

**RCUK Policy and Code of
Conduct on the Governance
of Good Research Conduct**

**INTEGRITY, CLARITY
AND GOOD MANAGEMENT**

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Guidelines for the Management of Good Research Conduct

All research should be conducted to the highest levels of integrity, including appropriate research design and frameworks, to ensure that findings are robust and defensible. Researchers should also adhere to the highest level of research ethics, in line with requirements set out by national and international regulatory bodies, professional and regulatory research guidance and research ethics frameworks issued in appropriate areas.

The onus should lie with the researcher to establish that s/he has always met the highest standards that could reasonably be expected of them and with the employing institution to ensure that systems are in place to support and re-inforce this.

Research organisations (ROs) which employ or train researchers should also ensure that sound systems are in place to promote best practice. This should apply to all research within the organisation, irrespective of whether it is funded through the UK Research Councils, other public monies, or any other sources.

These systems should include:

- training and development modules to ensure that all researchers are aware of best practice requirements;
- training needs analysis for all new employees, especially but not exclusively for those who have not received formal training (at for example PhD level) and those from non-research organisations or institutions outside the UK;
- mentoring and promotion of good research conduct roles for key research managers within the organisation;
- clear requirements for preservation of relevant primary data, laboratory notebooks and other relevant materials;
- stewardship responsibilities for heads of laboratories and departments, so that they actively promote and report on activities which ensure best research practice within their domain;

- the observation of guidance from publishers and funders on the standards which they expect to be applied.

Such systems will help to minimise poor or unacceptable research conduct. Key elements of such procedures should include the following:

Clear policy statements

These should:

- include clear guidance on what is acceptable and not acceptable in line with the RCUK Code of Conduct and those of other relevant professional bodies;
- be drawn to the attention of all staff on appointment;
- be easily available at all times in guidance manuals and on websites.

Clear managerial arrangements

- ROs should have published procedures which are readily accessible, both within the organisation and externally, for the normal supervision and management of research conduct, integrity and ethical issues, and for the reporting by individuals of any concerns about poor practice in these areas.
- The procedures should clearly identify the senior person in the RO (and where appropriate in departments, schools or faculties) responsible for ensuring good research conduct, who should receive regular reports on these matters, and to whom any genuine concerns or allegations (supported with appropriate evidence) may be taken.
- Systems should include training and development modules to ensure that managers are aware of their responsibilities.
- There should be clear mentoring and promotional roles for key research managers within the organisation and these should be communicated to all junior staff.
- Heads of laboratories and departments should have clearly defined stewardship responsibilities, so that they actively promote and report on activities which ensure best research practice.

Training and mentoring policies

- All ROs should have in place systematic procedures for training and mentoring.
- They should ensure that all relevant staff are aware of the procedures and how any cases should be reported.
- These should also cover standards to be applied not only in the conduct of research but in publication of materials, preparation of conference papers, etc. and the conduct of peer review.

Ethical approval procedures

- ROs should have clear and full policies on ethical standards.
- ROs should have clear procedures for obtaining ethical approval for research, which are communicated effectively to all relevant staff.
- Where ethical approval is delegated to schools and departments, procedures should be in place to ensure equity of ethical approach across the whole of the research organisation.
- Appropriate procedures to obtain clearly informed consent from research participants should be in place.
- There should be clear supervisory arrangements for delegated procedures.

Good Research Conduct Code

CONTEXT

This code is relevant to all individuals involved in research, irrespective of the subject of research, entry route into research or any other consideration, and including:

- researchers;
- research support staff;
- students;
- research managers and administrators.

All are expected to observe the highest standards of research integrity and to embed good practice in all aspects of their work, including the training of new researchers. They must operate honestly and openly in respect of their own actions and in response to the actions of others involved in research.¹

The spectrum of inappropriate behaviour is wide, ranging from minor misdemeanours which may happen occasionally and inadvertently, to significant acts of misappropriation or fabrication. Poor practices, such as weak procedures or inadequate record-keeping which may jeopardise the integrity of the research but might only require further training or development rather than formal disciplinary action, are normally a matter solely for the employer.

This code therefore concentrates on entirely unacceptable types of research conduct. Individuals involved in research must not commit any of the acts of research misconduct specified in this code.

UNACCEPTABLE RESEARCH CONDUCT

Allegations should be investigated by the individual's employer and proven cases must be notified to the research funder.

¹ See Council for Science and Technology, *Universal Ethical Code for Scientists* (2006)

Unacceptable conduct includes each of the following:

Fabrication

This includes the creation of false data or other aspects of research, including documentation and participant consent.

Falsification

This includes the inappropriate manipulation and/or selection of data, imagery and/or consents.

Plagiarism

This includes the general misappropriation or use of others' ideas, intellectual property or work (written or otherwise), without acknowledgement or permission.

