

# Research Data and Materials Management Guideline

## Section 1 - Introduction

(1) One of the central aims of the [Australian Code for the Responsible Conduct of Research](#) (the Code) is that sufficient research data and materials are retained to justify the outcomes of research and to defend such outcomes should they be challenged. The Code also contends that the potential value of data and material for further research should be considered, particularly where the research would be difficult or impossible to repeat.

(2) This Research Data and Materials Management Guideline (the Guideline) supports the principles governing the management of Research Data and Primary Materials articulated in the Code. This Guideline should be read in conjunction with the Code and relevant clauses in any applicable funding documentation. The requirements of publishers in relation to the availability of data should also be considered during the planning of research.

## Section 2 - Audience

(3) University of Newcastle (University) Researchers.

## Section 3 - Document Specific Definitions

(4) Research data is data as facts, observations, computer results, measurements or experiences on which an argument, theory or test is based. Data may be numerical, descriptive or visual. Data may be raw or analysed, experimental or observational. It includes laboratory notebooks, as well as any other records including computer code that are necessary for the reconstruction and evaluation of reported results of research and the events and processes leading to those results, regardless of the form or the media on which they may be recorded.

(5) Primary materials are physical objects acquired through a process of scholarly investigation from which research data may be derived. It includes ore, biological material, questionnaires or recordings etc.

(6) University Researcher means anyone undertaking or piloting research in association or affiliation with the University including students and Higher Degree by Research candidates.

## Section 4 - Guidelines

### Ownership of Research Data and Primary Materials

(7) Unless owned by a third party, Research Data and Primary Materials acquired through research will be owned by the University Researcher undertaking the research.

(8) University Researchers engaging in collaborative activities are strongly encouraged to come to an understanding on the ownership and access to Research Data and Primary Materials. This agreement should be determined prior to the commencement of the research and be regularly reviewed.

(9) The University will remain the custodian of any Research Data and Primary Materials acquired through research, unless they are owned by a third party or are subject to a formal collaborative agreement.

(10) Intellectual property created by a University Researcher subsequent to the acquisition of the associated Research Data and Primary Materials will be subject to the [Intellectual Property Policy](#).

## **Management of Research Data and Primary Materials**

(11) The University and its Researchers have an obligation to care for and manage Research Data and Primary Materials in accordance with the Code, relevant legislation and, where applicable, ethical protocols.

(12) Where a project spans several institutions, the research team must determine at the outset of the project, which institution or a University Researcher has custody and responsibility for the storage and eventual disposal of the related Research Data and Primary Materials.

(13) In the event that a University Researcher moves to another institution, the University will remain the custodian of controlled Research Data and Primary Materials acquired during their formal association with the institution.

## **Storage of Research Data**

(14) Data management planning is an important part of the responsible conduct of research. University Researchers are strongly encouraged to undertake data management planning and to deposit data arising from a project in an appropriate publicly accessible subject and/or institutional repository. The potential value of Research Data and Primary Material for further research should be considered, particularly where the research would be difficult or impossible to repeat.

(15) Research Data that is subject to an ethical protocol will be stored in accordance with the approved protocol.

### **Active Phase - ownCloud**

(16) ownCloud is located within the University's secure IT environment and provides the collaboration tools that researchers require to work with and share their data effectively and securely. ownCloud is the default storage solution as Research Data is being acquired and analysed during the active phase of research. University Researchers are required to use ownCloud for the storage of Research Data unless ownCloud is not a viable storage solution or there are specific barriers to its use.

### **Inactive Phase - Cr8it**

(17) A central aim of the Code is that sufficient data and materials are retained to justify the outcomes of research and to defend such outcomes should they be challenged. It is therefore necessary for the University to remain the custodian of Research Data and Primary Materials acquired during research unless they are owned by a third party. Cr8it enables University Researchers to satisfy this requirement by submitting the data set/s that underpin a publication to the University repository for archiving. Cr8it is available within ownCloud and allows University Researchers to retain access to a copy of the data after the data is submitted to the repository.

(18) Research data underpinning a publication that is managed outside of ownCloud will also need to be submitted to the University's repository ([NOVA Research Online](#)).

## **Storage of Primary Materials**

(19) During the active phase of the research, the School/Centre will provide safe and secure storage for Primary Materials, after appropriate consideration of location, security and adequate environmental control.

(20) While it may not be practical to keep all Primary Material, durable records derived from them (such as assays,

test results, transcripts, and laboratory and field notes) must be retained where practicable and be made accessible.

(21) When Primary Materials are relocated to centrally managed locations, the following processes must be followed:

- a. Hard copy/paper records and data may be transferred to the University's off-site storage repository for retention until the appropriate disposal time. Staff must contact the Records Governance Services to arrange this transfer.
- b. Other objects/records (materials which are neither hard copy nor electronic, such as rock or physical specimens) will be retained in appropriate secure storage in the School/Centre.

