, legal or other expert advice to assist in such a determination. Administrative support will be provided by RIS.
- 5.2 The HRE after consultation with the Pro Vice-Chancellor Research and Innovation shall convene an Assessment Panel consisting of the HRE (Chair) and two senior research leaders with relevant experience but who are independent of the research project and the unit where the individual against whom the allegation was made is employed. At least one member of the assessment panel will be familiar with the area of research concerned. The precise composition of the Assessment Panel shall be at the discretion of the PVC and could include a member who is external to the University in cases where the allegation appears to be very serious and complex in nature. A representative from HROD will also attend in line with the University's Problem Resolution Framework and administrative support will be provided by RIS.
- 5.3 A meeting of the Assessment Panel with the individual against whom the research misconduct allegation has been made will be held. The individual can be accompanied by a work colleague or trade union representative. This is in line with the University's Problem Resolution Framework. The aim of this meeting is to allow the individual to seek clarification about the procedure and discuss the nature of the allegations further. Should the individual against whom the allegation is made wish additional time to collect evidence for their response to the allegations, a second meeting will be arranged with the same membership. Notes of these meetings will be sent to the individual against whom the research misconduct allegation has been made and their representative for checking although only changes of a factual nature will be allowed.

- 5.4 If employed by the University, the individual will be advised that substantiation of allegations will result in the case being referred to the Research Misconduct Panel and may lead to formal action being taken in line with the University's Problem Resolution Framework. (Panel details at 7.2)
- 5.5 Guilt may be admitted at this point if the individual facing the allegation of research misconduct wishes to do so. If guilt is admitted, the case may be referred directly to the Research Misconduct Panel for consideration which may lead to disciplinary action in line with the University's Problem Resolution Framework. Possible actions are outlined in 7.2.
- 5.6 There are five possible outcomes for the Assessment Panel:
1. They dismiss the allegations as being mistaken, malicious, vexatious or frivolous. Then both parties shall be informed, and the case shall be dismissed. The Assessment Committee can recommend that formal proceedings are initiated against the party making the allegation, if the allegation is frivolous, malicious or vexatious, and this may result in disciplinary action being taken. The Problem Resolution Framework would then apply and all documentation will be transferred to the HROD Directorate who will liaise with the appropriate manager in order to take this forward. If necessary, steps may be taken to support the person against whom the allegation was made and protect their reputation. If the allegation was made in good faith, there will be no penalty and support may be offered to either party if necessary.
 2. They may decide that while there is a case to answer it is relatively minor in nature and/or it did not involve a deliberate attempt to deceive and may recommend dealing with it through further education and training. The HRE will ensure that this is implemented.
 3. If the decision is that there is a clear case to answer and guilt is admitted the case is then referred directly to the Research Misconduct Panel, where a decision is made on how to resolve the case.
 4. If guilt is not admitted but the factual evidence to support the allegation is very clear and substantial, the case can be referred directly to Research Misconduct Panel for resolution.
 5. Where the allegations of misconduct in research are assessed as very serious, substantial and potentially complex, guilt has not been not admitted, and it has been identified at Stage 2 that additional evidence could be sought, the case can be referred to a Stage 3 Formal Investigation.

Where the case is judged to involve serious research misconduct and deliberate deception, this will be taken forward under the Problem Resolution Framework and all documentation will be transferred to HROD for actioning as per point 1 above. The Vice Chancellor is informed of the outcome. (Panel details at 7.2)

- 5.7 Once a decision is reached by the Assessment Panel, the HRE will communicate the outcome of Stage 2 in writing to the accused and their representative. A summary of the outcome will then be sent to the person(s) who made the allegation,
- 5.8 This stage will normally be completed within 30 working days and a report produced.
- 5.9 If the decision is to move to a Formal Investigation under the University Research Misconduct Policy and Procedures the Vice Chancellor, the Director of HROD and the Director of Finance and any partner organisations that may be involved will be informed. The individual against whom the allegation is made will be informed that depending on the outcome of the investigation, disciplinary action in line with the University Problem Resolution Framework may be instigated.

