

## Regulations on Research Misconduct 2015/16

### 1 General

These regulations apply to all members of the University involved in research. This will include staff and undergraduate and postgraduate students. It also applies to those who are not members of the University, but who are conducting research on the University's premises, under the University's auspices or using the University's research facilities. For the purpose of these regulations, the Vice-Chancellor and other officers may act through their properly appointed nominees.

### 2 Definition of research misconduct

Research misconduct includes the following, whether deliberate, reckless or negligent:

- failure to obtain appropriate permission to conduct research
- deception in relation to research proposals
- unethical behaviour in the conduct of research, for example in relation to research subjects
- unauthorised use of information which was acquired confidentially
- deviation from good research practice, where this results in unreasonable risk of harm to humans, other animals or the environment
- fabrication, falsification or corruption of research data
- distortion of research outcomes, by distortion or omission of data that do not fit expected results
- dishonest misinterpretation of results
- publication of data known or believed to be false or misleading
- plagiarism, or dishonest use of unacknowledged sources
- misquotation or misrepresentation of other authors
- inappropriate attribution of authorship
- fraud or other misuse of research funds or research equipment
- attempting, planning or conspiring to be involved in research misconduct
- inciting others to be involved in research misconduct
- collusion in or concealment of research misconduct by others.

Fraud or other misuse of research funds or research equipment may be dealt with under the University's financial regulations.

### **3 Procedure in the case of suspected research misconduct**

The University has a responsibility to investigate allegations of research misconduct fully and expeditiously. It also has a responsibility to protect researchers from malicious, mischievous, or frivolous allegations.

All those to whom these regulations apply should report any incident of misconduct, whether witnessed or suspected. Members of staff and students are encouraged to raise concerns about suspected research misconduct in confidence under the University's Policy on Public Interest Disclosure.

In the event that serious allegations are made, they will be referred to the Vice-Chancellor under the appropriate disciplinary regulations. The Vice-Chancellor may take immediate action under the disciplinary regulations, or, if the Vice-Chancellor considers it appropriate to do so, he or she may first appoint a panel to investigate the allegations.

If a panel is appointed, it shall normally consist of three members: someone unconnected with the allegation who is a member of the school or faculty, a member of the University from outside the faculty and a lay member of Council, who shall chair the panel. Members of the panel must be impartial and unbiased. At least one member should have expert knowledge of the area of research involved. The individual or individuals against whom the allegation is made shall be informed of the decision to appoint a panel and shall be given the opportunity to comment on the proposed membership of the panel.

The panel shall take all reasonable steps to preserve the anonymity of the person or persons accused and the person or persons making the allegation, unless this would compromise the investigation. All reasonable steps must be taken to ensure that the investigation is undertaken as expeditiously as possible. The panel may seek legal advice.

The panel shall require the production of such records as are necessary to enable the investigation to proceed and shall secure their safekeeping. The panel may interview the person or persons accused and the person or persons making the allegation, together with anyone else who may have relevant information. Anyone attending for interview may be accompanied by a friend or representative.

The panel shall prepare a report setting out the evidence received, accounts of any interviews conducted and the panel's conclusions. The person or persons accused of research misconduct shall have an opportunity to comment on the report. The report and any comments received from the person or persons accused shall be submitted to the Vice-Chancellor. The panel may also make recommendations to promote best practice in the conduct of research and any such recommendations shall be brought to the attention of Senate and Council.

On receipt of the report, the Vice-Chancellor shall proceed as follows:

- In the event that the panel has found no evidence of misconduct, the complaint shall be dismissed.
- In the event that a complaint is upheld, but the offence found to be insufficiently serious to warrant formal disciplinary proceedings, the matter may be referred to the head of school or other appropriate individual for resolution.
- If the investigation has uncovered prima facie evidence of serious misconduct, then the matter shall be dealt with under the appropriate disciplinary procedures. Action may be

taken in respect of members of staff under the Disciplinary Rules for Members of Staff and Disciplinary Procedure for Members of Staff. Action may be taken in respect of students suspected of research misconduct under the Student Disciplinary Regulations or Examination Regulations.

In cases where the outcome implicates someone who is not subject to the University's disciplinary procedures, the Vice-Chancellor shall bring the report to the attention of any appropriate disciplinary or other body.

If the panel finds the allegation to have been malicious or mischievous in nature, the matter may be referred to the Vice-Chancellor to consider whether disciplinary action should be taken against those making the allegation.

Where the research is funded in whole or part by an outside grant, the Vice-Chancellor shall have regard to the guidance issued by the relevant funding body. The Vice-Chancellor shall ensure that any such body is given appropriate and timely information as to the instigation and progress of an investigation and any referral under disciplinary regulations.

In the event of a finding of misconduct, where the person responsible is subject to the regulation of a professional body such as the General Medical Council, the Vice-Chancellor shall consider whether it is appropriate to inform the professional body of any finding.

Where the person responsible has published research, especially research to which the misconduct relates, the Vice-Chancellor shall consider whether it is appropriate to inform journal editors or others of any finding.

*Approved by Council 5 July 2002. Last updated July 2010.*