

## POLICY 7.0 – Academic Integrity in Research Activities

**Policy Category:** Research

**Subject:** Academic Integrity in Research

**Approving Authority:** Board of Governors

**Responsible Officers:** Vice-President (Research)

**Responsible Offices:** Office of the Vice-President (Research)

**Related Procedures:**

**Related University Policies:** [Scholastic Discipline Policy](#)

**Effective Date:** September 24, 2013

**Supersedes:** July 1, 2008, March 27, 1998, June 29, 1995 (formerly known as Policy & Procedures for Conduct of Research)

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### I. PURPOSE

Research is a component of an intellectually vigorous university environment and is an integral part of the mission of Western University (“Western” or the “University”).

The University is committed to ensuring the highest standards of ethical conduct in every aspect of Research. This policy outlines the University’s expectations in this regard, defines misconduct in Research activities, and outlines procedures to be followed when misconduct is suspected. This policy is consistent with the *Tri-Agency Framework: Responsible Conduct of Research* as required under the *Agreement on the Administration of Agency Grants and Awards by Research Institutions* between the University and the Tri-Council funding agencies. This policy is consistent with, and complementary to, existing University policies addressing related Research ethics and academic integrity issues.

### II. DEFINITIONS

**Agency** – an entity which has a funding relationship with the University or with the Respondent including, but not limited to, a Tri-Council Agency; or an entity which has oversight in the area of Research misconduct including, but not limited to, the Secretariat on Responsible Conduct of Research.

**Complainant** – a person making an allegation of Research misconduct. A Complainant may be a member of the Western community or may be external to the Western community.

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**Investigating Office** – the office within the University to which the complaint has been referred by the Vice-President (Research), responsible for overseeing the investigation of an allegation of misconduct in Research.

**Disciplinary Policy** – a collective agreement, employment agreement, personnel policy, Senate or Board policy or other regulation under which a Respondent may be disciplined for a breach of this Policy.

**Research** - is an undertaking intended to extend knowledge through a disciplined inquiry or systematic investigation done in the context of academic activity on behalf of the University. Research involves some or all of: the creation of new knowledge, including understanding or concepts; the creative application of existing knowledge; the organization and synthesis of existing knowledge; and/or creative expression.

**Respondent** – a person against whom an allegation of Research misconduct is made. A Respondent must be a member of the Western community at the time the allegation is made.

**Responsible Allegation** - is one made in good faith and without malice. The allegation must, on its face, present a breach of this policy. The facts of the allegation cannot have been the subject of a previous allegation.

### III. POLICY

#### 1. Application

This policy applies to all faculty, staff and students of the University. It also applies to any person (including, but not limited to, affiliated faculty, visiting professors or students, adjunct professors and postdoctoral associates and fellows) appointed or invited to engage in Research activity at, or under the auspices of, the University.

It is understood that all Research activity and review of allegations of misconduct will be conducted within the framework of this policy, relevant University policies, relevant collective agreements, and relevant laws. If there is a conflict between this policy and the provisions of a collective agreement, the collective agreement prevails. If there is a conflict between this policy or a collective agreement and the law, the law prevails.

In the case of an allegation of research misconduct against a student, the allegation may be dealt with under the relevant *Scholastic Discipline Policy* rather than the procedures under this Policy.

#### 2. Expectations and Responsibilities

The responsibilities of all members of the Western community include not only fulfilling the integrity expectations of this Policy, but also reporting suspected misconduct according to the procedures defined.

The responsibilities of the University include promoting integrity in Research, investigating allegations of misconduct, imposing appropriate sanctions if misconduct has occurred and reporting cases of misconduct as required.

Every faculty member, department, unit and laboratory has an obligation to ensure that all individuals engaged in Research activities are aware of this policy and other relevant policies concerning the conduct of academic work, and understand the expectations and requirements set out in these policies. The University is committed to ongoing education on academic integrity.

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The University expects all individuals engaged in academic work to conform to the highest standards of ethical practice in Research. Individuals are personally responsible for the intellectual and ethical integrity of their work and must ensure that in Research their conduct meets University standards and best practices, professional and disciplinary standards, applicable laws and regulations, and the integrity standards of any entities sponsoring any component of Research work.

