

Code of Conduct for Research Policy

Section 1 - Introduction

(1) This statement of the appropriate practices for the conduct of research was adopted by the University of New England in 2003 and replaces the 1997 policy of the same name. It is closely based on the Joint NHMRC/AVCC Statement and Guidelines on Research Practice (1997) which was the precursor of the current Australian Code for the Responsible Conduct of Research (Australian Government, National Health and Medical Research Council, Australian Research Council and Universities Australia, 2007).

(2) The nature of particular disciplines needs to be taken into account when interpreting the Code of Conduct for Research. For example, since in some disciplines research involves analysis of pre-existing data sets such as the results of a population census, multiple publications may be expected (see Paragraph 39). Similarly, in relation to the retention of data (see section 5), practical considerations of storage space, security, confidentiality, etc will need to be taken into account.

(3) As this Code complies with the principles set out in the UNE document Quality and Standards in Research Higher Degrees, reference should be made to this document. Reference should be made also to the Policy on Intellectual Property.

Section 2 - Preamble

(4) Research and the pursuit of truth are vital functions in higher education institutions. Central to the long established principles that guide research are the maintenance of high ethical standards, and validity and accuracy in the collection and reporting of data. The research community must always act responsibly towards the public, the professions, colleagues, students and other institutions.

(5) Communication between collaborators, maintenance of and reference to records, presentation and discussion of work at scholarly meetings, publication of results, including the important element of peer refereeing, and the possibility that investigations will be extended by other researchers, all contribute to the intrinsically self-correcting nature of research.

(6) The University of New England has established this Code of Conduct as a framework for sound research practices and for the guidance and protection of individual researchers (staff and students).

Section 3 - General ethical and safety considerations

(7) It is a basic assumption at the University of New England that researchers are committed to high standards of professional conduct. Researchers have a duty to ensure that their work enhances the good name of the University and the discipline to which they belong.

(8) Researchers should participate only in work which conforms to accepted ethical and safety standards and which they are competent to perform. Where a researcher is in doubt about this Code of Conduct, advice should be sought

from the relevant institutional ethics and safety committees. In particular, researchers should refer to:

- a. the "Code of Practice Covering the Welfare of Non-Human Vertebrate Animals Used for Research and Teaching" issued by the Animal Ethics Committee;
- b. the "Human Research Ethics Committee Guidelines" issued by the Human Research Ethics Committee; and
- c. the UNE Occupational Health and Safety Policy.

(9) Reference should also be made to codes of conduct of various disciplinary and professional associations.

(10) Any special standards of work performance and ethical conduct imposed by law, by guidelines of regulatory agencies or by the University of New England in relation to particular types of research are to be observed.

(11) If data of a confidential nature are obtained, e.g. from individual patient records or from questionnaires, confidentiality must be observed and researchers must follow guidelines laid down by the relevant ethics committees. In general, research results and methods should be open to scrutiny by colleagues within the University, and, through appropriate publication, by the profession at large. Secrecy may be necessary for a limited period in the case of contracted research or of non-contractual research which is under consideration for patent protection.

Section 4 - Principles

Statement of Guiding Principles

(12) This Code of Conduct ("the Code") prescribes standards of work performance and ethical conduct expected of all persons (staff and students) engaged in research in the University of New England ("the University") based upon the following guiding principles:

(13) Researchers have an obligation to achieve and maintain the highest standards of intellectual honesty in the conduct of their research;

(14) Researchers should, in all aspects of their research:

- a. demonstrate integrity and professionalism;
- b. observe fairness and equity;
- c. avoid real or apparent conflicts of interest; and
- d. ensure the safety of those associated with the research;

(15) Research methods and results should usually be open to scrutiny and debate by other researchers and through publication, by the profession;

(16) As a general principle research findings should not be reported in the public media before they have been reported to a research audience of experts in the field of research, except where there is a contractual arrangement;

(17) It is acknowledged that where issues of public policy and concern make prior advice desirable, such advice must be tendered first to the public or professional authorities responsible, and the unreported status of the findings must be advised at the same time. Only where responsible authorities fail to act can prior reporting to the media be justified, and again the unpublished status of the findings must be reported at the same time;

(18) Where this is private reporting of research that has not yet been exposed to peer- review scrutiny, especially when it is reported to prospective financial supporters, researchers have an obligation to explain fully the status of the work and the peer- review mechanisms to which it will be subjected.

(19) Researchers must be aware of and adhere to ethical principles of justice and veracity, and of respect for people and their privacy and avoidance of harm to them, as well as respect for non-human subjects of research;

(20) Where research procedures are of a kind requiring approval by the Human or Animal Ethics Committees of the University, or by other validly constituted regulatory committees, research must not proceed without such approval;

(21) All reasonable steps must be taken to ensure that published reports, statistics and public statements about research activities and performance are complete, accurate and unambiguous.

Observance of the Code

(22) Researchers must familiarise themselves with the Code and ensure that its provisions are observed.

Breach of the Code

(23) Failure to comply with the provisions of the Code may be a ground for disciplinary action.

