

Policy	Policy for Investigating Allegations of Misconduct in Research
Organisation	Leeds Beckett University
Author(s)	Stuart Morris (REF & Research Policy Manager)
Developed in consultation with	<ul style="list-style-type: none"> • Pro Vice Chancellor Research & Innovation • Deputy Secretary • Head of Research Information & Governance. • Directors of Research. • Research Ethics Sub-Committee. • Research & Enterprise Committee. • Academic Board • Human Resources • Trade Unions
Owner	PVC Research & Innovation, Research & Enterprise Services
Target audience	<ul style="list-style-type: none"> • All colleagues • Research students • Research Partners • Any independent contractor or consultant undertaking work on behalf of the University • A person with visiting or emeritus status • Any other person conducting research under the auspices of the University, whether solely or in conjunction with others in the University or other bodies, or in conjunction with other bodies working in any context within the University
Sensitivity	Public
Approved by	Academic Board
Effective date	04 July 2023
Review Date	+02 years from last date of approval
Status	Published
External references	<ul style="list-style-type: none"> • UK Research Integrity Office (UKRIO) • UK Research Integrity Office Code of Practice for Research • UKRIO Procedure for the Investigation of Misconduct in Research(2023) • Universities UK Concordat to Support Research Integrity (2019),

	<ul style="list-style-type: none"> • Research Excellence Framework 2021, Assessment framework and guidance on submissions, Annex C • Equality Act 2010
Links to other internal policies / procedures	<ul style="list-style-type: none"> • LBU Whistleblowing (Public Interests Disclosure) Policy & Procedure • LBU Disciplinary Policy & Procedures • LBU Ethics & Integrity Framework • LBU Code of Good Practice for Research • LBU Staff Appeals Policy & Procedures • LBU Research Ethics Policy & Procedures • Academic Regulations: Section 10 Academic Integrity
Version reference	Version 2.0 (Previous version 1.1)
Version History - summary of changes	<ul style="list-style-type: none"> • Approved by Academic Board – 01 July 2015 (Version 1.0) • Modifications approved by Research & Enterprise Committee – 18 October 2018 (1.1)

Policy for Investigating Allegations of Misconduct in Research

Contents

1. Introduction.....	4
2. Purpose and Scope	4
3. Responsibilities.....	5
4. Definitions for terms used in the Policy.	5
5. Policy Statement.....	7
6. Equality, Diversity & Inclusion	9
7. Monitoring & Compliance	9
8. Dissemination	10
9. Key Contacts	10

1. [Introduction](#)

- 1.1 Ensuring and sustaining integrity in all aspects of research is a core aspect of the University's commitment to the advancement of knowledge. Misconduct in research damages the integrity of research, brings both the individual and the institution into disrepute and can, in extreme circumstances, cause harm to those involved in research.
- 1.2 Misconduct in research is an extremely serious matter and, therefore, the University has a duty to ensure that any individuals conducting research receive appropriate advice, guidance, and training in the relevant ethical, legal, and other related conventions. The University seeks to sustain this approach by providing an environment that fosters and supports honesty in research and discourages unacceptable behaviour by dealing seriously and sensitively with all allegations of misconduct in research.
- 1.3 This Policy has been approved by the Academic Board of the University, and along with the [Procedures for Investigating Allegations of Misconduct in Research](#), provides a framework for investigating allegations of misconduct in research conducted under the auspices of the University.

2. [Purpose and Scope](#)

Purpose

- 2.1 The purpose of this Policy is to:
 - a) Enable individuals to raise legitimate concerns relating to research misconduct.
 - b) Detail the procedure for concerns to be raised, investigated and, where appropriate, acted upon in a fair and transparent manner and in confidence if possible.
 - c) Demonstrate that where staff or research students believe it is necessary to make an allegation of research misconduct, this will be taken seriously by the University.
 - d) Ensure the confidence of all parties, including Research Councils and other funding bodies, individuals making an allegation, students, staff, that the University maintains the highest standards of research integrity.
- 2.2 The Policy and associated Procedure allows the full and fair investigation of research-related issues, using an expert panel to investigate the matters raised, and to reach a conclusion on any allegations of misconduct in research prior to considering any disciplinary or other non-disciplinary steps that might be required or recommended.

