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# Handling allegations of research misconduct: A UK university perspective

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## The UK context

- Universities governed by the Universities UK Concordat to Support Research Integrity (2019).
  - Requires that all universities have “transparent, robust and fair processes to investigate research misconduct”.
  - Provides a single sectorial definition of ‘research misconduct’.
  - Provides some rules on process, including requiring use of independent external panel members and having a clear route for appeal.
  - Requires institutions to lead on resolving issues found during the investigation (including reporting to journals).
  - Emphasises duty of care to employees and need to safeguard reputations of the exonerated.
  - Requires clear reporting routes, including a named contact.
  - Requires public reporting of numbers of cases and their outcomes.

# The Cambridge Context

- The University has a [Misconduct in Research policy](#) that sets out the investigatory process.
- Three stage procedure (based on the UK Research Integrity Office template [Research Misconduct Procedure](#)):
  - Initial review to establish whether the allegation requires investigation under the policy.
  - Preliminary Investigation to establish whether there is a 'prima facie' case.
  - Formal Investigation to establish whether there is a finding of research misconduct.
- Overseen by the Department in which the alleged incident occurred, but supported by the central Research Integrity Team (to ensure consistency).
- Research Integrity Team manages reporting to stakeholders and other post-investigation steps.

# Characteristics of an Investigation

- Preliminary stage:
  - Two University officers (expert and no conflict of interest) form an investigatory committee
  - Interview Respondent and Complainant and review all evidence.
  - Aim to reach a swift decision as to whether there is a *prima facie* case.
- Formal stage:
  - Committee of at least three researchers. Must include at least one external to the University.
  - All must be experts with no conflict of interest or previous involvement in the case.
  - Interview all relevant persons and may request additional evidence.
  - Full and thorough review to establish whether there is a case of research misconduct.
  - Refers to disciplinary procedures where required.



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## University's Aims

- Address any issues in the research record.
- Take action where misconduct or other infractions are identified to reduce risk of it happening again.
- Facilitate complainants to bring forward legitimate concerns and support them when they do so.
- Ensure that we fulfil our duty of care to Respondents by providing a fair process and appropriate support.
- Meet our obligations to funders, journals and the public, particular as regards transparency.

Not always easy to do.

# Key Challenges 1 : Anonymous Complaints

- University receives complaints from anonymous accounts, sometimes pointing to evidence that third parties have posted online. This is not the same as a complainant who is known to the University, but asks for confidentiality.
- Creates challenges:
  - In what way should an anonymous complainant be involved in an investigation?
  - Respondents often find it hard to understand why universities accept anonymous complaints.
  - Sometimes can be linked to wider online criticism of the Respondent, creating duty of care requirements.
- Potential approaches:
  - Ensure that institutional processes can operate effectively without a complainant.
  - Enable restrictions on involvement of anonymous complainants where necessary (e.g. leaking of evidence).
  - Make clear to Respondents that institutions need to act on evidence regardless of source and take a zero tolerance approach to any wider online abuse or leaking of information.

## Key Challenges 2 : Supporting Respondents

- Research Misconduct investigations are extremely stressful for all involved and respondents can feel that they are being unfairly targeted or worry greatly about the potential consequences of the process.
- University HR and counselling services provide excellent support in many cases.
- In some cases, however, Respondents refuse such support, particularly if they believe they feel aggrieved that the University is investigating them.
- Can result in individuals not being supported.
- Potential approaches:
  - Create alternative structures of support for Respondents. E.g. identify support from within their Department or research colleagues.
  - Utilise Research Integrity champions or networks to act as sources of impartial advice and support.
  - Try to minimise risk by avoiding confrontational language and being clear on process.

## Key Challenges 3 : Non-standard cases

- Most University investigation processes are designed to investigate complaints made against current employees or students.
- Allegations of Research Misconduct are regularly received that do not fit this standard, e.g.:
  - Allegations against ex-employees, sometimes where the alleged matter took place a long time ago.
  - Allegations against current employees, but the alleged matter took place before they joined the University.
  - Allegations relating to multiple individuals across multiple institutions.
- Potential approaches:
  - All Universities need to have a shared clear understanding of their own remit – i.e. research that took place under their auspices.
  - Cross-institutional cooperation agreements (e.g. [Russell Group Statement on Cooperation](#)) are needed.
  - Institutions should write cooperation into policies.



## Key Challenges 4 : Transparency vs Confidentiality

- Research Misconduct investigations must be handled confidentially, but institutions must also ensure that they fulfil requirements to report and take steps to correct the research record.
- The impact of breaches of confidentiality can be very serious and both Respondents and Complainants may sometimes object to disclosures, even where the University believes that these are essential.
- Can be particularly challenging if an individual is no longer employed by the University.
- Potential approaches:
  - Very clear principles are required regarding the need to maintain confidentiality and the circumstances in which information will be disclosed.
  - Be clear with respondents as early as possible regarding reporting requirements.
  - We need more sectorial clarity on reporting requirements to avoid institutions having to make judgement calls. In particular the sector should consider what is expected when an individual has left an institution.

## Key Challenges 5 : Non-misconduct matters

- Universities have long been required to have processes to deal with serious research misconduct allegations.
- Some integrity matters, e.g. authorship disputes, data ownership disagreements, minor concerns where the complainant does not allege misconduct, but does seek a correction to the article, are sometimes just as challenging to handle.
- Can lead to matters being inappropriately handled through a research misconduct process.
- Potential approaches:
  - Institutions should look to develop processes for handling less serious matters for which a clear means of redress is possible.
  - Will usually take the form of mediation rather than an investigation.
  - Ensure appropriate means of referral back into research misconduct processes where needed.



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## Conclusions

- Research Misconduct investigations can pose many, sometimes unexpected, challenges.
- We are unlikely to ever get it completely right.
- We all, therefore, need to commit to a process of continual review, learning and improvement – including reviewing lessons learnt from every investigation.
- We also need to continue to pursue more consistency and cooperation across the sector. Some of this will require formal sectorial agreements.
- Most importantly we need to keep in mind the need to balance the rights and needs to the research record, complainants, respondents and other stakeholders.

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