

Policy Number	5.1.1
Approval Body	Executive Committee
Policy Officer	VP Academic + Provost
Approval Date	November 2008
Revision Date	February 2012; May 2012

5.1.1 RESPONSIBLE CONDUCT OF RESEARCH: INTEGRITY + SCHOLARSHIP PROCEDURES

ENABLING POLICY

5.1 Ethics in Research

PROCEDURE INTENT

These procedures are intended to promote and advance a high standard of ethics and integrity in research and scholarship affiliated with the University. As well, these procedures will identify responsibilities for maintaining these standards and will address allegations and timely response to misconduct related to integrity of research and scholarship.

SCOPE

These procedures apply to all University researchers engaged in research activities including any University employee, any student enrolled in the University and/or partaking in research or anyone else engaged in research at the University in any capacity, whatsoever.

A. GUIDING PRINCIPLES

The University expects that all research and scholarly activities involving the University will be conducted with the highest standard of integrity in research and scholarship. Any action that is inconsistent with integrity in research will be regarded as misconduct, will not be condoned and may be cause for disciplinary action.

B. APPROPRIATE CONDUCT IN INTEGRITY IN RESEARCH + SCHOLARSHIP

Integrity in research and scholarship includes principles noted below that are to be interpreted with the understanding that research can involve honest error, conflicting data or valid differences in experimental design or in interpretation or judgment of information.

Responsibilities of Researchers

In order to maximize the quality and benefits of research, a positive research environment is required. For researchers, this implies duties of honest and thoughtful inquiry, rigorous analysis, commitment to the dissemination of research results and adherence to the use of professional standards.

The primary responsibility for high standards of conduct in research and scholarship rests with the individuals carrying out these activities, namely the principal researchers. All researchers are to maintain high standards of conduct in research. The University holds researchers responsible to ensure that they maintain a high standard of integrity and ethics while conducting research. The University expects a high standard of appropriate behaviour in

research by the research community including honesty, respect for others, scholarly competence and stewardship of resources.

As noted in the Guiding Principles above, any action that is inconsistent with the following principles for integrity in research will be regarded as misconduct, will not be condoned and may be cause for disciplinary action.

Appropriate conduct in research includes, but is not limited to, the following:

1. Recognizing the substantive contributions of all collaborators (including students and research assistants), using unpublished work of other researchers and scholars only with permission and with due acknowledgement and using archival material in accordance with the rules of the archival source;
2. Obtaining the permission of the author before using new information, concepts or data originally obtained through access to confidential manuscripts or applications for funds for research or training that may have been seen as a result of processes such as peer review;
3. Obtaining, recording, analyzing, storing, reporting and publishing data or results using scholarly and scientific rigor and integrity and without fabricating or falsifying;
4. Keeping complete and accurate records of data, methodologies and findings, including graphs and images in accordance with the applicable funding agreement, institutional policies and/or laws, regulations and professional disciplinary standards in a manner that will allow replication and/or verification of the work by others;
5. Including as authors, with their consent, all those and only those who have materially or conceptually contributed to, and share responsibility for, the contents of the publication or document, in a manner consistent with their respective contributions and authorship policies of relevant publications;
6. Referencing and, where applicable, obtaining permission for the use of all published and unpublished work, including data, source material, methodologies, findings, graphs and images;
7. Revealing as early as possible in writing to the sponsors, other institutions, journals or funding agencies, any material conflict of interest, financial or other, that might influence their decision on whether the individual should be asked to review manuscripts or application, test products or be permitted to undertake work sponsored from outside sources;
8. Seeking and obtaining approval by the Emily Carr University of Art + Design Research Ethics Board (ECU-REB) *before* engaging in any research involving human participants and then complying fully with the approved research protocols in the performance of the research;
9. Seeking and obtaining approval by the appropriate committee or authority before engaging in any research involving biohazards or ionizing radiation, or any research involving animals and then complying fully with the approved research protocols in the performance of the research (currently the University does not undertake these forms of research; should this change, the appropriate agencies will be notified and appropriate standards developed);
10. Acknowledging, in addition to authors, all contributors and contributions to research, including writers, funders and sponsors;
11. Seeking and obtaining approval by the appropriate University authority before engaging in any research;
12. Complying with the University regarding the operational and financial terms of research grants and/or contracts awarded to the researcher;
13. Appropriately managing any real, potential or perceived conflict of interest, in accordance with University policy;

14. Applicants and holders of agency grants and awards shall provide true, complete and accurate information in their funding applications and related documents and represent themselves, their research and their accomplishments in a manner consistent with the norms of the relevant field;
15. Managing all funds in accordance with University policy and within the context of accurate accounting and administrative systems developed by the University for the administration of research funds.