Scope

- 2.3 This Policy applies to all colleagues at all levels and grades (whether permanent, fixed term or temporary), visiting research or teaching staff, staff of subsidiary University companies, workers, trainees, seconded staff, agency staff, agents, volunteers, interns, independent contractor or consultant or any other person conducting research under the auspices of the University, whether solely or in conjunction with others in the University or other bodies, or in conjunction with other bodies working in any context within the University.

- 2.4 This Policy will normally apply to research students, who are registered for an MPhil, MRes, a PhD or a Professional Doctorate, but not normally to undergraduate, taught postgraduate and other types of students whose conduct is overseen by [Section 10 of the University's Academic Regulations: Academic Integrity](#).

3. [Responsibilities](#)

- 3.1 The University Pro Vice Chancellor Research & Innovation, or designated alternate (from here on in known as the Named Person) is responsible for ensuring that the Policy is implemented, maintained, and reviewed at appropriate intervals.
- 3.2 The Pro Vice Chancellor Research & Innovation, in collaboration with the Research Information & Governance Team (RIG), is responsible for:
- a) Administering the Policy & Procedures.
 - b) Reviewing the policy at regular intervals and monitoring its effectiveness.
 - c) Providing an overview of any incidences of investigations in the [Annual Research Integrity Statements](#) which is reported to the University's Audit Committee.
- 3.3 All Colleagues and Students outlined in paragraph 2.3 and 2.4 above are responsible for ensuring that they have read, understood, and always comply with this policy.

4. [Definitions for terms used in the Policy](#).

- 4.1 Definitions for terms used in this Policy are as follows:

- 4.2 **Misconduct in research:** The Concordat to support Research Integrity (2019), Commitment 4, pages 12-13: Research misconduct can take many forms, including:

- a) Fabrication: making up results, other outputs (for example, artefacts) or aspects of research, including documentation and participant consent, and presenting and/or recording them as if they were real.
- b) Falsification: inappropriately manipulating and/or selecting research processes, materials, equipment, data, imagery and/or consents.
- c) Plagiarism: using other people's ideas, intellectual property, or work (written or otherwise) without acknowledgement or permission.
- d) Failure to meet legal, ethical, and professional obligations, for example:
 - Not observing legal, ethical, and other requirements for human research participants, animal subjects, or human organs or tissue used in research, or for the protection of the environment.
 - Breach of duty of care for humans involved in research whether deliberately, recklessly or by gross negligence, including failure to obtain appropriate informed consent.
 - Misuse of personal data, including inappropriate disclosures of the identity of research participants and other breaches of confidentiality.
 - Improper conduct in peer review of research proposals, results or 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 the purposes of peer review.

- e) Misrepresentation of:
- Data, including suppression of relevant results/data or knowingly, recklessly or by gross negligence presenting a flawed interpretation of data.
 - Involvement, including inappropriate claims to authorship or attribution of work and denial of authorship/attribution to persons who have made an appropriate contribution.
 - Interests, including failure to declare competing interests of researchers or funders of a study.
 - Qualifications, experience and/or credentials.
 - Publication history, through undisclosed duplication of publication, including undisclosed duplicate submission of manuscripts for publication.
 - Improper dealing with allegations of misconduct: failing to address possible infringements, such as attempts to cover up misconduct and reprisals against whistleblowers or failing to adhere appropriately to agreed procedures in the investigation of alleged research misconduct accepted as a condition of funding. Improper dealing with allegations of misconduct includes the inappropriate censoring of parties using legal instruments, such as non-disclosure agreements.
- 4.3 Honest errors and differences in, for example, research methodology or interpretations do not constitute research misconduct.
- 4.4 For the avoidance of doubt, misconduct in research includes acts of omission as well as acts of commission.
- 4.5 In addition, the standards by which allegations of misconduct in research should be judged should be those prevailing in the country in question and at the date that the behaviour under investigation took place. This is particularly important when investigating allegations relating to research that was carried out many years previously.
- 4.6 **Complainant:** The Complainant is a person making allegations of misconduct of research against one or more Respondents. They need not be a member or a student of the University.
- 4.7 **Respondent:** The Respondent is the person against whom allegations of misconduct in research have been made. They must be one of the people listed in paragraphs 2.3 and 2.4 above.
- 4.8 **Disciplinary Process:** The Disciplinary Process refers to the University mechanism for resolving disciplinary issues amongst its staff or students.
- 4.9 **Named Person:** The Named Person is defined as the individual nominated by the University with knowledge and experience of Leeds Beckett University's research governance framework, and will have: responsibility 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 to internal contacts and external organisations; and taking decisions at key stages of the Procedure. The Pro Vice Chancellor Research & Innovation is the Named Person under this Procedure. The Named Person should have a designated nominee or alternate, normally the University Registrar & Secretary, who will carry out the role on request or in their absence or in the case of any potential or actual conflict of interest.

