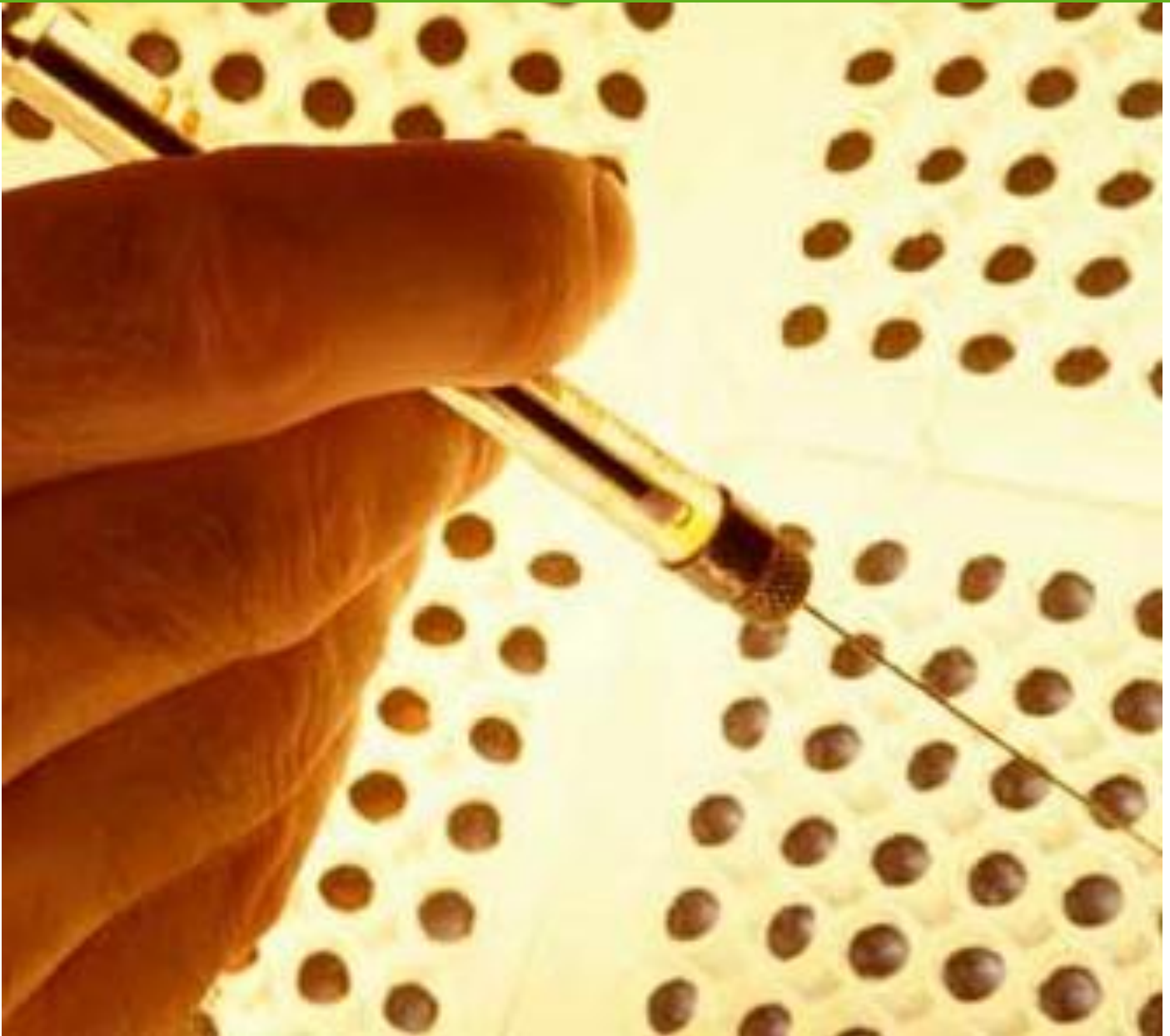


Research Misconduct Policy

Procedures for Investigating Allegations of Research Misconduct



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AGRI-FOOD & BIOSCIENCES INSTITUTE (AFBI)

RESEARCH MISCONDUCT POLICY

AND

PROCEDURES FOR INVESTIGATING ALLEGATIONS OF RESEARCH MISCONDUCT

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AGRI-FOOD AND BIOSCIENCES INSTITUTE (“AFBI”)

