

RESPONSIBLE CONDUCT OF RESEARCH AND SCHOLARSHIP

Approval Authority	Senate
Responsible Executive	Provost and Vice-President Academic
Related Policies / Legislation	Animal Care (51) Human Research Ethics (54) Conflict of Interest (142)

PURPOSE

Integrity and accountability in research and scholarship are essential values of the university. The university actively promotes the responsible conduct of research and scholarship. The policy promotes and protects the quality, accuracy, and reliability of research and scholarly activities conducted at the university. It establishes a fair process for addressing allegations of research misconduct.

DEFINITIONS

In this policy, the following definitions apply:

Misconduct in research refers to, but is not limited to, any breach from the present policy and includes

- *Fabrication*: Making up data, source material, methodologies or findings, including graphs and images.
- *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.
- *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.
- *Plagiarism*: Presenting and using another's published or unpublished work, including theories, concepts, data, source material, methodologies or findings, including graphs and images, as one's own, without appropriate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.

- *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.
- *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.
- *Inadequate acknowledgement*: Failure to appropriately recognize contributions of others in a manner consistent with their respective contributions and authorship policies of relevant publications.
- *Mismanagement of Conflict of Interest*: Failure to appropriately manage any real, potential or perceived conflict of interest, in accordance with the university's policy on conflict of interest, (Policy 142).
- *Mismanagement of Research Funds*: Misappropriating grants and awards funds or providing inaccurate or false information on documentation for expenditures from research funds.

The *complainant* is the person making an allegation of misconduct in research; the complainant may or may not be directly affected by the alleged misconduct and may be a university administrator.

The *respondent* is the person accused by the complainant of misconduct in research.

POLICY

All members of the university engaged in research and scholarly activities shall strive to follow the best research practices honestly, accountably, openly and fairly in the search for and in the dissemination of knowledge. In addition, researchers shall follow the requirements of applicable institutional policies and professional or disciplinary standards and shall comply with applicable laws and regulations. The university holds all researchers responsible for conducting their research in strict observance of ethical standards and for:

- Using a high level of rigour in proposing and performing research; in recording, analyzing, and interpreting data; and in reporting and publishing data and findings.
- Keeping complete and accurate records of data, methodologies and findings, including graphs and images, in accordance with the applicable funding agreement, institutional policies and/or laws, regulations, and professional or disciplinary standards in a manner that will allow verification or replication of the work by others.

- Referencing and, where applicable, obtaining permission for the use of all published and unpublished work, including data, source material, methodologies, findings, graphs and images.
- Including as authors, with their consent, all those and only those who have materially or conceptually contributed to, and share responsibility for, the contents of the publication or document, in a manner consistent with their respective contributions, and authorship policies of relevant publications.
- Acknowledging, in addition to authors, all contributors and contributions to research, including writers, funders and sponsors.
- Providing true, complete and accurate information in their funding applications and related documents and representing themselves, their research and their accomplishments in a manner consistent with the norms of the relevant field;
- Appropriately managing any real, potential or perceived conflict of interest, in accordance with the University's policy on conflict of interest, as well as revealing in writing to the University any material financial interest in a company that contracts with the University to undertake research, particularly research involving the company's products.
- Seeking and obtaining approval by the university's Human Research Ethics Board before engaging in any research involving human participants and then complying fully with the approved research protocols in the performance of the research.
- Seeking and obtaining approval by the university's Animal Care Committee (ACC) before engaging in any research involving animals and then complying fully with the approved research protocols in the performance of the research.
- Seeking and obtaining approval by the University's Biosafety Officer before engaging in any research involving biohazards) and then complying fully with the approved research protocols in the performance of the research, according to the Human Pathogens and Toxins Act and Regulation, and Public Health Agency of Canada's Canadian Biosafety Standard and Handbook.
- Seeking and obtaining approval by the University's Radiation Safety Officer before engaging in any research involving ionizing radiation and then complying fully with the approved research protocols in the performance of the research, according to the Nuclear Safety and Control Act, General Nuclear Safety and Control Regulations, Radiation Protection Regulations, and the Canadian Nuclear Safety Commission Guidelines.
- Complying with External Grant regulations as they relate to the operational and financial terms of research grants and/or contracts awarded to the researcher;
- Revealing in writing to sponsors, this and other universities, journals or funding agencies, any material conflict of interest, financial or other, that might influence their decision on whether the individual should be asked to review manuscripts or application, test products or be permitted to undertake work sponsored from outside sources.

