



## Academic integrity in research: Code of practice and procedure

### Code of Practice

(1) In line with University guidance the College expects all members of the College including students and College members who are not part of the University but who are conducting research<sup>[1]</sup> on College premises or using College facilities or funding for their research, to observe the highest standards of ethics and integrity in the conduct of their research<sup>[2]</sup>. In pursuance of such high standards they must:

- a) be honest in proposing, conducting and reporting research. They should strive to ensure the accuracy of research data and results and acknowledge the contributions of others.
- b) acquaint themselves with guidance as to best research practice and standards of integrity; for example, the Code of Practice for Research published by the UK Research Integrity Office or the Concordat to Support Research Integrity.
- c) comply with ethical and legal obligations as required by statutory and regulatory authorities, including seeking ethical review and approval for research as appropriate. They should ensure that any research undertaken complies with any agreements, terms and conditions relating to the project, and allows for proper governance and transparency.
- d) seek to ensure the safety, dignity, wellbeing and rights of those associated with the research.
- e) effectively and transparently manage any conflicts of interest, whether actual or potential, reporting these to the appropriate authority as necessary.
- f) ensure that they have the necessary skills and training for their field of research.
- g) recognise their accountability to the College and their peers for the conduct of their research.
- h) having due regard to subject disciplinary norms, acknowledge that authorship of a research output should be attributed only to a researcher who has made a significant intellectual, scholarly or practical contribution to that output and is willing to take responsibility for the contribution.



i) follow the requirements and guidance of any professional bodies in their field of research. Researchers who are members of a regulated profession must follow the requirements and guidance of the body regulating their profession.

(2) Failure to comply with this Code of Practice and Procedure may give rise to an allegation of Misconduct in Research (as further defined in 3). Misconduct in Research may be a ground for disciplinary action<sup>[3]</sup>, and if serious, for dismissal or expulsion.

### **Definition of Misconduct in Research**

(3) Misconduct in Research for the purpose of this Code of Practice and Procedure means actual or attempted acts of fabrication, falsification, plagiarism or deception when proposing, conducting or reporting results of research, or deliberate, dangerous, reckless or negligent deviations from accepted practices in carrying out research. It includes failure to follow established protocols if this failure results in unreasonable risk or harm to humans, other vertebrates or the environment, and facilitating of Misconduct in Research by collusion in, or concealment of, such actions by others. It also includes the intentional or reckless unauthorised use, disclosure or removal of, or damage to, research-related property of another, including apparatus, materials, writings, data, hardware or software or any other substances or devices used in or produced by the conduct of research.

It does not include honest error or honest differences in the design, execution, interpretation or judgement in evaluating research methods or results, or misconduct unrelated to the research process. It does not include poor research.

Misconduct in Research for the purpose of this Code of Practice and Procedure is not intended to capture concerns about students' examined work<sup>[4]</sup>, which falls within the jurisdiction of the University Proctors under the Proctors' Disciplinary Regulations for Candidates in University Examinations and Statute XI.

The basis for reaching a conclusion that an individual is responsible for Misconduct in Research relies on a judgement that there was an intention to commit the Misconduct in Research and/or recklessness in the conduct of any aspect of a research project.

Where allegations concern an intentional and/or reckless departure from accepted procedures in the conduct of research that may not fall directly within the terms detailed above, a judgement should be made as to whether the matter should be investigated under this Procedure.



## Responsibility

(4) All members of the College, and individuals permitted to work on College premises or use College facilities, have a responsibility to report any well-founded allegations of Misconduct in Research, whether this has been witnessed, or is suspected. Suspicions reported in confidence and in good faith will not lead to disciplinary proceedings against the person making the complaint. In the event, however, of a frivolous, vexatious and/or malicious allegation, the Academic tutor will consider recommending that action be taken against the Complainant. Prior to making any formal allegation, sources of advice and support for College and University members include:

- Fellow researchers and colleagues
- Supervisors
- Mentors
- Senior Tutors
- University Proctors
- Directors of Graduate Studies
- Heads of Department; Faculty; or Division
- Research Ethics Committees
- Research Services
- Oxford University Students Union (OUSU)
- GCR

## Confidentiality

(5) So far as possible, all allegations will be investigated in confidence. All those who are involved in the investigation of an allegation, including witnesses, representatives and persons providing information, evidence and/or advice, have a duty to maintain confidentiality. However, for an allegation to be investigated fully, it may be necessary to disclose the identity of the person making the allegation (“the Complainant”) to the person who is the subject of the complaint (“the Respondent”). It may also be necessary to make certain disclosures to relevant members of College staff. The Principal, Senior Tutor and Academic Registrar will normally be informed of any allegations. The Complainant will be advised before any such disclosure is made.



Where necessary, relevant funding bodies, journals and legal/regulatory bodies will also be informed having due regard to the need.

All decisions about disclosure will be taken by the Academic tutor, having due regard to the rights and interests of the Complainant and the Respondent and the obligations placed on the College by any third party(ies) or the law.

## **Procedure in the event of suspected Misconduct in Research**

### *Referrals*

(6) Allegations of potential Misconduct in Research should be made in writing and addressed in confidence to the Academic tutor. For staff and students who are members of the University of Oxford action under the appropriate University procedures will take precedent over and action by the College.

### *Acknowledgement*

(7) The Academic tutor will acknowledge receipt of allegations within five working days and will advise the Complainant of the procedure to be followed.

