

LA TROBE UNIVERSITY

GUIDELINES

FOR THE

CONDUCT OF RESEARCH

Information in this booklet is correct as at 26 March 2003. The University reserves the right to alter any information contained herein at any time without notice. Changes to University Statutes and Regulations are promulgated on the University's official notice boards.

INTRODUCTORY NOTE

The *Guidelines for the Conduct of Research* is based on the following documents:

- *JOINT NHMRC/AVCC STATEMENT AND GUIDELINES ON RESEARCH PRACTICE* (May 1997);
- *LA TROBE UNIVERSITY ENTERPRISE BARGAINING AGREEMENT 2001*
- *LA TROBE UNIVERSITY STATUTE 16, REGULATION 16.2 STUDENT DISCIPLINE AND MISCONDUCT, ACADEMIC MISCONDUCT May 2001.*

The *Guidelines for the Conduct of Research* was compiled by the Research and Graduate Studies Committee and endorsed by the Academic Board on 15 April, 1998. Revisions were put forward by the Research and Graduate Studies Committee in February 2003, and approved by Academic Board on 26 March 2003 for distribution throughout the University.

The *Guidelines* are intended to be read in the light of the University's other guidelines or policies, e.g. Enterprise Bargaining Agreement 2001, Equal Opportunity, Occupational Health and Safety, Human Research Ethics Guidelines and the Handbook for Candidates and Supervisors for Masters Degrees by Research and Doctoral Degrees.

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GUIDELINES FOR THE CONDUCT OF RESEARCH

The following is a statement on the appropriate practices for the conduct of research adopted by La Trobe University. It is closely based upon the *Joint NHMRC/AVCC Statement and Guidelines on Research Practice*.

Research and the pursuit of truth are vital institutional functions. Research in this document includes all research (funded or unfunded, contract or otherwise) conducted by researchers, staff, honorary visitors, including visiting students or research fellows, or by research students at La Trobe University.

The broad principles that guide research have been long established. Central to these are the maintenance of high ethical standards, and validity and accuracy in the collection and reporting of data. The responsibility of the research community to the public and to itself is acknowledged. This responsibility is particularly important where professional practice or public policy may be defined or modified in the light of research findings.

The processes of research must protect the truth. Communication between collaborators; maintenance and reference to records; presentation and discussion of work at meetings of experts; publication of results, including the important element of peer refereeing; and the possibility that investigations will be repeated or extended by other researchers, all contribute to the intrinsically self-correcting and ethical nature of research.

This document is in two parts: Part I sets out a Code of Conduct for the Responsible Practice of Research and Part II details the procedures which are followed at La Trobe University when dealing with any allegations of misconduct in research against a staff member or academic misconduct by higher degree candidates.

PART I

CODE OF CONDUCT FOR THE RESPONSIBLE PRACTICE OF RESEARCH

1.1 General Considerations

- 1.1.1 It is a basic assumption at La Trobe University that researchers are committed to high standards of professional conduct. Research workers have a duty to ensure that their work enhances the good name of La Trobe University and the discipline to which they belong.
- 1.1.2 Researchers should participate only in work which conforms to accepted ethical standards and guidelines and which they believe they are competent to perform. They should be familiar with the requirements of the relevant institutional ethics committees and regulatory bodies.
- 1.1.3 Both the institution and individual researcher have a responsibility to ensure the safety of all those associated with research. Where appropriate they should seek guidance from the University Occupational Health and Safety Committee.
- 1.1.4 All research at La Trobe University that involves animal experimentation, human participants as subjects or genetic manipulation must gain approval from the appropriate committee (Animal Ethics Committee, Human Ethics Committee or Faculty Human Ethics Committee, or the Genetic Manipulation Supervisory Committee). Research must not proceed without such approval.
- 1.1.5 Researchers have an obligation to achieve and maintain the highest standards of intellectual honesty in the conduct of their research.
- 1.1.6 Researchers must be aware of and adhere to ethical principles of justice and veracity, and respect for people and their privacy and avoidance of harm to them, as well as respect for non-human subjects of research. Research must comply with established guidelines adopted by La Trobe University.

