

Policy and Procedure



SWINBURNE
UNIVERSITY OF
TECHNOLOGY

Name: **Conduct of Research**

Approved by: **Joint Planning and Resources Committee**

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SECTION 1 - INTRODUCTION

PURPOSE

To prescribe standards of performance and ethical conduct expected of all persons engaged in research at or through Swinburne University of Technology.

SCOPE

This policy and procedure applies University-wide including Sarawak campus.

DEFINITIONS

Word/Term	Definition

LEGISLATIVE CONTEXT

Name	Location
Joint NHMRC / AVCC Statement and Guidelines on Research Practice of May 1997	
Privacy Act (Commonwealth) 1988	http://www.austlii.edu.au/au/legis/cth/consol_act/pa1988108/

SECTION 2 - POLICY

PRINCIPLES

The University subscribes to the principles expressed in the Joint NHMRC / AVCC Statement and Guidelines on Research Practice of May 1997. This Policy is designed to give effect to those principles. It replaces the former Swinburne University Code of Conduct for Research.

This Swinburne Policy on the Conduct of Research is designed to promote the highest possible standards and discourage misconduct and fraud. It aims to encourage the open presentation and discussion of results via peer review mechanisms.

POLICY

1.	Application
	1.1 Researchers employed by the University, research students and persons working on research projects conducted under the auspices of the University must familiarise themselves with this Policy and ensure that its provisions are observed.
	1.2 Failure to comply with the provisions of this Policy may be grounds for disciplinary action.
	1.3 Where a research worker is in doubt about the applicability of provisions of this Policy or the appropriate course of action to be adopted, they should seek advice in the first instance from the General Manager, Research and Graduate Studies, other senior staff of the Swinburne Research or the Deputy Vice-Chancellor (Research).
2.	GUIDING PRINCIPLES
	2.1 Researchers have an obligation to achieve and maintain the highest standards of intellectual honesty in the conduct of their research.
	2.2 Researchers must be aware of and adhere to ethical principles of justice and veracity, and of 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 such as the NHMRC Statement on Human Experimentation and Supplementary Notes.
	2.3 Where research procedures are of a kind requiring approval by a human research ethics committee or animal experimentation ethics committee, or by other safety or validly constituted regulatory committee, research must not proceed without such approval.
	2.4 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.

	<p>2.5 The processes of research protect the truth. Communication between collaborators; maintenance and reference to research records; presentation and discussion of work at meetings of experts; publication of results, including the important element of peer review; 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.</p>
	<p>2.6 Competition in research can have a strong and positive influence, enhancing the quality and immediacy of the work produced. However, competitive pressures can act to distort sound research practice if they encourage too-hasty preparation and submission of papers, the division of reports on substantial bodies of work into multiple small reports to enhance the 'publication count' of the author(s), or an undue emphasis on safe but mundane research at the expense of more creative and more innovative lines of study. Accordingly the University will aim to give due emphasis to quality and originality of research, as well as to quantity of research output.</p>
	<p>2.7 The University, as an institution conducting research, assumes that its researchers are committed to high standards of professional conduct. Researchers have a duty to ensure that their work enhances the good name of the University and the profession to which they belong.</p>
	<p>2.8 Researchers should only participate in work which conforms to accepted ethical standards and which they are competent to perform. When in doubt they should seek assistance with their research from their colleagues or peers. Debate on, and criticism of, research work are essential parts of the research process. The University and researchers have a responsibility to ensure the safety of all those associated with the research.</p>
	<p>2.9 In the conduct of research, staff and students should take care not to represent themselves as possessing greater experience, skills or competence in research than is actually the case.</p>
	<p>2.10 No person or community group shall be the subject of, nor a participant in, any research project without the informed consent of such person or community.</p>
	<p>2.11 Information about the proposed research must be provided to individuals and/or communities in plain and appropriate language informing them of the detail and implications of the proposed research project in such form as to allow informed consent.</p>
	<p>2.12 The terms and conditions under which any person may be engaged in support of a research project should conform with the University's conditions of employment.</p>
	<p>2.13 If data of a confidential nature are obtained, for example from individual patient records or from certain questionnaires, confidentiality must be observed and researchers must not use such information for their own personal advantage or that of a third party. Secrecy may also be necessary for a limited period in the case of contracted research or of non-contractual research which is under consideration for patent protection. In general, however, research results and methods should be open to scrutiny by colleagues within the University and, through appropriate publication, by the profession at large.</p>