Those undertaking academic work shall strive to follow the best Research practices honestly, accountably, openly and fairly in the search for and in the dissemination of knowledge.

At a minimum, Researchers are responsible for:

- a. Using a high level of rigour in proposing and performing Research; in recording, analyzing, and interpreting data; and in reporting and publishing data and findings.
- b. Keeping complete and accurate records of data, methodologies and findings, including graphs and images, in accordance with the applicable funding agreement, institutional policies and/or laws, regulations, and professional or disciplinary standards in a manner that will allow verification or replication of the work by others.
- c. Referencing and, where applicable, obtaining permission for the use of all published and unpublished work, including data, source material, methodologies, findings, graphs and images, in accordance with copyright and other intellectual property laws.
- d. Including as authors or creators, with their consent, all those and only those who have materially or conceptually contributed to, and share responsibility for, the contents of the publication, academic presentation, document or creation, in a manner consistent with their respective contributions, and relevant authorship policies or intellectual property rights.
- e. Acknowledging, in addition to authors and creators, all contributors and contributions to Research, including, but not limited to, writers, funders and sponsors.
- f. Appropriately managing any real, potential or perceived conflict of interest, in accordance with Western's policies and relevant collective agreement provisions on conflict of interest.
- g. Providing true, complete and accurate information in their funding applications and related documents and representing themselves, their Research and their accomplishments in a manner consistent with the norms of the relevant field.
- h. Certifying in applications that they are not currently ineligible to apply for, and/or hold, funds from any research or research funding organization world-wide for reasons of breach of responsible conduct of research policies such as ethics, integrity or financial management policies.
- i. When they are principal funding applicants, ensuring that others listed on the application have agreed to be included.
- j. Using grant or award funds in accordance with the policies of the agencies, including the [Tri-Agency Financial Administration Guide](#) and Agency grants and awards guides; and providing true, complete and accurate information on documentation for expenditures from grant or award accounts.
- k. Complying with all applicable funding agency requirements, university policy and legislation for the conduct of Research, including, but not limited to:
  - [Tri-Council Policy Statement: Ethical Conduct of Research Involving Humans](#) (TCPS 2);
  - [Canadian Council on Animal Care Policies and Guidelines](#);
  - Agency policies related to the [Canadian Environmental Assessment Act](#);
  - Licenses for research in the field;
  - [Laboratory Biosafety Guidelines](#);
  - [Controlled Goods Program](#);
  - [Canadian Nuclear Safety Commission \(CNSC\) Regulations](#);
  - Canada's [Food and Drugs Act](#);
  - [Western's Biosafety Policies and Procedure](#); and
  - [Western's Use of Animals in Research and Teaching Policy](#).

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- l. Ensuring that all Research involving human or animal subjects is approved by the appropriate UWO-sanctioned review board.
- m. Ensuring persons involved in the Researcher's lab are properly trained and supervised, and are made aware of applicable governmental and institutional requirements related to the practices in the lab.

Integrity in Research also includes the following:

- a. recognizing the substantive contributions of collaborators and students; using unpublished work of other Researchers, creators and scholars only with permission and with due acknowledgement; and using archival material in accordance with the rules of the archival source;
- b. obtaining the permission of the author or creator before using new information, concepts or data originally obtained through access to confidential manuscripts or Research funding applications;
- c. using scholarly and scientific rigour and integrity in obtaining, recording and analyzing data, and in reporting and publishing results, including correcting or providing notice of work which is misleading or inaccurate;
- d. using published work only in accordance with copyright law, and ensuring that authorship of published work includes all those who have materially contributed to, and share responsibility for, the contents of the publication or presentation, and only those people;
- e. revealing to sponsors, universities, journals or funding agencies, any material conflict of interest, financial or other, that might influence their decision on whether the individual should be asked to review manuscript or applications, test or use products or be permitted to undertake work sponsored from outside sources;
- f. using appropriate referencing and citation of resources used in academic work;
- g. ensuring one does not misrepresent their academic credentials or affiliations within or outside of the academic community.