4.10 **University:** The University is defined in this Procedure as Leeds Beckett University.

4.11 **Research:** The Research Excellence Framework ([Research Excellence Framework 2021, Assessment framework and guidance on submissions, Annex C](#)) defines research as the following:

- a) Research is defined as a process of investigation leading to new insights, effectively shared.
- b) It includes work of direct relevance to the needs of commerce, industry, culture, society, and to the public and voluntary sectors; scholarship; the invention and generation of ideas, images, performances, artefacts including design, where these lead to new or substantially improved insights; and the use of existing knowledge in experimental development to produce new or substantially improved materials, devices, products, and processes, including design and construction. It excludes routine testing and routine analysis of materials, components, and processes such as for the maintenance of national standards, as distinct from the development of new analytical techniques. It also excludes the development of teaching materials that do not embody original research.
- c) It includes research that is published, disseminated, or made publicly available in the form of assessable research outputs, and confidential reports.

4.12 **Employee of the University:** All colleagues at all levels and grades (whether permanent, fixed term or temporary), visiting research or teaching staff, staff of subsidiary University companies, workers, trainees, seconded staff, agency staff, agents, volunteers, interns, independent contractor or consultant or any other person conducting research under the auspices of the University, whether solely or in conjunction with others in the University or other bodies or in conjunction with other bodies working in any context within the University.

4.13 **Research Student:** Research students, who are registered for an MPhil, MRes, a PhD or a Professional Doctorate, but not normally to undergraduate, taught postgraduate and other types of students whose conduct is overseen by [Section 10 of the University's Academic Regulations: Academic Integrity](#).

5. [Policy Statement](#)

5.1 Staff, research students and all others conducting research under the auspices of the University are required to report misconduct in research where they have good reason to believe it is occurring. The University will investigate allegations or complaints about misconduct in research. Any complainant who has an honest and reasonable suspicion that research misconduct is taking or has taken place, can be assured that their concern will be investigated fairly by the University and that any complainant will be protected from any subsequent victimisation, even if the concern is subsequently found to be mistaken or unfounded.

5.2 It is a condition of conducting research under the auspices of the University and/or on University premises that practice conforms to the University's [Code of Good Practice for Research](#) which has been benchmarked against the [UK Research Integrity Office Code of Practice for Research](#) and our University's peer group of benchmark Universities. Failure by a researcher to comply with the provisions of the University's Code of Good Practice for Research will be grounds for action to be taken under this Policy.

- 5.3 The University recognises the possibility that an allegation of research misconduct may be vexatious or malicious. Any Respondent can be assured of fair process, and that any allegations found to be vexatious or malicious may be referred to the University disciplinary procedures, or elsewhere as appropriate, for further action.
- 5.4 Any Complainant should recognise that a complaint of dishonesty in research is serious and potentially defamatory. As such, it may not be containable within the procedures of the University and could lead to legal proceedings.
- 5.5 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 and/or recklessness in the conduct of any aspect of a research project.

