

CIET

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Policy
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Global

CIET policy for responsible conduct of research

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1. Introduction

Misconduct in research endangers public trust and the pursuit of scientific truth and can have a ripple effect that seriously damages the reputation of innocent colleagues and future funding for the institution where research misconduct occurs. CIET, as a research and education agency has an obligation to deal promptly with allegations or evidence of research misconduct. The procedures outlined here describe the means used to handle allegations or suspicions of research misconduct. These procedures were designed to comply with applicable national and international regulations^{1,2,3,4} for research institutions and will be applied with respect to all allegations of research misconduct regardless of sponsor. This policy applies to all senior fellows, fellows, associates, field or data entry personnel, interns or others working with CIET when engaged in any manner of scientific inquiry.

In this document the term *research* includes all original investigations to gain knowledge and understanding including that related to commerce, industry, the public, and voluntary sectors, as well as the invention and generation of ideas, images, performances, artefacts including design, where these lead to new or substantially improved insights; and the use of existing knowledge in experimental development to produce new or substantially improved materials, devices, products and processes, including design and construction. Although CIET research occurs mostly in the fields of health and social sciences, this policy covers research of any kind that the organisation might carry out in the future; including research in natural sciences, mathematics, life sciences, engineering, behavioural and social sciences, and humanities.

It is acknowledged that research with Aboriginal communities spans many methodologies and disciplines. There are wide variations in the ways in which Aboriginal communities or individuals are involved in or affected by research. For research involving First Nations, Inuit and Métis peoples of Canada, this policy should be read in conjunction with Chapter 9 of *Canadian Institutes of Health Research, Natural Sciences and Engineering Research Council of Canada, and Social Sciences and Humanities Research Council of Canada, Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans, December 2010*. Should research be undertaken with Aboriginal groups in other countries; any local policies relevant to those groups would be consulted.

For research undertaken with international partners, this policy should be read in conjunction with the policies governing research misconduct within the country where the misconduct

¹ The Tri-Agency Research Integrity Policy; Canadian Institutes of Health Research (CIHR), the Natural Sciences and Engineering Research Council (NSERC), and the Social Sciences and Humanities Research Council (SSHRC) (the Agencies)

² OECD Global Science Forum; Investigating Research Misconduct Allegations in International Collaborative Research Projects; A Practical guide; April 2009 <http://www.oecd.org/dataoecd/42/34/42770261.pdf>

³ The European code of conduct for research integrity
http://www.allea.org/Content/ALLEA/Scientific%20Integrity/Code_Conduct_ResearchIntegrity.pdf

⁴ Public Health Services Policy on Research Misconduct http://ori.hhs.gov/documents/FR_Doc_05-9643.shtml

occurred. Where CIET is the primary investigator/project manager in these collaborations, the procedures dealing with reported misconduct will be those contained in this policy.

In this document *research records* includes data or results that embody the facts and observations arising through the study of the subject, and includes but is not limited to research proposals, laboratory and study records both physical and electronic, artefacts, images and models, progress reports, abstracts, theses, oral presentations, internal reports and official publications.

In this document, *conflict of interest* refers to situations where a researcher's professional responsibilities (or those of a member of an inquiry/investigation committee) compete with his or her private interests, raising questions of independence, objectivity, improper gain or ethical duties. Conflict of interest might arise from interpersonal relationships, financial partnerships, academic interests or dual roles inside and outside of a research project. Conflicts of interest are inevitable and do not imply any impropriety on the part of the researcher. While it may not be possible to eliminate all conflicts of interest, researchers are expected to identify, minimize or manage their individual conflicts.

Disclosure of potential conflicts is a key factor in protecting a researcher's reputation and career from potentially embarrassing or harmful allegations of inappropriate behaviour. CIET researchers are encouraged to disclose any situation that could conceivably be viewed as a conflict of interest and to favour more rather than less disclosure.

In this document, *written communication* includes email. Documents requiring signatures can be scanned.

