



# A02.10.04 Integrity in Research & Scholarship

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## Policy Statement

Douglas College will actively support and promote the maintenance of the highest ethical standards in research and scholarship. The College will undertake activities to promote an understanding of the issues involved in integrity in research as a means to prevent misconduct. It will establish and support processes to ensure ethical treatment of research subjects through the creation and administration of the College Research Ethics Board and will investigate and take action if required on allegations of misconduct.

Douglas College expects all those involved in the research enterprise (e.g. researchers, students, technical assistants, visiting professors, etc.) to adhere to the principles articulated in this policy.

## **Principles:**

The College holds researchers and scholars responsible for conducting their research in strict adherence to ethics standards, including upholding the following principles:

1. Recognizing the substantive contributions of all collaborators; using unpublished work of other researchers and scholars only with permission and with due acknowledgement; and using archival material in accordance with the rules of the archival source;
2. Obtaining written permission of the author before using new information, concepts or data originally obtained through access to confidential manuscripts or applications for funds for research or training that may have been seen as a result of processes such as peer review;
3. Using scholarly and scientific rigour and integrity in obtaining, recording and analyzing data, and in reporting and publishing results; and in storing, protecting and providing access to data, not fabricating or falsifying data or results, protecting the integrity and confidentiality of the data, allowing all collaborators in the research free access to the data and ensuring the original records remain available for 5 years or for as long as there is a reasonable

probability of questions from other investigators, colleagues or other persons that require access to or re-analysis of the original data;

4. Ensuring that authorship of published work includes all persons and only those who have materially contributed to, and share responsibility for, the contents of the publication, either in the conception, design or execution of the experimental work, interpretation of the data or drafting of the publication;
5. Seeking and obtaining approval of the College Research Ethics Board before engaging in any research involving human subjects and then complying fully with the approved research protocols in the performance of the research;
6. Complying with Canadian Council on Animal Care policies and guidelines if undertaking research that involves animals; researchers will indicate to the VPE Office that their research complies with these policies and guidelines prior to commencing the research;
7. Complying with the Health Canada Laboratory Biosafety Guidelines when engaging in any research involving biohazards or ionizing radiation; researchers will indicate to the VPE Office that their research complies with these guidelines prior to commencing the research;
8. Complying with external grant regulations as they relate to the operational and financial terms of the research grants and /or contracts awarded to the researcher;
9. Complying with the College policy on Conflict of Interest ;
10. Revealing in writing to the College any material conflict of interest, financial or other, in a company that undertakes with the College to do research involving the company's products. Material financial interest includes ownership, substantial stock holding, directorship, significant honoraria or consulting fees but does not include minor stockholding in a large publically-traded company;
11. Revealing in writing to sponsors, universities, journals or funding agencies, any material interest that might influence their decisions on whether the individual should be asked to review manuscripts or applications, test products or be permitted to undertake work sponsored from outside sources.

## **Purpose**

Higher education, including research and scholarship, are instrumental in the pursuit, advancement and transfer of knowledge that contributes to the common good of the nation. Standards, based on law and ethical principles related to research and scholarship that are nationally and internationally accepted, form the basis for institutional practice and expectations.

The primary responsibility for high standards of conduct in research rests with the individuals carrying out these activities. Douglas College ("the College") is responsible for promoting integrity in research and scholarship, investigating allegations of misconduct and taking further action if required.

This policy complies with the Canadian Institutes of Health Research, Natural Sciences and Engineering Research Council of Canada, Social Sciences and Humanities Research Council of Canada, *Tri Council Policy Statement on Integrity in Research and Scholarship*.

## **Related Policies and Guidelines**

[A02.10.06 Academic Freedom](#)

[A02.10.03 Commercialization of Intellectual Property](#)

[A02.01.01 Conflict of Interest](#)

[A08.01.01 College Use of Copyrighted Works](#)

[A02.10.05 Ethical Conduct for Research Involving Humans](#)

[A16.01.04 Records Management and Retention Policy](#)

[A02.10.02 Research and Scholarly Activity](#)

[College Animal Care Committee Terms of Reference](#)

## Definitions

### **Research:**

Original careful, critical, disciplined inquiry directed toward the clarification and/or resolution of problems to establish facts, principles or generalizable knowledge.