6. **Research Misconduct Panel**

This comprises Pro Vice-Chancellor Research and Innovation (Chair), a representative from HROD and other Senior Staff as appropriate. The HRE will attend to provide guidance and clarification. The panel will decide, bearing in mind any recommendations from earlier stages, what action needs to be taken. This might include one or more of the following sanctions:

- Letter of reprimand
- Withdrawal of funding
- Requiring the withdrawal or correction of pending or published abstracts and papers emanating from the research in question
- Changes to the staffing of the particular project
- Special monitoring of future work
- The instigation of action under the Disciplinary Procedure (within the Problem Resolution Framework) which may give rise to sanctions up to and including dismissal. This action will normally be led by the Pro Vice-Chancellor Research and Innovation.

7. **Stage 3 - Formal Investigation under the University's Research Misconduct Policy and Procedures**

7.1 Only allegations of misconduct in research that are assessed as sufficiently serious and substantial warrant formal investigation. The purpose of this stage is to examine further the nature of the allegations and their evidence base. The standard of proof used by the Formal Investigation Panel is that of "on the balance of probabilities". The formal Investigation panel must be set up in a timely fashion following receipt of the assessment panel report.

7.2 The HRE after consultation is responsible for the nomination to the Vice Chancellor of an Investigation Panel of at least three members giving due consideration to:

- the need for specialist knowledge or expertise;
- any potential conflicts of interest;
- any previous contact with the research;
- any links with the accuser or accused;
- the requirement for one member external to the University.

If more than three members are deemed necessary, the panel should always have an odd number of members to prevent tied decisions. The Vice-Chancellor or his nominee may veto nominations with the reasons recorded in writing. Individuals involved at the assessment stage are excluded from the formal investigation panel, as is the HRE. The UK Research Integrity Office may be contacted for external nominees from their Register of Advisers. For research funded by the UK Research Councils, RCUK may wish to observe the procedures in serious cases of alleged misconduct which could impact on the reputation of the research council(s). Administrative support will be provided from RIS. Given the nature of the investigation panel, it is important that confidentiality is maintained to avoid possible defamation and, given the quasi-judicial nature of the procedure, to ensure that natural justice is maintained. Advice in this respect may be obtained from the University Secretary and other experts as appropriate. All members will be bound to abide by the principles and procedures, especially respecting the confidentiality of the proceedings and will confirm this at the meeting.

7.3 The investigation panel will elect a chair from within their number. The chair is responsible for ensuring that accurate records are kept of the proceedings and that these are kept securely. The HRE will notify the individual(s) against whom the allegation(s) have been made, the individual making the allegations and the representatives of the individual making the allegation of the composition of the investigation panel. The individual making the allegation has the right to share any concerns they have about membership with the HRE but does not have the right to veto members of the panel.

- 7.4 The person against whom the allegation is made and the person making the allegation can elect to be accompanied by a work colleague or trade union representative. However, the individual against whom the allegation is made and the individual making the allegation may not have legal representation without the prior consent of the chair of the investigation panel. The presence of legal representation will only be granted in exceptional cases.
- 7.5 The panel shall endeavour to conduct the investigation so as to retain the confidence of both the individual making the allegation and the individual against whom the allegation is made. The panel shall:
- Review all the documentation collected at the earlier stages including the reports on Stages 1 and 2.
 - Collect any additional information if this is deemed necessary.
 - Conduct a Formal Hearing which allows the individual against whom the allegation is made to present their case and respond to the allegations made. The individual against whom the allegation is made and/or their representative may present evidence, call their own witnesses, or ask questions and raise points about information provided by other witnesses including the individual who made the allegation, but they cannot question this individual directly. The chair will follow up on queries as deemed necessary by the panel.
 - The individual making the allegation or other relevant staff may be invited to provide evidence.
 - The investigation panel may call on others for expert advice.
 - The panel can also elect to consult the UK Research Integrity Office for advice.

The panel should endeavour to set a date for completion of the investigation ensuring that sufficient time has been allowed for a thorough investigation but should try not to prolong the exercise unnecessarily. The HRE should receive regular monthly reports on progress from the Chair. The HRE will then notify other interested parties of progress as required.