1.2 Data Maintenance, Storage, Privacy and Confidentiality

- 1.2.1 Data used to obtain research results, outcomes or conclusions must be maintained in an accessible form. Details as to how to access and retrieve data must be provided.
- 1.2.2 When data is obtained from limited access databases, or via a contractual arrangement, written details of the location of the data and the database from which it was collected, must be retained by the researcher and research unit¹.
- 1.2.3 Original data must be retained within the research unit in which they were generated but individual researchers should be able to hold copies of the data for their own use. Retention solely by the individual researcher provides little protection to the researcher or the University in the event of an allegation of falsification of data.
- 1.2.4 In the case of joint research, the co-researchers should draw up a written agreement detailing who should store the original data, who should maintain copies of what parts of the data, and what rights of publication each party has.
- 1.2.5 In the case of honours and post-graduate research, the student and the supervisor should draw up a written agreement detailing who should store the original data, who should maintain copies of what parts of the data, and what rights of publication each party has during the student's candidature and when the student completes the degree or withdraws from the project. In the case of research conducted by honorary visitors, a

¹ Research unit refers to, but is not limited to, Faculty, School, Department, service, group, Centre, or office within the University.

written agreement should also be constructed on the same premise between the host researcher and visiting fellow.

- 1.2.6 The School or research unit must establish procedures for the retention of data and for the keeping of records of data held. Data retained by a School or research unit are subject to record keeping standards issued by the Public Record Office Victoria. Reference should be made to the University's Record Keeping Compliance Program, particularly with regard to the retention of data, and provisions for the storage of research data.
- 1.2.7 Data retained by individual researchers (not the School or research unit) should be held for sufficient time to allow reference. For data that is published this may be for as long as interest and discussion persists following publication. It is recommended that the minimum period for retention is at least 5 years from the date of publication but for specific types of research, such as clinical research, 15 years may be more appropriate.
- 1.2.8 Data that includes personal information must be collected and handled according to applicable privacy laws, (for example, Victorian Information Privacy Act 2000, Health Records Act 2001 and Public Records Act 1973) and in particular, requirements pertaining to collection, use and disclosure of personal information. Reference should be made by individual researchers and Schools or research units to the University's Privacy Compliance Program.
- 1.2.9 Data related to publications must be available for discussion with other researchers. Where confidentiality provisions apply (for example, where the researchers or institutions have given undertakings to third parties, such as the participants of the research), it is desirable for data to be kept in a way that reference to them by third parties can occur without breaching such confidentiality.
- 1.2.10 In normal circumstances, research results and methods should be open to scrutiny by colleagues within the University and, through appropriate publication, by the profession at large. Secrecy may be necessary for a limited period in the case of contracted research or of non-contractual research which is under consideration for patent protection.
- 1.2.11 Confidentiality agreements to protect intellectual property rights may be agreed between the University, the researcher and a sponsor of the research. Where such agreements limit free publication and discussion, limitations and restrictions must be explicitly agreed.
- 1.2.12 It is the obligation of the researcher to enquire whether confidentiality agreements do apply and of the Head of the research unit or School to inform researchers of their obligations with respect to these provisions.
- 1.2.13 Confidentiality agreements should be made known at an early stage to the Head of the research unit or School, or nominated representative.
- 1.2.14 If data of a confidential nature are obtained, for example from individual patient records or from certain questionnaires, confidentiality must be observed and research workers must not use such information for their own personal advantage or that of a third party and must follow the guidelines laid down by the relevant research ethics committees concerning privacy and confidentiality.
- 1.2.15 Researchers must be responsible for ensuring appropriate security for any confidential material, including that held in computing systems. Where computing systems are accessible through networks, particular attention to security of confidential data is required. Security and confidentiality must be assured in a way that copes with multiple researchers and the departure of individual researchers.
- 1.2.16 Reference should be made by researchers to the University's intellectual property guidelines.

1.3 Authorship

1.3.1 Authorship is substantial participation, where all the following conditions are met:

- i. conception and design, or analysis and interpretation of data; and
- ii. drafting the article or revising it critically for important intellectual content; and
- iii. final approval of the version to be published.

Participation solely in the acquisition of funding or the collection of data does not justify authorship. General supervision of the research group is not sufficient for authorship. Any part of an article critical to its main conclusion must be the responsibility of at least one author. An author's role in a research output must be sufficient for that person to take public responsibility for at least that part of the output in that person's area of expertise. No person who is an author, consistent with this definition, may be excluded as an author without their permission in writing.

1.3.2 'Honorary authorship' occurs when a person is listed as an author of a publication when he/she has not participated in a substantial way in conceiving and/or executing and/or interpreting at least part of the work described in the publication. 'Honorary authorship' is an unacceptable practice.

1.3.3 Authorship of a research output is a matter that should be discussed between researchers at an early stage in a research project, and reviewed whenever there are changes in participation.

1.3.4 When there is more than one co-author of a research output, one co-author (by agreement amongst the authors) should be nominated as executive author for the whole research output, and should take responsibility for record-keeping regarding the research output.

1.3.5 In multiple-authored papers, the responsible author should keep a record of the contribution made by each author. All authors should keep a record of the location of all data relevant to each publication.