2. Overarching Principles for investigating research misconduct allegations

Investigations of allegations of research misconduct will be consistent with the national laws of the country in which the investigations are conducted. Investigations will follow an agreed, standardised and clearly defined procedure and must be conducted with appropriate transparency and in accordance with the highest standards of

- uniformity
- integrity
- fairness
- confidentiality

And with a commitment to there being:

- no detriment and
- a balanced approach
- proof of intent

2.1 Uniformity

Procedures for dealing with misconduct should be described in sufficient detail so that the transparency of the process and uniformity of case by case treatment is ensured. Procedures will apply to all countries where CIET conducts research.

2.2 Integrity

- Investigations into research misconduct allegations must be fair, comprehensive and conducted expediently but without compromising accuracy, objectivity, and thoroughness.
- The parties involved in the procedure must disclose any interests they have which might constitute a conflict of interest.
- Detailed and confidential records will be maintained on all aspects of the procedure.

2.3 Fairness

- Investigation of research misconduct allegations should be conducted in a manner that is fair to all parties and in accordance with relevant national or international laws.
- Persons accused of research misconduct must be given full details of the allegation(s) in writing and allowed a fair process for responding to allegations, asking questions, presenting evidence, calling witnesses, and providing responses to information presented.
- Allow witnesses to be accompanied by or seek advice and assistance from anyone of their choosing.

2.4 Confidentiality

- The procedure should be conducted as confidentially as possible, in order to protect those involved in the investigation. Such confidentiality should be maintained provided this does not compromise the investigation of the allegation, health and safety, or the safety of participants in research.
- Where possible any disclosure to third parties should be made on a confidential basis.
- If the organisation and/or its staff have legal obligations to inform third parties of research misconduct allegations, those obligations must be fulfilled at the appropriate time through the correct mechanisms.

2.5 No Detriment

- Anyone accused of research misconduct is presumed innocent until proven otherwise.
- No person will suffer any unnecessary penalty when accused of research misconduct before the allegation is proven.
- No person will suffer any penalty for making an allegation of research misconduct *in good faith*, but action should be taken against persons found to have made allegations in bad faith.
- Any action(s) taken will be subject to appeal.

2.6 Balance

- Occasionally the investigators may need to strike a balance between disclosure of identities and confidentiality. Such decisions will be made keeping in mind that the primary goal of this procedure is to determine the truth of the allegation.
- Consideration will be given to reasonably and appropriately restoring reputations.
- Proportionate action will be taken against persons found to have committed research misconduct.

2.7 Proof of intent

Each of the following must be met to support a finding of research misconduct:

- There has been a significant departure from the accepted practices of the scientific community;
- The misconduct was committed intentionally, knowingly, or recklessly
- The allegation has been proven by a preponderance of evidence
- The allegation does not result from honest error or difference of opinion.

3. Definitions of research misconduct

3.1 Misrepresentation of research

a. *Fabrication*: Making up data, source material, methodologies or findings, including graphs and images.

b. *Falsification*: Manipulating, changing, or omitting data, source material, methodologies or findings, including graphs and images, without acknowledgement and which results in inaccurate findings or conclusions.

c. *Destruction of research records*: The destruction of one's own or another's research data or records to specifically avoid the detection of wrongdoing or in contravention of the applicable funding agreement, institutional policy and/or laws, regulations and professional or disciplinary standards.

d. *Plagiarism*: Presenting and using another's published or unpublished work, including theories, concepts, data, source material, methodologies or findings, including graphs and images, as one's own, without appropriate referencing and, if required, without permission.

e. *Redundant publications*: The re-publication of one's own previously published work or part thereof, or data, in the same or another language, without adequate acknowledgment of the source, or justification.

f. *Invalid authorship*: Inaccurate attribution of authorship, including attribution of authorship to persons other than those who have contributed sufficiently to take responsibility for the intellectual content, or agreeing to be listed as author to a publication for which one made little or no material contribution.

g. *Inadequate acknowledgement*: Failure to appropriately recognize contributions of others in a manner consistent with their respective contributions and authorship policies of relevant publications.

h. *Mismanagement of Conflict of Interest*: Failure to appropriately manage any real, potential or perceived conflict of interest, in accordance with the policy on conflict of interest in research of any national or international funding agency.