8 Findings

- 8.1 After reviewing all the evidence and the formal hearing the panel may conclude that on the balance of probabilities the allegations of misconduct are in their opinion:
- Not upheld
 - Partially upheld
 - Fully Upheld.

A majority decision is required. The panel will produce a final report summarising the procedures followed, the decision reached, with the rationale for them, any dissenting views with their rationale and identifying any procedural issues. In addition, the panel may recommend that disciplinary action may be appropriate. They may also require the records of the research, including publications to be corrected and they may recommend changes to organisational practices or raise other relevant issues with the aim of preventing future research misconduct.

If the investigation uncovers further instances of research misconduct by the person against whom the allegation is made unrelated to the incident under investigation or research misconduct by another person or persons, these allegations should be submitted in writing to the HRE along with supporting evidence for further consideration in a new investigation.

The final report of the panel is sent to the HRE for actioning. If the allegations of serious scientific misconduct are partially or fully upheld, the Research Misconduct Panel will be convened to decide whether disciplinary action should be instigated under the Problem Resolution Framework.

- 8.2 Where the research has been externally funded, the funding body will be notified of the outcome and the sanctions imposed by the University. If appropriate, relevant professional bodies will also be informed of the outcome and the sanctions being applied. Funding and professional bodies may also impose sanctions in these circumstances.
- 8.3 If it is found that misconduct has not occurred, but serious research errors have been made, the matter will be dealt with internally within the institution, at the direction of the Pro Vice-Chancellor Research and Innovation and the HRE. Action may be required to correct errors, for example by publication of a retraction, or correction of data or information, in the journal where the original work was published. In research involving human participants the appropriate research ethics committees will be informed.
- 8.4 If it is found that no misconduct has occurred, steps should be taken to preserve the good reputation of the individual, and in any event to protect the party making the allegations from any adverse repercussions (save where the allegation has been made maliciously). If the investigation concludes that the allegation appears to have been made maliciously, the matter will be referred to the University's Problem Resolution Framework for action. If the case has received publicity, the researcher subject to investigation shall be offered the opportunity of having an official statement released to the media and the University may wish to comment in any case.

8.5 **Confirmation of the Outcome**

The individual against whom the allegation was made will be informed of the outcome in writing and advised of their right to appeal if it is felt that the outcome is unjustified.

9. **Appeals**

Any appeals regarding the findings of the Formal Investigation under the University's Research Misconduct Policy and Procedures shall be made directly to the Vice Chancellor, within 20 working days of the accused being informed of the outcome. The Vice Chancellor's decision shall be final.

If disciplinary action has been sanctioned under the University's Problem Resolution Framework, the appeals procedures in the framework will apply and the individuals will be informed of the appropriate appeals procedure.

For further information please contact the Secretary to the University Research Ethics Committee, Research and Innovation Services, City Campus (researchsupport@shu.ac.uk).

Research Funding from External Sources

1. Introduction

- 1.1 The University encourages its staff and students to engage with the external world, to be innovative and risk-taking, and to seek funds from a diverse range of sources. It is to be expected that, sometimes, researchers will undertake work where both the questions and the answers are controversial and challenge vested interests. On such occasions the University should be vigorous in protecting the integrity of knowledge and its own independence. However, there may be circumstances in which particular funding or collaboration is unethical, imprudent or otherwise against the interests of the University as a corporate body.
- 1.2 It is beyond the scope of this statement to give examples of what may or may not be acceptable. What it aims to do is raise the key issues, outline some broad principles and identify responsibilities for decision making.

2. Potential Issues

Some of the circumstances where there may be concern can be categorised as follows:

- Sponsors may put pressure on researchers to suppress or alter results which do not further, and indeed may damage, their interests. This may infringe a researcher's intellectual property rights and ultimately their employability.
- The University may decide that the practices of a potential sponsor are so inimical to its own mission and character that it should not accept funding from that source.
- The University may decide that collaboration would be so damaging to its reputation that it would not be prudent to accept funds.
- A research project may involve collaborating with institutions and organisations in other parts of the world which may not adhere to similar ethical and environmental codes. For example, they may not have equality legislation.

