

BISHOP GROSSETESTE UNIVERSITY

Document Administration

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| Scope: | This Code applies to all individuals involved in doctoral research, whatever the subject. It also applies to research students providing consultancy, innovation, commercial and analytical services and those involved in the setting up and running of Institutional spin-out companies where appropriate. |
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Contents

| | |
|---|-----------|
| 1. Introduction | 3 |
| 2. Principles | 3 |
| 3. Specific requirements | 4 |
| 4. Procedures for dealing with allegations of misconduct | 11 |
| 5. Codes of Practice | 13 |



1. Introduction

- 1.1 This Code of Conduct for Doctoral Research at Bishop Grosseteste University (hereafter referred to as 'the Institution' or BGU) provides guidelines for responsible practice in research, and guidance on situations involving misconduct in research. This Code applies to all individuals involved in doctoral research, whatever the subject. It also applies to research students providing consultancy, innovation, commercial and analytical services and those involved in the setting up and running of Institutional spin-out companies where appropriate. In the context of this Code, the term 'research' is used in an inclusive sense and includes both funded and unfunded work, as well as all aspects of the exploitation of research.
- 1.2 The Code complies with UK Quality Code (QAA, 2015) requirements, specifically *Chapter B10: Managing Higher Education provision with others and Chapter B11: Research degrees*. This document should be read in conjunction with the Regulations Governing Doctoral Research Degree Programmes and any other policies, procedures or guidance, as may be current or issued by the Institution.
- 1.3 It is the policy of the Institution that all research under its auspices will be conducted responsibly and ethically. The Institution expects all those involved in research to observe the highest standards of research integrity and to embed good practice in all aspects of their work, including the training of doctoral research students. They must operate honestly and openly in respect of their own actions and in response to the actions of others involved in research. The Institution expects its research students to ensure that their work enhances its reputation and standing and the profession to which they belong.
- 1.4 This Code is intended to provide a clear and public statement of the Institution's research policies and practices. It is also designed to meet the requirements of funding agencies and granting bodies wherever possible. It is firmly based on the Institution's desire to operate to the highest ethical standards in all its activities. The Institution has determined that the Research Committee shall be responsible for establishing and reviewing policy guidelines for the proper conduct of doctoral research, including reviewing this Code to ensure it takes into account current guidelines and relevant legislation.

2. Principles

- 2.1 This Code prescribes standards of ethical conduct expected of all persons engaged in doctoral research in the Institution and their supervisory team. Research activity must be based upon the following guiding principles:
- research involves the pursuit and dissemination of knowledge and understanding;
 - research students should, in all aspects of their research demonstrate integrity and professionalism, ensure the accuracy of their results and observe fairness and equity, avoid conflicts of interest, and ensure the safety of those associated with the research;



- research methods and results should normally be open to scrutiny and debate;
- research must be conducted with due regard to any legitimate internal or external constraints or procedures which may apply, including Regulations.

Observance of the Code

- 2.2 All research students must familiarise themselves with the Code and ensure that its provisions are observed by themselves and by those working with them.

Breach of the Code

- 2.3 Failure to comply with the provisions of the Code may constitute grounds for disciplinary action.

Advice and training

- 2.4 Where a research student is in doubt about the applicability of provisions of the Code, or about the appropriate course of action to be adopted in relation to it, advice should be sought from the Head of Research, the Academic Co-ordinator or a member of the relevant Research Ethics Committee. Training in various aspects of the Code is available and research students should ensure that they take advantage of the training offered.

External codes

- 2.5 This Code has been drawn up to conform with the principles laid out in the Research Councils UK (www.rcuk.ac.uk); *Policy and Code of Conduct on the Governance of Good Research Conduct*; the UK Research Integrity Office's (www.ukrio.org) *Code of Practice for Research*; the *Procedure for the Investigation of Misconduct in Research* and the British Education Research Association (www.bera.ac.uk). Research students should also adhere to any regulations laid down by their professional body.

