



# **CODE OF GOOD PRACTICE** **FOR RESEARCHERS**

<b>Prepared by</b>	<b>People Services</b>
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### **APPENDIX 1 – Gross Misconduct By Staff Not Employed By the University**

## **1. Introduction**

Glasgow Caledonian University expects ALL those engaged in research to act with the highest standards of integrity. This applies to staff and students.

The University is committed to upholding and encouraging the principles of good practice governing the academic work that is carried out by staff or students of the University.

## **2. Aims of the Document**

The University considers it essential for its staff and students to have an understanding and appreciation of good research practice. It is also essential that staff and students are aware explicitly of what constitutes misconduct, how it is identified and investigated, and the action that might be taken should any instance be upheld.

All staff and students will normally be advised of the existence of this document at departmental induction with their Line Manager and via student programme handbooks. It will also be available on the University's website.

The aims of this Code are therefore to:

1. establish and promote good practice in the conduct of all aspects of research within the University whether this be project based or individually led,
2. encourage individuals to maintain the highest achievable standards in their research conduct,
3. ensure individuals act upon allegations of research misconduct in accordance with the University's Policies and Procedures.

The document applies to all those who are engaged in research and its management.

## **3. Principles of Good Practice in the Conduct of Academic Research**

Good practice in the conduct of research is recognised in the seven principles of Public Life outlined in the Nolan Report (1996) – selflessness; personal integrity; objectivity; accountability; openness; honesty and leadership. This requires that the University ensures the following:

1. The highest possible standards of honesty, confidentiality and care. Regardless of discipline or institution, researchers need to be honest in respect of their own actions in research and in their responses to the actions of other researchers. This applies to the whole range of research, including development of research proposals, experimental design, generating and analysing data, publishing results and acknowledging the direct and indirect contribution of colleagues, collaborators and others. All individuals in the University's employment and all University students must refrain from plagiarism, piracy or the fabrication of results. The committing any of these actions is regarded as gross misconduct.
2. A continuing endeavour to keep abreast of developments in the relevant subjects and disciplines, including their methodologies.
3. A critical approach to one's own research results. An openness and responsiveness to reasoned criticism by colleagues.

4. Observance of the standards of practice and codes of conduct set out in guidelines published by funding bodies, scientific societies, government bodies, Glasgow Caledonian University and other relevant professional and statutory bodies, where appropriate.
5. Positive and fair leadership in contexts where work is carried out by teams.
6. Integrity in applying for public or private sources of funding and probity in using the funds only for purposes for which they are given.
7. The strict adherence to the best contemporary legal, administrative and ethical practices in research that involves human or animal subjects.
8. The clear documentation of the methods and processes that are used in the research, and the preservation of such documentation for ten years, or such time as may be found in the codes of practice relating to the relevant discipline.
9. The clear and accurate records of the procedures followed and the approvals granted during the research process, including records of interim results obtained as well as of the final research outcomes.
10. The safe and secure storage of the primary data and procedures, normally for ten years but should be appropriate, and a safe and secure method of disposal after this time, all in accordance with the requirements of current data protection legislation.
11. The confidentiality of personal information relating to the participants in research, and that the research fulfils any legal requirements such as those of current data protection legislation.
12. The acceptance of responsibility for the contents of a publication or research proposal by all whose names appear on it as authors.
13. The acceptance of the responsibility to seek to disseminate results of completed work, where appropriate.
14. The selection and listing of the authors in a published work in a way that fairly and appropriately reflects the contributions made by each; and including acknowledgement of contributions made by others not listed as authors.
15. Recognition of the training needs of junior researchers and those beginning their research careers, and sensitivity to the needs of those approaching the end of their research career.
16. The compliance with any University regulations relating to research including ethical, quality or approval processes.

Glasgow Caledonian University is committed to working towards the establishment of the features of good practice listed above

#### **4. Definition of Misconduct in Research**

All individuals carrying out research for Glasgow Caledonian University are expected to observe high standards of professional behaviour both in the practice of research and in the publication and dissemination of research. A failure to achieve the highest attainable levels of good practice is not itself sufficient evidence of research misconduct, nor is honest or unintentional error.

