RESEARCH MISCONDUCT POLICY

Introduction

1. This policy outlines the processes which will be followed when complaints of misconduct in academic research are brought against any student or member of staff whose research is liable to bring the University of Suffolk into disrepute. The University is committed to promoting and supporting a culture of research integrity that discourages unacceptable behaviour by dealing seriously and sensitively with all allegations of research misconduct. This policy provides a procedural framework for investigating allegations of research misconduct concerning research conducted under the auspices of the University of Suffolk. To help support and promote a culture of research integrity, this policy aims to encourage those who have concerns/allegations to raise/make them and reassure such individuals that their concerns/allegations will be taken seriously and handled sensitively. To seek advice on the interpretation and/or implementation of this Policy, contact researchoffice@uos.ac.uk.

Policy Statement

2. 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.

3. The University of Suffolk 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.

4. This document sets out the principles and procedures for making, managing, and investigating allegations of research misconduct.

5. 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.

6. The University of Suffolk expects all external partners to conform to its code of conduct for research when undertaking research in collaboration with University of Suffolk staff (including honorary staff) and students. If the PVC Research is made aware, either through an allegation made under this code of conduct for research or an investigation undertaken in line with this code, that an external partner is suspected of research misconduct, the PVC Research reserves the right to report such matters to the individual's employer or another relevant organisation (for

example, an applicable funding body) with a view to such employer/organisation investigating the matter according to their own procedures (without prejudice to any other action the University of Suffolk may decide to take).

Scope

7. The University of Suffolk considers an allegation of research misconduct to be within its remit and suitable for consideration according to this Procedure if it:

a. concerns a current employee, a current member of honorary staff or a current student at the University of Suffolk
b. relates to research conducted on the University of Suffolk premises and/or undertaken using the University of Suffolk research facilities and any of the University's sites/locations, or other sites/locations as agreed with their line manager.
c. involves a current employee of the University of Suffolk, a current member of honorary staff of the University of Suffolk, or a current student at the University of Suffolk and is alleged to have occurred before the individual concerned commenced paid employment and/or an honorary appointment and/or a period of study as a student at University of Suffolk.
d. concerns a postgraduate research student, the allegation will be referred to University of Brighton, UEA or University of Essex depending on where they are registered for dealing with in accordance with their policy.

8. The University of Suffolk reserves the right to invoke the Procedure for an allegation of research misconduct made against a former employee of the University of Suffolk, a former member of honorary staff of the University of Suffolk, or a former student of the University of Suffolk if the allegation relates to research which was undertaken while they were employed by, held an honorary staff appointment with, or were studying at the University of Suffolk.

9. This policy does not apply to postgraduate research students (PGR) enrolled at the University of Suffolk who are registered for awards at the validating university of their studies. 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 University of 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 PVC Research will decide whether there is a case for an additional investigation under the University of Suffolk Research Misconduct Policy.

10. University of Suffolk makes clear to researchers that any misconduct in research is unacceptable and should be reported; that researchers who are found to have committed

misconduct in research will be subject to disciplinary proceedings; and that where researchers are members of a regulated profession, cases of serious misconduct in research will be referred to the body regulating their profession. University of Suffolk makes it clear that researchers who are found not to have committed misconduct will be supported and appropriate steps taken to restore their reputation and that of any relevant research project(s).

11. Researchers should:

- know what constitutes misconduct in research and report any suspected misconduct through the relevant procedure of the organisation as soon as they become aware of it.
- recognise that good practice in research includes reporting concerns about the conduct of research.
- cooperate with any investigation of misconduct in research when requested.
- work with their institution to support those who raise concerns in good faith about the conduct of research and those who have been exonerated of suspected misconduct.

Principles

12. 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) who are registered for awards at validating University of their studies, 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 conducted 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

13. The UK Research Integrity Office (UKRIO) defines misconduct in research as including, but not limited to:

a. Fabrication.
b. Falsification.
c. Misrepresentation of data and/or interests and/or involvement.

d. Plagiarism.
e. Failures to follow accepted procedures.
f. Failure to exercise due care in carrying out responsibilities for avoiding unreasonable risk or harm to:
    - humans
    - animals used in research
    - the environment
g. The proper handling of privileged or confidential information on individuals collected during the research.

14. 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 right channels for these issues.

Procedure for Reporting Misconduct

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

16. If the complainant is uncertain how to go ahead or to whom to make their allegation, they can seek support from their manager or from POD (staff) or their course leader, Student Life, or the Students' Union (Students). If they are in the Research Directorate, they can seek support from the Head of Research Development.

17. 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 Pro Vice-Chancellor Research for recording and the allegation will be referred to the Deputy Vice-Chancellor.

18. An individual who suspects research misconduct should report it to the Dean of the School or the Research Institute Director. If the matter concerns the Dean of School, any Research Institute Director or if there is a potential conflict of interest, the matter should be referred to the Pro Vice-Chancellor Research. If it concerns the Associate Dean for Research and Knowledge Exchange, the School Dean should be responsible. The Deputy Vice-Chancellor or their nominee will act as the '*Responsible Person'.* If the matter concerns the Deputy Vice-Chancellor, the Vice-Chancellor or their nominee will act as the '*Responsible Person'.* The Responsible Person will make an initial assessment of the allegation, in consultation with People & Organisational Development (POD) 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.

