UNIVERSITY OF BIRMINGHAM

CODE OF PRACTICE FOR RESEARCH

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Code of Practice for Research

This document should be read in conjunction with the relevant Ordinances and Regulations, and any other policies, procedures or guidance as may be issued by the University from time to time. This document shall be kept under review by the Research and Knowledge Transfer Committee.

1. Principles and Application

1.1 The University of Birmingham expects all research carried out at the University or in its name to be conducted to the highest standards of integrity. This Code of Practice for Research ("Code") provides a framework for the governance of all research throughout the University. It requires all those undertaking and/or contributing to research to adhere to the highest standards of performance and ethical conduct, and embed good practice in all aspects of their work. They must operate honestly and openly in respect of their own actions and in response to the actions of others involved in research.

1.2 The University of Birmingham requires all Staff, Emeritus Professors, Honorary Staff, Visiting Staff and all Registered Students (whether undergraduate or postgraduate) involved in research to abide by this Code. Where any other individual who collaborates in research with University of Birmingham Staff and Registered Students is not bound by an equivalent Code through their Employer or other organisation, the individual shall be expected to abide by this Code when working with the University unless otherwise agreed. References hereafter to 'researcher workers' include all Staff (including Emeritus Professors, Honorary Staff and Visiting Staff), Registered Students and external research collaborators who are involved with research in connection with or as part of the University.

1.3 This Code is linked to and operates in conjunction with conditions of employment for the relevant Staff groups and other related University policies and procedures. Failure to abide by this Code may lead to the matter being considered under the University's disciplinary procedures.

1.4 This Code defines research misconduct in Clause 10. Any alleged breach of this Code shall be handled in accordance with the appropriate University disciplinary procedures.

1.5 The Code and its implementation will be reviewed by the University's Research and Knowledge Transfer Committee on an annual basis in consultation as appropriate with relevant individuals or groups. The review will take into account changes and recommendations from external research funders, Acts of Parliament and other regulations. Where any proposed change to this Code would affect Staff Terms and Conditions of Service the University will follow the appropriate normal procedures of consultation and/or negotiation.

1.6 All research workers undertaking or involved in research must familiarise themselves with this Code. Heads of College have a responsibility to seek to ensure compliance with the Code in their Colleges. The University will draw attention to the Code in its induction processes for newly appointed Staff and Registered Students. Supervisors of Registered Students will seek to ensure compliance with the Code on the part of

students. The University will draw attention to relevant training and development modules to ensure that all research workers are aware of best practice requirements.

1.7 The University recognises and protects the principle of academic freedom in its Ordinances (http://www.birmingham.ac.uk/Documents/university/legal/ordinances.pdf, see Ordinance 3.18) and this Code is not intended to restrict the academic freedom of Staff. However, each member of Staff is expected to exercise their academic freedom in a manner consistent with this Code.

2 Integrity and Accountability

2.1 Everyone involved in research in the University owes a duty of accountability to the University, to all participants in their research, and to their research funders commensurate with their involvement in that research. Individuals must accept responsibility for their own conduct of their part in any research and for providing direction for the activities of any Staff or Registered Student under their supervision.

2.2 The Primary Researcher or Principal Investigator in any research should identify clear roles and accountabilities for all those involved in any research project, and should ensure that all involved are informed of their responsibilities. Areas of Accountability include:

(i) the ethical basis of the research and the research design,
(ii) the safety of all involved in the research,
(iii) ensuring that research is conducted in a suitable working environment with appropriate equipment and facilities,
(iv) the probity of financial management of all projects and for seeking to provide the optimum value for the public or private funders who have invested in them,
(v) effective project management to agreed project plans and appropriate quality standards, including timely delivery of any scheduled, tangible outcomes,.
(vi) management of research data in accordance with the Data Protection Act ("DPA"), 1998 and any other legal provisions, conditions and guidelines that may apply to the handling of personal information (see section 3 below),
(vii) seeking to ensure timely and wide dissemination of research findings,
(viii) as appropriate undertaking professional development relevant to the research and ensuring that all others involved in the research have received relevant training.
(ix) maintaining personal records of research progress, including authorised laboratory books, to the recommended or required standards,
(x) maintaining confidentiality in order to achieve protection of intellectual property rights where appropriate,
(xi) ensuring research participants participate in a voluntary way, free from any coercion and are properly informed of any risks, the broad objectives and of the identity of any sponsors of the research,
(xii) using all best endeavours to avoid unnecessary harm to participants, other people, animals and the natural environment, having taken due account of the foreseeable risks and potential benefits of the research,
(xiii) being alert to the ways in which research derives from, and affects the work of others, and respecting the rights and reputation of others

