

Policy and procedure for dealing with allegations of research misconduct

Research Office

June 2017

Revised September 2020

Definitions

Alternate Named Person (ANP)

The alternate will fulfil the Named Person (NP) role where the NP is not available or where it is inappropriate for the NP to act in this capacity, e.g., where the allegations are in any way linked to the NP or there is the potential for a conflict of interest for the NP. In such cases the ANP will be chosen by the Director of Research Administration.

The ANP is normally a member of the Principal's Advisory Group.

College

The Royal Veterinary College (RVC).

Complainant

The person or persons making allegations of research misconduct against one or more Respondents.

Days

Working days, excluding weekends, Bank Holidays and other days on which the Royal Veterinary College is closed.

Named Person (NP)

The Named Person is the person nominated by the College to: i) receive any allegations of research misconduct; ii) initiate and supervise the procedure where appropriate; iii) maintain a record and preserve documentation relating to an investigation; and iv) take decisions and necessary actions at key stages of the procedure. Checklists are provided at Appendix A and B. The NP may consult in confidence with the UK Research Integrity Office (UKRIO) regarding allegations of research misconduct, and seek further advice and guidance from UKRIO.

The NP is normally the College's Vice-Principal for Research and Innovation.

Respondent

The person or persons against whom the allegation of research misconduct is made. They might be a present or past employee of the College, a postgraduate research student or any individual conducting research under the auspices of the College.

1 Scope

- 1.1 This procedure provides a mechanism to investigate allegations of misconduct in research brought against persons conducting research under the auspices of the College, whether on its premises or off-site. This includes academic staff, research staff, postgraduate research (PGR) students and visiting staff or PGR students who make use of the College's facilities. It does not include students on taught courses, who come under other policies of the College.
- 1.2 Allegations of research misconduct will initially be considered separately to the College's [grievance](#) and [disciplinary policies and procedures](#). However, allegations of research misconduct may lead to the initiation of such procedures. Likewise, complaints made via such procedures may be referred to this procedure if they are identified as research misconduct.
- 1.3 Allegations concerning misconduct in breach of the College's [Financial Regulations](#), or in breach of its anti-fraud measures will be considered in accordance with those regulations / measures, and in accordance with the disciplinary procedure where applicable.
- 1.4 Where the research in question has been conducted alongside external collaborators, close liaison with partner organisations will be necessary as part of the investigation.
- 1.5 This procedure does not form part of any employee's contract of employment with the College.

2 Principles

- 2.1 Allegations of research misconduct are potentially serious both for the College and the Respondent. Such allegations will be investigated fairly, objectively, confidentially and in accordance with the principles of natural justice.
- 2.2 All parties involved must inform the Named Person (NP) immediately of any interests that they have which might constitute a conflict of interest as regards any aspect of the allegations, the investigation, the area(s) of research in question, or any of the persons concerned.
- 2.3 The College reserves the right to take action as it considers appropriate in relation to any matter raised under this procedure, whether raised formally or informally, orally or in writing. This will apply even where a Complainant subsequently withdraws an allegation or where a Respondent admits misconduct or resigns part-way through the process. Such action might include continuing with an investigation and, where necessary, the disclosure of certain information concerning the allegations to a future employer or regulatory or professional body.
- 2.4 The Respondent is entitled to a presumption of innocence until any investigation is complete and any allegation of misconduct is proven.

3 What is ‘research misconduct’?

3.1 The term ‘research misconduct’ means practices that strongly deviate from those that are generally accepted within the scientific community, including those outlined in the [RCUK Policy and Guidelines on Governance of Good Research Conduct](#) (February 2013, updated April 2017), the [UUK Concordat to Support Research Integrity](#) (October 2019) and the College’s guidance notes on [Good Research Practice \(GRP\) and Research Integrity](#), for proposing, conducting or reporting research. It specifically encompasses but is not limited to the following:

- ✓ **Fabrication** - includes the creation of false data or other aspects of research, including documentation and participant consent.
- ✓ **Falsification** - includes the inappropriate manipulation and/or selection of data, imagery and/or consents.
- ✓ **Plagiarism** - includes the general misappropriation or use of others’ ideas, intellectual property or work (written or otherwise), without acknowledgement or permission.
- ✓ **Misrepresentation** - of data, interests and/or involvement, including a failure to declare material interests of the researcher or the funder of the research. Also includes misrepresentation of qualifications and/or experience, including claiming or implying qualifications or experience which are not held.
- ✓ **Mismanagement or inadequate preservation of data and/or primary materials** – non-compliance with College and/or funders’ requirements for the management or preservation of data and/or primary material collected as part of a research project.
- ✓ **Failure to meet legal, ethical and professional obligations** such as:
 - not following legal, ethical and other requirements for human or animal research participants, or human organs or tissues used in research, or for the protection of the environment;
 - the improper handling of privileged or private information on individuals collected during the research, whether deliberately, recklessly or through gross negligence, including failure to obtain appropriate informed consent;
 - improper conduct in the peer review of research proposals, results or manuscripts submitted for publication. This includes failure to disclose conflicts of interest; inadequate disclosure of clearly limited competence; misappropriation of the content of material; and breach of confidentiality or abuse of material provided in confidence for the purposes of peer review.
- ✓ **Improper dealing with allegations of research misconduct**, including attempts to cover up misconduct; taking reprisals against a whistle-blower; or failing to deal appropriately with allegations that ultimately turn out to be

malicious. Also includes the inappropriate censoring of parties through the use of legal instruments, such as non-disclosure agreements.

- 3.2 Research misconduct includes acts of omission as well as acts of commission. The standards by which allegations of misconduct in research should be judged are those prevailing in the country in question and at the date that the behaviour took place.
- 3.3 Research misconduct does not include: differences in the design, execution, interpretation or judgement in evaluating research methods or results, or what might be deemed 'academically poor' research. Neither does it include misconduct that is unrelated to the research process.

4 Making a complaint / raising concerns

- 4.1 If an individual ("the Complainant") has genuine concerns about misconduct in research, they should submit their concerns to the Named Person (NP) (or Alternate Named Person (ANP)) in writing where possible, accompanied by any supporting evidence that is available to the Complainant.
- 4.2 If a concern is raised with another person, or through another procedure (e.g., the College's [Whistleblowing Policy](#)), it should be brought to the attention of the NP/ANP without delay by the person receiving details of the concern.
- 4.3 If an individual has concerns but they are unsure whether their concerns are appropriate to be raised under this procedure, they can seek an initial informal discussion with the Vice-Principal for Research and Innovation, Head of the Graduate School or relevant Head of Department, as appropriate. However, in doing so the Complainant should note that the College reserves the right to take any action it considers necessary in response to any information disclosed, as set out in clause 2.3 of this Procedure.
- 4.4 It is hoped that individuals will feel able to raise concerns openly under this policy. However, if a Complainant wishes to raise a concern confidentially, every effort will be made to protect the identity of the Complainant, and subject to section 6 ("Confidentiality"), only to disclose their identity to those involved in investigating any allegations where it is strictly necessary to do so. If it is necessary for anyone investigating to know the Complainant's identity, this should be discussed with the Complainant beforehand (see also section 5).
- 4.5 The College does not encourage anonymous complaints. Proper investigation may be more difficult or impossible if the College cannot obtain further information from the Complainant. It is also more difficult to establish whether any allegations are credible if the person raising them is not identified. Where anonymous complaints are raised, nothing in this clause limits the College from taking such action in response to those complaints as it considers appropriate.

5 Support and protection for Complainants and Respondents

- 5.1 It is understandable that Complainants are sometimes worried about possible repercussions. The College aims to encourage openness and will support individuals who raise genuine concerns under this procedure, even if they turn out to be mistaken.
- 5.2 Complainants must not suffer any detrimental treatment as a result of raising a genuine concern. Detrimental treatment includes: dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. The College will not tolerate the victimisation of individuals who raise genuine concerns under this procedure. A person who threatens or retaliates against a Complainant in any way may be subject to disciplinary action.
- 5.3 The College cannot guarantee any particular outcome to any concern raised, but will aim to deal with concerns raised under this procedure fairly and appropriately. The NP will inform the Complainant if the investigation of their concern will not proceed further at any point. If a Complainant is not happy with the way in which their concern has been handled, they can raise it with the NP and may query whether all their evidence has been considered by the NP (see also clauses 9.14 and 10.11). In these circumstances, the NP will consult with the relevant Head of Department to decide whether any further action is required because of the Complainant's query. The Complainant will also be informed if the allegation is upheld.
- 5.4 If the outcome of the investigation is to instigate disciplinary proceedings or take other action against the Respondent, the Complainant will not have any right to be informed of the outcome of any disciplinary proceedings or other action nor any right of appeal in respect of any action taken.
- 5.5 The College will take steps as required and appropriate to support Respondents who are accused of research misconduct, to protect the reputation of Respondents and the research project(s) until any allegation is proven. Where there is good reason to believe that the complaint was not based on genuinely-held concerns, the NP will consider whether any action should be taken against the Complainant.
- 5.6 Complainants and Respondents may be supported by a trade union representative or a colleague (or, for PGR students, by an individual as agreed with the Head of the Graduate School or relevant Head of Department) at appropriate stages of the procedure.
- 5.7 Complainants and Respondents who are College employees are able to access the confidential Employee Assistance Programme. This service is free of charge (details available on the College intranet).