Misconduct in research, depending on its severity, is subject to a range of disciplinary measures up to and including dismissal or expulsion (refer to *Regulations, Procedure 8*). Allegations of misconduct shall be dealt with in a fair, unbiased and timely manner, with due regard to the privacy and confidentiality rights of all parties involved. All parties shall be advised of the procedures available to them and persons against whom allegations of misconduct have been made shall be advised of the allegations against them, and shall be accorded the opportunity to provide a response.

REGULATIONS

Responsibility for Responding to Alleged Misconduct

The Provost and Vice-President Academic is responsible for receiving and responding to all allegations of misconduct in research. The Provost and Vice-President Academic may designate another senior academic administrator to whom responsibilities under this policy are delegated. When the Provost and Vice-President Academic is a party to the alleged misconduct, then the President will appoint a senior academic administrator to assume in that instance the role of the Provost and Vice-President Academic under this policy.

Allegations of Misconduct

All allegations of misconduct in research and information relating to allegations of breaches of the present policy must be made responsibly to and received confidentially by the Provost and Vice-President Academic.

A formal allegation of misconduct in research may be made by any member of the university community, or by any other person. Such an allegation should normally be presented in writing and include all relevant evidence, appropriately documented, and be signed and dated. If an allegation is incomplete or otherwise improperly documented, the Vice-President Academic and Provost may contact the complainant and request additional information.

Anonymous allegations will not normally be considered. However, if compelling evidence of misconduct is received anonymously by the Provost and Vice-President Academic he or she may initiate the investigation process described below, on the basis of this evidence.

Protection of Complainant

Measures will be taken, at all stages of the process established by this policy and to the full extent possible, in accordance with the law, to protect from any reprisals individuals making an allegation in good faith or providing information related to an allegation.

Privacy

The privacy of the complainant(s) and respondent(s) will be protected as far as is possible. Any and all information and records relating to an action under this policy will be handled by the university in compliance with the British Columbia Freedom of Information and Protection of Privacy Act.

Time Lines

Although timelines are defined below, circumstances may dictate exceptions which will be granted by the Provost and Vice-President Academic after consultation with the concerned parties. Allegations of misconduct in research should be made as soon as possible after an apparent misconduct has been identified.

Informal Proceedings

Instances of alleged misconduct in research may be resolvable through informal proceedings. Informal proceedings shall take place only if both the complainant and the respondent agree, and cannot be required as a first step in dealing with an allegation of misconduct. Such informal proceedings will include appropriate provision for minimizing stresses on the participants and for equalizing power. If the matter is not resolved by informal proceedings, or the complainant or respondent prefers not to engage in such proceedings, the allegation will be dealt with through formal procedures.

Immediate Action

Upon receiving a formal allegation of misconduct in research, as justified by the nature of the allegation and the evidence submitted with it, the Provost and Vice-President Academic may decide to take immediate action to suspend some research activities or protect the administration of research funds, including freezing grant accounts and any other reasonable measures.

Procedures

1. Upon receipt of an allegation of misconduct in research, the Provost and Vice-President Academic will promptly request in writing an informal meeting with the respondent(s) in order to determine whether a formal investigation is warranted. Notice of this meeting shall inform the respondent that an allegation of misconduct has been received and that the purpose of the meeting is to help determine whether a formal investigation is warranted. The notice should include a brief summary of the allegation and inform respondents of their right to be accompanied by a person of their choice in this and any future meetings, hearings or other sessions related to a formal investigation. If a respondent is a member of Faculty Staff Association (FSA), that Association will also be promptly notified.

