

Procedure	Procedures for Investigating Allegations of Misconduct in Research
Organisation	Leeds Beckett University
Author(s)	Stuart Morris (Research Excellence Manager) Charlotte Pettitt (Research Integrity & Ethics Manager) Silke Machold (PVC Research and Innovation)
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 staff • 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	Research & Enterprise Committee
Effective date	01/11/2025
Review Date	01/11/2027 (+2 years from 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 • Universities UK Concordat to Support Research Integrity (2025), • 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 • University's Student Code of Discipline • Stakeholder Complaints Procedure • Instrument of Government • Articles of Government • Academic Promotions Policy & Procedure • Probationary Policy and Procedure • University Records Retention Schedule
Version reference	Version 2.1 (Previous version 2.0)
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) • Revision Approved by Research & Enterprise Committee – June 2023 (2.0) • Revisions approved by Research and Enterprise Committee – October 2025 (2.1)

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1. Introduction

- 1.1 This Procedure has been approved by the Academic Board of the University, and along with the [Policy 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 This Procedure outlines the process to be followed when allegations of misconduct in research are brought against a researcher or research student in relation to research conducted under the auspices of the University.
- 2.2 The Procedure and associated Policy 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.
- 2.3 The Procedure has been designed to:
 - a) Ensure that an investigation is thorough and fair, conducted in a timely and transparent manner, and with appropriate confidentiality.
 - b) Demonstrate that, by using an agreed standard process, there should be fewer errors in the conduct of investigations.
 - c) Reassure those raising concerns, those who are under investigation and other involved parties, that the process of investigation will follow the UKRIO template procedure (2023) that has been adopted nationally by research organisations.
 - d) Establish the ethos and mechanisms by which misconduct in research may be addressed appropriately, investigated effectively, and handled fairly, in a timely manner and with an appropriate balance of confidentiality and transparency.
 - e) Assess whether the allegations have substance and should proceed to a full investigation, be addressed through other means, or be dismissed.
- 2.4 It may be difficult to tell the difference between questionable research practices (QRPs) and research misconduct. This often needs to be determined through a full investigation. Improving the understanding and management of QRPs, and the handling of allegations of research misconduct, are necessary to safeguard research.

Scope

- 2.5 This Procedure applies to all staff 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 contractors or consultants, 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.

- 2.6 This Procedure 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 Honesty](#)
- 2.7 The Procedure will be carried out in accordance with the Standards set out later in this Procedure (Section 5) and the Principles (set out in Section 6 and in more detail in Annex 1). Those responsible for the operation of this Procedure must ensure that they are familiar with these Standards and Principles and refer to them with respect of all decisions and interpretations.
- 2.8 Nothing in this Procedure shall limit the right of the University or a member of staff of the University or a student of the University to exercise their rights under any University Policies & Procedures concerning discipline and grievance.
- 2.9 The University may choose to follow this Procedure through to its natural end point even in the event that:
- a) Any individual(s) concerned leaves the jurisdiction of the University, either before the operation of this Procedure is concluded or before the allegation(s) of research misconduct was made; **or**
 - b) The Initiator(s) withdraws the allegation at any stage; **or**
 - c) The Respondent(s) admits the allegation in full or in part; **or**
 - d) The Respondent(s) admits other forms of misconduct, whether research misconduct, QRs or otherwise; **or**
 - e) The Initiator(s) withdraws from the Procedure.
- 2.10 The University will ensure that it puts arrangements in place for collaboration with other organisations over investigations where appropriate. This may be when an individual has moved during the course of the matter being investigated, where the Respondent(s) is based in more than one institution, or when individuals fall under the auspices of the University and another body (e.g., persons with visiting status who are employed by another body or members of staff on a joint clinical or honorary contract). Matters for investigation can also cross national boundaries. The references below include further information:
- a) Montreal Statement on Research Integrity in Cross-Boundary Research Collaborations: <https://wcrif.org/documents/354-montreal-statement-english/file>
 - b) Russell Group Statement of Cooperation in respect of cross-institutional research misconduct allegations: <https://russellgroup.ac.uk/media/5708/russell-group-research-integrity-forum-statement-of-cooperation-may-2018.pdf>
- 2.11 When allegations of research misconduct are upheld, in full or in part, for a member of staff this may result in action being taken under the University's [disciplinary procedures](#) as appropriate, or under another relevant process.
- 2.12 When allegations of research misconduct are upheld, in full or in part, for a research student this may result in action being taken under the [University's Student Code of Conduct](#). It may also be considered good cause for programme termination in the case of registered students, and rescission of award in the case of graduates of the University.

- 2.13 Reports generated by this Procedure may be used in evidence by the University's disciplinary procedures, by subsequent investigations under this Procedure and by other University processes. In addition, they may be released, in full or in part or in summary form, in reporting the matter to any appropriate external organisation.
- 2.14 The University's Articles & Instrument of Government take precedence over anything set out in this Procedure. Notwithstanding the arrangements which follow, the Vice Chancellor or their nominee has the right to suspend a member of staff and the right to suspend a student in accordance with the relevant University [Articles](#) & [Instrument](#) of Government.

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 Procedures are implemented, maintained, and reviewed at appropriate intervals.
- 3.2 The Named Person, in collaboration with the Research Officer, is responsible for:
- a) Administering the Procedures.
 - b) Reviewing the Procedures at regular intervals and monitoring their effectiveness.
 - c) Providing an overview of any incidences of investigations in the [Annual Research Integrity Statements](#) which are reported to the University's Audit Committee and University Research & Enterprise Committee.
- 3.3 All Staff and Students outlined in paragraphs 2.4 and 2.5 above are responsible for ensuring that they have read, understood, and always comply with this Procedure.
- 3.4 Any queries or requests for comment on the use of the Procedure should be referred to the Named Person via the Research Officer.
- 3.5 The Named Person will ensure that the Vice Chancellor of the University is notified that an allegation of misconduct in research has been made and will provide information as to what stage the investigation is at. No further information will be provided to the Vice Chancellor unless it is determined by the Named Person that this is required as part of the investigation process.

4. [Definitions for terms used in these Procedures.](#)

- 4.1 Definitions for terms used in these Procedures are as follows:
- 4.2 **Misconduct in research:** The Concordat to support Research Integrity 2025 edition states:

Research misconduct constitutes the behaviours and deliberate actions that fall short of the principles in Commitment 1 of the Concordat, occurring at any point in the research lifecycle. This includes behaviours associated with the ideation of research proposals, reviewing the work of others, and the reporting of research findings. 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:
 - i. 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.
 - ii. breach of duty of care for humans involved in research whether deliberately, recklessly or by gross negligence, including failure to obtain appropriate informed consent.
 - iii. misuse of personal data, including inappropriate disclosures of the identity of research participants and other breaches of confidentiality.
 - iv. 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:**
 - i. data, including suppression of relevant results/data or knowingly, recklessly or by gross negligence presenting a flawed interpretation of data.
 - ii. involvement, including inappropriate claims to authorship or attribution of work and denial of authorship/attribution to persons who have made an appropriate contribution.
 - iii. interests, including failure to declare competing interests of researchers or funders of a study.
 - iv. qualifications, experience and/or credentials.
 - v. publication history, through undisclosed duplication of publication, including undisclosed duplicate submission of manuscripts for publication.
 - vi. improper dealing with allegations of misconduct: failing to address possible infringements, such as attempts to cover up misconduct and reprisals against whistle-blowers 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 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 **Research:** The Concordat to Support Research Integrity, 2025 edition defines research as ‘part of a process leading to new insights’.
- 4.7 **Initiator:** The initiator 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.
- 4.8 **Respondent:** The Respondent is the person against whom allegations of misconduct in research have been made, one or more of the people listed in paragraphs 2.4 and 2.5 above.
- 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 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 **Research Officer:** The Research Officer will have responsibility for supporting the Named Person in administering these Procedures. The Research Integrity & Ethics Manager is the Research Officer under this Procedure. The Research Officer should have a designated nominee or alternate, who will carry out the role on request or in their absence or in the case of any potential or actual conflict of interest.
- 4.11 **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.
- 4.12 **Investigator:** For the purposes of this Procedure, any reference to, or use of, the term ‘Investigator’ shall be taken as referring to the Investigator or the Initial Investigation Panel, if one is appointed to conduct the Initial Investigation.
- 4.13 **Disciplinary Process:** The Disciplinary Process refers to the University mechanism for resolving disciplinary issues amongst its staff or students.
- 4.14 **University:** The University is defined in this Procedure as Leeds Beckett University.
- 4.15 **Questionable Research Practices (QRPs):** The Concordat to Support Research Integrity, 2025 edition states:

QRPs refer to minor infractions or research practices, including avoidable errors, which fall short of the definition of intentional research misconduct. They may arise due to a lack of knowledge or attention to detail, negligence or deliberate action, and they may occur where there is no evident intention to deceive.

5. Standards for the Conduct of this Procedure

- 5.1 The Procedure will be carried out in accordance with the following Standards. Those responsible for the operation of this Procedure must ensure that they are familiar with these Standards, as well as the principles (set out in Section 6, and in more detail in Annex 1) and will refer to them with respect of all decisions and interpretations.

Standards

- 5.2 Those conducting this Procedure will endeavour to retain the confidence of both the Initiator(s) and the Respondent(s).
- 5.3 Every effort will be made to investigate allegations of research misconduct in the shortest possible timescale necessary to ensure a full and fair investigation. This will vary according to the specific allegation.
- 5.4 If at any stage of this Procedure, a Respondent or other person raises a counter-allegation of misconduct in research or an allegation of misconduct in research unrelated to the matter under investigation, such allegations will be addressed under this Procedure as separate matters and will be forwarded to the Named Person for consideration.
- 5.5 If at any stage of this Procedure, a Initiator, Respondent, or other person raises a complaint about the use or operation of this Procedure or any decision or action proposed or taken under this Procedure, or raises any other grievance, then the Named Person will seek the advice of Human Resources, Student Services, and other relevant University Services, in confidence, to determine an appropriate course of action.
- 5.6 Reports generated by an investigation under this Procedure may be used in evidence by subsequent investigations under this Procedure or by other University processes.
- 5.7 If required to facilitate a full and fair investigation and/or the operation of any aspect of this Procedure, the Named Person, those persons conducting Initial Investigations and Panels conducting Full Investigations shall be free to seek confidential advice from persons with relevant expertise, both within the University and outside it. Those seeking advice will, so far as is possible, make no information available which could lead to the identification of the Initiator, Respondent or other individuals involved in the case. Persons who might be consulted include but are not limited to:
- a) Experts in particular disciplines of research; **or**
 - b) Experts in particular aspects of the conduct of research, such as members of research ethics committees, statisticians, editors of academic journals, and/or experts in addressing misconduct in research and poor practice; **or**
 - c) Representatives of Organisational departments such as: Legal Services, Human Resources, Student Services, Finance; Governance/Registry, Research Office, Health and Safety Office, Library Services, Information and Technology Services or the equivalents; **or**
 - d) Representatives of the UK Research Integrity Office; **or**
 - e) Legal advisers.

- 5.8 Confidential records will be maintained on all aspects, and during all stages, of the Procedure and minutes will be made of all formal meetings convened under the Procedure.
- 5.9 The Research Services Team will retain all reports, correspondence, transcripts of meetings and other documentation relating to the operation of this Procedure on behalf of the Named Person. Records must be retained in accordance with the [University's records retention policy](#). After the retention period, organisations must retain anonymised summary information of investigations (i.e., of the sort which is reported in annual statements required by *The Concordat to Support Research Integrity*). Records must only be retained beyond the normal retention period if:
- a) Their retention can be justified for statutory, regulatory, or legal reasons; **and/or**
 - b) The research project to which the records relate is still ongoing; **and/or**
 - c) The retention period of the research project to which the records relate is longer.
- 5.10 The Research Officer will assist the Named Person and other persons responsible for the operation of this Procedure, as necessary. The Research Officer will confirm to the Named Person in writing that their participation involves no conflict of interest (seeking advice from the Named Person if unsure) and that they will respect the confidentiality of the proceedings.
- 5.11 The Named Person will identify any additional support to assist them and other persons responsible for the operation of this Procedure as set out in Annex 4. In particular, support from Human Resources and Student Services may be appropriate. Those selected to provide such support will confirm to the Named Person in writing that their participation involves no conflict of interest, seeking advice from the Named Person if unsure and that they will respect the confidentiality of the proceedings.

6. [Principles](#)

- 6.1 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 conducted using the principles set out in the [Policy for Investigating Allegations of Misconduct in Research](#), and in Annex 1 of this Procedure.
- 6.2 These principles encapsulate data protection, fairness, confidentiality, integrity, prevention of detriment, and balance and Annex 1 of this Procedure sets out the detail.

7. [Receipt of Allegations Stage](#)

Purpose:

- 7.1 The purpose of the Receipt of Allegations Stage is to assess an allegation of research misconduct that has been received by the University, and to determine the most appropriate process to investigate or otherwise address it. The primary aim is to determine whether the matter falls under the institutional procedure for investigating misconduct in research (in terms of both the matter raised and the individuals identified).

Conducted by:

- 7.2 The Named Person will carry out this stage of the Procedure, supported by the Research Officer.
- 7.3 The Named Person may identify suitable professional, administrative, and other support to assist them in carrying out the above actions, including liaisons from Human Resources and Student Services if deemed appropriate.
- 7.4 The Named Person shall be free to seek confidential advice from persons with relevant expertise, both within the University and outside it, as described in paragraphs 5.7 and 5.11, above.

