

Code of Practice for Research:  
Principles and Procedures

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1. Introduction

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- any persons with honorary positions conducting research within, or on behalf of, the University;

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Publications Policy. This is subject to exceptions in respect of Data Protection and Intellectual Property as stated in 2.7 below. Wherever possible, researchers should:

- make colleagues aware of research in which they are engaged (to solicit interest and feedback) and their publications;
- make colleagues aware of research funding bids in preparation both to inform and also to avoid internal competition for such funding;
- inform colleagues of completion of projects and publications arising from them.

## 2.5 Accessibility

Researchers have an obligation to keep records and data in such a way as to facilitate the verification of the research by other researchers or future research (see 3.2 below).

## 2.6 Scrutiny

Subject to the principles of confidentiality (see 2.7 below), research results and methods should be open to scrutiny by colleagues within the University and, after publication, by other academics and professionals.

## 2.7 Confidentiality

### Data Protection and Privacy

If data of a confidential nature are obtained (for example, from questionnaires or medical records), confidentiality must be observed, and researchers must not use such information for their own personal advantage or that of a third party.

### Intellectual Property

Confidentiality may also be necessary for a limited period in the case of contract research, or other research which is under consideration for patent (or design) protection, or for other commercial-in-confidence reasons. Where confidentiality agreements limit publication and discussion, limitations and restrictions must be explicitly stated in the agreement. All researchers should ensure that they are familiar with, and comply at all times with the confidentiality obligations in research contracts. (For the protection of confidentiality in the case of Intellectual Property, see The Management of Confidential Information: Code of Practice and Procedures).

## 2.8 Conflicts of Interest

Researchers must be honest about conflict of interest issues whether real, potential, or perceived, when reporting results. Paragraph 3.5 below summarises key issues in the University's Conflict of Interest and Commitment Policy (HRPS35) and the

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kept as confidential according to Data Protection Act procedures, and according to any other professional protocols.

The keeping and maintenance of laboratory notebooks, and other data sources can also help to ensure that Intellectual Property can be protected. (Procedures in respect of such notebooks are given in the Appendix to Guidelines to Intellectual Property).

### 3.2.2 Data Retention

Sound research procedures often require the discussion of data and research methods with colleagues. Discussion may also occur after the research is complete often because of interest following publication. There is also an expectation from the University and many research funders that research data should be made as open as possible unless there are legal, ethical, commercial, intellec

### 3.3 Authorship

Different views of relative contributions can be held sincerely by contributors leading, at times, to disagreements on who should be the authors and/or the order in which they are listed. The question of authorship should be discussed at the earliest possible stage in a research project, and reviewed whenever there are changes in participation.

The minimum requirement for authorship of a publication is substantial participation in conceiving, executing, or interpreting at least part of the research reported.<sup>10</sup> Authorship will normally include additionally drafting the article or revising it critically for intellectual content. An author's role in the research output must have been sufficient to take public responsibility for at least that part of the output in that person's area of expertise<sup>11</sup>

As a general rule, research findings should not be reported in the public media before they have been reported to a research audience of experts in the field, preferably by publication in peer-reviewed journals. If research is placed in the public domain before peer-review has been undertaken, the researcher and the University must make this clear in any publicity.

Where there is private reporting of research that has not been exposed to open peer-review scrutiny, especially when it is reported to prospective financial supporters, researchers have an obligation to explain fully the status of the work and the peer-review mechanisms to which it will be subjected.

Publications must include information on the sources of financial support for the research. Financial sponsorship that is not declared may invite the presumption that a conflict of interest exists. Funding arrangements that require an embargo on the naming of a sponsor should be avoided<sup>12</sup>.

The contributions of formal collaborators and all others who have directly assisted, or indirectly supported, the research should be properly acknowledged.

Delays in publication should be avoided except where proprietary information is at issue, as for example, where it is proposed to file a patent or a registered design. Staff should be aware that, according to the University's Intellectual Property Policy, many forms of Intellectual Property such as patents, designs, and software that they develop in the course of their employment and/or using University resources belong to the University.<sup>13</sup> In all cases where the University is the owner, they are bound by University decisions in respect of publications. In cases where the research has an external sponsor, the University acknowledges the legitimate interests of the sponsor in securing protection for developments made in the course of research. University staff and research students working on sponsored research must ensure that they adhere to the terms of the sponsor's contract in respect of publication and its timing.

Staff should also be aware that there is an implicit term in their contracts according to which they are required to act in good faith towards the University. Great care should be taken in publishing material that is critical of the University or that may damage its interests.

### 3.5 Conflict of Interest

Research activities must be conducted in an objective manner, free from any potential for undue influence arising from the interests of those responsible for the conduct of the research. Researchers should familiarise themselves with the Conflict

arise if any organisation or entity with a direct interest in the subject matter provides direct benefits to the researchers such as sponsorship of the investigation, or indirect benefits to the researchers such as the provision o



Appendix 1

Middlesex University: Code of Practice for Research

Disclosure of Potential Conflict of Interest

PRINCIPLES AND PROCEDURES FOR HANDLING  
ALLEGATIONS OF RESEARCH MISCONDUCT  
(Based on the RIO Code)

1. Introduction

Middlesex University has a responsibility to ensure that research carried out by its



#### 4. Definitions of Research Misconduct

Research Misconduct covers a range of types of action or failures to act. It includes but is not limited to engaging in, or attempting to engage in, or planning intentionally or recklessly an act of misrepresentation, or misappropriation, or interference in research activity, misusing research findings, or failing to follow accepted procedures and protocols.

