

## Research Code of Conduct – Executive Summary

### 1. Introduction

- 1.1. The University of Leicester's *Research Code of Conduct* provides guidelines for good practice in research and guidance on situations involving misconduct in research. This executive summary is designed to outline the general principles of the Code but researchers should refer to the full Code for the definitive version. Each paragraph in this executive summary corresponds to an identically numbered section in the unabridged version containing the specific requirements. The full Code can be viewed online.<sup>1</sup>
- 1.2. The Code covers all research and research-related activities, including consultancy, exploitation and knowledge transfer activities, conducted by staff (including honorary and emeritus staff), undergraduate and postgraduate students and collaborators of the University.

### 2. Principles

- 2.1. The University fully supports Universities UK's *Concordat to Support Research Integrity* and the five commitments within it. The aim of the Code is to assist the University and its researchers in meeting the commitments made in the Concordat.<sup>2</sup>
- 2.2. Researchers should always maintain the highest standards of integrity in the conduct of research, guided by the values of honesty, rigour, transparency and open communication, care and respect, and academic freedom. The University expects all researchers to act ethically, responsibly and professionally in the conduct of research, in accordance with relevant legislation and with the regulations, policies and standards of the University and other relevant organisations.
- 2.3. Researchers must familiarise themselves with the Code and its provisions, and assure that those provisions are adhered to by themselves and other around them. The University expects all staff to follow best practice guidelines in the conduct of their research.
- 2.4. Failure to comply with the Code may be considered as grounds for disciplinary action.
- 2.5. Further advice on application of the Code may be sought from members of the Research Strategy, Policy and Performance Committee, Ethics Sub-Committees, or the Directors of the Research and Enterprise Division or Development and Alumni Relations, as appropriate. Enquiries related to NHS research can be made to the University Research Governance Office.
- 2.6. This Code has been drawn up to comply with the best research practice guidelines provided by Universities UK, Research Councils UK and the UK Research Integrity Office, and should be interpreted as doing so. Researchers must also adhere to any regulations laid down by their professional body, UK law and other external regulations.

### 3. Before the Research Project

- 3.1. Researchers should represent themselves honestly and transparently when applying for funding and support, declaring any conflicts of interest and not attempting to unfairly influence the outcome of funding applications. Researchers who are involved with making approaches for research and enterprise funding

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<sup>1</sup> <http://www2.le.ac.uk/offices/researchsupport/integrity/research-code-of-conduct>

<sup>2</sup> <http://www.universitiesuk.ac.uk/policy-and-analysis/reports/Documents/2012/the-concordat-to-support-research-integrity.pdf>

must ensure that they comply with the University's *Ethical Policy and Guidelines for the Acceptance and Refusal of Research and Enterprise Funding*.<sup>3</sup>

- 3.2. Researchers must acquire ethical approval prior to starting any research involving human participants or which may raise ethical issues, in accordance with the University's *Research Ethics Code of Practice*. Research which does not fall under the remit of a statutory committee must be reviewed through the University's ethical review system. Research must be conducted in compliance with any conditions specified by the approving body.
- 3.3. Research which requires National Research Ethics Services (NRES) review may not commence without an appropriate sponsor. Clinical, health and social care research which is sponsored by the University must comply with the Standard Operating Procedures issued by the College of Medicine, Biological Sciences and Psychology's Research Sponsorship Committee. Researchers must ensure that clinical, health and social research receives ethical approval from NRES. Further information should be sought from the Research Governance office.<sup>4</sup>
- 3.4. Researchers should be aware that other aspects of their research, such as the handling of potentially hazardous chemicals, may require further approval or documentation. Any research involving the use of animals must be licensed by the Home Office. When research involving sensitive, security or terrorism-related material, research must ensure all procedures and permissions are obtained as set out in University's Policy on Researching and Handling Sensitive, Extreme or Radical Material.<sup>5</sup>
- 3.5. Researchers should represent themselves honestly and transparently by making a full declaration of any conflicts of interest associated with or arising from their research to the Chair of the Research Strategy, Policy and Performance Committee or approving ethics committees, and comply with any requirements from these bodies.
- 3.6. Researchers should ensure appropriate formal agreements are made with external partners before starting any collaborative research projects. Research and Enterprise Division will negotiate and sign research agreements on researchers' behalf. Researchers must familiarise themselves with and adhere rigorously to the standards and procedures laid out in any research agreement.
- 3.7. Researchers should make preparations for the management and security of their research data at the design stage of a research project, seeking advice from the Research Governance Manager, IT Services and/or Information Assurance Services as appropriate.<sup>6,7</sup>
- 3.8. Heads of Department must ensure that appropriate Supervisors are assigned to each research student or trainee researcher within their academic unit. Supervisors must familiarise themselves with and observe their responsibilities as set out in the Code, and decline appointment if they do not expect to be able to discharge these responsibilities. Heads of Department and Supervisors share responsibility for ensuring that students involved in research and trainee researchers are given suitable training on good research conduct.

