

# Responsible Conduct of Research Policy

## Section 1 - Introduction

(1) The University is committed to the development of a research culture that reflects the University's core values: honesty, trust, fairness, respect and accountability. Such a culture is integral to the University's resolve to undertake first class research.

(2) This policy reflects and reinforces the principles of the [Australian Code for the Responsible Conduct of Research](#) ("the Code") and should be read in conjunction with that document. The Responsible Conduct of Research Policy is supported by a range of policy and other documents (listed within the policy) which should be read in conjunction with this policy.

## Section 2 - Policy Intent

(3) Part A of this Policy provides the principles that will guide the conduct of research at the University. Its intent is to foster a research environment that pervades practice and demonstrates honesty and integrity, respect for research participants and end users, safety in research, stewardship of public resources, acknowledgement of others, and responsible communication of results.

(4) Part B addresses the critical issue of managing research misconduct. A strong ethical research culture will assist in minimising research misconduct. Nevertheless, research misconduct and lesser breaches of the Code may occur. The latter section of this policy therefore provides the University's framework for the investigation of an allegation that research has not been conducted responsibly or in an ethical manner.

## Part A - Principles and Practices of Responsible Research

### Principles of Responsible Research

(5) The University recognises that responsible research is encouraged and guided by the research culture of the University. The following principles will underpin the University's efforts to develop and sustain a culture that fosters ethically responsible research.

- a. The University expects anyone subject to a University of Newcastle Workplace Agreement or the [Honorary Academic Titles Policy](#) undertaking, piloting or supporting research in association or affiliation with the University of Newcastle ("researchers") to maintain high standards of responsible research which foster a research environment distinguished by intellectual honesty and integrity, and scholarly and theoretical or scientific rigour. To that end, researchers are required to recognise and implement the responsibilities laid down in this Policy and in the related documents it lists.
- b. In fostering responsible and ethical research conduct, the University will promulgate relevant legislation and policies; provide clear policy and procedural documents; encourage respect for freedom of expression, and foster the open exchange of ideas. The University expects researchers to ensure that they remain familiar with such legislation, policy and procedures.
- c. The University will provide appropriate induction, training and mentoring of researchers and insist on practices

that create a safe working environment for the conduct of Research. Researchers will comply with the New South Wales [Work Health and Safety Act 2011](#), associated legislation and University health, safety and environment policies and procedures.

- d. Where collaborative research projects are undertaken by members of the University and other partners, they will be guided by the University's Research Collaboration and Contract Guidelines.
- e. Fundamental to all research undertaken by the University's research staff and students will be a respect for human participants involved, for the animals used in research and for the environment. Researchers will comply with the [National Statement on Ethical Conduct in Human Research](#) and related codes of practice and legislation, the University's Effective Surveillance Monitoring of Projects (Animal Ethics) Policy and all human research ethics policies current at any time.
- f. Anyone forming a suspicion that a breach of the Code or research misconduct has occurred is obliged to inform the Pro Vice-Chancellor Research and Innovation who is designated to advise the Deputy Vice-Chancellor (Research and Innovation) where allegations of a breach of the Code or research misconduct appear to be justified and whether a prima facie case exists in accordance with the [Research Misconduct Allegation Guidelines](#).
- g. In line with the University's sensitivity to and valuing of Indigenous peoples and culture, University researchers will exercise sensitivity in any research associated with Aboriginal and Torres Strait Islander peoples. Researchers will comply with the guidelines provided in the [Ethical Conduct in Research with ATSI People and Communities](#) and the Guidelines for Ethical Research in Indigenous Studies.
- h. Where appropriate the University encourages and supports consumer involvement in research in line with the principles outlined in the Statement on Consumer and Community Participation in Health and Medical Research.
- i. The University supports the development and commercialisation of intellectual property in accordance with the [Intellectual Property Policy](#) and [Procedure](#).

## Management of Research Data and Primary Materials

(6) In circumstances where data or information upon which research outputs are based are not readily reproducible, research data and primary materials must be managed and stored securely to ensure that: methods and results are open to scrutiny; outcomes can be validated; materials can be accessed for further research if within the scope and intent of the original participant consent and ethics approval; and the responsibilities of the University under NSW legislation and under its own policies in relation to privacy and records management, are met.

(7) The following policy provisions are supported by the [Research Data and Materials Management Guidelines](#), and should be read in conjunction with these documents and the policies listed below.