Misrepresentation, including:

- misrepresentation of data, for example suppression of relevant findings and/or data, or knowingly, recklessly or by gross negligence, presenting a flawed interpretation of data;
- undisclosed duplication of publication, including undisclosed duplicate submission of manuscripts for publication;
- misrepresentation of interests, including failure to declare material interests either of the researcher or of the funders of the research;
- misrepresentation of qualifications and/or experience, including claiming or implying qualifications or experience which are not held;
- misrepresentation of involvement, such as inappropriate claims to authorship and/or attribution of work where there has been no significant contribution, or the denial of authorship where an author has made a significant contribution.

Mismanagement or inadequate preservation of data and/or primary materials, including failure to:

- keep clear and accurate records of the research procedures followed and the results obtained, including interim results;

- hold records securely in paper or electronic form;
- make relevant primary data and research evidence accessible to others for reasonable periods after the completion of the research: data should normally be preserved and accessible for ten years, but for projects of clinical or major social, environmental or heritage importance, for 20 years or longer;
- manage data according to the research funder's data policy and all relevant legislation;
- wherever possible, deposit data permanently within a national collection.

Responsibility for proper management and preservation of data and primary materials is shared between the researcher and the research organisation.

Breach of duty of care, which involves deliberately, recklessly or by gross negligence:

- disclosing improperly the identity of individuals or groups involved in research without their consent, or other breach of confidentiality;
- placing any of those involved in research in danger; whether as subjects, participants or associated individuals, without their prior consent, and without appropriate safeguards even with consent; this includes reputational danger where that can be anticipated;
- not taking all reasonable care to ensure that the risks and dangers, the broad objectives and the sponsors of the research are known to participants or their legal representatives, to ensure appropriate informed consent is obtained properly, explicitly and transparently;
- not observing legal and reasonable ethical requirements or obligations of care for animal subjects, human organs or tissue used in research, or for the protection of the environment;
- improper conduct in peer review of research proposals or results (including manuscripts submitted for publication); this includes failure to disclose conflicts of interest; inadequate disclosure of clearly limited competence; misappropriation of the content of material; and breach of confidentiality or abuse of material provided in confidence for peer review purposes.

Guidelines for the Reporting and Investigation of Unacceptable Research Conduct

Research Councils UK (RCUK) accepts that each research organisation's (RO) procedures for ensuring reporting on and investigation into allegations of unacceptable research conduct must be aligned to their own internal requirements. In many cases ROs will need to align these with other human resource and disciplinary/conduct procedures.

In the absence of existing procedures or where ROs are upgrading these, RCUK also notes the published guidance by the UK Research Integrity Office (August 2008) on "Procedure for the Investigation of Misconduct in Research". While RCUK requirements are not as detailed as the model procedure set out by UK RIO, there is no inconsistency between the two approaches and RCUK recommends consideration and application of the detailed procedures set out by RIO where these are appropriate. In addition, where international collaborative research is involved, the guidance provided by the OECD Global Science Forum on "Investigating Research Misconduct Allegations in International Collaborative Projects" (A Practical Guide, April 2009) should be followed.

Procedures should be in place to cover the main requirements set out below.

Informal enquiries

Procedures for preliminary informal investigation, before it is concluded that serious evidence exists to require a formal investigation, should not be onerous and should be set within the normal organisational/institutional procedures.

- They should help ensure that a relatively quick decision should be made on the first stage of whether a concern or allegation contains such sufficient evidence to be taken forward to a full formal investigation – this should wherever possible be within ten working days.
- This should be the responsibility of a senior member of the RO, advised where necessary by one or two other colleagues who can be seen as clearly independent of the complainant and of the subject of any complaint.

- Discreet investigations may be desirable at this stage until clear evidence of individual behaviour has been established.
- There should always be an opportunity for response by a complainant if the allegation is not accepted and if they believe that they have been misunderstood or key evidence overlooked.
- Where evidence from the preliminary investigation indicates that unacceptable conduct may have occurred, procedures should then provide for a more detailed formal investigation.

Formal Investigations

At this stage the senior responsible officer may wish to appoint an independent investigator to examine the allegations and make further enquiries.

- The investigator should be someone with sufficient knowledge and experience of research and with relevant experience of investigating procedures.
- In very serious cases this may be a role for a small panel, but that would be exceptional at this stage.
- Where an investigation is instituted any individuals who may face allegations of misconduct should be informed.
- Where an investigation is about someone funded by or engaged with RCUK (including acting as a supervisor for an RCUK postgraduate student or engaged with peer review activities), even if it is about work not connected with a grant from a UK Research Council, the case must be reported to the relevant Council at this stage, and the Councils reserve the right to take appropriate action, after consultation with the research organisation, about any duties being performed for RCUK.
- In serious cases the question of suspension may need to be addressed, but this should only arise where the presence of an individual is likely to hinder an investigation or where it would be difficult for an individual to perform their duties while this stage of an investigation is being conducted.
- If a person is suspended then the funding body which sponsors any research with which they are involved or provides postgraduate support which is affected must be advised.