6 Confidentiality

- 6.1 Confidentiality is an important part of this procedure. Details of the investigation and the names of the Complainant and the Respondent must only be disclosed on a 'need to know' basis, provided this does not compromise either the investigation or any issue related to the safety of participants involved in research. Any disclosure to a third party should be made on this basis and the third party must understand and respect the confidentiality of any information disclosed.
- 6.2 The College will aim to keep the Complainant informed of the progress of the investigation and its likely timescale. However, the need for confidentiality may prevent the College giving Complainants specific details of the investigation whilst it is ongoing. Complainants should treat any information they receive about the investigation as confidential.
- 6.3 The Respondent will be made aware of the concerns raised and, unless there are compelling reasons why the Complainant or any witnesses need to remain anonymous, the name(s) of those raising the concerns together with the name(s) of any witnesses.
- 6.4 In consultation with the NP and with the College's Marketing department, either the Respondent or the Complainant may request the release of a statement if a case has reached the public domain, normally only when the case has concluded. In consultation with the Respondent and/or Complainant, the NP and Marketing, the College may at its discretion release a statement if a case has reached the public domain, normally only when the case has concluded.
- 6.5 No public statements about any allegation should be made by either party without the approval of the Principal.
- 6.6 Any breach of confidentiality may lead to disciplinary action being taken.

7 Preliminary consideration stage

- 7.1 Upon receipt of a complaint the NP shall conduct a preliminary consideration of the matter including a consideration of the following:
- Does the NP have a potential conflict of interest that needs to be declared? If so an ANP will be appointed who will initiate and oversee the operation of the procedure.
 - Does the complaint relate to research misconduct or is another College procedure more appropriate? See clause 7.3.
 - Does the complaint concern research conducted solely under the auspices of the College, or is another research organisation involved? See clauses 7.4 and 7.5.
 - Is the Respondent undertaking externally-funded research? See clause 7.6.
 - Is there a need to inform other legal or regulatory bodies? See clause 7.7.
 - Is there a need for immediate action in order to safeguard persons or animals at risk? See clause 7.8.

- Is there a need to secure information and evidence (records and materials), or a need to take any further actions to secure the integrity of any subsequent investigation? See clause 7.9.
- Is there evidence to suggest that the complaint is frivolous, vexatious or malicious? See clause 7.15.

Please refer to **Appendix A** for a checklist of considerations for this stage.

- 7.2 The NP should acknowledge receipt of the complaint by letter to the Complainant, seeking any further information as required and advising them of the procedure to be followed.
- 7.3 If the complaint does not relate to research misconduct it will be for the NP to decide in consultation, where appropriate, with any relevant individuals (e.g., Research Office, Human Resources, Head of Department), whether this or another College procedure will be followed or whether the concerns can be resolved informally, for example, where the complaint is the result of a misunderstanding between individuals (see section 8).
- 7.4 If the complaint does not relate to research conducted under the auspices of the College, or it relates to a researcher where the College is not the primary employer (e.g., the Respondent is a visitor), the NP should consider whether to raise the matter with the NP of the relevant institution and/or direct the Complainant to the appropriate organisation depending on the nature of the complaint and the contractual status of the Respondent in relation to the research.
- 7.5 If the complaint concerns research being conducted in collaboration with another organisation, the NP shall make a decision as to whether any investigation needs to be conducted solely by the College, or whether a collaborative approach, involving the research partner, is required.
- 7.6 If the Respondent is undertaking externally-funded research the terms and conditions of the relevant funder will be checked to establish whether they require the allegation to be reported immediately, or if they must be informed only after a formal decision has been taken by the College.
- 7.7 The nature of the allegation may mean that it is necessary to inform the funding body, legal or regulatory authorities when the activity is potentially or actually illegal, and/or a danger to persons, animals or the environment. As a consequence, the College may be required to permit an investigation led by a funder, legal or regulatory body, which will ordinarily take precedence over this procedure. In such circumstances, the investigation under this procedure may continue in parallel or may have to be suspended, to be concluded later.
- 7.8 Where the allegation concerns a situation that requires immediate action to prevent further risk or harm to staff, study participants or other persons, suffering to animals or negative environmental consequences (where this might contravene the law or fall below good practice), the NP should take immediate appropriate action to ensure that any such potential or actual danger / illegal activity / risk is mitigated as far as it is possible to do so.