3. Specific Requirements

Intellectual property

- 3.1 In line with UK legislation, it is the policy of the Institution that it owns all Intellectual Property (IP) or other materials developed by its employees, unless explicitly stated otherwise. If a student creates an intellectual work during the course of their studies and becomes conscious that the work has immediate or potential commercial value, they should seek advice from the Enterprise Development Manager. The Institution does, however, recognise the moral ('paternity') rights of authors and does waive copyright of articles for publication in journals or books. Research students are not employees of the Institution in their capacity as research students and therefore legally own any IP arising from their research as long as all the creative intellectual input has been that of the student (in case a research student is an employee of the HEI, matters will be dealt with on a case-by-case



basis. When students have only followed a supervisor's instructions, the intellectual input resides with the supervisor. Where the research results are clearly the output of intellectual input from both the candidate and supervisor, then depending on the particular circumstances, the intellectual input is jointly owned by the candidate and the Institution or each owns the IP that results from their respective creative inputs, subject to the individual circumstances of each research activity. It is the policy of the Institution that it will decide, on a case by case basis, whether students should assign their IP to the Institution for appropriate exploitation. Supervisors are responsible for ensuring that the appropriate documentation for executing such an assignment is undertaken. Research students will benefit from the Institution's exploitation on the same terms as employees if they assign their IP to the Institution.

- 3.2 Where funding (cash or in-kind) is received from an external body, there may be agreement that the sponsoring body has rights of ownership of IP arising from the project. The supervisor of such research is responsible for ensuring that the appropriate assignments of ownership are in place between the candidate and the Institution. There is a range of ways that confidentiality can be compromised by disclosure of a discovery or invention. Research students need to be aware that a disclosure does not only occur as a result of a published paper, but also as a consequence of a poster, presentation, email or an informal conversation. Breaches of confidentiality may result in actions for recovery of losses from a sponsor against the Institution and the individual concerned, together with a loss of income. Even if a sponsor is not involved, breaking confidentiality will result in an inability to protect the intellectual property at any time in the future. It is possible to have confidential conversations without compromising IP under the protection of a non-disclosure agreement.
- 3.3 Research students who leave the Institution are reminded that any IP developed during their registration which is owned by the Institution, or any research funder to whom such intellectual property has been assigned, in accordance with a relevant contract or licence, remains the property of the organisation, and should not be divulged to third parties without the permission from the owner of the IP, unless it is already in the public domain.

Approval procedures

- 3.4 All research involving human participants requires approval from the relevant Ethics Committee and supervisors are responsible for ensuring that approval is in place before research commences. Where ethics review is required by law (for example research conducted within the remit of the Mental Capacity Act) or where research involves NHS patients or staff or premises, ethical approval should be sought by the relevant ethics committee designated by the National Research Ethics Services (NRES). Research requiring ethics review, but not under NRES, should be approved by BGU's Research Ethics Committee which reports to the Research Committee.
- 3.5 Research must be conducted in compliance with any conditions specified by the approving body.
- 3.6 Research data which includes personal information relating to a living individual from which that individual can be identified should be processed and stored in compliance with the



provisions of the Data Protection Act.

- 3.7 Where the requirements of an approving body conflict with this Code, or where the requirements of more than one approving body conflict, the matter should be reported in the first instance to the Chair of the Research Ethics Committee who will direct the matter to the full Research Ethics Committee and then the Research Committee.

Data

- 3.8 Data must be recorded clearly and accurately in a durable form with appropriate references.
- 3.9 Research students should consider how data will be gathered, analysed and managed, and how and in what form relevant data will eventually be made available to others, at an early stage of the design of the project.
- 3.10 Data must be retained intact for a period of at least six years, or any longer period required by an approving body, the research funder or under legislation. This period commences on the date of submission of the thesis or dissertation or at which the final report was sent to the funding body. To allow for the contextually different guidelines dependent on subject, the Research Ethics Committee can, where they consider it appropriate, extend the length of retention period or redefine the minimum data that should be retained. For these purposes minimum data should include copies of the signed consent forms and the research protocol for the project. The term 'data' includes all unpublished evidence, whether numerical or otherwise, on which the publication is based and from which results can be replicated or reproduced. Hard copy, such as field notes, questionnaire responses, photographic records, and subsequent electronic files should all be retained.
- 3.11 Backup copies of electronic files should always be made and retained. It is preferable that the files should be held in a data archive such as that operated by IT Services or those operated by certain professional bodies.
- 3.12 Data related to publications should normally be made available for discussion with research students outside the research group, except where confidentiality provisions prevail.
- 3.13 Confidentiality provisions may apply in circumstances where the Institution or the candidate has made or given confidentiality undertakings to third parties or confidentiality is required to protect intellectual property rights. It is the obligation of the candidate to be aware as to whether confidentiality provisions apply and of the Head of Research to inform research students of the obligations with respect to these provisions.
- 3.14 Research students are responsible for ensuring appropriate security for any confidential material held in any format, including electronic. Subsequent to the candidate, all research data, including personal data, held by the Institution remains under the control of and is the responsibility of the Head of Research.
- 3.15 It is the obligation of the candidate to ensure that the research complies with the Data Protection Act. Special care must be taken when processing personal data which must be processed in accordance with applicable legislation and shall not be kept for longer than is necessary for that purpose. Where a candidate is processing personal data as part of his/her studies, responsibility for compliance with all Information Compliance legislation rests with



the supervisors.