1.3.6 Where the research is published, including electronically, all co-authors of a publication must acknowledge their authorship in writing in terms of, at least, the minimum acceptable definition at 1.3.1, above. This signed statement of authorship must specify that the signatories are the only authors according to this definition. It must state that the signatories have seen the version of the paper submitted for publication.

1.3.7 The written acknowledgment of authorship must be placed on file in the School or research unit of the executive author, at the time of submission of the research output for publication, and must remain in safe keeping in that School.

1.3.8 If, for any reason, one or more co-authors are unavailable or otherwise unable to sign the statement of authorship, the Head of School or research unit may sign on their behalf, noting the reason for their unavailability.

1.3.9 The authors must ensure that others who have contributed to the work are recognised in the research output. Courtesy demands that individuals and organisations providing facilities should also be acknowledged.

1.3.10 Due recognition of all participants is a part of a proper research process. Authors should ensure that the work of non-authors, including research assistants and technical officers, is properly acknowledged.

1.4 Publications

1.4.1 Publication of multiple papers based on the same set(s) or subset(s) of data is not acceptable, except where there is full cross-referencing within the papers (for example,

in a series of closely related work, or where a complete work grew out of a preliminary publication and this is fully acknowledged).

- 1.4.2 An author who submits substantially similar work to more than one publisher must disclose this to the publishers at the time of submission.
- 1.4.3 As a general principle research findings should not be reported in the public media before they have been reported to a research audience of experts in the field of research - preferably by publication in a peer-reviewed journal, except where there is a contractual arrangement.
- 1.4.4 It is acknowledged that where issues of public policy and concern make prior advice desirable, such advice must be tendered first to the public or professional authorities responsible, and the unreported status of the findings must be advised at the same time. Only where responsible authorities fail to act can prior reporting to the media be justified, and again the unpublished status of the findings must be reported at the same time.
- 1.4.5 Where there is private reporting of research that has not yet 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.
- 1.4.6 Publications must include information on the sources of financial support for the research. Financial sponsorship that carries an embargo on such naming of a sponsor should be avoided.
- 1.4.7 Deliberate inclusion of inaccurate or misleading information relating to research activity in curriculum vitae, grant applications, employment applications or public statements, or the deliberate failure to provide relevant information, is a form of research misconduct. Accuracy is essential in describing the state of publication (in preparation, submitted, accepted), research funding (applied for, granted, funding period), and awards conferred, and where any of these relate to more than one researcher.
- 1.4.8 All reasonable steps must be taken to ensure that published reports, statistics and public statements about research activities and performance are complete, accurate and unambiguous.

1.5 Student/Research Trainee Supervision

- 1.5.1 Good research practice starts early in a researcher's career; undergraduate training in research methods, experimentation and data collection should emphasise the value of scholarly analysis and of obtaining genuine data (rather than the "right answer") and the necessity of organised and accurate reporting.
- 1.5.2 Heads of Schools or research units should ensure that there is a specific, responsible and appropriately qualified supervisor of each research trainee and researcher new to research in the institution. Supervision of new researchers (including honours, masters, doctoral and newly qualified postdoctoral research workers) should be in accordance with the University's policy on supervision.
- 1.5.3 The ratio of research trainees to supervisors should be low enough to assure effective intellectual interaction and effective supervision of the research at all times.
- 1.5.4 Each trainee should be provided with written material on applicable government and institutional guidelines for the conduct of research, including those covering ethical requirements for studies on human or animal studies, requirements for confidentiality, and occupational health and safety matters.
- 1.5.5 Supervisors should be obliged to provide guidance in all matters of good research practice.
- 1.5.6 The supervisor must ensure, as far as possible, the validity of research data obtained by

a student under his/her supervision.

1.6 Disclosure of Potential Conflict of Interest

- 1.6.1 Disclosure should be made over the full range of interests, including the direct benefits such as sponsorship of the investigation or indirect benefits such as the provision of materials or facilities or the support of individuals such as provision of travel or accommodation expenses to attend conferences. Such disclosure should cover any situation in which potential conflict of interest may, or may be perceived to, affect any decision regarding other people.
- 1.6.2 Disclosure should be made to the Deputy Vice-Chancellor (Research), or his/her nominee, editors of journals, to the readers of published work, and to external bodies from which funds are sought.
- 1.6.3 Researchers have an obligation to disclose at the time of reporting or proposing research (for example, in a grant application), any interest which has the potential to influence research and investigations, publication and media reports, grant applications, applications for appointment and promotion.

