UNIVERSITY OF BIRMINGHAM

Archived Legislation

This is an archived version of the legislation current for the Session 2007-08. It is no longer current. Current legislation can be found at www.as.bham.ac.uk/legislation.

Please use documents found there rather than archived documents.

8. Code of Conduct for Research

1. Principles

1.1 Statement of Guiding Principles

This Code of Conduct ('the Code') prescribes standards of work performance and ethical conduct expected of all persons engaged in research in The University of Birmingham ('the University') based upon the following guiding principles:-

a. Research involves, inter alia, the pursuit of truth in furtherance of the advancement of knowledge.
b. Research workers should, in all aspects of their research-
    i. demonstrate integrity and professionalism,
    ii. observe fairness and equity,
    iii. avoid, or declare, conflicts of interest,
    iv. ensure the safety of those associated with the research,
    v. observe all legal and ethical requirements laid down by the University or other bodies properly laying down such requirements.
c. Research methods and results should, subject to appropriate confidentiality in relation to personal or commercially protected information, be open to scrutiny and debate.

1.2 Observance of the Code

Teaching staff, research workers and research students must familiarise themselves with the Code and ensure that its provisions are observed. Heads of School have a general responsibility to seek to ensure general compliance with the Code in their Schools. The University will draw attention to the Code of Conduct in its induction processes for newly appointed researchers and research students. Supervisors of students involved in research will seek to ensure compliance with the Code on the part of students.

1.3 Breach of the Code

Failure to comply with the provisions of the Code may be grounds for a disciplinary action.

1.4 Advice

Where a research worker is in doubt about the applicability of provisions of the Code, or about the appropriate course of action to be adopted in relation to it, advice should be sought from a member of the Joint Ethics and Research Governance Committee of the Council and Senate. A member of the Joint Ethics and Research Governance Committee should provide this advice on a confidential basis.

2. Specific Requirements

2.1 Research Data

a. Research data must be recorded in a durable and auditable form, with appropriate references so that it can readily be recovered.
b. Research data must be retained intact normally for a period of at least five years from the date of any publication which is based upon it.
c. It is the duty of the principal investigator in any research project to comply with the Data Protection Act, and to ensure that copyright is not breached.
d. Specific arrangements should be made to protect the security of research data where there is a contractual requirement to do so.
e. A research unit, department or School must establish procedures for retention of research data in a form which would enable retrieval by a third party, subject to any limitation imposed by the confidentiality of personal data.
f. Research workers must comply with these retention procedures.
g. Research data related to publications should be available for discussion with other research workers, except where confidentiality provisions prevail.
h. Confidentiality provisions relating to publications may apply in circumstances where the University or the research worker has made or given confidentiality undertakings to third parties or confidentiality is required to protect intellectual property rights. It is the obligation of the research worker to enquire as to whether confidentiality provisions apply and of the head of unit, department or School to inform research workers of the obligations with respect to these provisions.

2.2 Publications

a. A publication must contain appropriate reference to the contributions made by all participants who have made what might reasonably be regarded as a significant contribution to the relevant research.
b. Any person who has participated in a substantial way in conceiving, executing or interpreting at least part of the relevant research should be given the opportunity to be included as an author of a publication derived from that research.
c. Any person who has not participated in a substantial way in conceiving, executing or interpreting at least part of the relevant research should not be included as an author of a publication derived from that research.
d. In addition to meeting the requirements of paragraph 2.2(b), an author must ensure that the work of research students, research staff and support staff is recognised in a publication derived from research to which they have made a significant contribution as defined in 2.2(a) above.
e. A publication which is substantially similar to another publication derived from the same research must contain appropriate reference to the other publication.
f. A research worker who submits substantially similar work to more than one publisher should disclose that fact to the publishers at the time of submission.

2.3 Supervision of Research Programmes/Projects

a. Each research unit, department or School must adopt guidelines for supervision of research programmes/projects in accordance with any requirements which may be prescribed from time to time by the Senate or delegated authority.
b. A supervisor of research programmes/projects must observe and undertake the responsibilities set out in these guidelines.
c. A person must decline appointment as a supervisor of a research programme/project unless that person expects to be able to discharge the responsibilities set out in the guidelines.

2.4 Conflict of Interest

a. A research worker must make full disclosure of any personal potential or actual conflict of interest in research. Conflict of interest means any personal or close family affiliation or financial involvement with any organisation sponsoring or providing financial support for a project undertaken by a research worker. Financial involvement includes direct personal financial interest, provision of personal benefits (such as travel and accommodation) and provision of material or facilities for personal use. (For the avoidance of doubt, the provision of sponsored studentships, or elements of travel/accommodation for a students, should be excluded from this definition.)
b. A disclosure of a personal conflict of interest in research must be made to the Head of School as soon as reasonably practicable.
c. A research worker must comply with a direction made by the Head of School in relation to a personal conflict of interest in research. Heads of School may seek advice from the Registrar and Secretary in cases of doubt.

3. Additional Requirements

3.1 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.
3.2 In the case of work involving animals, there is a general requirement for research workers to demonstrate that they have considered seriously the use of alternative methods of research before the use of animals is proposed, and that the likely costs to animals have been weighed against the improvement in knowledge and understanding of the living world. The Named Veterinary Surgeon has an explicit duty to advise research workers about welfare issues in relation to the use of animals for research purposes, which may also raise ethical concerns.
3.3 It shall be the duty of the Director of Biomedical Services Unit to bring forward to the sub-committee on ethics in animal research, through the Certificate Holder, any matters raising issues of ethical concern. In such cases Home Office licensees (or potential licensees) shall have the opportunity to make a submission to the sub-committee, in writing, or, exceptionally, orally.
3.4 Schools in which research workers undertake non-clinical research where human beings are the subject of physical or other tests must submit protocols on ethical, health and safety procedures for approval by the Joint Ethics and Research Governance Committee. Such protocols must involve the establishment of School Ethics Sub-Committees to approve all investigations involving human subjects.

Such School Ethics Sub-Committees shall comprise at least the Head of School, two members of staff, the School Safety Officer, two members external to the School, and one female and one male student member of the School.

4. Misconduct

4.1 Misconduct in research is constituted by a failure to comply with the provisions of the Code and, without limiting the generality of the foregoing provisions, includes:-

a. the fabrication or falsification of research data,
b. the use of another person's ideas, work or research data without appropriate acknowledgement,
c. misleading ascription of authorship to a publication.

4.2 Members and employees of the University have a duty to report misconduct in the prosecution of research, where they have good reason to believe it is occurring, to the Head of School or some other person in authority. In the first instance, the person to report to will normally be a head of department, head of School or Dean. The procedures and protections set out in the University's Code of Corporate Governance in relation to Public Interest Disclosure ('Whistleblowing') shall apply as appropriate in the area of the conduct of research.

4.3 It will be the responsibility of the University, using its normal procedures, to investigate allegations or complaints about misconduct in research or scientific or scholarly fraud. At an appropriate stage, the University will inform relevant sponsors of a particular research project of allegations of scientific fraud.

This code was approved by the Senate on 24 March 1999 and by the Council on 31 March 1999

Last updated July 2002