

**Research & Knowledge Exchange**

# **Code of Practice for Research**

**September 2020**

# Code of Practice for Research

## 1. Context and purpose of the guidelines

The University of Cumbria is committed to research as a core part of its mission, as outlined in the [Research, Innovation and Knowledge Exchange Strategy](#). At the University of Cumbria research is a thread which informs all other academic activity, be it teaching, consultancy, innovation or knowledge transfer. The University of Cumbria's research is framed and informed by the concept of civic engagement and by our relationships with our regional, national and international stakeholders. Research integrity and good conduct are a crucial aspect of research at the University and a core part of a sustainable research culture.

This code of practice for research directly supports the Research, Innovation and Enterprise Strategy by setting out principles of good conduct in research which the University expects its employees and students to adhere by. It specifically covers expectations, best practice, and sets out our position on research misconduct, whether accidental or deliberate, and processes for its reporting, investigation and sanctions. This code of practice demonstrates our commitment to the [Concordat to Support Research Integrity](#) (UUK) which seeks to provide a comprehensive national framework for good research conduct and its governance.

## 2. Guiding Principles

The University of Cumbria is fully committed to ensuring the good conduct of all research undertaken by its staff and students, and through its engagement with external research collaborators and stakeholders. High standards and integrity are of central importance to our commitment to research, and it is the responsibility of all members of staff engaged in research activity (hereinafter referred to as 'researchers') to maintain professional standards. This Code prescribes standards of work performance and conduct expected by all persons undertaking research at the University, including:

- Academic, research, and relevant support staff employed by the University, and other individuals carrying out research at, or on behalf of, the University.
- Students undertaking research and their supervisors.
- Individuals holding honorary titles who are conducting research within, or on behalf of, the University.

Researchers in the University are duty bound to society, their profession, the University and the funders of their research to accept responsibility for their own research conduct and practice, the activities of staff and students researching under their supervision, and for making best efforts to provide value for public or private funds invested in their research. Responsibilities also extend to ensuring effective management of any agreed schedule for research, including the timely provision of reports or any other agreed outputs.

For the purposes of this code, the Research Excellence Framework 2021 *Guidance on Submissions* (REF 2019/01) definition of research is used.

Research is defined as a process of investigation leading to new insights, effectively shared.

It **includes** work of direct relevance to the needs of commerce, industry, culture, society, and to the public and voluntary sectors; scholarship; 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.

It excludes routine testing and routine analysis of materials, components and processes such as for the maintenance of national standards, as distinct from the development of new analytical techniques.

It also **excludes** the development of teaching materials that do not embody original research.

It **includes** research that is published, disseminated or made publicly available in the form of assessable research outputs, and confidential reports.

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The term 'research' is specifically used to refer to all aspects of the research process, including to the development of hypotheses, preparation of funding applications, protocol design, generation of data, data recording and analysis, writing-up, publishing and other forms of dissemination of research results.

This code of practice is underpinned by the international framework and standards for research integrity are set out in the *Singapore Statement on Research Integrity* (2010); the *European Code of Conduct for Research Integrity* (2010); and by specific UK standards, including those set out by the UK Nolan Committee on Standards in Public Life (1994)<sup>1</sup> and in the Universities UK *Concordat to Support Research Integrity* (2019).

This code therefore specifically supports the commitments of the 2019 UK concordat:

5. working together to strengthen the integrity of research and to review progress regularly and openly

- **Commitment 1** – upholding the highest standards of rigour and integrity in all aspects of research
- **Commitment 2** – ensuring that research is conducted according to appropriate ethical, legal and professional frameworks, obligations and standards.
- **Commitment 3** – supporting a research environment that is underpinned by a culture of integrity and based on good governance, best practice and support for the development of researchers.
- **Commitment 4** – using transparent, timely, robust and fair processes to deal with allegations of research misconduct should they arise.
- **Commitment 5** – working together to strengthen the integrity of research and to review progress regularly and openly

Research should be undertaken in line with the basic principles of honesty, openness, accountability, and integrity. Specifically, in all aspects of their research, researchers should:

1. Observe legal and ethical requirements laid down by the University or any other body properly laying down such requirements.
2. Ensure that methods and results should, subject to confidentiality requirements relating to individual privacy or commercially protected information, be open to independent scrutiny through appropriate documentation of methods and storage of data.
3. Demonstrate honesty, integrity and professionalism, observe fairness and equity and avoid, or declare, conflicts of interest.
4. Demonstrate probity in the use of finance allocated to support the research, including compliance with University financial regulations and procedures and those of any external funding body as may be applicable.
5. Ensure clear and honest attribution and acknowledgement of the direct and indirect contribution of colleagues, collaborators and others.
6. Ensure the rights, safety and wellbeing of those associated with the research, both as researchers and as subjects of research.