2.3 When peer reviewing research proposals or results (including manuscripts submitted for publication), research workers must protect the confidentiality of information provided and disclose any conflicts of interest and any areas of limited competence, and must not misuse or misappropriate the content of the material being reviewed.

2.4 Research workers must be honest and lawful in respect of their actions relating to research and in response to the actions of other research workers. This applies to the whole range of research activity, outputs and deliverables, including applying for funding, experimental design, generating and analysing data, publishing results and acknowledging the direct and indirect contribution of colleagues, collaborators and others.

2.5 Where a research worker has concerns about whether the obligations of accountability as set out in clause 2.2 can be met or is in doubt about the applicability of provisions of the Code to their part in any research, or about the appropriate course of action to be adopted in relation to it, advice should be sought from a member of the relevant Ethical Review Committee or the Research Governance and Ethics Group of the Research and Knowledge Transfer Committee. All responses from the Committee or Group will be in writing and will be retained for future access as appropriate. A Registered Student who has any questions about this Code should in the first instance raise these with their immediate supervisor.

3 Research Data

3.1 Research workers must keep clear and accurate records of the research procedures they followed and the results obtained, including interim results.

3.2 Research data must be recorded in a durable and auditable form, with appropriate references so that it can readily be recovered.

3.3 Unless already regulated by legislation or confidentiality agreements, or where there are valid ethical reasons for not doing so, primary research data and research evidence must be accessible in confidence to other authorised researchers for verification purposes for reasonable periods after completion of the research; data should normally be preserved and accessible for ten years, but for projects of clinical or major social, environmental or heritage importance for 20 years or longer. These periods are in accordance with current University guidelines and guidance from the UK Research Councils:
https://intranet.birmingham.ac.uk/as/libraryservices/records/index.aspx#research
http://www.jiscinfonet.ac.uk/partnerships/records-retention-he/managing-research-records
http://www.rcuk.ac.uk/Publications/researchers/Pages/grc.aspx

3.4 Unless there are particular reasons, including any legal or regulatory requirements (including without limitation the requirements of a research ethics committee), for not doing so, data should be stored in their original form. Storage media such as tapes and disks should not be erased and/or reused, but should be stored securely.

3.5 It is the duty of the Principal Investigator in any research project to comply with the DPA. The DPA applies to all processing of personal data (which includes the obtaining, the processing and the storage of data). Advice on appropriate procedures for compliance with the DPA may be obtained from the University's Information Compliance Officer in Legal Services.

3.6 Some central issues for research workers in relation to personal data include:
(i) all Staff and Registered Students using personal data in research have a duty of confidentiality to the individuals concerned,

(ii) unless there are ethically or legally justified reasons for doing otherwise, research workers must ensure that they have each study participant's explicit informed written consent to obtain, hold and use their personal data,

(iii) data security arrangements must be sufficient to prevent unauthorised breaches of confidentiality or **un**authorised disclosure of personal data,

(iv) The University, through the Colleges, will develop and implement procedures for complying with the University's Data Protection Policy and the University's Records Management Policy. As appropriate affected groups and individuals will have input to the development of the procedures. Once approved by the University, Heads of Colleges have responsibility to ensure that these procedures are made known to all Staff and Registered Students.

3.7 The University through the Colleges is responsible for establishing appropriate procedures for security and retention of research data in a form which would enable retrieval by an authorised third party, subject to any limitation imposed by the confidentiality of personal data.

