



Forum agenda

**Meeting to be held on Wednesday 9 December 2015, 12noon–1.30pm (GMT)
BY WEBINAR**

1. Update on COPE activities by the Chair

2. Forum discussion topic: COPE consultation/guidance document on handling competing interests

<http://publicationethics.org/forum-discussion-topic-comments-please-5>

3. New cases

15-15 Attempt to suppress legitimate scientific results (RF)

15-16 Profusion of copied text passages (GH)

15-17 Requesting authorship after publication (MH)

4. Updates

15-06 Authorship dispute

15-11 Inability to contact an author to obtain permission to publish

15-12 Author impersonating corresponding author without knowledge of coauthors

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2. Forum discussion topic: COPE consultation/guidance document on handling competing interests

<http://publicationethics.org/forum-discussion-topic-comments-please-5>)

COPE CONSULTATION/GUIDANCE DOCUMENT ON HANDLING COMPETING INTERESTS

Aim

The aim of this document is to encourage discussion and to capture a record of the issues around competing interests, especially when they arise after publication, to help inform and progress the debate, and to firm-up guidance where that is indicated. Please comment.

Introduction

Competing interests (also known as conflicts of interests (COIs)) are ubiquitous. One definition is as follows

“A conflict of interest (COI) is a situation in which a person or organization is involved in multiple interests, financial interest, or otherwise, one of which could possibly corrupt the motivation of the individual or organization. The presence of a conflict of interest is independent of the occurrence of impropriety.”[1]

Publishers have interpreted competing interests in a number of ways: one example is from the PLOS journals [2] “A competing interest is anything that interferes with, or could reasonably be perceived as interfering with, the full and objective presentation, peer review, editorial decision-making, or publication of research or non-research articles submitted to a journal. Competing interests can be financial or non-financial, professional, or personal. Competing interests can arise in relationship to an organization or another person.” We welcome other examples.

It is also useful to note that competing interests may arise in the conduct of research itself, and in the context of publishing are thus not restricted to the presentation, peer review, decision making or publication of articles in journals.

These generally understood principles are shared by many journals and publishers. Their interpretation into policy, however, varies (eg, journals ask for a variety of levels of disclosure for financial competing interests).

Issues that have arisen

Competing interests are a regular topic at the [COPE Forum](#). In particular, we have seen a number of cases recently in which competing interests have come to light after publication and where editors have been unwilling, or uncertain of the process, to issue a correction.

This discussion document lays out the policy again, and clarifies processes for handling competing interests, especially if they arise after publication. In particular, it is worth noting that correcting the record in this way should be regarded as a positive step by a journal.

Clarification of policy

COPE’s [Code of Conduct](#) item 17 clearly states that “Editors should have systems for managing their own conflicts of interest as well as those of their staff, authors, reviewers and editorial board members.” The intention of the policy is in line with increasing moves across all of scholarly

publishing to increase transparency for all aspects of reporting. In addition, it has a specific aim in the context of publication ethics as competing interests can threaten the integrity of the work being reported.

Practical issues for handling competing interests

1. Ideally, issues relating to competing interests should be handled before publication (ie, during the review process of the journal). Hence, the first and most important issue is that journals and publishers should have a clear process in place, and that it is clearly and regularly articulated to authors, reviewers, editors and journal staff.
2. Competing interests declarations should ideally be a separate step in the submission or review process, with clear explanations and examples.
3. The competing interest policy should be appropriately managed. This is most appropriately done by senior staff at the journal and/or publisher.
4. Journals and publishers should have a process in place for handling the reporting of competing interests come to light during the publication process—for example from reviewers. The process is laid out in [this flowchart](#).
5. Journals and publishers should have a process in place for handling the reporting of competing interests come to light after publication. The process is laid out in [this flowchart](#). On occasion, these reports may come from anonymous individuals, for which [guidelines are available](#).
6. It is most important that when a previously undeclared competing interest has been found, the journal ensures it is appropriately documented on the published manuscript, with linking to the version of record—for example, a letter to the editor is not generally sufficient.
7. When a previously undeclared competing interest comes to light, journals may wish to review and if necessary make their policy stronger or clearer.

We encourage feedback on this consultation document, in particular if there are practical obstacles that journals or publishers have encountered in handling competing interests.