### 3. Scope and Responsibilities

The primary responsibility lies with individual researchers to act in accordance with the principles set out within this document. It is an expectation that all research activity undertaken at the University will be undertaken in line with these principles, with individuals observing good research conduct. Particularly:

- Principal or lead Investigators, co-investigators and other researchers are responsible for developing research proposals that are ethical and to ensure that potential ethical and compliance issues are

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<sup>1</sup>The Committee articulated seven principles of public life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership, which are pertinent to the conduct of research in an institution of higher education.

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addressed appropriately, especially when working in new areas, across disciplines, across sectors, or across institutions.

- Principal or lead Investigators, co-investigators and other researchers are responsible for considering the ethics requirements of their work, and seeking ethical approval where required.
- Principal or lead Investigators, co-investigators and other researchers are responsible for conducting research to the agreed protocol and in accordance with legal requirements and applicable professional codes of conduct.
- Research supervisors are responsible for ensuring that their students are made aware of the University's Policy, Procedures and Guidelines for Research Ethics and this research code of practice, and to support their students in maintaining good standards in research conduct. This code should be used by research student supervisors in conjunction with the University's [Postgraduate Research Code of Practice](#). The University Research Ethics Panel is a sub-committee of the Research Committee (which implements policies and procedures for undertaking research). The Research Ethics Panel is responsible for ensuring that proposed research submitted for consideration meets the required ethics standards, and that feedback to applicants will support development of the understanding of ethical and good research conduct precepts.
- All staff and students involved in research should be aware of the reporting system for misconduct and adverse events and any instances should be reported formally;
- The University, primarily through Academic Board and Research Committee and the work of the Research Office, is responsible for the promotion and support of a research culture which ensures that researchers understand and discharge their responsibilities according to expected standards.
- The University is responsible for ensuring that research is properly managed and monitored, having proper and fair processes in place to strengthen the integrity of research, reviewing progress regularly and openly. Directors of Institutes, other Academic Corporate leaders and Directors and Heads of Service have responsibility to ensure compliance with the Code through oversight of activity within their area of remit.

The University will ensure that all newly appointed researchers and research students are made aware of this Code, with the University ethics procedures, and with the process for reporting research misconduct. This Code also supports the principles of the [Concordat to Support the Career Development of Researchers](#) (Vitae). A comprehensive researcher development programme, aligned with the Researcher Development Framework (RDF), providing training and development opportunities for staff and research students, supports learning across disciplinary boundaries, and encourages the development of peer support networks. The researcher development programme is supported by a virtual learning environment aligned to the RDF. Training on ethics is a mandatory component of the researcher development programme.

Where research is undertaken in collaboration with, or on behalf of, an external agency or institution, statutory or voluntary body (e.g. under an NHS Governance agreement) then this Code shall be identified in any agreement covering such an arrangement.

### 4 Research Practice

**4.1** Researchers are required to follow the principles outlined in the previous sections, and to follow specific guidance and processes in their research practice, as outlined below.

#### **4.2 Appropriate frameworks, obligations and standards and embedding a culture of research integrity**

Where they exist, researchers must observe the standards of research practice set out in guidelines of codes of practice published by scientific and learned societies, relevant research councils, sponsoring charities, regulatory bodies and other relevant professional bodies, in addition to the principles set out within this Code. All researchers should be aware of the legal requirements that regulate their work.

#### **4.3 Ethical Practice**

Research projects at the university cover a diverse and wide ranging list of topics and themes and it is important to recognise that, whatever the research topic, there will be issues that relate to ethical practices. No research involving human or animal subjects should be undertaken by doctoral candidates or

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university staff without the approval of the Research Ethics Panel. The University's [Research Ethics Policy](#) must be adhered to for all research conducted at, or in collaboration with, the University. This is with the exception of any research project which is already approved by the Ethics Committee of an alternative authoritative body as may be required by the nature of the research (e.g. NHS, lead partner).