- 7.9 The NP should ensure that all relevant evidence is secured: for example, all relevant records, materials and locations associated with the work; and consider any further actions that might be necessary in consultation with Human Resources or relevant line manager(s), or the Graduate School and Research Supervisors in the case of PGR students. Such actions could include suspension of the Respondent (see clause 7.14) while matters are being investigated.
- 7.10 The NP will decide on an appropriate course of action normally within 10 working days of receipt of the complaint and decide, based on the preliminary consideration, whether to initiate the screening stage (see section 9) or whether informal resolution or another course of action is appropriate.
- 7.11 If the NP is initiating the screening stage, the NP should inform the Principal, Director of Human Resources, Vice-Principal for Research and Innovation, Head of Department and/or Head of the Graduate School, as appropriate, that allegations of research misconduct have been received and that they will be investigated. The above persons should be provided, in confidence, with the following information:
- the identity of the Respondent;
 - the identity of the Complainant;
 - details of all sources of external funding;
 - details of all internal and external collaborators for the research in question; and
 - any other details that the NP considers appropriate.
- 7.12 On completion of the preliminary consideration stage, the NP will normally invite the Respondent to a meeting to inform them that allegations of research misconduct have been made and the processes to be followed (if any). A representative from Human Resources or the Graduate School may be in attendance if required and the Respondent may be accompanied by a trade union/students' union representative or a work colleague if they wish. If the allegations are made against more than one Respondent, the NP should inform each individual separately and should not where possible divulge the identity of any other Respondent.
- 7.13 If the screening stage is being initiated, the Respondent will be informed of the allegations in writing at the meeting, and given a copy of this procedure. The NP should outline the processes to be followed and the opportunities the Respondent will have to respond. If the screening stage is not being initiated, the matter will be dealt with in accordance with clause 7.15 (ii, iii) or clause 8, as appropriate.
- 7.14 Precautionary suspension (on full pay) of the Respondent or alternative precautionary action short of full suspension may be considered at this stage, in consultation with Human Resources (e.g., where the allegations might constitute gross misconduct as defined in the College's [Disciplinary Procedure](#), or for other good and urgent cause). Where the Respondent is a PGR student, they may be suspended from their studies following consultation with the Academic Registrar. It should be made clear to the Respondent that this does not constitute disciplinary action and does not imply any assumption that the Respondent is guilty of any misconduct.

- 7.15 On completion of the preliminary consideration stage, the NP will normally write to the Complainant and any other relevant parties such as Heads of Department on a 'need to know' basis, to inform them of the outcome of this stage in relation to the matters they raised in their complaint in accordance with clause 6.2, taking into account the duty of confidentiality owed to the Respondent. The letter might include:
- (i) An assurance that the allegations will initially be assessed in accordance with this procedure by individuals with sufficient knowledge and experience of research, and with specialist knowledge of the subject matter. The Complainant may be required to attend additional meetings in order to provide further information or in some cases to act as a witness in any formal investigation, if required; or
 - (ii) The reasons why the allegations cannot be investigated using this procedure, and/or:
 - which process for dealing with the complaint might be appropriate for handling the allegations; and
 - to whom the allegations should be reported, if the research is not connected to the College.
 - (iii) That the allegations are dismissed on the basis that in the opinion of the NP, they are mistaken, frivolous, vexatious and/or malicious.
- 7.16 In taking any actions at this stage, it should be made clear to the relevant parties that the information is confidential, and the actions taken are not to be regarded as disciplinary action, nor taken to imply that the Respondent is guilty of any misconduct.
- 7.17 If the Complainant is dissatisfied with the outcome of the preliminary stage (because a decision has been made not to proceed to the screening stage), they may appeal to the Director of Research Administration or Head of the Graduate School, as appropriate, but only on the grounds of either: (a) a clear and evident failure by the NP to follow procedure; or (b) new evidence having come to light since the time of the original complaint, that would lead a reasonable person to conclude that the findings of the preliminary stage should be re-examined.

