

RESEARCH MISCONDUCT POLICY

Policy Statement

1. The University of Suffolk is responsible for ensuring that the research it supports is carried out legally, in the public interest and in accordance with best practice.
2. The University is committed to the Concordat to support Research Integrity and the five commitments that provide assurances that research in the UK continues to be underpinned by the highest standards of rigour and integrity.
3. This document sets out the principles and procedures for making, managing and investigating allegations of research misconduct.
4. All employees and students of the institution and individuals permitted to work within it have the responsibility to report any cases of suspected research misconduct. All those individuals within the scope of this policy undertaking research at the University are obliged to comply with this procedure.

Scope

5. This policy applies to anyone involved in research at the University of Suffolk, whether as an employee, student, visiting research student, visiting Professor, research associate or in some other capacity, such as a visitor or external research collaborator.
6. It does not apply to postgraduate research students (PGR) enrolled at the University of Suffolk who are registered for awards at either the University of East Anglia (UEA) or the University of Essex (Essex). Such students will be subject to the relevant research misconduct policy of their awarding Institution. Staff members that are also enrolled for a research degree at either UEA or Essex will also be subject to the relevant research misconduct policy where the misconduct allegation applies to research undertaken as part of the doctoral research project. The Responsible Person will decide whether there is a case for an additional investigation under the University of Suffolk Research Misconduct Policy.

Principles

7. The Principles of this Policy are as follows:
 - The University will take seriously all allegations of research misconduct relating to the work of any employee, student, or anyone else involved in research within the Institution.

- No detrimental action of any kind will be taken against any person making an allegation through this policy in good faith, including postgraduate research students (PGR) enrolled at the University who are registered for awards at either UEA or Essex, in line with the University of Suffolk Whistleblowing Policy and Public Interest Disclosure legislation.
- Any allegations made will be investigated appropriately, and in accordance with the highest standards of integrity, accuracy and fairness.
- Investigations will be carried out in such a way as to safeguard the confidentiality of the interested parties. Where the investigation requires contact with participants or their data, their confidentiality will be maintained.
- Bearing in mind the confidentiality of personal matters, the outcome of the investigation will be made known as quickly as possible to all parties with a legitimate interest in the case.

Definition of Research Misconduct

8. For the purposes of this policy, research misconduct includes (but is not restricted to) doing, planning or attempting to do any of the following:

- Fabrication, falsification, plagiarism or deception in proposing, carrying out or reporting the results of research.
- Deliberate, dangerous or negligent deviation from accepted practice or agreed protocols in carrying out research, and failure to reasonably manage and anticipate risk or harm to humans, animals used in research, and the environment where appropriate.
- Facilitating misconduct in research or collusion in, or concealment of, such actions by others.
- Intentional and unauthorised use, disclosure of, removal of or damage to research related property of another researcher, including:
 - intellectual property;
 - writings;
 - data;
 - apparatus;
 - materials;
 - hardware;
 - software;
 - any other substances or devices used in or produced whilst conducting

research.

- Infringement of data protection requirements or the confidentiality of research subjects.
- Misquoting or misappropriation of the work of others and, for example, the unethical use of material provided in a privileged way for review or assessment.

9. For the avoidance of doubt, misconduct in research can include acts of omission as well as acts of commission. It excludes genuine errors or differences in interpretation or judgement in evaluating research methods or results, or misconduct unrelated to research processes.

Procedure for Reporting Misconduct

10. Any individual who suspects research misconduct should report it to the Head of Department with overall line management responsibility for the research concerned.

11. Allegations should, wherever possible, be made in writing.

12. If the complainant is uncertain how to proceed or to whom to make their allegation they can seek support from their manager or from HR (staff) or their course tutor, Student Services or the Students' Union.

13. In the case of a person or organisation external to the Institution wishing to report allegations of research misconduct, they should report it to the Head of Research and Enterprise for recording and the allegation will be referred to the Deputy Vice-Chancellor.

14. The Deputy Vice-Chancellor or their nominee/or nominee of the Vice-Chancellor (who must be suitably qualified and experienced) will, throughout this document, be referred to as the '*Responsible Person*'.