3.2 Misrepresentation within funding applications

a. Providing incomplete, inaccurate or false information in a grant or award application or related document, such as a letter of support or a progress report to national or international agencies.

b. Applying for and/or holding an Agency award when deemed ineligible for any other research or research funding organization world-wide for reasons of breach of responsible conduct of research policies such as ethics, integrity or financial management policies.

c. Listing of co-applicants, collaborators or partners without their agreement.

3.3 Mismanagement of Grants or Award funds

Using national or international grant or award funds for purposes inconsistent with stated guidelines or providing incomplete, inaccurate or false information on documentation for expenditures from grant or award accounts.

4. CIET protocol to deal with allegations of research misconduct

4.1 Reporting Allegations of Research Misconduct

CIET considers those who bring allegations in good faith as fulfilling their obligations under this policy to report suspicions of misconduct, and there must be no recriminations for a person bringing an allegation in good faith. Persons who raise allegations will be protected from retaliation if, in the judgment of the Inquiry or Investigation Committees, the allegations, however incorrect or unsupportable, appear to have been made in good faith.

1. Any senior research fellow, research fellow, research associate, field or data entry personnel, intern or others employed by CIET who suspects that research misconduct has occurred has an obligation to report that suspicion to the executive director.
2. All complaints should be made in writing and contain as much detail as possible. The executive director may seek clarification from the individual making the allegation before proceeding.
3. If any CIET employee reports their suspicions of research misconduct to their immediate supervisor, this supervisor is required to inform the executive director in a timely fashion; regardless of the supervisor's assessment concerning whether the activity in question constitutes possible misconduct. The supervisor may make a recommendation at the time of this notification.
4. In the interest of confidentiality, if the report of suspected misconduct is made directly to the executive director, bypassing the immediate supervisor; and the accusation is found to be false, the executive director may chose not to inform the accused individual's immediate supervisor if it will be detrimental to the reputation of the accused individual.
5. If the allegation arises from an international research project where CIET is the principal investigating institution or chief entity leading the project and the allegation involves an individual from a partnering organisation; if the allegation is found to be unsupported; the executive director may chose not to inform the partnering organisation if it will be detrimental to the reputation of the accused individual. If the accusation warrants an inquiry, the executive director may involve the partnering organisation if their participation sheds light on the accusation.

6. Allegations of misconduct may arise from other sources (e.g. journal editors or partnering communities). In all cases, once a report is received, the executive director will take appropriate action in accordance with these procedures, and national /international regulations.

4.2 Review process

The review process for determining whether research misconduct has occurred and providing corrective actions consists of three phases: *inquiry, investigation, and adjudication*. The goal of these procedures is to ensure fair treatment for each person alleged to have committed an act of research misconduct.

The difficulty in determining whether misconduct has occurred is recognized in the following procedures as is the need for the investigative process to be sufficiently flexible to permit early termination of proceedings when it becomes clear that charges are unjustified or that the issue can be resolved appropriately by other expeditious means. Not all allegations will lead to a review process; particularly those that can be clarified by re-examining the established protocols specific to the research projects in question.

As few people as possible should be involved at any stage of the review procedure to protect the reputation and career of those facing unjustified charges of misconduct.

4.2.1 Inquiry

The following describe inquiry procedures to take place once a complaint has been reported

- 1, At the time of or before beginning an inquiry, the executive director (or designate) will notify the accused person(s) in writing. The accused individual has 30 days to respond to the accusations.
2. Prior to any inquiry CIET will take steps to sequester all the research records⁵ and collect other pertinent evidence (such as receipts) related to the accusation. The accused person is obligated to cooperate with all requests made by CIET to obtain this information.
3. The purpose of the inquiry is to conduct an initial review of the evidence to determine whether to proceed with an investigation or to put quickly to rest frivolous, unjustified, or mistaken allegations. The inquiry's focus is to determine whether the initial allegations or suspicions warrant investigation.
4. The executive director may designate any CIET personnel or outside affiliates to participate in the inquiry; provided none of these individuals has a conflict of interest in the matter, and that they all have the necessary and appropriate expertise to evaluate the available evidence.
5. Ideally, the inquiry will be completed within 60 calendar days of its initiation. If the inquiry requires longer than 60 days to complete, the record of the inquiry will document the reasons for exceeding 60 days.

