

# Research England

## Policy and guidelines on the reporting of formal investigations of research misconduct

Of interest to	Pro-Vice-Chancellors of Research (or equivalent), Research integrity officers, Research Ethics Committees,
Last revision	3 June 2020
Contact	researchintegrity@re.ukri.org

It is a condition of grant for all higher education providers eligible to receive research funding administered through Research England to have in place procedures for governing good research practice, and for investigating and reporting unacceptable research conduct, that meet the requirements set out in the Concordat to Support Research Integrity (2019) <https://www.universitiesuk.ac.uk/policy-and-analysis/reports/Documents/2019/the-concordat-to-support-research-integrity.pdf> and UKRI Policy and Standards <https://www.ukri.org/about-us/policies-and-standards/research-integrity/>, and any subsequent iterations of those documents. UKRI will assess compliance with this condition on an ongoing basis.

We expect higher education providers to notify us promptly of research misconduct which could reasonably be considered to be **directly or indirectly supported by our funding**. Higher education providers are expected to notify Research England when an allegation is referred for formal investigation, and the outcome of any formal investigations of research misconduct.

Higher education providers are **not** expected to report cases to Research England where funding from other councils of UKRI supports the activity, and which are already reported by higher education providers to the appropriate Research Council.

The *RCUK Policy and Guidelines on the Governance of Good Research Conduct* continue to apply for AHRC, BBSRC, EPSRC, ESRC, MRC, NERC and STFC investments, until further notice.

- [RCUK Policy and Guidelines on Governance of Good Research Conduct \(PDF, 293KB\)](#) (updated April 2017)
- [RCUK Policy and Guidelines on the Governance of Good Research Conduct FAQs \(PDF, 261KB\)](#) (January 2018)

## Questions

### **Q1. To whom in Research England should a higher education provider report research misconduct?**

A1. The issue should be reported to [researchintegrity@re.ukri.org](mailto:researchintegrity@re.ukri.org).

### **Q2. When should a higher education provider report a case of research misconduct to Research England?**

A2. Higher education providers are expected to notify Research England when an allegation is referred for formal investigation, and the outcome of any formal investigations of research misconduct. Research England do not need to be informed of any potential cases of misconduct

We do **not** require reporting at the stage known variously but not exclusively as the 'preliminary' or 'screening' stage, i.e. when a reasonable case could be argued that research misconduct may have occurred and when the decision is made internally to undertake an informal inquiry..

### **Q3. The terms and conditions states that Research England must be notified of research misconduct that could reasonably be considered to be directly or indirectly supported by our funding. What does this mean?**

A3. Quality-related research (QR) funding unpins research activities carried out by higher education providers. Therefore, we would expect to be notified of all allegations of misconduct that have been referred for formal investigations, unless:

- funding from other councils of UKRI supports the activity, in which case the higher education provider would need to report to the appropriate council
- The higher education provider can evidence that the activity is not supported, directly or indirectly, by our funding.

### **Q4. What information is needed by Research England when reporting an instance of research misconduct?**

A4. We wish to align our reporting practices with the other constituent bodies of UKRI as far as it is possible. Therefore, the minimum information needed is:

- the nature of the allegation (e.g. fabrication, falsification, etc. See question 8 below);
- the disciplinary area in which the alleged research misconduct has taken place;
- the time during which the alleged research misconduct took place;

- whether the individual is an applicant on any funding applications currently under consideration by Research England;
- whether the individual is a member of any Research England advisory panel or body;
- information on any action taken by the university to mitigate or manage risk (e.g. if the individual(s) against whom the allegation was made have been suspended).

We do not normally need to know the name of individual(s) (the respondent), but where cases are deemed by the provider to be serious, we may require this additional information. In instances of uncertainty, the higher education provider should contact Research England [researchintegrity@re.ukri.org](mailto:researchintegrity@re.ukri.org).

**Q5. What action will Research England take if informed of an investigation?**

A5. The information is used by Research England primarily to allow us to track individual cases and provide the reassurance that we need about the integrity of the research that we fund, and to safeguard the proper use of public funds. Our default position is not to take responding action during the higher education provider's investigation, but to await the conclusion of local due process.

On being notified of an allegation, Research England will undertake assessment internally on our risk exposure regarding research, funding and reputation, in order to confirm that Research England's default position is within tolerable limits. However, we cannot be prescriptive about such tolerance limits, as each case is considered on its own merit. Accordingly, we expect to be provided with identifiable information where any case has the potential for very serious implications for Research England or there is an obvious need to take action. We will make the higher education provider aware of this and discuss any actions with them in advance.