3.8 Specific arrangements should be made to protect the security of research data where there is a contractual requirement to do so.

3.9 Research data related to publications should be available for discussion with other research workers, except where confidentiality provisions prevail. Confidentiality provisions relating to publications may apply in circumstances where the University of Birmingham or the researcher has made or given confidentiality undertakings to third parties, including research subjects, or confidentiality is required to protect intellectual property rights. It is the duty of the Principal Investigator to familiarise him/herself with any provisions of confidentiality relating to any particular research grant or contract and to inform research workers under his/her supervision of their duties with respect to these provisions. Advice on individual grant or contract terms may be obtained from Research & Commercial Services.

3.10 The Principal Investigator should also ensure that third-party Intellectual Property rights are not breached.

4 Publications

4.1 Publication is the dissemination of the outcomes of scholarship and research not only in conventional paper form but also in other media, including electronic media. The University encourages its Staff and Registered Students to disseminate the findings of their research through appropriate and timely publication. In this context publication may be taken to include*, inter alia*, books, chapters, articles, conference proceedings, reviews, patents, catalogues, compositions, the production of creative arts, software and databases.

4.2 Ethical considerations apply to the production of all categories of publication and external communications, including web-sites, e-bulletins, press releases, media briefings or other events. The University of Birmingham expects research workers to abide by the University's core principles of openness, transparency and accountability and adopt appropriate ethical and professional standards and responsibilities in their publications as set out below.

4.3 Good practice requires that all University of Birmingham Staff include the details of their research outputs in the relevant University research publications databases according to the relevant procedures for recording that information. Staff and Registered Students should also help to ensure wide dissemination of their publications and therefore cooperate in requests from the University to include their outputs in a publicly accessible repository where appropriate.

4.4 There is a fundamental ethical obligation on authors to acknowledge and attribute external sources of information. Citation of sources should be carried out in accordance with the Harvard referencing system which has been adopted as standard by the University, or in accordance with the house style of the relevant publisher and/or the normal practices of the discipline concerned. Citation not only gives credit to the work of others, but also enables readers to identify elements in the text and therefore recognise the contribution of the author or authors in the context of previous work. Failure to cite sources could, inter alia, constitute plagiarism and may be subject to disciplinary procedures.

4.5 The University of Birmingham cannot endorse citation arrangements which are contrary to academic conventions (such as citation clubs or the unnecessary use of self-citation). Guidance will be provided by the Research and Knowledge Transfer Committee as to acceptable use of self-citation. Membership of Citation Clubs may be regarded as misconduct as set out in clause 10.1.4(iii) or 10.1.4(iv)

4.6 It is in the interests of Staff, Registered Students and the University of Birmingham that good practice in the matter of co-authorship is disseminated, understood and followed. New research workers should familiarise themselves with the principles of the Vancouver Protocol on authorship of articles in medical journals (see clause 4.8), the conventions of their particular discipline and any specific guidelines that may be issued by the University from time to time.

4.7 A publication must contain appropriate reference to the contributions made by all those who have made what might reasonably be regarded as a significant contribution to the relevant research. Any person who has materially contributed through 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. Accepting the status of co-author implies a full commitment to having one's name and reputation fully associated with the content of the publication.

4.8 In interpreting clause 4.7 above, researchers should, where appropriate, be guided by the Vancouver Protocol on determining authorship. The Vancouver Protocol can be found at www.icmje.org. However, no provision of the protocol should be used as a reason for excluding from authorship any research worker who has contributed materially to the research.

4.9 Any person who has contributed to at least part of the relevant research, but who does not fulfil the criteria set out in clause 4.7 above on authorship should not be included as an author of a publication derived from that research, but their contribution should be acknowledged in accordance with clause 4.10

4.10 There is a general ethical obligation that the contributory efforts of persons who have helped in the work being reported in a publication should be identified and acknowledged in it. It may, therefore, be appropriate to identify those who have *assisted* substantively in the work presented in a publication. This may include financial sponsors, colleagues within and outside the University who have given

advice and any others who have facilitated the collection of material or data on which the publication is based or who have assisted in producing the publications. Those identified should be approached for permission if it is intended to acknowledge their assistance in the publication, and they should be offered the opportunity of seeing the publication.