- a. The University will provide appropriate policy, systems, facilities and procedures for the safe and secure storage of research data and materials, and for the maintenance of accurate records of where these are stored.
- b. Data management guidelines and procedures will comply with the relevant protocols for the collection, storage, retention and disposal of data and records including those prescribed by the NSW [Privacy and Personal Information Protection Act 1998](#); NSW [Health Records and Information Privacy Act 2002 No 71](#); NSW [State Records Act 1998](#) and the University's policies and procedures.
- c. [Research Data and Materials Management Policy](#) and Procedure and records management and information security policies.
- d. In particular, research records that may be relevant to allegations of research misconduct must be retained until the matter is resolved.
- e. Researchers may retain copies of their research data and primary materials, but originals will be retained by the Faculty, Institute or Centre to ensure protection of the researcher and the University. Researchers will be responsible for the security and confidentiality of the copies of data and materials that they retain.
- f. Ownership of research data and primary materials will be determined in accordance with the University's

[Research Data and Materials Management Policy](#).

- g. Ownership of and access to databases and archives will be determined in accordance with the University's [Information Security](#) and Network Security policies and the [Research Data and Materials Management Policy](#) and Procedure.
- h. The systems implemented by the University, Faculties and Research Institutes or Centres for the retention and storage of research data and materials, may be audited by the University's Internal Auditors.

## **Supervision of Research Trainees**

(8) Appropriate mentoring and supervision of research trainees is critical to developing a research culture of excellence, integrity and professionalism.

(9) The following principles are detailed in and supported by the University's [Code of Practice for Research Higher Degree Candidature](#), and should be read in conjunction with that Code.

- a. The University acknowledges the critical importance of appropriate mentoring and supervision, to the promotion of a research culture that demonstrates excellence, integrity, professionalism, mutual respect and recognition.
- b. The University will provide through its Research Division, Research Centres, Institutes and Faculties, appropriate training, supervision, mentoring and education of its research trainees. The University's research policies will offer detailed advice on the standards expected of researchers across all research activity.
- c. All researchers supervising research trainees shall ensure that all trainees receive appropriate information, instruction, training and supervision to ensure their health, safety and welfare while undertaking research activity.
- d. Research trainees will be responsible for undertaking all induction and other training courses as soon as practical after starting research at the University, and for playing an active role in the supervision process.

## **Publication and Dissemination of Research Findings**

(10) The dissemination of research findings is an important part of the research process - providing to other researchers, practitioners and the wider community, the benefits of the research. Dissemination may take many forms from formal publication of the results in academic journals to web publishing or discussion in a public form. The principles identified here should inform all forms of dissemination of research findings.

(11) The following policy provisions are supported by the University's policies on [Intellectual Property](#) and its [Privacy Management Plan](#) and should be read in conjunction with those documents and the [Research Publication Responsibility Guidelines](#) and Research Collaboration and Contract Guidelines.

- a. [Code of Ethical Academic Conduct](#) and must be evident in the conduct of research, including the publication and dissemination of research findings.
- b. In disseminating research findings the rights of all parties to confidentiality, privacy and ownership of intellectual property must be respected. The intellectual property rights of the University, its researchers, research trainees and sponsors, and the rights to confidentiality of the parties involved, will be protected under the University's [Intellectual Property Policy](#) and [Procedure](#) and its [Privacy Management Plan](#).
- c. In the event that an intellectual property agreement has not been entered into, a student undertaking research should not unreasonably withhold permission for a University staff member or an approved external supervisor involved with the research to produce a scholarly publication based on data acquired by the student provided that the student's contribution is acknowledged appropriately.
- d. Granted the importance of timely publication of findings and the constraints sometimes imposed by partners or sponsors, all parties to the research will comply with the University's Research Collaboration and Contract Guidelines which defines their responsibilities in relation to publication.

- e. The University acknowledges the importance of communicating the findings of its researchers to peers, professional organisations, stakeholders, participants in the research and the wider community. The University encourages the wide dissemination of research findings in line with the provisions of the [National Statement on Ethical Conduct in Human Research](#). Communication of research findings is supported by the University's policies in relation to the media and with the Marketing and Public Relations Unit providing assistance to researchers seeking to promote their findings. Researchers will also be assisted in recognising their responsibilities by the [Research Publication Responsibility Guidelines](#).
- f. Researchers must register clinical trials with a recognised register to promote access to information about all clinical trials. It is recommended that clinical trials be registered with the NHMRC Australian and New Zealand Clinical Trials Registry.
- g. University researchers have an obligation to publish research findings accurately and professionally. In general, research findings must be: correct; as complete as commercially practicable; sensitive to cultural difference and diversity; mindful of ownership, attribution and confidentiality issues; and comprehensive. The [Research Publication Responsibility Guidelines](#) will provide guidance to the University's researchers.