8 Informal resolution

Situations that the NP considers not to be serious in nature (e.g. the complaint having arisen from a misunderstanding or miscommunication between colleagues) might be resolved informally, without the requirement for a formal investigation. In such instances, the NP may appoint a representative from Human Resources or the Graduate School to mediate between the Complainant and Respondent, or decide on such other course of action that the matter can be resolved to the satisfaction of both parties. The NP may seek advice from UKRIO regarding whether such informal mechanisms might be appropriate in any particular case.

9 Screening stage

- 9.1 The purpose of the screening stage is to determine whether there is prima facie evidence of research misconduct, to determine appropriate next steps and any actions required at that stage.
- 9.2 The NP will convene an initial screening panel comprising up to 3 individuals (one of whom will act as Chair). These people will usually be senior academics with sufficient knowledge and experience of research, and with relevant subject knowledge, adequate to allow them to conduct a preliminary evaluation of the available evidence. If there is insufficient specialist knowledge at the College, an external panel member may be used. In these instances, the NP must ensure the Chair is an employee of the College.
- 9.3 The Respondent will be invited to submit a written response to the allegations, to be received by the Chair of the panel normally within 10 days of the notification.
- 9.4 The Chair of the panel will take any steps necessary to secure any evidence (records, data and materials) relevant to the allegations, if this has not already been done. The Respondent should be assured that this does not imply any assumption that they are guilty of any misconduct, but that it is necessary to ensure that the allegations are properly investigated.
- 9.5 Screening shall normally be completed within 30 days of the panel being convened.
- 9.6 The panel shall, in confidence:
 - (i) consider the evidence before them and invite the Complainant to clarify any matters that the panel considers necessary and relevant;
 - (ii) consider the Respondent's response and seek further clarification if required.
- 9.7 The panel will make determinations to the NP based on the evidence considered during this stage, as follows:
 - (i) There is no evidence that research misconduct has taken place and no further investigation is required because the allegations are mistaken, frivolous, vexatious and/or malicious; or
 - (ii) There is no evidence that research misconduct has taken place but certain procedural matters have been brought to light within the College / partner organisations and/or funding bodies that need to be addressed; or
 - (iii) There is some evidence of minor unintentional poor practice which could be addressed through non-disciplinary means, such as education and training, or via informal counselling (see clause 9.9). No further investigation is required.
 - (iv) Research misconduct may have been committed or the evidence is inconclusive and formal investigation is required.

- (v) There is evidence of misconduct unrelated to the research, that should be referred to the appropriate College procedure, if any; and/or
 - (vi) Any other recommendations or required actions that need to be taken in light of the issues raised.
- 9.8 The NP will consider the panel's findings and notify the Respondent in writing of the outcome of this stage and any further actions or steps to be taken. This will include ensuring appropriate action is taken to correct the record of research, where necessary, such as retraction or correction of articles in journals, and/or notifying research participants of any potential issues that may arise.
- 9.9 Where informal action is recommended to address unintentional poor practice, the NP may consult, where applicable, with the Vice-Principal for Research and Innovation and the relevant Head of Department on the course of action proposed; and ensure that any action required is instigated, executed and recorded by the appropriate parties.
- 9.10 The NP will ensure that any other necessary actions further to the panel's findings are taken by the appropriate officer(s); for example, any administrative actions that may be immediately necessary to protect the funds and/or other interests of relevant grant- or contract-awarding bodies, and to meet all contractual commitments.
- 9.11 If the panel's findings at this stage indicate that the complaint was not based on genuinely-held concerns, the NP will consider whether any action should be taken against the Complainant.
- 9.12 At the conclusion of the screening stage, the NP will normally write to the Complainant and any other relevant parties (on a 'need to know' basis), to inform them of the outcome of this stage in relation to the matters they raised in their complaint in accordance with clause 6.2, taking into account the duty of confidentiality owed to the Respondent. The letter might include:
- (i) There is no evidence that research misconduct has taken place and no further investigation is required because the allegations are mistaken, frivolous, vexatious and/or malicious.
 - (ii) That the allegations will be formally investigated and that the Complainant may be required to attend additional meetings in order to provide further information or in some cases to act as a witness in any subsequent disciplinary proceedings if required; or
 - (iii) The reasons why the allegations cannot be investigated using this procedure; and/or:
 - which process for dealing with the complaint might be appropriate for handling the allegations (if any); and
 - to whom the allegations should be reported, if the research is not connected to the College.

