



Forum agenda
Meeting to be held on Monday 13 May 2019
BY WEBINAR

At 4pm–5.30pm (GMT)

1. Update on COPE activities by the Chair

**2. Forum discussion: Ethical challenges in the arts, humanities and social sciences:
initial research findings and solutions**

3. New cases

19-05 Duplicate submission and authorship dispute

19-06 Dual submission and editor's failure to take action

19-07 Correcting the affiliation of an author after publication

4. Updates

18-06 Retrospective registration, outcome switching and ethical approval

**19-02 Dispute arising from peer review of a rejected comment and published
correction**

CONTENTS

2. FORUM DISCUSSION:	3
Ethical challenges in the arts, humanities and social sciences: initial research findings and solutions .	3
3. NEW CASES.....	4
19-05 Duplicate submission and authorship dispute	4
19-06 Dual submission and editor’s failure to take action	5
19-07 Correcting the affiliation of an author after publication	6
4. UPDATES.....	7
18-06 Retrospective registration, outcome switching and ethical approval.....	7
19-02 Dispute arising from peer review of a rejected comment and published correction	8

2. FORUM DISCUSSION:

Ethical challenges in the arts, humanities and social sciences: initial research findings and solutions

Kath Burton, Associate Editorial Director, Routledge, Taylor & Francis Group

In early 2019, COPE, working in partnership with Routledge (Taylor & Francis group), conducted an international survey of academic journal editors in the arts, humanities, and social sciences (AHSS), exploring the publication ethics issues specific to these disciplines.

COPE aims to provide practical publication ethics guidance for editorial staff working in all disciplines. We wanted to better understand the publication ethics issues faced by AHSS journal editors and learn to what extent these differed from or overlapped with other disciplines.

COPE, with support from Routledge, commissioned a market research agency, Shift Learning, to devise and conduct a bespoke piece of research to assess AHSS journal editors' current and future needs.

Research began in December 2018 and was conducted in two stages:

1. In December 2018 we held two initial, exploratory focus groups with AHSS editors to identify the current ethical issues editors face, future issues they anticipate and what sources of support they currently use or need.
2. This informed an online survey which ran during February 2019. The survey was promoted internally by COPE member publishers, through COPE's mailing lists and across social media. Respondents were COPE members or non-members but had to be editors of AHSS journals. The survey included multiple choice and open answers. Survey findings are based on the 656 admissible survey returns.

The white paper of the findings will be published in July 2019.

The first analysis of the study findings will be presented by Kath Burton at the Forum, with an opportunity for delegates to ask questions.

3. NEW CASES

19-05 Duplicate submission and authorship dispute

A case report was submitted to our journal (journal X) in February and accepted for publication in September that same year. In late September, the first author on the manuscript contacted us to inform us that this exact case report had just been published in another journal (journal Y) by some of his colleagues, including some of the authors of our manuscript. In the initial submission to our journal, there were 10 authors.

During the review process, two authors were removed from the article at their request. This happened in May, between manuscript resubmission. These two authors then submitted the case report to journal Y, with a new set of co-authors.

We have confirmed with the Editor-in-Chief (EiC) of journal Y that they received their initial submission in May. As noted, the authors on journal Y's publication include the two authors removed from our journal version, plus one additional co-author who is present on both author lists. This third co-author has since requested to be removed from journal Y's publication. He was included as a co-author without his consent or knowledge.

We contacted the Research Integrity Office of the author's institution to request an internal investigation. This investigation confirmed our author's version of events. We informed the EiC of journal Y of the outcome of the institutional investigation and asked them to take the appropriate action in retracting the article. The EiC assured us that the journal was investigating also but the enquiry was not yet complete. We followed up several times, including attempting an international call with them, but to no avail. We also requested the journal to act in compliance with COPE guidelines on author misconduct.

Journal Y is not a member of COPE but is published by a reputable medical organisation. Finally, in September a year later, the EiC of journal Y responded to our many follow-ups to indicate that they are satisfied with the actions of the authors of the publication in their journal and will not be retracting the article. We asked the EiC for a rationale so that we have all the available information to determine our next steps. We have not received a response despite repeated requests. As we had confirmation from the authors' institution and journal Y that ours was the original version of the paper, we did not feel justified in holding the paper any longer in production. It was published after several months' delay. In the meantime, we have asked our authors to approach the other journal directly for further information.

Question(s) for the COPE Forum

- Does the author's institution have any responsibility to contact the EiC to request further action?
- What further action can we take to elicit a response from the EiC regarding their rationale for their decision?

19-06 Dual submission and editor's failure to take action

An article was submitted to our journal (journal A) in March. According to the journal's working policy, the article was initially reviewed inhouse and comments were sent to the author. The authors replied to the comments but did not agree to the suggestion to convert the article to a short report. A rather impolite letter was sent by the author criticising the policies of the journal. We sent a reply that if the authors were not happy with the journal's decision, they could withdraw the article according to the guidelines which are clearly given on our website.

