

 BRANDON UNIVERSITY <small>Founded 1899</small>	Policy on Academic Integrity and the Responsible Conduct of Research, Scholarship and Creative Work	<i>First Approved:</i> <i>June 15, 1995</i>
		<i>Updated:</i> <i>June 23, 2012</i>
Board of Governors Policy	<i>Approved by</i> <i>Board of Governors</i> <i>Administered by</i> <i>Senate</i>	<i>Reviewed:</i> <i>June 23, 2012</i>

1. Scope

This policy applies to all research, scholarship and creative work conducted under the auspices or jurisdiction of Brandon University and addresses allegations of policy breaches by researchers. See also the Academic Dishonesty and Misconduct Policy for student-related matters.

2. Definitions Section

Allegation: information in any format relating to possible misconduct in scholarly activity.

Agency: One of the three federal granting agencies (i.e., Canadian Institute for Health Research (CIHR), Natural Sciences and Engineering Research Council (NSERC) and Social Sciences and Humanities Research Council (SSHRC)).

Complainant: a person or group of persons who allege(s) misconduct by another or by others.

Complaint: a written allegation pertaining to the breach of this policy.

Conflict of Interest: A conflict of interest may arise when activities or situations place an individual in a real, potential or perceived conflict between the duties or responsibilities related to research, and personal, institutional or other interests. These interests include, but are not limited to, business, commercial or financial interests pertaining to the individual, their family members, friends, or their former, current or prospective professional associates.

Faculty/School/Unit: any unit in which scholarly activity takes place, whether a teaching unit or not.

Inquiry: the informal process of gathering information for the sole purpose of determining whether or not a complaint warrants investigation.

Investigation: the more formal procedure followed once an inquiry has concluded that a complaint has sufficient foundation to warrant examination and evaluation of relevant facts to determine whether or not a complaint is substantiated.

Respondent: a person or group of persons who respond(s) to a complaint of misconduct.

Vice-President (Academic and Provost) refers to the Vice-President (Academic and Provost) of Brandon University or her/his designate.

3. Researchers' Responsibilities

At a minimum, researchers are responsible for the following:

- a. Using a high level of rigour in proposing and performing research; in recording, analyzing, and interpreting data; and in reporting and publishing data and findings.
- b. Keeping complete and accurate records of data, methodologies and findings, including graphs and images, in accordance with the applicable funding agreement, institutional policies and/or laws, regulations, and professional or disciplinary standards in a manner that will allow verification or replication of the work by others.
- c. Referencing and, where applicable, obtaining permission for the use of all published and unpublished work, including data, source material, methodologies, findings, graphs and images.
- d. Including as authors, with their consent, all those and only those who have materially or conceptually contributed to, and share responsibility for, the contents of the publication or document, in a manner consistent with their respective contributions, and authorship policies of relevant publications.
- e. Acknowledging, in addition to authors, all contributors and contributions to research, including writers, funders and sponsors.
- f. Appropriately managing any real, potential or perceived conflict of interest, in accordance with the university's policy on conflict of interest.
- g. Complying with all applicable Agency requirements and legislation for the conduct of research, including, but not limited to:
 - a. Second Edition of the Tri-Council Policy Statement: Ethical Conduct of Research involving Humans;
 - b. Canadian Council on Animal Care Policies and Guidelines;
 - c. Agency policies related to the Canadian Environmental Assessment Act;
 - d. Licenses for research in the field;
 - e. Laboratory Biosafety Guidelines;
 - f. Controlled Goods Program;
 - g. Canadian Nuclear Safety Commission Regulations; and
 - h. Canada's Food and Drugs Act.

4. Breaches of Research Integrity

Breaches of Research Integrity include but are not limited to the following:

- a. *Fabrication*: Making up data, source material, methodologies or findings, including graphs and images.
- b. *Falsification*: The intentional manipulating, changing, or omission of data, source material, methodologies or findings, including graphs and images, without acknowledgement and which results in inaccurate findings or conclusions.
- c. *Destruction of research records*: The destruction of one's own or another's research data or records to specifically avoid the detection of wrongdoing or in contravention of the applicable

funding agreement, institutional policy and/or laws, regulations and professional or disciplinary standards.