4.11 A publication which is substantially similar to other publications derived from the same research must contain an appropriate reference to the other publications. A researcher must disclose to a publisher at the time of submission (a) substantially similar work which is being submitted to another publisher at the same time or (b) work which has been previously published.

4.12 Authors should be aware that in contract and collaborative research it may be necessary to seek permission for publication from all parties to the contract in advance of submission of the work to a publisher.

5 Intellectual Property and Copyright

5.1 Unless Intellectual Property is assigned to a research Sponsor or Funder as a condition of grant or contract, intellectual property and any intellectual property rights therein developed during research by Staff in the course of their employment belongs to the University of Birmingham.

5.2 The University does not in practice assert its ownership of the copyright in respect of material such as books, journal articles, and musical compositions. However, the University retains its right to use and reproduce such materials for internal educational purposes whilst recognising the author's moral rights.

5.3 The procedures to be followed by research workers in the event of an invention or discovery in the course of a research project carried out as part of their normal university activities is set out in University of Birmingham Regulation 3.16, and in Appendix 6 of the Conditions of Employment Governing Academic and Academic-related Staff. Under Regulation 5.4, Registered Students involved in research are expected to comply with the requirements of Regulation 3.16

5.4 Where an invention or discovery has been made in the course of a research project, research workers are required to make appropriate notification as set out in Regulation 3.16, or Regulation 5.4. Staff and Registered Students are reminded of the need to maintain confidentiality regarding the results of the research pending legal protection in accordance with any instructions or advice from the appropriate office in the University. Breaches of confidentiality may result in actions for recovery of losses from a Sponsor against the University and the individual concerned together with loss of income.

5.5 Research workers are required to familiarise themselves with and to abide by the terms relating to intellectual property and confidentiality in any grant, contract or collaboration agreement relating to their research projects. Breaches of confidentiality relating to externally funded or collaborative research projects may result in actions for recovery of losses from a Sponsor against the University and the individual concerned.

5.6 Research workers who leave the University of Birmingham are reminded that Intellectual Property developed during their employment, which is owned by the University of Birmingham or any research funder to whom such Intellectual Property

has been assigned in accordance with the relevant contract, remains the property of that organisation and may not be divulged to third parties without permission from the owner of the Intellectual Property unless it is already in the public domain. Information received from third parties under terms of confidentiality whilst in the University's employ remains confidential, and breaches of such confidentiality may render the researcher liable to claims by the owner of the information.

5.7 All reports issued by research workers should bear an appropriate assertion of copyright.

5.8 Where a research worker is required to make an assignment of copyright to a publisher, e.g. in submitting a paper for publication, he or she may consult with either Research and Commercial Services RCS@contacts.bham.ac.uk or Legal Services legalservices@contacts.bham.ac.uk regarding the suitability of such an assignment and the necessity for the University of Birmingham to be a party to that agreement. The University of Birmingham encourages its Staff and Registered Students to assert moral rights (as defined in the Copyright, Designs and Patents Act 1988) over material submitted for publication. Where the publisher has a general policy of not granting copyright to third parties once it has been assigned to the publisher, Staff and Registered Students are required to submit a statement to the publisher (a standard version of which will be made available by the University) asserting the University of Birmingham's perpetual right of licence to use the material for all non-commercial purposes without charge following the assignment. Further advice can be obtained from RCS.

6 Conflicts of Interest

6.1 Research workers in the exercise of their functions should not be constrained to reach any particular conclusion or to make any particular recommendations. However, in some situations a research worker may find him/herself in a position where there is an actual or potential conflict of interest. Such a situation needs to be recognised and the research worker will need to make an appropriate disclosure.

6.2 Conflict of interest may take several forms:

6.2.1 Conflict of interest of a financial nature could arise from 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, or which is providing goods and services to the University. '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. The provision of sponsored studentships, or elements of grant including travel/accommodation for a student, should be excluded from this definition unless the recipient is a family member.