3. Principles

- 3.1 The first of the categories listed above is, perhaps, the most straightforward to deal with as such problems should be covered by the contract authorisation process and the policies on safeguarding integrity in research and the ethical conduct of research involving human participation.
- 3.2 The other areas are more difficult and delicate. Decisions should be based on the following broad principles.
- The expectation should be that the University will accept funds from any legal source for sound research where that funding meets the requirements of current financial and contractual policies.
 - In responding to the exclusion policies of sponsors (see 2 above), the University should, where possible, seek to agree a common response and position with other UK Universities. It should also take into account the balance of damage to the University and the strength of the ethical argument of the body imposing conditions.
 - Any refusal to accept funds on ethical grounds (see 3 above) should only take place where there is a clear and major conflict of values.
 - Any refusal to accept funds because of potential damage to reputation (see 4 above) should only take place where there is a strong possibility that the damage will be so great that it will seriously undermine a significant part of the University's activities.
- 3.3 With regards to collaborating with institutions and organisations in other parts of the world which may not adhere to similar ethical and environmental codes, it is suggested that

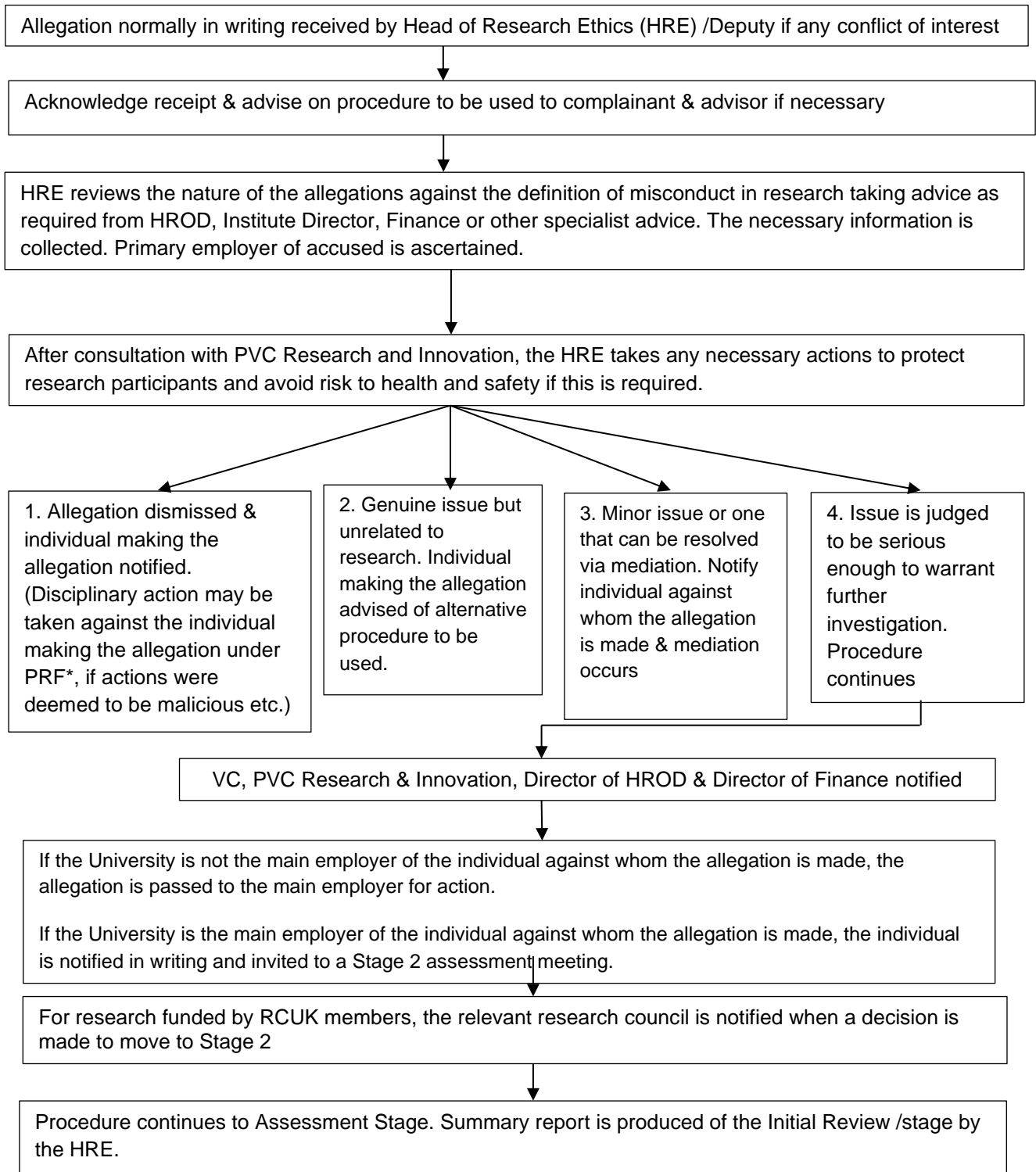
collaborating organisations in such circumstances should agree to develop a plan of action that will eventually bring their policies and practices in line with the University policy. (The Nuffield Council on Bioethics, the Missenden Centre Code of Practice for Ethics and Accountability and the Guidelines on Ethical Trading produced by a consortium of trade unions, Oxfam and Marks and Spencer are useful sources of practical advice in this area).