- 3.16 Particular concern should be given to personal data in relation to the Code with respect to collection, processing, protection, retention and disposal. An individual's right of access to personal data held as part of a research project is exempted under the Data Protection Act. However, it is Institution policy to provide access on the understanding that this does not incur a significant administrative overhead.
- 3.17 Research students should be aware that data may be accessible through use of the Freedom of Information Act, although exemptions do apply. It is essential that research students do not enter into confidentiality arrangements that may be overridden by the Freedom of Information Act. Guidance should be sought from supervisors in the first instance.
- 3.18 If research data is to be deleted or destroyed, either because its agreed period of retention has expired or for legal or ethical reasons, destruction should be carried out in accordance with any legal, ethical, research funder or organisational requirements and with particular concern for confidentiality and security.

Publication and authorship

- 3.19 The Institution expects research students to publish and disseminate research in a manner that reports the research and their findings accurately and without selection that could be misleading.
- 3.20 Where publication and dissemination of research and the findings of research involves confidential or proprietary information, issues relating to patents or IP, findings with serious implications for public health, contractual or other legal obligations and/or interest from the media or the general public research students should seek advice from the Head of Research in the first instance before submitting research for publication.
- 3.21 Research students undertaking collaborative projects with partners outside the Institution should be aware of the need to try to anticipate and agree on any issues that might arise relating to IP at the time the collaboration agreement/contract is negotiated. The partners need to agree jointly in advance how any arising IP is to be handled, particularly with regards to communicating its existence to other parties, ownership, protection, commercialisation, division of financial rewards of commercialisation. Should any of the partners generate protectable IP, it will be handled as agreed in the research contract. If the research contract contains a confidentiality clause it may be possible to disclose the details of the IP to all the partners, otherwise it will be necessary to keep the details to those deemed 'inventors'.
- 3.22 Research students should ensure that they do not divulge information received from a third party under terms of confidentiality without written permission, as to do so may render them liable to claims by the owner of the information. Such restrictions may survive past the end of a research project.
- 3.23 A publication must contain appropriate reference to the contributions made by all



participants in the research and information on sources of financial support for the research upon which the publication is based. Permission to include reference, and any specific form of wording to be used, should be obtained as necessary before publication.

- 3.24 If a research student is put under pressure, by sponsors and funders of research or other parties, to discourage or suppress appropriate publication or dissemination, or to influence the presentation or interpretation of findings, they should report this to their supervisors in the first instance and the Head of Research who shall seek advice from the Executive Dean: Research and Knowledge Exchange and the Research Committee.
- 3.25 Any person who has participated in a substantial way in 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. Each author must agree to the written version of the paper.
- 3.26 Authors share responsibility for the veracity of the published work and must satisfy themselves that the research reported has been carried out properly and ethically.
- 3.27 Any person who has not participated in a substantial way in conceiving, executing or interpreting at least part of the relevant research is not to be included as an author of a publication derived from that research.
- 3.28 Where a research student believes that he/she has been unfairly denied the opportunity to be included as an author of a publication, or they or another research student has been incorrectly included as an author, all those involved should first seek to reach agreement between themselves but if this is not possible, they should seek assistance from the Head of Research in the first instance.
- 3.29 A publication which is substantially similar to another publication derived from the same research must contain appropriate reference to the other publication. A researcher who submits substantially similar work to more than one publisher should disclose that fact to the publishers at the time of submission.
- 3.30 Forthcoming publications must be accurately described in references and lists of publications, using terms such as 'in preparation', 'submitted to', 'accepted for publication in ...'.
- 3.31 Should a published work be found to contain errors, other than those of a minor, typographical nature, the editor of the journal or the publisher must be informed immediately. The appropriate corrective action, for example through publication of an addendum or withdrawal of the paper, should be determined in consultation with the editor. The action should be reported to the Head of Research who will consider whether the error arises from misconduct in research and whether further action is needed.
- 3.32 Where a publication reports the results of research which has been partly or fully funded by an external source, the authors must ensure that they comply with the funding body's requirements for deposition of publications in open access repositories.
- 3.33 Although the Institution does not assert its ownership of the copyright in respect of material



such as books, journals and articles, it does retain its right to use and produce such materials for internal educational purposes whilst recognising the author's moral rights.