### **Researcher:**

Any person associated with the College who undertakes to conduct research. This includes employees and students as well as persons from the community who are associated with a College-generated research project. The Principal Investigator is the person who has the primary responsibility for a research project.

### **Human Research Subjects:**

Living individuals or groups of individuals about whom a researcher obtains: 1) data through interaction or intervention with the individual or group, or 2) identifiable private information:

### **Participants:**

Any person who consents to be a subject in a research project or activity.

### **College Resources:**

Any materials, equipment, facilities, sites, services or personnel that the College owns, rents or employs.

### **Misconduct in Research:**

This includes, but is not limited to, any deviation from the ethical principles listed in this policy.

### **The Complainant:**

The person making the allegation of misconduct in research; the complainant may or may not be directly affected by the alleged misconduct and may be a College administrator.

### **The Respondent:**

The person accused by the complainant of misconduct in research.

## Procedures/Rules Statements

### **A. Promoting Integrity in Research and Scholarship**

#### **1. Developing an Understanding of Research Integrity**

- a) The College will establish mechanisms to promote an understanding of integrity, responsibility and accountability in research and scholarship for the education of researchers, scholars, trainees and staff;
- b) The College will establish mechanisms to educate all who are involved in the collection, recording, citing, reporting and retention of scientific or scholarly material about their expectations for the highest standards of integrity; and
- c) Mechanisms for meeting this will include encouraging awareness of the issues involved by providing information packages, web links to relevant resources and establishing information sessions on the principles and practices of scientific integrity for Research Ethics Board members, scientists, scholars, students and research staff.

### **B. Data Recording, Retention and Ownership**

1. Scientific and scholarly inquiry is dependent upon the integrity of accurately recorded data. In order to ensure this dependency, a researcher must retain his/her original results in order to respond to questions regarding their research. Errors can be mistaken for misconduct if the primary experimental results are not fully accounted for or are unavailable.
2. Primary data should normally be stored in a secure area of the researcher's school/department and should remain available and preserved for a minimum of 5 years following the publication. The primary research data should be recorded in print form and backed up on secured or protected electronic media such as compact disk. An index with appropriate pagination should be available to ensure easy access to critical areas of the research data. Under no circumstances should any primary data be destroyed or altered while the research is being evaluated or investigated by colleagues, readers, investigators except where there is a legitimate requirement for confidentiality.
3. Issues concerning intellectual property rights, ownership and/or ownership and/or location of materials and products including reproduction and publication of primary data, storage of primary data, research materials, software, and any other relevant circumstances related to conducting the research will be dependent upon the type of research conducted. Prior to any research being conducted researchers should consult the College Intellectual Property Policy and reach a common understanding of ownership among collaborators, supervisors, students and the College.

### **C. Authorship and Publication**

1. In order to ensure the publication of accurate scholarly reports, two requirements must be met:
  - a) the active participation of each author in verifying and taking responsibility of the part of the manuscript that they have contributed; and
  - b) The designation of one author who is responsible for the validity of the entire manuscript.
2. The principal criterion for authorship should be that the author(s) has/have made a significant intellectual and practical contribution. The concept of "honorary authorship" is unacceptable.
3. Students will be given the appropriate recognition for authorship or collection of data in any publication.

### **D. Investigating Allegations of Misconduct in Research and Scholarship**

In the case of researchers who are members of the Douglas College Faculty Association (DCFA) bargaining unit, the following procedures and guidelines will respect the relevant provisions of the DCFA Collective Agreement (2007-2010) (Articles 4 (Grievance and Arbitration), 9 (Protection of Employees), 11 (Discipline, Suspension and Discharge), LOU #5 (Guidelines for Handling Student Concerns and Complaints), LOU #8 (Obtaining Copyright Clearance)) and the Post-Secondary Employees Association/Federation of Post-Secondary Educators Common Agreement (2007-2010) Articles 2.5.

Allegations may arise from anonymous or identified sources within or outside the College; the allegations may be well founded, honestly erroneous or mischievous. Whatever their source, motivation or accuracy, such allegations have the potential to cause great harm to the persons accused, to the accuser, to the institution, and to research and scholarship in general. The College will investigate in the manner described below.