### 4.4 Research Methods, Data and published output

- 4.4.1 There should be clarity at the outset of any research as to the ownership of data and samples used or created, and the results of the research.
- 4.4.2 Research methods adopted in the conduct of the research must be fully documented in a manner that would facilitate replication by independent researchers.
- 4.4.3 Research must be conducted in accordance with the University's [lone worker procedures for researchers](#).
- 4.4.4 The lead researcher in any research project is responsible for compliance with all relevant legal requirements, including the Data Protection Act 2018, and to ensure that copyright is not breached. Researchers must act in accordance with the University's [Intellectual Property Rights Policy](#).
- 4.4.5 Research data must be recorded in a durable and auditable form so that it can be recovered readily. It must be retained intact for a minimum period of five years from the date of any publication based upon it (or the minimum period defined by research sponsors or relevant professional or statutory bodies, where this is longer). All other records pertaining to research projects must be held in line with the University's [record retention schedule for research](#). Research data related to publications should be publicly available for utilisation, except where confidentiality provisions determine otherwise.
- 4.4.6 Any person who has participated in a substantial way to conceiving, executing or interpreting at least part of the relevant research should be given the opportunity to be included as an author of any published output from that research.
- 4.4.7 Anyone listed as an author on a publication is responsible for ensuring that they are familiar with its contents and can identify their contribution to it.
- 4.4.8 Any published output must contain appropriate reference to, and acknowledgement of, the contribution of all participants who might have made what can be reasonably regarded as a significant contribution to the research. This might include, for example, research students or support staff. Appropriate acknowledgement must also be made of external organisations who have contributed the research through funding or in-kind support.

### 4.5 Risk Assessment

- 4.5.1 When planning research, researchers are required to undertake an appropriate risk assessment.
- 4.5.2 When considering risks related to research activity, the researcher should give active consideration to the potential for the outcomes from the research to be misused for harmful purposes. Where such a risk is identified it should be actively managed to minimise its occurrence. The University Secretary or Director of Research should be consulted in cases of doubt.
- 4.5.3 If insurance is required in terms of travel or personal liability for a research project, it is the responsibility of the individual to ensure that adequate cover is in place before undertaking the research. The University's insurance has indemnity clauses and researchers should make themselves familiar with this information if appropriate.
- 4.5.4 Any research requiring travel abroad must be undertaken in line with the University's [Policy Framework for Employees Travelling and Working Overseas](#)

### 4.6 Financial Practice

- 4.6.1 Initial budgeting and costing should reflect current practice with regard to full economic costing and value-for-money. Where external funding is sought, it is the responsibility of the researcher, with support from the bidding support team, to ensure that rules on eligible costs are followed.
- 4.6.2 Researchers are responsible for the efficient and effective management of allocated budgets for their research in line with University financial regulations and procedures and those of any external funding body as may be applicable.
- 4.6.3 Researchers are responsible for ensuring that allocated resources are utilised in the pursuit of the specified research and not for any other purpose.

### 4.7 Conflict of Interest

- 4.7.1 A conflict of interest arises when a researcher's judgement concerning a primary interest, such as scientific knowledge, could be compromised by a secondary interest such as financial gain or personal enhancement.
- 4.7.2 It is a responsibility of the researcher to fully disclose any personal, potential, or actual conflict of interest that may arise in the pursuit of research. Such conflict of interest includes any personal or close family affiliation or financial involvement with any organisation sponsoring the research.
- 4.7.3 The disclosure of personal conflict of interest must be made to the Director of Institute or Director/Head of Service as soon as is reasonably practicable. These individuals may seek advice from the University Secretary or the Director of Research in cases of doubt.
- 4.7.4 A researcher must comply with the direction made by the Director of Institute or Director/Head of Service in relation to personal conflict of interest.

### 4.8 Academic freedom

Researchers at the University comprise a body capable of giving an authoritative opinion on a range of academic subjects deemed to be trustworthy in terms of the independence of its judgement. Society values this independence of judgement in the recognition of 'academic freedom' in an institutional context, and 'academic freedom' is necessary to ensure the integrity of the research. The value to the institution and to society as a whole of freedom of inquiry and freedom of speech, affirms that academics have the liberty to question and test received wisdom and to put forward controversial and unpopular views.

## 5. Dealing with allegations of research misconduct

Misconduct in research may arise through failure to comply with the provisions of this Code. It includes, but is not limited to:

- a. Fraud: deliberate deception, including fabrication or falsification of research data, misrepresentation of data, or the omission from analysis and publication of 'inconvenient' data. This also refers to "data" obtained by fraudulent means, such as through experiments never actually undertaken but reported as if they were undertaken, or such deception when applying for or using research funds
- b. Plagiarism or piracy: the copying or deliberate exploitation of another researcher's ideas, work or research data, without appropriate acknowledgement.
- c. Failing to seek ethical review of a research project which requires scrutiny under the University Ethics Policy.
- d. Collusion or incitement of others to engage in research misconduct or failure to report misconduct as outlined in points a-c above.

The University has a defined process to allow staff members, students, collaborators or members of the general public to raise concerns about research conduct by any past or present members of staff or students with respect to research carried out at the University. The University considers misconduct in research as a disciplinary matter which may render the researcher liable to action under the University's [Disciplinary Policy](#) and Procedures.