19. If the allegation concerns a postgraduate research student, the allegation will be referred to University of Brighton, UEA or University of Essex depending on where they are registered for dealing with in accordance with their policy.

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

21. 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:

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

22. 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.

23. Should an allegation of misconduct involve individuals from institutions other than the University of Suffolk, the Responsible Person will contact their counterpart(s) at the other institution(s) to agree:

a. whether one institution will be nominated as the lead institution to investigate the allegation
b. whether each institution will investigate separately
c. how each institution will be involved in the process (for example, by providing panel members)

24. Where contractually required, third parties such as Research Councils, must be informed of allegations of research misconduct at the start of the Screening Stage and updated at all subsequent stages. Following investigation, where an allegation of research misconduct has been upheld, the Responsible person will inform all relevant third parties (for example, editors of journals in which the respondent has published articles to correct the research record).

25. If the Responsible Person decides to proceed to a formal investigation under this procedure, they should take the following steps, in consultation with the Pro Vice-Chancellor Research, Director of People and Organisational Development (staff) or the Academic Registrar (students) as appropriate unless it involves them:

a. Consider whether to recommend to the Director of People and Organisational Development or the Pro Vice-Chancellor Research that the respondent(s) be suspended during part or all 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 another research. If suspension is considered necessary, it must be conducted 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 the Data Protection Act 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 Pro Vice-Chancellor Research should inform the Dean of School/Director of Research Institute and the Director of People and Organisational Development (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.

e. 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 People and Organisational Development should be sought before any action is taken.

f. 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.

g. The Responsible Person should confirm to the respondent(s), (verbally and in writing) the following:
   - The nature of the allegation
   - The decision to conduct an investigation.
   - The 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

h. 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

26. 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.

27. The investigation will be conducted as quickly as possible so as not to prolong the matter.

28. The investigative team will interview the complainant and any other witnesses as they see fit, in addition to examining the relevant research records and materials where necessary.

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

30. The investigative team should:

a. confirm to the interviewees, when arranging interviews, their rights to representation where appropriate.
b. arrange to interview the respondent(s) after all other witnesses.
c. 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.

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

32. Once the investigative 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

33. The investigative team will submit their final report to the Responsible Person, who will determine what action to take, following consultation with the Director of People and Organisational Development or Academic Registrar. Possible actions are as follows:

a. Further investigations may be undertaken if evidence is unclear, or further evidence needs to be sought.
b. The matter may be dismissed if there appears to be no case to answer.
c. The matter may be resolved informally through training or counselling if there only appears to be misconduct of a minor nature.
d. 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). This is where a panel would convene and hear evidence if necessary.

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

35. If the matter has been dismissed, the Responsible Person should take appropriate steps:

a. To preserve the good reputation of the respondent and protect the complainant from any victimisation.
b. If, however, the allegation is found to have been malicious, 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

36. 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.

37. 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.

38. 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.

External Referrals

39. In cases where an allegation concerns or implicates someone who is not a member of university staff, the Designated Person shall consider whether the conclusions of the investigation will be brought to the attention of any other appropriate person/s or body.

40. Where the research is externally funded, in whole or in part, the Designated Person shall have regard to any guidance issued by the relevant funding body and shall ensure that the Director of any such body is given appropriate information at the earliest opportunity.

Useful Resources

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

- Disciplinary Procedure (staff)
- Academic Misconduct Policy
- Dignity and Respect at Work Policy
- Safeguarding Policy and Code of Practice
- Whistleblowing Policy
- The Concordat to Support Research Integrity

The UK Research Integrity Office's (UKRIO)

42. Code of Practice for Research has been designed to encourage good conduct in research and help prevent misconduct, to assist organisations and researchers to conduct research of the highest quality. It provides general principles and standards for good practice in research, applicable to both individual researchers and to organisations that carry out, fund, host or are

otherwise involved in research.

43. If an individual or organisation needs independent advice about research misconduct issues, they can contact the UK Research Integrity Office who offer a free of charge advisory service.

44. UKRIO guidance for Research Integrity for Organisations and Researchers the University of Suffolk will:

- ensure that good practice in research forms an integral part of their research strategy or policy.
- establish clear policies and procedures that cover the principles of good practice in research.
- ensure that these policies and procedures complement and are in accordance with existing organisational policies, such as those for health and safety, raising concerns at work, management of finances or of intellectual property, and equality and diversity.
- make sure that their researchers are aware of these policies and procedures and that all research conducted under the auspices of the organisation complies with them.
- provide training, resources, and support to their researchers to ensure that they are aware of these policies and procedures and can comply with them.
- encourage their researchers to consider good practice in research as a routine part of their work.
- Monitor these measures for suitability and effectiveness and review them where necessary.

45. The University of Suffolk Researchers should:

- Recognise their responsibility to conduct research of high ethical standards.
- Complete the Mandatory Research Integrity Training (Epigeum)
- Be aware of their organisation's policies and procedures on good practice in research.
- Make sure that their research complies with these policies and procedures and seek guidance from their organisation when necessary.
- Work with their organisation to ensure that they have the necessary training, resources, and support to conduct their research; and
- Suggest to their organisation how guidance on good practice in research might be developed or revised.