

## **Research Misconduct Policy**

### **1.0 Introduction and background**

1.1 The University of Northampton is committed to maintaining the best quality of research and expects all researchers to observe the highest standards of research practice and comply with all accepted procedures for research. It is the responsibility of all persons authorised to undertake research at the University or using University facilities to be aware of their responsibilities and obligations in carrying out research.

### **2.0 Purpose and scope**

2.1 This Policy applies to any allegation of misconduct in relation to research raised by a Complainant (as defined below) against a person authorised to undertake research at the University or using University facilities.

2.2 The University looks gravely upon all misconduct and is empowered to recommend severe penalties on those who are found guilty of misconduct in relation to research.

2.3 Whether a researcher against whom an allegation of misconduct has been raised comes within this Policy or within another Policy of the University shall be decided by the Director of Student and Academic Services.

### **3.0 Definitions**

3.1 'Researcher' refers to any person authorised to undertake research including a postgraduate student, a member of staff and persons not employed or studying at the institution but who are carrying out research under the auspices of the University or using University facilities.

3.2 Misconduct in relation to research includes, although is not limited to the following acts or omissions and inappropriate conduct howsoever occurring:

- Fabrication;
- Falsification;
- Misrepresentation of data and/or interests and/or involvement;
- Academic misconduct, e.g. plagiarism in any form [encompassing all forms of collusion and 'contract cheating']; and
- Failures to follow accepted procedures or to exercise due care in carrying out responsibilities for:
  - avoiding unreasonable risk or harm to:
    - humans;
    - animals used in research; and

- the environment; and
- the proper handling of privileged or private information on individuals collected during the research”.
- Proceeding without ethical approval.

3.3 Other definitions are contained in the Procedure for the Investigation of Misconduct in Research, Annex 2 Definitions (UK Research Integrity Office, 2008. P.27).

#### **4.0 Key principles**

4.1 The University of Northampton adopts the Procedure for the Investigation of Misconduct in Research (UK Research Integrity Office, 2008). The Procedure is included as Appendix 9.1 and is available from <http://ukrio.org/publications/misconduct-investigation-procedure/>

4.2 The Director of Student and Academic Services is responsible for receiving any allegations of misconduct in research, initiating and supervising the Procedure for investigating allegations of misconduct in research; maintaining the record of information during the investigation and subsequently reporting on the investigation; and taking decisions at key stages of the Procedure. The Deputy Director of Student and Academic Services shall be the nominated alternate to act in the Director’s absence.

4.3 Where the researcher is a student of the University, a variation of the procedure shall be followed. Appendix 9.2 details the variations from the Procedure. Where the researcher is a member of staff registered as a postgraduate research student, the procedure shall be followed, not the student variant.

#### **5.0 Procedural implications**

5.1 Where an allegation of misconduct in relation to research could lead to criminal liability the Director of Student and Academic Services or nominee may refer the case to the police and/or other appropriate body.

5.2 In the event of a finding of misconduct, the matters listed in ‘Annex 6 Actions and outcomes’ of the Procedure for the Investigation of Misconduct in Research (UK Research Integrity Office, 2008) shall be considered by the Investigation Panel. Further consultation may be required in respect of the research to take account of such matters as effects on participants in the research, collaborative research, sponsorship and publication of the research etc.

- 5.3 Senior members of staff selected for and investigation panels shall be Deans, Executive Deans, Deputy Deans and Professors or otherwise be selected for their relevant research experience and/or expertise.
- 5.4 In the event of a finding of misconduct, it is not the role of an Investigation Panel to make a determination as to any compensation to any parties affected.
- 5.5 In the event of a finding of misconduct the Director of Human Resources (for staff) or the Director of Student and Academic Services (for students) must be consulted as to the most appropriate action prior to completion of the report. It may be determined as appropriate that the University's staff or student Disciplinary Procedure is followed and the researcher may be subject to disciplinary action up to and including dismissal or expulsion from the University.
- 5.6 The Researcher must be made aware that where the employer, sponsor or other third party is informed further action may be taken.
- 5.7 It will be recommended that the Director of Student and Academic Services inform the police and/or other appropriate authority if it is believed that the misconduct has criminal liability.
- 5.8 The University's Whistleblowing Policy sets out the rights and responsibilities of those who report or attempt to report research misconduct.
- 5.9 If it is determined that a report of misconduct was frivolous, vexatious and/or malicious the Director of Student and Academic Services or their nominee may refer the matter to be dealt with in accordance with a Disciplinary Procedure in accordance with the University's Whistleblowing Policy.
- 5.10 A copy of the outcome of an investigation that has been upheld will be placed on the respondent's file and a copy of all documentation relating to the case will be stored by the Named Person. Where a case is not upheld no record will be retained.
- 5.11 Documentation relating to an allegation of research misconduct shall be stored electronically by the Director of Student and Academic Services using the University's secure document storage facility.
- 5.12 Documentation relating to an allegation of research misconduct shall only be accessible by those members of Human Resources who have been nominated to support the investigation or whose roles require them to have access to such records.

- 5.13 In the case of a researcher submitting a Subject Access Request under relevant data protection legislation, the University Data Protection Officer may also have access to documentation relating to an allegation of research misconduct.

## **6.0 Key responsibilities**

- 6.1 The Director of Student and Academic Services, or their nominee, as the Named Person shall receive any allegations of misconduct in research, initiate and supervise the Procedure for investigating allegations of misconduct in research; maintain the record of information during the investigation and subsequently report on the investigation; and take decisions at key stages of the Procedure.