### *Preliminary Review*

(8) Following receipt of an allegation, the Academic tutor will conduct a preliminary review in order to determine whether further investigation is required. This review will be conducted in a timely manner and the Academic tutor may seek advice from senior academic members of the College. In the event that the allegations relate to the conduct of a student, the Academic tutor will consult with the Principal and may refer these allegations for further investigation.

(9) If the Academic tutor determines that further investigation is not required, the allegation may be dismissed or addressed under another applicable College policy or procedure. Allegations which are considered to be mistaken, frivolous, vexatious and/or malicious will be dismissed at this stage.

(10) The Academic tutor will provide the Complainant with a written determination summarising the reasons for the decision reached following the preliminary review.

(11) Where necessary, the written determination will be in the form of a Completion of Procedures letter. Students may submit their complaint to the Office of the Independent



Adjudicator for Higher Education (OIA) for review if they remain dissatisfied following completion of the College's procedures. This must be submitted within three months of the date of the Completion of Procedures letter.

### *Legal & Regulatory Bodies*

(12) In the event that the nature of the allegation is such that it is necessary to notify legal or regulatory authorities, (for example where the alleged activity would constitute a criminal offence) any investigation led by a legal or regulatory body will take precedence over this procedure. This procedure may need to be suspended to be concluded at a later date, or may be declared unnecessary by the Academic tutor.

### *Investigation*

(13) If the Academic tutor determines that there is a case which requires further investigation, the Academic tutor or a person duly authorised on his or her behalf shall set up a Panel to enquire into the allegations. This shall normally consist of three members, to include a member of the department or faculty with relevant expertise, and a member of the University or a college from outside the Green Templeton College, if possible, with relevant expertise. Where deemed appropriate by the Academic tutor, one member may be external to the University. Members of the Panel must have no conflict of interest in the case. The Panel will evaluate the facts of the allegations in order to report to the Academic tutor.

(14) The Academic tutor or the person duly authorised on his or her behalf shall require the production of such records as are necessary to enable the investigation to proceed and shall secure their safe keeping.

(15) The Respondent shall be informed by the Academic tutor or the person duly authorised on his or her behalf of the decision to set up the Panel and of the membership of the Panel.

(16) The Panel may interview both the Complainant and the Respondent, and any other persons, whose evidence may, in the Panel's view, assist the Panel in reaching a conclusion. Any person attending for interview may be accompanied by another person. The Panel should be informed of the identity of the accompanying person at least five (5) working days before the interview is scheduled to take place.



(17) The Panel shall prepare a report, setting out the evidence which has been evaluated, accounts of interviews, if any, and its recommendations to the Academic tutor who will determine what further steps will be taken.

(18) The Panel shall provide a draft report to the Respondent and to the Complainant so that they can comment on its factual accuracy.

(19) Subject to availability of personnel and to operational demands the investigation of the Panel should normally be completed within ninety (90) days of first notification of the allegation to the Academic tutor.

#### *Recommendations*

(20) On receipt of the Panel's recommendations, the Academic tutor<sup>[5]</sup> may dismiss the complaint or recommend such further action that he/she deems appropriate under College Regulations.

In the event that the allegations relate to someone who is not subject to the College's disciplinary procedures, the Academic tutor may determine to notify other institutions, which have a legitimate interest in the outcome of the procedure and the individual's continued use of the College's premises and facilities may be curtailed.

- If the Panel has found that the Complainant's allegations were frivolous, vexatious and/or malicious, the Academic tutor will consider recommending that action be taken against the Complainant.

#### *Notifications*

- Notifying other third parties who are deemed to have a legitimate interest in the outcome of the proceedings, including, for example the co-authors of the Respondent in a manuscript subject to an allegation of Misconduct in Research.
- Notifying the publisher of a manuscript that was subject to an allegation of Misconduct in Research in order that this can be retracted or corrected.
- Notifying any funding body which has supported the research in question.
- Notifying any regulatory or other agencies as required by law.
- Notifying any other organisation involved in the research (including other employing organisations).

#### *Procedural Reviews*

- Reviewing internal management procedures for the research.



- Reviewing training and/or supervisory procedures for the research.

(21) The Academic tutor will provide the Complainant and the Respondent with a written determination, which summarises the reasons for the decision.

(22) Where necessary, the written determination will be in the form of a Completion of Procedures letter. Students may submit their complaint to the Office of the Independent Adjudicator for Higher Education (OIA) for review if they remain dissatisfied following completion of the College's procedures. This must be submitted within three months of the date of the Completion of Procedures letter.

### *Appeal*

(23) There is no right of appeal against the decision of the Academic tutor under this Procedure. Respondents will have a right of appeal under the applicable statute in the event that further action is taken under College Regulations.

### *Time Limits*

(24) The Academic tutor will not normally consider allegations where the substantive event(s) complained about occurred more than three years before the allegation is received by the Academic tutor.

### Notes:

<sup>[1]</sup> Research is defined as creative work undertaken on a systematic basis in order to increase the stock of knowledge, including knowledge of man, culture and society, and the use of this stock of knowledge to devise new applications. (Frascati Manual, OECD)

<sup>[2]</sup> This includes members of the College, and those whose research is funded by the College, who are conducting work overseas.

<sup>[3]</sup> Disciplinary action will only be taken in accordance with the College's standard procedures. Please see Paragraph 20 above.

<sup>[4]</sup> Examined Work includes the submission and assessment of a thesis, dissertation, essay, Transfer of Status materials, Confirmation of Status materials, or other coursework which is not undertaken in formal examination conditions but is a requirement for, counts towards or constitutes the work for a degree or other academic award.

<sup>[5]</sup> The Academic tutor, at his/her discretion, may delegate certain functions, including notifying funding, regulatory or other agencies.