

# Code of Conduct for Research Rule

## Section 1 - Overview

(1) The University of New England is committed to maintaining a strong research culture based on integrity and professional conduct. It has developed the University of New England [Code of Conduct for Research Rule](#) (UNECCR) as a framework for high quality research practices, for the guidance and protection of individual researchers (staff and students) and to outline the processes for dealing with research misconduct. The [Code of Conduct for Research Rule](#) is based on the [Australian Code for the Responsible Conduct of Research 2007](#) (ACRCR), developed by the Australian Government, the National Health and Medical Research Council, the Australian Research Council and Universities Australia. It addresses the regulatory requirements established under the [Tertiary Education Quality and Standards Agency Act](#) 2011 through the Higher Education Standards Framework. The UNECCR and the ACRCR are referred to below as 'the Codes'.

(2) The UNECCR must be read in conjunction with other relevant policies and guidelines as outlined in this document. It is subject to legislative requirements and the terms of relevant UNE staff enterprise agreements. Where there are any inconsistencies between the UNECCR and legislation or the enterprise agreements, the legislation and enterprise agreements take precedence.

## Section 2 - Scope

(3) The UNECCR applies to all UNE Representatives and Students who carry out Research under the auspices of UNE, i.e. as part of their association with, employment by, and/or enrolment at UNE.

(4) The definition includes theses and dissertations but excludes coursework units.

## Section 3 - Rule

### General Principles for Responsible Research

(5) UNE is committed to promoting responsible Research by:

- a. providing a safe working environment in which research may be conducted;
- b. providing a research governance framework which promotes compliance with all guidelines, legislation and University policies and procedures, relating to the ethical and professional conduct of research;
- c. providing induction and ongoing training opportunities for research staff and students;
- d. encouraging mutual cooperation with open exchange of ideas between peers and respect for freedom of expression and inquiry;
- e. supporting research mentorship.

(6) Support for the responsible conduct of research at UNE is provided through UNE's research governance framework.

(7) The research governance framework assesses the quality, safety, privacy, risk management, financial management and ethical acceptability of research at UNE. It includes:

- a. the roles, responsibilities and accountabilities of the University, research staff and research trainees;
- b. legislative requirements, policies, guidelines and procedures for responsible research;
- c. pathways for establishing responsible research practice at UNE, collaboration with other organisations, and engagement with the broader community as potential end-users of research;
- d. compliance requirements through relevant offices in Research Services and through relevant UNE committees;
- e. the processes for the receipt and management of allegations of breaches of the Codes and research misconduct.

(8) Researchers should be advised during their induction process about the requirements of the ACRCR and the UNECCR and other relevant policies and guidelines, including those of bodies from which they are receiving research funds.

(9) Researchers are expected to foster and maintain a research environment of intellectual honesty and integrity, with scholarly and scientific rigour, by:

- a. respecting the views and rights of those affected by their research;
- b. managing conflicts of interest so that ambition and personal advantage do not compromise ethical or scholarly considerations;
- c. adopting methods appropriate for achieving the aims of each research proposal;
- d. following legislative and policy requirements for proper practices for safety and security;
- e. citing awards, degrees conferred and research publications accurately, including the status of any publication, such as under review or in press;
- f. reporting and disseminating research findings responsibly;
- g. promoting the application of, and avoiding departures from, the Codes;
- h. reporting perceived breaches or perceived research misconduct in a timely manner.

(10) Researchers must meet national standards for ethical research practice:

- a. Researchers working with human participants must ensure that they obtain approval from the UNE Human Research Ethics Committee (HREC) and adhere to the requirements of the National Statement on Ethical Conduct in Human Research 2007 (<http://www.nhmrc.gov.au/guidelines/publications/e72> ).
- b. Researchers working with issues affecting Aboriginal and/or Torres Strait Islander people must ensure that, in addition to meeting the requirements under 6 e) i they adhere to the requirements of the Values and Ethics: Guidelines for Ethical Conduct in Aboriginal and Torres Strait Islander Health Research (<http://www.nhmrc.gov.au/guidelines/publications/e52> ) and Australian Institute for Aboriginal and Torres Strait Islander Studies' Guidelines for Ethical Research in Indigenous Studies (<http://www.aiatsis.gov.au/research/docs/ethics.pdf> ).
- c. Researchers working with vertebrate and higher invertebrate animals must ensure that they obtain approval from the UNE Animal Ethics Committee and adhere to the requirements of the Australian Code of Practice for the Care and Use of Animals for Scientific Purposes (<http://www.nhmrc.gov.au/guidelines/publications/ea28> ).

