Statement on the Handling of Allegations of Research Misconduct

December 2006

1 Updated 2012 to reflect revised RCSI governance structures:
   • ‘Medicine and Health Sciences Board’ replaces ‘Council’
   • ‘Academic Council’ replaces ‘Faculty Board’
   • Director of Research included
   • References updated
Royal College of Surgeons in Ireland

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Definitions of research misconduct Cases of research misconduct are fortunately (apparently) rare and generally involve the intention to deceive in one or more of several ways such as fabrication of data, illegal use of another researcher’s data and plagiarism of written work.

A general definition of research misconduct produced by the Office of Research Integrity, US Department of Health and Human Services is “the fabrication, falsification, or plagiarism in proposing, performing or reviewing research or in reporting research results.”


A comprehensive definition of research misconduct produced by the Wellcome Trust is “The fabrication, falsification, plagiarism or deception in proposing, carrying out or reporting results of research or deliberate, dangerous or negligent deviations from accepted practices in carrying out research. It includes failure to follow established protocols if this failure results in unreasonable risk or harm to humans, other vertebrates or the environment and facilitating of misconduct in research by collusion in, or concealment of, such actions by others. It also includes intentional, unauthorized use, disclosure or removal of, or damage to, research-related property of another, including apparatus, materials, writings, data, hardware or software or any other substances or devices used in or produced by the conduct of research. It does not include honest error or honest differences in the design, execution, interpretation or judgement in evaluating research methods or results or misconduct unrelated to the research process. Similarly it does not include poor research unless this encompasses the intention to deceive”

http://www.wellcome.ac.uk/doc%5Fwtd002756.html

http://www.wellcome.ac.uk/About-us/Policy/Policy-and-position-statements/WTDD002756.htm

Attitude of RCSI to suspected research misconduct The Royal College of Surgeons in Ireland takes a very serious view of research misconduct and has procedures in place to ensure that cases of alleged misconduct on the part of its researchers (see Note 1 below) are investigated in a thorough, fair and totally confidential manner and if proven are subject to severe penalties. RCSI will consult with its legal advisors to ensure that the procedures followed and actions taken comply with all legal obligations for the conduct of such investigations. It
also has mechanisms in place to ensure that all interested parties (e.g. funding agencies, journal editors, examining committees) are informed as soon as the allegations are sustained. Furthermore it guarantees that any researcher raising bona fide concerns regarding research misconduct can do so confidentially, and without fear of recrimination. It also guarantees that those dealing with the allegations are fully aware of their responsibilities and that their line management obligations are not allowed to conflict with these responsibilities.

The College has the following clearly defined steps in place for dealing with allegations of research misconduct.

**Step 1, reporting research misconduct** Concerns regarding research misconduct should be directed verbally or in writing to the Supervisor of the person against whom the allegations are being made or to a more senior colleague who is in a position to ensure that the allegations are channelled in the appropriate direction for thorough investigation or directly to the Head of School involved or to the Director of Research. Whichever course of action is followed, the information must be passed on to the Head of School concerned who will then consult with the Dean and appoint an independent person of appropriate standing to establish whether or not there is a case to answer. If so, the steps described below are followed. In cases where allegations of research misconduct are made directly to a Funding Agency or to a journal, the College, on being informed, will follow its written procedures for handling such allegations. Should the Funding Agency wish to pursue its own investigations the College will offer its full co-operation. In this situation the Head of School involved or the Director of Research on behalf of RCSI will liaise with a nominated representative of the Funding Agency.

**Step 2, preliminary informal investigations** If as a result of step 1 there appears to be sufficient evidence of research misconduct (see Note 2 below) the person against whom the allegations are directed must be advised accordingly in writing and preliminary informal investigations commenced. If at this stage a satisfactory outcome is reached (e.g. due to misunderstanding or admission of misconduct by the accused and a guarantee of no repetition) and the misconduct is of a “less serious” nature, the matter can be dropped although the supervisor must keep an accurate record of events. If the research misconduct has resulted in published material the supervisor must inform the journal editor and take whatever corrective action is required. It is the responsibility of the Head of School or the Director of Research on behalf of the College to ensure that this occurs.

**Step 3, a formal warning and right of reply** If step 2 does not yield a satisfactory outcome (e.g. if the person against whom the allegations are directed ignores the advice and repeats the misconduct, or does not admit to misconduct which to the satisfaction of the supervisor has occurred, or if the misconduct is of a “more serious” nature) the supervisor must then issue a written finding, a copy of which must be sent to the Head of School or Director of Research. Investigation of all relevant documentation such as research results, laboratory
notebooks, computer files, correspondence and other material will then be made under the direction of the Head of School or Director of Research. The person against whom the allegations are directed will be invited by the Head of School or Director of Research to make a written response.