⁵ Refer CIET Policy on security, storage and destruction of project records (Version of 31 October, 2010)

6. Upon completion of the inquiry, a draft report will be prepared by the Inquiry Committee. The written report will state what evidence was reviewed, summarize relevant interviews (if interviews were conducted), and include sufficient details to support the conclusions of the inquiry. The person(s) accused of research misconduct will be given a copy of the draft inquiry report and have an opportunity to comment on the report. Comments from the accused person must be received within 14 days of receipt of the draft inquiry report. The final written report of the matter along with any comments received by the person(s) accused of research misconduct will be submitted to the executive director.

7. At the conclusion of the inquiry, the executive director, at his discretion, may advise the person who made the allegation about how the matter was decided.

8. If the inquiry determines that an investigation is not warranted, sufficiently detailed documentation of the inquiry must be maintained to permit a later assessment of the reasons. Efforts to restore the reputation of the accused individual(s) will be made as deemed appropriate by the executive director. The records of the inquiry will be kept secure by CIET for at least seven years and will be made available to appropriate examiners from involved funding agencies if the allegations are connected to research they supported.

9. If the inquiry concludes that there appear to be grounds for a charge of research misconduct and that an investigation is warranted, the executive director will initiate a formal investigation into the matter. If appropriate, the executive director may take immediate action to protect the administration of funds from the relevant supporting Agency.

4.2.2 Investigation

The following describe procedures to be followed if the inquiry finds that the complaint warrants an investigation. The purpose of the investigation is to collect all relevant evidence of the alleged research misconduct, from documentation, interviews with those involved, and interviews with those knowledgeable about the activities under investigation. This collection of evidence is to be objective, independent, unbiased, and thorough.

1. The investigation will be conducted by an Investigation Committee appointed by the executive director and consisting of two CIET personnel (at least one of whom should be a research fellow and neither of whom is directly affiliated with the research project where misconduct allegedly occurred but has sufficient expertise to carry out the investigation requirements) and one individual external to the organisation with no connection to the research in question. The Investigation Committee will initiate the investigation within 30 days of the completion of the inquiry and make a good-faith effort to complete the investigation within 120 days of its initiation.

2. The Investigation Committee will review the allegations and give all individuals concerned a fair opportunity to present their knowledge and information. The Investigation Committee may consider it necessary to review all research with which the accused person is involved, or may be directed by the executive director to do so. Other areas of professional misconduct (e.g., clinical practice, personnel supervision, human or animal subjects research, or personal interaction) may be investigated as well, if the Investigation Committee has reason to believe, or uncovers evidence to indicate, that a broader range of misconduct has occurred. If, in the course of the

investigation, the Investigation Committee finds reasonable grounds to believe there should be an inquiry into actions of individuals other than the accused, it must notify the executive director promptly.

3. At the initiation of the investigation, the executive director or his appointee must inform the person accused of misconduct in writing of all the charges against him or her, the source of the accusation, and the fact that an investigation is taking place. The accused person must be informed promptly and in writing of any amendment to the original charges.

4. The accused person will be notified of the names of the members of the Investigation Committee appointed by the executive director to conduct the investigation. The accused person may request that the executive director replace a member of the Investigation Committee on a reasonable showing of potential bias or conflict of interest.