(11) Researchers should conduct their research so as to show consideration for the wider community, with reference to the Statement on Consumer and Community Participation in Health and Medical Research (NHMRC and Consumers' Health Forum of Australia Inc, 2002), and the environment.

## **Management of Research Data, Materials and Publications**

(12) During and after the completion of the relevant research, researchers must comply with the [State Records Act 1998](#) as reflected in UNE policies and procedures pertaining to the management of research materials and data, including:

- a. [Management and Storage of Research Data and Materials Policy](#);
- b. [Research UNE Deposit, Collection and Access Rule](#);
- c. Hazardous Substances Policy;
- d. [Knowledge Assets and Intellectual Property Policy](#);
- e. [Open Access to UNE Research Publications and Data Policy](#) and Procedures.

## **Supervision of Research Trainees**

(13) The definition of the term 'research trainee' provided in the Definitions section of these rules is consistent with the concept used in the ACRCR and the Australian Government's Research and Research Training Standards.

(14) UNE requires that:

- a. all research trainees have appropriately qualified and trained supervisors who will mentor them and provide research leadership;
- b. all research trainees receive induction and training in ethics, WH&S, definition and status of intellectual property, environmental protection and any additional matter specific to the particular field of research;
- c. all research trainees be encouraged to be familiar with the ACRCR, this Code, relevant legislation, guidelines, policies and procedures relating to meeting the requirements of responsible research;
- d. supervisors and higher degree research students comply with the University's requirements as provided in the relevant higher degree research policies;
- e. all supervisors are responsible for ensuring that their research trainees produce valid and accurate research and ensure appropriate acknowledgement of the work of other researchers;
- f. all research trainees are responsible for seeking guidance to ensure that they meet the requirements for the responsible conduct of research.

(15) The requirements in this Code relating to supervision of research trainees at Point 3 may also be relevant to certain Masters and Honours degrees not under the higher degree research (HDR) category when, for example, ethics approval is required for their research.

## **Publication and Dissemination of Research Findings**

(16) UNE promotes the responsible publication and dissemination of research findings with the expectation that:

- a. all parties to the research (e.g. sponsors, researchers, students and participants) are informed of the nature and scope of confidentiality agreements;
- b. researchers and, where necessary, research sponsors, are informed about the UNE [Knowledge Assets and Intellectual Property Policy](#);
- c. researchers are aware of contractual arrangements that may restrict, delay or limit publication;
- d. research sponsors are informed about the importance of publication in research so that publication is not delayed beyond the time needed to protect intellectual property and other relevant interests;
- e. researchers are assisted in communicating research findings consistent with the UNE [Media Policy](#);
- f. researchers are supported in making their research publications openly accessible, consistent with the [Open Access to Research Publications and Data Policy](#), through Research UNE;
- g. the reporting of research results for publicity purposes gives proper acknowledgment of partner institutions and sponsors involved in collaborative research.

(17) Researchers are required to meet their responsibility to colleagues and the wider community by:

- a. providing a complete and accurate account of their findings, taking all reasonable steps to ensure that they are

- accurately reported, and correcting the record as soon as possible if they become aware of misleading or inaccurate statements about their findings;
- b. ensuring that any restrictions on publications due to Knowledge Assets, intellectual property, cultural sensitivity or legal constraints relating to sponsorship are taken into account;
- c. providing research participants and those parties directly impacted by the research, where appropriate, e.g. in certain health and medical research, with a summary of their research results (with reference to the NHMRC Statement on Consumer and Community Participation in Health and Medical Research, <http://www.nhmrc.gov.au/guidelines/publications/r22-r23-r33-r34> ) prior to its release through the popular media;
- d. citing other relevant work accurately and appropriately and observing moral rights obligations;
- e. appropriately acknowledging the contributions made by all participants in and sponsors of the research, including financial and in-kind contributions from the host and/or other institutions;
- f. appropriately identifying and acknowledging any conflicts of interest relevant to the research or the publication of the research findings;
- g. giving consideration to making their research outputs available free or at low cost in accordance with open access principles;
- h. providing details of their research publications to Research UNE;
- i. disclosing to publishers at the time of submission, when submitting substantially similar work to more than one publisher;
- j. taking all reasonable steps to obtain permission from the original publisher before copying and republishing research findings.

## Authorship

(18) UNE requires that researchers comply with its [Authorship Rule](#), ensuring that:

- a. collaborating researchers agree on Authorship of a publication;
- b. all people, including research trainees, who meet the criteria for Authorship are offered authorship and anyone declining the offer does so in writing;
- c. Authorship is not offered to those who do not meet the criteria as set out under Definitions.