- d. *Plagiarism*: Presenting and using another's published or unpublished work, including theories, concepts, data, source material, methodologies or findings, including graphs and images, as one's own, without appropriate referencing and, if required, without permission.
- e. *Redundant publications*: The re-publication of one's own previously published work or part thereof, or data, in the same or another language, without adequate acknowledgment of the source, or justification.
- f. *Invalid authorship*: Inaccurate attribution of authorship, including attribution of authorship to persons other than those who have contributed sufficiently to take responsibility for the intellectual content, or agreeing to be listed as author to a publication for which one made little or no material contribution.
- g. *Inadequate acknowledgement*: Failure to appropriately recognize contributions of others in a manner consistent with their respective contributions and authorship policies of relevant publications.
- h. *Mismanagement of Conflict of Interest*: Failure to appropriately manage any real, potential or perceived conflict of interest, in accordance with the Brandon University's policy on conflict of interest in research, preventing one or more of the following objectives from being met:
 - a. ensure that the funding decisions made by the Agencies are based on accurate and reliable information;
 - b. ensure public funds for research are used responsibly and in accordance with funding agreements;
 - c. promote and protect the quality, accuracy, and reliability of research funded by the Agencies; and
 - d. promote fairness in the conduct of research and in the process for addressing allegations of policy breaches.
- i. *Misrepresentation in an Application or Related Document*: Applying for and/or holding an award when deemed ineligible by the Tri-Council or any other research funding organization for reasons of breach of responsible conduct policies; and/or listing individuals on an application without their agreement.

5. Receiving Allegations

- a. All confidential enquiries, allegations of breaches of policies, and information related to allegations shall be directed to the Vice-President (Academic and Provost).
- b. Anonymous allegations of breaches of this policy shall be reviewed by the Vice-President (Academic and Provost), but shall not, in and of themselves, constitute the basis of a formal investigation.
- c. Brandon University shall protect, to the extent possible, the individual making an allegation in good faith or providing information related to an allegation from reprisals in a manner consistent with all relevant legislation and Brandon University policy.
- d. Brandon University may independently, or at the Agency's request in exceptional circumstances, take immediate action to protect the administration of Agency funds. Immediate actions could include freezing grant accounts, requiring a second authorized signature from an institutional representative on all expenses charged to the researcher's grant accounts, or other measures, as appropriate.

6. Confidentiality

In the administration of this policy all parties shall protect the privacy of the complainant(s) and respondent(s) as far as is reasonably possible while allowing for the full and fair investigation of any given complaint.

7. Investigating Allegations

- a. The Vice-President (Academic and Provost) shall be responsible for an initial inquiry process to establish whether an allegation is reasonable and if an investigation is required. The initial inquiry shall normally be completed within 10 working days of receiving a complaint. If the initial inquiry process supports the complaint, the Vice-President (Academic and Provost) shall initiate a formal investigation of the complaint. The Vice- President shall, in writing, notify the complaint(s) and/or the respondent(s) of her/his decision. Should the Vice-President (Academic and Provost) determine that the complaint shall not proceed to formal investigation; the complainant shall have the right to appeal the decision to the President. The decision of the President is final. If the Vice- President (Academic and Provost) is named as respondent, the responsibilities of the Vice-President (Academic and Provost) are assumed by the President. If the President is named as respondent, the responsibilities of the Vice-President (Academic and Provost) are assumed by the Chair of the Board of Governors.
- b. Where a formal investigation is initiated, an investigation committee shall be appointed. This Committee shall have the authority to decide whether a breach has occurred. The investigation committee shall include members who have the necessary expertise and who are without conflict of interest, whether real or apparent. The committee shall be comprised of one tenured member appointed by the Senate Research Committee; one tenured member appointed by the President and one external member who has no current affiliation with the University, mutually agreed upon by the two internal members. The external member shall Chair the Committee and shall normally hold the rank of full professor or equivalent at an AUCC member Canadian university.
- c. If the two Brandon University members of the Committee cannot agree upon a chairperson within 10 working days, he/she shall be chosen by the Executive Committee of Senate.
- d. The investigation committee shall determine its own procedures, taking into account this policy. The investigation process shall be sufficient for determining the validity of an allegation and for making recommendations as appropriate. It shall provide the complainant and respondent with an opportunity to be heard as part of an investigation.
- e. The University shall provide administrative support to the work of the Committee. However, no transcription services will be provided.
- f. The Committee shall normally begin its work within ten (10) working days of the Chairperson accepting appointment.
- g. The Committee shall normally complete its investigation within twenty-one (21) working days from the appointment of the Chair.
- h. The Committee shall normally make a decision on the complaint within five (5) working days of the completion of the investigation.
- i. The Committee shall normally forward its report, including its decision and recommendations to the parties involved within ten (10) working days of the decision. The report shall be provided

to the Vice-President (Academic and Provost) who shall provide a copy of the report to the complaint(s), the respondent(s), and the relevant Dean. The report shall normally include the following:

- a. the specific allegation(s), a summary of the finding(s) and reasons for the finding(s);
 - b. the process and time lines followed for the inquiry and/or investigation; and c. the researcher's response to the allegation and or investigation.
- j. The respondent(s) have a right to appeal the decision of the Committee if a breach of policy is confirmed. Notice of appeal must be filed with the Vice-President (Academic and Provost) within twenty-one (21) working days of notification of the decision of the committee. The Appeal committee shall be comprised of one (1) academic dean elected by and from the Dean's Council, one (1) academic member elected by and from the Senate Research Committee and one external member who has no current affiliation with the University, mutually agreed upon by the two internal members. The external member shall Chair the Committee and shall normally hold the rank of full professors or equivalent at an AUCC member Canadian university. If the two Brandon University members of the Committee cannot agree upon a Chairperson within 10 working days, he/she shall be chosen by the Executive Committee of Senate. The appeals committee shall determine its own procedures, taking into account this policy and other relevant Brandon University policies. The Appeals Committee shall normally hear the appeal within 15 working days of the appointment of the Chair. In the case where the President is the respondent and is appealing the committee's decision, an out of province university will be asked to create a committee to hear the appeal. The decision of the Appeal Committee is final, but does not restrict access to remedies that may be sought in accordance with grievance and arbitration processes.

8. Reporting Requirements

- a. Subject to any applicable laws, including privacy laws, Brandon University shall advise the relevant Agency or Secretariat on Responsible Conduct of Research (SRCR) immediately of any allegations related to activities funded by the Agency that may involve significant financial, health and safety, or other risks.
- b. Brandon University shall write a letter to the SRCR confirming whether or not it is proceeding with an investigation where the SRCR was copied on the allegation or advised as per Section C below. If a breach is confirmed at the inquiry stage, reporting requirements outlined in Section C apply.
- c. Brandon University shall prepare a report for the SRCR on each investigation it conducts in response to an allegation of policy breaches related to a funding application submitted to an Agency or to an activity funded by an Agency. Subject to any applicable laws, including privacy laws, each report shall include the following information:
 - o the specific allegation(s), a summary of the finding(s) and reasons for the finding(s);
 - o the process and time lines followed for the inquiry and/or investigation;
 - o the researcher's response to the allegation, investigation and findings, and any measures the researcher has taken to rectify the breach; and
 - o the institutional investigation committee's decisions and recommendations and actions taken by the University.

Brandon University's report shall not include:

- o information that is not related specifically to Agency funding and policies; or
 - o personal information about the researcher, or any other person, that is not material to the Institution's findings and its report to the SRCR.
- d. Inquiry letters and investigation reports should be submitted to the SRCR within two and seven months, respectively, of receipt of the allegation by the Institution. These timelines may be extended in consultation with the SRCR if circumstances warrant, and with monthly updates provided to the Agency until the investigation is complete.
- e. Brandon University and the researcher(s) may not enter into confidentiality agreements or other agreements related to an inquiry or investigation that prevents the University from reporting to the Agencies through the SRCR.
- f. In cases where the source of funding is unclear, the SRCR reserves the right to request information and reports from the University.

9. Recourse

Researchers who are found to be in violation of this policy are subject to discipline. Such discipline shall take into account the severity of the breach and shall be in accordance with the Collective Agreement.

10. Accountability

- a. Where a breach of policy is identified it is the responsibility of the Vice-President (Academic and Provost), the Dean/Director and the researcher to cooperatively inform all affected parties, in a timely manner, of the decision reached by the investigation committee and of any recourse to be taken by the University. All such actions shall take into account applicable privacy laws and regulations.
- b. Where allegations are determined to be unfounded the Dean, the Vice-President (Academic & Provost) and the President shall take, in consultation with the respondent, shall make every reasonable effort to protect or restore the reputation of those wrongly subjected to an allegation.

11. Promoting Awareness and Education

Brandon University is responsible for:

- a. Promoting awareness of what constitutes the responsible conduct of research, including Agency requirements as set out in Brandon University's policies, the consequences of failing to meet them, as well as the process for addressing allegations, to all those engaged in research activities at the University.
- b. Communicating this policy on the responsible conduct of research within the University and making public statistical annual reports on confirmed findings of breaches of that policy and actions taken, subject to applicable laws, including the privacy laws.

- c. Communicating within the University, the role of the Vice-President (Academic and Provost) as central point of contact responsible for receiving confidential enquiries, allegations and information related to allegations of breaches of Agency policies.

Related Policies:

Conflict of Interest in Research Policy

Board of Governors' By-Law No. 10

Brandon University Policy on Research Involving Humans

Superseding Policy:

This policy supersedes and replaces in total the POLICY ON ACADEMIC INTEGRITY IN RESEARCH, SCHOLARSHIP AND CREATIVE ACTIVITY of 1995.

Approved by Senate on June 19, 2012

Revised and approved by the Board of Governors, June 23, 2012