4. Responsibilities

- 4.1 Research and Innovation Services office will be the repository for decisions so that it may inform University enquirers of any relevant precedent.
- 4.2 If a researcher has any doubt as to the acceptability of a particular source, the researcher owes a clear duty of care to the University and must seek advice from the relevant Director of Research Institute or Head of Department.
- 4.3 In cases where the difficulties cannot be resolved following 4.1 or 4.2, queries should be referred to the Pro Vice-Chancellor for Research and Innovation, who may seek the advice of the University Research Ethics Committee and may consult with the University Secretary and the Vice Chancellor if appropriate.

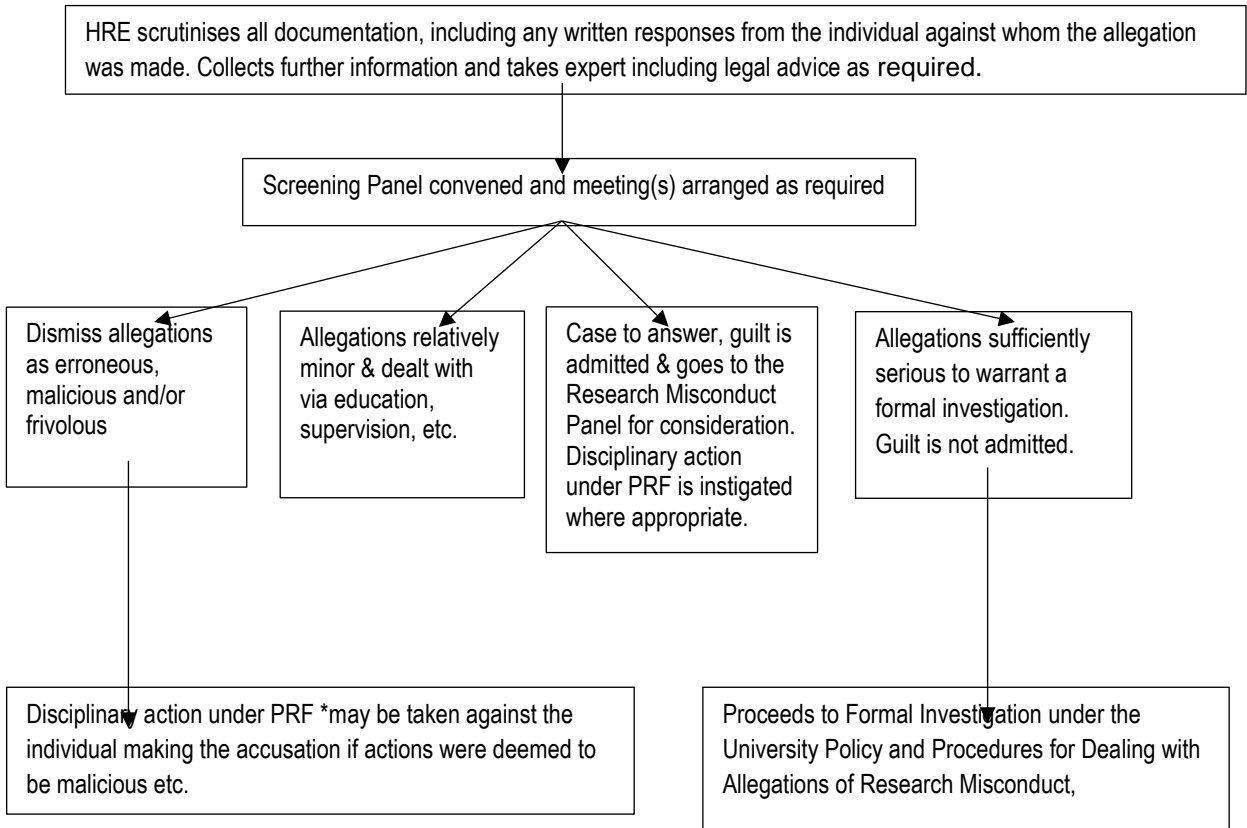
Appendix 1 - Diagrammatic Overview of the three-stage approach to investigating allegations of research misconduct