The authors did not follow the journal procedures for withdrawing the article—they did not submit the withdrawal form signed by all authors. According to journal policy, the copyright of any manuscript remains with the journal, unless it is withdrawn in the proper manner.

The authors submitted the article to another local journal (journal B) where it was immediately published.

As the file was not closed at journal A, multiple reminders were sent to the authors. We wanted to remove the file from our database if the authors were no longer interested in publication. The authors wrote back that the article was published in July.

We first wrote to the authors that this was unethical and amounted to dual submission. We again received a rather impolite reply. We then wrote to the editor of the journal in which the article was published. Apparently, this journal does not ask for a non-submission undertaking from the authors. The editor was quite vague in his reply. We sent him the details of dual submission to which he sent a two line reply asking as to what should be done. We suggested that the copyright of the article is still with us so he should remove the article from the journal's website until the article is withdrawn in the correct manner. The editor has not taken any steps and the article is still displayed on the other journal's website.

Question(s) for the COPE Forum

- Should we do nothing about the authors' wrongdoing?
- If no action is taken, will it encourage the authors to misbehave in the future for the sake of convenience
- Should we pursue the matter with the editor of the journal who has made the mistake but is not responding.

19-07 Correcting the affiliation of an author after publication

A manuscript was published in our journal in 2015, and at the time of publishing (as now), the author was a faculty member of a university. The author's affiliation was not declared in the article, just the author's qualifications. Now the author wishes us to correct the paper and list her affiliation in the article.

Question(s) for the COPE Forum

- What is the Forum's advice?
- Should the journal correct the affiliation of the author in the paper after publication?

4. UPDATES

18-06 Retrospective registration, outcome switching and ethical approval

Journal A received a number of concerns from a reader regarding a paper published in the journal. These concerns were reviewed and sent to the authors of a paper, along with additional comments from the editorial board. The concern was largely around retrospective registration, and an inconsistency between the trial registry record and the published paper. An editorial board member conducted a full comparison of the trial registry entry with the paper.

The authors have admitted honest error with full explanations. The editor-in-chief has asked for confirmation that all authors and institution are aware and outlined options for next steps. The suggested options for next steps from the editor-in-chief are: (a) retraction of the paper; (b) substantial corrections and explicit declaration of the flaws of the trial procedures and protocol violations and selective and misleading reporting; which may well render the trial invalid or at least biased, and then providing a better and corrected summary table and narrative of what can be legitimately said. This is not ideal and will regrettably give the impression of insufficient rigour in the execution of a trial and the data still being in the public domain, although a more confident statement of a negative trial is better than selective reporting of some positive findings; (c) or we invite retrospective critique and commentary on trial and trials in general when reported to be invalid or flawed; this is an important educative role, but does not remedy that the trial data are in the public domain and are misleading.

Again, the authors offered an apology claiming honest error and preference for the article not to be retracted. They have offered to publish a correspondence letter to explain the registration issues in due course or correct any inconsistent sections according to the review comments and registry information. The journal is now questioning the next course of action: retraction, corrigendum and/or an editorial outlining the issue.

Question(s) for the COPE Forum

- The Editorial Board were initially considering retraction but are now considering publishing a narrative/editorial of the issues for transparency, confirming the journal's current/new policy of requiring prospective registration and an explanation of any changes in protocol in the methods section. Should this accompany a corrigendum?
- Ethics approval: approved in April 2011, but the protocol states study execution time is August 2010 to July 2013. The authors state that the first patient was referred in May 2011. Does this need further explanation?
- Should the editorial board consider retraction?
- Are there any other actions the board should consider?

Advice:

The Forum asked if the journal had contacted the institution and if there was an investigation in progress. The editor informed the Forum that the journal has asked for confirmation that all of the authors and the institution are aware of the issues, but no response has been received to date. The authors have stated that the institution was not aware of the need for prospective registration. The editor may like to pursue the institution for more information.

The Forum suggested publishing an editorial note on the paper or, if the institution agrees to undertake an investigation, publishing an expression of concern. As there seems to be no institutional oversight, perhaps the editor should give the authors the benefit of the doubt. This could be an important educational opportunity, to educate the authors regarding trial registration; although now an international standard, many authors do not know about prospective registration. Hence a lengthy corrigendum and an editorial highlighting the issues would be appropriate.

The Council of Science Editors has a lengthy section on their website about correcting the literature with samples of actual corrections (<https://www.councilscienceeditors.org/resource-library/editorial-policie...>). In general, the correction options are errata, corrigenda, expressions of concern, and retractions, although some of the wording is nuanced in ways that might be helpful in this situation. The editorial note referenced above seems to fall under the category of an Editorial Expression of Concern. The National Library of Medicine has a fact sheet (<https://www.nlm.nih.gov/pubs/factsheets/errata.html>) detailing the types of corrections that can be linked to an article. This list includes “Comments” which could be used to link commentary from the authors as well as from editors.