- 9.13 Again, it should be made clear to the relevant parties that the information is confidential and any actions taken are not to be regarded as disciplinary action and do not imply any assumption that the Respondent is guilty of any misconduct.
- 9.14 If the Complainant is dissatisfied with the decision, they may appeal in writing to the NP, detailing the reason (for example, the correct procedure has not been followed or new information has come to light). The NP will consult with the Director of Research Administration or Head of the Graduate School (where the Complainant is a PGR student), as to whether the appeal has merit. Their decision on the appeal shall be final, and the Complainant shall be notified of the outcome in writing within 30 days of receipt of the appeal.

10 Formal investigation and outcomes

- 10.1 If there is a need for formal investigation the NP will appoint a panel (normally within 30 days of the submission of the screening panel's report) comprising up to 3 individuals, none of whom should previously have been involved in the investigation. One of these persons will act as Chair. Panel members will usually be senior academics with sufficient knowledge and experience of research, and with relevant subject knowledge. The NP shall ensure that the Chair is an employee of the College. In the interests of transparency, the panel will include at least 1 external representative. If the research was funded by a UK Research Council, UKRI has a right to seek observer status on the panel if circumstances warrant it – e.g., where there are implications for the reputation of the relevant Council.
- 10.2 As part of the investigation the panel should interview the Respondent and any relevant witnesses including the Complainant. The Chair of the panel will allow any witnesses and the Respondent the opportunity to comment on the factual accuracy of the information they have provided as recorded by the panel following the interview.
- 10.3 The Chair of the panel should ensure the NP is kept updated on the progress of the formal investigation as required. The NP will provide appropriate information on the progress of the investigation to other interested parties as necessary.
- 10.4 On completion of the formal investigation, the Chair of the panel will submit a written report to the NP, together with any documentation available during the investigation. The report should:
- (i) summarise the conduct of the investigation;
 - (ii) state whether the allegations of misconduct in research have been upheld in whole or in part (see also clause 10.5), giving the reasons for the panel's conclusions and recording any differing views;
 - (iii) make recommendations in relation to any matters relating to any other misconduct identified during the investigation (see clause 10.8); and

- (iv) address any procedural matters that the investigation has brought to light within the College and relevant partner organisations and/or funding bodies.
- 10.5 The investigation panel may conclude that allegations are not upheld for reasons of being mistaken, frivolous, vexatious and/or malicious.
- 10.6 The Chair of the panel may also:
 - (i) make recommendations with respect to whether the allegations should be referred to the relevant disciplinary procedure for staff or PGR students;
 - (ii) whether any action will be required to correct the record of research;
 - (iii) whether organisational matters should be addressed by the College through a review of the management of research.
- 10.7 The standard of proof used by the investigation panel is that of “on the balance of probabilities”.
- 10.8 Should any evidence of misconduct be brought to light during the course of the formal investigation that suggests:
 - (i) further, distinct instances of misconduct in research by the Respondent, unconnected to the allegations under investigation; or
 - (ii) misconduct in research by another person or persons,