- The formal investigation should be completed as quickly as possible and normally should not exceed four to six working weeks.
- If the allegations are dismissed at this stage, a clear statement should be made both to the complainant and to the person complained against, as well as to any other individuals who will have been aware of the allegations and need to know the outcome. If the allegations are not dismissed in whole or in part then formal disciplinary charges may be brought.

Procedures for formal disciplinary procedures

- This is a stage where formal charges are laid against an individual: normally a formal panel of at least three members should be established to hear the case.
- A separate person within the institution should have responsibility for presenting the charges: the role of the panel should be to decide whether the charges are proven and, if so, what sanction might be appropriate.
- The person against whom allegations are made should be given details of the allegations in writing, the nature of the evidence against them, and be given reasonable time and opportunity to respond to these.
- Where serious consequences might result from any proven charge (including for example the possibilities of dismissal, demotion, removal of rights as a researcher or public pronouncement on their professional failings) the individual should have the right to professional representation and/or assistance, including legal representation in appropriate cases: it should be for the employing organisation to decide what representational rights are appropriate.
- Where a charge is brought against someone funded by RCUK (including acting as a supervisor for an RCUK postgraduate student or engaged with peer review activities), even if it is about work not connected with a grant from a UK Research Council, then this must be reported to the relevant Council at this stage. The Councils reserve the right to take appropriate action, after consultation with the research organisation, about any duties being performed for RCUK.

- Where there is an allegation of serious misconduct which could lead to suspension or termination of a researcher's career; there should be consideration of whether the panel should have external representation in the interests of transparency.
- Formal guidance is available from various sources on how to conduct formal investigations, including for example the UK RIO report (August 2008).

Abortive termination of procedures at the informal enquiry, formal investigation or disciplinary stages

- If procedures are terminated at any stage (for example by the resignation of an individual) without conclusion that the complaints should be dismissed, the RO should consider the seriousness of allegations outstanding, the strength of evidence supporting the allegations, and the implications for the future research career of the individual.
- Where serious concerns remain that misconduct may have occurred which have not been resolved, the individual complained against should be advised of this and be asked to see the investigation or hearing through to conclusion.
- Where they do not agree to this, they should be advised that the details of the outstanding case may (without prejudice) be passed to any future employer or "bona fide" enquirer about their career at the research organisation, and may also be passed to any appropriate regulatory or professional supervisory body.

Imposition of sanctions and penalties

- Guidance on possible appropriate sanctions for various levels of unacceptable conduct is under further consideration: this will be made available to ROs in due course.

Reporting of sanctions or penalties which have been completed

- Where serious misconduct has occurred, especially where this would appear to be pre-meditated, then a report to relevant statutory or regulatory bodies may be required.
- Reports to relevant professional supervisory bodies and to any national advisory body on research integrity established in the UK should also be considered, and made, where appropriate in the public interest; further guidance in this area may be developed in due course.

This letter was sent to all heads of universities, colleges, Research Council institutes and RCUK recognised research organisations.

I am writing to advise you that RCUK's Policy Statement and Code of Conduct for the management of research conduct in RCUK recognised research organisations has now been finalised and I enclose two copies for your institution. The document will also be posted on the RCUK website in August 2009.

From 1 October 2009, the guidelines and the associated Code will be a requirement of all grants and awards from the Research Councils. We would be grateful if you would communicate this throughout your institution, and also ensure that the appropriate senior officer is given responsibility for ensuring the policy is implemented.

I would also particularly draw your attention to the reference on page 9 to arrangements for the supervision of research integrity in international collaborative projects, and the recent guidance published by the OECD Global Science Forum in this area.

If you have any general queries about the policy statement or Code, or their implementation, please contact any of the colleagues below:

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Ros Rouse
ros.rouse@rcuk.ac.uk

RCUK Enquiries
info@rcuk.ac.uk

If you have any queries relating to specific Councils, the relevant contact officers are listed below.

You will recall that the development of the policy and Code of Conduct followed from the RCUK surveys of research organisation practice in 2006 and 2007; the major conference at the University of Keele organised with Universities UK, the Funding Councils, and other major stakeholders in April 2008; and the RCUK consultation on good research conduct practice, the outcome of which I advised you in April this year. I believe that this close interaction with universities and research organisations has been very important. Putting the policy and Code of Conduct in place is an important step forward in the approach to these matters in the UK.

As noted in the guidelines, there are a number of areas where further work may be needed, and guidance is being reviewed and considered in consultation with other stakeholders. RCUK has therefore established a scoping review to consider further needs in this area jointly with Universities UK, the UK Department of Health, the UK Funding Councils, and other associated major funders. The review group is chaired by Professor Dame Janet Finch, Vice Chancellor of the University of Keele, and we hope this will report by the year end.

May we thank you once again for your co-operation and assistance during our consultation on this matter. We will seek to keep you fully informed of any further developments.

Yours sincerely,



Professor Ian Diamond FBA FRSE AcSS
Chair, Research Councils UK Executive Group

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