## Authorship

(12) Authorship of a research publication is an important and significant achievement. To be acknowledged as an author, researchers must have made a substantial scholarly contribution to the work, and be able to take responsibility for that part of the work which they contributed.

(13) The University's [Authorship of Research Guideline](#) outlines the obligations of research authors and should be read in conjunction with this policy.

- a. In all cases, authorship must be based on substantial scholarly contribution to the work through one or more of the following:-
  - i. conception and design of the research;
  - ii. determination, analysis and interpretation of research data; and
  - iii. drafting or revision of significant parts of the work so as to contribute to the interpretation.
- b. Researchers must adhere to the authorship criteria identified above and must offer authorship to all and only those who meet those criteria.
- c. A person who qualifies as an author must not be included or excluded as an author without their permission in accordance with the [Authorship of Research Guideline](#).

## Peer Review

(14) Peer review refers to the impartial and independent assessment of research by others working in the same or a related field. It is a valuable tool for researchers and institutions in maintaining standards of excellence and integrity.

(15) Peer review allows scrutiny of research analysis, methodology and findings and thus encourages accurate and credible reporting; assists in identifying errors and misleading statements; and allows for the detection of fabrication or fraud. More positively, peer review verifies the calibre of research, adding strength and support to the status of the findings.

- a. The University acknowledges the importance of peer review and requires its researchers to participate in this process.
- b. Those participating in peer review must undertake this process in a fair and timely manner, with due regard for the ethical and professional responsibilities the process demands. They should therefore:-
  - i. act in confidence;
  - ii. declare all conflicts of interest;

- iii. not permit personal prejudices or stereotypical beliefs about particular individuals or groups of people to influence the process;
  - iv. not take undue or calculated advantage of knowledge obtained;
  - v. ensure their awareness of and compliance with the criteria to be applied;
  - vi. not participate in peer review outside their area of expertise; and
  - vii. give proper consideration to analysis, theoretical framework, research methods and findings that challenge accepted ways of thinking.
- c. Researchers whose work is the subject of peer review must not seek to influence the process or outcomes.
  - d. Researchers have a responsibility to participate in peer review processes.
  - e. Supervising researchers must assist trainee researchers in developing the necessary skills for peer review and in understanding their obligation to participate.
  - f. [Peer Review of Research Proposal Submitted for Ethics Approval Procedure](#).

## Conflicts of Interest

(16) The potential for conflicts of interest to occur or to be perceived to have occurred within research, places research, researchers and the University at risk. It requires the University to promote policy and practice that preclude conflicts of interest and encourage transparency and integrity.

(17) The following principles are supported by the University's Avoiding Conflicts of Interest Policy and [Conflict of Interest Policy](#), and are reflected in the [Code of Practice for Research Higher Degree Candidature](#). They should be read in conjunction with the Code and policies.

- a. The University recognises the fundamental importance to the integrity of research, of avoiding conflict of interest. It will therefore provide both policy and education to its researchers on the importance of avoiding or managing conflicts of interest.
- b. The Avoiding Conflicts of Interest Policy and [Conflict of Interest Policy](#) will provide all parties to research with a clear, accessible statement of principles and procedures to be followed. The University will regularly review these to capture changes in the law or regulations, and to include amendments that reflect the benefit of experience.
- c. Individual researchers will be responsible for being familiar with and for applying the Avoiding Conflicts of Interest Policy, for acknowledging conflicts that arise and (where appropriate) making disclosure in line with the [Conflict of Interest Policy](#).

## Collaborative Research Across Institutions

(18) The collaboration between researchers, between institutions and across borders, creates particular issues in relation to ownership of intellectual property, conflicts of interest and commercialisation of findings. There must be clarity on all these issues if the benefits of collaboration to all parties and to the community, are to be realised.

(19) In general, issues of intellectual property and conflict of interest will be managed under the University's [Intellectual Property Policy](#) and Procedure, and [Conflict of Interest Policy](#). The following principles should be read in conjunction with those documents and the [Australian Code for the Responsible Conduct of Research](#). These principles should be followed even when conducting research outside Australia.