Principles

- 5.6 Misconduct in research is a serious matter. The investigation of allegations of misconduct in research must be conducted in accordance with the highest standards of integrity, accuracy and fairness and will be conducted using the following principles:
 - a) Those responsible for carrying out investigations of alleged misconduct in research should always act with integrity and sensitivity.
 - b) Allegations of research misconduct will be:
 - handled with sensitivity and confidentiality.
 - investigated fairly, thoroughly and in a timely manner.
 - investigated using the University's Procedure for the Investigation of Allegations of Misconduct in Research.
 - c) Employees have the right to be accompanied to formal meetings by a trade union representative or workplace colleague.
 - d) Research Students have the right to be accompanied to formal meetings by a fellow student, a representative of the Student's Union, or where applicable a workplace colleague.
 - e) Complainants or Respondents have the right to highlight, and have considered, any conflict of interest they perceive to exist on the part of anyone involved in the investigation process.
 - f) Employees or Research Students who make allegations of research misconduct in the reasonable belief that misconduct may have occurred will be supported and will not be subject to any detriment
 - g) Anyone accused of research misconduct is entitled to the presumption of innocence.
 - h) The identity of those involved and information on the allegation will not be released to third parties until the University is obliged to do so.
- 5.7 The principles above encapsulate data protection, fairness, confidentiality, integrity, prevention of detriment, and balance are set out in fuller detail in Annex 1 of the [Procedures for Investigating Allegations of Misconduct in Research](#) and must inform their use.
- 5.8 Questions regarding research misconduct may arise in the context of other University procedures (for example, Whistleblowing ('Public Interest Disclosure') Policy and Procedure, or Counter Fraud Policy). Where a matter may be relevant for consideration under more than

one procedure, the Named Person, will determine the most appropriate procedure for consideration of the matter. Their decision will be final.

- 5.9 The Named Person has the general responsibility for ensuring the integrity of proceedings under this procedure, and due reference to any other procedures of the University. The Named Person shall determine the procedure to be followed in cases of doubt.
- 5.10 The Named Person can pause the procedure at any point if the investigations uncover a serious matter that requires immediate referral to another University procedure. This provision reduces any delay in progressing any serious concerns that might arise out of the investigation into an allegation of misconduct in research.
- 5.11 This Policy has been benchmarked against, and is aligned to, the principles of the [Universities UK Concordat to Support Research Integrity \(2019\)](#), and the [UK Research Integrity Office's \(UKRIO\) Procedure for the Investigation of Misconduct in Research \(2023\)](#). Where appropriate, advice may also be sought from the [UK Research Integrity Office \(UKRIO\)](#).

6. [Equality, Diversity & Inclusion](#)

- 6.1 To ensure fair treatment and, where appropriate, provision of support by the University in the application of this procedure, members of staff or research students should be encouraged to provide information about any equality or diversity matters which may be relevant. In the case of a disability or language issue a member of staff may be accompanied by an appropriate person to provide support.
- 6.2 At all stages of the procedure, those investigating allegations of Research Misconduct should check if there are any reasonable adjustments, e.g., support for a disability, that a member of staff or research student, or the individual who is accompanying them may require to enable them to participate fully in the procedure. Appropriate guidance may be sought from Human Resources or the Students' Union. Correspondence in relation to this procedure will invite the Respondent or Complainant to inform the University if they require additional support.
- 6.3 It is a requirement that those investigating allegations of Research Misconduct will have received appropriate guidance and are aware of the requirements of the [Equality Act 2010](#) and of good practice in relation to equality and diversity.
- 6.4 The possibility that research misconduct may arise from misunderstandings due to ethnic/cultural/gender/disability or other issues should also be considered and Human Resources or the relevant University services consulted as appropriate.

7. [Monitoring & Compliance](#)

- 7.1 The University's Policy for the investigation of allegations of misconduct in research will be monitored and reviewed by the Pro Vice Chancellor Research & Innovation and the Research Information & Governance Team at least every two years, or if required more frequently, to take account of any legislative changes or changes in the University's activities. Any proposed revisions to the Policy will be put to the Academic Board for approval.

8. Dissemination

- 8.1 This Policy will be made available to all colleagues, students, and individuals that carry out work for and on behalf of the University and will be made available on the wider public. It will be published on the University's website and staff intranet.

9. Key Contacts

9.1 Key contacts:

- a) Pro Vice Chancellor Research & Innovation:
s.machold@leedsbeckett.ac.uk
- b) Research Information & Governance Team:
ResearchInfoandGovernance@leedsbeckett.ac.uk