SECTION 3 - PROCEDURE

PROCEDURE

	Procedure steps	Responsibility
1.	RESEARCH INVOLVING INDIGENOUS PEOPLES AND MATTERS	
1.1	Research involving Indigenous peoples and matters should be undertaken in a manner sensitive to the culture and traditions of the persons and groups involved.	
1.2	<p>In term of research involving Australian Indigenous peoples researchers should note:</p> <ul style="list-style-type: none"> - The significance of Elders and community-based organisations in community life and decision making; research may involve consultation with the community as well as the individual; 'family' as a centering concept and the various obligations associated with particular kin relationships. - Personal, as distinct from professional, relationships in establishing conditions for further interaction; - The need for extended timeframes in which decisions are made and the collective nature of those decisions; - The status of individual autonomy within a cultural system of collective responsibility for social interaction; - The first languages of Indigenous people as the authentic language of communication amongst community members; - The concepts of "women's business" and "men's business"; and - The publication of only appropriate material and text (eg. not including names or photographs, nor referring to individuals or practices according to Western constructs of Aboriginality where these acts offend community sensibilities). 	
1.3	Persons proposing research projects should consult with the relevant University manager of indigenous programs prior to finalising definition of the project.	
2.	DATA STORAGE AND RETENTION	
2.1	Data (including electronic data) must be recorded in a durable and appropriately referenced form. Data management should comply with relevant privacy protocols, such as the Australian Standard on personal privacy protection and must comply with the Privacy Principles established under Section 14 of the Privacy Act	

	(Commonwealth) 1988.	
2.2	Each Faculty/Centre or unit within the University must establish procedures for the retention of data and for the keeping of records of data held.	
2.3	Data must 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.	
2.4	Wherever possible, original data should be retained in the Faculty/Centre or unit in which they were generated. 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 institution in the event of an allegation of falsification of data.	
2.5	Data related to publications must be available for discussion with other researchers. Where confidentiality provisions apply (for example, where the researchers or University have given undertakings to third parties, such as the subjects of the research), data should be kept in a way that reference to them by third parties can occur without breaching such confidentiality.	
2.6	Storage arrangements for data relating to research into Indigenous matters must be determined in compliance with this policy after consultation with the communities involved.	
2.7	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. Where the research is into Indigenous matters, issues of confidentiality and rights to reproduction shall be agreed with the relevant communities involved prior to commencement of the research.	
2.8	It is the obligation of the researcher to inquire whether confidentiality agreements apply and of the Faculty Dean/Centre or unit to inform researchers of their obligations with respect to these provisions.	
2.9	All confidentiality agreements should be made known at an early stage to the Deputy Vice-Chancellor (Research) or staff of Swinburne Research.	
2.10	University policies on access to and use of Swinburne databases	

	<p>containing confidential information must be observed, including the University's Policy on the Confidentiality of Student Records. In other cases involving the establishment and ownership of and access to databases containing confidential information, Swinburne Research should be consulted.</p>	
2.11	<p>When the data are obtained from limited access databases, or via a contractual arrangement, written indication of the location of the original data, or key information regarding the database from which it was collected, must be retained by the researcher and/or by the Faculty/Centre or unit.</p>	
2.12	<p>Researchers are 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. Researchers must observe the University's Network Access Code of Practice Policy and Computer & Network Student Disciplinary Code.</p>	
3.	AUTHORSHIP	
3.1	<p>The University's criteria for authorship of a research output are set out below. These criteria are designed, at a minimum, to accord with the 'Vancouver Protocol'.</p> <p>Authorship is substantial participation, where all the following conditions are met:</p> <ul style="list-style-type: none"> a) conception and design, or analysis and interpretation of data; and b) drafting the article or revising it critically for important intellectual content; and c) final approval of the version to be published. <p>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, must be excluded as a author without their permission in writing.</p>	
3.2	<p>Where the research relates to Indigenous matters the contribution of the relevant communities to the data shall be properly recorded as authors or participants as appropriate.</p>	

	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.	
	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.	
	3.5 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 Procedure 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.	
	3.6 The Faculty/Centre or unit of the executive author must develop procedures for the recording and safekeeping of the written acknowledgment of authorship. Such procedures should provide for the recording of the acknowledgment of authorship at the time of submission of the research output for publication.	
	3.7 If, for any reason, one or more co-authors are unavailable or otherwise unable to sign the statement of authorship, the Faculty Dean/Centre or unit may sign on their behalf, noting the reason for their unavailability.	
	3.8 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.	
	3.9 Where conflicts arise through disputes about authorship, those concerned should seek advice from the Faculty Dean/Centre or unit in the first instance. If the Head of unit is directly involved or if the matter cannot be resolved by the Head of unit, the issue should be referred to the Divisional Deputy Vice-Chancellor or the Deputy Vice-Chancellor (Research) who shall be responsible for determining the issue.	
4.	PUBLICATION	
	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).	

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.	
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.	
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.	
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.	
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.	
4.7	Deliberate inclusion of inaccurate or misleading information relating to research activity in curriculum vitae, grant applications, job applications or public statements, or the 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.	
4.8	No individual person or community group may be identified in any publication without their specific and informed consent.	
4.9	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.	
5.	SUPERVISION OF STUDENTS / RESEARCH TRAINEES	
5.1	The provisions of this section are amplified in the University's Guidelines for Research Training and Supervision and in the terms of reference of the Higher Degrees Committee.	