**Q6. Who within Research England has access to the information, other than the named point of contact, and is it ever shared with of the other constituent bodies of UKRI or other organisations?**

A6. Research England follows previously established UKRI information sharing practices, whereby information may be shared confidentially, through normal management arrangements, including across senior management. Information on currently logged cases is shared in confidence, with individual identities redacted where provided, between councils in UKRI, as well as with UKRI Funding Assurance Programme leads. This central log is shared among the UKRI designed contacts with the aim of:

- providing a basis for councils' policy leads to learn from each other to ensure consistent policy implementation;
- identifying possible duplicate entries;
- enabling strategic policy oversight and identifying any trends of potential concern;
- informing UKRI Funding Assurance audits of Research Organisations.

A central log also helps us answer Parliamentary Questions and Freedom of Information requests about the number and type of misconduct cases. We may also refer to some of this information in UKRI's Narrative Statements (Commitment 5 of the UUK Research Integrity Concordat). We will never publish the name of an individual or of a higher education provider in relation to specific cases without consulting the HEP.

When required, we may also share information with the Research Integrity Committee.

This approach is consistent with the existing [RCUK Policy and Guidelines on the Governance of Good Research Conduct](#).

#### **Q7. How will Research England protect information provided by the higher education provider, including that which may identify individuals?**

A7. We recognise that an allegation of research misconduct has the potential to do serious and lasting damage to the reputation of a researcher. Data regarding allegations are therefore stored and processed appropriately, confidentially, securely and sensitively, and retained and/or released only where there is a legitimate reason for doing so. The higher education provider/s concerned will be advised if any data are to be released beyond UKRI.

All information provided pertaining to a misconduct allegation is recorded by Research England to provide an audit trail. Each allegation is given a unique (e.g. alphanumeric) identifier. The information is recorded on a local log, which is maintained securely and confidentially.

Information on individual cases is retained in line with [UKRI's records management policy](#).

Research England takes its obligation under the Data Protection Act and the General Data Protection Regulation (GDPR) very seriously and adheres to all legal requirements accordingly under data protection legislation.

## Q8. What constitutes as research misconduct?

The spectrum of inappropriate behaviour is wide, ranging from minor misdemeanours which may happen occasionally and inadvertently, to significant acts of misappropriation or fabrication. Poor research practices, such as weak procedures, inadequate documentation of procedures, or inadequate record-keeping, might only require further training or development rather than formal disciplinary action, and are normally a matter solely for the employer. This document, which is aligned with *RCUK's Policy and Guidelines on Governance of Good Research Conduct*, therefore concentrates on entirely unacceptable types of research conduct. Individuals involved in research must not commit any of the acts of research misconduct specified here. Unacceptable conduct includes each of the following:

- **Fabrication** – This comprises the creation of false data or other aspects of research, including documentation and participant consent. Falsification This comprises the inappropriate manipulation and/or selection of data, imagery and/or consents.
- **Plagiarism** – This comprises the misappropriation or use of others' ideas, intellectual property or work (written or otherwise), without acknowledgement or permission.
- **Misrepresentation**, including:
  - Misrepresentation of data, for example suppression of relevant findings and/or data, or knowingly, recklessly or by gross negligence, presenting a flawed interpretation of data
  - Undisclosed duplication of publication, including undisclosed duplicate submission of manuscripts for publication
  - Misrepresentation of interests, including failure to declare material interests either of the researcher or of the funders of the research
  - Misrepresentation of qualifications and/or experience, including claiming or implying qualifications or experience which are not held
  - Misrepresentation of involvement, such as inappropriate claims to authorship and/or attribution of work where there has been no significant contribution, or the denial of authorship where an author has made a significant contribution
- **Breach of duty of care**, whether deliberately, recklessly or by gross negligence:
  - Disclosing improperly the identity of individuals or groups involved in research without their consent, or other breach of confidentiality;
  - Placing any of those involved in research in danger, whether as subjects, participants or associated individuals, without their prior consent, and without appropriate safeguards even with consent; this includes reputational danger where that can be anticipated

- Not taking all reasonable care to ensure that the risks and dangers, the broad objectives 5 RCUK published 'Guidance on best practice in the management of research data' in July 2015 - <http://www.rcuk.ac.uk/research/datapolicy/> 7 and the sponsors of the research are known to participants or their legal representatives, to ensure appropriate informed consent is obtained properly, explicitly and transparently
- Not observing legal and reasonable ethical requirements or obligations of care for animal subjects, human organs or tissue used in research, or for the protection of the environment
- Improper conduct in peer review of research proposals or results (including manuscripts submitted for publication); this includes failure to disclose conflicts of interest; inadequate disclosure of clearly limited competence; misappropriation of the content of material; and breach of confidentiality or abuse of material provided in confidence for peer review purposes
- **Improper dealing with allegations of misconduct:**
  - Failing to address possible infringements including attempts to cover up misconduct or reprisals against whistle-blowers
  - Failing to deal appropriately with malicious allegations, which should be handled formally as breaches of good conduct.