**Step 4, investigation by a Committee** If, following step 2 there is strong evidence of research misconduct, a formal investigation by a College Committee will take place. The composition of this Committee is such that all interested parties are dealt with in a fair manner and includes the Chairperson of the RCSI Postgraduate Students’ Association or the Chairperson of the RCSI Academic Staff Association as appropriate, the Director of Human Resources, the Dean of the Medical Faculty, the Head of School and the Director of Research. The Head of School or Director of Research will provide in writing a definition of the scope of the investigation and its terms of reference to the Committee and the person against whom the allegations are directed and will ensure that a fair and accurate record of the proceedings is made. The person against whom the allegations are directed will have the right to appear before the Committee and to have a representative present.

**Step 5, penalties** If research misconduct is proved, the Committee will decide on the gravity of the offence and on the appropriate penalty. The Committee will produce a report which will be sent to the Council of the College and to the person against whom the allegations were made. This report will describe the procedures under which the formal investigation was conducted, how and, if appropriate, from whom information was obtained, the findings of the Committee and the basis for these, a summary of the views of the person against whom the allegations were made, and the penalties recommended. The penalties imposed will depend on the seriousness of the offence. In the case of a higher degree by research (see Note 3 below) the examining committee will be consulted and the applicant may be given a period of up to three months to repeat the research work to which the misconduct pertained and/or to rewrite the relevant part(s) of the thesis or may be awarded a lower degree or may be denied an award. A College employee may face dismissal.

**Step 6, right of appeal** The person against whom the allegations were made will have the right of appeal to a Committee of three people, two selected from the Medicine and Health Sciences Board, and one of whom is independent of the College. The members of this Committee will be chosen by the Chair of the Medicine and Health Sciences Board. This appeal must be made in writing within 14 days of receiving notification of the final outcome of the investigation and must state the basis for the appeal. The appeal will normally include examination of all evidence being questioned and the person against whom the allegations were made will be invited to submit any relevant supplementary evidence in support of his/her appeal and to attend with a representative if so desired in order to give oral evidence. The appeal report must state how the
appeal was conducted; describe how and, where appropriate, from whom, further information was obtained relevant to the appeal; state the findings of the appeal board and explain the basis for those findings. The result of the appeal shall be communicated to the person who brought the appeal within seven days of the date of the findings of the Appeal Board.

If the appeal is unsuccessful then, seven days after the result of the appeal has been communicated to the person who brought the appeal, the Supervisor of the research together with the Head of School, on behalf of the College, will report the facts to the funding agency that funded the research and to the editors of journals in which the research was reported and will liaise with the latter to take appropriate corrective action.

Status of this Document

This document was submitted to the RCSI Research Committee (9 September 2002) for discussion, amendment and approval and thereafter to RCSI Faculty Board and then to Council, RCSI (September 2002) for final approval. It will then have the status of an official RCSI document. The document will be updated periodically. Those undertaking research at RCSI will be contractually obliged to participate in and comply with the procedures outlined should the need arise.

Notes

1. Visiting researchers If an allegation of research misconduct against a visiting researcher in RCSI is made, a thorough investigation along the above lines will be conducted. If the allegations are founded, depending on the severity of the offence, the contract of the visiting researcher may be terminated and all interested parties, e.g. funding agencies, journal editors and her/his employer will be informed. If an allegation of research misconduct against an RCSI researcher whilst visiting another institution is made, the Head of School, on behalf of the College, will consult with the nominated representative of the host institution, will comply with its investigative and disciplinary procedures and will take appropriate RCSI disciplinary action against its researcher.

2. Malicious accusations If, following investigation, an allegation of research misconduct is proved to be malicious the perpetrator will be subject to the College’s disciplinary procedures. The College will take whatever measures are necessary to restore the good name of the person against whom the accusations were made.

3. Declarations In the case of research theses, candidates must declare that: (a) the thesis was written by the candidate; (b) the research reported in the thesis was carried out by the candidate; (c) the work has not been accepted in any previous degree application either by the candidate or another person. It is the obligation of the supervisor to verify that these declarations are true.
References

1. The Wellcome Trust (2002): Statement on the handling of allegations of research misconduct
   http://www.wellcome.ac.uk/About-us/Policy/Policy-and-position-statements/WTD002756.htm

2. Office of Research Integrity, US Department of Health and Human Services Analysis of Institutional Policies for Responding to Allegations of Scientific Misconduct
   http://ori.dhhs.gov/documents/institutional_policies.pdf


4. Biotechnology and Biological Sciences Research Council (BBSRC) Statement on ensuring good scientific practice
   http://www.bbsrc.ac.uk/web/FILES/Policies/good_scientific_practice.pdf

5. Engineering and Physical Sciences Research Council (EPSRC) Good practice in science and engineering research
   http://www.epsrc.ac.uk/funding/managing/Pages/goodpractice.aspx

6. Medical Research Council (MRC) Allegations of research misconduct
   http://www.mrc.ac.uk/Ourresearch/Ethicsresearchguidance/Researchpractice/principles_guidelines/guidelines/K/index.htm