Possible outcomes:

- 7.5 At the conclusion of the Receipt of Allegations stage, the Named Person will determine whether the allegation of misconduct in research:
- a) Falls within the scope of another formal process of the University and warrants referral directly to it, including but not limited to: exam regulations, academic misconduct process or equivalent; bullying/ harassment procedure or equivalent; financial fraud investigation process or equivalent; disciplinary process; **or**
 - b) Warrants referral directly to an external organisation, including but not limited to: the research organisation(s) under whose auspices the research in question took place; statutory regulators; or professional bodies, the latter being particularly relevant where there are concerns relating to Fitness to Practise; **or**
 - c) Presents as being related to potential poor practice or questionable research practice rather than to misconduct, and therefore the initial approach to addressing the matter will be via education and training or other non- disciplinary approach, such as mediation, rather than through the next stage of the Procedure or other formal processes; **or**
 - d) Is sufficiently serious and has sufficient substance to advance to the Initial Investigation Stage or Full Investigation Stage of this Procedure; **or**
 - e) Should be dismissed because it does not fall under the remit of the Procedure and does not need to be referred elsewhere.

Guidance Note: Care should be taken with option (e) above because for the Initiator this is their only opportunity to raise the matter with the University and if it is dismissed at this stage there will be no investigation into the matter raised.

Whilst it may be clear to the University that a concern does not fall under the Procedure and does not need to be referred further elsewhere, this might not be equally clear to the Initiator, who may have raised their concerns after considerable thought and have strongly held views on the substance of the matter.

Extra care should be taken also if this decision is being taken by one person. All people have their unconscious biases and gaps in expertise. Care must be taken not to dismiss due to bias, because of the way the matter has been presented, or because it appears to resemble previously seen matters. An appropriate explanation of the reasoning behind the matter not proceeding further should be provided to the Initiator, especially if it is not being referred elsewhere.

The University should also consider the potential reputational consequences of dismissing a concern at this stage, should the matter later turn out to have substance or even if it does not - it can appear from the outside to be brushing the matter under the carpet.

Timescale:

- 7.6 This stage of the Procedure should be completed as soon as is practicable upon receipt of an allegation, normally within ten working days, provided this does not compromise the Standards and Principles of this Procedure and the full and fair investigation of the allegation.
- 7.7 Any delays to this timescale will be explained to the Initiator in writing, presenting an estimated revised date of completion.

Process:

- 7.8 Initial allegations of misconduct in research should be made to the Named Person. If the Initiator is not an employee or a student of the University, they should still make an initial allegation of misconduct in research to the Named Person. The Initiator must provide as detailed a statement as possible in writing in support of the allegation.

***Guidance Note: Historic Allegations** - A key principle of research integrity and research governance is that organisations have both a responsibility to ensure that any research conducted under their auspices meets required standards and a responsibility to respond appropriately when concerns are raised about research which has been conducted under their auspices. Imposing a time limit on allegations raised would limit the ability of organisations to discharge these responsibilities. It also could be viewed as failing to recognise that those raising concerns can have valid reasons for not raising concerns promptly. In addition, such time limits can be viewed by the public and by policy makers as being somewhat arbitrary, and institutions can often find that exceptions need to be made for certain allegations, which then cause procedural challenges as they go against the time limits previously set by the institution. UKRIO therefore strongly advises against imposing a time limit on when allegations can be raised. Instead, we advise that each allegation is considered on its own merits, including the likelihood of finding sufficient evidence to establish the truth of the matter a significant time afterward, balanced with the responsibility to correct the record of research if appropriate.*

The UKRIO strongly advises against imposing a time limit on when allegations can be raised. Instead, we advise that each allegation is considered on its own merits, including the likelihood of finding sufficient evidence to establish the truth of the matter a significant time afterward, balanced with the responsibility to correct the record of research if appropriate.

Please note that the standards by which allegations of misconduct in research should be judged should be those prevailing at the date that the behaviour under investigation took place.

Informal Resolution

- 7.9 Anyone may raise a concern relating to research misconduct; it is not limited to members of the University. The Initiator may, in the first instance and where appropriate, attempt to address the issue informally with either the individual concerned or the appropriate head of department or equivalent; however, they should always feel free to raise their concerns with the University directly. Guidance on implementing a resolution using informal measures is set out in Annex 2.
- 7.10 If the Initiator is not satisfied with the outcome of an informal approach, or if they do not

consider such an approach appropriate, a formal allegation is made as set out below.

Formal Process

- 7.11 When raising concerns, Initiators should provide a summary of the allegation along with any other information and enclose any evidence they have to support their concerns.
- a) It is helpful if allegations are made in a single submission on a single occasion, as this facilitates a thorough assessment of the Initiator's concerns and reduces procedural challenges that can arise from additional allegations being made during subsequent stages of this procedure.
 - b) The Named Person should recognise that Initiators may understandably be unfamiliar with the requirements of this Procedure and/or nervous about raising concerns. The priority should be a thorough and fair assessment of the Initiator's concerns (see 'Purpose', above) and at the discretion of the Named Person the timescale of this stage of the Procedure can be extended if necessary to gather more information from the Initiator.
- 7.12 Initiators will normally put their name to any allegations they make. However, it is recognised that Initiators can have significant concerns about revealing their identity. Allegations which are anonymous or where there is no specific Initiator will only be considered at the discretion of the Named Person, taking into account the seriousness of the concerns raised, and the likelihood of confirming the concerns from alternative and credible sources/ evidence. This provision allows the University to use this Procedure to investigate matters of concern that are not formally lodged with it, but which are highlighted via other means.
- 7.13 If the Named Person is the Initiator or the Respondent or is personally associated with the work to which the allegation relates or has any other conflict of interest, they will instead refer the allegation to a nominated alternate, normally the University Registrar & Secretary, and will notify the Initiator accordingly. The nominated alternate will then take on the role of the Named Person as regards the conduct of this Procedure.
- 7.14 The Named Person will inform the Research Officer in confidence that an allegation of misconduct in research has been received and, where appropriate, will seek the advice of Human Resources and/or Student Services regarding the use of this Procedure, also in confidence.
- 7.15 The Named Person will then acknowledge receipt of an allegation by the Initiator in writing, informing them that the allegation will be investigated under this Procedure, beginning with this Receipt of Allegations stage. A copy of the Procedure will be provided to the Initiator.
- 7.16 The Named Person will review the allegation(s) to determine whether they fall within the scope of the University to address and, if so, what would be the most appropriate process to investigate or otherwise address them, with reference to the following criteria:
- a) Whether the Respondent(s) is 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.
 - b) Whether the research project(s) to which the allegation relates is being conducted under the auspices of the University, whether solely or in conjunction with other bodies.
 - c) Whether the allegation(s) falls within the definition of misconduct in research described in

Section 4.

- 7.17 In carrying out the above review, the Named Person shall review the evidence provided and any additional information they require. The purpose of the review is:
- a) not to determine whether the allegation should be upheld or dismissed. Nor is it to determine whether there is sufficient evidence of research misconduct to warrant a Full Investigation of the allegation.
 - b) to determine the most appropriate process to investigate or otherwise address an allegation of research misconduct that has been received by the University, as noted above.
- 7.18 As part of their review, the Named Person will ensure that all relevant information and evidence are secured, so they can be accessed as necessary by any investigation conducted under subsequent stages of this Procedure and/or by any other process used to address the allegation(s) in question.
- 7.19 The Named Person may decide that it is necessary to contact the Initiator and/or the Respondent to seek information or ask questions in order to carry out the above review. Such contact should be in writing; the Initiator and Respondent would not normally be interviewed at this stage. If it is necessary to contact the Respondent in order to carry out the above review, the Respondent should first be informed that an allegation(s) of research misconduct has been made concerning them and that the allegation(s) is being investigated under this Procedure, beginning with the Receipt of Allegations stage. The Named Person should follow the process for informing the Respondent set out in paragraph 7.25 of this Procedure.
- 7.20 The Named Person will also determine whether the allegation(s) and/or the research project(s) in question, concerns situations that require immediate action to prevent further risk or harm to staff, participants, or other persons, suffering to animals or negative environmental consequences (where this might contravene the law or fall below good practice). If so, then the Named Person will take immediate appropriate action to ensure that any such potential or actual danger/illegal activity/risk is prevented/eliminated. It may be necessary to notify legal or regulatory authorities or relevant professional bodies. It may be necessary to inform the Respondent when carrying out any such actions. This may be because the Respondent will be involved in some or all of the actions and/or because the Respondent will become aware of them. If it is necessary to inform the Respondent, they should at the same time be informed that an allegation(s) of research misconduct has been made concerning them and that the allegation(s) is being investigated under this Procedure, beginning with the Receipt of Allegations stage. The Named Person should follow the process for informing the Respondent set out in see paragraph 7.25 of this Procedure.

Guidance Note: At all times, the Named Person should emphasise to all parties that the allegation is to be investigated, is as yet unproven and that the information is confidential.

- 7.21 The Named Person will also determine whether the research project to which the allegation relates includes legal or contractual obligations that require the University to undertake prescribed steps in the event of an allegation of misconduct in research being made, such as making reports to a regulatory body or a funding body and take any actions that may be necessary to meet such obligations. Such obligations might be in:

- a) A contract/agreement or guidance on research conduct from a regulator or a funding body.
- b) A partnership contract/ agreement/ Memorandum of Understanding.
- c) An agreement to sponsor the research.

7.22 The Named Person will then ensure that all legal or contractual obligations are carried out by the University, seeking advice from human resources and/or student services, the research office, legal, and other sources within the University, as necessary. It may be necessary to inform the Respondent when carrying out any such legal or contractual obligations. This may be because the Respondent will be involved in some or all of the actions and/or because the Respondent will become aware of them. If it is necessary to inform the Respondent, they should at the same time be informed that allegation(s) of research misconduct have been made concerning them and that the allegation(s) will be investigated under this Procedure, beginning with the Receipt of Allegations stage. The Named Person should follow the process for informing the Respondent set out in see paragraph 7.25 of this Procedure.

Conclusion of this stage and next steps:

7.23 The Named Person shall write a note summarising their review of the allegation(s) and state whether the matter:

- a) Warrants referral directly to another formal process of the University, including but not limited to: examination regulations, academic misconduct process or equivalent; bullying/ harassment procedure or equivalent; financial fraud investigation process or equivalent; disciplinary procedure; **or**
- b) Warrants referral directly to an external organisation, including but not limited to statutory regulators or professional bodies, the latter being particularly relevant where there are concerns relating to Fitness to Practise; **or**
- c) Has some substance but due to its relatively minor nature or because it relates to poor practice or questionable research practice rather than to misconduct, will be addressed through education and training or other non- disciplinary approach, such as mediation, rather than through the next stage of the Procedure or other formal processes; **or**
- d) Is sufficiently serious and has sufficient substance to advance to the Initial Investigation Stage or the Full Investigation Stage of this Procedure; **or**
- e) Should be dismissed because it does not fall under the remit of the Procedure and does not need to be referred elsewhere.

Guidance Note: *The decision on which process to use to investigate allegations of misconduct involving students should take into account the nature of the allegation and which process would be most suitable to carry out a full, fair, and transparent investigation of the allegation(s) in question, in a timely manner and with appropriate confidentiality.*

For example, the University's examination regulations/ academic misconduct process/ equivalent may be viewed as a more suitable process to investigate an allegation relating to work submitted as part of the assessment process (including but not limited to a thesis), while the misconduct investigation procedure may be viewed as a more suitable process to investigate allegations relating to the conduct of the research itself.

Similarly, if the Respondents in an allegation consist of both staff and students, the University should consider whether it would be appropriate to investigate the allegations using a single process and if so which one, or if the allegation should be investigated via two or more investigations using separate/

different processes. The aim should always be a full, fair, and transparent investigation of the allegation(s) in question, in a timely manner and with appropriate confidentiality.

Advice should be sought from the Research Officer, Student Services, Human Resources and Legal (or equivalents), as necessary, and can also be sought from UKRIO

7.24 The Research Officer will inform relevant University contacts of the conclusions of the review of the allegation and provide them with a copy of the note of the review as appropriate. This may include, but not be limited to: Human Resources, Student Services, Registrar & Secretary's Office, and Research & Enterprise Services.

7.25 Unless the review of the allegation has found that the Respondent does not fall under the auspices of the University (see Section 10, Outcomes and Reporting stage for next steps in such circumstances), the Named Person will then inform the Respondent of the following in writing. When allegations have been made against more than one Respondent, the Named Person should inform each individual separately and not divulge the identity of any other Respondent.

- a) An allegation of misconduct in research has been made which involve them.
- b) A summary of the allegation(s) and a copy of this procedure.
- c) The allegation(s) is being investigated under this Procedure, beginning with the Receipt of Allegations stage or has been referred to another more appropriate procedure
- d) The Respondent will be given the opportunity to respond to the allegation(s) and set out their case at a later stage.
- e) The conclusions of the review of the allegation(s), an outline of the next steps, and, if available, a provisional timetable for them.

***Guidance Note:** At the discretion of the Named Person, they may inform the Respondent in a confidential meeting, rather than in writing. The Named Person should be accompanied to this meeting by a representative of Human Resources and/or Student Services, as appropriate, and the meeting should be minuted with a summary of the minutes made available to all attendees afterwards. The Respondent may be accompanied to this meeting by a colleague, or trade union or student union representative, or whoever else is specified in any additional contractual rights (such as by university Articles & Instrument of Government). In the meeting, the Named Person should formally notify the Respondent of the information set out in paragraph 7.25 and provide them with a copy of this procedure. When allegations have been made against more than one Respondent, the Named Person should inform each individual in a separate meeting and not divulge the identity of any other Respondent.*

7.26 The Named Person will then inform the Initiator, formally and in writing, of:

- a) The conclusions of the Receipt of Allegations stage.
- b) An outline of the next steps and, if available, a provisional timetable for them.

