

Brescia University College

POLICIES *and* PROCEDURES

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PURPOSE

This policy clarifies the responsibilities and the role of Brescia University College in ensuring that research conducted by individuals affiliated with the College meets the highest standards of integrity.

SCOPE

This policy on integrity in research applies to all individuals at Brescia University College who conduct research at the College in whatever capacity, whether as researchers, research assistants, or individuals hired on a contractual basis to assist with research. The term “research” includes all forms of funded and unfunded scholarly and creative work by Brescia faculty, staff and students and by people affiliated with the College who use Brescia facilities for the creation, dissemination, or publication of scholarly work.

POLICY

Brescia University College is committed to ensuring that research conducted by all members of the College community meets the highest standards of integrity. The College research community is committed to the principles of honesty, trust, and collegiality and to the idea that ethical conduct must prevail at all times. In signing the Memoranda of Understanding with the Social Sciences and Humanities Research Council of Canada (SSHRC) and the Canadian Institute for Health Research (CIHR) the College has committed to enforcing these standards.

PROCEDURES

Brescia University College is committed to ensuring that all research and scholarship conducted by individuals and teams associated with the College is carried out with the highest standards of integrity. Brescia administrative officers

will ensure that the procedures outlined below are followed, and will provide ongoing education and updates to Brescia researchers, scholars, trainees and staff on issues relating to research integrity. This policy will be made available to all members of the Brescia community and will be regularly reviewed and updated.

1. The Responsibility of the Institution

Brescia University College requires honesty and integrity in research and scholarship. The College, through the appropriate administrative offices and in accordance with the provisions of this policy and other applicable regulatory procedures, will (a) help facilitate the resolution of disputes concerning matters dealt with in the policy, (b) investigate allegations of misconduct under this policy and take action, as appropriate, and (c) report the findings of investigations to the appropriate agency.

2. The Selection and Conduct of Research

Research projects should be managed, funding should be used, and research should be conducted with due consideration for all College policies on research ethics, including Brescia University College Guidelines for Research Involving Human Subjects, policy on Academic Freedom, and provisions of Faculty Employment Practices.

The primary responsibility for the selection and conduct of research rests with the individuals performing the research. In the case of collaborative or team research, the research director or principal investigator is obliged to ensure that the members of the research team or group are aware of the contents of this policy and other applicable ethical norms governing the conduct of the research. In such cases, the research director or principal investigator should take all reasonable measures to ensure that the provisions of the policy are complied with by the members of the research team.

In the case of research conducted by students for academic credit, the instructor in addition to informing students of their obligations in respect of the ethical conduct of research, shall take further reasonable measures to ensure that students' research is conducted in accordance with the provisions of this policy and with other applicable ethical norms.

3. The Duty of Honesty and Integrity

Researchers are expected to maintain the highest standards of honesty and integrity. Any form of academic dishonesty, including but not limited to the following, is a serious offence:

- a. Falsification of Data

The gathering of data and research materials must be undertaken with honesty and integrity. Researchers must use scholarly and scientific rigour and integrity in obtaining, recording and analysing data, and in reporting and publishing results.

b. Plagiarism

Researchers should not knowingly represent the published or unpublished work of another person as their own or assist anyone else in doing so. The use by a researcher or a member of a research team of work done by other people must be appropriately and adequately acknowledged. Plagiarism is an act of academic dishonesty.

c. Conflict of Interest

A conflict of interest arises where the researcher has a material interest of any nature (personal, financial, career or otherwise) that may conflict with the researcher's duty of honesty and integrity. Where a conflict of interest arises, a researcher must immediately disclose it in writing to her/his superior and to all other persons to whom it should be disclosed, in accordance with the context and with the highest standards of honesty and integrity.

d. Misuse of Research Funds

Where a granting agency provides guidelines on the use of research funds, researchers and directors of research projects must follow those guidelines scrupulously. Researchers and directors of research must also follow all College guidelines on the management and disbursement of funds. Regardless of the source of research funding, it is not permitted to divert any of the research resources for personal or any other use, except in cases where the grant or contract specifically provides otherwise.

e. Limitation of Policy

Nothing in the provisions of this policy is intended to impugn the actions of a person who has made an honest error, or who exercises judgement or interprets data or designs experiments in a way that may reasonably be the subject of honest differences of opinion.