6.2.2 Conflict of interest can arise in situations so as to risk compromising the decision making of the University or third parties or the proper execution of University procedures. This can be in consequence of actions taken or procedures followed in collaborating or sponsoring organizations which could result in non-financial benefits to the research worker or close family (e.g. the granting of favours, or inappropriate inducements or an inappropriate influence on decisions to the advantage or detriment of the University).

6.3 A disclosure of a personal potential or actual conflict of interest in research must be made to the University (through Head of College or Registrar and Secretary) as soon

as is reasonably practicable and in accordance with any guidance issued from time to time. Failure to declare known conflicts of interest may be deemed misconduct.

6.4 A member of Staff must comply with a direction made by the University in relation to a personal conflict of interest in research. The research worker will have the right of appeal if s/he considers the direction is unlawful, unreasonable or impracticable.

7 Ethical Review

7.1 The University of Birmingham requires that all Staff and Postgraduate Registered Students' research projects undergo an ethical self-assessment and, where further scrutiny is required, an ethical review by an appropriate University or external ethical review committee. Where required by law (such as the Human Tissue Act) or where the research involves the NHS (e.g. patients, patient data, patient records or patient tissue, or where the research involves adults without the mental capacity to give informed consent or any aspect of the NHS), confirmation should be sought from the relevant NHS body as to whether or not the research needs to be reviewed by an National Research Ethics Service (NRES) research ethics committee.

7.2 Responsibility for ensuring the proper ethical review lies with the Principal Investigator. In the case of Postgraduate Registered Students, the academic supervisor of the research is responsible for ensuring that the postgraduate researcher obtains ethical review for their project.

7.3 Failure to obtain appropriate ethical approval will be deemed a breach of this Code. No research project (or stage of a research project) may be conducted unless and until the project (or that stage) has been granted ethical approval by the appropriate body.

7.4 Research workers involved in research involving human participants falling within the remit of the Department of Health's Research Governance Framework or the Medicines for Human Use (Clinical Trials) Regulations should obtain the necessary regulatory approvals from the appropriate bodies set up for this purpose and must comply with all applicable requirements including Good Clinical Practice principles.

7.5 Advice on procedures for obtaining University ethical review and NHS governance approvals or requirements may be obtained from the Research Ethics Officer or the Research Governance Officer in Research & Commercial Services. (http://www.rcs.bham.ac.uk/staff/researchers/ethics.shtml)

8 Additional Requirements

8.1 Any special standards of work performance or conduct imposed by law or by the University of Birmingham 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.

8.2 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 impacts on 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.

8.3 In respect of the use of animals in research, including use in research conducted in collaboration with others outside of the University, the Director of the Biomedical Services Unit, acting on behalf of the Certificate Holder, shall bring projects (or planned projects) to the attention of the appropriate University Ethical Review Committee. In such cases Home Office licensees (or potential licensees) for the project (or planned project) shall have the opportunity to make a submission to the Ethical Review Committee.

8.4 Research workers should familiarise themselves with the terms of any funding agreement (grant or contract) related to their work, and ensure that any research undertaken is consistent with those terms and conditions.

8.5 Research workers must report to the University any events which result in unforeseen financial consequences or which could be damaging to the good name and reputation of the University.

8.6 As appropriate, Health and Safety Risk Assessment should be carried out for all research work. Any procedures which may present a hazard to the researcher, participants, or to the public should be discussed with the School/College Health and Safety Coordinator.

9 Adverse Events

9.1 Research workers have a duty to monitor and report any Adverse Events occurring in the course of the research and each College must have systems in place to ensure that all such Adverse Events are recorded and, if appropriate, investigated. In this context, an Adverse Event is an event which results in harm to the researcher, the research participants, or the environment.

9.2 Accidents, incidents and "near misses" occurring during the course of research should be reported to the School/College Health and Safety Coordinator in accordance with the University Health and Safety Policy https://intranet.birmingham.ac.uk/hr/wellbeing/index.aspx

9.3 Researchers should be aware that there may be a legal or regulatory requirement for them to report adverse events directly to external bodies, such as NRES committees.