Advice

(24) Researchers have an obligation when in doubt to obtain advice on integrity in research from their Head of School, the School or Centre, or the Dean of their Faculty.

Section 5 - Specific requirements

Data Storage and Retention

(25) Data must be recorded in a durable form with appropriate references.

(26) On each occasion that research is made public, the forms 'Statement of Authorship' and 'Location of Data' must be filled out, signed and lodged with the Head of School of which the principal researcher is a member. If, for any reason, one or more co-authors are unavailable or otherwise unable to sign the statements, the Head of School may sign on their behalf, noting the reason for their unavailability. Heads of Schools must keep copies of these statements in their School files.

(27) Data must be retained intact for a period of at least five years from the date of any relevant publication, but for specific types of research such as clinical research up to 15 years is suggested. Wherever possible, original data must be retained in the research unit or School in which they were generated.

(28) A research unit or school must establish procedures for retention of data and researchers must comply with these retention procedures. Where appropriate, confidentiality provisions should be applied (see Paragraph 41).

(29) Data related to publications are to be made available for discussion with other researchers, except where confidentiality provisions prevail (see Paragraph 41).

(30) When the data are obtained from limited access data-bases, or via a contractual agreement, written indication of the location of the original data (through the 'Location of Data' form), or key information regarding the data-base from which it was collected, must be retained by the researcher and the Head of School.

(31) Researchers must be responsible for ensuring appropriate security for any confidential material, including that held in computing systems. Where computing systems are accessible through networks, particular attention to security of confidential data is required. Security and confidentiality must be assured in a way that copes with multiple researchers and the departure of individual researchers.

Publication and Authorship

(32) A publication must contain appropriate reference to the contributions made by all participants in the relevant research.

(33) On each occasion that research is made public, the forms 'Statement of Authorship' and 'Location of Data' must be filled out, signed and lodged with the Head of the School of which the principal researcher is a member. If, for any reason, one or more co-authors are unavailable or otherwise unable to sign the statements, the Head of School may sign on their behalf, noting the reason for their unavailability. Heads of Schools must keep copies of these statements in the school files. The forms are appended to Appendix B: UNE Code of Conduct for Research.

(34) Authorship is defined as substantial participation, where all the following conditions are met:

- a. conception and design, or analysis and interpretation of data:
- b. drafting the article or revising it critically for important intellectual content; and
- c. final approval of the version to be published.

(35) An author's role in a research output must be sufficient for that person to take public responsibility for at least part of the output in that person's area of expertise. No person who is an author, consistent with this definition, must be excluded as an author without their permission in writing.

(36) A person who has not participated in conceiving, executing or interpreting at least part of the relevant research is not to be included as an author of a publication derived from that research. Participation solely in the acquisition of funding or the collection of data does not justify authorship. General supervision of the research group is not sufficient for authorship.

(37) Where there is more than one co-author of a research output, one co-author (by agreement amongst the authors) should be nominated as responsible or principal author for the whole research output, and should take responsibility for record- keeping regarding the research output.

(38) Contributions to research made by any persons which are insufficient for them to be included as authors should be recognised in any publication derived from that research. Convention demands that individuals and organisations providing facilities should also be acknowledged. Publications must include information on the sources of financial support for the research. Financial sponsorship that carries an embargo on such naming of a sponsor should be avoided.

(39) A publication which is substantially similar to another publication derived from the same research must contain appropriate reference to the other publication.

(40) A researcher who submits substantially similar work to more than one publisher should disclose that fact to the publishers at the time of submission.

(41) Confidentiality provisions relating to publications may apply in circumstances where the University or the researchers have made or given confidentiality undertakings to third parties or confidentiality is required to protect intellectual property rights. It is the obligation of the researchers to enquire at an early stage as to whether confidentiality provisions apply and of the Head of School to inform researchers of the obligations with respect to these provisions.

Supervision

(42) Each research unit or School must adopt guidelines for supervision of research in accordance with requirements prescribed from time to time by the Academic Board.

(43) A research supervisor must observe and undertake the responsibilities set out in these guidelines.

(44) A person must decline appointment as a research supervisor unless that person expects to be able to discharge the responsibilities set out in these guidelines.

Conflict of Interest

(45) A researcher must make full disclosure of a real or possible conflict of interest in research to the relevant Dean, as soon as reasonably practicable after the conflict arises.

(46) A researcher must comply with a direction made by the relevant Dean in relation to a real or possible conflict of interest in research.

(47) Researchers have an obligation to disclose at the time of reporting or proposing research any conflict of interest which has the potential to influence research and investigations, publication and media reports, grants applications, applications for appointment and promotion. They also have an obligation to disclose any conflict of interest to editors of journals, to the readers of the published works, and to internal and external bodies from which funds are sought.

Section 6 - Additional requirements

(48) Any special standards of work performance and ethical conduct imposed by law or by the University in relation to particular categories of research are deemed to be included in this Code in its application to persons engaged in that research in the University.

(49) Researchers must list their publications and must make a declaration that they have complied with the provisions of the Code as part of their annual reporting requirements.