### 3. Misconduct

Research misconduct is any Research practice that deviates from the commonly accepted ethics/integrity standards or practices of the relevant research community. Research misconduct does not include honest error or differences of opinion. Definitions of Research misconduct may vary depending on the applicable funding agency rules and expectations, or by virtue of negotiated collective agreements, however, generally Research misconduct includes, but is not limited to:

- a. *Fabrication*: Making up data, source material, methodologies or findings, including graphs and images;
- b. *Falsification*: Manipulating, changing, or omitting data, source material, methodologies or findings, including graphs and images, without acknowledgement, resulting in inaccurate findings or conclusions, and including, but not limited to, tampering with the work of others to misrepresent or interfere with their Research or use of the practice of "un-blinding";
- c. *Destruction of Research records*: The destruction of one's own or another's Research data or records to specifically avoid the detection of wrongdoing or in contravention of the applicable funding agreement, institutional policy and/or laws, regulations and professional or disciplinary standards;
- d. *Misappropriation or denial of access to Research records*: the use of data or Research records in a way that results in misappropriation of the materials, or a loss of access or right of another person with a claim of access or ownership;
- e. *Plagiarism*: Presenting and using another's published or unpublished work, including theories, concepts, creations, data, source material, methodologies or findings, including graphs and images, as one's own, without appropriate referencing and, if required, without permission;

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- f. *Redundant publications*: The re-publication of one's own previously published work or part thereof, or data, in the same or another language, without adequate acknowledgment of the source, or justification;
- g. *Invalid authorship*: Inaccurate attribution of authorship or creatorship, including attribution to persons other than those who have contributed sufficiently to take responsibility for the intellectual content, or agreeing to be listed as author to a publication or creator of a work for which one made little or no material contribution;
- h. *Inadequate acknowledgement*: Failure to appropriately recognize contributions of others in a manner consistent with their respective contributions and authorship policies of relevant publications, or other copyright or intellectual property laws;
- i. *Mismanagement of Conflict of Interest*: Failure to appropriately manage any real, potential or perceived conflict of interest, in accordance with the University's policies on conflict of interest;
- j. *Misrepresentation in an Agency Application or Related Document*: Providing incomplete, inaccurate or false information in a grant or award application or related document; applying for and/or holding an award for which one is ineligible; or listing co-applicants, collaborators or partners without their agreement;
- k. *Mismanagement of Grants or Award Funds*: Using grant or award funds for purposes inconsistent with the policies of the funding agency and/or University; misappropriating grants and award funds; contravening funder financial policies or providing incomplete, inaccurate or false information on documentation for expenditures from grant or award accounts;
- l. *Breaches of Agency Policies or Requirements for Certain Types of Research*: Failing to meet funding agency policy requirements, or to comply with relevant policies, laws or regulations, for the conduct of certain types of Research activities; failing to obtain appropriate approvals, permits or certifications before conducting these activities.

### 4.0 Reporting Allegations

Everyone in the University community plays an important role in the process for addressing allegations of Research misconduct and in helping to ensure that allegations are addressed appropriately and in a timely manner. The following are the procedures for those making or involved in an allegation:

4.1 Anyone who has reasonable grounds to suspect misconduct in Research is expected to bring forward the allegation promptly.

4.2 Anyone making an allegation that is reckless, malicious or not in good faith may be subject to discipline or other recourse.

4.3 Complainants, Respondents or third parties involved in an inquiry or investigation under this policy must follow this policy and related procedures.

4.4 Allegations of misconduct in Research are to be submitted in writing, as follows:

- a. In the case of a staff or faculty Respondent or a Respondent under contract to the University, to the Vice-President (Research);
- b. In the case of a student Respondent, to the Dean of the Respondent's Home Faculty (undergraduate students) or to the Vice-Provost (Graduate and Post-doctoral Studies) (graduate students). The Dean or Vice-Provost (or their designates) shall decide if the allegation will be dealt with in accordance with the procedures under this Policy or under the relevant *Scholastic Discipline Policy*. If the allegation will be dealt with under this Policy, it shall be referred to the Vice-President (Research).

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- c. In the case of a post-doctoral fellow or post-doctoral associate, to the Vice-Provost (School of Graduate and Post-Doctoral Studies) who shall refer the allegation to the Vice-President (Research).

