

Policy Title: Research Misconduct

Policy Owner: Deputy Vice-Chancellor (Research)

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1. INTENT

This policy establishes a framework for dealing with breaches of the *Australian code for the responsible conduct of research* (Australian Government, 2007) (the Code) and research misconduct, and the appropriate action in the event of an allegation of a breach of the Code or research misconduct.

2. ORGANISATIONAL SCOPE

This policy applies to all staff, affiliated researchers and students involved in research and research-related activities at ECU.

3. DEFINITIONS

TERM	DEFINITION
"Breach" means	less serious deviations from the Code that are appropriately remedied within the institution.
"Code" means	the Australian code for the responsible conduct of research (Australian Government, 2007).
"Research" means	the creation of new knowledge and/or the use of existing knowledge in a new and creative way so as to generate new concepts, methodologies and understandings. This could include synthesis and analysis of previous research to the extent that it leads to new and creative outcomes.
"Research Misconduct" means	<ul style="list-style-type: none">significant misbehaviour that does not conform to approved University protocols, including but not limited to: behaviour that improperly appropriates the intellectual property or contributions of others; intentionally impedes the progress of research; risks corrupting

TERM	DEFINITION
	<p>research records; or otherwise compromises the integrity of research practices.</p> <ul style="list-style-type: none"> • serious or deliberate deviations from the Code, such as practices that seriously deviate from those that are commonly accepted within the scientific community for proposing, conducting or reporting research. Examples of research misconduct may include, but are not limited to, the following: <ul style="list-style-type: none"> - fabrication of results - falsification or misrepresentation of results - plagiarism - misleading ascription of authorship - failure to declare and manage serious conflicts of interest - falsification or misrepresentation to obtain funding - conducting research without ethics approval as required - risking the safety of human participants or the wellbeing of animals or the environment - deviations from the Code that occur through gross or persistent negligence - deliberate or otherwise concealment and/or facilitation of research misconduct by others. • repeated or continuing breaches of the Code.
<p>“Designated Officer” means</p>	<p>the Deputy Vice-Chancellor (Research), or successor with primary responsibility for research, or other senior person appointed by the Vice-Chancellor in specific circumstances which include the absence of, or comprise a conflict of interest for, the Deputy Vice-Chancellor (Research).</p>
<p>“Vice-Chancellor” means</p>	<p>the person appointed to be the Vice-Chancellor of the University, or their delegated nominee.</p>

4. POLICY CONTENT

4.1 ECU staff and students are expected to support the maintenance of high standards of research conduct consistent with the *Australian code for the responsible conduct of research* (“the Code”). Deviations from the Code can range from less serious deviations (“breaches”) to more serious or deliberate deviations (“research misconduct”).

- 4.2 Behaviours that represent breaches of the Code and research misconduct will be dealt with according to this policy.
- 4.3 Research misconduct does not include honest errors that are minor or unintentional nor honest differences in judgment or interpretations of data.

Principles

- 4.4 Allegations of any breaches or of any misconduct in research must be examined or investigated, as appropriate.
- 4.5 Confidential disclosure of allegations of breaches of the Code or research misconduct may be made to advisers of research integrity, which includes School Deans, Associate Deans (Research) or equivalent officers in each School of the University. The adviser should explain the options open to the person considering, making, or having made an allegation. These options include:
- referring the matter directly to the person against whom the allegation is being made;
 - not proceeding or withdrawing the allegation if discussion resolves the concerns;
 - referring the allegation to a person in a supervisory capacity for resolution; or
 - making an allegation of research misconduct in writing to the Designated Officer.
- 4.6 Full records of all processes associated with allegations must be kept, including decisions to not proceed or withdraw the allegation. Any correspondence, documentation or investigations associated with allegations of research misconduct are highly confidential and, therefore, all parties involved must treat such information with appropriate and adequate security and confidentiality.
- 4.7 Investigations into allegations of breaches or of research misconduct are to be conducted fairly and sensitively and, where possible, in a timely manner.
- 4.8 The University may be required to report and disclose research misconduct to other external agencies. Where disclosure is deemed necessary, the Vice-Chancellor shall make that report or disclosure.
- 4.9 When the University is notified by an external body of a process prescribed by legislation, in relation to a research misconduct allegation, any action under this Policy may be suspended. A decision to suspend action may be made by the Designated Officer.