7.27 The Named Person will then take the following actions:

- a) If it is concluded that the allegation(s) warrants referral directly to another formal process of the University, then the investigation moves to the **Outcomes and reporting stage** (see Section 10).
- b) If it is concluded that the allegation(s) warrants referral directly to an external organisation, then the investigation moves to the **Outcomes and reporting stage** (see Section 10).

- c) If it is concluded that the allegation(s) has some substance but due to its relatively minor nature or because it relates to poor practice or questionable research practice rather than to misconduct, will be addressed through education and training or other non-disciplinary approach, then the investigation moves to the **Outcomes and reporting stage** (see Section 10)
- d) If it is concluded that the allegation(s) is sufficiently serious and has sufficient substance to warrant investigation of the complaint, then the investigation moves to the **Initial Investigation stage** (see Section 8) or the **Full Investigation Stage** (see Section 9).

7.28 The initial investigation stage may be deemed optional under certain circumstances. The Named Person retains discretion to waive this stage if doing so is considered necessary to adhere to the principles of the Policy and Procedures.

7.29 The Receipt of Allegations stage now ends.

Guidance Note: The Named Person, with the support of the Research Officer, should take great care to ensure that all information on the investigation is fully and accurately transferred to the next stage of the procedure.

8. Initial Investigation Stage

Purpose:

8.1 The purpose of the Initial Investigation Stage is to determine whether there is sufficient evidence of research misconduct to warrant a Full Investigation of the allegation or whether alternative action(s) should be taken.

Conducted by:

8.2 This stage will normally be conducted by an Investigator, whose appointment is discussed under 'Process' (see paragraph 8.10).

8.3 At the discretion of the Named Person, the Initial Investigation may instead be conducted by an Initial Investigation Panel consisting of two or three persons (see paragraph 8.10), which may include external members or an external Chair. Use of an Initial Investigation Panel may be advantageous when allegations involve multiple disciplines of research and/or are especially complex. For the purposes of this Procedure, any reference to, or use of, the term 'Investigator' shall be taken as referring to the Initial Investigation Panel if one is appointed to conduct the Initial Investigation.

8.4 The Named Person will identify suitable administrative and other support to assist the Investigator, including the Research Officer or alternate and, if deemed appropriate, liaisons from Human Resources or Student Services. Those selected to provide such support will confirm to the Named Person in writing that their participation involves no conflict of interest, seeking advice from the Named Person if unsure (see paragraph 8.11).

8.5 The Investigator shall be free to seek confidential advice from persons with relevant expertise, both within the University and outside it. They must inform the Named Person that they are seeking this advice.

Possible outcomes:

- 8.6 At the conclusion of the Initial Investigation Stage, the Investigator will determine whether the allegation of misconduct in research:
- a) Is unfounded, because it is mistaken or is frivolous or is otherwise without substance, and will be dismissed; **or**
 - b) Is unfounded, because it is vexatious and/or malicious, and will be dismissed; **or**
 - c) Warrants referral directly to another formal process of the University, including but not limited to: examination regulations, academic misconduct process or equivalent; bullying/ harassment procedure or equivalent; financial fraud investigation process or equivalent; disciplinary procedure; Stakeholder Complaints Procedure; **or**
 - d) Warrants referral directly to an external organisation, including but not limited to statutory regulators or professional bodies, the latter being particularly relevant where there are concerns relating to Fitness to Practise; **or**
 - e) Has some substance but due to its relatively minor nature or because it relates to poor practice or questionable research practice rather than to misconduct, will be addressed through education and training or other non- disciplinary approach, such as mediation, rather than through the next stage of the Procedure or other formal processes; **or**
 - f) Is sufficiently serious and has sufficient substance to warrant a Full Investigation of the complaint.

Timescale:

- 8.7 The Investigator will normally aim to complete the Initial Investigation Stage within 30 working days following instruction from the Named Person provided this does not compromise the Standards and Principles of this Procedure and the full and fair investigation of the allegation.
- 8.8 Any delays to this timescale will be explained to the Initiator, the Respondent, and the Named Person in writing, presenting an estimated revised date of completion.

Process:

- 8.9 The Initial Investigation Stage will normally commence following an instruction to that effect from the Named Person at the conclusion of the Receipt of allegations stage.
- 8.10 The Named Person shall then, as soon as is practicable, appoint an individual ('the Investigator') to undertake an Initial Investigation into the allegation(s). The Investigator will normally be a senior member of academic staff from within the University and may be from within or outside the academic area concerned, depending on the circumstances of the investigation and at the discretion of the Named Person.
- a) At their own discretion, the Named Person may instead appoint an Initial Investigation Panel to carry out the Initial Investigation, consisting of two or three persons. At least one of these should be a senior member of academic staff from within the University and may be from within or outside the department concerned, depending on the circumstances of the investigation and at the discretion of the Named Person.
 - i. Also, at the discretion of the Named Person, the Initial Investigation Panel may include external member(s). This may be advantageous when allegations involve multiple disciplines of research, are especially complex or relate to specialist matters, and can

help reassure involved parties that the investigation process will be transparent, rigorous, and fair. There would also be advantage in the review of allegations that involve staff on joint clinical/honorary contracts for there to be on the Initial Investigation Panel an appropriate member of staff from the other employing organisation(s).

ii. Once convened, the membership of the Initial Investigation Panel should not be added to. If the membership falls below its initial number, the Named Person will determine whether to recruit additional members and continue the investigation from its current point or restart the Initial Investigation stage.

b) The Named Person will select one of the members of the Initial Investigation Panel to act as its Chair. The Chair may be selected from the Initial Investigation Panel's external members if the Named Person wishes; as above, this can help reassure involved parties that the investigation process will be transparent, rigorous, and fair. In the event of the Chair becoming unable to participate in the Initial Investigation Stage once it is underway, the Named Person will select a new Chair from the members of the Initial Investigation Panel and then consider the overall membership of the Panel. When making any decisions about the conduct or conclusion of the Initial Investigation, the Initial Investigation Panel will do so by a vote, with the majority vote determining the outcome. In the event of any tie, the Chair has a casting vote.

8.11 All persons appointed to carry out the Initial Investigation will confirm to the Named Person in writing that:

- a) Their participation involves no conflict of interest, seeking advice from the Named Person if unsure.
- b) They will abide by the Procedure as it affects the work of the Initial Investigation stage.
- c) They will respect the confidentiality of the proceedings.
- d) They will adhere to the Principles and Standards of the Procedure.

8.12 Both the Respondent and Initiator may raise with the Named Person concerns that they may have about those chosen to carry out the Initial Investigation but neither has a right of veto over those nominated. The Named Person will consider any concerns raised and whether new persons should be selected to carry out the Initial Investigation Stage. The decision of the Named Person regarding this process will be final.

8.13 In the event of the Investigator becoming unable to participate in the Initial Investigation Stage once it is underway, the Named Person will determine whether a new person should be selected to take on the role of the Investigator and continue the investigation from its current point or if the Initial Investigation Stage should be restarted.

8.14 The Research Officer will provide the Investigator with:

- a) A copy of this Procedure.
- b) Details of the allegation(s) which will be considered under the Initial Investigation stage.
- c) A copy of the Named Person's note of the Receipt of Allegations stage.
- d) Names and contact details of the Initiator(s) and the Respondent(s).
- e) All correspondence with the Initiator(s) and the Respondent(s) to date.
- f) All evidence secured by the Named Person during the Receipt of Allegations stage.

- 8.15 The Investigator is responsible for keeping a full record of the evidence received and of the proceedings and should be supported in this by the Research Officer and other support identified by the Named Person to assist the Initial Investigation.
- 8.16 The Investigator will then inform the Initiator and the Respondent of the following, formally and in writing:
- a) An Initial Investigation of the allegation is being conducted.
 - b) Details of the allegation(s) which will be considered under the Initial Investigation stage.
 - c) They will be interviewed as part of the Initial Investigation. Respondents must be informed that when interviewed, they will be given the opportunity to respond to the allegations made against them.
 - d) They have the right to be accompanied this interview by a colleague, or trade union or student union representative, or whoever else is specified in any additional contractual rights (such as by university Instrument & Articles of Government).
 - e) A provisional timescale for the completion of the Initial Investigation.
- 8.17 The Investigator should contact each Initiator and Respondent separately and not divulge the identity of any other Initiator or Respondent:
- 8.18 The Investigator shall assess the evidence provided and any additional information they require. The work of the Investigator will include: determination of whether the allegation is made in good faith; a confidential review and assessment of the evidence provided; and reaching a conclusion on the allegation(s) in line with the possible outcome set out in paragraph 8.22.
- a) As part of its works, the Investigator must separately interview the Initiator and the Respondent. Where there are multiple Initiators and/or Respondents, each must be interviewed separately.
 - b) Initiators and Respondents have the right to be accompanied to interviews by a colleague, or a trade union representative. Research students, who are registered for an MPhil, MRes, a PhD or a Professional Doctorate can also be accompanied by a friend (provided that the friend is not a professionally contracted advocate) or be accompanied or represented by a Students' Union representative. This right of accompaniment and representation is a general right and is not the right to accompaniment and/or representation by a specific individual.
 - c) When interviewed, the Respondent will be given the opportunity to respond to the allegations made against them.
- 8.19 If the Initiator or Respondent does not wish to be interviewed, they should be asked to engage with the process through other means, such as providing written answers to questions posed by the Investigator. If the Initiator or Respondent decline to answer any questions from the Investigator, this may be viewed as them refusing to engage with the Procedure.
- 8.20 The Investigator will also decide whether to interview relevant witnesses; these may include witnesses suggested by the Initiator or Respondent.
- a) Witnesses who are staff or students of the University have the right to be accompanied to

interviews by a colleague, or trade union or student union representative, or whoever else is specified in any additional contractual rights (such as by University Instrument & Articles of Government).

- b) While witnesses who are external to the University will not have a contractual right to be accompanied to interviews, it is strongly advised that they be offered the right to be accompanied by a friend. This provision will aid the thorough and fair investigation of the allegation(s) in question and increase the confidence of witnesses in the investigation in question.

8.21 Where the Initiator has raised an allegation relating to a large body of work, or work carried out over a significant period of time, the Investigator will need to carry out sufficient investigation to reach a robust conclusion on the allegation(s). This can take time and resources, and advice should be sought from the Named Person and their advisers/ support on how to best approach this. See also under **Outcomes and reporting stage** (Section 10) - where serious longstanding research misconduct has been established.

Conclusion of this stage and next steps:

8.22 The Investigator shall write a report indicating (where relevant, for each allegation) whether they judge that the allegation is as follows:

- a) Is unfounded, because it is mistaken or is frivolous or is otherwise without substance, and will be dismissed; **or**
- b) Is unfounded, because it is vexatious and/or malicious, and will be dismissed; **or**
- c) Warrants referral directly to another formal process of the University, including but not limited to: examination regulations, academic misconduct process or equivalent; bullying/harassment procedure or equivalent; financial fraud investigation process or equivalent; disciplinary procedure; **or**
- d) Warrants referral directly to an external organisation, including but not limited to statutory regulators or professional bodies, the latter being particularly relevant where there are concerns relating to Fitness to Practise; **or**
- e) Has some substance but due to its relatively minor nature or because it relates to poor practice or questionable research practice rather than to misconduct, will be addressed through education and training or other non- disciplinary approach, such as mediation, rather than through the next stage of the Procedure or other formal processes; **or**
- f) Is sufficiently serious and has sufficient substance to warrant a Full Investigation of the complaint.

8.23 The standard of proof used by the Initial Investigation is that of “on the balance of probabilities”.

8.24 A summary of the findings will be sent to the Initiator and the Respondent for comment on matters of factual accuracy. The Investigator will consider the responses received and if they consider that the report includes errors of fact, will modify the report, as necessary.

8.25 The Investigator will then submit their final report to the Named Person, setting out the conclusions of the Initial Investigation stage on the allegation(s) under investigation and any other matters they wish to draw to the attention of the University.

8.26 The Initial Investigator will also hand over to the Named Person or their nominated

representative all records/ material relating to the Initial Investigation.

- 8.27 The Named Person shall convey the substance of the Investigator's findings to the Initiator, the Respondent and such other persons or bodies as they deem appropriate.
- 8.28 The Named Person will then undertake the following actions depending on the conclusions of the Initial Investigation stage on the allegation(s) under investigation:
- a) If it is concluded that the allegation(s) is unfounded because it is mistaken or is frivolous or is otherwise without substance, then the allegation(s) is dismissed, and the investigation moves to the **Outcomes and reporting stage** (see Section 10).
 - b) If it is concluded that the allegation(s) is unfounded because it is vexatious and/or malicious, then the allegation(s) is dismissed, and the investigation moves to the **Outcomes and reporting stage** (see Section 10).
 - c) If it is concluded that the allegation(s) warrants referral directly to another formal process of the University, then the investigation moves to the **Outcomes and reporting stage** (see Section 10).
 - d) If it is concluded that the allegation(s) warrants referral directly to an external organisation, then the investigation moves to the **Outcomes and reporting stage** (see Section 10).
 - e) If it is concluded that the allegation(s) has some substance but due to its relatively minor nature or because it relates to poor practice or questionable research practice rather than to misconduct, will be addressed through education and training or other non-disciplinary approach, then the investigation moves to the **Outcomes and reporting stage** (see Section 10).
 - f) If it is concluded that the allegation(s) is sufficiently serious and has sufficient substance to warrant a Full Investigation of the complaint, then the investigation moves to the **Full Investigation stage** (see Section 9).
- 8.29 The work of the Investigator is then concluded, and they step down from this role in the Procedure. As the matter may then give rise to disciplinary or other action, a former Investigator should not make any comment on the matter in question, unless formally sanctioned by the University or otherwise required to by law. They should also remember that all information concerning the case was given to them in confidence.
- 8.30 Any queries or requests for comment addressed to the Investigator should be referred to the Named Person.
- 8.31 The former Investigator should have no further involvement in the Procedure, unless formally asked to clarify a point in their written report at a subsequent stage or as part of any subsequent action or process.
- 8.32 A role as the Investigator rules out participation in any subsequent disciplinary or other process.
- 8.33 The Initial Investigation stage now ends.

