

Staffordshire University

Code of Conduct for Research and Enterprise

Approved by Academic Board 1 February 2006

Introduction

The purpose of this code of conduct is to help rectify cases of inadequate research and enterprise practice before they become cases of misconduct. Adherence to this Code is mandatory and breaches may lead to disciplinary action. This code applies to all who engage in research and/or enterprise activity. It also applies to students when undertaking undergraduate and postgraduate dissertations. The University expects all members of staff undertaking research and enterprise activity to adhere to the highest standards of probity.

1. General Principles

This Code of Conduct prescribes standards of conduct expected of all persons engaged in research and enterprise at Staffordshire University ("the University"). All such persons are expected to:

- i. maintain professional standards;
- ii. take steps to ensure and maintain good research and enterprise practice, for example in relation to matters of policy, ethics, finance and safety;
- iii. observe legal and ethical requirements laid down by the University or other properly appointed bodies involved in the research or enterprise project;
- iv. recognise the importance of good leadership and co-operation within research and enterprise groups;
- v. take special account of the needs of inexperienced members of staff;
- vi. document progress of the project and keep secure primary data;
- vii. question findings;
- viii. attribute honestly the contribution of others;
- ix. take steps to ensure the safety of all those associated with the research or enterprise; and
- x. report any conflict of interest, actual or prospective to the appropriate person, usually the Faculty Director for Research and Enterprise.

2. Quality Assurance

Faculty Directors, Heads of Research and Enterprise Institutes and Programme Area Managers have a duty to ensure that:

- i. each member of the research or enterprise team is qualified by education, training and experience to discharge his/her role in the work;
- ii. attendance on professional development programmes is required for all research staff;
- iii. students and new researchers have adequate supervision, support and training;

- iv. the Principal Investigator and the other members of the research or enterprise team are aware of and understand the scope of the work and are aware of, understand and comply with this Code of Practice, and their obligations under the law;
- v. controlled trials are registered;
- vi. mechanisms are in place to monitor and assess compliance with paragraphs (iv) and (v) above;
- vii. the research or enterprise work follows any protocol required and approved by the Ethics Committee and the research sponsor or enterprise client;
- viii. any proposed material changes or amendments to or deviations from the protocol referred to at paragraph (vii) are submitted for approval to the appropriate bodies;
- ix. procedures are in place within Faculties, Programme Areas and Research and Enterprise Institutes to monitor all research and enterprise projects being undertaken by staff/students;
- x. procedures are in place for the management of financial and other resources provided for the project;
- xi. any licences/other authorisations/insurance cover needed to undertake the research or enterprise project are in place prior to the commencement of the same;
- xii. any special standards of work performance and ethical conduct imposed by law or by the University in relation to particular categories of research or enterprise are complied with;
- xiii. procedures are in place for the conduct of investigations involving animals which require the consideration of alternative methods of research before the use of animals is proposed.
- xiv. where appropriate for the type of research or enterprise being conducted procedures are in place to ensure collection of high quality, accurate data and the integrity and confidentiality of data during storage as required by the Data Protection Act;
- xv. subject to the University's Guidelines on Intellectual Property, reports on progress and outcomes of the work reasonably required by the research sponsor, funders or others with a legitimate interest are produced within a reasonable time and to reasonably acceptable standard;
- xvi. subject to the University's Guidelines on Intellectual Property, all data and documentation associated with the work are available for audit at the request of the appropriate auditing authority;
- xvii. where appropriate for the type of research or enterprise being conducted arrangements are made for the appropriate archiving of data when the Work has finished

3. Consent and Welfare of Participants

All researchers must ensure that where third parties participate in research or enterprise projects that:

- i. consent must be obtained from anyone invited to take part in a project, this must be based on a knowledge and understanding of the risks, benefits and alternatives of taking part. Unless otherwise agreed by an ethics committee or other approved body, consent should be explicit and written;
- ii. the Chief Executive (or nominee) of any external agency involved (and any other individual with relevant responsibilities) must be informed that the Work is planned,