10 Misconduct

10.1 Misconduct in research is a failure to comply with the provisions of this Code and, without limiting the generality of the foregoing provisions, is taken to include:

10.1.1 Fabrication, including the creation of false data or other aspects of research including research documentation such as regulatory or internal approvals or participant consents.

10.1.2 Falsification, including
(i) falsification and/or inappropriate manipulation and/or selection of consents

(ii) falsification and/or inappropriate manipulation and/or selection of data/imagery with the intention to deceive.

10.1.3 Plagiarism, including

(i) the wrongful appropriation or purloining and publication as one's own, of the thoughts, ideas or the expression of ideas (literary, artistic, musical, mechanical, etc) of another;

(ii) the deliberate exploitation of the ideas, work or research data of others without proper acknowledgement.

10.1.4 Misrepresentation, including

(i) falsely or unfairly presenting the ideas or the work of others as one's own, whether or not for personal gain or enhancement, including both by deliberate mis-statement or as a result of negligent or inadequate reference;
(ii) misrepresentation of data for example suppression of relevant findings with intention to deceive and/or data or knowingly, recklessly or by gross negligence presenting a flawed interpretation of data;
(iii) misleading ascription of authorship to a publication;
(iv) undisclosed duplication of publication, including undisclosed simultaneous duplicate submission of manuscripts for publication
(v) deliberately attempting to deceive when making a research proposal;
(vi) misrepresentation of skills, qualifications and/or experience, including claiming or implying skills, qualifications or experience which are not held;
(vii) misrepresentation of interests, including failure to declare material interests either of the researcher or of the funders of the research.

10.1.5 Mismanagement of Data and/or Primary materials, including failure by those identified under 2.2 as having relevant roles and responsibilities to

(i) keep clear and accurate records of the research procedures followed and the results obtained, including interim reports;
(ii) hold records securely in paper or electronic form;
(iii) make relevant primary data and research evidence accessible to others for a reasonable period after the completion of research;
(iv) manage data according to any data policy of a research funder and all relevant legislation.

10.1.6 Breach of any relevant Duty of Care, which may involve recklessly or through gross negligence;

(i) failing to follow procedures and health and safety protocols which are designed to prevent unreasonable risk or harm to humans, animals or the environment;
(ii) breaching the confidentiality of individuals or groups involved in research whether research workers or research subjects without their consent, including, for example, improper disclosure of the identity of individuals or groups ;
(iii) placing any of those involved in research in physical danger, whether as researchers, research subjects, participants, or associated individuals, without their prior consent, and without appropriate safeguards where informed consent is given;
(iv) not taking all reasonable care to ensure that the risks and dangers, the broad objectives, and the sponsors and funders of research are made known to participants or their legal representatives in order to ensure that appropriate informed consent is obtained properly, explicitly and transparently;

(v) failing to obtain appropriate informed consent, unless there are valid reasons for not doing so, and that permission to conduct research without appropriate informed consent has been obtained from the relevant University or external research ethics committee;
(vi) failing to obtain appropriate ethical approval to conduct research;
(vii) unethical behaviour in the conduct of research including failing to comply with any requirements or stipulations contained in ethical or regulatory consent;
(viii) failing to meet relevant legal or ethical requirements and to follow any protocols set out in the guidelines of appropriate, recognised professional, academic, scientific and governmental bodies;
(ix) unauthorised use of information acquired confidentially.