1. https://en.wikipedia.org/wiki/Conflict_of_interest
2. <http://journals.plos.org/plosone/s/competing-interests>

This will be discussed at the start of the next COPE Forum on Wednesday 9 December. Please do leave any comments on the website, whether or not you are planning on joining the meeting

3. NEW CASES

15-15 Attempt to suppress legitimate scientific results (RF)

The journal is operated by institute A, and the editor is an employee of institute A. A manuscript was submitted late in 2014 by authors from institute B, a similar type of organisation in the same country. The manuscript was reviewed by two referees who both recommended publication following minor revision. One of the reviewers noted that the abstract contained a vague statement related to the effectiveness of a treatment for a major type of export from the country but there was no further detail in the main text. In addition, the issue of worker safety was raised in the introduction but not discussed elsewhere. There was also a lack of context for the work and a lack of relevant conclusions. The authors were asked to add more detail on each of these points.

In May 2015, the authors submitted a revised version of their manuscript, which contained more relevant information and references to support their statements. The editor and associate editor considered that the authors had dealt with the issues raised by the referees and accepted the paper. The paper was published on 4 July 2015.

A senior manager at institute B rang the editor a few days after publication. The manager stated that the original manuscript had been approved for submission by institute B but the revised manuscript had not, and asked the editor to remove the paper from the journal's website immediately. The editor said that this was not possible and further explained that if institute B wanted the paper retracted then they would need to provide a written justification.

Within an hour, the editor received three emails from the manager at institute B. The first one said that the paper "contains errors and speculation which were not able to be addressed at the time of finalising the text, as the paper was not re-submitted to the institute B editorial process following review by the journal" and that institute B believed "the paper is not in the interests of furthering an accurate and complete scientific record of the research in this field and therefore respectfully ask that it is retracted".

The second email said that the manager at institute B had "since been in contact with the industry group who funded the project and they believe the inaccuracies are 'significant'. As such, I'd like to emphasis the urgency in our request. I understand that in general journal referees remain anonymous unless they choose to identify themselves. In this instance I've been asked if we are able to learn the identity of the referees. Would you please comment on this so that I may respond appropriately?"

The third email said "Since I was in touch with you earlier today, the funding agency has had feedback from the relevant government department who have offered their support with responding to ensure the paper is corrected. I think this indicates the concern that these parties have in ensuring the information is accurate. The errors of fact and subsequent speculation to consequences related to worker safety and fumigation efficacy are problematic."

The editor gave this matter urgent attention by reviewing the paper and checking the journal's ethical guidelines (which are those of COPE). They concluded that a retraction was not warranted because the majority of this paper had not changed post revision so the potentially misleading revisions amounted to just a small portion of an otherwise reliable publication.

The editor also concluded that, in accordance with COPE guidelines, the authors should submit an erratum detailing the specific passages of text that were incorrect and provide factually correct rewording. The editor sent these conclusions in an email to the manager at institute B the same day and waited for an erratum to be submitted promptly given the apparent seriousness of the situation. The editor did not reveal the names of the referees as the journal operates a closed review process. The editor also alerted the journal's overseas publisher to this issue in order to fast track the erratum.

Ten days later, no erratum had been submitted to the journal but the editor was copied into an email from the funding agency to the manager at institute B. The agency thanked the manager for drafting an erratum but advised them that the funding agency and government department considered the risk associated with publishing an erratum to be too great so one should not be published. The funding agency also asked that both institutes A and B "manage their processes to ensure that any similar event does not occur in future".

The manager at institute B forwarded that same email to the editor with a note saying that an erratum would not be submitted. The editor replied expressing surprise that an erratum had been drafted (but not submitted) and that it was not up to the funding agency/government department to decide whether or not an erratum should be published. The editor explained that the authors had an ethical obligation to correct the scientific record if errors existed. However, if there were no factual errors but simply statements that some people happened to disagree with, then no erratum was necessary. The Editor asked the manager at institute B to confirm which of these situations was the correct one and the manager replied stating that there were "no errors in the paper".

Since then, the editor has been advised by colleagues that the funding agency has been alleging that publication of this paper could harm a key export industry for the country and cause substantial economic losses, and that institute A was at fault by allowing its journal to publish such sensitive work. These allegations are being strongly refuted by institute A. At no point have the authors of the paper communicated with the Editor.