- 3.34 Research students should ensure that all reports and other publications arising from research projects bear an appropriate assertion of copyright.

Conflicts of Interest

- 3.35 A research student must make full disclosure of any conflict of interest associated with or arising from their research. Conflict of interest includes any personal or family concern with the outcome of the research or any affiliation or financial involvement with any organisation sponsoring or providing financial support for a project undertaken by a research worker. Financial involvement also includes direct financial interest, provision of benefits (such as travel and accommodation) and provision of material or facilities. This disclosure of a conflict of interest in research must be made to the Head of Research as soon as reasonably practicable and the nature of the conflict identified.
- 3.36 A research student must comply with a direction made by the Head of Research in relation to a conflict of interest in research.
- 3.37 Conflicts of interest should also be declared to the Research Ethics Committee which reviews the research or when findings are reported at meetings or in publications.

Supervision and management of research students

- 3.38 The Head of Research should ensure that supervision of each research student is assigned to specific, responsible and appropriately qualified senior researchers, and that the ratio of supervisors to research students is sufficient to ensure effective intellectual interaction and effective oversight of the research at all times.
- 3.39 A Supervisor must observe and undertake the responsibilities set out in these guidelines and in Regulations.
- 3.40 A person must decline appointment as a supervisor unless that person expects to be able to discharge the responsibilities set out in the guidelines and Regulations.
- 3.41 Supervisors should provide each research student with written material on applicable government and Institutional guidelines for the conduct of research, including those covering ethical requirements for studies with human participants, requirements for confidentiality, and occupational health and safety matters.
- 3.42 Supervisors must provide guidance in all matters of good research practice. This includes discussing with the research student, at the outset, relevant issues of research conduct and ethics, and intellectual property, and referring any problems/queries to the Head of Research for consideration.
- 3.43 Supervisors have a particular responsibility to ensure appropriate recognition of the student's contribution to research on which a publication is based. An agreement between



the student and the supervisor in respect of the attribution of authorship should be reached early in the candidature. Such agreement should embrace principles of open and mutual recognition.

- 3.44 Supervisors must ensure, as far as possible, the validity of research data obtained by any research student under his/her supervision.
- 3.45 Supervisors must ensure that research students are made aware of any training provided on good conduct in research and should encourage attendance at relevant courses.

Integrity in applying for support

- 3.46 When seeking support of any kind (such as grants, fellowships or studentships), applicants must ensure that the information they submit is clear and accurate. All signatories of the application form carry this responsibility. In keeping with the general principles set out in this Code, plagiarism and fabrication of data are inadmissible. In the course of any review process, applicants must not seek to identify or approach assessors.
- 3.47 Any application which might give rise to a conflict of interest should be declared to the Head of Research and considered by the Research Ethics Committee.

The role of peer reviewers

- 3.48 The assessment procedures used by the Research Councils, major charities, and Government Departments are based extensively on peer and merit review, combining as necessary the views of expert referees and of committees or panels, whose members have been drawn from the academic and other user communities.
- 3.49 Research students asked to provide peer-review for internal or external work, such as during the development of applications for research funding, should consider themselves bound by the principles outlined in this Code.

Use of research funds

- 3.50 Research students in receipt of research funding must use those funds in accordance with the conditions, and for the purpose, for which they were provided. They must also ensure they are familiar with the conditions that apply to such research funding and to familiarise members of their research team or any other Institution staff providing support to the research with such conditions.
- 3.51 Holders of research funding must ensure that they do not take any action, or fail to take any action, which would prevent the Institution from fulfilling its obligations to any funder of research.
- 3.52 Where appropriate, written consent should be obtained when the use of funds differs from that previously approved by the funding body.
- 3.53 BGU must comply with, and must assist the validating body to comply with, the monitoring and audit regulations of the funding body and should ensure that all research students involved with a project are aware of their responsibilities in this area.



- 3.54 Research students must comply with all Institution and regulations of the funding body relating to the employment of staff on research funding.