4. Duties where Research with Human Subjects is Concerned

Research involving human subjects must be carried out in accordance with the highest standards of conduct. It must be conducted in a manner that respects the rights of the persons who are the subjects of the research and in accordance with the rules and guidelines prescribed by granting councils, law, and Brescia University College.

5. Collaborative Research

a. Attribution of Authorship and Copyright Ownership

Research collaborators should establish as early as possible how the attribution of authorship and how the allocation of copyright are to be divided between them. Authorship of published work must include all those who have made a significant contribution to the contents of the publication and share responsibility for the publication, and only those individuals.

b. Student-Professor Collaborations.

In cases of collaboration between student and professor, researchers should agree early in the process how attribution of authorship and allocation of copyright will be decided.

c. The Duty to Acknowledge Sources of funding

All public and private funding sources (grants, contracts and gifts) used in the conduct of research should be acknowledged in resulting publications.

6. Data .

a. Definition of Data

“Data” is used in this policy to include: the information gathered during the research process (both numerical and non-numerical); the methodology used to obtain results; the actual research results; and the analysis and interpretations of data by the researchers.

b. Gathering of Data

Data must be organized in a manner that allows ready verification. If data are to be gathered on human subjects, the College’s Guidelines for Research Involving Human Subjects must be followed.

c. Availability of Data

Subject to exception based on a duty of confidentiality and the laws respecting intellectual property and access to information, after data are published, they must be made available to any party presenting a reasonable request to examine them. In cases where there is a disagreement between the researcher and the person requesting the data, the matter shall be referred to the Academic Dean for resolution.

d. Maintenance of Data

All original data must be retained for a reasonable length of time. A period of at least five years from the date of publication is recommended.

7. Disputes between Co-Researchers

Where disputes between co-researchers arise, they should be resolved amicably and in a respectful and collegial fashion. Where a dispute cannot be resolved by

the parties themselves, the parties should seek the advice of appropriate authorities in the College who may help the parties resolve the dispute in any way to which the parties may agree, including conciliation, mediation, and binding and non-binding arbitration. The first contact in such disputes will be the Academic Dean.

Brescia University College has a duty to investigate disputes and to help facilitate their resolution. However, the College has no obligation to ensure that disputes are resolved, since the resolution of disputes is ultimately dependent upon the actions of the parties to the dispute.

8. Process for Investigation of Allegations of Scholarly Misconduct

Any allegation of misconduct under this policy that is made against a member of the Brescia community (other than a student) shall be investigated following the College's *Procedures for Processing Allegations of Research Misconduct*; these procedures are appended to this policy as Appendix 1. Note that misconduct under this policy on the part of a student is a scholastic offence, subject to the penalties stipulated for academic offences by the Senate of The University of Western Ontario and is not covered by these procedures.

The procedures to be followed in the investigation of any allegation of misconduct by researchers and scholars are informed by the steps specified in the *Framework for Tri-Council Review of Institutional Policies Dealing with Integrity in Research*.

Sanctions for scholarly misconduct will follow the practices outlined in Brescia University College's Faculty Employment Practices and Staff Employment Practices documents, and may range from reprimand to dismissal.

As stipulated in the *Framework for Tri-Council Review of Institutional Policies Dealing with Integrity in Research*, when scholarly misconduct has been verified, the Council which has provided support for the research will be provided with a report within 30 days of the final determination of misconduct.

Appendix 1

Procedures for Processing Allegations of Research Misconduct

Brescia University College's Research Integrity Policy stipulates that all researchers who are members of the Brescia academic community have the responsibility to abide by the highest standards of integrity in all research conducted. The College is committed to maintaining a record of integrity in all research; any allegation of misconduct in research must be taken seriously.

Brescia University College will ensure that those making allegations in good faith are protected from reprisals but will not tolerate allegations that are frivolous, unreasonable or without foundation.