Stage 1 Initial Review Completed normally within 10 working days.



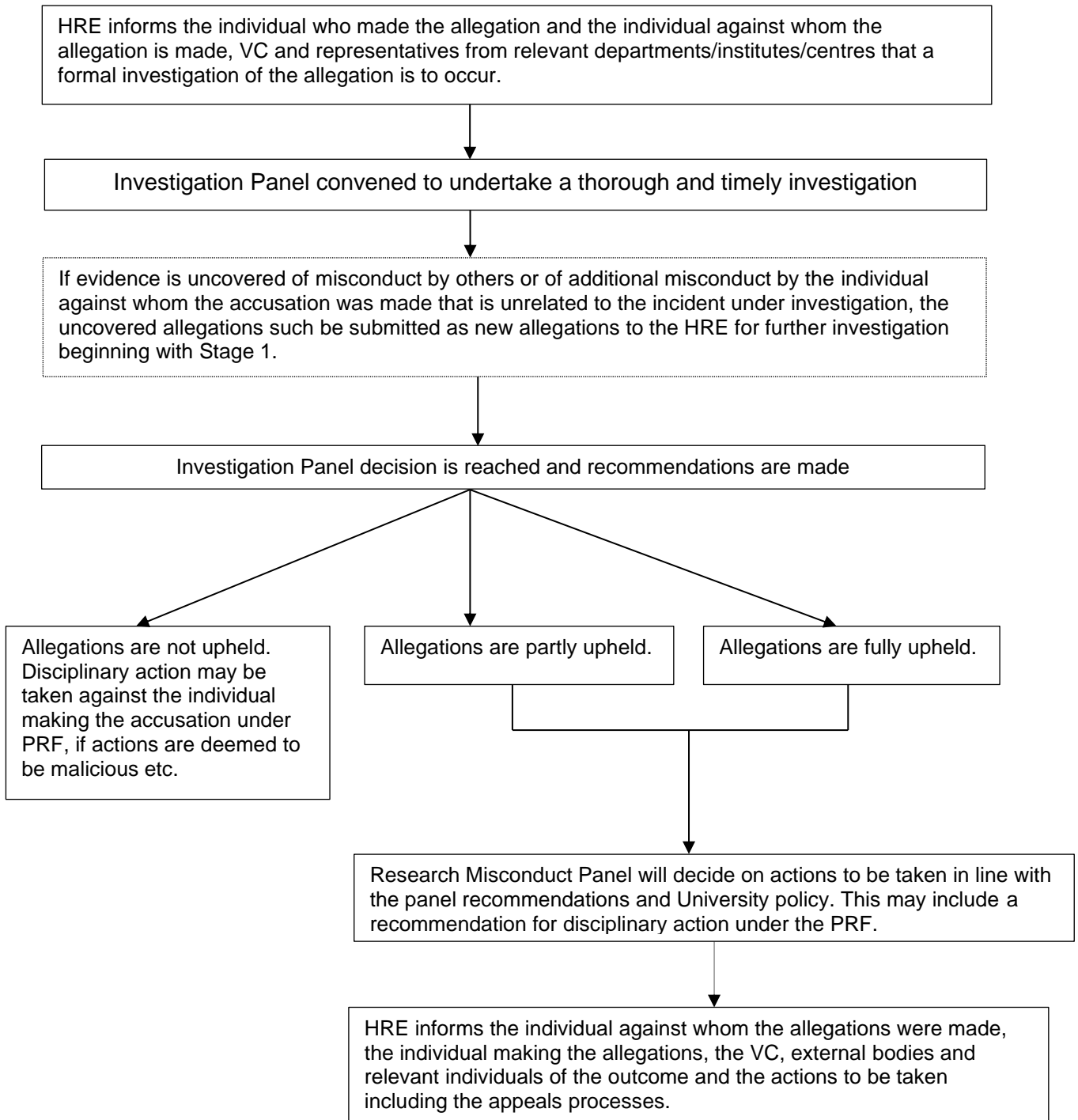
*PRF refers to the University Problem Resolution Framework