then the investigation panel should submit these new allegations of misconduct to the NP in writing, along with all supporting evidence, for consideration under the initial steps of this procedure.
- 10.9 The NP will notify the Respondent in writing of the outcome of the formal investigation and any further actions or steps to be taken. Where the allegations are upheld, the Respondent will normally be invited to a disciplinary hearing in accordance with the applicable disciplinary procedure.
- 10.10 The NP will take appropriate action(s) to correct the record of research, which may include: retraction/correction of articles in journals, and/or notifying research participants of any potential issues that may arise.
- 10.11 The NP will normally write to the Complainant, and any other relevant parties (on a ‘need to know’ basis), to inform them of the outcome in relation to the matters they raised in their complaint in accordance with clause 6.2, taking into account the duty of confidentiality owed to the Respondent.
- 10.12 The decision of the panel will be final and there will be no right to appeal, unless on procedural grounds (where there is evidence that the College has not followed its own policy) or where evidence has come to light that was not available to the panel when reaching their conclusion. Any appeal on this basis should be made in writing to the NP. The NP will consult with the Director of Research Administration or Head of the Graduate School and decide on the merit of the appeal, their decision to be final. The outcome of the appeal will be

communicated in writing to the Complainant within 30 days of receipt of the appeal.

- 10.13 Where the NP has made a decision to refer the matter to the applicable disciplinary procedure, the Chair of the investigatory panel may be required to attend any meetings/hearings under the applicable disciplinary procedure in order to present the findings of the investigation and any relevant supporting material. (NB. the Chair of the investigatory panel will not act as Chair of the disciplinary hearing). All relevant information collected and brought to light through this procedure should be transferred to the College's disciplinary process.

A checklist for the NP for this stage can be found at **Appendix B**.

- 10.14 If the panel hearing is terminated without the procedure having run its full course, for example where the Respondent tenders their resignation, the panel should consider whether serious unresolved concerns about misconduct remain. If that is the case, the Respondent will be advised accordingly and asked to see the process through to the end. Should they not agree to this, the Chair of the panel will notify the NP. The NP will write to the Respondent, informing them that the details of the outstanding case may, without prejudice, be passed to any potential future employer, the relevant funding body, and any appropriate regulatory or professional supervisory body (e.g., the Royal College of Veterinary Surgeons).

11 Records, monitoring and reports

- 11.1 All formal complaints concerning allegations of research misconduct will be recorded for monitoring and reporting purposes including where allegations are upheld. This record will be maintained by the Research Office in the case of staff, or the Graduate School in the case of PGR students. The relevant office will be responsible for monitoring the progress of the investigation and ensuring that all time-frames are adhered to.
- 11.2 Information concerning allegations of research misconduct may be placed on the researcher's file, along with a record of the outcome and of any notes or other documents compiled during the process. These will be processed in accordance with the Data Protection Act 1998. Where the allegations are not upheld, the College will take into account the wishes of the Respondent in terms of what is recorded on their file.
- 11.3 The College will publish online an annual report containing an anonymised and high-level statement on any formal investigations of research misconduct that have been undertaken in the relevant year. This may include a note detailing the total number of cases (but not the details of those cases) investigated in a given year.
- 11.4 Where an allegation was made publicly, the College will make public the outcome of the investigation, including the results of any disciplinary proceedings, any court proceedings or any other proceedings heard by a tribunal. If the complaint is shown to have been made in good faith, the interests of the Complainant will be protected in accordance with the Public Interest Disclosure Act 1998.

Acknowledgements

This procedure and policy draws upon guidance from UKRIO (2013), RCUK (2017) and UUK (2019), as interpreted by the author. It is based on original research conducted by Emma Harris and Elizabeth Nolan in conjunction with UKRIO, leading to the document entitled 'Misconduct in research – investigation procedure' (De Montfort University, 2016). The assistance of these former colleagues in producing this policy is gratefully acknowledged.

Appendix A: Named Person's Checklist – Preliminary Consideration Stage

The Named Person (NP) will need to consider whether allegations about misconduct in research require consideration by a screening panel and if any other immediate actions need to be taken. The following checklist provides a prompt of the relevant considerations and actions that may be required.

1. Named Person (NP) Details	Delete as applicable	Action
a. Does the NP have a conflict of interest?	Yes/No	If Yes, appoint an Alternate Named Person (ANP) – see Definitions.
b. Name and title of NP or ANP		
2. Details of complaint		
a. Date complaint received	DD/MM/YYYY	
b. Name of Complainant (if known)		
c. Source of complaint	Internal/ External	
d. Nature of complaint		
e. Name of Respondent(s)		
f. Is the complaint in writing?	Yes/No	
g. Is the complaint about misconduct in research?	Yes/No	If No, consider whether another College procedure or informal resolution (see section 8) is appropriate. See also clause 7.3 for more information.
h. Does the matter concern research conducted under the auspices of the College?	Yes/No	If No, consider whether to raise the matter with the relevant institution and/or direct the Complainant to the appropriate organisation. See clauses 7.4 and 7.5 for more information.
If the complaint is self-evidently frivolous, vexatious and/or malicious, the NP should contact the relevant Head(s) of Department (and/or Head of the Graduate School in the case of PGR students), to discuss whether further action is required.		
3. Risk		
a. Is there any indication there is a risk to subjects (human or animal)?	Yes/No/Awaiting further information	If Yes, safeguarding action must be taken.