- a. All agreements between the University's researchers and partners, collaborators or sponsors will be clearly articulated in writing, and will reflect the principles of integrity, honesty and commitment to excellence which underpin the University's academic role.
- b. The University's Research Collaboration and Contract Guidelines will offer researchers (and the parties to research collaboration) clear guidelines for the development of comprehensive agreements that address issues

- of intellectual property, conflict of interest, ownership and storage of research data and primary materials.
- c. Researchers must be aware of and comply with all policies and written agreements affecting the research project, including those relating to the dissemination of research findings and the management of research data: [Research Publication Responsibility Guidelines](#) and [Research Data and Materials Management Policy and Procedure](#).
  - d. Collaborative research across institutions subject to approval from a human research ethics committee shall be undertaken in accordance with the [Collaborative Research and Ethics Approval Guideline](#).

## **Part B - Breaches of the Code - Research Misconduct and the Framework for Resolving Allegations**

(20) It is essential to the continued integrity of the University's research and the reputation of Australian research throughout the world that the University has in place a mechanism for identifying and responding to any evidence or allegation of a breach of the Code or research misconduct.

(21) This section of the policy provides the University's framework for reporting and investigating an allegation that research has not been conducted responsibly. It must be read in conjunction with the [Research Misconduct Allegation Guidelines](#) which it supports.

### **Allegations of Breaches of the Code or Research Misconduct**

(22) In line with the expectations of the [Australian Code for the Responsible Conduct of Research](#), the [Research Misconduct Allegation Guidelines](#) identifies the Assistant Deans (Research) as 'advisers in research integrity', the Pro Vice-Chancellor Research and Innovation as the designated person and the Deputy Vice-Chancellor (Research and Innovation) as the designated officer.

(23) An Assistant Dean (Research) may be consulted for advice on any matter concerning research integrity.

(24) Any person who forms a reasonable suspicion of a breach of the [Australian Code for the Responsible Conduct of Research](#) or that research misconduct has occurred must direct the allegations to the Pro Vice-Chancellor Research and Innovation, who is designated to advise the Deputy Vice-Chancellor (Research and Innovation) where allegations of a breach of the Code or research misconduct appear to be justified and whether a prima facie case exists in accordance with the [Research Misconduct Allegation Guidelines](#).

(25) As the designated officer the Deputy Vice-Chancellor (Research and Innovation) is designated to deal with allegations of a breach of the Code or research misconduct in accordance with the [Research Misconduct Allegation Guidelines](#).

(26) Matters relating to the research higher degree candidature of University staff or holders of an honorary academic title should be resolved through the provisions of the [Student Academic Integrity Policy](#).

## Status and Details

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## Glossary Terms and Definitions

**"University"** - The University of Newcastle, a body corporate established under sections 4 and 5 of the University of Newcastle Act 1989.

**"Risk"** - Effect of uncertainty on objectives. Note: An effect is a deviation from the expected, whether it is positive and/or negative.

**"Class"** - When referring to a class attended by Students, a class is any teaching and learning activity of a course. For all other uses of this term, the generic definition applies.

**"Area of expertise"** - An area in which a staff member or a student have been peer-reviewed or published.

**"Law"** - All applicable statutes, regulations, by-laws, ordinances or subordinate legislation in force from time to time anywhere in Australia, whether made by the Commonwealth, a State, a Territory or a local government and, where the context permits, includes the common law and equity.

**"Student"** - A person formally enrolled in a course or active in a program offered by the University or affiliated entity.

**"Intellectual property"** - Intellectual property (IP), as defined by the World Intellectual Property Organisation, refers to creations of the mind: inventions; literary and artistic works; and symbols, names and images used in commerce. Intellectual property is divided into two categories: Industrial property includes patents for inventions, trademarks, industrial designs and geographical indications; and Copyright covers literary works (such as novels, poems and plays), films, music, artistic works (e.g. drawings, paintings, photographs and sculptures) and architectural design. Rights related to copyright include those of performing artists in their performances, producers of phonograms in their recordings, and broadcasters in their radio and television programs.

**"Research"** - As defined in the Australian Code for the Responsible Conduct of Research, or any replacing Code or document.

**"Research collaboration"** - Means demonstrating one or more of the following: jointly supervised PhDs, jointly published papers, doctoral candidate exchange, academic visitor programs and joint ongoing research projects.

**"Research misconduct"** - Means conduct by a student that is defined as research misconduct in the Student Conduct Rule.

**"Staff"** - Means a person who was at the relevant time employed by the University and includes professional and academic staff of the University, by contract or ongoing, as well as conjoint staff but does not include visitors to the University.