## Peer Review

(19) UNE encourages its researchers to take part in the peer review process, as reviewers and subjects of review in research, research performance and management:

- a. in the assessment of grant applications;
- b. in the assessment of materials for publication;
- c. in research performance reviews;
- d. in staff selection and promotion processes.

(20) UNE expects that participants in peer review:

- a. understand and comply with the criteria of the review;
- b. are suitably qualified with appropriate expertise to participate in the review;
- c. are fair and timely in their review;
- d. maintain confidentiality of content and outcome of the process;
- e. declare all conflicts of interest, and avoid the influence of any personal prejudice and/or any irrelevant considerations in the process;

- f. do not take undue or calculated advantage of knowledge obtained during the peer review process;
- g. give proper consideration to research that challenges or changes accepted ways of thinking.

(21) UNE stipulates that researchers whose work is undergoing peer review must not seek to influence the process or outcome.

(22) UNE encourages supervising researchers to assist research trainees to develop the necessary skills for peer review.

## **Conflict of Interests**

(23) In accordance with integrity and good research practice, UNE requires that its staff members comply with the UNE [Conflicts of Interests Policy](#) and the [Conflicts of Interest Procedures](#) and that all perceived conflicts of interest are disclosed, recorded and managed appropriately. This policy should be read as applying to all researchers at UNE, and to the particular circumstances relating to research, including collaborative research with other institutions.

(24) Researchers at UNE are required to:

- a. maintain records of activities that may lead to conflicts (e.g. consultancies, membership of committees and boards of directors) and ensure that other activities are not impacted by these;
- b. disclose the existence, but not necessarily the details, of any actual or potential conflicts of interest as soon as they become apparent to relevant personnel.

## **Collaborative Research Across Institutions**

(25) For the purposes of this Rule, collaboration across institutions is not restricted to other higher education institutions.

(26) UNE supports and encourages collaborative research within and outside Australia, where and when it is appropriate, and where there is a formal agreement that agreement follows the principles of the UNE [Collaborative Research Rule](#).

## **Breaches of the Code and Research Misconduct**

(27) This Code recognises a difference between a 'breach' and 'research misconduct' as identified under Definitions.

(28) Failure to comply with this Code may be grounds for disciplinary action, depending upon whether the failure is considered to be a technical breach or research misconduct.

(29) Where complaints or allegations are made which relate to human or animal ethics, those matters must be referred in the first instance to the Chair of the Human Research Ethics Committee or Animal Ethics Committee, respectively.

(30) Other complaints or allegations about the conduct of staff or Students with respect to research will be managed consistent with the [Research Related Complaints and Allegations Procedures](#), its associated procedures and the relevant staff enterprise agreements or the relevant higher degree research Student conduct procedures.

## **Rule Administration**

(31) Substantive amendment or revision of this Code must be approved by the Vice-Chancellor and Chief Executive Officer.

(32) Records Management

- a. Actions relating to the implementation of this Code must be recorded and lodged with the University's Records Management Office.
- b. Actions relating to breaches of this Code and/or research misconduct must be identified and treated as confidential information for its lodgement with the Records Management Office.

## Quality Assurance

(33) The Academic Board will monitor the effectiveness of this Code through:

- a. benchmarking the University's standards with those adopted elsewhere;
- b. information available from the review of records relating to the Code's implementation.

## Authority and Compliance

(34) The Vice-Chancellor and Chief Executive Officer, pursuant to Section 29 of the [University of New England Act](#), makes this University Rule.

(35) University Representatives and Students must observe it in relation to University matters.

(36) The Rule Administrator, the (Deputy Vice-Chancellor Research), is authorised to make procedures and guidelines for the operation of this Rule. The procedures and guidelines must be compatible with the provisions of this Rule.

(37) This Rule operates as and from the Effective Date.

(38) Previous policy on the Code of Conduct for Research and related documents are replaced and have no further operation from the Effective Date of this new Rule.

(39) Notwithstanding the other provisions of this Rule, the Vice-Chancellor and Chief Executive Officer may approve an exception to this Rule where the Vice-Chancellor and Chief Executive Officer determines the application of the Rule would otherwise lead to an unfair, unreasonable or absurd outcome. Approvals by the Vice-Chancellor and Chief Executive Officer under this clause must be documented in writing and must state the reason for the exception.

# Section 4 - Definitions

For the purposes of this document the following definitions apply.

(40) Allegation is defined as: a claim or assertion that someone has done something illegal or wrong, typically one made without proof (<http://oxforddictionaries.com/definition/english/allegation?q=allegation> ).