- and that, where appropriate, their approval is given before the Work commences;
- iii. where required, the approval of the external agencies' research ethics committee for the Work must be obtained before the Work commences;
 - iv. the dignity, rights, safety and well-being of participants must be given priority at all times by the research or enterprise team;
 - v. when the work involves participants under the care of a doctor, nurse, school or college principal or social worker for the condition to which the work relates, those care professionals must be informed that their patients or users are being invited to participate and agree to retain overall responsibility for their care;
 - vi. where the work involves work with vulnerable people, e.g. a mental health service user or a child, that the carer or other responsible adult must agree to the person (and/or their carer) being invited to participate and must be fully aware of arrangements for dealing with disclosures or other relevant information; and unless participants or the relevant REC request otherwise, that participants' care professionals must be given information specifically relevant to their care which arises in the work.

4. Approval of Projects

- i. Before any application for funding of a research or enterprise project is made, the approval of the Faculty Director for Research and Enterprise to the conduct of the project must be obtained. The Faculty Director must satisfy him/herself that the project is scientifically or otherwise appropriately robust for the type of research or enterprise being conducted, has been approved by the relevant ethics committee and that requirements detailed in Clauses 2 and 3 above can be satisfied before approval is granted. He/she must also satisfy himself/herself that any additional requirements of the funding body can be complied with by the University before final approval to conduct the project is given.
- ii. where the project relates to the provisions of services to a third party the Faculty Director must approve the project and satisfy him/herself of that criteria set out in (i) above can be complied with by the University and before approval is granted.
- iii. in relation to any project where the proposed arrangements relating to Intellectual Property Rights would alter the University's total ownership of IP the proposed arrangements must be approved by the University's nominated IPR officer.

5. Agreements

There must be clear documented agreements entered into with research or enterprise partners and sponsors and executed in accordance with the University's Financial Regulations prior to the commencement of any project.

6. Data Protection Matters

All investigators must ensure that where appropriate for the type of research or enterprise being conducted:

- i. data must be recorded in a durable and auditable form, with appropriate references so that it can be readily recovered;
- ii. data must be retained intact normally for a period of at least five years from the

- date of any publication which is based upon it;
- iii. any project complies with the Data Protection Act, and that copyright is not breached;
- iv. specific arrangements must be made to protect the security of data;
- v. there are procedures for the retention of data in a form which would enable retrieval by a third party, subject to any limitation imposed by the confidentiality of personal data and these procedures are complied with;
- vi. data related to publications must be available for discussion with other investigators, except where confidentiality provisions prevail;
- vii. confidentiality provisions relating to publications which apply in circumstances where the University or the investigator has made or given confidentiality undertakings to third parties or confidentiality is required to protect intellectual property rights, must be complied with. It is the obligation of the investigator to enquire as to whether confidentiality provisions apply and of the head of department to inform investigators of the obligation with respect to these provisions;
- viii. information necessary for annual or other reports of progress with research and enterprise is provided as required by the relevant funding bodies, external sponsors or ethics committees, such information may include details of investigators.

7. Publications

All investigators must ensure that:

- i. a publication must contain appropriate reference to the contributions made by all participants who have made what might reasonably be regarded as a significant contribution to the relevant project;
- ii. any person who has participated in a substantial way in conceiving, executing or interpreting at least part of the relevant research or enterprise should be given the opportunity to be included as an author of a publication derived from that project;
- iii. any person who has not participated in a substantial way in conceiving, executing or interpreting at least part of the relevant research or enterprise should not be included as an author of a publication derived from that project;
- iv. in addition to meeting the requirements of paragraph 7(ii), an author must ensure that the work of research students, research staff and support staff is recognised in a publication derived from research or enterprise to which they have made a significant contribution as defined in 7(i) above;
- v. a publication which is substantially similar to another publication derived from the same project must contain appropriate reference to the other publication.