10.1.7 General Misconduct, including
(i) the misuse of research findings;
(ii) failure to declare an actual or potential conflict of interest which may significantly compromise, or appear to significantly compromise, the research integrity of the individual concerned and the accuracy of any research findings or bring the University into disrepute;
(iii) inciting others to commit research misconduct;
(iv) failure to declare (where known) that a~~n~~ collaborative partner has been found to have committed research misconduct in the past or is currently being investigated following an allegation of research misconduct. Such declarations should be made to the Head of School and to the University Research Ethics Officer, who shall inform the Chair of the relevant Ethical Review Committee;
(v) facilitating misconduct in research by collusion in, or concealment of, such action;
(vi) submitting an accusation of research misconduct based on vexatious or malicious motives;
(vii) breach of University or externally contracted confidentiality, except where part of genuine whistle-blowing actions in accordance with the Public Interest Disclosure Act 1998;
(viii) fraud, including financial fraud;
(viii) any misconduct which would normally be regarded as a disciplinary matter if conducted on University premises, which is committed whilst working on a collaborating institution's premises or other off-campus facility or research site, whilst conducting a university or collaborative research project, secondment, or industrial placement.

10.2 Researchers and other members of Staff have a duty to report any breach of this Code where they have good reason to believe it is occurring, to the Head of College or some other person in authority. The procedures and protections set out in the University's Code of Corporate Governance in relation to Public Interest Disclosure ('Whistle blowing') shall apply as appropriate in the area of the conduct of research.

10.3 The University considers an accusation of research misconduct to be within its remit and suitable for consideration according to its relevant disciplinary procedures if it: (i) concerns a member of Staff, Honorary Staff, Emeritus Staff or Registered Student; or a Visiting Researcher under the supervision of a member of Staff (ii) involves a current member of Staff or Honorary Staff, whether or not it is alleged to have occurred at a location external to the University.

10.~~1~~.4 Where possible, the University will follow an investigation through to completion even in the event that the individual(s) concerned has left or leaves its jurisdiction, either before the accusation was made or before an investigation is concluded.

10.5 An allegation of research misconduct is a serious and potentially defamatory action and could lead to a threat (or even the instigation) of legal proceedings. Consequently for the protection of the complainant and of the party against whom the allegations are made, all enquiries (including the formal investigation, if any) should be conducted on a basis of confidentiality within the process (wherever possible) as well as of integrity and non-detriment so that neither party should suffer solely as a consequence of the allegation being made in good faith.

10.6 Following the completion of an investigation and should research misconduct be found, the University may consider additional measures. Such additional measures might include (but are not limited to):

(i) retraction/correction of articles in journals or other published material;
(ii) withdrawal/repayment of funding;
(iii) notification of misconduct to regulatory bodies;
(iv) notification of other employing institutions/organisations;
(v) notification of other organisations involved in the research including the funders of the research;
(vi) review of internal management and/or training and/or supervisory arrangements;
(vii) make any public statement necessary to protect the good name and reputation of the University;

10.7 The Research Councils UK (RCUK) Policy and Code of Conduct on the Governance of Good Research Conduct requires that RCUK be notified at the commencement of into an allegation of unacceptable research conduct arising from one of their funded projects. Where serious misconduct is found to have occurred, especially where this would appear to have been premeditated a report to relevant statutory or regulatory bodies may be required.
(http://www.rcuk.ac.uk/Publications/researchers/Pages/grc.aspx)

10.8 The University retains the right to report proven allegations of serious research misconduct against its Staff, Honorary Staff, former Staff and Registered Students, to potential new and subsequent employers. Where employees or students of another institution involved in a collaborative project with the University are implicated in a University finding of serious research misconduct, then the University shall notify the home institution of those individuals involved.

10.9 The identity of any individual reporting research misconduct where it is genuinely suspected, will be kept confidential wherever practicable. However, it may be necessary to reveal the identity of the individual reporting misconduct if this is deemed legally necessary to allow the person accused of misconduct to conduct their defence.

10.10 There should always be an opportunity for response by a complainant if the allegation is not accepted and if they believe that they have been misunderstood or key evidence overlooked.

10.11 Where there is prima facie evidence that an allegation of research misconduct is founded on vexatious or malicious intent, that allegation may be considered as a disciplinary matter.

10.12 All new members of Staff (including Honorary Staff) will be required to sign a declaration stating that they have not been found to have committed serious research

misconduct (i.e. warranting at least a formal written warning) prior to their appointment and are not currently under investigation by another institution following an accusation of research misconduct.