### 5.1 Process for dealing with allegations of misconduct in research: Initial registration of a complaint or allegation and general principles

- 5.1.1 All allegations of research misconduct will be treated seriously, and will be dealt with in accordance with the principles set out in the UK Research Integrity Office's [Procedure for the Investigation of Misconduct in Research](#) (2008).
- 5.1.2 Allegations of misconduct in research must be provided in writing to the Director of Research. In cases where a potential conflict of interest has been identified or where the Director of Research is not available, the Deputy Vice Chancellor (Academic) will act as the nominated alternative.
- 5.1.3 The written statement should provide details of the alleged misconduct, including related dates and an indication of the available evidence, if applicable. It should refer to the principles outlined in this code of practice, and explain how these have been contravened.
- 5.1.4 The identity of the complainant will remain undisclosed during any investigation process, as much as is possible, in line with the University's [Public Interest Disclosure Policy](#) (Whistleblowing Policy)
- 5.1.5 On receipt of a complaint, the Director of Research will inform the respondent in writing that an

allegation has been made, the nature of these allegations, and outlining the investigation procedure. The respondent will have ten working days to provide a written response to explain any inconsistencies or irregularities in conduct.

- 5.1.6 The Director of Research will review the allegations, and take any immediate appropriate action if required to prevent further risk or harm to staff, participants or other persons, suffering to animals or negative environmental consequences. This may take place to mitigate, for example, potential or actual danger or illegal activity. Such actions may also be taken to ensure that the allegation can be investigated properly. If any such action is required, it will be made clear to all parties that this does not constitute disciplinary action.
- 5.1.7 These initial steps include notification of legal or regulatory authorities, if appropriate. Where this triggers an investigation by an external body, this will usually supersede the internal process for dealing with allegations of research conduct.
- 5.1.8 Where the individual's primary employment is not with the University (e.g. secondment or honorary contracts), the individual's primary employer will be notified of the allegation. Such communication should clearly state that the allegations are as yet unproven and confidential in nature.
- 5.1.9 Any allegations will be considered with reference to the guidance for good research conduct outlined in this Code. If allegations do not fall within the remit of this code, the complainant will be notified in writing as to the reasons why the complaint cannot be considered through this process. In such cases, the complainant will be advised to follow the University's [Grievance Policy](#), or other relevant process.

### 5.2 Initial review of the allegation

- 5.2.1 The Director of Research will undertake an initial review of the allegation based on written evidence provided by the complainant and respondent, with a view to identifying whether a full investigation will be required. If further evidence is required, further information can be sought in confidence in the form of written statements from internal or external experts. The seeking of advice must not allow the identity of the complainant or the individual against whom the allegation is made to be identifiable. The results of an initial investigation can be as follows:
- a. That the allegation is unfounded (mistaken, frivolous, vexatious and/or malicious) or is not an issue of research misconduct (see 5.1.9). In this case the complaint will be dismissed. If the complaint is considered to have been malicious in nature, this may be investigated further, and could lead to action against the complainant under the University's [Disciplinary Policy](#) where appropriate.
  - b. That the allegation has some substance, but is of a nature which means that it can be remediated without recourse to further investigation. This could include referral to the University's Disciplinary procedures.
  - c. That a further full formal investigation is required to fully understand the nature of the misconduct or to identify what remediation activity is required. Additionally, a full investigation will be required when the misconduct is particularly serious in nature, or where the initial review suggests that the misconduct constituted a deliberate intent to deceive.
- 5.2.2 The complainant and respondent will be notified in writing as to the outcome of the initial investigation. If the allegation progresses to outcome c, the complainant and respondent will be asked to state if there is any conflict of interest arising with any of the Panel members as outlined in section 5.3.2

### 5.3 Full formal investigation

- 5.3.1 The status of the complaint as unproven and confidential will be stressed to all parties involved in the full investigation throughout the process, to ensure the rights of the complainant and respondent and the integrity of the investigation are not compromised.
- 5.3.2 A full formal investigation will require full details to be disclosed in confidence to a Panel who will consider the allegation, chaired by the Deputy Vice Chancellor (Academic) and further consisting of:
- Director of Research
  - Head of Human Resources and Organisational Development (or representative)
  - Director of Institute or Director/Head of Service (where relevant)
  - An appointed senior academic representative

