

CODE OF PRACTICE FOR RESEARCH: PRINCIPLES AND PROCEDURES

1. Introduction

2 Principles

2.1 Ethical and Legal

Researchers¹ may participate only in work that conforms to accepted ethical standards. In the case of work which is put in the public domain, they may only participate in research which they are competent to perform. They must be aware of, and adhere to, ethical principles of veracity, respect for people and their privacy, and the avoidance of harm. Researchers must comply with the Data Protection Act (1998), the Data Protection Policy issued by the University, and with the appropriate codes of practice issued by their professional association. In the absence of an appropriate professional code, researchers should use the published University Ethics Policy, guidelines and procedures.

Where research procedures are of a kind requiring approval by a School Ethics Committee, or by other safety or regulatory committees, research must not proceed without such approval.

2.2 Accountability

Researchers and, in particular, those named as principal investigators or grant-holders must ensure that the research they are undertaking is consistent with the terms and conditions defined by the sponsoring organisation (or covered by agreements between the University and the sponsor). This includes, but is not limited to, ensuring that the research programme carried out adheres to that defined in the original proposal to the sponsor, unless amendments have been agreed in writing; that finance is used solely for the purpose for which it was intended; that reports are accurate and timely; and that conditions relating to publication and to ownership of Intellectual Property are followed.

make colleagues aware of research in which they are engaged (to solicit interest and feedback) and their publications;
make colleagues aware of research funding bids in preparation both to inform and also to avoid internal competition for such funding;
inform colleagues of completion of projects and publications arising from them.

2.5 Accessibility

Researchers have an obligation to keep records and data in such a way as to facilitate the

conducted in accordance with good research practice. This includes ensuring that research students are made familiar with this Code at Induction or similar training sessions.⁴

Within a research centre or group, responsibility lies with the centre or group leader. Group or centre leaders must create a research environment of mutual co-operation in which all members of a research centre 24 703.78 Tm0

The keeping and maintenance of laboratory notebooks, and other data sources can also help to ensure that Intellectual Property can be protected. (Procedures in respect of such notebooks

listed. The question of authorship should be discussed at the earliest possible stage in a research project, and reviewed whenever there are changes in participation.

The minimum requirement for authorship of a publication is substantial participation in conceiving, executing, or interpreting at least part of the research reported.¹⁰ Authorship will normally include additionally drafting the article or revising it critically for intellectual content. An author's role in the research output must have been sufficient to take public responsibility for at least that part of

an obligation to explain fully the status of the work and the peer-review mechanisms to which it will be subjected.

Publications must include information on the sources of financial support for the research. Financial sponsorship that is not declared may invite the presumption that a conflict of

from the grant fund, or where the terms of a new grant from a funding body require disclosure of project data from a related project and the terms of the related project grant prevent that disclosure (see paragraph 2 in **3.2.3** above).

Researchers must advise their Directors of Research and Postgraduate Studies of any potential or actual conflict of interest before embarking on the research. This should be done by completion of a *Disclosure of Potential Conflict of Interest* form (Appendix 1) which should be sent to the Deputy Dean who will then decide, normally in consultation with the Dean of School, whether a conflict of interest exists.

If a conflict of interest is considered to exist, the Deputy Dean must refer the matter to the Deputy Vice-Chancellor

Appendix 1

Middlesex University: Code of Practice for Research

Disclosure of Potential Conflict of Interest

(Please submit this form to the Dean of School)

School: _____

In accordance with section 3.5 of the *Code of Practice for Research: Principles and Procedures*
I make the following disclosure:

Publication/research project entitled:

Details of potential conflict of interest, including names of people and organisations involved:

Where the manuscript has been submitted for publication, or the project has been submitted to a funding body for funding support, have the above details been disclosed to the publisher or funding body?

Yes

No

Name of publisher/funding body: _____

Signature: _____ Date: _____

Name: _____

PRINCIPLES AND PROCEDURES FOR HANDLING ALLEGATIONS OF RESEARCH MISCONDUCT

(Based on the RIO Code)

1. Introduction

Middlesex University has a responsibility to ensure that research carried out by its employees, researchers and students, or by others in its name, is carried out in conformity with the law, and in accordance with best practice and principles. The University is committed to maintaining integrity and probity in research. This document sets out the principles and procedures for making, managing, and investigating allegations of research misconduct which can arise from a broad set of circumstances.

All employees of the University, students, researchers, and other individuals who work in the University's Schools or research centres are under a general obligation to preserve and protect the integrity and probity of research. If they have good reason to suspect any misconduct in research, they should report their suspicions as prescribed in 6 below.

2. Purposes of Procedures

The purposes of these Procedures are:

- to deter research misconduct;
- to provide a degree of public confidence that Middlesex University maintains the highest standards of research conduct;
- to enable individuals to raise legitimate concerns relating to research misconduct carried out by Middlesex University employees, researchers, students, or others in its name;
- to provide a process for concerns to be raised, investigated and, where appropriate, action taken upon in a fair and transparent manner and in confidence;
- to make clear to individuals who believe that they need to make an allegation of research misconduct that such allegations are taken seriously within the University and in accordance with the Policy on Public Interest Disclosure (HRPS21)

3. Scope

3.1 Middlesex University considers an allegation of research misconduct to be within its remit, and appropriate for consideration if it (i) concerns a member of staff, honorary staff, or student; or (ii) was committed on Middlesex University premises including the International campuses. The University will also investigate a complaint alleged to have taken place when the individual was employed or studying at Middlesex University but who has since left the University.