RESEARCH MISCONDUCT POLICY AND PROCEDURES FOR INVESTIGATING ALLEGATIONS OF RESEARCH MISCONDUCT

1. Standards of Behaviour in Research

- 1.1 All individuals carrying out research for AFBI have a duty to conduct the research in the most conscientious, responsible, ethical and publically accountable manner possible. They are expected to observe high standards of professional behaviour both in the practice and publication of research.
- 1.2 This policy applies to all AFBI employees, trainees, agency staff, independent consultants, contractors, research students and any other individuals conducting research within, on behalf of, in association or connection with AFBI.
- 1.3 All Heads of Division and AFBI staff members in leadership or supervisory positions are responsible for conveying clearly the standards for research in their relevant divisions, and for ensuring that those standards are adhered to as a matter of course. In addition, the receipt of funding from external bodies in many cases requires AFBI to observe particular standards of practice set out in guidelines published by such bodies. It is therefore essential that all researchers (whether AFBI employees or otherwise) are aware of their responsibility to observe these standards during their work.

2. Definition of Misconduct in Research

- 2.1 Misconduct in research can be defined as any practice or conduct which deviates from applicable research standards for proposing, conducting and publishing research constitutes research misconduct. AFBI have a zero tolerance policy on research misconduct and is therefore likely to render any member of staff liable to AFBI’s disciplinary procedures. In summary it recognises six broad categories:
 - a) the fabrication or falsification of research;
 - b) plagiarism, misquoting or misappropriation of the work of others;
 - c) unethical research methods;
 - d) fraud or other abuse of research funds;
 - e) unauthorized sharing of data or samples of material; and
 - f) staff responsibility for maintaining a standard of animal welfare.
- 2.2 Practical examples of research misconduct are set out as follows
 - Refusal or failure to obtain permission to conduct research
 - Deception in relation to research proposals

- Unethical behaviour in the conduct of research
 - Unauthorised use of data, information or materials which was acquired confidentially
 - Deviation from good research practice or health and safety standards, where this results in unreasonable risk of harm to humans, other animals or the environment
 - Fabrication, falsification or corruption of research data
 - Withholding of information to the detriment of the organisation
 - Distortion of research outcomes, by distortion or omission of data that do not fit expected results.
 - Dishonest misinterpretation of results
 - Publication of data known or believed to be false or misleading
 - Plagiarism, or dishonest use of unacknowledged sources
 - Misquotation or misrepresentation of other authors
 - Misappropriation of the intellectual property belonging to others
 - Inappropriate attribution of authorship
 - Inappropriate attribution of inventorship
 - Fraud or other abuse of research funds or research equipment
 - Attempting, planning or conspiring to be involved in research misconduct
 - Inciting others to be involved in research misconduct
 - Collusion in or concealment of research misconduct by others
- 2.3 Differences in interpretation, judgment or honest error do not constitute research misconduct.
- 2.4 The setting of standards of professional behaviour is not intended to compromise the freedom of researchers to question and test received wisdom or to put forward new ideas and controversial or unpopular opinions.

3. Is the Reporting of Alleged Misconduct in Research Encouraged?

3.1 AFBI is committed to ensuring that all allegations of research misconduct are investigated thoroughly, fairly and promptly.

3.2 AFBI takes seriously any allegations of research misconduct. Any individual raising genuine concerns can do so confidentially and without fear of victimisation, subsequent discrimination or disadvantage. However, AFBI views very seriously any false or malicious allegations which are made under this policy and will regard such allegations as a serious disciplinary offence.

4.0 How Should Concerns be Raised?

4.1 There are a number of ways to raise concerns.

Step one

If you have a concern, raise it first with your manager, Head of Branch or Head of Division. This may be done verbally or in writing but you are recommended to follow up any verbal disclosure in writing. If you want to raise the matter in confidence, you should confirm this at the outset so that appropriate arrangements can be made.

OR

Step two

If you feel unable to raise the matter with your manager and/or senior management, raise the matter with the Head of AFBI HR. Any person or organisation external to AFBI wishing to report suspected research misconduct should contact the Head of AFBI HR. If you want to raise the matter in confidence, you should confirm this at the outset so that appropriate arrangements can be made.

OR

Step three

If you have raised your concern with your manager and/or senior management or the Head of AFBI HR and you remain concerned, or if you feel that the matter is so serious that you cannot discuss it with your manager or senior management or the Head of AFBI HR, you should contact the Director of Finance and Corporate Affairs.

Will My Confidentiality be Assured?