Misrepresentation in carrying out or reporting research results includes but is not limited to:

- fabricating data: claiming results where none has been obtained;
- falsifying data including changing records;
- deceiving such as selective suppression of data elements that fail to fit the expected results;
- misquoting the work of another author;
- misleading ascription of authorship including the listing of authors without their permission, or attributing work to others who have not contributed to the research.

Misappropriation/Misuse includes but is not limited to:

- plagiarising work: presenting the documented words, data, or ideas of another as one's own without attribution appropriate for the medium of presentation;
- intentionally omitting reference to the relevant published works of others for the purpose of inferring personal discovery of new information;
- making use of any information in breach of a duty of confidentiality, or of an implied trust, such as that provided in a privileged way for review of a manuscript or assessment of a grant application, or in contravention of data protection requirements or of the confidentiality owed to research subjects, or in contravention of intellectual property requirements.
- misusing research findings which may result in harm to individuals, populations, animals, or the environment.

Interference includes but is not limited to:

- intentionally, and without authorisation, taking, using, removing, damaging the research-related property of another researcher including, but not limited to, writings, data, apparatus, software, hardware, materials, apparatus, or intellectual property.

Concealment includes but is not limited to:

failing to declare a conflict of interest which may compromise significantly, or appear to compromise significantly, the research integrity of the individual concerned and the accuracy of any research findings;

failing to declare (where known) that an external collaborative partner has been found to have committed research misconduct in the past or is the subject of a current research misconduct investigation;

concealing the research misconduct of another researcher at Middlesex University, thereby facilitating and/or colluding in the misconduct.

Failure to adhere to accepted research requirements and standards includes but is not limited to:

failing to meet relevant legal requirements applicable to the research at issue;  
deviating in a deliberate, dangerous or negligent manner from accepted practices or agreed protocols as required by the appropriate recognised professional, academic, scientific or government bodies;  
failing to obtain ethical clearance for the carrying out of a research project, at University level, external level, or both;  
failing to follow any health and safety requirements which prevent unreasonable risk or harm to individuals, populations, animals, or the environment.

Research misconduct does not include honest error, or honest differences in the design execution d

and to seek advice and assistance from persons of their own choosing. To ensure a fair investigation, an individual is not permitted to serve on both the Screening Panel and the Investigation Panel.

Confidentiality : The procedures will be conducted as confidentially as is reasonably practicable. Confidentiality will be maintained provided this does not compromise either



8.3





- (a) examine the statements of the Complainant and Respondent;
- (b) interview the Respondent, the Complainant, and any other party it chooses;
- (c) require the Respondent and, if it judges necessary, other members of the University to produce files, notebooks, and other records;
- (d) widen the scope of its investigation if it considers this necessary;
- (e) seek evidence from other parties.

The Respondent, Complainant, and Witnesses may each enlist the help of an individual (a Representative) to present his/her case. The latter will normally be a staff member of the Respondent's/Complainant's/ Wit

inform the relevant external organisation concerned for the latter to investigate according to its own procedures (3.4 above).

- 9.10 It is expected that the DVC Academic will normally accept the recommendation of the Formal Investigation Panel. Nevertheless, it is open to the DVC Academic, following consultation with the DVC Research and Enterprise and senior academics and/or members of t



- x any persons with honorary positions conducting research within, or on behalf of, the University;
- x individuals involved in the peer review of the research process.

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### 3.3 Authorship

Different views of relative contributions can be held sincerely by contributors leading, at times, to disagreements on who should be the authors and/or the order in which they are listed. The question of authorship should be discussed at the earliest possible stage in a research project, and reviewed whenever there are changes in participation.

The minimum requirement for authorship of a publication is substantial participation in conceiving, executing, or interpreting at least part of the research reported.<sup>10</sup> Authorship will normally include additionally drafting the article or revising it critically for intellectual content. An author's role in the research output must have been sufficient to take public responsibility for at least that part of the output in that person's area of expertise<sup>11</sup>. General supervision of a research group, or the collection of data do not justify authorship.

All persons – academic staff, students, research assistants, and others – who have made a substantial contribution to the research as defined above leading to a publication (including an electronic publication) must be given the opportunity to be included as an author of a publication deriving from that research. No person who qualifies as an author may be excluded as an author without his or her permission in writing.

Every author must ensure that others who have contributed to the work are properly recognised, for example, those who have collected data. Postgraduate students (Masters, M Phil/PhD, etc.) in particular are often relatively inexperienced in research and the allocation of authorship. Thus, where they are to be involved in a research project, postgraduate students should be provided with a written statement at the commencement of the project outlining the nature and propor10 (pora)10 ( )10 (hi)16 (33)1i1t0 (or)



arise if any organisation or entity with a direct interest in the subject matter provides direct benefits to the researchers such as sponsorship of the investigation, or indirect benefits to the researchers such as the provision of materials or facilities, or support of the researchers such as provision of travel or accommodation expenses to attend conferences.