Some journals ask for the full protocol to be submitted to the journal along with the article. The journal then checks the protocol against the paper before the paper is peer-reviewed. The authors are asked to explain any deviations from the protocol. The editor may wish to consider this approach to avoid similar situations in the future.

Follow up:

The Senior Editorial Committee reviewed the advice from the COPE Forum and agreed with the suggested actions. The authors have drafted a Corrigendum, and this is currently undergoing review and revision by a board member with expertise in the field. Members of the editorial board are currently drafting an editorial for publication alongside the Corrigendum. An Expression of Concern will be published shortly to alert authors while the Corrigendum and editorial are drafted.

Follow-up (May 2019)

The authors requested changes to the corrigendum which could not be accommodated. On this basis the Senior Editorial Committee decided to retract the paper. The retraction notice and editorial have been drafted and will be published online shortly.

19-02 Dispute arising from peer review of a rejected comment and published correction

In 2016, group A published manuscript X in our journal. In early 2017, group B submitted a comment critical of the published manuscript. Following peer review, in accordance with the journal’s then active policy, the comment was rejected from further consideration. The policy allowed for the author of the original article to be one of the peer reviewers of the comment.

The lead author of group A, acting as one of the three referees for the comment, indicated in their confidential comments to the editor that group A would be submitting a correction to

address issues arising from the comment. Group A duly submitted and published a correction to manuscript X. Soon after, the journal was contacted by a legal representative of group B to express their concern over the publication of the correction by group A. The representative indicated a concern that the unpublished comment submitted to the journal contributed in part to the submission and publication of the correction. Group B researchers considered that the submission of their comment under the journal's then active comment/reply policy had allowed the authors of the correction to prepare their manuscript using material that they had been privy to only via their involvement in the peer review of the comment, and that this fact had not been acknowledged in the correction.

Group B requested the journal withdraw the correction and re-open the peer review of the comment. As the journal's management team considered that the first request would leave an error in the scientific record uncorrected and the second request was unlikely to result in a change of outcome, the journal instead investigated the matter raised by the representative Group B, with the goal of preparing a new correction for publication to take into account the facts of the matter following the investigation.

The investigation identified an error on the part of the administrative team that contributed to this situation; namely, failing to ensure the authors of the correction provided due acknowledgement of the provenance of the correction. As part of the investigation, the journal contacted group A for their input. The authors agreed they should have included an acknowledgement, but not having seen similar acknowledgements on other corrections published by the journal declined to include one in their correction. However, group A also noted that they had exchanged email correspondence with group B, prior to the submission of the comment, about some of the matters subsequently included in the comment. Group A have been at pains to stress that their correction was not primarily prompted by the comment.

The journal has engaged with both parties to find a mutually agreed statement on the chain of events that contributed to the publication of the correction, with a view to republishing the correction to clarify both the scientific record and the sequence of events. This has resulted in a great deal of time and effort being expended on several draft statements prepared by the journal over the previous 14 months.

As the matter remains unresolved between the two groups, the journal's team has elected to publish nothing at all. The groups have been informed of this, and that the journal remains amenable to publishing a statement if the two parties are able to agree a form of words between themselves.

Nevertheless, the publisher regularly reviews its working practices and editorial policies, and this case has contributed to a change of the policies enacted by the publisher to reduce the likelihood of similar sequences of events and outcomes in future. Taking our experience in this case into account and aiming to address potential future conflicts of interest in submitted comments, a new comment/reply policy has been adopted. In hindsight, the previous comment/reply policy was problematic for a number of reasons, including the potential conflict of interest in having the author of the original paper being involved in the peer review of the submitted comment.

Question(s) for the COPE Forum

- Given the apparent impossibility of the two parties agreeing a form of words, and the threats of legal action and publishing their own version elsewhere, is the journal justified in choosing NOT to publish anything? Would it be better to publish the journal's view anyway and accept the potential risks?
- While recognising the publisher's original comment/reply policy contributed to this matter, does the Forum have any advice on how the publisher/journal could or should handle similar disputes in future? The policy has been amended to reduce the possibility of conflicts of interest.
- How far should the publisher go in trying to resolve disputes between groups (especially where, as in this case, only one party has actually published in the journal)?

Advice:

The Forum agreed with the way the journal had handled this difficult situation, and that the editors had done a good job here.

One suggestion was that when the journal changed its policy, it may have been a good idea to explain why, in an editorial, which could have included anonymised details from the case and the reasons for the change in policy.

Another suggestion was that the journal could have been more transparent upfront when rejecting the comment. They may have been able to head off the dispute if they had informed the authors their reasons for doing so and explained what the journal then intended to do.

Follow-up

No subsequent correspondence from the affected parties has been received. The editor considers the case closed.