(41) Breaches of the Code are actions or omissions that are a violation of the Code, but are lacking intent, deliberation, recklessness or negligence, and serious consequences associated with research misconduct.

(42) Complaint is defined as a statement that something is unsatisfactory or unacceptable (<http://oxforddictionaries.com/definition/english/complaint> ).

(43) Moral rights has the same meaning as in the Copyright Act 1968 (Cth) - SECT 189:

- a. in relation to an author:
  - i. a right of attribution of authorship, or
  - ii. a right not to have authorship falsely attributed, or
  - iii. a right of integrity of authorship;
- b. in relation to a performer:

- i. a right of attribution of performership, or
- ii. a right not to have performership falsely attributed, or
- iii. a right of integrity of performership.

(44) Plagiarism is defined as: intentionally or unintentionally using the work of other persons, copying (in whole or in part) the work or data of other persons, or paraphrasing closely or presenting substantial extracts from written, printed, electronic or other media without due acknowledgement.

(45) Research Misconduct is different from a simple breach of the Code as it involves:

- a. all three of the following:
  - i. technical breach of the Code;
  - ii. intent and deliberation, recklessness or gross and persistent negligence;
  - iii. serious consequences, such as false information on the public record, or adverse effects on research participants, animals or the environment (Section 10, Australian Code for the Responsible Conduct of Research, 2007).
- b. Research Misconduct may include, but is not limited to:
  - i. misappropriation of data;
  - ii. an undeclared conflict of interest;
  - iii. fabrication or falsification of data;
  - iv. plagiarism;
  - v. breach of confidentiality;
  - vi. failure to observe human or animal ethics;
  - vii. intentionally omitting reference to the relevant published work of others for the purpose of implying personal discovery of new information;
  - viii. deliberately misleading ascription or attribution of authorship;
  - ix. lack of appropriate acknowledgment in contribution to work;
  - x. misrepresentation through statement or omission resulting in the presentation of a material or significant falsehood;
  - xi. interference with any research related property or data of another person;
  - xii. deliberate inclusion of inaccurate or misleading information, or the failure to provide relevant information, relating to research activity in curriculum vitae, grant applications, job applications or public statement.
- c. Research Misconduct does not include honest errors or honest differences in interpretation or judgements of data.

(46) Research Trainee means any higher degree research (HDR) student (whose degree is comprised of at least two-thirds research), a postdoctoral research fellow or an early career researcher (within 5 years of obtaining PhD).

(47) UNE Act means the [University of New England Act 1993 No 68 \(NSW\)](#) .

## Status and Details

<b>Status</b>	Historic
<b>Effective Date</b>	3rd August 2015
<b>Review Date</b>	7th July 2018
<b>Approval Authority</b>	Academic Board
<b>Approval Date</b>	7th July 2015
<b>Expiry Date</b>	22nd June 2019
<b>Unit Head</b>	Chris Armstrong Deputy Vice-Chancellor Research
<b>Author</b>	Heiko Daniel
<b>Enquiries Contact</b>	Office of the Deputy Vice-Chancellor (Research) +61 2 6773 3715

## Glossary Terms and Definitions

**"UNE Representative"** - Means a University employee (casual, fixed term and permanent), contractor, agent, appointee, UNE Council member, adjunct, visiting academic and any other person engaged by the University to undertake some activity for or on behalf of the University. It includes corporations and other bodies falling into one or more of these categories.

**"Student"** - Is an admitted student or an enrolled student, at the relevant time: 1. an admitted student is a student who has been admitted to a UNE course of study and who is entitled to enrol in a unit of study or who has completed all of the units in the UNE course of study; 2. an enrolled student is a student who is enrolled in a unit of study at UNE.

**"Authorship"** - Authorship is defined as substantial contributions in a combination of the following: conception and design of the project; analysis and interpretation of research data; and drafting significant parts of the work or critically revising it so as to contribute to the interpretation.

**"Research"** - Is the creation of new knowledge and/or the use of existing knowledge in a new and creative way so as to generate new concepts, methodologies, inventions and understandings. This could include synthesis and analysis of previous research to the extent that it is new and creative. (Defined by the Australian Research Council)

**"Effective Date"** - means the Rule/Policy takes effect on the day on which it is published, or such later day as may be specified in the policy document.

**"University Representative"** - University Representative means a University employee (casual, fixed term and permanent) contractor, agent, appointee, UNE Council member, adjunct, visiting academic and any other person engaged by the University to undertake some activity for or on behalf of the University. It includes corporations and other bodies falling into one or more of these categories.