



Senate Advisory Research Committee
Report to Senate – Meeting of January 29, 2009
Proposed Revisions to Queen’s Code of Research Ethics Policy (1987)

Introduction

The Senate Advisory Research Committee (SARC) was asked to review the Queen’s Code of Research Ethics policy (1987). SARC established a sub-committee, the Research Integrity Committee, for this purpose. The committee’s mandate was to review and revise the Queen’s Code of Research Ethics to ensure policy and procedures relating to research integrity at Queen’s are compliant with the Tri-Council Memorandum of Understanding, consistent with related policies and agreements at Queen’s (such as the QUFA collective agreement), encompass all those involved with research conducted under the auspices of Queen’s University, and provide adequate procedures for managing allegations of misconduct in scientific or scholarly activities.

Review of the Issues

The Queen’s community was notified through the *Gazette* in late 2006 of the sub-committee’s intent to review and revise the Queen’s Code of Research Ethics and feedback was invited. A similar notice regarding the revision of the policy was noted on the Research Services website throughout the review period. The sub-committee met in December 2006 and again in January 2007 to (a) review and discuss the Code of Research Ethics (b) identify the policies, documents and processes relevant to the revision and (c) determine the approach for revising the document.

Documents reviewed included the *Queen’s University Faculty Association (QUFA) Collective Agreement*, policies and procedures at Queen’s related to research and academic integrity, the *Tri-Council Memorandum of Understanding*, the *Tri-Council Policy Statement: Integrity in Research and Scholarship*, *Framework for Tri-Council Review of Institutional Policies Dealing with Integrity in Research* and policies addressing research integrity issues from other Canadian universities. The *Senate Academic Integrity Statement* and the *Senate Policy on Academic Integrity Procedures –Requirements of Faculties & Schools* were also reviewed. Dr. James Lee, the Academic Integrity Advisor to the Vice-Principal (Academic) provided significant contributions to the final drafts of the policy, promoting consistency where possible between the academic integrity policies and the Research Integrity Policy. Additionally, numerous consultations were held with various individuals involved with integrity or related university processes within the University, as well as with Legal Counsel for the University, Diane Kelly.

A draft of the policy suitable for distribution to the University community was finalized by the sub-committee and distributed to the community for comment in July 2008. Submissions were

It was recognized during the review process that the Queen's University *Guidelines Concerning Publication of Research Results* (Approved by Senate November 23, 1972) required review and revision to address issues related to research integrity but not appropriate for the Research Integrity Policy. The SARC is in the process of establishing a sub-committee to review this policy. It was also recognized by the sub-committee that the University might benefit from a policy that would provide more specific protections and procedures for individuals who in good faith bring forward issues such as scientific or scholarly misconduct the University.

Conclusions/Recommendations

The Senate Advisory Research Committee recommends that the Senate approve the proposed Senate Policy on Integrity in Research.

Respectfully submitted

R. (Kerry) Rowe, Chair, SARC

SUBCOMMITTEE MEMBERS

- S. Marlin, Associate Vice-Principal (Research), Chair
- J. Deakin, Dean Graduate Studies, Ex Officio
- J. Brien, Professor, Pharmacology and Toxicology, Director of Research, FHS (replaced S. Ludwin in 2007), Ex Officio
- J. Stevenson, Professor, School of Kinesiology and Health Studies, Chair – General Research Ethics Board, Arts and Science Representative
- C. MacDougall, Assistant Professor, Civil Engineering, Applied Science Representative
- L. Winn, Assistant Professor, Pharmacology and Toxicology, Faculty of Health Sciences Representative
- M. Heroux, (past) & Mark Rosner (present), VP (External) Society of Graduate and Professional Students, Graduate Student Representative
- C. Sumbler, AMS Academic Affairs Commissioner (past); Assistant, Academic Integrity and Special Projects (present), Undergraduate Student Representative
- V. Singh, President, Postdoctoral Fellows Association, Postdoctoral Fellows Representative

QUEEN'S UNIVERSITY
SENATE POLICY ON INTEGRITY IN RESEARCH

Draft Date: January 14, 2009
Approved by the Senate _____

[Supersedes "A Code of Research Ethics] approved by Senate in October 1987]

1. INTRODUCTION

Academic integrity is an expectation fundamental to the mission of the university, whether it be in teaching or in research. The Senate Academic Integrity Statement¹, adopted in 2006, recognizes the university's commitment to upholding integrity in all scholarly work. Queen's University Senate Policy on Integrity in Research is respectful of the five core fundamental

- e. Make results of work accessible to the scholarly community and general public through the submission for publication, conferences, lectures, public performance and/or other appropriate means.
- f. Indicate affiliation with Queen's or other institutions as appropriate and properly attribute contributions of others.
- g. Retain research records within their personal control for a minimum of 5 years from the date of publication or other form of presentation (if appropriate for the data format), or longer if mandated by a legal requirement or an applicable funding or oversight agency. An exception to this would be when for anonymity purposes destruction of data has been approved by a Research Ethics Board at Queen's University.

Original data are normally stored in the laboratory or department of the principal investigator. In the case of collaborative research all those involved in the conduct of the research (including supervisors and students) will have access to the data. Such access may be restricted only when a request to do so is made in writing to and approved by the Vice-Principal (Research).