5.2	The University, through the Faculty Deans/Centres, the Higher Degrees Committee and other relevant bodies, will ensure that there is a specific, responsible and appropriately qualified supervisor for each research trainee and researcher new to research in the University. The ratio of trainees to supervisors should be low enough to ensure effective intellectual interaction and effective oversight of the research at all times.	
5.3	Each trainee must be provided with written material on applicable government and University guidelines for the conduct of research, including those covering ethical requirements for studies on human or animal subjects, requirements for confidentiality, and occupational health and safety matters.	
5.4	Supervisors are obliged to provide guidance in all matters of good research practice.	
5.5	Supervisors must ensure, as far as possible, the validity of research data obtained by a student under their supervision.	
6.	DISCLOSURE OF POTENTIAL CONFLICTS OF INTEREST	
6.1	The University Policy on Conflict of Interest should be read in conjunction with this section.	
6.2	Researchers must make appropriate disclosure of affiliation with, or financial involvement in, any organisation or entity with a direct interest in the subject matter or materials of researchers. Such disclosures cover the full range of potential 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 the conflict of interest may, or may be perceived to, affect any decision regarding other people.	
6.3	Appropriate disclosure must be made to editors of journals, to the readers of published work, and to external bodies from which funds are sought.	
6.4	Researchers have an obligation to disclose at the time of reporting or proposing research (for example, in a grant application), any conflict of interest which has the potential to influence research and investigations, publication and media reports, grant applications, applications for appointment and promotion.	
7.	RESEARCH MISCONDUCT	
7.1	<i>Definition</i> This document retains a previous definition of 'Research Misconduct'	

but notes the latest US definition.

“Research Misconduct” is taken here to mean fabrication, falsification, plagiarism, or other practices that seriously deviate from those that are commonly accepted within scientific or scholarly communities for proposing, conducting, or reporting research. It includes the misleading ascription 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. It does not include honest errors or honest differences in interpretation or judgements of data.

Examples of Research Misconduct include but are not limited to the following:

Misappropriation: A researcher or reviewer shall not intentionally or recklessly

- a) plagiarize, 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.
- d) *use data acquired for a specific and approved purpose for a purpose, project or research other than that for which it was provided without the specific informed consent of the various providers of that data.*

Interference: A researcher or reviewer shall not intentionally and without authorization 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.

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.

7.2 *Procedures where research misconduct is suspected or alleged*

7.2.1 Elements of this section may be covered by award provisions. In the case of disagreement between these provisions and the

provisions of the award, the latter provisions apply.

- 7.2.2 Any person who suspects research misconduct or who has questions over the conduct of a particular piece of research should consult one of the University's advisers on integrity in research. The University advisers on integrity in research are: Deputy Vice-Chancellor (Research); Chair, Human Research Ethics Committee; and General Manager, Research and Graduate Studies
- 7.2.3 Allegations of research misconduct are to be directed to the Deputy Vice-Chancellor (Research) or to the Vice-Chancellor.
- 7.2.4 If an allegation of research misconduct is made, an investigation to determine the facts shall be carried out by the Deputy Vice-Chancellor (Research) or by another person appointed by the Vice-Chancellor. This investigation will include provision for a written statement of any allegations to be provided to the person(s) against whom such allegations are directed, and for a written response from that person to be received and considered. The findings of this investigation shall be reported to the Vice-Chancellor.
- 7.2.5 The University's conduct of investigations of research misconduct shall occur in such a way as to protect the interests of interested parties. Such fair dealing will consider the protection of persons making allegations in good faith and of persons accused of misconduct. "Interested parties" include:
- a person bringing an allegation;
 - a person against whom an allegation is made;
 - staff, student and trainees working with persons making an allegation, or with persons against whom an allegation is made;
 - journals and other media reporting research subject to suspected, alleged, or found research misconduct;
 - funding bodies supporting persons or research involved; and the public.
- 7.2.6 Once an investigation to determine the facts has reported, the University's disciplinary procedures may be invoked at the discretion of the Vice-Chancellor.
- 7.2.7 Any such investigation to establish the facts of a matter in which research misconduct is alleged to have occurred will continue, even if the person accused of such misconduct resigns from the University. Distortions of the research record must be rectified, whether or not the persons involved remain in the University.
- 7.2.8 If research misconduct is found to have occurred, the University will report findings of research misconduct to any funding agency that funded work in respect of which such misconduct occurred, or which is currently supporting the person found to have engaged in research misconduct, and to journals and other media through which the research in question was reported.

SUPPORTING DOCUMENTATION

Forms and Records Management

Form	Retention Time	Retention Location

*University Disposal Schedule is available at <http://www.swinburne.edu.au/corporate/scs/rms/>

Related Material

Name	Location	Document Type
<p>Related University Policies include:</p> <ul style="list-style-type: none">• Conflict of Interest• Intellectual Property• Confidentiality of Student Records <p>plus</p> <ul style="list-style-type: none">• policies and procedures concerning human and animal ethics and biosafety.		

SECTION 4 - GOVERNANCE

RESPONSIBILITY

Policy Owner	Deputy Vice Chancellor (Research)
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VERSION CONTROL AND CHANGE HISTORY

Version Number	Approval Date	Approved by	Amendment
2	2 June 2009	Director, Governance and Policy Unit	Reviewed Policy and put into new template
1	12 August 1999	Joint Planning and Resources Committee	

POLICY & PROCEDURE DIRECTORY REQUIREMENTS

CATEGORY

KEYWORDS
Conduct, Ethics, Research, Misconduct