5. The Investigation Committee will give the accused person written notification of the place, time, and date of any meeting at which her/his appearance is requested. Skype or other electronic means may be used to facilitate meetings at an international level. No meeting will be held for one week after the date the accused receives the committee's request to appear. The accused can reschedule with good cause. The accused person's failure or refusal to meet with the Investigation Committee will not deter the progress of the investigation. If the accused person is no longer employed by CIET, the requirements of written notice and an opportunity to answer to the charge of misconduct will be observed as far as is practical, but the failure of the accused to respond or to make himself or herself available to the committee will not deter the inquiry and investigation.

6. All relevant materials and documents sequestered during either an inquiry or an investigation must continue to be secured throughout the course of the investigation.

7. At the beginning of the investigation, the accused person will have the opportunity to consult with an uninvolved CIET employee or other knowledgeable affiliate, who will serve as "advisor" to the accused person throughout the proceedings. The role of the advisor will be to offer advice and guidance regarding the procedural aspects of the process. This individual will be chosen by the accused person, subject to approval by the executive director, or appointed by the executive director, subject to approval by the accused person, and may, upon request by the accused person, accompany her or him to meetings with inquiry, investigating, or adjudicating committees.

8. All testimony to the Investigation Committee by the accused or other persons will be recorded or transcribed. Copies of the recordings or transcription will be furnished to the accused person. The accused person may submit corrections to the transcript in a separate document but may not otherwise edit the transcript.

9. The accused person will be allowed to present a written statement at the start of the investigation. He or she may request that the Investigation Committee interview certain individuals with relevant information, and may suggest to the Investigation Committee any avenues of inquiry that he or she believes are likely to produce relevant evidence. The accused person may request an opportunity to question his or her accuser at a committee meeting before

the Committee completes its final report. If in the executive director's judgment, this would impose undue hardship on individuals involved, the face-to-face meeting may be prohibited.

10. At the conclusion of the investigation, a report will be prepared by the Investigation Committee. This report will include the names of the persons interviewed; a summary of the interviews; a description of the documents, data, and other evidence examined; and the Investigation Committee's conclusion regarding each of the allegations. The accused person will be given a copy of the Investigation Committee's draft report and a copy of, or supervised access to, the evidence on which the report is based. The accused person may submit comments to the draft report within 30 days of receipt. The executive director will be given the final report and the accused person's comments, if any.

11. If the investigation concludes that research misconduct has not occurred, and if the executive director concurs with this conclusion, the matter will be closed, with appropriate action taken for restoration of the reputation of those under investigation and continued protection of the accuser(s) from retaliation. The executive director will retain the records of the investigation, including the findings of the Investigation Committee, in a confidential, sequestered file for a period of seven years. A copy of the Investigation Committee's findings of no misconduct will be sent by the executive director, to the accused person.

12. If, with due regard to whistleblower protections, the Investigation Committee finds the allegations of misconduct have been maliciously motivated, or based on fraudulent evidence, the executive director may take appropriate disciplinary action against those responsible. If, in the judgment of the Investigation Committee, the allegations, however incorrect or unsupported, were made in good faith, no retaliatory or disciplinary action will be taken against the accuser(s) and appropriate measures will be taken to protect the accuser(s) from retaliation.

4.2.3 Adjudication / Recourse

The following describe procedures to be followed if the investigative committee concludes that research misconduct has occurred. The purpose of deciding recourse is to remediate potential harm done to the scientific community and the public at large arising from breaches of acceptable research conduct.

1. Adjudication of proven research misconduct will be conducted by a Discipline Committee consisting of two senior representatives from CIET and one other individual external to CIET with sufficient expertise to decide adequate disciplinary/mediation procedures. The Discipline Committee will review the investigative report in the context of any mitigating or aggravating circumstances and consider any rebuttals submitted by those found to have committed research misconduct and then make a recommendation to the executive director for corrective and/or disciplinary action

2. If the accused person's immediate supervisor or mentor is a member of the Discipline Committee, he will recuse him/herself from the deliberations. Any other Discipline Committee members with conflicts of interest, real or perceived, will disclose these conflicts to the Chair of the Discipline Committee who will make any decisions regarding their recusal.

