

Misconduct - Research Misconduct Policy

Section 1 - Purpose

(1) Research at Charles Sturt University (the University) is governed by the Australian Code for the Responsible Conduct of Research, hereafter referred to as the Code.

(2) This documents sets out the the University's policy on:

- a. failure to implement the Code;
- b. breaches of the Code; and
- c. research misconduct.

(3) The objectives of policy are to:

- a. reinforce the expectation that all research at the the University will be undertaken in accordance with the Code;
- b. inform the differentiation between minor issues of deviation from the Code and more serious matters of research misconduct;
- c. ensure that where research misconduct is identified it is addressed promptly, effectively and fairly; and
- d. maintain public confidence in the the University's research endeavours.

Section 2 - Scope

(4) This policy applies to all staff and higher degree by research (HDR) candidates of the the University.

Section 3 - Glossary

Failure to implement the Code

(5) Failure to implement the Code is defined as failure to take responsibility for achieving the standards aspired to in the Code.

(6) Failure to implement the Code can normally be corrected within an organisational unit through counselling and advice.

Breaches of the Code

(7) Breaches of the Code are characterised as specific actions or omissions that constitute breaches of the Code, but lack the seriousness of consequence or wilfulness to constitute research misconduct.

(8) Breaches of the Code require specific action by supervisors and/or senior officers of the the University and can general be remedied within the the University.

Research Misconduct

(9) Research misconduct may present as, but is not limited to, any of the following:

- a. fabrication of results;
- b. falsification or misrepresentation of results;
- c. plagiarism;
- d. misleading ascription of authorship;
- e. use of others' intellectual property without due acknowledgment;
- f. failure to declare and manage serious conflicts of interest
- g. failure to responsibly manage and administer research funds;
- h. falsification or misrepresentation to obtain funding;
- i. conducting research without appropriate, written ethics approval;
- j. risking the safety of human participants, or the wellbeing of animals or the environment;
- k. deviations from the Code that occur through gross or persistent negligence; and
- l. wilful concealment or facilitation of research misconduct by others.

(10) Repeated or continuing breaches of the Code may also constitute research misconduct and is considered to constitute research misconduct where these have been the subject of previous counselling or specific direction.

(11) Research misconduct does not include honest errors that are minor and unintentional or honest differences in interpretation of data.

(12) Substantiated research misconduct by staff may constitute unsatisfactory performance or misconduct or serious misconduct in terms of the current Enterprise Agreement.

(13) Substantiated research misconduct by higher degree by research degree candidates constitutes misconduct in terms of the the University Misconduct - Student Academic Misconduct Policy.

Serious Research Misconduct

(14) Serious research misconduct may present as, but is not limited to, any of the following:

- a. actions of the types listed under clauses 9-13 (above), where the intent, extent or outcomes are detrimental to the the University, other researchers, staff or students;
- b. the recurrence or continuation of conduct by a staff member which has previously been found to constitute research misconduct on the part of the staff member;
- c. a failure to follow research protocols as approved by research ethics committees or statutory licence conditions, where that failure has resulted in an unreasonable risk or actual harm to humans, animals or the environment;
- d. the deliberate publication of false research results such that they become part of the public record; and
- e. conduct that is alleged to be research misconduct but where the consequences result in serious harm to the the University, other staff, students or visitors, and where the conduct is characterised by a reckless or wilful disregard for the consequences.

(15) Substantiated serious research misconduct by staff can lead to serious penalties under the Enterprise Agreement, including termination of employment.

(16) Substantiated serious research misconduct by higher degree by research degree candidates can lead to serious penalties under the the University Student Academic Misconduct Policy, including termination of candidature.

Research Integrity Advisor

(17) Research Integrity Advisors (RIA) are designated senior staff members with research experience, analytical and interpersonal skills, knowledge of the the University's policy and management structure and familiarity with the accepted practices in research.

(18) RIA's are able to provide clear and accurate advice to members of the the University community concerning good research practices and issues concerning research misconduct. See also clauses 29-31 of this Policy.

Preliminary Investigator

(19) A Preliminary Investigator is the designated person who conducts a preliminary investigation of an allegation of research misconduct, in accordance with Section 4 of the the University Misconduct - Research Misconduct Procedure - Allegation Management.

Formal Inquiry

(20) A Formal Inquiry is a higher level investigation of alleged research misconduct that follows the procedures described in the section "Disciplinary Action for Misconduct or Serious Misconduct" of the current Enterprise Agreement.

(21) A Formal Inquiry may be initiated where a prima facie case has been identified in the course of a Preliminary Investigation, under the the University Misconduct - Research Misconduct Procedure - Allegation Management.

Section 4 - Responsibilities

Research Staff and HDR Candidates at the the University

(22) All staff and students at the the University who are engaged in research are responsible for ensuring that their activities are undertaken in accordance with the Code.

(23) All staff and students at the the University who are engaged in research are responsible for seeking the advice of a Research Integrity Advisor if they are uncertain about their obligations under the Code.

(24) Research supervisors have a responsibility to model behaviour and provide guidance and support for HDR candidates' development as responsible and ethical researchers.

(25) All staff and students at the the University are responsible for providing to a Preliminary Investigator or Vice-Chancellor (or nominee) upon request, access to all records and/or correspondence that may be relevant to an investigation.

Schools and Research Centres

(26) The Code identifies that establishing a responsible research environment is the most effective way of preventing research misconduct and other breaches of the Code.

(27) Research groups should agree on how they will operate to maintain a culture of high standards in research practice that complies with the Code.

(28) Heads of School, Research Centre Directors and other senior staff in these units have a responsibility to establish and maintain a positive research culture and high standards for the conduct of research.

Research Integrity Advisors

(29) Each Associate Dean (Research) and staff member of the Research Advisory Committee is designated as a the University adviser on integrity in research.

(30) Research integrity advisors are responsible to provide to provide clear and accurate advice to members of the the University community concerning good research practices and issues concerning research misconduct.

(31) A research integrity advisor should not be involved in any case where he/she has a relevant conflict of interest.

Preliminary Investigator

(32) The Preliminary Investigator is responsible for ensuring that the Procedures for investigating allegations of research misconduct are followed. Refer also to the Misconduct - Research Misconduct Procedure - Allegation Management.

(33) Where a Preliminary Investigator determines that a prima facie case exists, he/she is responsible to advise the Vice-Chancellor of that finding and to recommend how to proceed. Options include:

- a. dismissing the allegations;
- b. instructing the School or Centre on how to deal with the allegation as a Breach of the Code;
- c. dealing with the complaint under provisions unrelated to research misconduct; and
- d. investigating the matter further through a formal research misconduct inquiry.

Vice-Chancellor

(34) The Vice-Chancellor has overall responsibility for the research misconduct process, although certain aspects may be delegated as agreed by the University Council.

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