Stage 2 Assessment. Completed normally within 40 working days



*PRF refers to the University Problem Resolution Framework

Formal Investigation under the University's Research Misconduct Policy and Procedures.
No set timetable but as quickly as is feasible to allow for a thorough process



Appendix 2 - References

The following documents have been taken into consideration and/or referred to for the policy review.

World Medical Association (WMA): Declaration of Helsinki, last revised 2013.

Medical Research Council (2014) Good Research Practice:

www.mrc.ac.uk/research/policies-and-resources-for-mrc-researchers/good-research-practice/

Medical Research Council (2014) Policy and Procedure for Inquiring into Allegations of Scientific Misconduct: www.mrc.ac.uk/documents/pdf/mrc-policy-on-research-misconduct/

MRC Ethics Guide: Medical research involving children. Medical Research Council, (2004)

MRC Ethics Guide: Medical research involving adults who cannot consent, (2007).

Organisation for Economic Co-operation and Development (OECD) Global Science Forum, Best Practices for Ensuring Scientific Integrity and Preventing Misconduct (2008).

OECD Global Science Forum (2009) Investigating Research Misconduct Allegations in International Collaborative Research Projects: www.oecd.org/sti/sci-tech/42770261.pdf

RCUK Policy and Code of Conduct on the Governance of Good Research Conduct Integrity, Clarity and Good Management (2011): www.rcuk.ac.uk/Publications/researchers/grc/

Nuffield Council on Bioethics. The ethics of research related to healthcare in developing countries, 2002; and Follow-up discussion paper, 2005

Economic and Social Research Council, Research Ethics Framework 2015

MRC Position Statement on Bioterrorism and Biomedical Research, 2005

UKRIO (2008) Procedure for the Investigation of Misconduct in Research: <http://ukrio.org/wp-content/uploads/>

Gov. UK Universal Ethical Code for Scientists, 2006.

<https://www.gov.uk/government/publications/universal-ethical-code-for-scientists>

BBSRC Statement on safeguarding good scientific practice, revised, 2007

European Science Foundation: Stewards of Integrity: Institutional Approaches to promote and Safeguard Scientific Practice in Europe, 2008

European Code of Research Ethics (2017). <https://www.allea.org/wp-content/uploads/2017/05/ALLEA-European-Code-of-Conduct-for-Research-Integrity-2017.pdf>

Mental Capacity Act, October 2007.

Wellcome Trust Good Research practice Guidelines:

<https://wellcome.ac.uk/funding/guidance/good-research-practice-guidelines>