PART II

ALLEGATIONS OF MISCONDUCT IN RESEARCH

The following procedures are reproduced in part from the *Joint NHMRC/AVCC Statement and Guidelines on Research Practice*. Further information regarding misconduct by staff is available in the La Trobe University *Personnel Policy and Procedures Manual*.

2.1 Introduction

The Code of Conduct for the Responsible Practice of Research aims to ensure a research environment that minimises the incidence of misconduct in research. It is inevitable, however, that there will be some allegations of misconduct. It is essential that procedures for dealing with such allegations should be in place before the event. Failure to do this may result in the procedures failing or in the institution being involved in legal proceedings. The Australian Vice-Chancellors' Committee (AVCC) recommends that each institution should formulate procedures reflecting its guidelines.

2.2 Advisers on Integrity in Research

Each School is required to nominate at least one adviser who is familiar with the literature and guidelines on research misconduct to be advisers on integrity in research. Their task should be to give confidential advice to staff and students/trainees about what constitutes misconduct in research, the rights and responsibilities of a potential complainant, and the procedures for dealing with allegations of research misconduct within the institution.

2.3 Definition of Misconduct in Research

2.3.1 Misconduct and serious misconduct are defined in the Enterprise Bargaining Agreement 2001. To provide some examples of what misconduct or serious misconduct could amount to in research the following list has been compiled as a guide.

- i. The fabrication of data: claiming results where none have been obtained.
- ii. The falsification of data including changing records.
- iii. Plagiarism, including the direct copying of textual material, the use of other people's data without acknowledgment and the use of ideas from other people without adequate attribution.
- iv. Misleading ascribing of authorship including the listing of authors without their permission, attributing work to others who have not in fact contributed to the research, and the lack of appropriate acknowledgment of work primarily produced by a research student/trainee or associate.
- v. Other practices that seriously deviate from those commonly accepted within the research community for proposing, conducting or reporting research.
- vi. Intentional infringements of the University's published Code of Conduct for the Responsible Conduct of Research.

2.3.2 It is important to note that these examples of misconduct and serious misconduct include but are not limited to the following:

- i. **Misappropriation:** A researcher or reviewer shall not intentionally or recklessly:
 - a. plagiarise, which shall be understood to mean the presentation of the documented words or ideas of another as his or her own, without attribution appropriate for the medium of presentation;

- b. make use of any information in breach of any duty of confidentiality associated with the review of any manuscript or grant application;
 - c. intentionally omit reference to the relevant published work of others for the purpose of inferring personal discovery of new information.
- ii. **Interference:** A researcher or reviewer shall not intentionally and without authorisation take or sequester or materially damage any research-related property of another, including without limitation the apparatus, reagents, biological materials, writings, data, hardware, software, or any other substance or device used or produced in the conduct of research.
 - iii. **Misrepresentation:** A researcher or reviewer shall not with intent to deceive, or in reckless disregard for the truth:
 - a. state or present a material or significant falsehood; or
 - b. omit a fact so that what is stated or presented as a whole states or presents a material or significant falsehood.

The list above is not meant to be all inclusive. There may be other serious misdemeanours. For example, in human or animal experimentation, departing from approved protocols accepted by a specific discipline might constitute serious misconduct.

2.4 Procedures for Dealing with Allegations of Staff Misconduct in Research

The procedures for dealing with any allegation concerning alleged misconduct/serious misconduct are to be resolved through the application of procedures as set out in the Enterprise Bargaining Agreement 2001 (or its successor in law). A copy of the Enterprise Agreement 2001 can be obtained from the University's web site or through the Office of the Director (Human and Financial Resources). Advice and guidance on the application of these procedures must be obtained from the Director (Human and Financial Resources) or the Manager, Human Resources, who will assist in the preparation of allegations and processes that are designed to comply with the legal requirements of the Enterprise Bargaining Agreement 2001.

2.5 Procedures for Dealing with Allegations of Research Misconduct by Higher Degree Candidates

The definition of misconduct in research is the same for Higher Degree Candidates as for staff.

High standards at all levels in the University are vital to the protection of the academic standing and future employment of its graduates. The reputation and integrity of the University is directly linked to the standards of all its degrees, including those at masters and doctoral levels. Academic misconduct by higher degree candidates is considered to be an extremely serious offence, which, if proven, may result in one or more of the following: termination of candidature; refusal to allow a thesis to be lodged; the failure of a thesis, including the reversing of an earlier decision to pass the thesis; and/or a degree being withdrawn.

The procedures for dealing with any allegation concerning misconduct/serious misconduct are stipulated in the *Regulation 16.2: Student Discipline and Academic Misconduct* which is available from the Research and Graduate Studies Office or can be obtained from the University's web address under Legal Services, Regulations.