4.5 Any administrator or other member of the Western community who receives an allegation of Research misconduct must refer it as specified in 4.4 above.

4.6 Every allegation should include the name of the complainant and contact information for that person. The University may decline to address anonymous allegations, particularly where insufficient information has been received to permit the collection of independent corroborative evidence. Allegations should contain enough information to permit a determination of whether the alleged conduct constitutes a breach of this policy and to permit further information gathering about the alleged misconduct. The allegation should include sufficient detail about the nature of the alleged misconduct, location and time of its occurrence, and the names and contact information for any witnesses.

4.7 The University may decline to address an allegation which has not been made in a timely manner or prejudices the ability of the University to collect evidence or to allow a Respondent full opportunity for defence, due to the passage of time.

4.8 Individuals who have made allegations in good faith or provided information related to an allegation will not be subject to reprisal. Anyone who engages in reprisal against such a person may be subject to discipline or other recourse.

4.9 The University may independently, or at an Agency's request, take immediate action to protect the health and safety of people or animals, property (including, but not limited to, intellectual property or reputation), or the administration of University or Agency funds.

### **5.0 Notices and Confidentiality of Allegations**

An allegation cannot be fully confidential. Information must be given to those responsible for the investigation and review of the matter, to witnesses, and to the Respondent to permit a fair and full process of review. Allegations and information arising from the review process will not be shared with persons who are not directly involved in the review and adjudication of the allegation except as required by law, a collective agreement, or an agency agreement.

Where financial misconduct is alleged, the University's Internal Audit office shall be notified. In such cases, the Investigating Office shall advise those notified to maintain confidentiality in respect of the allegation.

Subject to any applicable laws, including privacy laws, the Vice-President (Research) shall advise any relevant Agency immediately of any allegations related to activities funded by the Agency that may involve significant financial, health and safety, or other risks, and shall provide such additional information relating to any allegations as may be required in compliance with the University's agency agreement.

### **6.0 Investigation of Allegations of Misconduct**

6.1 Following receipt under section 4.4, allegations will be referred to the appropriate Investigating Office.

6.2 The Vice-President (Research) may direct the Investigating Office to conduct a Preliminary Review to establish whether the Respondent is subject to this Policy and whether the allegation is "responsible" or the Vice-President (Research) may direct that the matter proceed directly to a Formal Investigation. In conducting the Preliminary Review, the Investigating Office may call

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upon appropriately qualified individuals to assist in the determination of whether or not the allegation raises a prima facie case of Research misconduct.

6.2.1 Where the complaint is made anonymously, a Preliminary Review shall be conducted.

### Preliminary Review

6.3 Within ten (10) business days of receipt of the allegations, the Investigating Office shall provide the Respondent with a summary of the allegation and written notice that the Respondent may, within ten (10) business days, make preliminary submissions in respect of the allegation. The timeline for the Respondent's submissions may be extended by the Investigating Office on request. The Investigating Office will ensure that relevant requirements of any policy or collective agreement in relation to the Respondent are met.

6.4 Once notified of an allegation, the Respondent shall not destroy or discard or otherwise alter any potentially relevant data or other form of information relevant to the allegation. The University may take any action necessary to maintain the integrity of the evidence relevant to the allegation.

6.5 Following the preliminary review, the Vice-President (Research) or designate shall determine whether the University will investigate the allegation (see "Formal Investigation" below) or will decline to deal with the allegation further. The Complainant and Respondent, and where notice was given under 5.0, the Agency, will be notified of this decision in writing.

6.5.1 Should the Vice-President (Research) or designate decline to deal with the allegation further, no materials in relation to the allegation or Preliminary Review shall be placed in the University's official records related to the employment or student record of the Respondent.

6.5.2 If the Vice-President (Research) or designate decides that the complaint is "responsible" and there is sufficient evidence to indicate Research misconduct may have occurred, the allegation will proceed to a Formal Investigation.

6.6 If the Respondent admits to the alleged misconduct, a decision will be issued by the Vice President (Research) or designate with copies to the Complainant and the Respondent. The file will be referred to the offices set out in Section 6.12. Discipline will be determined in accordance with the Disciplinary Policy applicable to the Respondent. The University will issue any required reports relating to the misconduct (see sections 6.13 and 6.14 below).