C. BREACHES OF UNIVERSITY STANDARDS FOR INTEGRITY IN RESEARCH + SCHOLARSHIP BY RESEARCHERS

Breaches of University standards include, but are not limited to, the following:

1. Fabrication: Making up data, source material methodologies or findings, including graphs and images;
2. Falsification: Manipulating, changing or omitting data, source material, methodologies or findings, including graphs and images, without acknowledgement and which results in inaccurate findings or conclusions;
3. Destruction of research records: The destruction of one's own or another's research data or records to specifically avoid the detection of wrongdoing or in contravention of the applicable funding agreement, University policy and/or laws, regulations and professional or disciplinary standards;
4. Plagiarism: Presenting and using another's published or unpublished work, including theories, concepts, data, source material, methodologies or findings, including graphs and images, as one's own, without appropriate referencing and, if required, without permission
5. Redundant publications: The republication of one's own previously published work or part thereof, or data, in the same or another language, without adequate acknowledgment of the source or justification;
6. Invalid authorship: Inaccurate attribution of authorship, including attribution of authorship to persons other than those who have contributed sufficiently to take responsibility for the intellectual content or agreeing to be listed as author to a publication for which one made little or no material contribution;
7. Inadequate acknowledgement: Failure to appropriately recognize contributions of others in a manner consistent with their respective contributions and authorship policies or relevant publications;
8. Management of conflict of interest: Failure to appropriately manage any real, potential or perceived conflict of interest in accordance with the University's policy on conflict of interest in research, preventing one or more of the objectives of the Framework from being met;
9. Misrepresentation in a funding application: Providing incomplete, inaccurate or false information in a grant or award application or related document, applying for and/or holding an award when deemed ineligible by a research funding organization for reasons of breach of responsible conduct of research such as ethics, integrity or financial management or listing of co-applicants, collaborators or partners without their agreement;
10. Mismanagement of Grants or Award Funds: Using grant or award funds for purposes inconsistent with the policies of the funding agency.

D. RESPONSIBILITIES OF EMILY CARR UNIVERSITY

1. The University is responsible for the ongoing promotion of integrity in research and for investigating allegations of misconduct involving researchers.
2. The University will promote integrity in research. To this end, the University will conduct workshops periodically on standards related to integrity in research and scholarship, including the unique requirements of the Tri-

Agencies (CIHR, NSERC, and SSHRC). The University will make available to all employees, students and potential researchers relevant documents and processes related to research, including this Responsible Conduct of Research procedure. Updates and changes will be announced electronically and will be available on the University website. Subject to applicable laws, including privacy laws, statistics of confirmed findings of breaches of this procedure and the actions taken will be made public in annual reports.

3. The University is responsible for investigating and responding to, in a timely manner, allegations of breaches of integrity in research. This will include informing the appropriate funding council(s) of conclusions reached and actions taken. The University will also respond to alleged breaches identified by funding agencies. The University will advise the Secretariat on Responsible Conduct of Research (SRCR) immediately of any allegations related to activities funded by the Tri-Agencies. In cases where the funding is unclear, the University will comply with SRCR requests to access information and reports regarding the investigations (see section F on Investigating and responding to Alleged Breaches to Integrity in Research and Scholarship).

E. COLLECTION AND RETENTION OF DATA

1. A complete set of all original research data must be retained by the principal researcher for a period of five (5) years from the date of publication of results based on the data. For research that undergoes research ethics review, researchers shall provide details to the ECU-REB regarding their proposed measures for safeguarding information relevant to their research, including, where applicable, safeguards for the institutional retention of research data.
2. All collaborators must have free access to the relevant data at all times and authorization to retrieve or copy relevant data may not be withheld by any member of the research team without a valid reason. In no instance should primary data be destroyed while investigators, colleagues or readers of published results may raise questions requiring reference to original data.
3. Entitlement to ownership, reproduction and publication of primary data, software and other products of research will vary according to the circumstances under which the research was conducted. The University Intellectual Property policy will govern these issues.
4. Issues of confidentiality will arise in some areas of research and these will be addressed by the Faculty and department or research unit involved. In some instances a non-disclosure agreement will be required to keep information confidential. The University Intellectual Property policy will govern these issues. In any instance where confidentiality is violated by a University employee or student, appropriate action will be taken.
5. In the case of research activities that are funded by the Tri-Agencies, the University and the researchers may not enter into confidentiality agreements or other agreements that prevent the University from reporting breaches of research conduct to the SRCR.

F. INVESTIGATING + RESPONDING TO ALLEGED BREACHES OF INTEGRITY IN RESEARCH + SCHOLARSHIP

A breach of integrity while undertaking research is unacceptable and may be cause for disciplinary action that will be in line with any collective agreements or terms of employment as negotiated from time to time.

All allegations of breaches of integrity in research and scholarship will be handled with confidentiality in an effort to protect the privacy of the complainant(s) and the respondent(s) as far as is possible.

Informal Inquiry into Potential Misconduct

1. Anyone who believes there has been a breach of these procedures may seek clarification, informally through the Office of the Associate Vice President, Research. Anyone receiving a complaint is required to channel the complaint to the Office of Research + Industry Liaison and the attention of the Associate VP, Research.
2. Such inquiries shall be kept confidential and may result in no action or a shift to a formal investigation. The Associate VP, Research will review the allegations and documentation related to the potential misconduct to determine whether a shift to formal investigation is required. If the Associate VP, Research dismisses the complaint and the complainant wishes to pursue further, the complainant must initiate a formal complaint.