#### **4. During the Research Project**

- 4.1. Researchers must comply with all provisions of agreements prepared by Research and Enterprise Division, in particular confidentiality provisions which may extend beyond the end of a contract.

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<sup>3</sup> <http://www2.le.ac.uk/alumni/about/ethical/ethical-policy>

<sup>4</sup> <http://www2.le.ac.uk/colleges/medbiopsych/research/researchgovernance>

<sup>5</sup> <http://www2.le.ac.uk/offices/researchsupport/policyandstrategy/research-code-of-conduct-and-ethics>

<sup>6</sup> <http://www.le.ac.uk/itservices>

<sup>7</sup> <http://www2.le.ac.uk/offices/ias>

- 4.2. Intellectual property (IP) created by employees of the University belongs to the University. IP created by a student is owned by the student, though in some situations they may be asked to assign the IP to the University. IP created by researchers who are both students and employees will be owned by the University or the researcher depending upon whether the IP was created in the course of their duties as an employee or not. All researchers must ensure that they abide by the procedures set out in the University's *Intellectual Property Policy*.<sup>8</sup>
- 4.3. Research data must be recorded clearly and accurately in a durable form with appropriate references. Backups of electronic data should always be made and retained. Research data must be handled in accordance with the *Research Data Management Policy*<sup>9</sup> and *Principles*<sup>10</sup> and *Information Security Policy*.<sup>11</sup>
- 4.4. Researchers must ensure that any use of personal data complies with the Data Protection Act and the University's *Data Protection Code of Practice*,<sup>12</sup> with particular attention paid to the collection, processing, protection, retention and disposal of personal data. Wherever possible, researchers should use anonymised data for research. Researchers must contact Information Assurance Services before sharing personal data with any external bodies involved in research.
- 4.5. Researchers must immediately refer any requests for information under the Freedom of Information Act, or for access to personal data under the Data Protection Act, to Information Assurance Services, and must not respond to any such requests themselves.
- 4.6. Researchers must use research funding for the purpose the funding was provided for and in accordance with any conditions set out by the funder. Written consent should be obtained before using funding in ways which do not meet these conditions. Researchers must assist the University in complying with the funder's monitoring and audit regulations, and comply with all University and funder regulations on the employment of staff using research funding.
- 4.7. Supervisors must provide any students or researchers they are supervising with guidance on all matters of good research practice, including relevant issues around intellectual property, ethics and research conduct. Supervisors must ensure that researchers are treated fairly in relation to appraisal, flexible working etc. and seek advice from the Equalities Unit<sup>13</sup> as required. Supervisors must ensure that research data obtained by students involved in research and trainee researchers are valid, and that any data are processed in compliance with the Data Protection Act. Supervisors of higher degree candidates have a particular responsibility to ensure appropriate recognition of the student's contribution to the research upon which a publication is based.

## 5. After the Research Project

- 5.1. Research should be published and disseminated in a manner which fairly and accurately reports the research and any findings, and within any stipulated dates. Publications based on research should contain appropriate references to the contributions made by participants in the research, including the opportunity to be listed as author for those who substantially contributed, and any acknowledgments requested by research funders and other contributors. Researchers who are put under pressure to discourage or suppress findings, or to influence the presentation and interpretations of findings, should report this to the Chair of the Research Strategy, Policy and Performance Committee. Every author of a publication must agree to the

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<sup>8</sup> <http://www2.le.ac.uk/offices/red/information/policies>

<sup>9</sup> <http://www.le.ac.uk/researchdata>

<sup>10</sup> [http://www2.le.ac.uk/services/research-data/documents/uol\\_rdmprinciples](http://www2.le.ac.uk/services/research-data/documents/uol_rdmprinciples)

<sup>11</sup> <http://www2.le.ac.uk/offices/ias/resources/policies/ispolicy>

<sup>12</sup> <http://www2.le.ac.uk/offices/ias/dp>

<sup>13</sup> <http://www2.le.ac.uk/offices/equalities-unit>

final, peer-reviewed version and satisfy themselves that the research reported has been properly conducted. Authors must present their work honestly and transparently to publishers. Authors must follow the University's *Institutional Affiliation in Research Publications* policy.<sup>14</sup> Researchers must declare any conflicts of interest whenever reporting research findings.