The Editor has submitted this case to highlight concerns that:

- key stakeholders in a published work (but not the actual authors) have attempted to suppress legitimate scientific results because of possible economic and political damage to an export industry;
- this is a serious breach of scientific ethics;
- unfounded allegations have been levelled at the journal's owner for allowing the paper to be published.

Question(s) for the COPE Forum

- What further steps or alternative actions does COPE recommend be taken?

15-16 Profusion of copied text passages (GH)

Recently, our journal has introduced systematic analysis of all submitted manuscripts for plagiarised text, using iThenticate. We had noticed increased incidences of recycling of existing text which is why we introduced the systematic check. It turns out that a large proportion of the submitted manuscripts (an estimated 30–50%) yield positive results, with copy values of somewhere in the region of 25% to >35%. These are substantial values and certainly beyond fortuitous incidences.

However, in almost all cases it is difficult to suspect acts of conscious (self)plagiarism as the copied text (ranging from single sentences or fragments of sentences to passages of 2–3 sentences) can be attributed to a very large number of sources: often more than 60, and in one case 129 different sources. It looks as if copying text containing what is perceived as elegant expressions has become a means of improving lack of language skills.

In principle, there is no issue of scientific fraud or even plagiarism of ideas or concepts to be suspected. But also in principle, a text that consists of one-third of passages that can be attributed to other sources is not satisfactory and is not what we would consider good scientific writing practice. The question is how to deal with these cases that we see in a quickly growing number? It is not fair to authors who produce good science to penalise them for trying to cope with their limited language skills. It is not fair either, to give the advantage of facility to those authors who easily copy from existing work, over those authors who make the conscious effort to avoid such doubtful practice.

Presently, when significant proportions of text have been copied from a large number of sources (as mentioned above), I do not take this into account when making a decision based on the science of the paper but inform the authors that we consider this a doubtful practice that should be avoided in future manuscripts.

Question(s) for the COPE Forum

- What kind of coherent policy should the journal have on this issue?
- Have any COPE members had experience with similar situations?

15-17 Requesting authorship after publication (MH)

Our journal was contacted by an individual, Dr H, who had recently seen a published article and was surprised that he was not listed as an author because it utilised samples from a database that he established. (The article was published online in November 2014 and in print in February 2015.) He stated that the cohort has spawned many projects, but he was not involved in the “specialist area” in this article. However, he believes he should have been listed as an author because the article would not have been possible without his database.

We told him that the journal conforms strictly to ICMJE's policy on authorship and asked him for more information on his contributions. Although it appears that he fulfils the first criteria because of his involvement in the original cohort/database, he did not fulfil the other three criteria.

At this point we contacted the corresponding author of the article for more information. The corresponding author said that Dr H contributed substantially to the development of the cohort, but was not involved in the design, evaluation or preparation of the data, and recommended publishing a correction with Dr H listed in a simple acknowledgment (not as an author).

Dr H was not satisfied with this solution, continuing to believe that he should be listed as an author. At this point we went back to the corresponding author, who replied that he had discussed the situation further with his co-authors and Dr H, and they thought that even though Dr H does not fulfil the ICMJE criteria, they support his addition as an author because their own publication policy indicated that all PIs involved in the development of the cohort should be listed as authors for subsequent publications. The corresponding author acknowledged that this “puts [the journal] in a difficult position, and exposes problems with [their] publication policy, which need to be resolved, but if it were possible to add [Dr H] to the authorship we should be grateful for your help.”

We replied to the corresponding author letting him know that he continues to state that Dr H does not fulfil ICMJE criteria; in order to comply with journal policy, Dr H should be listed in the acknowledgments. We even offered for them to write the acknowledgment so that Dr H's contributions would be better described. The corresponding author has yet to respond.

However, we received an email from Dr H stating that he still does not believe that an acknowledgment is appropriate. (Per Dr H, “This paper is no different to the way we approached all our other publications and [corresponding author] would certainly know that. I remain perplexed and quite upset as to why and how such a fundamental error was made on his part on this occasion.”) The corresponding author initially believed that an acknowledgment was appropriate, but then recommended the addition of Dr H as an author. We maintain that an acknowledgment is appropriate, and that adding him as an author without fulfilling ICMJE criteria (journal policy) would be the equivalent of gift authorship.