Conflicts of interest can also occur in cases where a researcher (or their spouse or dependent) has a financial interest (equity, directorship, consultancy) in the funding agency being paid from the grant fund, or where the t

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Disclosure of Potential Conflict of Interest  
(Please submit this form to the Faculty Deputy Dean)

School: \_\_\_\_\_

In accordance with section 3.5 of the Code of Practice for Research: Principles and Procedures

I make the following disclosure:

Publication/research project entitled:

Details of potential conflict of interest, including names of people and organisations involved:

Where the manuscript has been submitted for publication, or the project has been submitted to a funding body for funding support, have the above details been disclosed to the publisher or funding body?

Yes

No

Name of publisher/funding body: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Name: \_\_\_\_\_

## PRINCIPLES AND PROCEDURES FOR HANDLING ALLEGATIONS OF RESEARCH MISCONDUCT

### 1. Introduction

Middlesex University has a responsibility to ensure that research carried out by its employees, researchers and students, or by others in its name, is carried out in conformity with the law, and in accordance with best practice and principles. The University is committed to maintaining integrity and probity in research. This document sets out the principles and procedures for making, managing, and investigating allegations of research misconduct which can arise from a broad set of circumstances.

All employees of the University, students, researchers, and other individuals who work in the University's Schools or research centres are under a general obligation to preserve and protect the integrity and probity of research. If they have good reason to suspect any misconduct in research, they should report their suspicions as prescribed in 6 below.

### 2. Purposes of Procedures

The purposes of these Procedures are:

*f* to deter research misconductshuTmi 4w 11.56 0 Td ( )Tj EMC /P <</M<</MCID 23 >

3.2



- f* failing to declare (where known) that an external collaborative partner has been found to have committed research misconduct in the past or is the subject of a current research misconduct investigation;
- f* concealing the research misconduct of another researcher at Middlesex University, thereby facilitating and/or colluding in the misconduct.

Failure to adhere to accepted research requirements and standards includes but is not limited to:

- f* failing to meet relevant legal requirements applicable to the research at issue;
- f* deviating in a deliberate, dangerous or negligent manner from accepted practices or agreed protocols as required by the appropriate recognised professional, academic, scientific or government bodies;
- f* failing to obtain ethical clearance for the carrying out of a research project, at University level, external level, or both;
- f* failing to follow any health and safety requirements which prevent unreasonable risk or harm to individuals, populations, animals, or the environment.

Research misconduct does not include honest error, or honest differences in the design execution, interpretation, or judgment in evaluating data or research methods. Similarly it does not include poor research unless this encompasses the intention to deceive.

## 5. Principles

- 5.1 Middlesex University will investigate all allegations of research misconduct fully, fairly and expeditiously. The outcome will be made known as quickly as possible to all parties with legitimate interests, and an appropriate statement will be made to the complainant.
- 5.2 Whilst committed to investigating all allegations thoroughly, Middlesex University recognises that it has a duty to protect all its researchers from mischievous or malicious allegations, and from allegations which are without foundation. Therefore, prior to any allegation being formally investigated, a preliminary screening as outlined in 8 below will take place.
- 5.3 Middlesex University's procedures for investigating allegations of research misconduct will adhere to Principles of Fairness, Confidentiality, Integrity, Prevention of Detriment, and Balance.

Fairness: The investigation will be carried out fairly and in accordance with the statutory human rights of all parties involved. Respondents will be given full written details of allegations, opportunity to respond to the allegations made, the right to present evidence in their defence, ask questions, and respond to information given by witnesses. Respondents, complainants and witnesses will be given the opportunity to be accompanied by a fellow employee or trade union representative,



and to seek advice and assistance from persons of their own choosing. To ensure a fair investigation, an individual is not permitted to serve on both the Screening Panel and the Investigation Panel.

**Confidentiality** : The procedures will be conducted as confidentially as is reasonably practicable. Confidentiality will be maintained provided this does not compromise either the investigation, or the health or safety of anyone involved in the research, or legal/contractual obligations owed to third parties (e.g. Funding bodies, collaborators). Persons who need to be informed will be advised of the confidential nature of the disclosures, and those who are Middlesex University staff will be advised that a breach of confidentiality could lead to disciplinary action.

**Integrity** : Investigations into allegations will be thorough and objective, and staff asked to undertake such investigations will ensure that their enquiries are sufficiently extensive to allow them to reach well founded conclusions/reasoned judgments on the matters they are considering, and that they pursue their enquiries honestly and objectively. Formal investigations should establish, on the balance of probabilities, the truth of any allegations. Such staff members are also required to inform the DVC Research, Knowledge Exchange & Engagement at the outset of any personal interest they might have in the case or any connection they might have with the respondent. In such circumstances, the DVC Research, Knowledge Exchange & Engagement shall determine whether the nature of the connection is such as to make it inappropriate for that staff member to participate in the investigation.

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