***Guidance Note:** The Named Person, working with the Initial Investigator as necessary, should take great care to ensure that all information on the investigation is fully and accurately transferred to the next stage of the procedure.*

9. Full Investigation Stage

Purpose:

- 9.1 The purpose of the Full Investigation is to review all the relevant evidence and:
- a) Conclude whether an allegation of misconduct in research is upheld in full, upheld in part or not upheld; and
 - b) Make recommendations, for consideration by the appropriate University authorities, regarding any further action which the Full Investigation Panel (“the Panel”) deems necessary to: address any misconduct it may have found; correct the record of research, and/or address other matters uncovered during the course of its work (see paragraph 9.7, below, for further details).

Conducted by:

- 9.2 The Named Person will establish a Full Investigation Panel, whose appointment is discussed under ‘Process’ (see paragraph 9.12). At least one member of the Panel must be from outside the University.

Guidance Note: The Concordat to Support Research Integrity requires external membership on Full Investigation Panels or their equivalents, as do the terms and conditions of some research funders.

- 9.3 The Named Person will identify suitable administrative and other support to assist the Panel (Annex 3), including the Research Officer or alternate and, if deemed appropriate, liaisons from Human Resources and Student Services. Those selected to provide such support will confirm to the Named Person in writing that their participation involves no conflict of interest, seeking advice from the Named Person if unsure.
- 9.4 The Panel shall be free to seek confidential advice from persons with relevant expertise, both within the University and outside it.
- 9.5 Observers may be permitted to attend Full Investigations where requested, for example by the funder of the research under investigation. The Named Person shall make any decisions concerning the attendance of observers, bearing in mind the University’s legal and contractual obligations and its duty of care to involved persons (such as the Initiator and the Respondent), seeking advice from Human Resources, Student Services, and legal advisers, as necessary.

Possible outcomes:

- 9.6 The Panel will reach a conclusion on the allegation(s) under investigation and may also make recommendations on subsequent actions which should be taken by the University and/or other bodies.
- 9.7 At the conclusion of the Full Investigation, the Panel will conclude, giving the reasons for its decision and recording any differing views, whether the allegation of misconduct in research

is:

- a) Unfounded, because it is mistaken or is frivolous or is otherwise without substance, and will be dismissed; **or**
- b) Unfounded, because it is vexatious and/or malicious, and will be dismissed; **or**
- c) Warrants referral directly to another formal process of the University, including but not limited to: examination regulations, academic misconduct process or equivalent; bullying/harassment procedure or equivalent; financial fraud investigation process or equivalent; disciplinary procedure; **or**
- d) Warrants referral directly to an external organisation, including but not limited to: statutory regulators or professional bodies, the latter being particularly relevant where there are concerns relating to Fitness to Practise; **or**
- e) Has some substance but due to its relatively minor nature or because it relates to poor practice or questionable research practice rather than to misconduct, will be addressed through education and training or other non-disciplinary approach, such as mediation, rather than through the next stage of the Procedure or other formal processes; **or**
- f) Is upheld in full; **or**
- g) Is upheld in part.

9.8 The Panel may also make recommendations, for consideration by the Named Person and/or appropriate University authorities, regarding any further action(s) which should be taken by the University and/or other bodies to: address any misconduct the Full Investigation may have found; correct the record of research, and/or address other matters uncovered during the course of the Full Investigation. Such recommendations might include but are not limited to:

- a) Whether following the conclusion of the operation of this Procedure, the matter should be referred to the University's relevant disciplinary procedure.
- b) Whether following the conclusion of the operation of this Procedure, the matter should be referred to another relevant organisational process, including but not limited to: the examination regulations, academic misconduct process or equivalent, or the University's financial fraud investigation process.
- c) Whether any external organisations should be informed of the findings of the investigation, with appropriate confidentiality, including but not limited to: statutory regulators, relevant funding bodies, partner organisations and professional bodies, the latter being particularly relevant where there are concerns relating to Fitness to Practise.
- d) Whether any action will be required to correct the record of research, including but not limited to: informing the editors of any journals that have published articles concerning research linked to an upheld allegation of misconduct in research and/or by a person against whom an allegation of misconduct in research has been upheld.
- e) Whether procedural or University matters should be addressed by the University or other relevant bodies through a review of the management of research.
- f) Informing research participants or patients or their doctors.
- g) Other matters that should be investigated, including allegations of misconduct in research which are either unrelated to the allegation in question or alleged to have been committed by persons other than the Respondent and/or other forms of alleged misconduct.

***Guidance Note:** The potential outcomes listed above reflect the dual purpose of the Full Investigation stage: the Panel must reach a conclusion on the allegation(s) under investigation but may also choose to make recommendations on further actions which might be necessary for the Named Person and/or the University to take in order to address what the Full Investigation discovers. If the Panel chooses not*

to make such recommendations, then these issues should be considered by the Named Person working with the Research Officer, and with others as necessary, during the Outcomes and reporting stage.

Timescale:

- 9.9 The Panel will normally reach its conclusions within three months of being established, provided this does not compromise the Standards and Principles of this Procedure and the full and fair investigation of the allegation. This is indicative as it will depend on the number and the nature of the allegations under investigation. The aim throughout must be a thorough and fair investigation of the allegation(s) in question, conducted in a timely and transparent manner, and with appropriate confidentiality.
- 9.10 Any delays to this timescale will be explained to the Initiator, the Respondent, and the Named Person in writing, presenting an estimated revised date of completion.

***Guidance Note:** Due to the varying nature of the allegations which may be investigated under this Procedure and challenges that may arise when investigating them, it is difficult to set a precise duration for the completion of the Full Investigation Stage. The aim throughout must be a thorough and fair investigation of the allegation(s) in question, conducted in a timely and transparent manner, and with appropriate confidentiality.*

The Named Person and the Panel must be mindful of the need to retain the confidence of Initiators, Respondents, and other involved parties. There should be a proactive attitude towards communicating any delays to intended timescales. For reasons of confidentiality, it may not be possible to explain in detail all reasons for such delays, but the Named Person should be as open as possible. For example, if a Panel member is unwell, it would clearly be incorrect to provide detailed information on their health, but a general explanation could be given.

When setting a revised date of completion, these must be realistic rather than overly optimistic.

When there is no delay, Named Persons should be mindful of the need to give periodic updates to Initiators, Respondents, and other involved parties. Sparse communication during ongoing investigations can lead to a loss of confidence in the process, impeding the operation of the Procedure.

The Named Person should also be mindful that lengthy investigations can lead to a greater need for pastoral care/ support, both for Initiators, Respondents, and other involved parties, and also for those responsible for the operation of this Procedure.

Process:

- 9.11 The Full Investigation Stage will normally commence following an instruction to that effect from the Named Person at the conclusion of the Receipt of Allegations, or the Initial Investigation stage.
- 9.12 The Named Person shall then, as soon as is practicable, appoint a Full Investigation Panel (“the Panel”) to undertake a Full Investigation into the allegation(s).
- a) The Panel will normally consist of three persons. Depending on the circumstances of the investigation and at the discretion of the Named Person, the Panel may consist of a greater number of persons, for example to ensure that it contains sufficient expertise or diverse perspectives to reach a thorough and fair conclusion on the allegation(s) under investigation.

- b) At least one member of the Panel shall be from outside the University, as required by *The Concordat to Support Research Integrity*. At the discretion of the Named Person, the Panel may include multiple external members. This may be advantageous when allegations involve multiple disciplines of research and/or are especially complex and can help involved parties that the investigation process will be transparent, rigorous, and fair.
- c) At least two members of the Panel shall be academic specialists in the general area within which the misconduct is alleged to have taken place and where allegations concern highly specialised areas of research the Panel should have at least one member with specialist knowledge of the field. Such specialists can be drawn from within the University, bearing in mind any conflict-of-interest requirements or from the Panel's external member(s). When allegations involve multiple disciplines of research, it may be necessary to increase the membership of the Panel, so it contains sufficient expertise.
- d) There would be advantage in the review of allegations that involve staff on joint clinical/honorary contracts for there to be on the Panel an appropriate member of staff from the other employing organisation(s).
- e) Once convened, the membership of the Panel should not be added to. In the event that the membership falls below its initial number, the Named Person will determine whether to recruit additional members and continue the investigation from its current point or restart the Full Investigation stage.

9.13 The Named Person will select one of the members of the Panel to act as its Chair. In the event of the Chair becoming unable to participate in the Full Investigation Stage once it is underway, the Named Person will select a new Chair from the members of the Panel and then consider the overall membership of the Panel. At the discretion of the Named Person, the Chair may be selected from the Panel's external members; this can help reassure involved parties that the investigation process will be transparent, thorough, and fair.

9.14 The University may at its discretion permit observers to attend Full Investigations where requested.

9.15 All persons appointed to carry out the Full Investigation, and all persons allowed to observe it, will confirm to the Named Person in writing that:

- a) Their participation involves no conflict of interest, seeking advice from the Named Person if unsure.
- b) They will abide by the Procedure as it affects the work of the Full Investigation stage.
- c) They will respect the confidentiality of the proceedings.
- d) They will adhere to the Principles and Standards of the Procedure.

9.16 Both the Respondent and Initiator may raise with the Named Person concerns that they may have about those chosen to carry out the Full Investigation but neither has a right of veto over those nominated. The Named Person will consider any concerns raised and whether new persons should be selected to carry out the Full Investigation Stage.

9.17 The Chair is responsible for ensuring that a full record of the evidence received and of the proceedings is kept and should be supported in this by the Research Officer and other support identified by the Named Person to assist the Panel.

9.18 The Research Officer will provide the Chair and each member of the Panel with:

- a) A copy of this Procedure.
- b) Details of the allegation(s) which will be considered under the Full Investigation stage.
- c) A copy of the Named Person's note of the Receipt of Allegations stage.
- d) A copy of the report of the Initial Investigation stage.
- e) Other records from the Initial Investigation stage as deemed appropriate by the Named Person.
- f) Names and contact details of the Initiator(s) and the Respondent(s).
- g) A summary of correspondence with the Initiator(s) and the Respondent(s) to date.
- h) A summary of any evidence secured by the Named Person during the Receipt of Allegations stage or by the Investigator during the Initial Investigation stage.

9.19 The Panel will then inform the Initiator and the Respondent of the following, formally and in writing. The Panel should contact each Initiator and Respondent separately and not divulge the identity of any other Initiator or Respondent.

- a) A Full Investigation of the allegation is being conducted. Respondents should be informed of the name of any Initiator(s) who have made the allegation(s) concerning them. At the discretion of the Named Person, in exceptional circumstances the identity of the Initiator(s) may remain confidential. Any such decision should be made after: seeking advice from human resources/ student services and/or legal services; taking into account the University's whistleblowing policy or equivalent; and taking into account the impact on the Respondent(s) ability to respond to the allegation(s) that have been made against them. No decision should be made that compromises the Principles and Standards of this Procedure or the thorough and fair investigation of the allegation(s) in question.
- b) Details of the allegation(s) which will be considered under the Full Investigation stage.
- c) They will be interviewed as part of the Full Investigation. Respondents must be informed that when interviewed, they will be given the opportunity to respond to the allegations made against them.
- d) They have the right to be accompanied at this interview by a colleague, or trade union or student union representative, or whoever else is specified in any additional contractual rights (such as by University Instrument & Articles of Government).
- e) A provisional timescale for the completion of the Full Investigation.

9.20 The Chair of the Panel will be responsible for the conduct of the proceedings during the Full Investigation and will determine its way of working and rules. The Panel does not have any disciplinary powers. The Panel shall decide on the basis of the provisions of this stage of the Procedure and the information that it has been given, its way of working, what information it needs to make a decision, and who it wishes to interview/ take statements from in addition to the Initiator and the Respondent, who must be interviewed.

9.21 When making any decisions about the conduct or conclusion of the Full Investigation, the Panel will do so by a vote, with the majority vote determining the outcome. In the event of any tie, the Chair has a casting vote.

9.22 The Panel shall assess the evidence provided and any additional information they require. The work of the Panel will include: determination of whether the allegation is made in good faith; a confidential review and assessment of the evidence provided; reaching a conclusion on the allegation(s) in line with the possible outcomes set out in paragraph 9.27. It may choose to make recommendations on further actions which might be necessary to address what the Full

Investigation discovers in line with the possible outcomes set out in paragraph 9.27.

- a) As part of its works, the Panel must separately interview the Initiator and the Respondent. Where there are multiple Initiators and/or Respondents, each must be interviewed separately. Note that Initiators and Respondents are never interviewed together unless the Procedure has adopted a formal hearing approach.
- b) Initiators and Respondents have the right to be accompanied to interviews by a colleague, or a trade union representative. Research students, who are registered for an MPhil, MRes, a PhD or a Professional Doctorate can also be accompanied by a friend (provided that the friend is not a professionally contracted advocate) or be accompanied or represented by a Students' Union representative. This right of accompaniment and representation is a general right and is not the right to accompaniment and/or representation by a specific individual.
- c) When interviewed, the Respondent will be given the opportunity to respond to the allegations made against them, set out their case and submit their own evidence for consideration by the Panel. They can also suggest witnesses for the Panel to interview; the Panel may then choose to call and interview these witnesses.