3. The accused will be given an opportunity to appear before, and/or submit written comments to the Discipline Committee; stating why the findings of the Inquiry or Investigation Committee should be accepted or rejected in whole or in part. Such comments by the accused should be received within 10 days of receipt of the investigation report by the accused

4. Prior to making a final decision regarding sanctions and remedial actions, the Discipline Committee will meet with the accused researcher's immediate supervisor and/or mentor so they may provide the committee with information that would bear on the impact of the proposed disciplinary action. If the immediate supervisor or mentor disagrees with the recommendations of the Discipline Committee, the committee will note these differences but its final recommendations will be made independently. Any reasons for these differences of opinions will be documented in the committee's report. The immediate supervisor or mentor of the accused may also provide to the executive director a written description of any differences of opinion.

5. The Discipline Committee may accept or reject the report of the Investigation Committee in whole or in part and recommend to the executive director those sanctions and remedial actions, if any, they consider appropriate. The Discipline Committee can also return the matter to the Investigation Committee for additional investigation or modification of its report.

6. In deciding what remedial actions are appropriate, the Discipline Committee will consider the seriousness of the misconduct including but not limited to

- the degree to which the misconduct was knowing, intentional or reckless
- whether the misconduct was an isolated event or part of a pattern
- whether the misconduct had a significant impact on the research record, research subjects, other researchers, institutions or the public welfare.

7. Remedial actions recommended by the Discipline Committee may include, but are not limited to:

- correcting the research record where feasible
- withdrawal or correction of papers and abstracts
- notification of journal editors where fraudulent or suspect research has been published or is under review
- notification of sponsoring agencies
- letters of reprimand
- monitoring of research activities for a probationary period
- suspension or disbarment in accordance with national/international rules on suspension and disbarment
- termination or alteration of employment
- postponement or denial of promotion or advancement
- release of information to the public, particularly when public funds were used to support the fraudulent or suspect research.

8. The Discipline Committee will forward its report to the executive director of CIET who will, in a meeting with other executives consider the case and decide what if any disciplinary action to take. In cases involving international research partners, the executive director will meet with members from the partnering organisations.

5. External Reporting requirements

As a general statement, if at any stage of the inquiry or investigation of cases it is determined that any of the following conditions exist, the executive director will immediately notify the appropriate funding institutions or their secretariat

- health or safety of the public is at risk, including an immediate need to protect human or animal subjects;
- agency resources or interests are threatened;
- research activities should be suspended;
- there is reasonable indication of possible violations of civil or criminal law;
- the research community or public should be informed.

5.1 Inquiry stage

CIET will follow the specific requirements outlined in the policies of the involved funding agencies regarding research misconduct. As a general rule, at the initiation of the inquiry, funding organizations will be advised immediately of any allegations *that may involve significant financial, health and safety or other risks*. Upon completion of the inquiry where no proof of misconduct was found these funding institutions, thus informed, will be notified of the outcome by letter. In general the outcome letter will be issued within 60 days of the initial notification letter to the agency

If upon completion, the inquiry confirmed misconduct and CIET is proceeding with an investigation the involved funding institution (or secretariat) will be informed of inquiry details which may include but not necessarily be limited to the following (subject to privacy and other applicable laws and the guidelines of the organisation being notified:

- the specific allegation(s), a summary of findings and reasons for the finding(s)
- the process and time lines followed for the inquiry
- the researcher's response to the allegations and steps taken to remediate
- the reasons for the Inquiry Committees decision to proceed with an investigation.

5.2 Investigation stage

Reporting at the investigation stage will follow the policies of the specific funding agency (or their secretariat) regarding research misconduct.

If the Investigation Committee concludes that research misconduct has occurred, it will report its findings to appropriate funding agencies or their secretariats as follows:

- the specific allegation(s), a summary of the finding(s) and reasons for the finding(s);
- the process and time lines followed for the inquiry and/or investigation;
- the researcher's response to the allegation, investigation and findings, and any measures the researcher has taken to rectify the breach;
- the institutional Investigation Committee's decision and recommendations and actions taken by the institution