## **Access to Research Data and Primary Materials**

(22) Research Data and Primary Materials should be made available for use by other researchers for further research unless precluded by the conditions under which they were obtained or privacy and/or confidentiality requirements. Preclusions on the basis of confidentiality include formal confidentiality agreements and may also be employed where research or development is focused on achieving a defined piece of protectable intellectual property. Where access is not precluded by an existing agreement or protocol approved by a properly constituted human or animal ethics committee, researchers interested in undertaking further research should consult the owner regarding access to Research Data and Primary Materials.

(23) University Researchers given access to confidential information must maintain that confidentiality. Sensitive records or data must be appropriately protected from unauthorised access.

## **Retention of Research Data and Primary Materials**

(24) The retention period for Research Data and Primary Materials is determined by the provisions of the [State Records Act 1998](#) or the requirements of a funding body or external agency, where the latter stipulates a longer period than that nominated in the Act.

(25) University Researchers must determine which Research Data and Primary Materials should be retained based on conventions in a discipline or by legislative requirements, and in accordance with the provisions of this Guideline.

(26) For short-term research projects undertaken for assessment purposes only, such as research projects completed by students, retaining research data for 12 months after the completion of the project may be sufficient.

(27) Research Data and records which are to be retained permanently as State Archives will be transferred to [UON Archives](#), a regional repository of State Records New South Wales. Contact [UON Archives](#) to arrange the transfer of research data and/or records.

(28) Where a project involves several institutions, the research team must determine at the outset of the project, which institution/researcher has responsibility for the eventual disposal of the related Research Data and Materials.

(29) In general, University Researchers will be guided by the provisions of the State Records Act 1998 as detailed in the [State Archives General Retention and Disposal Authority GA47 Higher and Further Education](#).

## **Disposal of Research Data and Primary Materials**

(30) Research Data and Primary Materials should be retained for sufficient time to allow reference to them by other researchers and interested parties. In the event that results from research are challenged, all associated Research Data and Materials must be retained until the matter is resolved. Research records that have been or may be subject to allegations of research misconduct must not be destroyed.

(31) The disposal of Research Data and Primary Materials must be approved in accordance with the relevant records

legislation minimum retention periods. This approval is sought via completion of the Request to Destroy form, and is provided by the Records Governance Services. University Researchers will be required to seek endorsement of Head of School/Centre prior to submitting the Request to Destroy form. It is unlawful to dispose of records without meeting the mandatory retention requirements.

(32) Disposal of Research Data or records and/or Primary Materials from any central storage repository will not occur without the consent or knowledge of the relevant University Researcher/s and School/Centre.

(33) University Researchers may retain copies of Research Data and Primary Materials. Permission to dispose of copies and duplicates is not required, However, due care must be taken to ensure that disposal is secure and takes account of the privacy, confidentiality, and possible sensitivity of the Research Data or Primary Materials.

## **Section 5 - Roles and Responsibilities**

(34) Researchers are required to:

- a. create and maintain full and accurate records of the research methods and data sources used, by way of notes or diary entries and laboratory books etc;
- b. provide the same level of care and protection to primary research records, such as laboratory notebooks, as to analysed Research Data;
- c. manage Research Data and Primary Materials according to protocols approved by the animal or human ethics committee and legislative requirements;
- d. retain Research Data where practicable, including electronic data, in a durable, indexed and retrievable form;
- e. ensure that Research Data and Primary Materials are kept safe and secure in the storage provided during the active phase of research where practicable, even when not in current use;
- f. maintain a catalogue of Research Data in an accessible form;
- g. ensure that where projects involve several institutions an agreement is developed at the outset covering the access and storage of Research Data and Primary Materials within each institution; and
- h. ensure that adequate backup, archival and monitoring strategies are in place to prevent the loss of Research Data and Primary Materials and delays in the completion of research.

(35) Lead University Researchers (“Primary investigators”) are required to:

- a. ensure that Research Data and Primary Materials acquired during research are managed in accordance with the provisions of this Guideline.

(36) In circumstances where more than one Primary Investigator is involved in research, agreement should be reached on which Primary Investigator will be responsible prior to the initiation of the research.

(37) Heads of Research Centres or nominees are required to:

- a. ensure that research records that are subject to allegations of research misconduct are retained until the matter is resolved; and
- b. ensure that the University, Faculty and School policy provisions are disseminated to University Researchers.

(38) In the absence of a Head of Research Centre the Head of School is responsible for the above.

## 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.

**"Confidential information"** - All information which is disclosed to a party by, or on behalf of, the other party, or which is otherwise acquired by a party from the other party, or any adviser engaged by the other party, which: (a) is by its nature confidential; (b) is designated by the other party as being confidential; or (c) the party knows or ought to know is confidential, but does not include information which: (d) is or becomes public knowledge other than through a breach of confidentiality; (e) was already in the possession of a party and not subject to an obligation of confidentiality; (f) is lawfully received from a third party; or (g) is independently developed by a party.

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

**"Candidate"** - With regard to Higher Degree by Research it has the same meaning as student. For all other instances it is a person considered for appointment to a position.

**"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 misconduct"** - A serious breach of the Australian Code for the Responsible Conduct of Research that is intentional, reckless or negligent.

**"School"** - An organisational unit forming part of a College or Division, responsible for offering a particular course.

**"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.

**"Third party"** - A person or group other than the University or any of the University's partner institutions.