

LEEDS TRINITY UNIVERSITY

RESEARCH MISCONDUCT POLICY (2018)

Policy & protocol for dealing with allegations of misconduct in academic research

Leeds Trinity University is committed to maintaining the integrity of academic research and ensuring that the conduct of research and the dissemination of the results of research are honest and fair. Consequently if any member of staff (or external person) has good reason to suspect any misconduct in research, they should report their suspicions using the process outlined below. However, persons making such allegations should also be aware that that a claim of academic impropriety is very serious and potentially defamatory, and so could lead to the threat of legal proceedings. Therefore this policy, which applies to researchers who are either academic staff members or research students and sits alongside Leeds Trinity's Whistleblowing Policy¹ seeks to ensure that any investigations are conducted promptly whilst maintaining confidentiality, fairness, natural justice and freedom from any victimisation.

1. Definition of Misconduct in Research.

'Misconduct' is taken to include (but is not limited to) the following:

- (a) **piracy**, i.e. deliberate exploitation of ideas of others without proper acknowledgement;
- (b) **deliberate plagiarism**, i.e. copying of ideas, text, data or other work (or any combination thereof) without permission and due acknowledgement;
- (c) **misrepresentation**, i.e. a deliberate attempt to represent falsely or unfairly the ideas or work of others, whether or not for personal gain or enhancement;
- (d) **fraud**, i.e. deliberate deception, e.g. the invention, fabrication or dishonest manipulation of data.
- (e) **unethical conduct**, i.e. deliberate breach of ethical approval granted for the research or conduct of research without ethical approval².

2. Procedure for Investigation

Any allegation of research misconduct must be made in writing to the Leeds Trinity Research Manager. The originator of the claim shall be required to submit a detailed statement of evidence to support the allegation including a complete record of all the incidences of alleged misconduct of which he or she is aware. The originator shall be assured that his/her anonymity will be preserved so far as reasonably practicable for the conduct of an investigation.

Upon receipt of an allegation, the Research Manager will notify the Chair of Research and Knowledge Exchange Committee (RKEC), who will, normally within one week, appoint a panel of three individuals to examine the allegation and will provide them with such guidance as they require. The panel will normally comprise (i) *the Chair of RKEC* (in the Chair), a member of academic staff with knowledge of the subject area and experience of research and a second member of academic staff with experience and knowledge of research integrity issues. In appointing the panel it must be ensured that there will be no conflict of interest and their identities will at no stage be disclosed to any parties to the proceedings in question.

¹LTU Whistleblowing Policy <http://www.leedstrinity.ac.uk/Key%20Documents/Whistleblowing%20Policy.pdf>

²LTU Research Ethics Policy <http://www.leedstrinity.ac.uk/Key%20Documents/Research%20Conduct%20and%20Ethics%20Code.pdf>

Once the panel is appointed, the Chair shall notify the respondent, in writing, of the allegation, and invite him/her to respond to the allegation, normally within three weeks. The panel may then determine its own detailed procedure as necessary to ensure thorough investigation of the claims made. For example, both the respondent and the originator may be asked to produce further relevant documentary evidence (laboratory notebooks, papers, statements by witnesses, computer records, etc.); the parties may be interviewed, or third party statements from witnesses may be requested.

3. Findings of the Investigation Panel

If the panel's preliminary conclusion is that the allegation is not upheld, it shall so inform the originator, giving reasons for its view and providing appropriate supporting evidence; and the panel shall offer the initiator the opportunity to provide further evidence or argument for its consideration. If the panel judges that the allegation was of malicious intent then it is open for them to instigate appropriate action under Leeds Trinity's disciplinary procedures.

If the panel's preliminary conclusion is that the allegation is upheld, it shall so inform the respondent, giving reasons for its view and providing appropriate supporting evidence; and the panel shall offer the respondent the opportunity to provide further explanations and evidence for its consideration.

Once the panel has reached a final conclusion, the Chair shall report in writing to the Deputy Vice-Chancellor, copied to the Director of Human Resources, indicating whether or not it finds the allegation proven, in whole or in part, and giving reasons for its conclusion. It shall uphold an allegation only if it finds it proven on the balance of probabilities. It shall be open to the panel to make any recommendations as it sees fit to rectify any misconduct it has found and to preserve the academic probity of the University.

Any appeal by either party against the findings or procedures of the panel must be addressed to the Deputy Vice-Chancellor, and normally lodged within seven days of the panel's findings being released. The Deputy Vice-Chancellor shall then refer the appeal to a senior officer of his or her choosing (one who has not previously had any role in the case); and that person may take such action as he or she deems necessary including, in exceptional circumstances, the instigation of a *de novo* investigation.

4. Subsequent Action

If the panel finds the allegation proven, in whole or in part, the Deputy Vice-Chancellor shall consult with the Vice Chancellor and the Director of Human Resources to jointly determine what action needs to be taken. Such action, depending on how serious the misconduct is considered to be, may include:

- i. conveying the panel's findings or the admission of the allegation to any relevant professional body, and relevant grant-awarding bodies, and the editors of any journals which have published articles by the person against whom the allegation has been upheld or who has admitted the allegation;
- ii. revocation of any degree or other qualification which has been obtained, in whole or in part, through the proven or admitted misconduct in research;
- iii. instigating formal disciplinary proceedings, under the Leeds Trinity University's disciplinary procedures (published within the staff handbooks, available on the HR site at <http://intranet.leedstrinity.ac.uk/StaffServices/hr-new/employee/Handbooks1/Lecturing%20Staff%20Handbook%201.doc> within the

intranet), against the individual against whom the allegation has been upheld or who has admitted the allegation.