Allegations against Students on Taught Degrees

3.2 Any allegation of research misconduct made against a student on a taught degree programme (undergraduate or Masters) will be dealt with in accordance with the regulations for Academic Misconduct.

Allegations against Research Degree Students

3.3 Allegations of plagiarism made against a research degree student of the University or of a collaborative partner (PhD/MPhil; MProf/DProf Part 2 and its special validated pathways; MA/MSc/LLM (by research)) will be investigated and handled according to the Plagiarism Regulations for Research Degree Students. With the exception of plagiarism allegations, all other types of research misconduct allegations against students 1 0 0 d

integrity of the individual concerned and the accuracy of any research findings;

6 Initial Allegation

6.1 An allegation of research misconduct should be made to the Dean of the School to which the respondent belongs. Should another staff member within the School receive the allegation, he/she should pass it on to the Dean. The Dean will immediately inform the DVC Academic or, if the latter is absent the DVC International

separate from the line management of both the Complainant and the Respondent. As far as is practicable, the appointment of Screeners should be made with regard to an appropriate balance of ethnicity and gender.

8.2 The Chair of the Screening Panel will inform the Respondent of the allegations and of the procedures under which it is being investigated (these procedures), and

8.9 If the Screeners assess that the allegation fall into the third category, the DVC Academic shall dismiss the allegation, and subject to **8.10** below, no further action will be taken.

8.10 It is expected that the DVC Academic will normally accept the recommendation of the Screeners. Nevertheless, it is open to the DVC Academic, following consultation with senior academics and/or members of the University Ethics Committee to reject the recommendation of the Screeners in cases where the recommendation is felt to be too lenient or too harsh.

8.10 If the Screeners assess that the allegation falls into the third category but is malicious or reckless, the DVC Academic will refer the case to Human Resources for disciplinary or other appropriate action where the Complainant is a staff member.

8.11 The DVC Academic will send a copy of the Screeners' report to the Complainant together with confirmation on any further action to be taken in respect of the case.

8.12 If during the screening process, the Screeners uncover or suspect further instances of misconduct by the Respondent him/herself or in collaboration with others, the Screeners will submit a new allegation of misconduct to the DVC Academic for consideration under the Screening Stage. Should there be others involved who fall outside the scope of these procedures (**3.1** above), the DVC Academic will inform the relevant external organisation concerned for the latter to investigate according to its own procedures (**3.6** above).

9 Formal Investigation

9.1 The Formal Investigation stage aims to establish the facts in greater detail than the Screening Stage in cases where it has become clear from the screening stage that there is a case to answer. This second stage is concerned with the establishment of facts and does not obviate the need for the disciplinary procedures to be invoked where research misconduct has been found to have taken place. The report of the Formal Investigation Stage and supporting evidence it has used will be passed on to the disciplinary panel in all cases where such a panel is set up.

9.2 The DVC Academic will appoint a Panel to carry out the investigation as soon as is practicable and this will normally comprise a Chair and at least 2 members. The Chair will normally be a Dean (or ADR) from a School of which neither the Respondent nor Complainants are members. The 2 (or more) Panel members will be active researchers also from Schools of which neither the Respondent nor Complainants are members. In no case will an individual who has already served on the Screening Panel serve on the Formal Investigation Panel. As far as practicable, the appointment of Panel members will be made with regard to an appropriate balance of gender and ethnicity. Where the Respondent is a staff member, a Manager from Human Resources shall be appointed as an Observer to give the Panel relevant advice. Where the Respondent is a research degree student, the Academic Registrar, or nominee, will be appointed as an Observer to give the Panel

9.3 The DVC Academic will send the Formal Investigation Panel the report from the Screening Stage.

9.4 The Panel Chair will inform the Respondent in writing of the allegations, and will invite him/her to respond orally, and to produce further written statements or evidence in his/her defence. The Panel Chair will also send a copy of these Procedures to the Respondent.

9.5 The Formal Investigation Panel may:

- (a) examine the statements of the Complainant and Respondent;
- (b) interview the Respondent, the Complainant, and any other party it chooses;
- (c) require the Respondent and, if it judges necessary, other members of the University to produce files, notebooks, and other records;
- (d) widen the scope of its investigation if it considers this necessary;
- (e) seek evidence from other parties.

The Respondent, Complainant, and Witnesses may each enlist the help of an individual (a Representative) to present his/her case. The latter will normally be a staff member of the Respondent's/Complainant's/ Witness's School but need not be so. Where the Respondent or Complainant or Witness chooses a Representative, he/she will inform the Panel Secretary of the name of the Representative as soon as the latter has agreed to act in this capacity.

Care shall be taken to maintain the anonymity of the Complainant and the key witnesses. Any comments that the Respondent submits with 14 working days will be attached as an addendum to the Report.

9.9 If, on reviewing the evidence, the Formal Investigation Panel uncovers or suspects further instances of research misconduct by the Respondent him/herself (or in collaboration with others) that are unconnected with the case under investigation, the Formal Investigation Panel will submit a new allegation of research misconduct to the DVC Academic for consideration under the initial Screening Stage. Should there be others involved who fall outside the scope of these procedures (3.1 above), the DVC Academic will inform the relevant external organisation concerned for the latter to investigate according to its own procedures (3.4 above).

9.10 It is expected that the DVC Academic will normally accept the recommendation of the Formal Investigation Panel. Nevertheless, it is open to the DVC Academic, following consultation with the DVC Research and Enterprise and senior academics and/or members of the University Ethics Committee to reject the recommendation of the Formal Investigation Panel in cases where the recommendation is