4.2 You can raise a concern openly, confidentially or anonymously. If you raise a concern openly and in good faith, AFBI will ensure that you do not suffer any detriment or harassment as a result. If you raise a concern in confidence, your confidentiality will be protected as far as possible. However, it may not always

be possible to maintain confidentiality if to do so would impede the investigation. In such circumstances, AFBI will discuss this with you and, where possible, obtain your consent.

Can I Make an Anonymous Research Misconduct Disclosure?

4.3 While AFBI encourages you to openly raise your concerns, you can make a disclosure anonymously. AFBI will accept concerns raised anonymously and will consider acting on them depending on the circumstance. There are however a number of disadvantages of raising concerns anonymously, including:

- Detailed investigations may be more difficult, or even impossible, to progress if you choose to remain anonymous and cannot be contacted for further information.
- The information and documentation you provide may not easily be understood and may need clarification or further explanation.
- There is a chance that the documents you provide might reveal your identity.
- It may not be possible to remain anonymous throughout an in-depth investigation.

What Will Happen When I Raise a Research Misconduct Concern?

4.4 If you raise a research misconduct concern with your line manager and/or senior management the recipient will obtain as much detail as possible from you regarding your concern. The recipient shall, assisted by the relevant Head of Division where appropriate, identify any external funding sources for the research which is the subject of the complaint, and any external collaborators. All the information collated will be passed to the Head of AFBI HR as quickly as possible who will advise on the appropriate course of action and oversee the investigation into your concern.

4.5 Within 10 working days AFBI will:

- acknowledge receipt of your concern;
- notify you who will be investigating your concern;
- offer you the opportunity of a meeting (you can be accompanied by a Trade Union representative or a work colleague if you wish) to fully discuss the issue, so long as you have not submitted your concern in writing anonymously;
- respect your confidentiality where this has been requested. Confidentiality will not be breached unless required by law;
- take steps to ensure that you have appropriate support and advice;
- agree a timetable for feedback. If this cannot be adhered to, AFBI will let

you know;

- provide you with as much feedback as it properly can; and
- take appropriate and timely action against anyone who victimises you.

5.0 Investigation

- 5.1 Following agreement with the Director of Finance and Corporate Affairs and the relevant Head of Division the Head of AFBI HR shall, within five working days of the allegation being reported to him/her, appoint an investigation team which should consist of a minimum of two individuals who, have no conflicts of interest in the case, are unbiased, and have expertise to evaluate the appropriate research issues. Where feasible the investigation team shall consist of one staff member from the relevant Division in which the research activity in question has been conducted and one staff member from elsewhere within AFBI. The investigation team should keep proper records of their proceedings
- 5.2 The purpose of the investigation is to examine and evaluate all relevant facts to determine in respect of AFBI employees whether there are sufficient grounds for proceeding with the complaint under AFBI's disciplinary procedures. Where the alleged misconduct is in respect of research carried out for AFBI by an individual not employed by AFBI, the purpose of the investigation is to allow the Director of Finance and Corporate Affairs to determine whether any further action should be taken.
- 5.3 The Head of AFBI HR in conjunction with the relevant Head of Division shall, where necessary in terms of the funding conditions, notify any bodies which provide funding related to the research of the individual concerned of the ongoing investigation. The Head of AFBI HR in conjunction with the relevant Head of Division shall also notify any other body related to the research concerned if AFBI is contractually obliged to notify that body about the ongoing investigation. At the initial stages of the investigation such bodies should be informed that the allegations have not yet been fully investigated and that AFBI does not expect any funding body to suspend the grant or contract as adequate steps are taken to proceed with the investigation.
- 5.4 In the case of alleged misconduct by any individual not employed by AFBI, the relevant individual's employer should only be informed that an investigation is taking place if the misconduct relates to the research that the individual concerned is carrying out for AFBI and the individual is carrying out that research by virtue of his or her employment with that other employer. AFBI should also ensure that, by carrying out an investigation into the alleged misconduct, it complies with any contractual arrangements in place between AFBI and the employer of any individuals carrying out research for AFBI.
- 5.5 It is essential, until the conclusion of the investigation, to limit circulation of details of the allegations and investigations as far as possible. Any such

information must therefore only be disclosed subject to an undertaking of confidentiality from the recipient.