1. The Initial Report

The initial report of suspected misconduct may come from a variety of sources both within and without the College. The College officer to whom the initial report should be made will be the Chair of the Department with which the researcher is affiliated. The allegation must be presented in writing and must be signed by the person making the allegation. The written allegation provides the basis of all further proceedings.

After receiving formal notification in writing of a complaint, the Department Chair will provide the respondent with a copy of the complaint. The Academic Dean will be informed in writing that a complaint has been made and will be provided with a copy of the complainant's statement. The respondent will be provided with adequate time to prepare a defence. Normally the respondent will furnish a written (and, if appropriate, documented) response to the allegation within one calendar month of receiving it. The Department Chair may grant an extension of this deadline only upon receiving written explanation of the need for an extension.

If the complainant is satisfied with the written answer, the Department Chair will notify the Academic Dean and the procedure is completed.

If the complainant remains unsatisfied by the respondent's written answer, the complainant must inform the Department Chair in writing within ten working days.

2. The Ad Hoc Committee on Misconduct in Research

Upon receiving such written notification from the complainant, the Department Chair will inform both complainant and respondent that an ad hoc Committee will be established. It shall be composed of one nominee of the Department Chair,

one nominee of the respondent, and a third party chosen by the other two members of the Committee. Each party shall name his/her nominee within 5 working days of the date when the Chair indicated the need to establish the Committee. Neither the complainant nor the respondent may sit on the ad hoc committee. Should either party refuse to name a nominee, the Academic Dean shall do so. Normally the members of the ad hoc Committee will be faculty members at Brescia University College. All members of the ad hoc Committee must understand key issues related to research integrity.

The ad hoc Committee must meet within 15 working days of being named and shall render a decision within 30 working days of being convened. This deadline may be extended by mutual agreement of the complainant and the respondent.

The Committee will seek to determine, normally on the basis of the documentary evidence so far provided by the complainant and respondent, whether there is any substance to the allegations. Since at this early stage in the investigation the reputation of the respondent needs to be protected, all deliberations of the Committee will be held in the strictest confidence and will not be publicized, and the names of the complainant and the respondent will not be released.

Based on its inquiry, the Committee will make a written recommendation to the Academic Dean, as follows:

- a) that the complaint should be dismissed because investigation has found it to be without foundation, or frivolous, or vexatious;
- b) that an inquiry is warranted because there is substance to the allegations.

In addition, copies of the written recommendation of the ad hoc committee will be provided immediately to the complainant, the respondent, and the Department Chair.

3. The Integrity Panel

If the ad hoc Committee recommends an inquiry, an Integrity Panel shall be formed within 30 working days of the Academic Dean receiving the Committee's recommendation. The Academic Dean and the Chair of the Research Ethics Board will determine the Integrity Panel's composition. The Integrity Panel shall consist of the Academic Dean as coordinator and three other members, currently including a past or present member of the Brescia Research Ethics Board.

In determining the composition of the Integrity Panel, the Academic Dean and the Chair of the Research Ethics Board shall, in order to ensure competence and objectivity, take into account such factors as

- a. the subject matter of the inquiry, including the desirability of the Integrity Panel's possessing competence in the specialized area, investigative skills, and knowledge of research ethics and related issues ;
- b. the desirability of including on the Integrity Panel individuals who are not members of Brescia University College faculty;
- c. the importance of selecting people who have had no involvement in the events that are the subject of the inquiry;
- d. the importance of protecting the reputations of individuals and, to that end, maintaining confidentiality;
- e. the adoption of a specified time period of ninety calendar days for the completion of the investigation. The ability to complete an investigation within a specified time period will depend heavily upon factors such as the volume and nature of the research to be reviewed and the degree of cooperation being offered by the subject of the investigation. The Academic Dean may therefore choose to acknowledge formally to the Integrity Panel that the nature of the case may render the ninety-day time period impractical.