***Guidance Note:** This Procedure includes separate interviews of the Initiator(s), Respondent(s), and witnesses. A formal hearing which the Initiator(s), Respondent(s) and witnesses all attend can be difficult for participants, can impact on the effectiveness of the investigation, and can also be challenging to operate effectively, which lead to challenges on procedural grounds. It also can change the nature of the Template Procedure from an investigation to a quasi-disciplinary hearing or 'courtroom'-style adversarial process. Unless under exceptional circumstances it is not recommended that this approach is taken. The UKRIO also advises that Organisations consider all these factors exceptionally carefully before introducing a formal hearing element into their Procedure.*

- 9.23 If the Initiator or Respondent refuses to be interviewed, they should be asked to engage with the process through other means, such as providing written answers to questions posed by the Panel. If the Initiator or Respondent decline to answer any questions from the Panel, this may be viewed as refusing to engage with the Procedure.
- 9.24 The Panel should also interview relevant witnesses; these can include witnesses suggested by the Initiator or Respondent.
- a) Witnesses who are staff or students of the University have the right to be accompanied to interviews by a colleague, or trade union or student union representative, or whoever else is specified in any additional contractual rights (such as by University Instrument & Articles of Government).
 - b) While witnesses who are external to the University will not have a contractual right to be accompanied to interviews, it is strongly advised that they be offered the right to be accompanied by a friend. This provision will aid the thorough and fair investigation of the allegation(s) in question and increase the confidence of witnesses in the use of the investigation in question.
- 9.25 Where the Initiator has raised an allegation relating to a large body of work, or work carried out over a significant period of time, the Panel will need to carry out sufficient investigation to reach a robust conclusion on the allegation(s). This can take time and resources, and advice should be sought from the Named Person and their advisers/ support on how to best approach this. See also under **Outcomes and reporting stage** (Section 10) - where serious longstanding

research misconduct has been established.

Conclusion of this stage and next steps:

- 9.26 The Panel will reach a conclusion on the allegation(s) under investigation and may choose to make recommendations on subsequent actions which should be taken by the University and/or other bodies. The standard of proof used by the Full Investigation is that of “on the balance of probabilities”.
- 9.27 The Panel shall write a report indicating (where relevant, for each allegation) whether they conclude, giving the reasons for its decision and recording any differing views, that the allegation is as follows:
- a) Is unfounded, because it is mistaken or is frivolous or is otherwise without substance, and will be dismissed; **or**
 - b) Is unfounded, because it is vexatious and/or malicious, and will be dismissed; **or**
 - c) Warrants referral directly to another formal process of the University, including but not limited to: examination regulations, academic misconduct process or equivalent; bullying/harassment procedure or equivalent; financial fraud investigation process or equivalent; disciplinary procedure; **or**
 - d) Warrants referral directly to an external organisation, including but not limited to: statutory regulators or professional bodies, the latter being particularly relevant where there are concerns relating to Fitness to Practise; **or**
 - e) Has some substance but due to its relatively minor nature or because it relates to poor practice or questionable research practice rather than to misconduct, will be addressed through education and training or other non- disciplinary approach, such as mediation, rather than through the next stage of the Procedure or other formal processes; **or**
 - f) Is upheld in full; **or**
 - g) Is upheld in part.
- 9.28 In its report, the Panel may also make recommendations, for consideration by the Named Person and/or appropriate University authorities, regarding any further action(s) which should be taken by the University and/or other bodies to: address any misconduct the Full Investigation may have found; correct the record of research, and/or address other matters uncovered during the course of the Full Investigation. Such recommendations might include but are not limited to:
- a) Whether following the conclusion of the operation of this Procedure, the matter should be referred to the University’s relevant disciplinary procedure.
 - b) Whether following the conclusion of the operation of this Procedure, the matter should be referred to another relevant University process, including but not limited to: examination regulations, academic misconduct process or equivalent or the University’s financial fraud investigation process.
 - c) Whether any external organisations should be informed of the findings of the investigation, with appropriate confidentiality, including but not limited to: statutory regulators, relevant funding bodies, partner organisations and professional bodies, the latter being particularly relevant if concerns relate to Fitness to Practise.
 - d) Whether any action will be required to correct the record of research, including but not limited to: informing the editors of any journals that have published articles concerning research linked to an upheld allegation of misconduct in research and/or by a person

against whom an allegation of misconduct in research has been upheld.

- e) Whether procedural or University matters should be addressed by the University or other relevant bodies through a review of the management of research.
- f) Informing research participants or patients or their doctors.
- g) Other matters that should be investigated, including allegations of misconduct in research which are either unrelated to the allegation in question or alleged to have been committed by persons other than the Respondent and/or other forms of alleged misconduct.

9.29 A summary of the findings will be sent to the Initiator and the Respondent for comment on matters of factual accuracy. The Panel will consider the responses received and if they consider that the report includes errors of fact, will modify the report, as necessary.

9.30 The Panel will then submit their final report to the Named Person, setting out: the conclusions of the Full Investigation stage on the allegation(s) under investigation; their recommendations regarding further actions to be taken; and any other matters they wish to draw to the attention of the University.

9.31 The Chair and Panel will also hand over to the Named Person or their nominated representative all records/ material relating to the Full Investigation.

9.32 The Named Person shall convey the substance of the Panel's findings and recommendations to the Initiator, the Respondent and such other persons or bodies as they deem appropriate.

9.33 The Named Person will then undertake the following actions depending on the conclusions of the Full Investigation stage on the allegation(s) under investigation:

- a) If it is concluded that the allegation(s) is unfounded because it is mistaken or is frivolous or is otherwise without substance, then the allegation(s) is dismissed, and the investigation moves to the **Outcomes and reporting stage** (see Section 10).
- b) If it is concluded that the allegation(s) is unfounded because it is vexatious and/or malicious, then the allegation(s) is dismissed, and the investigation moves to the **Outcomes and reporting stage** (see Section 10).
- c) if it is concluded that the allegation(s) warrants referral directly to another formal process of the University, then the investigation moves to the **Outcomes and reporting stage** (see Section 10).
- d) If it is concluded that the allegation(s) warrants referral directly to an external organisation, then the investigation moves to the **Outcomes and reporting stage** (see Section 10).
- e) If it is concluded that the allegation(s) has some substance but, due to its relatively minor nature or because it relates to poor practice or questionable research practice rather than to misconduct, will be addressed through education and training or other non-disciplinary approach, then the investigation moves to the **Outcomes and reporting stage** (see Section 10).
- f) If it is concluded that the allegation(s) is upheld in part, then the investigation moves to the **Outcomes and reporting stage** (see Section 10).
- g) If it is concluded that the allegation(s) is upheld in full, then the investigation moves to the **Outcomes and reporting stage** (see Section 10).

9.34 The work of the Panel is then concluded, and the Panel should be disbanded. As the matter may then give rise to disciplinary or other action, the Chair and members of the disbanded

Panel should not make any comment on the matter in question, unless formally sanctioned by the University or otherwise required to by law. They should also remember that all information concerning the case was given to them in confidence.

- 9.35 Any queries or requests for comment addressed to the Chair or members of the Panel should be referred to the Named Person.
- 9.36 Those who have contributed to the disbanded Panel should have no further involvement in the Procedure, unless formally asked to clarify a point in their written report at a subsequent stage or as part of any subsequent action or process.
- 9.37 A role as Chair or member of the Panel rules out participation in any subsequent disciplinary or other process.
- 9.38 The Full Investigation stage now ends.

***Guidance Note:** The Named Person, working with the Chair and other Panel members as necessary, should take great care to ensure that all information on the investigation is fully and accurately transferred to the next stage of the procedure.*

10. [Outcomes and Reporting Stage](#)

Purpose:

- 10.1 The purpose of the Outcomes and Reporting stage is to ensure that all necessary actions are taken at the conclusion of this procedure, including but not limited to: actions arising following any Initial Investigation or Full Investigation that may have taken place; and ensuring that the research record is correct.

***Guidance Note:** The Outcomes and Reporting stage encompasses many potential situations, and its operation can involve considerable decision-making by the Named Person, Research Officer, and others. While some steps are required in any use of this Procedure, others apply only during certain outcomes of an investigation.*

Given the sheer breadth of scenarios which this stage can address, the guidance is general in nature and those operating this Procedure will need to determine how best to apply it during specific investigations. Decisions made during the operation of this stage, and the reasoning behind them, should be recorded in a brief format, in case they need to be referred to at a later date.

Conducted by:

- 10.2 The Named Person, supported by the Research Officer, is responsible for ensuring that the actions described under this stage are carried out. Some actions may require the involvement of other departments within the University and/or external organisations.

Possible outcomes:

- 10.3 The Named Person is responsible for ensuring that any necessary actions are carried out after the investigation is completed. ***In general terms***, these actions may include:

- a) Actions relating to the operation and conclusion (subject to any subsequent appeal) of this Procedure, including appropriate transfers of information to any subsequent organisational processes or informal measures and/or to any relevant processes of external organisations.
- b) Reporting the outcomes to relevant colleagues/ bodies within the University, for example line managers, Human Resources and/or Student Services, Academic Board or equivalent.
- c) Making necessary disclosures on the outcomes of uses of the Procedure to external organisations and other interested parties.
- d) Duty of care to Initiators, Respondents, and other involved parties, including but not limited to research participants.
- e) Ensuring that the research record is correct.
- f) Addressing procedural or University matters uncovered during the investigation.

Timescale:

10.4 This will vary depending on the scale of action needed, but the Named Person should aim to ensure they are completed within three months of completion of the investigation. However, it is possible that some actions will require longer to complete.

10.5 Any delays to this timescale will be explained to the Initiator, the Respondent and other involved parties in writing, presenting an estimated revised date of completion.

Process:

10.6 The required steps fall into two categories: “**Required actions**” which relate to any use of the Procedure and “**Actions required following [OUTCOME]**”, which relate solely to that particular outcome of the Procedure. All “Required actions” should be taken, followed by those relating to the particular outcome in question.

Required actions:

10.7 The Named Person working with the Research Officer, and with others as necessary, should take any further action(s) they deem necessary to: address any misconduct the investigation may have found; correct the record of research; and/or address other matters uncovered during the course of the investigation. Such recommendations might include but are not limited to:

- a) Whether following the conclusion of the operation of this Procedure, the matter should be referred to the University’s relevant disciplinary procedure.
- b) Whether following the conclusion of the operation of this Procedure, the matter referred to another relevant Organisational process, including but not limited to: examination regulations, academic misconduct process or equivalent or the University’s financial fraud investigation process.
- c) Whether any individuals and/or departments within the University should be notified of the findings of the investigation, including but not limited to: line managers, Human Resources and/or Student Services, Academic Board or equivalent.
- d) Whether any external organisations should be informed of the findings of the investigation, with appropriate confidentiality, including but not limited to: statutory regulators, relevant funding bodies, partner organisations and professional bodies, the latter being particularly relevant if concerns relate to Fitness to Practise.

- e) Informing research participants and other involved parties.
- f) Whether any action will be required to correct the record of research, including but not limited to: informing the editors of any journals that have published articles concerning research linked to an upheld allegation of misconduct in research and/or by a person against whom an allegation of misconduct in research has been upheld.
- g) Whether procedural or University matters should be addressed by the University or other relevant bodies through a review of the management of research and other measures as appropriate.
- h) Other matters that should be investigated, including allegations of misconduct in research which are either unrelated to the allegation in question or alleged to have been committed by persons other than the Respondent and/or other forms of alleged misconduct.
- i) Communication of anonymised summary data on uses of this Procedure within a specific period (academic year or calendar year) to relevant central committees/ departments within the University, and dissemination of anonymised learning points within the University as appropriate.

10.8 When considering the above, the Named Person and the Research Officer should take into account:

- a) Any recommendations on such actions made by the Full Investigation Panel during the course of its work.
- b) Any need to involve other elements of the University and/or external bodies in carrying out agreed actions.

10.9 ***Actions required following conclusion that the allegation(s) is unfounded, because it is mistaken or is frivolous or is otherwise without substance:***

- a) The Named Person shall take appropriate steps to preserve the good reputation of the Respondent, particularly if the case has received any adverse publicity.
- b) Those who have raised concerns/ made allegations in good faith will not be penalised and the Named Person shall take appropriate steps to preserve the good reputation of the Initiator.
- c) Appropriate communications on the outcome and the reasons for it will be important to ensure good understanding of the process and outcome.

10.10 ***Actions required following conclusion that the allegation(s) is unfounded because it is vexatious and/or malicious:***

- a) The Named Person may consider recommending to the appropriate authorities that action be taken against anyone who is found to have made vexatious and/or malicious allegations of misconduct in research. This may include disciplinary action where the individual is internal to the University.
- b) The Named Person shall take appropriate steps to preserve the good reputation of the Respondent, particularly if the case has received any adverse publicity.

10.11 ***Actions required following conclusion that the allegation(s) warrants referral directly to another formal process of the University:*** Where this is necessary, the Named Person will inform the Initiator in writing of:

- a) The reasons why the allegation cannot be investigated using this Procedure.
- b) Which process is appropriate for handling the allegation; and
- c) That the allegation will be referred to the relevant service/ process.

10.12 The Named Person will then refer the matter to the relevant service/ process.

10.13 **Actions required following conclusion that the allegation(s) warrants referral directly to an external organisation:** When the Named Person has determined that the allegation does **not** relate to researchers or research under the auspices of the University, the Named Person will inform the Initiator, in writing, of:

- a) The reasons why the University is not an appropriate body to investigate the allegation.
- b) Which external organisation(s) might be an appropriate body to investigate the allegation.

10.14 When the Named Person has determined that, while the allegation does relate to researchers or research under the auspices of the University, the allegation warrants referral directly to an external organisation, the Named Person will:

- a) Contact the relevant external organisation(s), in writing, to inform them of the allegation and asking them to investigate or otherwise address it. The Named Person should also explain why the University has concluded that the allegation warrants referral directly to the external organisation in question.
- b) Inform the Initiator, in writing, that the allegation is being referred directly to the external organisation(s) in question and provide the Initiator with relevant information so that they can contact the external organisation(s) in question if they so wish.