Research misconduct is broadly defined as wilful behaviour that falls seriously short of, or that seriously breaches the principles of good practice in the conduct of academic research.

Research misconduct may take many forms. It includes, but may not be restricted to, the following:

1. *Piracy*: the deliberate exploitation of the ideas of others without permission or acknowledgement. It includes the piratical use of material that has been provided in a privileged way for review, examination, assessment or appraisal.
2. *Fraud*: the manipulation of data or findings with an intention to deceive. It includes the invention, falsification, or selective use of data to create an impression that the researcher knows to be false or incomplete. It can also incorporate financial fraud when there is a misappropriate use of funds.
3. *Collusion*: the deliberate participation in the research misconduct of another person.
4. *Plagiarism*: the deliberate copying of, data or text without permission or acknowledgement.
5. *Persecution*: occurs when disciplinary or other retaliation is taken against a person who brings a charge of misconduct in good faith.
6. *Malicious accusation*: the bringing of a charge of misconduct against another person in bad faith.
7. *Denigration*: is the persistent and unjustifiable deprecation of the worth of another person's work. It includes the failure by senior staff to give fair and appropriate credit for the work done by junior staff/students.
8. *Interference*: the intentional damage to, or removal of, the research-related property of another person or the University.
9. *Negligence*: is the culpable departure from contemporary legal, administrative and ethical practices in research that involves human or animal subjects. It includes the deliberate departure from recognised practices, procedures and protocols.
10. *Non-compliance*: the failure to adhere to whatever terms and conditions have been freely entered into in order to receive public or private funds from outside the University.

## 5. Acting Upon Allegations of Misconduct

### 1. Staff

Members of staff who believe that an act of research misconduct has occurred or is occurring are encouraged to raise their concerns, in confidence to their **Dean/Head of Department/Line Manager/Associate Dean for Research or to the Director of Research Development and Management, Chairs of the**

**University's Research Ethics Subcommittee or Research Degrees Committee<sup>1</sup>**

who will undertake an informal preliminary investigation to establish the facts of the allegation. On completion of the investigation, the manager will, decide whether it is appropriate to refer the matter as outlined in the University's Conduct and Capability Policy or to seek an informal resolution.

2. Staff not employed by Glasgow Caledonian University

In the event that a member of staff is primarily employed by another organisation (i.e. seconded from another institution, or employed by another institution but teaching on an honorary contract or collaborating in joint organisational research project), **the Dean/Head of Department/Line Manager/ADR/ Director Research Development and Management/ RESC Chair/Chair of RDC** will undertake an informal preliminary investigation to establish the facts of the allegation and where appropriate, refer to the employing organisation for disciplinary or relevant action.

Where an individual is alleged to have committed an act of gross misconduct, Glasgow Caledonian University will separately investigate whether to bring the individual's association with the University to an end, either with or without notice. This process is outlined in Appendix 1, at the end of the policy.

3. Undergraduate and Taught Postgraduate Students

In the event of an Undergraduate or Taught Postgraduate student being suspected of having committed an academic irregularity, the allegation will be investigated and considered under the procedures set out in the Code of Student Conduct.

4. Research Students

In the event of a research student being suspected of having committed an academic irregularity, the allegation must be reported to the Secretary to the Research Degrees Committee in writing. The Secretary to the Research Degrees Committee will act in accordance with **Regulations For The Award of the University's Degrees of Master of Philosophy, Doctor of Philosophy and Professional Doctorate** and the procedure for consideration of allegations in research degrees.

5. All Students

In the event of a student, undergraduate, taught postgraduate or research, being suspected of having committed an offence out with the area of academic irregularity, as defined in appendix 1 of the *Code of Student Conduct*, the allegation must be reported to the student's Head of Department in the first instance, who will decide on the necessary action in line with the *Code of Student Conduct* (Section 9 *Reporting, Classifying and Investigating Breaches of the Code*).

Every complaint will be considered seriously although in the event that such complaint is found to be without basis and made with malicious intent, the University may consider disciplinary procedures against the instigator of the complaint

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<sup>1</sup> See <https://www.gcu.ac.uk/research/researchatglasgowcaledonianuniversity/researchintegrity/> for relevant named staff with research-related responsibilities.