2. During the informal meeting with the respondent and his/her representative, any and all statements made will be without prejudice and no formal record will be kept of its proceedings.
3. Following the informal meeting with the respondent(s), the Provost and Vice-President Academic will decide whether or not a formal investigation is warranted and so inform the respondent(s) and the complainant(s) in writing, normally within twenty working days of receipt of the allegation. If the FSA was notified, as described in paragraph 1 above, it will be informed of the decision at the same time as the respondent.
4. The Provost and Vice-President Academic may accept an admission of misconduct by the respondent(s), provided that it is made in writing and reflects the facts of the case as revealed by the complainant and understood by the Provost and Vice-President Academic. In such cases, the Provost may immediately proceed to take appropriate action to respond to the allegation that was admitted to by the respondent.
5. When the Provost and Vice-President Academic finds that a formal investigation is warranted, the notice to the respondent(s) shall enclose a full copy of the signed allegation and an invitation to respond to it in writing. If a complainant or respondent believes that the decision of the Provost and Vice-President Academic was reached improperly or disagrees with that decision, an appeal or grievance as appropriate may be filed, according to the terms of the appeal or grievance mechanism applicable to that person. If no such mechanism is in place, an appeal may be filed with the President. The President's decision is final.
6. The Provost and Vice-President Academic shall designate a panel to investigate the allegations promptly, fairly, judiciously and confidentially. The panel will consist of up to three faculty members appointed from a roster of faculty with suitable expertise and experience in conducting research and who are without conflict of interest, whether real or apparent, and at least one external member who has no current affiliation with the university.
7. The procedures to be followed by the panel must be guided by the principle of fairness, applicable to all parties. The respondent(s) and complainant(s) will have adequate opportunity to know any evidence presented by any party and to respond to that evidence if they so choose. The purpose of the investigation shall be fact-finding and formulation of a conclusion as to whether misconduct in research occurred and the responsibility, if any, of the respondent(s). The appropriate criterion for a decision is the presence of clear and convincing evidence. The Panel should communicate its decision and recommendations in writing to the Provost and Vice-President Academic within 35 working days after the start of the investigation. An extension of this time period may be granted by the Provost and Vice-President Academic if justified by the circumstances and the complexity of the investigation. The report of the investigation panel shall include a copy of the allegation signed by the complainant(s), the written response of the respondent(s), if any, the findings and decisions of the panel and its recommendation for any action to be taken

8. After receiving the report of the investigation panel, the Provost and Vice-President Academic shall reach a decision within 10 working days and determine what actions, if any, are to be taken, which may include, but are not limited to, those listed below:
 - dismissal of the allegation
 - a formal warning
 - sanctions against a respondent found to have engaged in misconduct
 - actions to protect or restore the reputation of the respondent, if wrongfully accused
 - actions to protect a complainant found to have made a responsible accusation
 - sanctions against a complainant found to have made an irresponsible or malicious allegation
9. The Provost and Vice-President Academic will communicate its decision in writing, confidentially, to the complainant(s) and respondent(s).
10. At the conclusion of the proceedings, the Provost and Vice-President Academic will produce a final report, with a copy sent confidentially to the complainant(s) and the respondent(s), containing: a summary of the specific allegation(s); the findings and reasons for the findings and recommendations of the investigation panel, the researcher's response to the allegation(s), investigation and findings, and any measures the researcher has taken to rectify the breach of policy, the decision of the Provost and Vice-President Academic; the outcome of an appeal, if one was made; and the final outcome, including sanctions imposed and/or actions taken by the university. The final report will be submitted to the President.

Sanctions and Other Measures

All sanctions and measures taken as a result of the procedures described above must be proportional to the severity of the misconduct. In the case of employees who are members of the Faculty and Staff Association, disciplinary action will comply with the relevant provisions in the Collective Agreement (Termination and Discipline). In the case of students, the Student Academic Misconduct policy will be applied.

If sanctions or actions are components of the decision contained in the final report, the sanctions or actions will be imposed or taken by the Provost and Vice-President Academic unless another person is designated to do so by existing university policy, collective agreement, framework agreement, or by legislation. In such cases, the final report will be transmitted to that other person, as a recommendation for action.

Appeals

If a complainant or respondent believes that a decision was reached improperly or disagrees with that decision, an appeal or grievance as appropriate may be filed, according to the terms of the appeal or grievance mechanism applicable to that person. If no such mechanism is in place, an appeal may be filed, within 15 working days of the receipt of the report, with the President or, if appropriate, with the national granting agency which funded the research with respect to which an allegation of misconduct was made.

Notifications

In cases where the research misconduct involved activities funded in whole or in part by one of the national granting councils or another funding agency, a copy of the final report prepared by the Provost and Vice-President Academic will be transmitted to that council or other funding agency by the Provost and Vice-President Academic. If an allegation is dismissed above or it is otherwise determined to have been unfounded, and a granting council or other funding agency is known to be aware of the allegation, the Provost and Vice-President Academic will so inform the council or other funding agency.

When the Provost and Vice-President Academic determines it to be in the best interests of the university, a report on the investigation of misconduct and its outcome will be disseminated to persons with a legitimate interest in knowing about them, such as the research subjects themselves or a co-investigator. This report will normally contain no information that would identify the parties, unless this action is fully consistent with the final outcome of this case as described in the final report.