10.15 **Actions required following conclusion that the allegation(s) has some substance but due to its relatively minor nature or because it relates to poor practice or questionable research practice rather than to misconduct, will be addressed through education and training or other non-disciplinary approach:** The Named Person shall ensure that the relevant education and training or other informal measures is provided either directly or by referring the matter to the relevant academic area.

10.16 Further advice on addressing matters using informal measures, rather than a punitive/ disciplinary approach, is given in **Annex 2: Resolution using informal measures.**

10.17 **Actions required following conclusion that the allegation(s) is upheld in full or in part:** The Named Person, in conjunction with relevant colleagues, should decide whether the matter should be referred to the University's disciplinary process or for other formal actions.

- a) Should the allegation(s) proceed to the University's disciplinary process, the report of the Full Investigation Panel should form the basis of the evidence that the disciplinary panel receives.
- b) All the information collected and brought to light through the Procedure should be transferred to the disciplinary process.

10.18 The Named Person should take such steps as are appropriate, given the seriousness of the allegation(s), to support the reputation of the Initiator and, if the allegation(s) has been upheld in part rather than in full, the Respondent as appropriate, and any relevant research project(s).

10.19 Following the conclusion of the Procedure, the Named Person may need to recommend additional measures in addition to those that may be taken by way of the University's disciplinary process.

10.20 Examples of potential actions that the University may consider include, but are not limited to, the following:

- a) Retraction/correction of published research, via notification of findings to editors/publishers.
- b) Withdrawal/repayment of funding.
- c) Notifying research participants and other involved parties.
- d) Notification of findings to relevant employers, statutory, regulatory, professional, grant-awarding bodies, or other public body with a relevant interest.
- e) Notifying other employing organisations.
- f) Notifying other organisations involved in the research.
- g) Adding a note of the outcome of the investigation to a researcher's file for any future requests for references.
- h) Review internal management and/or training and/or supervisory procedures for research.
- i) Revocation of any degrees awarded on the basis of research that is the subject of a research misconduct finding.

The University should also remember the measures listed under "Required Actions", above.

10.21 Where an investigation has established research misconduct relating to a significant body of work over a period of time, the University will wish to consider whether it needs to review other work carried out by the individual(s), including work not flagged up in the course of the investigation.

Conclusion of this stage and next steps:

10.22 The Initiator and Respondent will be informed of the actions taken at the final outcome of the matter. They will also be informed of the options for appeal open to them (see Section 11).

10.23 The Outcomes and Reporting stage of the Procedure is then concluded, with the Named Person and Research Officer involved in follow-up actions, or receiving reports on them, as appropriate. As the matter may then give rise to disciplinary or other action, the Named Person and Research Officer should remember that all information concerning the allegation and investigation was given to them in confidence.

10.24 Any queries or requests for comment on the use of the Procedure should be referred to the Named Person via the Research Officer.

10.25 A role as the Named Person or Research Officer rules out participation in any subsequent disciplinary process.

10.26 The Outcomes and Reporting stage now ends.

Guidance Note: The Named Person, working with the Research Officer and others as necessary, should take great care to ensure that all information on the investigation is fully and accurately transferred to the next stage of the procedure.

11. Appeals Stage

Purpose:

11.1 The purpose of an appeals stage is to permit the Initiator and/or the Respondent to appeal in certain circumstances against the findings of an investigation carried out under this Procedure, in accordance with the requirements of *The Concordat to Support Research Integrity*.

11.2 Appeals are permitted on any or all of the following grounds:

- a) Procedural irregularity in the conduct of the investigation up to and before the Appeal Panel.
- b) Fresh evidence becoming available which was not, and could not, have been made available to the Investigator and/or the Full Investigation Panel.
- c) There was evidence of bias in the process or decisions taken by the Named Person, Investigator and/or the Full Investigation Panel.
- d) The recommendations made as part of an outcome of the Procedure/ subsequent actions taken are either excessive or inadequate in relation to the misconduct found by the investigation.

Conducted by:

11.3 The Named Person will establish an Appeals Panel, whose appointment is discussed under 'Process' (see paragraph 11.11). At least one member of the Appeals Panel must be from outside the University. If an appeal encompasses the actions/ decisions of the Named Person, then their role in this stage will be taken by their designated nominee.

Possible outcomes:

11.4 The Appeal Panel has the power to uphold, reverse or modify the following outcomes of the Procedure, including the decisions and/or recommendations associated with them:

- a) A conclusion of an Initial Investigation **or** of a Full Investigation that an allegation is unfounded, because it is mistaken or is frivolous or is otherwise without substance, and will be dismissed; **or**
- b) A conclusion of an Initial Investigation **or** of a Full Investigation that an allegation is unfounded, because it is vexatious and/or malicious, and will be dismissed; **or**
- c) A conclusion of an Initial Investigation **or** of a Full Investigation that an allegation has some substance but due to its relatively minor nature or because it relates to poor practice or questionable research practice rather than to misconduct, will be addressed through education and training or other non-disciplinary approach, such as mediation, rather than through the next stage of the Procedure or other formal processes; **or**
- d) A conclusion of a Full Investigation that an allegation is upheld in full; **or**
- e) A conclusion of a Full Investigation that an allegation is upheld in part.

Timescale:

11.5 Any appeal should normally be heard within two months of the outcome of the investigation.

11.6 Any delays to this timescale will be explained to the Initiator and the Respondent in writing, presenting an estimated revised date of completion.

Process:

11.7 The Initiator and/or the Respondent may appeal against the following outcomes of the Procedure, including the decisions and/or recommendations associated with them:

- a) A conclusion of an Initial Investigation **or** of a Full Investigation that an allegation is unfounded, because it is mistaken or is frivolous or is otherwise without substance, and will be dismissed; **or**
- b) A conclusion of an Initial Investigation **or** of a Full Investigation that an allegation is unfounded, because it is vexatious and/or malicious, and will be dismissed; **or**
- c) A conclusion of an Initial Investigation **or** of a Full Investigation that an allegation has some substance but due to its relatively minor nature or because it relates to poor practice or questionable research practice rather than to misconduct, will be addressed through education and training or other non-disciplinary approach, such as mediation, rather than through the next stage of the Procedure or other formal processes; **or**
- d) A conclusion of a Full Investigation that an allegation is upheld in full; **or**
- e) A conclusion of a Full Investigation that an allegation is upheld in part.

11.8 Any appeal shall be made in writing to the Named Person within 10 working days of being notified of the outcome of the Procedure. The written notice of appeal shall set out the grounds of appeal, and be accompanied, wherever possible, by supporting documentation. The Named Person will then review against the grounds listed in paragraph 11.2 whether the appeal is permitted.

11.9 If the Appeal is permitted the Named Person shall then, as soon as is practicable, appoint an Appeals Panel to undertake the appeals process. No individual involved in the Appeals Panel will have been involved at any stage previously. **This includes the professional support to the Appeals Panel.**

11.10 If the Appeal is not permitted the Named Person shall then inform the Initiator and/or the Respondent in writing that the original outcomes of Procedure, including the decisions and/or recommendations associated with them still stand. The decision of the Appeal Panel is final.

11.11 The Appeals Panel will normally consist of three persons. Depending on the circumstances of the investigation and at the discretion of the Named Person, the Appeals Panel may consist of a greater number of persons, for example to ensure that it contains sufficient expertise or diverse perspectives to reach a thorough and fair conclusion on the appeal.

- a) One member of the Appeals Panel shall be from outside the University. At the discretion of the Named Person, the Appeals Panel may include multiple external members. This may be advantageous when the appeal involves multiple disciplines of research and/or is especially complex and can help involved parties that the investigation process will be transparent, rigorous, and fair.
- b) One member of the Appeals Panel shall be an academic specialist in the general area within which the misconduct is alleged to have taken place (where allegations concern highly specialised areas of research, they should instead have specialised knowledge of the field). Such a specialist can be drawn from within the University, bearing in mind any conflict-of-

interest requirements of this procedure, or from the Appeals Panel's external member(s). When an allegation(s) involves multiple disciplines of research, it may be necessary to increase the membership of the Appeals Panel, so it contains sufficient expertise.

- c) There would be advantage in the review of an allegation(s) that involves staff on joint clinical/honorary contracts for there to be on the Appeals Panel an appropriate member of staff from the other employing Organisation(s).
- d) Once convened, the membership of the Appeals Panel should not be added to. In the event that the membership falls below its initial number, the Named Person will determine whether to recruit additional members and continue the investigation from its current point or restart the Initial Investigation stage.

11.12 The Named Person will select one of the members of the Appeals Panel to act as its Chair. In the event of the Chair becoming unable to participate in the Appeals Stage once it is underway, the Named Person will select a new Chair from the members of the Appeals Panel and then consider the overall membership of the Appeals Panel. At the discretion of the Named Person, the Chair may be selected from the Appeals Panel's external members; this can help reassure involved parties that the investigation process will be transparent, thorough, and fair.

11.13 The University may at its discretion permit observers to attend the Appeals stage where requested.

11.14 All persons appointed to carry out the Appeals stage, and all persons allowed to observe it, will confirm to the Named Person in writing that:

- a) Their participation involves no conflict of interest, seeking advice from the Named Person if unsure.
- b) they will abide by the Procedure as it affects the work of the Appeals stage.
- c) They will respect the confidentiality of the proceedings.
- d) They will adhere to the Principles and Standards of the Procedure.

11.15 Both the Respondent and Initiator may raise with the Named Person concerns that they may have about those chosen to carry out the Appeals stage but neither has a right of veto over those nominated. The Named Person will consider any concerns raised and whether new persons should be selected to carry out the Appeals Stage.

11.16 The Chair is responsible for ensuring that a full record is kept of the work of the Appeals Panel and should be supported in this by the administrative and other support identified by the Named Person to assist the Panel.

11.17 When making any decisions about the conduct or conclusion of the Appeals Stage, the Appeals Panel will do so by a vote, with the majority vote determining the outcome. In the event of any tie, the Chair has a casting vote.

11.18 The Appeals Panel will first decide whether the grounds for appeal are met (see paragraph 11.2).

11.19 If the grounds for appeal are met, the Appeals Panel will then review the conduct of the investigation and any evidence submitted in support of the appeals(s) in question, rather than carry out a re- investigation of the allegation(s) in question.

Conclusion of the Appeal stage and next steps:

- 11.20 The Appeals Panel will decide whether it upholds, reverses, or modifies the outcome in question of the Procedure, including the decision(s) and/or recommendation(s) associated with it. The decision of the Appeal Panel is final.
- 11.21 The Appeals Panel shall write a report setting out its conclusions, giving the reasons for its decision and recording any differing views.
- 11.22 A summary of the conclusions will be sent to the Initiator and the Respondent for comment on matters of factual accuracy. The Appeals Panel will consider the responses received and if they consider that the report includes errors of fact, will modify the report, as necessary.
- 11.23 The Appeals Panel will then submit their final report to the Named Person. The Chair and Appeals Panel will also hand over to the Named Person or their nominated representative all records/ material relating to the appeal.
- 11.24 The Named Person shall convey the substance of the Appeals Panel's findings and recommendations to the Initiator, the Respondent and such other persons or bodies as they deem appropriate.
- 11.25 The Named Person will then undertake the actions necessary to implement the conclusions of the Appeals Panel, following relevant provisions of the **Outcomes and Reporting stage** and liaising with the Research Officer and others, within and/or external to the University, as necessary.
- 11.26 The work of the Appeals Panel is then concluded, and the Appeals Panel should be disbanded. As the matter may then give rise to disciplinary or other action, the Chair and members of the disbanded Appeals Panel should not make any comment on the matter in question, unless formally sanctioned by the University or otherwise required to by law. They should also remember that all information concerning the case was given to them in confidence.
- 11.27 Any queries or requests for comment addressed to the Chair or members of the Appeals Panel should be referred to the Named Person via the Research Officer or alternate.
- 11.28 Those who have contributed to the disbanded Appeals Panel should have no further involvement in the Procedure, unless formally asked to clarify a point in their written report at a subsequent stage or as part of any subsequent action or process.
- 11.29 A role as Chair or member of the Appeals Panel rules out participation in any subsequent disciplinary or other process.
- 11.30 The Appeals stage now ends.

***Guidance Note:** The Named Person, working with the Chair and other Appeals Panel members as necessary, should take great care to ensure that all information on the investigation is fully and accurately transferred to the next stage of the procedure.*

Communication of appeal outcome

- 11.31 For all outcomes, other than where the allegation is dismissed as being unfounded or mistaken where there is no appeal against this decision, the Named Person, through the Research Officer, will issue a letter confirming that the process is now at an end. This letter will be issued immediately after the conclusion of any action taken under the appeals stage process of this procedure (whether an appeal takes place / or on the expiration of the time limit to appeal).
- 11.32 Where such allegations relate to a research student of the University, a formal "Completion of Procedures" letter confirming that the process is now at an end will be issued. This will also provide information concerning the potential for them to ask the Office of the Independent Adjudicator (OIA) to review the case.

12. Reporting to University Committees / Public Information

- 12.1 Summaries of allegations investigated under this Procedure will be circulated, in confidence, on an annual basis to the University's Audit and Risk Committee, via the Annual Research Integrity report. Where allegations were upheld fully or on part, summary reports and actions taken following the conclusion of such Investigations will also be reported to Audit and Risk Committee. All such summaries will be anonymised and/or have content redacted if deemed appropriate, the decision for which will be made by the Named Person in consultation with any other relevant officers of the University.
- 12.2 All Universities in receipt of a Research England grant are required to comply with the 'Concordat to Support Research Integrity' published by Universities UK. In compliance, Leeds Beckett University (LBU) produces an annual public statement detailing the activities that enhance, develop, and strengthen research integrity and the monitoring of research misconduct at the University. As part of this statement a high-level summary of any formal allegations of misconduct in research, and any investigations is included, and this will be received by the University Research Ethics Sub-Committee and the Academic Board.
- 12.3 Records of investigations under this Procedure shall be held by Research & Enterprise Services. All records will be retained for a period of six years from the date of the closure of the investigation under these procedures as per the University [Records Retention Schedule](#).

