

# Research Data and Primary Materials Management Procedure

## Section 1 - Introduction

(1) As described in [Management of Data and Information in Research: A guide supporting the Australian Code for the Responsible Conduct of Research](#) (the [Guide](#)), the responsible conduct of research includes the storage, retention, disposal and re-use of data and primary materials to:

- a. justify the outcomes of research and to defend such outcomes should they be challenged;
- b. maximise the potential value of data and primary materials for further research; and
- c. minimise waste of resources that are of value to researchers and the community.

(2) This Procedure supports the principles governing the management of research data and primary materials at the University of Newcastle (the University), as articulated in the [Australian Code for the Responsible Conduct of Research](#) (the Code) and in [the Guide](#).

(3) This Procedure should be read in conjunction with [the Code](#), [the Guide](#), and the relevant clauses in any applicable funding documentation, in addition to the following University policy documents:

- a. [Responsible Conduct of Research Policy](#);
- b. [Information Security Policy](#);
- c. [Records and Information Management Policy](#);
- d. [Temperature Controlled Environments Policy](#); and
- e. [Intellectual Property Policy](#)

## Section 2 - Audience

(4) University Researchers, as defined in the [Responsible Conduct of Research Policy](#).

## Section 3 - Scope

(5) This procedure:

- a. applies to all research data and primary materials generated by University Researchers; and
- b. details the responsibilities of the University and University Researchers in research data and primary materials ownership, access and management.

## Section 4 - Document Specific Definitions

(6) In the context of this document:

- a. research data is facts, observations, images, computer program results, recordings, measurements or experiences on which an argument, theory, test or hypothesis, or other research output is based. Data may be numerical, descriptive, visual, or tactile. It may be raw, cleaned or processed and may be held in any format or media (Australian National Data Service – What is research data, 2017);
- b. primary materials are physical objects acquired through a process of scholarly investigation from which research data may be derived, including research material as defined in the [Temperature Controlled Environments Policy](#). Examples of primary materials include ore, biological material, questionnaires and recordings;
- c. University Researcher is as defined by the [Responsible Conduct of Research Policy](#);
- d. active phase means the period from the commencement of the research project until the research ceases and arrangements are made for the retention of the resulting research data and/or primary materials; and
- e. Chief Investigator means the University researcher who is leading a project.

## Section 5 - Requirements

### Ownership

(7) Unless owned by a third party, research data and primary materials acquired through research will be owned by the University Researcher(s) undertaking the research.

(8) 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](#).

### Stewardship

(9) The University will remain the custodian of any research data and primary materials acquired through research, including if a University Researcher leaves the University, unless the research data and primary materials are:

- a. owned by a third party; or
- b. are subject to a formal collaborative agreement.

### Collaboration

(10) University Researchers engaging in collaborative activities should come to an agreement on the ownership and access to research data and primary materials. This agreement should be documented in writing prior to the commencement of the research and be regularly reviewed.

(11) Where a project spans several institutions, at the outset of the project the research team must determine which institution or University Researcher has custody and responsibility for the storage and eventual disposal of the related research data and primary materials.

### Management

(12) 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 approved by the relevant Ethics committee.

(13) [Data management planning](#) is an important part of the responsible conduct of research. All University

Researchers should undertake data management planning and deposit data arising from a project in an appropriate publicly accessible subject and/or institutional repository.

(14) 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. The requirements of publishers in relation to the availability of data should also be considered during the planning of research.

(15) As required in the [National Statement on Ethical Conduct in Human Research](#), University Researchers must develop a data management plan when they propose to collect data through human research and intend to:

- a. share the data or information with other researchers; or
- b. establish or add the data to an existing databank.

## **Storage**

### **Research data**

(16) Research data that is subject to an approved ethical protocol must be stored in accordance with the approval.

(17) The University's research data storage system/s are listed on the [Research Data Management page](#), and University Researchers are required to use the system/s provided unless there are specific barriers to use such as insufficient storage capacity.

(18) Research data underpinning a publication that is stored outside of the University's provided research data storage system/s must be submitted to the University's repository ([NOVA Research Online](#)).

### **Primary materials**

(19) During the active phase of the research, the School/Centre is required to provide safe and secure storage for primary materials that are temperature sensitive in accordance with the University's [Temperature Controlled Environments Policy](#).

(20) While it may not be practical to retain all primary materials, durable records derived from primary materials (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 undertaken:

- 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. University Researchers must contact Records Governance Services to arrange this transfer; and
- b. other objects/records (materials which are neither hard copy nor electronic, such as rock or physical specimens) must be retained in appropriate secure storage in the School/Centre.

## **Access**

(22) Research data and primary materials should be made available for re-use by other researchers unless precluded by privacy, safety and/or confidentiality requirements. Preclusions include formal confidentiality agreements, where research is focused on developing protectable intellectual property, or existing agreements or protocols approved by a properly constituted human or animal ethics committee. Researchers interested in re-using research data or primary materials should consult the owner of the data or materials, or the owner's supervisor or Head of School should the owner not be available.

(23) Access or re-use of data or information used in or generated by research involving Aboriginal and Torres Strait Islander peoples and communities will be subject to consultation with those peoples and communities prior to access or re-use.

## **Confidentiality and security**

(24) University Researchers who have been given access to confidential information must maintain that confidentiality. Sensitive records or data must be appropriately protected from unauthorised access in accordance with the [Data Classification and Handling Policy and Standard](#) and [Privacy Management Plan](#).

(25) Research data must be secured in accordance with the [Information Security Policy](#).

## **Retention**

(26) 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.

(27) University Researchers must determine which research data and primary materials should be retained based on conventions in the relevant discipline or by legislative requirements, and in accordance with the provisions of this Procedure.

(28) 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.

(29) Research data and records that need to be retained permanently as State Records at the conclusion of the research must be transferred to the [UON Archives](#), a regional repository of State Records New South Wales. Records Governance Services should be contacted to arrange the transfer.

(30) 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.

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

(32) Research data and primary materials should be retained for sufficient time to allow them to be referenced 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.

## **Disposal**

(33) Research data and primary materials must be disposed of in accordance with the relevant legislated minimum retention period. This approval is sought via completion of the [Request to Destroy form](#). University Researchers are required to seek endorsement from the 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.

(34) Disposal of research data or records and/or primary materials from any central storage repository must not occur without the consent of the relevant University Researcher/s and School/Centre.

(35) Permission to dispose of copies and duplicates of research data and primary materials 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 6 - Roles and Responsibilities

## University Researchers

(36) University Researchers are required to:

- a. create and maintain full and accurate records of the research methods and data sources used;
- b. provide the same level of care and protection to raw research data and primary materials as to analysed research data;
- c. where applicable, manage research data and primary materials according to protocols approved by an 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.

## Chief Investigators

(37) Chief Investigators are required to ensure that research data and primary materials acquired during research are managed in accordance with the provisions of this Procedure. Where more than one Chief Investigator is involved in research, agreement should be reached on which Chief Investigator will be responsible prior to the initiation of the research.

## Status and Details

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<b>Enquiries Contact</b>	Research Ethics and Integrity Unit

## 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.

**"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.

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

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