Review of manuscripts and confidential information

- 3.55 The principles applying to the peer review of grant proposals apply equally to the review of manuscripts for publication and all other forms of confidential information received (for example, in respect to patents, technical or commercial reports). The term manuscript used hereinafter refers to all and any such form of confidential information.
- 3.56 Referees/reviewers of manuscripts must adhere to the guidelines of the publisher/originating body, and must treat manuscripts in the strictest confidence even when the requirement is not explicit in the publisher's/originator's guidelines.
- 3.57 Where sight of a manuscript is likely to lead to a conflict of interest because it contains information and/or conclusions which are similar to those being brought to press (in a journal, book, patent or any other form of output) by the referee/reviewer, whether collaboratively or otherwise, the manuscript should not be reviewed and should be returned to the publisher/originator immediately.

4. Procedures for dealing with allegations of misconduct

- 4.1 The Institution considers misconduct in research to be unacceptable.
- 4.2 The Institution expects all research students to adhere to the principles of good practice in research, in particular those in Sections 2 and 3 above and those set out in the UK Research Integrity Office Code of Practice for Research (<http://ukrio.org/publications/code-of-practice-for-research/>).
- 4.3 For the avoidance of doubt, misconduct in research includes acts of omission as well as acts of commission. Allegations of misconduct in research will be judged by the standards which prevail in the country in question and at the date that the behaviour under investigation took place.
- 4.4 Misconduct in research is a failure to comply with the provisions of this Code, and without limiting the generality of the foregoing provisions, includes the following:
- fabrication;
 - falsification;
 - misrepresentation of data and/or interests and/or involvement;
 - plagiarism;
 - mismanagement of data;
 - financial misconduct;
 - failures to follow accepted procedures or to exercise due care in carrying out responsibilities for avoiding unreasonable risk or harm to humans used in research and/or the environment;
 - failure to ensure the proper handling of privileged or private information on individuals collected during the research.



- 4.5 A complaint of misconduct in research concerning a research student should be made to the Head of Research for an initial assessment of the nature and severity of the allegations and a course of appropriate action.
- 4.6 Cases of alleged misconduct involving research students will be dealt with according to the procedures laid out in the Code of Practice for Academic Misconduct or the Student Disciplinary Procedures depending on the nature of the alleged misconduct.
- 4.7 All enquiries (including formal investigation, if any) will be conducted on the basis of confidentiality within the process, wherever possible, as well as of integrity and non-detriment so that no party may suffer solely as a consequence of an allegation made in good faith.
- 4.8 Following the completion of an investigation, and should research misconduct be found, in addition to disciplinary or legal procedures, additional measures might be agreed including:
- retraction or correction of articles in published materials;
 - withdrawal or repayment of funding;
 - notification to regulatory bodies and/or professional bodies, in particular if concerns relate to fitness to practise;
 - notification to other employing Institutions or organisations;
 - notification to other organisations involved in research including funders of research;
 - notification to research participants, patients or their doctors;
 - review of internal management and or training and supervisory arrangements;
 - the making of any public statement necessary to protect the good name and reputation of the Institution.
- 4.9 BGU has the right to report proven allegations of research misconduct against its supervisors and/or research students to potential new and subsequent employers. Where employees or research students of another Institution are involved in a collaborative research project with BGU and are implicated in an Institution finding of serious research misconduct, BGU reserves the right to notify the home Institution of those involved.
- 4.10 The identity of the individual reporting serious research misconduct will be kept confidential wherever practicable. However, it may be necessary to reveal the identity of the individual reporting the misconduct if it is deemed legally necessary to allow the person accused of misconduct to conduct their defence.
- 4.11 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. A complainant may be given an opportunity for response if the allegation is not accepted and if the complainant believes that they have been misunderstood or key evidence overlooked.
- 4.12 BGU will also comply with the regulations of any research funding body, professional association or similar body in the reporting of investigations or proven allegations of research misconduct.



- 4.13 Without prejudice to the presumption of innocence, the Head of Research will consider whether it would be appropriate to appoint an alternative supervisor for any research students linked to an investigation, for the duration of any investigation, in order to protect their interests and that of any supervisory member(s) of staff under investigation.
- 4.14 Should the complainant, respondent or any key witnesses refuse to co-operate with an investigation, or leave the Institution during an investigation, the Institution will be responsible for deciding whether to continue with or terminate an investigation, taking into account the specific details of the case.

5. Codes of Practice

Students are made aware of all relevant Codes of Practice, procedures, policies and other guidance upon through their induction, including their Student Handbook. All Codes of Practice, procedures and policies are available on the Institution's 'Policies, Procedures, Regulations and Forms' webpage.