4. MISCONDUCT IN RESEARCH OR SCHOLARLY ACTIVITY

Misconduct in research or scholarly activity may include, but is not limited to, one or more of the following:

- a. Fabrication³ or falsification⁴ of research data or source material
- b. Plagiarism⁵
- c. Failure to appropriately recognize contributions of others; using unpublished material of others without permission; use of archival materials in violations of the rules of the archival source
- d. Failure to obtain permission of the author before using information gained through access to manuscripts or grant applications during a peer- review process
- e. Attribution of authorship to persons other than those who have contributed sufficiently to take responsibility for intellectual content
- f. Submission for publication of articles published elsewhere excepted where clearly indicated to be a republication
- g. Failure to meet relevant legal requirements for protecting researchers, human subjects, the health and safety of the public, or the welfare of lab animals
- h. Failure to meet relevant legal requirements that relate to the conduct or reporting of research and scholarly activity amount to misconduct in research

³ Definition: Making up data, results or findings and recording or reporting them (based on U.S. Office of Research Integrity definition)

⁴ Definition: Manipulating research materials, equipment or processes or changing or omitting data, findings or results such that the research is not accurately represented in the research record (based on U.S.

If the Vice-Principal (Research) reasonably believes a situation may exist that would fall under the jurisdiction of the Policy the procedures outlined in the following sections will apply.

If the alleged misconduct involves collaborative research conducted at multiple institutions the following procedures may need to be modified to facilitate joint or parallel investigation processes.

- a. The Vice-Principal (Research) shall inform the individual submitting the allegation (hereinafter referred to as the `complainant`) that the allegation has been received

- iv. A member of the Queen`s community with legal expertise
- v. For respondents who are not faculty, a member with the same appointment status as the respondent (eg. staff member, post doctoral fellow, student)

Emeritus faculty are eligible to serve on the Committee. If additional expertise is required on the Investigative Committee the Chair may appoint up to two additional members from within or outside the University. These members, as all others, must have no conflicting interests with the complainant or member being investigated.

The respondent shall have the opportunity to review the membership of the Investigative Committee and to comment on any members who may have a conflict of interest.

- e. The Investigative Committee will review the allegation from the complainant, the response from the respondent and evidence or materials submitted. Subsequently the Committee shall identify additional records that need to be obtained in order to complete the investigation. The respondent will be given access to all materials received from the complainant and otherwise concerning the allegation. The Chair will ensure a record is made of all documentation collected and reviewed by the Committee.
- f. The Committee will invite the respondent and the complainant to appear separately before the Committee to be heard and to provide evidence. The respondent and the complainant may be accompanied by an advisor of their choosing. The name and position of an advisor should be provided to the Committee Chair at least 3 working days prior to any meeting. If the advisor is legal counsel, five days notice must be provided.
- g. The Committee may call witnesses to appear before it. The Committee will prepare a fairly detailed report of the testimony of the complainant and any witnesses which will be forwarded to the respondent. The respondent will have 10 days to respond to the information in the report either orally or in writing.
- h. The Investigative Committee will prepare a written report of their investigation and submit it to the Vice-Principal (Research) within 90 working days of receipt of the allegation. The report will list the documents reviewed, summarize content of interviews conducted, and include key considerations and a finding with regard to whether misconduct has occurred. The report of the Investigative Committee may

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Committee for consideration. A final report will be submitted to the Vice-Principal (Research) within 10 working days of receipt of the revisions.

- k. The finding of the Investigative Committee regarding misconduct is binding (unless successfully appealed according to the grounds noted in Section 8). The Vice-Principal (Research) will provide the respondent and the complainant with a copy of the final report within 10 working days of receipt of the final report.
- l. Sanctions associated with a finding of misconduct will be applied according to an applicable collective agreement if one exists for the respondent. If a collective agreement does not exist for a non-student respondent, disciplinary measures will be defined by the Vice-Principal (Research). In the case of staff, findings regarding disciplinary measures will be made in consultation with the Vice-Principal (Human Resources). In the case of students, sanctions will be determined by the Faculty Board responsible for the student.
- m. If any of the timelines defined above cannot be met the Vice-Principal (Research) must be informed and approve a revised timeline. In cases where significant delay is expected the respondent and the complainant will be informed.

7. APPEALS/GRIEVANCES

Acceptable grounds for an appeal or grievance with regard to a finding of misconduct and the disciplinary measures is unfairness in process or an unreasonable finding. If the respondent is a member of an association with a collective agreement the appeal/grievance procedures of the agreement should be followed. If the respondent is a student the

should be followed. If the respondent is not a member of an association with a collective agreement or a student, an appeal must be submitted to the Vice-Principal (Academic) normally within 15 working days of notification of the finding and sanctions.

8. REPORTING

- a. If there is a finding of misconduct, the report and letter indicating sanctions will be forwarded to the Principal and the Administrative Heads of the respondent's unit (e.g. Department Head and Dean).

If the research is funded by an outside agency or has been published or submitted for publication, the Vice-Principal (Research) will normally inform the agency or publisher concerned within 30 days of the inquiry/investigation. In the case of externally funded research, access to the research funding by the member will be suspended until further instruction from the funding agency is provided.

- b. If an allegation of misconduct was not supported the University shall protect the reputation and credibility of members wrongfully accused including written notification of findings to all agencies, publishers, or individuals who are known by the University to have been informed of the allegation or investigation.