Question(s) for the COPE Forum

- Based on ICMJE criteria and journal policy, does the Forum believe that a formal erratum denoting an acknowledgment OR authorship is appropriate? If the latter, an explanation as to why would be very helpful.

4. UPDATES

15-06 Authorship dispute

Case text (anonymised)

In April 2014, our journal received a case report from author A with co-authors B, C, D and E. After undergoing a first round of revisions pertaining only to the paper's format, author A excluded co-authors C, D, and E from the revised version and retained co-author B, without notifying the journal of this change. After this change, the manuscript underwent the complete evaluation process, comprising peer review and revisions by the authors. It was accepted for publication in July 2014.

During the evaluation process, author A included two new co-authors (authors F and G). The paper was published in November 2014 with author A and co-authors B, F and G. From the time of manuscript submission until publication, the excluded co-authors C, D and E did not contact the journal or send any requests or comments regarding their authorship.

In May 2015, 7 months after the case report was published, our journal received an email from a legal advocate acting on behalf of the excluded co-authors C, D and E, complaining about the attested authorship of the case report. Co-authors C, D and E claim that author A is not, in fact, the first author and assert that the correct authorship and co-authorship should include the excluded authors C, D and E as the principal authors.

We sent the complaint made by the excluded co-authors C, D, and E to author A (the corresponding author of the published version) allowing him the chance to answer all of the allegations made by the excluded co-authors. In his reply, he assured us that he was the principal author of the case report, as originally submitted, and that it has no element of plagiarism. He further assured our journal that he and the co-authors listed in the published version had written the manuscript and made all the corrections proposed by the reviewers. He stated, "We have never indulged or indulge in such silly misdoings and in order to keep the personal relationship amicable, we would like to withdraw the case report despite it being the product of hours of hard work on our part".

Question(s) for the COPE Forum

- Although this case does not represent a clear reason for retraction (eg, redundant publication, plagiarism or clear evidence that the findings are unreliable), should we issue an expression of concern?
- Is it possible for our journal to retract the case report in order to avoid serious legal problems in the near future?

Advice:

There may be a case for retraction of the paper based on plagiarism, if co-authors C, D, and E claim it was their work, and then the other authors have taken that work and published it as their own. So it could be seen as plagiarism of ideas. But the authorship issue would need to be resolved before taking this action.

However, given that the study seems to be sound, some argued that the paper should not be retracted. An expression of concern may be warranted, but again, as there are no issues with the content of the paper, it may not be necessary.

Has the journal gone back to the authors and asked them why this has happened? The editor could suggest that the authors look at the journal's authorship guidelines and determine who should be listed as an author. However, the Forum agreed that it is impossible for the editor to know exactly what is going on here, and so the journal needs to contact the institution and ask them to resolve this situation. It is not the editor's role to sort out authorship disputes. Hence the Forum recommended contacting the authors' institutions in the first instance, before taking any action.

There seemed to a failure of the journal processes here and the Forum recommended that the journal should tighten their processes and make sure that their system for checking authorship at submission is more robust. This situation could have been avoided if the journal had been in contact with all of the authors, not just the corresponding author. The journal could request email addresses from all of the authors on submission of a paper, and copy all authors on all correspondence relating to the paper.

Follow up:

Although the journal checks for plagiarism and authorship at the submission step, they have made their processes more robust to avoid future problems. The editor-in-chief sent several messages to the corresponding author and co-authors asking them to find agreement regarding authorship, based on the journal's authorship guidelines. Unfortunately, no response has been received. The editorial board of the journal decided to give the authors another 2 months to respond. If no response is received, and considering the corresponding author already asked for retraction, the case report will be retracted.

Follow up November 2015

The authors did not answer our questions regarding authorship of their case report. The editor has not retracted the paper and considers the case now closed.

15-11 Inability to contact an author to obtain permission to publish

Case text (anonymised)

Author A was an overseas PhD student who successfully completed the PhD, and then returned home to a country with considerable political and civil unrest. It had been intended to submit a paper before author A left but time ran out. Subsequently, authors B, C, D and E, who were all involved in the work in one form or another (experimental design, performing preliminary experiments, data interpretation and reanalysis, writing), have written the paper. However, authors B, C, D and E cannot track down author A.