#### **1. Informal Inquiry into Potential Misconduct**

- a) Instances of alleged misconduct in research may be resolved through informal consultation at the Faculty/Department level. The allegation should be made within 4 months of the alleged misconduct. The allegation may be brought directly by the complainant to the respondent or to the Chair, Coordinator or Dean. If it is acknowledged that there is a power imbalance between the complainant and

respondent (e.g. student and instructor), informal consultation and resolution may not be possible. Informal proceedings will take place only on the mutual agreement of the complainant and respondent; and

- b) If informal resolution is achieved, the College will maintain no written record of the names of the participants or the precise particulars of issues involved. If the matter is not resolved and the complainant wishes to proceed, a formal investigation is required.

## **2. Formal Investigation of Complaints**

### **a) Confidentiality**

- i. Any and all information and records relating to an action under this policy will be handled by the College in full compliance with the British Columbia Freedom of Information and Protection of Privacy Act;
- ii. All documentation, discussion, Hearing proceedings and evidence relating to a formal complaint will be treated by all the affected parties as confidential; and
- iii. Violation of this confidentiality will be reported to the Vice President Education (VPE) who will investigate and take disciplinary action, if required.

### **b) Conflict of Interest**

If the VPE is in a conflict of interest in relation to the allegations, the matter will be investigated by the Vice President, Education Services, who will assume the role of the VPE under this policy.

### **c) Protection of Complainant(s)**

In all proceedings and subsequent to a final decision, the College will undertake to ensure that those making an allegation in good faith and without demonstrably malicious intent are protected from reprisals or harassment. False allegations made purposely will lead to discipline by the College for the individual making the allegation.

### **d) Receipt of Formal Complaint**

- i. A formal written, dated and signed complaint alleging misconduct in research is made by the complainant to the Office of the Vice President-Education. Such written complaints will be submitted within 4 months of the alleged misconduct occurring and within one month of the conclusion of any attempt at informal resolution;

- ii. In the event that a formal, written and signed complaint is submitted to a Dean or other administrator, this complaint will be forwarded immediately to the attention of the VPE;
- iii. The VPE will review the complaint for completeness and if improperly documented, will contact the complainant within 5 working days of receipt of the complaint and inform him or her of the deficiency in the form of the allegation;
- iv. The VPE will initiate the investigation process only once a complete and properly documented complaint is received; and
- v. **Anonymous allegations** will not normally be considered; however, if compelling evidence of misconduct is received by the VPE and/or there is a requirement under law to investigate or there is a requirement by the funding Council to investigate, he or she may initiate the investigation process described below, on the basis of the evidence. In the case of unionized employees, all such investigations will be carried out in accordance with collective agreement provisions.

e) **Notification of Respondent and Complainant**

- i. Within 5 working days of receipt of the complaint, the VPE will notify the respondent in writing with a copy of the complaint and policy. He/she may authorize a designate to conduct the investigation;
- ii. The VPE (or designate) will request an informal meeting with the respondent to determine if a formal investigation should proceed. This notice of meeting will include the reason for the meeting and indicate the respondent may bring a representative of his/her bargaining unit, if applicable. Any statements made at this meeting will be without prejudice;
- iii. The VPE (or designate) will decide whether or not a formal investigation is warranted and will inform the respondent, their union, if appropriate and the complainant in writing within 15 working days of the receipt of the formal complaint;
- iv. If the VPE (or designate) decides a formal investigation is not warranted, the allegation shall be dismissed and the respondent, applicable union and complainant so notified in writing within 15 working days of the receipt of the formal complaint; and
- v. If the VPE (or designate) decides a formal investigation is warranted, he/she shall inform the respondent, their applicable union in writing within 15 working



days of the receipt of the formal complaint and will request a written response to the formal complaint.

f) **Withholding Research Funds**

To protect College and Agency funding and reputation, if deemed necessary, the VPE may withhold research funds until matters of misconduct are resolved.

g) **Appeal of Decision to Investigate/Dismiss Complaint**

If an affected individual believes that the VPE's (or designate) decision was reached improperly or disagrees with that decision, an appeal or grievance as appropriate may be filed, according to the terms of the appeal or grievance mechanism available to that individual. If no such mechanism applies, an appeal may be filed with the President. The President's decision is final.