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- The Director of Finance and Resources will also be included on the investigation panel where the allegation includes an element of financial misconduct
- 5.3.3 Details disclosed will include the name of the complainant, the respondent and all written records relating to the complaint. Details should also be shared regarding all sources of internal and external funding, all internal and external collaborators and any other relevant details of the research in question.
- 5.3.4 Once a formal investigation is initiated, the respondent will be invited to attend a confidential meeting to formally notify them of the allegation. Whilst not disciplinary in nature, this meeting will be conducted in line with the formal disciplinary procedure outlined in the University's [Disciplinary Policy](#) to provide the respondent rights to be kept informed and to be accompanied.
- 5.3.5 The investigation, led by the Deputy Vice Chancellor (Academic), will consider the contractual status of the individual, including those relating to contracts from research funders or sponsorship organisations, or in the form of partnership agreements or memoranda of understanding. If required, relevant organisations will be contacted to inform them of the investigation.
- 5.3.6 The Panel will conduct interviews with the respondent and complainant.
- 5.3.7 The Panel will draft report detailing the findings of the investigation, which will be sent to the complainant and respondent. The contents of the report can only be modified based on issues of factual accuracy based on comments from the complainant or respondent.
- 5.3.8 The Deputy Vice Chancellor (Academic) may seek advice from the UK Research Integrity Office to inform the investigation.
- 5.3.9 The standard of proof used by the Investigation Panel is that of “on the balance of probabilities”. The Panel will determine whether the allegation is:
- a) Upheld in full
  - b) Upheld in part
  - c) Not upheld
- 5.3.10 Should any evidence of misconduct be brought to light during the course of the Formal Investigation that suggests further, distinct, instances of misconduct in research by the Respondent, unconnected to the allegations under investigation; or misconduct in research by another person or persons, the investigation Panel will submit a written statement on these along with any related evidence to the Director of Research for further consideration under this process.
- 5.3.11 The Panel will take no longer than 30 working days to consider an allegation.
- 5.3.12 The Panel will have responsibility for determining the next steps following conclusion of the investigation where an allegation of misconduct was upheld in part or in full. These may include:
- a) Decisions on whether the misconduct should be dealt with through the Disciplinary Policy or other means.
  - b) recommendations in relation to any matters relating to any other misconduct identified during the investigation; and
  - c) recommendations to address any procedural matters that the investigation has brought to light within the University, relevant partner organisations and/or funding bodies.
- 5.3.13 Outcomes will be notified to the complainant, respondent and any other relevant stakeholders including funders, research partners, professional bodies as appropriate and as soon as possible after the completion of the investigation.

### 6 Review of the Code of Practice

This Code of Practice in its revised form as dated below shall be reviewed one year following adoption and again at regular intervals thereafter as determined at the time of each review. This will allow for the Code of Practice to reflect appropriately any changes in institutional or external circumstances as may affect the efficient operation of the Code.

**Revised: August 2014; Updated January 2017;**

**Updated September 2020**

**Date for Subsequent Review: September 2021**

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### Acknowledgements

The Code of Practice was written with reference to:

[UK Concordat to Support Research Integrity](#)

[UK Research Integrity Office: Code of Practice for Research \(2009\)](#)

[UK Research Integrity Office: Procedure for the Investigation of Misconduct in Research \(2008\)](#)

[Teesside University: Framework and Code Of Practice For Ensuring Research Integrity University](#)

[Of East Anglia: Guidelines on Good Practice In Research](#)

### Related University of Cumbria Documents:

[Disciplinary Policy](#)

[Grievance Policy](#)

[Intellectual Property Rights Policy](#)

[Lone Worker Procedures for Researchers](#)

[Policy Framework for Employees Travelling and Working Overseas](#)

[Postgraduate Research Code of Practice](#)

[Public Interest Disclosure Policy \(Whistleblowing\)](#)

[Research, Innovation and Enterprise Strategy](#)

[Safeguarding Policy, Procedures and Protocols](#)

[Research Ethics Policy](#)

[Freedom of Speech Code of Practice and External Speakers Processes and Procedures](#)

### Reference documents

Further information on research integrity and good research conduct can be found in the following documents:

[UK Concordat to Support Research Integrity](#)

[Singapore statement on Research Integrity \(2010\)](#)

[Montreal Statement on Research Integrity \(cross-border collaboration - Draft 2013\)](#)

[European Code of Conduct for Research Integrity \(2010\)](#)

[Department for Business, Innovation & Skills and Government Office for Science: Rigour, Respect, Responsibility: a Universal ethical code for scientists \(2007\)](#)

[Research Councils UK: RCUK Policy and Guidelines on Governance of Good Research Conduct \(2013\)](#)

[Concordat to Support the Career Development of Researchers](#)

### Other relevant guidance

[Prevent Duty Guidance: for England and Wales](#)