- 5.2. Any researchers listed as the author of a publication must have made a substantial contribution to the research, be familiar with the entirety of the publication, have participated sufficiently to take public responsibility for the publication's content, meet any criteria for authorship made by a publisher or editor, and must not be listed as author if they do not meet these criteria. Other contributors to research should be formally acknowledged. Researchers who feel they have been unfairly denied authorship, or who feel that that others have been incorrectly been included as authors, should seek advice from the Chair of the Research Strategy, Policy and Performance Committee if agreement cannot be reached between the involved parties.
- 5.3. Staff authors must submit the full text of each of their publications to the Leicester Research Archive (LRA), within three months of acceptance, through the Integrated Research Information System (IRIS), in line with the University's *Open Access Policy*.<sup>15</sup> Authors must also ensure that publications are also deposited in any other archive or data repository mandated by the research funder. Authors must also ensure that they comply with the open access requirements of external research funders. Student authors should contact the LRA Team for assistance in depositing items.
- 5.4. Researchers should make publicly funded research data openly available, in an appropriate form with as few restrictions as possible, in a timely and responsible manner which does not harm intellectual property and in line with the policies of the research funder. Research data related to publications should be made available for discussion with researchers outside the group which conducted the initial research, except where confidentiality provisions prevail. Researchers must make themselves aware of any confidentiality provisions which apply to their research data.
- 5.5. Researchers should store research data in a secure and accessible form, and should make them available to other researchers for replication and elaboration of studies. Confidential data must be destroyed and disposed of securely once they are no longer required, after agreed retention periods have expired, or where this is necessary for legal or ethical reasons, in accordance with the University's *Information Handling Policy*.<sup>16</sup> Researchers must make themselves aware of the minimum periods of retention that apply to their research data and retain their data intact for this period. Standard Operating Procedures must be followed for any data and documents relating to clinical trials.
- 5.6. Peer reviewers must treat all information made available to them with the strictest confidence, follow the regulations of the body requesting the review, declare any conflicts of interest and not attempt to derive advantage from their access to the information. Peer reviewers should return any work they have been asked to judge if they consider themselves insufficiently expert to rigorously review the work. If peer reviewers are unable to respond within the amount of time requested, they should immediately inform the person or organisation making the request. Where the rules of the requesting organisation differ from these principles, peer reviewers should follow the guidance provided by the requesting organisation.
- 5.7. The provisions on peer review apply equally to grant proposals, manuscripts for publication and all other confidential information received, including draft material from colleagues and any assessments of outputs for the Research Excellence Framework or similar exercises.

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<sup>14</sup> <http://www2.le.ac.uk/library/about/policies>

<sup>15</sup> <http://www2.le.ac.uk/library/about/policies>

<sup>16</sup> <http://www2.le.ac.uk/offices/ias/resources/policies/ispolicy>

## 6. Research Misconduct

- 6.1. The University considers all forms of misconduct in research to be completely unacceptable, and will deal with cases of misconduct by staff in accordance with *Ordinance 23 (Discipline)*, its associated *Policy and Procedure*.<sup>17</sup> Misconduct by students will be dealt with under the relevant student regulations. Misconduct in research includes acts of omission as well as commission, and will be judged by the standards prevailing in the country where the misconduct took place.
- 6.2. The University considers any acts of fabrication, falsification, plagiarism, misrepresentation, breach of the duty of care, failure to meet ethical, legal and professional obligations, and improper dealing with allegations of misconduct to be acts of research misconduct. Misconduct can include acts of omission as well as commission.
- 6.3. Complaints of misconduct in research should be made to the Chair of the Research Strategy, Policy and Performance Committee. The Chair will then contact Human Resources (for complaints made against staff) or the Graduate Dean or Head of Department (as appropriate, for complaints made against students) to agree the process for investigating the allegation. Where it is appropriate, alleged misconduct may be dealt with informally. The UK Research Integrity Office's *Procedure for the Investigation of Misconduct in Research*<sup>18</sup> will normally be used for formal investigations of research misconduct involving staff. Research misconduct involving students will be dealt with using the procedures in the appropriate Senate regulations.<sup>19</sup> All enquiries will be conducted confidentially and the identity of the individual making the allegation will be kept confidential wherever possible. Complaints may be made anonymously or through an intermediary; the University shall decide whether to proceed to an investigation in such cases. Allegations which have been made with vexatious or malicious intent may be considered as a disciplinary matter.
- 6.4. The University will comply with the regulations of research funders, professional associations and similar bodies in reporting formal investigations or proven allegations of misconduct in research.
- 6.5. The Chair of the Research Strategy, Policy and Performance Committee may temporarily appoint replacement supervisors for researchers for the duration of misconduct investigations in order to protect the interests of all concerned. Where investigations involves international collaborative projects, the OECD code *Investigating Research Misconduct Allegations in International Collaborative Projects*<sup>20</sup> will be used as a guide. The University will decide whether to proceed with investigations if complainants, respondents or key witnesses refuse to co-operate or leave the University during the investigation.
- 6.6. If research misconduct is found following an investigation, the University may impose supplementary penalties in addition to any disciplinary or legal proceedings, including steps to correct the research record and protect the good reputation of the University. The University reserves the right to notify relevant parties, including potential, new and subsequent employers, of any findings of misconduct.

## 7. Research Code of Conduct

- 7.1. This executive summary is based on the revised version of the Research Code of Conduct approved by Senate in June 2016.

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<sup>17</sup> <http://www2.le.ac.uk/offices/hr/policies/diff-sits/disc>

<sup>18</sup> <http://www.ukrio.org/publications/misconduct-investigation-procedure/>

<sup>19</sup> <http://www2.le.ac.uk/offices/sas2/regulations/senate-regulations>

<sup>20</sup> <http://www.oecd.org/sti/sci-tech/42770261.pdf>