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## **Regulations on Research Practice**

### **1. Responsibility for Research in the Institute**

The Head of School is responsible for research conducted within or under the auspices of that school and answers to the appropriate Dean, the Assistant Principal responsible for research, and the Principal.

### **2. Research Practice**

These regulations apply to all members of the Institute involved in research. This will include staff and undergraduate and post graduate students. It also applies to those who are not members of the Institute, but who are conducting research on the Institute's premises, under the Institute's auspices or using the Institute's research facilities.

All those conducting research in the Institute are expected to:

- Maintain professional standards
- Be familiar with guidance of best practice, for example in relation to matters of policy, ethics, finance and safety.
- Observe legal and ethical requirements laid down by the Institute or other properly appointed bodies involved in the research field.
- Recognise the importance of good leadership and co operation in research groups
- Take special account of the training and resource needs of early stage researchers
- Document results and keep secure primary data
- Question findings
- Attribute honestly the contributions of others
- Take steps to ensure the safety of all those associated with the research
- Report any conflict of interest, actual or prospective, to the appropriate person

### **3. Information about research projects**

Anyone leading a research project within or under the auspice of the Institute should ensure that the research complies with relevant legislation and that arrangements are in place for the proper conduct of research, including but not limited to insurance, ethics, data protection and protection of Intellectual property.

In particular, those leading or supervising research which involves human participants (including but not limited to questionnaires, interviews, human samples and clinical research) must complete a research registration check list before starting the research and receive the approval of the Institutes Ethics Committee and the appropriate local Research Ethics Committee.

### **4. Misconduct**

a Research misconduct has potentially serious implications for any Institution and may even erode public confidence and trust in science, research and academic institutions generally. Allegations of such misconduct, even if unfounded, may cause adverse publicity for an institution and severely damage an institution's reputation. It raises a risk of both civil and criminal sanctions for both the institution and individuals involved in the research.

It is now a pre-condition of funding by many grant awarding bodies that institutions have in place a policy on research conduct procedures for addressing alleged misconduct. In any event any allegations of research misconduct may adversely affect an institution's relationship with funding bodies and research partners and raise issues with auditors or HEFCW. Research misconduct can also cause internal damage, leading to the breakdown of relationships within research teams, risking the loss of key staff and skills.

Research misconduct may lead to internal disciplinary action but it may also require police involvement and criminal prosecution. There also may be disciplinary action against individuals brought by professional bodies.

Institutions who introduce research misconduct policies, supported by appropriate training and information for staff, students and all others involved in research will be well placed to manage these risks. It can also lead to more efficient practices, an

open ethos conducive to communication, a reduction in adverse incidents, higher ethical standards and increased research quality.

### **General**

These regulations apply to all members of the institute involved in research. This will include staff and undergraduate and postgraduate students. It also applies to those who are not members of the institute but who are conducting research on the institute's premises under the institute's auspices or using the institute's research facilities.

For the purpose of these regulations, the Principal and other officers may act through their properly appointed nominees.

### **6. 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, 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 which are outlined in the finance, purchasing and Fundraising policies of the institute.
- 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 Institutes financial regulations.

## **7. Procedure in case of suspected research misconduct**

The Institute 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.

In the event that serious allegations are made, they will be referred to the Principal under the appropriate disciplinary regulations, or, if the Principal considers it appropriate to do so, he or she may first appoint a panel to investigate the allegations. The Institute's support for the research in question will be suspended during the period of investigation.

If the 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 Institute from outside the faculty and a lay member the Board of Governors, 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, in consultation with others if they wish. The report and any comments received from the person or persons accused shall be submitted to the Principal. The role of the panel is to investigate and issue and present evidence and conclusions. This process does not constitute disciplinary proceedings. 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 the Academic Board and Board of Governors.

On receipt of the report, the Principal 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. Actions may be taken in respect of members of staff and Disciplinary Rules for Members of Staff and Disciplinary Procedures for Members of staff. Actions 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 Institutes disciplinary procedures, the Principal 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 Principal 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 Principal shall have regard to the guidance issued by the relevant funding body. The Principal 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 finding a misconduct, where the person responsible is subject to the regulation of a professional body such as the General Medical Council, the Principal 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 Principal shall consider whether it is appropriate to inform journal editors or others of any findings.

### **Acknowledgements**

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Acknowledgement is also made to the proceedings of the conference entitled "Research Misconduct and Related IP Issues" presented in London on 28<sup>th</sup> February 2006, by Eversheds LLP.