- 6.2 All persons authorised to undertake research under the auspices of the University or using University facilities are responsible for following accepted procedures for research. 'Accepted procedures' are defined In Annex 2 of the Procedure for the Investigation of Misconduct in Research (UK Research Integrity Office, 2008).

## **7.0 Links to related UN Policies/Guidance/Regulations**

- 7.1 Academic Misconduct Policy
- 7.2 Conflict Resolution and Grievance Policy and Procedure
- 7.3 Data Management Policy
- 7.4 Intellectual Property Policy
- 7.5 Postgraduate Research Neglect of Academic Obligations Policy
- 7.6 Postgraduate Research Code of Practice
- 7.7 Research Ethics Code and Guidance
- 7.8 Research Integrity Policy
- 7.9 Staff Disciplinary Policy and Procedure
- 7.10 Student Disciplinary Policy and Procedure
- 7.11 Whistleblowing Policy

## **8.0 Links to related external documents**

- 8.1 The Procedure for the Investigation of Misconduct in Research (UK Research Integrity Office, 2008).  
<http://ukrio.org/publications/misconduct-investigation-procedure/>
- 8.2 Code of Practice for Research: Promoting good practice and preventing misconduct (UK Research Integrity Office, 2009)  
<http://ukrio.org/publications/code-of-practice-for-research/>

## **9.0 Appendices**

9.1 The Procedure for the Investigation of Misconduct in Research (UK Research Integrity Office, 2008).

9.2 Student variant of the Procedure for the Investigation of Misconduct in Research.

**Summary Sheet:**

<b>Policy Title:</b>	
Research Misconduct Policy	
<b>Purpose of Policy and to whom it applies (please specify cohorts):</b>	
The Policy applies to staff and postgraduate research students as described in 3.1.	
<b>Owner and Department:</b>	
Research and Enterprise Committee	
<b>Principal contact:</b>	
Professor Simon Denny, Chair of the Research and Enterprise Committee	
<b>Dissemination and implementation plan:</b>	
Via Faculty Research and Enterprise Committees Via web	
<b>Date of initial committee approval (state committee name):</b>	Research and Enterprise Committee, October 2017
<b>Date of Senate approval:</b>	31 <sup>st</sup> January 2018
<b>Date for implementation and cohorts to which it applies:</b>	For immediate implementation
<b>Proposed date of annual update:</b>	June 2019
<b>Date of last annual update:</b>	
<b>Proposed date of full review:</b>	
<b>Date of last full review:</b>	
<b>Version number and date:</b>	V2. January 2018

Appendix 9.1

The Procedure for the Investigation of Misconduct in Research (UK Research Integrity Office, 2008).

<http://ukrio.org/publications/misconduct-investigation-procedure/>

## Appendix 9.2

### Student variant of the Procedure for the Investigation of Misconduct in Research

Where the researcher against whom an allegation of misconduct has been made is a student of the University, a variant of the Procedure for the Investigation of Misconduct in Research (UK Research Integrity Office, 2008) shall be followed.

The Procedure for the Investigation of Misconduct in Research is available from <http://ukrio.org/publications/misconduct-investigation-procedure/> and is included in the Research Misconduct Policy as Appendix 9.1.

This Appendix to the Research Misconduct Policy details how the Procedure for the Investigation of Misconduct shall be varied in a case involving a student.

#### Part C – The Procedure

- C8 The Named Person may liaise with the HR department to establish whether the postgraduate researcher is under a contract of employment with the University.
- C9 A representative of the HR Department would not be in attendance at the meeting to notify the postgraduate researcher that allegations of misconduct have been made against him/her.
- C10 The Named Person may liaise with the designated Head of The Graduate School and relevant Faculty Research Leader to: request temporary suspension; request temporary barring; and/or request a temporary restriction as detailed in the Procedure.
- C24 The Named Person should fully and accurately transfer all case information to the student disciplinary process.
- C25 Other non-disciplinary processes might include the Postgraduate Research Neglect of Academic Obligations Policy.

#### Annex 1 – Principles

- 5 Those responsible for carrying out this Procedure should do so with knowledge of Student and Academic regulations and policies.
- 9 A postgraduate researcher may be accompanied by a fellow student or Student Union representative when he/she is required or invited to attend meetings related to this procedure.
- 16 The rights of a student must be kept in mind by those responsible for carrying out this procedure.

- 26 At the conclusion of the proceedings, all records should be retained by the Student and Academic Services Department in accordance with the relevant records management policies.

#### Annex 2 – Definitions

- 9 The Organisation refers to the Higher Education Institution at which the postgraduate research student is registered. Where a student is registered at two or more institutions or under Education With Others arrangements, the agreement between the organisations should determine which is considered to be the Sponsor for the research.
- 14 The Respondent must be a present or past student of the Organisation that is investigating the allegations using this Procedure.

#### Annex 5 – Operation of the Investigation Panel

- 20 Note that: those interviewed by the Investigation Panel may be accompanied by a fellow student or a Student Union representative.

#### Annex 7 – Communications and Record Keeping

##### General

- 3 At the conclusion of the proceedings, all records should be retained by the Student and Academic Services Department in accordance with the relevant records management policies.
- 7 Relevant parties may include the Academic Advice, Appeals and Complaints Manager.