Procedures for Examining and Investigating Allegations

- 4.10 The Designated Officer is responsible for receiving and overseeing the investigation of all allegations of breaches of the Code or of research misconduct and for determining whether allegations have sufficient *prima facie* substance or should be dismissed.
- 4.11 Where appropriate, during the preliminary examination the Designated Officer may, where necessary, seek assistance from others, including the person who is the subject of the allegation. This preliminary examination is limited to determining whether a *prima facie* case of research misconduct may exist.

- 4.12 Where the Designated Officer is satisfied that an allegation cannot be sustained, the allegation will be dismissed and the person making the allegation and the person subject to the allegation will be advised accordingly.
- 4.13 If the Designated Officer is of the opinion that there is no reasonable basis for an allegation, they may determine if appropriate action against the person making the allegation is required.
- 4.14 Where the Designated Officer is satisfied that a *prima facie* case may exist, the following procedures will be followed:
- a) Allegations of either breaches of the Code or research misconduct for academic or general staff, shall be dealt with in accordance with the individual's employment contract, industrial instrument and related ECU policies, including the Responsible Research Conduct Policy, the Misconduct and Serious Misconduct – General Staff Policy and other instruments listed at section 6 below.
 - b) Allegations of either breaches of the Code or research misconduct for students, shall be dealt with in accordance with the University Rules: Academic Misconduct Rules (Students).
 - c) If any investigation of University staff uncovers activities that would be considered suspected acts of fraud, corruption and misconduct as defined by the University's Fraud and Misconduct Prevention and Management Policy and Guidelines, these activities are to be reported to the Director, Risk and Assurance Services Centre and/or the Director, Human Resources Service Centre.

5. ACCOUNTABILITIES AND RESPONSIBILITIES

In relation to this policy, the following positions are responsible for the following:

Policy Owner

The Policy Owner, being the Deputy Vice-Chancellor (Research), has overall responsibility for the content of this policy and its operation in ECU.

All staff, students and affiliated researchers of Edith Cowan University

All staff, students and affiliated researchers of Edith Cowan University are required to comply with the content of this policy and to seek guidance in the event of uncertainty as to its application.

6. RELATED DOCUMENTS:

6.1 Other documents which are relevant to the operation of this policy are as follows:

1. *Australian Code for the Responsible Conduct of Research*, Australian Research Council (ARC), Universities Australia and the National Health and Medical Research Council (NHMRC), Australian Government 2007
2. ARC Research Integrity and Research Misconduct Policy

3. NHMRC Policy on Misconduct related to NHMRC Funding
4. Responsible Research Conduct policy(ac074)
5. Authorship, peer review and publication of research policy (ac073)
6. ECU Academic and Professional Staff Union Collective Agreement 2013
7. Code of Conduct (hr117)
8. University Rules: Academic Misconduct Rules (Students)
9. Fraud and Misconduct Prevention and Management Policy (rm002) and Guidelines
10. Procedures relating to ECU's obligations under the *Public Interest Disclosure Act (WA) 2003*
11. *Animal Welfare Act (WA) 2002*
12. *Working with Children (Criminal Record Checking) Act 2004 (WA)*

7. CONTACT INFORMATION

For queries relating to this document please contact:

Policy Owner	Deputy Vice-Chancellor (Research)
All Enquiries Contact:	Director, Office of Research and Innovation
Telephone:	08 6304 5401
Email address:	margaret.jones@ecu.edu.au

8. APPROVAL HISTORY

Policy approved by:	Vice-Chancellor
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Date last modified:	20 November 2015
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