Section 7 - Research misconduct

(50) "Research Misconduct" is taken here to mean fabrication, falsification, plagiarism, or other practices that seriously deviate from those that are commonly accepted within the academic community for proposing, conducting, or reporting research. It does not include honest errors or honest differences in interpretation of judgements of data. Misconduct in research is constituted by a failure to comply with the provisions of the Code and, without limiting the generality of this section, includes:

- a. the fabrication or falsification of data;
- b. plagiarism, which shall be understood to mean the presentation of the documented words of another as his or her own, without attribution appropriate for the medium of presentation;
- c. using any information in breach of any duty of confidentiality associated with the review of any manuscript or grant application;
- d. intentionally omitting reference to the relevant published work of others for the purpose of inferring personal discovery of new information;
- e. misleading ascription of authorship to a publication including the listing of authors without their permission;
- f. attributing work to others who have not in fact contributed to the research;
- g. the lack of appropriate acknowledgment of work primarily produced by a research student/trainee or associate;
- h. interference with any research-related property of another person, including without limitation the apparatus, reagents, biological materials, writings, data, hardware, software, or any other substance or device used or produced in the conduct of research;
- i. misrepresentation as in stating or presenting a material or significant falsehood; and

- j. misrepresentation as in omitting a fact so that what is stated or presented as a whole states or presents a material or significant falsehood.

(51) Deliberate inclusion of inaccurate or misleading information relating to research activity in curriculum vitae, grant applications, job applications or public statements, or the failure to provide relevant information, is a form of research misconduct.

Section 8 - Procedures for dealing with allegations of research misconduct

Complaint

(52) Complaints of misconduct in research matters should be made to the Pro Vice-Chancellor Research.

(53) The Pro Vice-Chancellor Research. shall advise the Vice-Chancellor that a complaint has been received, as soon as is practicable, and shall advise the Vice-Chancellor on the substance of the complaint.

(54) Where the Vice-Chancellor is satisfied that a complaint constitutes an allegation of serious misconduct under the Universities and Post Compulsory Academic Conditions Award 1995 ("the award"), in the case of staff, or the University of New England General Rules and/or Student Conduct Rules ("the rules"), in the case of students, the Vice-Chancellor must deal with the allegation in accordance with the relevant provisions of the award or the rules, as appropriate.

(55) Where the Vice-Chancellor is satisfied that a complaint constitutes an allegation of misconduct under the Code but does not constitute an allegation of serious misconduct under the award or the rules, the Vice-Chancellor must appoint a committee consisting of a person or persons with appropriate qualifications to undertake an enquiry into the complaint.

(56) Where the Vice-Chancellor is satisfied that a complaint cannot be sustained, the Vice-Chancellor must dismiss the complaint and inform the person making the complaint accordingly.

(57) Where the Vice-Chancellor is satisfied that there is no reasonable basis for a complaint, the Vice-Chancellor must determine whether it is appropriate to take disciplinary action against the person making the complaint.

Enquiry

(58) An enquiry established under Paragraph 45 of the Code must be completed as expeditiously, and with such confidentiality, as the circumstances of the complaint permit.

(59) The Vice-Chancellor must inform the person who is the subject of the complaint of the terms of the complaint, the decision to undertake an enquiry, and the committee appointed to undertake the enquiry.

(60) The Vice-Chancellor must also provide the person who is the subject of the complaint with an opportunity to respond in writing to the complaint within thirty days of notification, and an opportunity to make oral submissions to the committee of enquiry.

(61) The committee appointed to undertake an enquiry must advise the Vice-Chancellor whether, in their opinion, the person who is the subject of the complaint is guilty of misconduct. The committee will act in such a way as to protect the interests of all interested parties, including but not limited to:

- a. a person bringing an allegation;

- b. a person against whom an allegation is made;
- c. staff, students and trainees working with persons making an allegation, or with persons against whom an allegation is made;
- d. journals and other media reporting research subject to suspected, alleged, or found research misconduct;
- e. funding bodies supporting persons or research involved: and
- f. the public.

(62) The Vice-Chancellor must inform the person who is the subject of the complaint and the person making the complaint of the finding of the committee appointed to undertake the enquiry.

(63) Where the committee appointed to undertake an enquiry is satisfied that the person who is the subject of the complaint is guilty of misconduct, the Vice-Chancellor must determine whether it is appropriate to take disciplinary action against that person.

(64) Where the committee appointed to undertake an enquiry is satisfied that there is no basis for a complaint, the Vice-Chancellor must determine whether it is appropriate to take disciplinary action against the person making the complaint.

(65) If research misconduct is found to have occurred, such misconduct must be reported to any funding agency that funded work in respect of which the misconduct occurred, or which is currently supporting the person found to have engaged in research misconduct. Such misconduct must also be reported to journals and other media through which the research in question was reported.

(66) If persons subject to a complaint of research misconduct resign or have resigned from the University, the committee appointed to undertake an enquiry must continue or undertake any such investigation to establish the facts of the matter in which research misconduct is alleged to have occurred. Distortions of the research record must be rectified, whether or not the persons involved remain in the University.

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