

# Quality Code for Higher Education

## Research Misconduct

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<b>Date of Implementation:</b>	August 2022
<b>Originator:</b>	Higher Education & Skills
<b>Approval by:</b>	Higher Education Learning & Teaching Committee
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<b>Description:</b>	The process for investigating allegations of research misconduct against staff and students
<b>Responsibilities:</b>	Academic Heads / Curriculum Managers Higher Education & Skills
<b>Applications for exemptions to:</b>	Higher Education Learning & Teaching Committee
<b>Report Exemptions to:</b>	Higher Education Learning & Teaching Committee
<b>Links to UK Quality Code for HE:</b>	

## **Standards of Professional Integrity in Research**

The College is committed by its mission statement to the exploration, creation and communication of knowledge. In fulfilment of this mission, the College is committed to conducting its research professionally, in ways that are both expert and responsible.

The Nolan Committee on Standards in Public Life has made recommendations ‘to ensure the highest standards are maintained’ in key areas of public life. The Committee properly sees higher education as one of those key areas.

Everyone involved in research in an institution of higher education owes a duty of accountability to society, to their profession, to their institution and to the funders of their research; to accept full responsibility for the integrity of their own conduct of that research, and for the activities of staff or students under their direction. This extends to accountability for the ethical basis of the research, for the safety of all involved in the research process, for the probity of the financial management of the project, and for seeking to provide optimum value for the public or private funds invested in the project. These responsibilities extend in turn to the effective management of any agreed timetable for the project, together with timely provision of any tangible outcomes scheduled to be delivered to an external sponsor.

Any member of staff who has concerns that research misconduct has taken or is taking place has a duty of care to raise those concerns and should feel free to raise them with the most appropriate officer in complete confidence.

### **Definition of Misconduct in Research**

All members of the College are expected to observe high standards of professional conduct and integrity in the practice of research and in the publication of research. Any departure from those ethical standards for proposing, conducting and publishing research constitutes research misconduct and is unacceptable to the consensus among members of the College on the standards and values to which they wish to subscribe. The College holds that all the instances of misconduct exemplified by (but not limited to) those outlined below, are unacceptable.

**The following are examples of research-related misconduct 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 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.

## Scope

The scope of the policy in this document will be taken to include: all members of the College's academic and academic-related staff; research fellows, assistants and associates; students undertaking research as part of a programme of study; visiting researchers as well as all those with honorary positions conducting research within, or on behalf of the College.

## Allegations against students

Any allegation of misconduct against a student as set out in this code must be dealt with in accordance with the regulations on the use of unfair means.

Where an allegation is found proven in accordance with the regulations on unfair means, where the research student is in receipt of external funding for his/her research degree, the relevant funding body must be informed of the finding of misconduct and the penalty imposed. An external body must not be informed of any allegation which is not proven.

## Allegations against staff

The procedure for handling allegations of research misconduct is separated into two stages: Firstly, an initial assessment to determine whether there is a *prima-facie* case for an investigation, and secondly an investigation to examine and evaluate all the relevant facts, and to recommend an appropriate course of action.

## Initial Assessment

All complaints whether verbal or written relating to an act of research misconduct should be made to the Academic Head who will immediately inform the Director of Higher Education & Skills. The identity of the complainant(s) will be kept confidential in these initial stages. Anonymous allegations will be reviewed at the discretion of the Director of Higher Education & Skills and the Academic Head (the Initial Assessors). If the complaint involves any of the Initial Assessors then the Vice Principal will determine an appropriate alternate.

The Initial Assessors will meet separately with the complainant(s) and with the person(s) concerned to discuss the allegation(s) and to make an initial assessment of the case and how to proceed. The Assessors shall submit a statement to the Ethics Committee recommending either that the allegations should be dismissed or, where it is considered that there is *prima facie* evidence of research misconduct as defined above, that an Investigation Panel should be established to investigate matters further. If the Ethics Committee dismisses the allegation(s), the complainant(s) and the person(s) concerned will be informed. If it is considered that the complainant(s) has been vexatious, the Ethics Committee may determine to invoke disciplinary proceedings as appropriate.

## Investigation

If the Ethics Committee accepts the recommendation of an investigation the Director of Higher Education & Skills and the Academic Head will convene an Investigation Panel. Where the person(s) against whom allegations have been made has responsibilities outside of the College, the appropriate authorities should be informed of the establishment of such a Panel.

The Investigation Panel will consist of Director of Higher Education & Skills, the Academic Head and one additional member of the Senior Leadership Team. Additionally, depending on the nature of the case, the Director of Higher Education & Skills, in consultation with the Vice Principal, may determine to add a further member appointed from outside of the College. The Panel will be serviced by the HE Administrator.

The Panel will take the written allegation(s) from the complainant(s) and the written response from the person(s) concerned and will proceed to investigate those complaints within the normal requirements of natural justice.

The objective of the Panel is to provide a report to the Ethics Committee which recommends one of three courses of action and which provides a detailed reasoning which substantiates that recommendation:

- (a) That the allegation(s) be dismissed*
- (b) That the allegation(s) is substantiated in whole or in part but that the nature of the misconduct is such that the matter should be disposed of informally, e.g. through an informal warning from the Academic Head or equivalent*
- (c) That the allegation(s) is substantiated and is such that the College's appropriate disciplinary and dismissal procedures should be invoked in such a manner as the Ethics Committee deems appropriate*