15. If the matter concerns the Dean of School, or if there is a potential conflict of interest, the matter should be referred to the Deputy Vice-Chancellor. If the matter concerns the Deputy Vice-Chancellor or another member of the Executive, it will be referred to the Vice-Chancellor. The Vice-Chancellor or their nominee will act as the '*Responsible Person*'. If the matter concerns the Vice-Chancellor, the Chair of the Board or their nominee will act as the '*Responsible Person*'.

Initial Screening

16. The Responsible Person will make an initial assessment of the allegation, in consultation

with an HR Manager if the allegation concerns a member of staff, or the Academic Registrar if the allegation concerns a student. They will consider the scope of the allegation and identify those individuals who may be implicated in the alleged misconduct. These individuals will be treated as 'respondents'.

17. If the allegation concerns a postgraduate research student (PGR) it will be referred to the Research Misconduct Policy at either UEA or Essex.

18. The initial screening of the allegations by the Responsible Person may require a meeting with the complainant, or the respondent(s) to ascertain simple factual information. However, this is not part of a formal investigation, and all parties should be reminded of this.

19. During this part of the process, the Responsible Person will consider whether the allegations are mistaken, frivolous, vexatious and / or malicious. They will then take one of the following actions:

- Dismiss the allegation if it is clearly frivolous or mistaken
- Arrange for the matter to be resolved informally if the misconduct is of a minor nature
- Arrange for the matter to be taken forward using the relevant disciplinary / misconduct procedure (staff or UG/PGT student)
- Arrange for a formal investigation as outlined below

20. The outcome of this part of the process should be confirmed in writing to the complainant, and the respondent(s) if they are aware of the allegations at this stage.

Arrangements for Investigation

21. If the Responsible Person decides to proceed to a formal investigation under this procedure, they should take the following steps, in consultation with the Director of HR (staff) or the Academic Registrar (students) as appropriate:

- a. Consider whether to recommend to the Director of HR (staff) or the Vice-Chancellor (UG/PGT students) that the respondent(s) be suspended during part or all of the investigation. This is likely to be appropriate where the investigation may be inhibited or there is a risk to other employees, students, University property, working relationships or the continuation of other research. If suspension is considered necessary, it must be carried out in line with the relevant staff or student disciplinary/misconduct procedure. The continued need for suspension should be reviewed regularly throughout its duration.
- b. If the research concerned is funded by an external body, then the Responsible Person

should ensure that the funding body's requirements are met in terms of communication about allegations of research misconduct. For example, several research councils and charities have clauses stating that they should be notified of cases of suspected misconduct and kept informed of developments. Where funding bodies wish to conduct their own investigation, it should be done in partnership with the Institution, and the Institution will retain its responsibilities as employer.

- c. Consideration should be given as to whether any other collaborators need to be informed or consulted. The Responsible Person should always bear in mind the requirements of data protection legislation when considering what information to release, and should always remember that they need to protect the identity of the potentially innocent respondent(s) where possible.
- d. If the alleged misconduct could constitute a criminal offence, then the police should be informed at the appropriate time. The Deputy Vice-Chancellor should inform the Dean of School and the Director of HR (staff) or Academic Registrar (students) prior to notifying the police. If the police become involved in the matter, their advice should be sought as to whether to suspend the internal investigation while they carry out their own enquiries. If the alleged misconduct concerns a matter related to the safeguarding of children, young people or vulnerable adults, the procedure outlined in the Safeguarding Policy and Code of Practice should be followed. In these circumstances the early advice of the Designated Safeguarding Officer or the Director of HR should be sought before any action is taken.
- e. The Responsible Person should appoint an Investigation Team to gather and evaluate the facts in an expeditious manner. This team should consist of at least two people at an appropriately senior level (from within or outside the Institution), who have the relevant expertise in the appropriate field if necessary, and who are not (and have not been) directly involved in the specific piece of research which is subject to the investigation. In addition, the Responsible Person must ensure that there could be no conflict of interest. Investigation Team members must be given a copy of this policy at the time they are appointed.
- f. The Responsible Person should confirm to the respondent(s), (verbally and in writing) the following:
 - The nature of the allegation
 - The decision to carry out an investigation
 - The likely duration of the investigation
 - The members of the investigation team
 - Sources of support, e.g. counselling

- The right to representation during the process, i.e. by Trade/Students' Union or workplace colleagues
- g. The respondent(s) should also be given a copy of this policy and be advised that the notes of any interviews may be used in any subsequent disciplinary process, where deemed appropriate to do so.