13. Equality, Diversity & Inclusion

- 13.1 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.
- 13.2 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 Initiator to inform the University if they require additional support.

- 13.3 It is advantageous for those investigating allegations of Research Misconduct to have had appropriate training, are aware of the requirements of the [Equality Act 2010](#) and of good practice in relation to equality and diversity. This should be taken into account by the Named Person when appointing an Investigator.
- 13.4 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 consulted as appropriate.

14. [Monitoring & Compliance](#)

- 14.1 The University's Procedures designed to investigate allegations of misconduct in research will be monitored and reviewed by the Pro Vice Chancellor Research & Innovation's Office and Research & Enterprise Services at least every two years, or more frequently, to take account of any legislative changes or changes in the University's activities. Any proposed minor revisions to the procedure will be put to the Research & Enterprise Committee for approval. Any proposed major revisions to the Procedure will be put to the Academic Board for approval.

15. [Dissemination](#)

- 15.1 This Procedure 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.

16. [Key Contacts](#)

- 16.1 Key contacts:

- a) Pro Vice Chancellor Research & Innovation's Office:
pa@leedsbeckett.ac.uk, S.Machold@leedsbeckett.ac.uk
- b) Research Integrity and Ethics Manager:
C.c.pettitt@leedsbeckett.ac.uk

17. Annex 1: Principles

- 17.1 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.
- 17.2 Those responsible for carrying out investigations of alleged misconduct in research should always act with integrity and sensitivity.
- 17.3 The following principles of Data Protection, Fairness, Confidentiality, Integrity, Prevention of Detriment, and Balance as defined below must inform the use of this Procedure for the investigation of allegations of misconduct in research.

Data Protection

- 17.4 The use of this Procedure to investigate or otherwise respond to any allegation will constitute the processing of the personal data of living individuals. Such processing is regulated by the Data Protection Laws which means: Any law, statute, declaration, decree, directive, legislative enactment, order, ordinance, regulation, rule or other binding restriction (as amended, consolidated or re-enacted from time to time) which relates to the protection of individuals with regards to the processing of personal data to which an individual undertaking Research is subject, including the Data Protection Act 2018 ("DPA"), the UK GDPR (in section 3(10) (as supplemented by section 205(4)) of the DPA), the Privacy and Electronic Communications (EC Directive) Regulations 2003 and all legislation enacted in the UK in respect of the protection of personal data. It also includes any code of practice or guidance published by the ICO (or equivalent regulatory body) from time to time.
- 17.5 It is the duty of the University to comply with the data protection principles with respect to personal data and accordingly any investigation or use of this Procedure will be carried out in accordance with such principles.
- 17.6 The University recognises its duty to consider the nature of the personal information in question and where necessary treat such information as sensitive personal data in accordance with the Data Protection Laws set out above.

Fairness

- 17.7 The investigation of any allegations of misconduct in research must be carried out fairly and in accordance with the statutory human rights of all parties involved.
- 17.8 Those responsible for carrying out this Procedure should do so with knowledge of:
- a) The statutory obligations of the University and the rights of employees according to current law.
 - b) Any additional rights and obligations particular to the institution and/or its employees and/or its students – for example those bestowed by university statutes and ordinances.
- 17.9 Where anyone is formally accused of misconduct in research, that person must be given full

details of the allegation(s) in writing.

17.10 When someone is investigated for alleged misconduct in research under this Procedure, they must be given a reasonable opportunity to set out their case and respond to the allegation(s) against them.

17.11 They must also be allowed to:

- a) Ask questions.
- b) Submit evidence in their defence.
- c) Suggest witnesses for the Investigator and/or Full Investigation Panel to interview; the Investigator and/or Full Investigation Panel may then decide to invite the suggested witnesses to interview.
- d) Raise points with the Investigator and/or Full Investigation Panel, as appropriate, about any information given by any witness (regardless of who has called the witness in question).

17.12 The Respondent, Initiator and any witnesses involved in the Initial Investigation stage, or the Full Investigation stage may:

- a) If they are staff or students of the University, be accompanied to interviews by a colleague, or trade union or student union representative, or whoever else is specified in any additional contractual rights (such as by University Instrument & Articles of Government) when they are required or invited to attend interviews or meetings relating to this Procedure.
- b) If they are external to the University, while they will not have a contractual right to be accompanied when they are required or invited to attend interviews or meetings relating to this Procedure, it is strongly advised that they be offered the right to be accompanied by a friend.
- c) seek advice and assistance from anyone of their choosing.

17.13 Where meetings are organised, they will ideally be held in person, but may take place online via Microsoft Teams, if required.

Confidentiality

17.14 The Procedure should be conducted as confidentially as is reasonably practicable. The confidential nature of the proceedings should be maintained provided this does not compromise either the investigation of the misconduct allegations, any requirements of health and safety or any issue related to the safety of participants in research.

17.15 The confidential nature of the proceedings is essential in order to protect the Initiator, the Respondent and others involved in the Procedure.

17.16 It is important that in the conduct of an investigation using this Procedure that the principles of confidentiality and fairness are applied with appropriate balance for both the Respondent and the Initiator.

17.17 The identity of the Initiator or the Respondent should not be made known to any third party

unless:

- a) It has been deemed necessary (by those conducting the investigation) in order to carry out the investigation and/or to carry out required/ necessary actions or disclosures following the outcome of the investigation.
- b) It is necessary as part of action taken against the Respondent if (at the end of the Procedure and/or any subsequent process, such as a disciplinary process, and after any appeals processes) the allegations have been upheld.
- c) It is necessary as part of action taken against a person who has been found to have made malicious, vexatious, or frivolous allegations.
- d) It is the stated policy of the employer/ funder/ other national body that the identity of individuals proved through appropriate disciplinary and appeals processes to have committed misconduct in research should be made public.

17.18 Any disclosure to a third party of the identity of the Initiator or Respondent, or of any other details of the investigation, should be made on a confidential basis. The third party should understand this, and that they must respect the confidentiality of any information received.

17.19 The University and/or its staff may have contractual/legal obligations to inform third parties, such as funding bodies or collaborating organisation(s), of allegations of misconduct in research. In such cases, those responsible for carrying this Procedure out should ensure that any such obligations are fulfilled at the appropriate time through the correct mechanisms, always keeping in mind the legal rights of the employees, students and others involved in the allegations.

17.20 While the allegations are under investigation using this Procedure (and/or the University's disciplinary process), the Initiator, the Respondent, witnesses, or any other persons involved in this Procedure should not make any statements about the allegations to any third parties, unless formally sanctioned by the University or otherwise required to by law.

17.21 Breaching confidentiality may lead to disciplinary action, unless covered by the Public Interest Disclosure Act and/or the University's own grievance or whistle-blowing procedures.

17.22 In the event of any conflict between the principle of confidentiality and any of the other principles of this Procedure, those conducting the Procedure should consider the principle of Balance and use their judgement to choose the appropriate solution.

Integrity

17.23 An investigation into an allegation(s) of misconduct in research using the processes of Initial Investigation or Full Investigation of the Procedure must be fair and comprehensive. The investigation should be conducted expediently although without compromise to the fairness and thoroughness of the process.

17.24 Anyone asked to take part in the processes as an Investigator or a member of a Panel must make sure that the investigation is impartial and extensive enough to reach a reasoned judgement on the matter(s) raised.

17.25 Similarly, those who give evidence to the investigation should do so honestly and objectively

in accordance with the Principles of the Procedure and should be provided with relevant sections of the Procedure before giving evidence.

17.26 All parties involved must inform the Named Person immediately of any interests that they have which might constitute a conflict of interest as regards any aspect of the allegations, the investigation, the area(s) of research in question, or any of the persons concerned. Where the Named Person has any interest which might constitute a conflict, they should declare any such conflicts and refer the investigation to their nominated alternate, who should decide if they should be excluded from involvement in the investigation, recording the reasons for the decision.

17.27 In the interests of openness and transparency, inviting at least one member from outside the University to join the Full Investigation Panel of the Procedure is required. When allegations are deemed to be particularly complex or contentious, the University should consider inviting multiple external members to join Full Investigation Panels and to use Initial Investigation Panels to undertake the Initial Investigation stage.

17.28 Confidential records should be maintained on all aspects, and during all stages, of the Procedure. It is the responsibility of the Named Person and the Research Officer to see that such records are maintained and made available at all stages for any use of the University's Disciplinary Processes.

17.29 At the conclusion of the proceedings, all records should be retained by the University in line with the provisions given earlier in this Procedure concerning records retention.

17.30 To preserve the integrity of this Procedure, great care must be taken to ensure that all relevant information is transferred to those involved in the various stages of the Procedure, such as between the Receipt of Allegation stage and any Investigation/ Appeal Panel and between the Investigation Panel, the Appeal Panel and any Disciplinary Process.

17.31 Those responsible for carrying out the Procedure should recognise that failure to transfer information could lead to the process being unfair to the Respondent and/or the Initiator. It could also lead to an appeal being made on the grounds of a failure to observe the Procedure or to the collapse of the investigation.

Prevention of Detriment

17.32 In using this Procedure, and in any action taken as a result of using the Procedure, care must be taken to protect:

- a) Individuals against frivolous, vexatious and/or malicious allegations of misconduct in research.
- b) The position and reputation of those suspected of, or alleged to have engaged in, misconduct, when the allegations or suspicions are not confirmed; and
- c) The position and reputation of those who make allegations of misconduct in research in good faith, i.e., in the reasonable belief and/or on the basis of supporting evidence that misconduct in research may have occurred.

17.33 It is acknowledged that allegations may be made for what appear to be malicious reasons. The

Procedure should still be used where the Initiator makes a formal complaint, to establish whether the allegations are of sufficient substance to warrant investigation.

17.34 Anyone accused of misconduct in research is entitled to the presumption of innocence.

17.35 Full Investigation should establish, on the balance of probabilities, the truth of any allegations.

17.36 Any formal steps taken to discipline the Respondent or take steps which might undermine their good name or reputation (or that of any other party), must be taken through the University's disciplinary process which provides the Respondent with the right of appeal. Only when allegations have been upheld through the University's disciplinary process may it be appropriate to apply any sanctions to the Respondent.

17.37 The University must take all reasonable steps to ensure that the Respondent (or any other party) does not suffer because of unconfirmed or unsubstantiated allegations.

17.38 Involvement of the Respondent in the Procedure should not prevent the Respondent from being considered:

- a) For promotion.
- b) The completion of probation.
- c) Other steps related to their professional development.

17.39 The University may choose to suspend the implementation of any promotion, completion of probation or any similar step, for the period that allegations are investigated using the Procedure, rather than delay the actual consideration of such matters.

17.40 If the allegations are upheld at the end of the Procedure, subject to the University's disciplinary process and/or appeals process, the University's normal rules with respect to steps related to professional development, such as those detailed above, should apply (e.g. [Academic Promotions Policy & Procedure](#) / [Probationary Policy and Procedure](#)).

17.41 It should be made clear that any actions that might be taken by the Named Person in response to the notification of allegations of misconduct in research are not to be regarded as a disciplinary action and do not in themselves indicate that the allegations are believed to be true by the University. The Named Person and any Investigators and members of any Full Investigation Panels should take steps to make it clear to the Respondent, Initiator, and any other involved parties that these actions are necessary to ensure that the allegations of misconduct in research can be properly investigated.

17.42 Appropriate action should be taken against:

- a) Respondents where the allegations of misconduct in research have been upheld, in full or in part, in accordance with this Procedure; and
- b) Anyone who is found to have made frivolous, vexatious and/or malicious allegations of misconduct in research.

Balance and judgement

17.43 Those responsible for carrying out this Procedure must be aware that there may be occasions when a balance has to be struck in the application of the Principles and/or its Standards: for example, it may, in certain circumstances prove to be impracticable to undertake a thorough and fair Initial Investigation of the allegations without releasing the Initiator's identity to the Respondent.

17.44 The Named Person should be responsible for resolving any such conflicts between the Principles, between the Standards, and/or between the Principles and the Standards, always keeping in mind that the primary goal of this Procedure is to determine the truth of the allegations via a thorough and fair investigation, conducted in a timely and transparent manner, and with appropriate confidentiality. The Named Person can seek guidance from UKRIO and other bodies, as well as seeking legal advice.

17.45 In addition, the Named Person should be responsible for ensuring the integrity of this Procedure and any actions taken as a consequence of it. The Named Person should decide the course of action to be taken in cases of doubt.

17.46 The Named Person, supported by the Research Officer, should keep a written record of all decisions taken throughout all the steps of the Procedure. The Named Person should liaise closely with the Investigator and the Chair of the Full Investigation panel to ensure that a proper record is maintained throughout the Procedure.

18. [Annex 2: Resolution using informal measures](#)

18.1 One potential outcome of the use of this Procedure is a conclusion the allegation(s) under investigation has some substance but, due to its relatively minor nature or because it relates to poor practice or questionable research practices rather than to misconduct, will be addressed through education and training or other non-disciplinary approach. This annex provides general guidance on implementation of this type of outcome.

18.2 Resolution through such measures – called 'informal' as opposed to resolution through a formal process of the University, such as a disciplinary process or academic regulations – can be challenging. There are many types of informal measures, and they can be applied to many potential situations. Those operating this Procedure will need to determine what informal measures following the outcome of a particular investigation.