Formal Investigation of Complaints

1. A formal complaint must be made in writing to the Associate VP, Research and may be at the request of the funding agency. Anonymous allegations will not be entertained. Within ten (10) days of receiving the complaint, the Associate VP, Research will establish an Investigating Committee of independent persons with relevant experience or expertise in the area of research involved in the particular case to conduct an investigation. No member of the department or others involved in the research will be part of the committee. Persons external to the University may be appointed at the discretion of the Associate VP, Research. The members of the Investigating Committee will be without conflict of interest, real, potential or perceived, and will include at least one external member who has no current affiliations with the University.
2. In all proceedings and subsequent to a final decision, the University will undertake to assure that those making an allegation in good faith and without demonstrably malicious intent are protected from reprisals or harassment. False allegations made purposefully will lead to discipline of the person making the allegation by the University. Only responsible allegations will be investigated through the process described below.
3. To ensure protection of research agency funding, if deemed necessary by the University or upon the request of the research agencies, the Associate VP, Research may in exceptional circumstances take immediate action to withhold research funds until matters of misconduct are resolved.
4. The Associate VP, Research shall inform the SRCR by letter of the investigation process that is chosen for all allegations pertaining to research that is funded by the Tri-Agencies. This letter will be submitted to the SRCR no more than two (2) months after receipt of the original allegation.
5. Within ten (10) working days of receipt of the complaint, the Investigating Committee will meet with the complainant and respondent and discuss the nature of the complaint and the circumstances surrounding it. Additional interviews may be required to complete the investigation. All interviews will be documented and become part of the official record.
6. All documentation pertinent to the investigation will be sought and obtained and included as part of the official record.
7. All affected parties will be notified of the allegations by the Associate VP, Research and will be afforded the rights to answer the allegations either orally, in writing or both. The BC *Freedom of Information and Protection of Privacy Act* will govern the release of any information.
8. The Committee will address the allegations made and determine if they have merit and in doing so will act fairly and conduct its proceedings in a manner consistent with the principles of natural justice.
9. The complainant and respondent will be given an opportunity to comment on the facts outlined in the draft report before the report is made final.

10. The Investigating Committee will report its findings and recommendations to the Associate VP, Research only, within sixty (60) days of being established. The committee's decision regarding misconduct is final and binding on the University. The report will include:
 - i. A summary of the allegations;
 - ii. Composition of the Investigating Committee and explanation of selection process;
 - iii. Investigative methods;
 - iv. Persons interviewed or supplying information;
 - v. Proposed plan to restore reputations and protect complainants that have acted in good faith;
 - vi. Details on recommended sanctions; and
 - vii. Other relevant details.
11. For allegations pertaining to research that is funded by the Tri-Agencies, the Associate VP, Research will prepare a report for the SRCR on the investigation including the items listed above, excluding all information that is not specifically related to Tri-Agency funding and policies or personal information about the respondent or any person that is not material to the investigation. This report will be submitted to the SRCR no more than seven (7) months after receipt of the original allegation. If circumstances warrant, the Associate VP, Research will request an extension of this timeline from the SRCR.
12. If the committee **determines the complaint is without foundation**, the Associate VP, Research will act on the findings of the Committee and dismiss the complaint and immediately advise the complainant and the respondent with a written response outlining the reasons for this decision. Based on the findings, the Associate VP, Research may require the complainant and/or others to take action to protect or restore the reputation or credibility of a wrongly accused researcher. A copy of the report will be forwarded to the funding agency within thirty (30) days of receipt.
13. If the committee **finds there is misconduct**, the Associate VP, Research will determine any actions or sanctions to be taken and will communicate these in writing to the respondent and to others as may be appropriate given the circumstances. In the case of research activities that are funded by the Tri-Agencies, additional recourse may be determined to be required by the Tri-Agencies, as described in 6.1.3 of *The Framework*. The University will inform the appropriate authorities if it becomes aware of possible fraud or other unlawful activity.
14. A person subject to disciplinary action, who believes that the decision was reached improperly or if he/she disagrees with that decision or with the sanctions, may file an appeal or grievance as appropriate in accordance with the relevant collective agreement or employment contract. In the case of students, appeals will be handled under University policies related to Student Conduct and Appeals.
15. The privacy of both the complainant, the respondent and other persons, including witnesses involved in the investigation will be protected as far as is possible given the need for due process in pursuing an enquiry and reporting on the findings. In the case of a researcher being wrongly accused, all documents or files provided to the Investigating Committee will be destroyed at the conclusion of the investigation.
16. The Associate VP, Research will be responsible for keeping and controlling appropriate access to records in accordance with relevant privacy legislation. Records will be kept for seven (7) years.

Investigation of Complaints received by or initiated by the Tri-Agencies through the SRCR

1. The University will handle complaints that are received by or initiated by the Tri-Agencies through the SRCR in the manner described above.