## 6. Use of Funds Granted for Research<sup>2</sup>

Funding bodies in the UK have their own codes for safeguarding good scientific practice. Staff must adhere to the codes of practice promulgated by the body funding their research. In any event, staff must adhere to the University's policy as a minimum requirement.

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<sup>2</sup> The relevant research council should be notified of an allegation of research misconduct **at the stage that it is decided to undertake an informal inquiry.**

## 7. Other Documents

1. RCUK Policy and Guidelines on Governance of Good Research Conduct  
<http://www.rcuk.ac.uk/documents/reviews/grc/rcukpolicyguidelinesgovernancegoodresearchconduct-pdf/>
2. GCU Conduct & Capability Policy  
[https://www.gcu.ac.uk/media/gcalwebv2/theuniversity/supportservices/peopleservices/Conduct\\_and\\_Capability\\_Policy.pdf](https://www.gcu.ac.uk/media/gcalwebv2/theuniversity/supportservices/peopleservices/Conduct_and_Capability_Policy.pdf)
3. Code of Student Conduct <https://www.gcu.ac.uk/gaq/appealscomplaintsstudentconduct/>
4. Regulations For The Award of the University's Degrees of Master of Philosophy, Doctor of Philosophy and Professional Doctorate (Section 15 Cheating and Plagiarism)  
<https://www.gcu.ac.uk/graduateschool/media/graduateschool/HDregulationsRevJune2015.pdf>



## Appendix 1

### Gross Misconduct by Staff Not Employed By the University

Where an individual is alleged to have committed an act of gross misconduct, Glasgow Caledonian University will separately investigate whether to bring the individual's association with the University to an end, either with or without notice.

#### 1. The Process for considering Disassociation

On undertaking the preliminary informal investigation, if the relevant investigator<sup>3</sup> considers that the allegations are serious enough to be considered gross misconduct (see section 4), and as such would make continued association with the University difficult, then he/she should refer the issue to the Director of People. The Director of People will ensure that the individual and the employer are kept informed of the process, authorise the relevant investigator to continue investigations, set up a formal hearing panel as outlined below and ensure that all parties have a five working days notice of the panel meeting.

#### 2. The Panel

A panel consisting of the Vice- Principal and PVC, an independent Associate Dean of Research, an independent member of staff from the disciplinary panel pool **and a relevant external representative** will consider all the circumstances of the case. The relevant investigator will present their finding to the panel and the individual, who may be accompanied by a trade union representative or work colleague, will present their response.<sup>4</sup>

Having heard all the evidence, the panel will consider its decision in private, giving consideration to the following points

- Does the evidence suggest that, on the balance of probabilities, the allegation is founded.

If so,

- Does the nature of the allegation warrant disassociation from Glasgow Caledonian University.

Grounds for disassociation include:

- A fundamental breach of trust between the individual and the University/ its staff/a financial provider/ a regulatory body, making continued association impractical.
- A significant detrimental effect to the reputation of the University, if association were to be continued.
- A potential serious health and /or safety risk attached to continuing association with the individual.

If the allegations are not substantive or are not found to be serious enough to be considered gross misconduct then no further action will be taken by the University.

#### 3. The Outcome

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<sup>3</sup> Dean/Head of Department/Line Manager/Associate Dean for Research/ Director of Research Development and Management/Chair of University Research Ethics Subcommittee/Chair of Research Degrees Committee

<sup>4</sup> RCUK may wish to seek observer status on formal investigations involving .

The outcome of the hearing, including where appropriate the effective date of any disassociation and the conclusion of any financial arrangement with the individual's employer, will be provided in writing to the employing organisation. The letter will be copied to the individual. The individual may appeal to the Director of People within ten working of receipt of the letter if there are procedural grounds. An appeal would be heard by the University Principal.

This process is separate from the individual's employing organisation. However if the individual is dismissed for misconduct by their employer, this would automatically terminate any arrangements between the university, the individual's employer and the individual for continuing association with Glasgow Caledonian University.