- a) The Named Person and/or Research Officer may need to seek advice from colleagues to determine the best course of action and can also contact the UK Research Integrity Office.
- b) Decisions made concerning the implementation of informal measures, and the reasoning behind those decisions, should be recorded in a brief format, in case they need to be referred to at a later date.

18.3 Informal measures can take many forms and some examples are given below. This list should not be taken as exhaustive, and the University should devise and implement other informal measures as needed for the situation in question.

- a) Education, training, and other development activities.
- b) Enhanced supervision/ oversight of research activities.
- c) Restriction of research activities.

- d) Mentoring.
- e) Mediation between involved parties.
- f) Awareness-raising of relevant issues of good research practice.
- g) Pastoral care and support.
- h) Revision of relevant research practices, systems and/or policies relating to the allegation(s) in question. Such revision may be limited to a particular team or have a wider scope, covering a department or the entire organisation, and should be supported by appropriate training and awareness-raising.

18.4 The audience of the informal measures can also vary: Respondents, Initiators, other involved parties, other researchers and/or professional services staff within the University or even the University as a whole. Different informal measures may well be needed for different people.

- a) The implementation of some informal measures may require the involvement of, and/or making disclosures to, other organisations. .
- b) The use of informal measures to resolve an allegation does not remove the need to implement required provisions of the Outcomes and Reporting stage. For example, making necessary disclosures to involved organisations and the fulfilment of contractual obligations.

18.5 **Implementing resolution using informal means:** seven key features of an effective system of resolution using informal measures are set out in the following paragraphs:

- a) Both Initiator and Respondent should be able to **appeal** against the use of informal measures, both at the beginning and during their operation, though they do not have a right of veto. The person designated to carry out the informal measures can also make such a request. The Named Person should then consider any such requests and decide on the most appropriate course of action.
- b) The nature and scope of the informal measures should be clearly **defined**.
- c) A **designated person** should be responsible for carrying out the agreed measures.
- d) Their **duration** should be clearly set out.
- e) The designated person, working with the Research Officer and others, should ensure that the informal measures are **delivered**.
- f) Appropriate **documentation** should record the delivery and outcomes of the informal measures, and any next steps.
- g) Once completed, there should be **discussion** by the Research Officer and others about any learning points for the University.

18.6 **Appeal:** In line with the provisions given earlier in this Procedure, both Initiator and Respondent should be able to appeal against the use of informal measures, both at the beginning and during their operation, and request implementation of formal measures instead. The Initiator and Respondent do not have a right of veto; the Named Person should then consider their request and decide on the most appropriate course of action, consulting with the Research Officer and others within the University (e.g., Human Resources/ Student Services) as needed.

18.7 The person designated to carry out the informal measures can also request implementation of formal measures instead, and this should be considered by the Named Person as above.

- 18.8 **Defined:** the nature and scope of the informal measures should be defined in writing. This should be communicated by the Named Person or the Research Officer to the persons involved, in writing and including those who will be responsible for carrying out the informal measures. (e.g., *“The Respondent should undergo training in authorship and publication ethics, including the norms of their discipline. The training will be sourced by the University and the Respondent must provide evidence to their line manager that they have completed it.”*).
- 18.9 If communications with an external person(s) or organisation(s) is required, this would normally be carried out by the Research Officer on behalf of the University.
- 18.10 **Designated person:** the University should determine who will carry out and/or oversee the informal resolution, what resources will be made available to support them, and to whom they will give updates on the progress of the informal resolution (e.g., *“The Departmental Head will liaise with the Research Officer to arrange awareness-raising activities on plagiarism, including discipline-specific information, within their department. The Research Officer will provide materials for these activities and, if possible, a speaker for an awareness-raising event.”*).
- 18.11 For some informal measures, support made be needed from outside the University and the Research Officer should assist the designated person, as necessary.
- 18.12 **Duration:** the duration of informal measures should be set out at the onset, including a proposed start date, and communicated to all involved parties (e.g., *“The process of mentoring for the Initiator will last for three months and then there will be a review by the line manager, with the mentoring extended for an additional three months if necessary”*). The designated person should make the Named Person aware via the Research Officer if there is a significant delay in starting or completing the informal measures.
- 18.13 **Delivery:** Given their nature, informal measures can be vulnerable to delays and/or a lack of engagement from involved persons, whether an individual (e.g., Initiator and/or Respondent) or groups (e.g., a research team or a department within the University). The aim is the delivery of the informal measures as defined (see above) and progress should be measured, in a light-touch way, against their agreed nature and scope (e.g., *“We are undertaking the agreed course of mediation between the Initiator and Respondent to repair their working relationship. At the end of the mediation, they and their line managers will explore whether the Initiator and Respondent now both feel comfortable working together in the future or if they will no longer work in partnership.”*).
- 18.14 Care must be taken to ensure that agreed actions are delivered by the University and the designated person must be given support by the Named Person, the Research Officer and/or others, as needed.
- 18.15 **Documentation:** the informal nature of these measures does not mean that no records should be kept. Brief notes should be kept on: the nature and scope of the informal measures; who has responsibility for their delivery; the proposed and actual duration of the measures; and their delivery and associated outcome(s).
- 18.16 When informal measures are concluded, involved parties (e.g., Initiator and/or Respondent; Named Person and/or Research Officer; line managers/ supervisors; Human Resources or Student Services) should be informed in writing, summarising the delivery and outcome(s) of

the informal measures and any next steps (e.g., *“The Respondent has now completed the six-month period of additional supervision of their research. They have outlined in writing key lessons learned during this period [see attached] and the additional supervision will now cease. The Respondent has been reminded that they can seek advice from their supervisor, their line manager and the Research Officer on issues of consent and data management in the future.”*).

18.17 If communications with external persons or organisations are required, this would normally be carried out by the Research Officer on behalf of the University.

18.18 Records should be retained in line with the provisions given earlier in this Procedure, normally by the Research Officer.

18.19 The Organisation should determine if records should also be retained by others within the Organisation (e.g., line managers; Human Resources or Student Services).

18.20 **Discussion:** the conclusion of informal measures is an opportunity for review and learning, whether in relation to the persons involved; wider groups of researchers and/or professional services staff; or for the systems and practices as a whole. The Research Officer, working with others as necessary, can generate learning points for dissemination to appropriate members of the University, supported by anonymised summary information, to safeguard and enhance good research practice within the institution.

19 [Annex 3: Administration of the Procedure](#)

Administration of the Procedure – Roles & Responsibilities

19.1 Receipt of allegations Stage

Conducted by	Person(s)	Role
Named Person:	Pro Vice Chancellor Research & Innovation (or nominee).	Oversight and application of this stage.
Research Officer	Research Integrity and Ethics Manager (or nominee).	Administrative support.

19.2 The Named Person will carry out this stage of the Procedure, supported by the Research Officer.

19.3 The Named Person may identify suitable professional, administrative, and other support to assist them in carrying out the above actions, including liaisons from Human Resources and Student Services if deemed appropriate. Those selected to provide such support should confirm to the Named Person in writing that their participation involves no conflict of interest (seeking advice from the Named Person if unsure) and that they will respect the confidentiality of the proceedings.

19.4 The Named Person shall be free to seek confidential advice from persons with relevant expertise, both within the University and outside it.

19.5 Initial Investigations Stage

Conducted by	Person(s)	Role
Named Person	Pro Vice Chancellor Research & Innovation (or nominee)	Oversight and application of this stage.
Research Officer	Research Integrity and Ethics Manager (or nominee).	Administrative support
Investigator	The Investigator will normally be a senior member of academic staff from within the University and may be from within or outside the department concerned	Investigator
Initial Investigation Panel (optional):	The Panel will consist of two or three persons. At least one of these should be a senior member of academic staff from within the University and may be from within or outside the department concerned, depending on the circumstances of the investigation and at the discretion of the Named Person. Also, at the discretion of the Named Person, the Initial Investigation Panel may include external member(s).	Investigators

19.6 This stage will normally be conducted by an Investigator, whose appointment is discussed under 'Process'.

19.7 At the discretion of the Named Person, the Initial Investigation may instead be conducted by an Initial Investigation Panel consisting of two or three persons (see point 8.3), which may include external members or an external Chair. Use of an Initial Investigation Panel may be advantageous when allegations involve multiple disciplines of research and/or are especially complex.

19.8 The Named Person will identify suitable administrative and other support to assist the Investigator, including the Research Officer or equivalent and, if deemed appropriate, liaisons from Human Resources and Student Services. Those selected to provide such support will confirm to the Named Person in writing that their participation involves no conflict of interest, seeking advice from the Named Person if unsure.

19.9 The Investigator shall be free to seek confidential advice from persons with relevant expertise, both within the University and outside it.

19.10 Full Investigations Stage

Conducted by	Person(s)	Role
Named Person:	Pro Vice Chancellor Research & Innovation (or nominee)	Oversight and application of this stage.
Research Officer	Research Integrity and Ethics Manager (or nominee).	Administrative support

<p>Full Investigation Panel:</p>	<p>The Panel will normally consist of three persons. Depending on the circumstances of the investigation and at the discretion of the Named Person, the Panel may consist of a greater number of persons, for example to ensure that it contains sufficient expertise or diverse perspectives to reach a thorough and fair conclusion on the allegation(s) under investigation.</p> <p>At least one member of the Panel shall be from outside the University, as required by <i>The Concordat to Support Research Integrity</i>.</p> <p>At least two members of the Panel shall be academic specialists in the general area within which the misconduct is alleged to have taken place and where allegations concern highly specialised areas of research the Panel should have at least one member with specialised knowledge of the field.</p> <p>When allegations involve multiple disciplines of research, it may be necessary to increase the membership of the Panel, so it contains sufficient expertise.</p> <p>The Named Person will select one of the members of the Panel to act as its Chair.</p>	<p>Investigators</p>
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19.11 The Named Person will establish a Full Investigation Panel, whose appointment is discussed under ‘Process’. At least one member of the Panel must be from outside the University.

19.12 The Named Person will identify suitable administrative and other support to assist the Panel, including the Research Officer or equivalent and, if deemed appropriate, liaisons from Human Resources and Student Services. Those selected to provide such support will confirm to the Named Person in writing that their participation involves no conflict of interest, seeking advice from the Named Person if unsure.

19.13 The Panel shall be free to seek confidential advice from persons with relevant expertise, both within the University and outside it.

19.14 Outcomes & Reporting Stage

Conducted by	Person(s)	Role
Named Person:	Pro Vice Chancellor Research & Innovation (or nominee)	Oversight and application of this stage.
Research Officer	Research Integrity and Ethics Manager (or nominee).	Administrative support

19.15 The Named Person is responsible for ensuring that the actions described under this stage are carried out. Some actions may require the involvement of other departments within the University and/or external organisations.

19.16 Appeals Stage

Conducted by	Person(s)	Role
Named Person:	Pro Vice Chancellor Research & Innovation (or nominee)	Oversight and application of this stage.
Nominee of the Named Person	Nominee of the Research Services Team (different person from the original administrative support for earlier stages).	Oversight and application of this stage.
Appeals Panel	<p>The Appeals Panel will normally consist of three persons. Depending on the circumstances of the investigation and at the discretion of the Named Person, the Appeals Panel may consist of a greater number of persons, for example to ensure that it contains sufficient expertise or diverse perspectives to reach a thorough and fair conclusion on the appeal.</p> <p>One member of the Appeals Panel shall be from outside the University.</p> <p>One member of the Appeals Panel shall be an academic specialist in the general area within which the misconduct is alleged to have taken place (where allegations concern highly specialised areas of research, they should instead have specialised knowledge of the field).</p> <p>The Named Person will select one of the members of the Appeals Panel to act as its Chair</p>	

19.17 The Named Person will establish an Appeals Panel, whose appointment is discussed under 'Process'. At least one member of the Appeals Panel must be from outside the University. If an appeal encompasses the actions/ decisions of the Named Person, then their role in this stage will be taken by their designated alternate.

19.18 No individual involved in the Appeals Panel will have been involved at any stage previously. This includes the professional administrative support to the Appeals Panel.

19.19 The Chair of the Appeals Panel is responsible for keeping a full record of the work of the Appeals Panel and should be supported in this by the administrative and other support identified by the Named Person to assist the Panel.

20 [Annex 4: Record Keeping and Record Retention](#)

- 20.1 Records of investigations under this Procedure shall be held by the Research Services Office.
- 20.2 Complete records of the investigation and outcome will be retained for a period of six years from the date of closure of the investigation under this Procedure as per the [University Records Retention Schedule](#)
- 20.3 The Named Person, supported by the Research Officer, will be responsible for the retention of all reports, correspondence, transcripts of meetings and other documentation relating to the operation of this Procedure.
- 20.4 Confidential records will be maintained on all aspects, and during all stages, of the Procedure and minutes will be made of all formal meetings convened under the Procedure.
- 20.5 Records should be saved on a secure drive with access restricted to the Named Person and the Research Officer.
- 20.6 Records must be retained in accordance with the [University's records retention policy](#). After the retention period, organisations must retain anonymised summary information of investigations (i.e., of the sort which is reported in annual statements required by *The Concordat to Support Research Integrity*). Advice should be sought from Information Governance on this policy.
- 20.7 Records must only be retained beyond the normal retention period if:
- a) Their retention can be justified for statutory, regulatory, or legal reasons; and/or
 - b) The research project to which the records relate is still ongoing; and/or
 - c) The retention period of the research project to which the records relate is longer.
- 20.8 The Named Person will identify suitable administrative and other support to assist them and other persons responsible for the operation of this Procedure as set out in Annex 4.
- 20.9** Those selected to provide such support will confirm to the Named Person in writing (via email) that their participation involves no conflict of interest (seeking advice from the Named Person if unsure and that they will respect the confidentiality of the proceedings).