		See 7.8 for more information.
b. Is there any indication of criminal activity?	Yes/No/Awaiting further information	If Yes, consult with Human Resources or the Academic Registrar as to whether the police should be contacted.
c. Is there a need to secure information and evidence (records and materials) or a need to take any further actions to secure the integrity of any subsequent investigation?	Yes/No/Awaiting further information	See clause 7.9.
d. Is precautionary suspension of the Respondent required? (Consult with Human Resources or the Academic Registrar).	Yes/No/Awaiting further information	See clause 7.14.
4. External contacts		
a. Is external funding involved?	Yes/No	See clause 7.6 for more information
b. If (a) is 'Yes': do the Terms and Conditions require the funder to be informed at the point the complaint is made? Note that if the Respondent is in receipt of UKRI funding, it is a requirement that UKRI be notified, even if the complaint does not relate to a UKRI grant.	Yes/No	If Yes, please liaise with the Research Office to contact funders.
c. Are there collaborative external partners?	Yes/No	
d. If (c) is 'Yes': have they been contacted?	Yes/No	If No, please liaise with the Research Office to contact partners.
e. Will there be a joint investigation?	Yes/No/Awaiting further information	
f. Has the College contacted relevant regulatory or professional bodies?	Yes/No/Awaiting further information	See clause 7.7 for more information.
5. Next steps		
a. Does the complaint require consideration by a screening panel? (See clause 7.10).	Yes/No/Awaiting further information	<p>If Yes, initiate the screening stage.</p> <p>Ensure the Complainant and the Respondent and any other relevant individuals are notified of the outcome of the preliminary consideration stage.</p>

	See clauses 7.11, 7.12 and 7.15.
--	----------------------------------

The NP may wish to consult, in confidence, with UKRIO regarding allegations of research misconduct, to seek further advice and guidance.

Appendix B: Named Person's Checklist – Post-screening / Post-investigation stages

The Named Person (NP) will need to consider what action is required where an allegation of research misconduct is upheld following formal investigation, or where poor research practice has been identified. The following checklist provides a prompt of the relevant considerations and actions that may be required.

Post-screening stage	Delete as applicable	Action
Are any actions required as a result of the screening stage?	Yes/No	See clauses 9.8 - 9.11 for more information.
Post-investigation stage		
a. Is the Respondent undertaking funded research?	Yes/No	If Yes, the funder will be informed, who may withdraw funding and/or require repayment of funding.
b. Do regulatory bodies and/or other organisations involved in the research need to be informed?	Yes/No	If Yes, the NP must do so in writing.
c. What wider effects has this research had and what actions are required as a result (including those recommended in the investigation panel's report), e.g., has it been published; did it involve human participants, animals, or the environment, etc.?		The NP will take any further appropriate action(s) to correct the record of research, which may include: retraction / correction of articles in journals, and/or notifying research participants / patients / patients' doctors / veterinarians of any potential issues that may arise. This may still be required where the allegation of research misconduct is not upheld but where the Respondent is found to have committed poor research practice.

d. Have training and development needs been identified?	Yes/No	NP to liaise with the relevant staff to ensure this is addressed appropriately.
e. Has the Respondent's personnel / PGR student file been updated?	Yes/No	If No, ensure a record of the outcome of the investigation / hearing is entered on the Respondent's file as appropriate.
f. Is the matter to be referred to the relevant disciplinary procedure for staff or PGR students or to an external organisation if the Respondent is not a member of staff or a (College) PGR student?	Yes/No	
g. Have any other actions been recommended by the investigation panel and if Yes, have they been taken?	Yes/No	

The NP may wish to consult, in confidence, with UKRIO regarding allegations of research misconduct, to seek further advice and guidance.

Dr Ray Kent

Research Office
The Royal Veterinary College
June 2017

Last revised 14 September 2020