Authors B, D and E have tried emailing author A using the email address that author A used before and during the stay in the UK. Authors B and E have tried contacting author A's spouse (who also did a PhD under author E's supervision) by email and Facebook, but the spouse is not responding. Author E has contacted a colleague of author A at the overseas university that author A worked in but that person does not know how to contact author A, nor does another student from that country who studied in author E's laboratory at the same

time. The university that author A worked in is not open due to hostilities, and their website gives no contact information

Authors B, C, D and E are very keen to publish this paper, because the science is good, and also it is important for some of the co-authors who are early career workers and who need publications on their CVs.

Clearly, authors B, C, D and E are unable to obtain permission to publish from author A, whom authors B, C, D and E would like to put as first author, as author A performed the experiments.

Question(s) for the COPE Forum

- As the publisher of the journal where authors B, C, D and E wish the article to be published, would it be acceptable to publish the paper with a full statement about the authors' contributions to the article, and the fact that authors B, C, D and E have not been able to contact A? Thus there would be complete transparency.

Advice:

The Forum agreed that the suggested course of action by the editor is a reasonable way to proceed. This issue often arises with deceased authors. The Forum suggested approaching a senior member of the institution to guarantee that the work was carried out as described. Also, it would be advisable to have someone vouch for any conflicts of interest that the author might have. A full statement on the article covering these issues would be sufficient.

The Forum discussed whether the author qualified for authorship as he did not contribute to the writing of the article. However, as the study was part of the author's PhD, the paper would necessarily have been based on the author's write up and so he does fulfil the criteria for authorship.

Follow up:

The case was submitted to the internal publications ethics committee, along with the comments from the COPE Forum. The committee were extremely supportive of publishing, and suggested that the PhD examiner of the thesis from which the paper derived should provide a letter confirming that the work was carried out as described and that there would be no conflict of interest for the author in publishing the work in this form. As suggested by the COPE Forum, a senior member of the university—the head of school—also wrote a letter confirming that the work was carried out as described. A full statement covering these issues was placed at the end of the article.

15-12 Author impersonating corresponding author without knowledge of coauthors

Case text (anonymised)

We received an article which was accepted and published after an uneventful peer review process. The article was apparently written by seven authors from two universities. As part of our routine processes, all co-authors were alerted to a submission via the email addresses provided by the submitting author.

Some time after the article had been published, we received an email from the corresponding author (author B) to say that the paper had been submitted without his, or his co-authors, knowledge or permission. Author B says that the work reported is a result of a collaborative study between the authors listed on the paper, but that they had not yet agreed to prepare the reported work for publication. Author B claims that the first author of the article (author A) submitted the article to our journal under author B's name using a fake email account.

Author A has written to us independently to say that they submitted the article in the name of author B using a fake email account and signed the Licence to Publish in the name of author B without the consent or knowledge of author B. Author A and author B have requested that the published article be withdrawn. Author B claims that there are mistakes in the article and that the co-authors disagree with some of the viewpoints in the article.

The editor plans to investigate, if necessary with support from the universities, to establish whether the published article is scientifically flawed, and is reviewing what the appropriate action should be to address the authorship situation described.

Question(s) for the COPE Forum

- If the article is scientifically sound, and therefore does not warrant retraction to protect the accuracy of the scientific record, what action should the editor take to address the claims made by author B regarding author A's actions?

Advice:

The Forum suggested this was a copyright issue. Copyright normally resides with the publisher, but if the publisher has not received permission from the authors then the publisher does not have a license to publish, and the paper must be removed from the website. This is also a case of serious deception. In addition, there may be data protection issues on the basis of the accuracy of the data as the author names are listed on the paper without their consent. The Forum suggested the journal may wish to seek legal advice.

One suggestion was to retract the paper, and re-publish if the licensing issues are resolved. The majority of the Forum were in agreement that the paper should not be hosted by the publisher any longer in its current state. The paper should be removed and a note put in its place with an explanation of the events. The institution then needs to take the lead on this matter. It is the responsibility of the institution to investigate the misconduct issue. The note on the website should remain until the outcome of the investigation by the institution.

Follow up:

Following discussion at the Forum, the editor sought legal advice from the publisher and contacted the institution concerned to request an investigation. The editor has now received a formal response from the institution which stated that the institution had directed author B to consult with the co-authors listed to clarify the authorship of the article concerned and provide an updated licence to publish to the journal. The journal is currently waiting on correspondence from author B regarding these matters.