8. Conflicts of Interest

- i. Staff members must make full disclosure of any personal potential or actual conflict of interest in research or enterprise. Conflict of interest means any personal or close family affiliation or financial involvement with any organisation sponsoring or providing financial support for a project undertaken by a member of staff. Financial

involvement includes direct personal financial interest, provision of personal benefits (such as travel and accommodation) and provision of material or facilities for personal use. (For the avoidance of doubt, the provision of sponsored studentships, or elements of travel/accommodation for a students, should be excluded from this definition);

- ii. a disclosure of a personal conflict of interest must be made to the Faculty Director for Research and Enterprise as soon as reasonably practicable;
- iii. an investigator must comply with a direction made by the Faculty Director in relation to a personal conflict of interest in a project.

9. Misconduct

A - Definition of misconduct

In the context of research and enterprise activity, the University has defined misconduct to include the following, whether deliberate, reckless or negligent:

- i. failure to obtain appropriate permission and/or protocols to initiate a project, including failure to obtain ethical approval or submit a disclaimer form to the Faculty Ethics Committee before the commencement of the project;
- ii. deception in relation to proposals and the securing of funding;
- iii. breaches of accepted standards of supervision of researchers and research students;
- iv. unethical behaviour in the conduct of research or enterprise, for example in relation to research subjects/participants;
- v. unauthorised use of material or information acquired confidentially where no permission for the proposed use has been given;
- vi. deviation from good research or enterprise practice, where this results in unreasonable risk of harm to humans, other animals or the environment;
- vii. fabrication, falsification or corruption of data;
- viii. distortion of outcomes, by distortion or omission of data that do not fit expected results;
- ix. dishonest misinterpretation of results;
- x. publication of data known or believed to be false or misleading;
- xi. plagiarism, or dishonest use of unacknowledged sources;
- xii. misquotation or dishonest misrepresentation of other authors;
- xiii. inappropriate attribution of authorship;
- xiv. fraud or other misuse of funds or equipment;
- xv. attempting, planning or conspiring to be involved in research or enterprise misconduct;
- xvi. inciting others to be involved in research or enterprise misconduct;
- xvii. collusion on or concealment of misconduct by others;
- xviii. breach of the University's Financial Regulations in relation to the misuse of funds or equipment;
- xix. supervisors' negligence in providing inappropriate ethical judgements when fast tracking ethical approval for student research projects/dissertations

B Exclusions

The University excludes the following from within the definition of misconduct, although it considers these to be all serious matters, these matters may fall within the general definition of misconduct and may be investigated and resolved in accordance with the Disciplinary Procedure

- i. unsound science unless known to be unsound or should reasonably have been known to be unsound;
- ii. honest error or honest differences in the design, execution, interpretation or judgement in evaluating research methods;
- iii. misconduct unrelated to the research or enterprise process;
- iv. failure to maintain scientific rigour (unless repeated or serious);
- v. breaches of Health and Safety/COSHH regulations.

C Procedure

Any individual who believes that an act of misconduct relating to the research or enterprise process has occurred or is occurring should notify his/her Dean/Director of Service in writing, detailing the precise nature of the allegation and whom this concerns. If a complaint concerns the individual's Dean/Director of Service, the issue will be referred to the Executive. The Dean/Director of service will ensure that an appropriate investigation and any subsequent management actions are taken in accordance with the University's Disciplinary Procedure. The outcome of all investigations of research or enterprise misconduct will be reported to the University's Research Ethics sub-committee.

D Harassment of witnesses

Any attempts to harass or pressurise witnesses to the alleged misconduct will result in actions being taken in accordance with the University's Disciplinary Procedure

10 Monitoring Compliance with this Code

Ten percent of the projects where the University is the formal sponsor of the work will be audited annually. The project will be checked against the protocol which was accepted by the relevant ethics committee, informed consent forms will be checked and all members of the project team will be interviewed. These audits will be conducted by nominees of the University's Research Ethics sub-committee.

Academic Ethics Sub-Committee
Research and Enterprise Committee
November 2005