### Formal Investigation

6.7 If the alleged misconduct involves collaborative Research conducted at multiple institutions or if the alleged breach is also being investigated at another institution, the following procedures may be modified to facilitate joint or parallel investigation processes.

6.8 At any point during an investigation, the Investigating Office may elect to offer the parties mediation services to enable the resolution of matters arising from the investigation. However, mediation cannot replace adjudication of a matter involving Agency funding.

6.9 The Investigation shall be facilitated by the Investigating Office, and shall be conducted by a single Investigator or by an Investigation Panel consisting of persons appointed by the Investigating Office who have the necessary expertise to ascertain the matter and who are without real or apparent conflict of interest. Where the misconduct involves Tri-Council Agency funds, an Investigation Panel is required and it must include at least one external member who has no current affiliation with the University.

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- 6.10 The Investigator/Investigating Panel shall collect and review the evidence and interview witnesses, including the Respondent, to the degree necessary to make a decision as to whether or not a breach of this policy has occurred. The Investigator/Investigating Panel may determine its own process in conducting the investigation, providing it is consistent with relevant university policy and/or collective agreements, and the principles of natural justice.
- 6.11 The Investigator/Investigating Panel shall conduct the investigation in a timely manner. Where the investigation cannot be completed within 30 business days of its being initiated, the Investigating Office shall notify the Vice-President (Research), the Respondent and Complainant of the reasons for delay and advise them of the expected completion date. Where the Respondent has union or association representation, the union or association shall also be notified.
- 6.12 Investigative findings and the decision of the Investigator/Investigating Panel shall be reported by the Investigating Office to the Vice-President (Research), the Respondent and the Complainant within ten (10) business days following receipt of the report of the Investigator/Investigating Panel. Should a breach of this policy be found, the Investigating Office shall also refer the file, as follows:
- a) for faculty, librarians and archivist Respondents to the Office of Faculty Relations;
  - b) for staff and independent contractor Respondents to Staff Relations, Human Resources;
  - c) for graduate student and post-doctoral Respondents to the Vice-Provost (School of Graduate and Post-Doctoral Studies);
  - d) for undergraduate student Respondents to the Vice-Provost (Academic Programs and Students) and to the Dean of the student's Home Faculty.
- 6.13 Where a policy breach is found in relation to a funding application submitted to an Agency or to an activity funded by an Agency, the Investigating Office shall provide a report to the Agency as required by the University's agency agreement.
- 6.14 Where the policy breach is found in relation to misuse of research funds, a report shall be made to the University's Audit Committee, through the office of Internal Audit.
- 6.15 If an allegation is determined to be unfounded, every effort will be made by the University to protect or restore the reputation of those wrongly subjected to an allegation.

### **7.0 Discipline**

Any disciplinary proceedings arising from a breach of this Policy shall be conducted in accordance with the provisions of the University collective agreement, employment agreement, personnel policy, or regulation that governs the Respondent.

### **8.0 Grievance/Appeal Proceedings**

8.1 Appeals or Grievances in relation to findings of misconduct under this Policy or disciplinary actions assessed, are to be undertaken in accordance with the appeal or grievance procedures established under the applicable Disciplinary policy.

8.2 Should the Respondent not be subject to a Disciplinary Policy containing appeal or grievance procedures, the following appeal procedure shall apply:

- a) Within ten (10) business days of receipt of the discipline decision, the Respondent may appeal either the investigative findings or the discipline.
- b) Any such appeal is to be made in writing to the President and is to include a clear statement of the grounds for the appeal, and any evidence being relied upon in support of the appeal.



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- The President may appoint a designate to hear an appeal.
- c) At the request of the Respondent, the President or designate shall convene a meeting to hear oral submissions in respect of the appeal.
  - d) The appeal normally shall be heard within thirty business days (30 days) of receipt of the appeal and a decision shall be made as expeditiously as possible. The decision shall be communicated to the Complainant, Respondent, and where required, the funding Agency

### **9.0 Review**

After a period not to exceed three years from the date that this Policy is initially approved, a review of this Policy shall be conducted by the Vice-President (Research). Any review shall include consultation with University stakeholders who may be affected by its provisions.