h) **Investigative Panel**

- i. The VPE (or designate) will establish a panel of three independent persons with relevant experience in the area of research involving the particular case to investigate the allegations promptly, fairly, judiciously and confidentially. Such members will have a broad experience in research and/or ethics and/or conflict resolution. No members of the department involved may be appointed to the Committee;
- ii. The Panel has accountability to the College to carry out application of this policy;
- iii. Panel process will be guided by the principles of natural justice and procedural fairness;
- iv. The panel will have access to legal counsel in arriving at its decision;
- v. The Panel has the authority to decide on misconduct and their decision is binding on the College;
- vi. All proceedings will be fully documented; and
- vii. All records of proceedings will be maintained in a secure confidential file in the Office of the Vice President - Education for 5 years beyond the conclusion of the Investigation.

i) **Investigation**

Within 10 working days of the formation of the Investigative Panel, it will meet in a Hearing with the complainant and respondent and discuss the nature of the complaint and circumstances surrounding it. Additional interviews with the complainant and respondent and other individuals may subsequently be held

j) **Outcome of Investigation**

- i. Within 15 working days of the Hearing, the Investigative Panel will reach a decision on whether misconduct occurred. Appropriate criterion for an affirmative decision is clear and convincing evidence supporting the allegation;
- ii. The Investigative Panel will submit a full written report of its findings and decision with rationale, to the VPE (or designate) within usually 30 days. The report will include:
  - Names of the complaint and respondent;
  - A summary of the allegations and a copy of the signed allegation;
  - Documentation of dates of the investigative process;
  - Composition of the Investigative Panel with rationale for selection of members;
  - Investigative methods used;
  - Individuals interviewed;
  - Documents reviewed;
  - Legal advice, if sought; and
  - Additional information such the respondent's written response to the complaint, verbal information from the respondent, complainant and relevant others gathered from interviews and/or revealed at the Hearing.
  - The Findings for each of the allegations, along with supporting rationale.

- iii. Within 5 working days of receipt of the report of the Investigative Panel, the Vice President Education (or designate) will decide on actions to be taken which may include, but are not limited to:
- Sanctions against the respondent found to have engaged in misconduct;
  - Actions to protect or restore the reputation of the respondent, if wrongfully accused;
  - Actions to protect a complainant found to have made a responsible accusation; and
  - Sanctions against a complainant found to have made an irresponsible or malicious allegation.
  - Sanctions will be based on the severity of the offense; and
  - In the event of sanctions being imposed, this will be documented in the employee's personnel file. In the case of unionized employees, retention of this record will be in compliance with the relevant articles of the employee's Collective Agreement.

**k) Notification of Respondent and Complainant**

If sanctions are to be imposed against the respondent, the VPE (or designate) will meet with the respondent to discuss the case, and the proposed sanctions prior to making a final decision. A copy of the Investigative Panel Report and documentation of the VPE's follow up actions will be sent to the complainant and respondent. In the case of a VPE designate conducting the investigation, the Final Report will go to the VPE.

**l) Notification of President and Funding Agency (if applicable) and Others**

- i. The VPE will send a copy of the Investigative Panel Report and documentation of the VPE's follow up actions to the President;
- ii. If the research involves projects that are funded in whole or in part by one of the national granting Councils or another funding agency or if the agency was the complainant and misconduct was found to have occurred, a copy of the Final Report will be transmitted to that Council or other funding agency by the VPE within 30 working days of conclusion of the investigation process;
- iii. If an allegation is dismissed or otherwise determined to be unfounded and the Council or other funding agency requested the investigation or is known to be aware or is likely to be aware of the allegation, the VPE will provide a copy of the final Report to the Council or other funding agency within 30 working days of conclusion of the investigation process; and

iv. If the VPE determines it to be in the best interests of the College, a report on the investigation of misconduct and its outcome will be disseminated to persons with a legitimate interest in knowing about them, such as the research subjects themselves or co-investigators. The report would normally contain no information that would identify the parties, unless this action is fully consistent with the final outcome of the case as described in the Final Report.

m) **Appeal of the Decision**

If an affected individual believes that the Investigative Panel's and/or the VPE's (or designate) decision was reached improperly or disagrees with that decision, an appeal or grievance as appropriate may be filed, according to the terms of the appeal or grievance mechanism available to that individual. If no such mechanism applies, an appeal may be filed with the President. The President's decision is final. The appeal must be initiated within 30 days of the complainant or respondent receiving notification of the outcome of the investigative process.

n) **Retention of Records**

All records of the Investigation will be retained in a secure, confidential file in the Office of the Vice President in compliance with the College policy on Records Retention and for at least 5 years subsequent to completion of the Investigation.