As soon as the composition of the Integrity Panel has been determined, this information will be provided to the respondent. The respondent has the right to object in writing to the composition, provided the objections are submitted to the Academic Dean within 5 working days of the respondent's being informed of the Integrity Panel's composition. The Academic Dean and the Chair of the Research Ethics Board must give all due consideration to such objections, but are not bound by the objections in determining the Integrity Panel's composition.

4. Actions of the Integrity Panel

The Integrity Panel will abide by the principles of natural justice, which include the following:

- a. reasonable notice for all parties of the time and place of the hearings and the issues involved;
- b. the right to call and examine witnesses;
- c. the right to present arguments;
- d. the right to cross-examine witnesses.

The Integrity Panel will review all available research-related material and information that it considers relevant to the allegations, with due concern for confidentiality of data relating to human subjects. The respondent will be required to produce all documentation requested by the Integrity Panel within a

reasonable time frame. The review may include an audit of the research accounts of the respondent. The Integrity Panel should aim to review all research with which the respondent has been involved during the period of time considered pertinent in relation to the allegations (but in any case not longer than five years).

The complainant and respondent, as well as any collaborators or supervisors with a direct connection to the investigation, will be given an opportunity to review and comment on a draft of the report of the Integrity Panel. All such comments will be included as appendices in the final report. There must be documentation of the investigation, and it must be kept in one place, under secured conditions, with no circulating copies.

Investigations into allegations of misconduct may result in various outcomes, including

- a. a finding of misconduct;
- b. a finding that no culpable misconduct was committed, but that serious mismanagement of the research has been identified;
- c. a finding of minor errors and/or sloppiness;
- d. a finding that no fraud, misconduct or mismanagement of research was committed.

5. Final Action

The Integrity Panel, after completing its own inquiry, will formulate recommendations to be carried out by the Academic Dean.

If the allegations are substantiated, then the areas to be considered in making the recommendations should include the need to do the following (with due regard to the relative seriousness of the misconduct or methodological error identified by the Integrity Panel):

- a. withdraw all pending abstracts, articles, books and papers;
- b. notify editors of journals in which the research involved was reported;
- c. notify all collaborators and professional associates, as well as institutions with which the individual(s) had been previously affiliated and where there is reason to believe the validity of previous research might be questionable;
- d. notify provincial licensing and certification boards;
- e. notify professional societies;
- f. notify sponsoring and funding agents;
- g. redefine the status of those involved in the misconduct, which may include
 - 1) removal from a particular project,
 - 2) a letter of reprimand,
 - 3) special monitoring of future work,

- 4) recommendation of suspension by the Academic Dean to the Principal,
- 5) recommendation of termination of employment by the Academic Dean to the Principal,
- 6) criminal code referral.

The respondent, the complainant, and the Principal shall be notified of the Integrity Panel's decision within two calendar weeks, and shall each be provided with a copy of the final report.

No recommendations are to be acted upon until the final appeal process has been exhausted (see below).

If the allegations are unsubstantiated, but were found to have been made in good faith, then every effort should be made to prevent retaliatory action against the complainant. If the allegations are found to have been maliciously motivated, then it will be the responsibility of the Academic Dean to ensure that disciplinary action is undertaken against those responsible.

FINAL APPEAL

The complainant and respondent may appeal the decision to the Principal. Such an appeal should be made in writing within one calendar month of the respondent's receiving the Integrity Panel's decision. Such an appeal will be restricted to the body of evidence already presented unless new evidence has become available. The grounds for an appeal that does not involve the introduction of new evidence will be limited to failure to follow appropriate procedures as outlined in this document, or any arbitrary and capricious decision-making. New evidence may also be introduced at this stage if material to the issues and relevant. The Principal will determine in his or her discretion whether this warrants an investigation by a newly constituted Integrity Panel. A decision must be communicated in writing to the appellant within 30 days of receipt of an appeal. The decision of the Principal on any appeal is final.

Following the completion of any final appeal, the Principal will draft a final report with copies to the Academic Dean and to the complainant(s) and respondent(s).

6. Documentation

The College will keep copies of documents and reports related to an allegation of research misconduct for a period of seven years after the investigation is concluded, under conditions of strict confidentiality. At the end of this period, the documents will be destroyed.