5.6 The investigation team shall determine its own detailed procedure to ensure that it is relevant to the nature of the allegation. Specifically, it will:

- interview the individual concerned and any other parties it chooses, including the initiator of the complaint and other members of the research group;
- widen the scope of its investigation if it considers that necessary, subject to keeping the individual concerned informed, in writing, of the increased scope of the investigation;
- require the individual concerned, and if it judges it necessary, other AFBI employees, to produce files, notebooks and other records;
- seek evidence from other parties.

5.7 The individual concerned must be given full opportunity to comment on the evidence gathered by the investigation team before the report is finalised. Where he or she is interviewed by the panel he or she should be informed that he or she may be accompanied by a member of the staff or a representative of a trade union

5.8 The investigation team shall submit a report in writing, within 20 working days of appointment of the investigation panel, to the Head of HR and the Director of Finance and Corporate Affairs. The report shall describe the investigative process and recommend whether there are sufficient grounds to commence disciplinary procedures. In addition, the panel can make recommendations on the future operation of these procedures. The outcome of the investigation shall be made known as quickly as possible to all relevant parties including the relevant Head of Scientific Division. This will also ensure any learning points from the case are effectively addressed.

5.9 The investigation carried out in terms of this procedure will be sufficient to meet the investigation required into misconduct under the disciplinary procedures. Thereafter, the disciplinary procedures should be followed to resolve the matter in relation to all AFBI employees.

5.10 The Head of AFBI HR and the Director of Finance and Corporate Affairs in liaison with the relevant Scientific Director will determine the nature of any further action to be taken regarding investigated misconduct in relation to any research carried out for AFBI by any individual not employed by AFBI. This may include advising the employer of the individual concerned of the findings of the investigation. Where no action is to be taken in relation to individuals not employed by AFBI, the Head of H R and the Director of Finance and Corporate Affairs in liaison with the relevant Scientific Director will take all appropriate steps to inform all parties previously notified of the alleged misconduct, of this outcome.

5.11 After completion of the disciplinary procedures, AFBI may, in addition to or

instead of any sanction to be imposed under those procedures convey the outcome of the disciplinary procedures to any relevant grant-awarding bodies or any other public body with any interest, the editors of any journals which have published articles by the person against whom the allegation has been upheld or any other body which, in the opinion of AFBI, is likely to be affected by the research misconduct in question. All such disclosure must be limited to misconduct upheld in relation to research relevant to such bodies or published by such journals.

- 5.12 If the allegation has not been upheld after completion of the disciplinary procedures, the Head of HR will take all appropriate steps to inform all parties previously notified of the alleged misconduct of the outcome of the disciplinary procedures. In the event that AFBI becomes aware that the allegations which have been investigated have become public, AFBI may consider taking reasonable steps to confirm the outcome of the disciplinary procedures to the parties concerned.
- 5.13 The timescale set out in these procedures are not binding upon AFBI and can be extended where reasonably required. The individual under investigation will be notified in writing of any such extension and the reason for it. Where any of the AFBI personnel named as having responsibilities under this procedure are absent or unavailable, their responsibilities may be delegated in their absence.

6.0 Appeals Mechanism

- 6.1 If a decision is to be appealed, this must be submitted in writing, setting out the grounds on which you are appealing within 10 working days from the date of the letter advising of that decision. Out of time appeals will not be accepted unless a reasonable and relevant explanation as to why the appeal was not submitted within the appeal deadline.
- 6.2 An appeal meeting should take place without unreasonable delay and normally no more than 10 working days after receipt of the appeal. This can be extended in exceptional circumstances. The date and time of the meeting should, where possible, be agreed and the appellant must take all reasonable steps to attend.
- 6.3 Appeals will be heard by the AFBI Chief Executive as the Appeals Officer. The role of the Appeal Officer is to consider the grounds set out in the appeal and to review the evidence relied upon by the original decision officer in making the decision and to decide if the relevant policy and procedures have been followed and applied fairly and reasonably. The Appeal Officer may reconvene or reschedule the meeting in the event of new information or evidence coming to light which requires further investigation.
- 6.4 Following the meeting a summary record will be prepared and copied to the appellant within 5 working days of the meeting.
- 6.5 A decision will normally be issued within 15 working days of the meeting date.
- 6.6 The Chief Executive as Appeal Officer can decide to uphold your appeal (in full or in part) or not uphold your appeal. In all cases, the Appeal Officer will state in

writing the reasons for the decision and any recommendations made.

6.7 The decision of the Appeal Officer is final and will conclude the internal appeal process.

7.0 Review

7.1 This policy will be reviewed every three years.