The Formal Investigation

22. The remit of the investigation team is to establish, examine and evaluate all relevant facts to assess whether there is evidence that research misconduct has been committed, and if so, the nature of the misconduct.

23. The investigation will be carried out as quickly as possible so as not to prolong the matter.

24. The investigation team will interview the complainant, the respondent(s) and any other witnesses as they see fit, in addition to examining the relevant research records and materials where necessary.

25. When arranging interviews, the investigation team will confirm to the interviewees their rights to representation where appropriate.

26. The investigation panel should:

- confirm to the interviewees, when arranging interviews, their rights to representation where appropriate;
- arrange to interview the respondent(s) after all other witnesses;
- allow the respondent(s) to:
 - ask questions;
 - present evidence in their defence;
 - request further witness statements if necessary;
 - raise points about any information given by any witness.

27. A written record of each interview will be produced and the interviewee will be asked to sign to confirm its accuracy.

28. Once the investigation team have completed their interviews and examined any other records or materials as appropriate, they will prepare a report setting out the evidence, the accounts of the interviews and a summary of their findings.

Outcome of the Formal Investigation

29. The investigation team will submit their final report to the Responsible Person, who will determine what action to take, following consultation with the Director of HR or Academic Registrar. Possible actions are as follows:

- Further investigations may be undertaken if evidence is unclear, or further evidence needs to be sought.
- The matter may be dismissed if there appears to be no case to answer.
- The matter may be resolved informally through training or counselling if there only appears to be misconduct of a minor nature.
- The matter may be taken forward under the appropriate stage of the relevant staff or student disciplinary procedure (further investigation in these circumstances may not be necessary).

30. In all cases the respondent should be informed of the decision taken both in person and in writing by the Responsible Person.

31. If the matter has been dismissed, the Responsible Person should take appropriate steps to preserve the good reputation of the respondent and protect the complainant from any victimisation.

32. If, however, the allegation is found to have been vexatious or frivolous, then action may be initiated against the complainant under the relevant disciplinary policy, subject to the provisions of the Whistleblowing Policy.

Action Following Final Outcome

33. Once the matter has been resolved, the Responsible Person should inform those parties who have a legitimate interest in the matter. This could include the funding body, a relevant professional body, or the editor of journals in which articles have been published relating to the research in question.

34. Where an allegation has been upheld, the Responsible Person should check the conditions of the relevant funding body in relation to the specific funding for the research in question, and take any action as appropriate. This could involve returning funds or correcting research papers.

35. If the respondent(s) has obtained any qualification through proven misconduct, then the

Responsible Person should consider making a recommendation to the Institution that the qualification is revoked.

Other Literature

36. When involved in any cases involving Research Misconduct, it is advisable to become familiar with the following relevant policies/procedures:

- Disciplinary Procedure (staff)
- Student Disciplinary Procedure
- Academic Misconduct Policy
- Dignity and Respect at Work Policy
- Dignity at Study Policy
- Safeguarding Policy and Code of Practice
- Whistleblowing Policy
- The Concordat to Support Research Integrity
- Safeguarding Good Scientific Practice at the University of Essex (PGR students only)
- Procedure for Dealing with Allegations of Misconduct in Research at the University of East Anglia (PGR students only)

37. This Research Misconduct Policy follows the main procedural steps and guidance provided by the UK Research Integrity Office (UKRIO) in their document '*Procedure for the Investigation of Misconduct in Research*' published in August 2008. Their document provides further detailed guidance and advice, and may be referred to throughout this process. It can be accessed through the following link: <http://ukrio.org/wp-content/uploads/UKRIO-Procedure-for-the-Investigation-of-Misconduct-in-Research.pdf>