

QUEEN'S UNIVERSITY
SENATE POLICY ON INTEGRITY IN RESEARCH

Approved by the Senate January 29, 2009

Revised 2011.1 Tm [()] TJ ET EMC /P / 9892.2608S

2. JURISDICTION

The Policy applies to those participating in research or scholarly activities at or under the aegis of the University (including tenured, adjuncts, emeriti and emeritae professors, and visiting professors), administrators, postdoctoral fellows, staff and students (including undergraduate, graduate and professional students).

A student involved in an integrity issue relating to research and associated with a course in which they are enrolled shall be subject to the procedures followed by the Faculty or School offering the course. However, if a student is involved in an integrity issue relating to research funded by a Tri-Council agency, the Tri-Council will be informed according to Section 8 below.

Having a policy consistent with the latest Tri-Agency Framework is a requirement of all institutions in Canada that have signed the Memorandum of Understanding with the Tri-Agencies. The Policy has been written to be consistent with, and complementary to, existing University policies and agreements addressing related research ethics and integrity issues. It is meant to be used in conjunction with, not as a replacement for, existing University procedures or agreements. If there is a conflict between this Policy and provisions of a collective agreement the collective agreement will prevail.

If an allegation of misconduct involves research supported by the Public Health Service (PHS) of the United States Department of Health and Human Services, the PHS policies on research misconduct as outlined in the US Federal Code of Regulations (42 CFR Part 93) will be consulted.

- . Making 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.

Y Indicating

unpublished material of others without permission or archival materials in violation

under this Policy, the potential complainant may contact the Office of the Vice Principal (Research) to request a referral to an advisor who will provide confidential advice regarding the matter, prior to the individual deciding whether to submit a formal written complaint. The advisor will be appointed by the Vice Principal (Research) and will normally be the Dean or his/her delegate in the relevant) D F X O W \ Z K R Z L O O K D Y H V L J Q L I L F D Q i e s a n d p r o c e d u r e s D Q G L Q J R I

Complaints of misconduct must be brought forward in good faith, must be reported to the Vice Principal (Research) in writing, with evidence, and must be signed and dated by the individual bringing the allegations forward (hereinafter referred to as the complainant). Anonymous allegations will not be acted upon. The complainant must also declare in the written complaint that he/she has no conflict of interest in making the complaint or else, describe the nature of any such conflict of interest. Each complainant will be required to sign a confidentiality agreement which if breached may result in sanctions against the complainant.

Any administrator or other member of the Queen's community who receives a complaint of research misconduct must refer the Vice Principal (Research). A complaint of research misconduct made against the Vice Principal (Research) should be submitted to the Provost, who will be responsible in such circumstances for conducting the process set out in this Policy. Complaints of research misconduct received by the Vice Principal (Research) and related to undergraduate or graduate students will be reported to the appropriate Dean to determine if the alleged misconduct is related to course work and therefore should be addressed by different processes such as those under the jurisdiction of the Senate Policy on Academic Integrity Procedures and Requirements of Faculties and Schools.

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the University will undertake appropriate measures to support individuals who have made allegations in good faith as well as others involved in an inquiry as witnesses. The University has the responsibility for putting in place appropriate protections for all complainants and witnesses, and when determining appropriate protections in a given case must be especially mindful of the needs of those complainants and witnesses who may be vulnerable due to an imbalance of power, for example, when a junior researcher, student or staff member makes a complaint against a senior researcher.

In the situation where multiple complaints are submitted to the Vice Principal (Research), alleging the same or substantially similar kinds of research misconduct against the same individual, the Vice Principal (Research) retains the discretion to consolidate all such complaints into a single process and to move forward with the consolidated complaint in accordance with the procedures outlined in this Policy.

The University has the responsibility to protect the reputation and credibility of members of the University community who are wrongfully accused of research misconduct. The University will take action against those who submit a complaint based on unfounded allegations or misconduct that are malicious or not made in good faith. Furthermore, the University will not accept recurring complaints that were the subject of a completed investigation unless new and compelling evidence is brought forward that could not reasonably have been available at the time of the initial complaint.

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January 20, 2011 http://www.queensu.ca/secretariat/policies/senateandtrustees/Safe_Disclosure_Policy.pdf

The University will take action against a complainant(s) who continue to submit complaints when a determination under this Policy has been made that the conduct initially complained of did not constitute a breach of research integrity and the subsequent complaint(s) relate to the same or substantially the same kind of conduct.

6. INVESTIGATION OF COMPLAINTS

When it receives a complaint containing allegations of research misconduct, the University has the onus of determining if research misconduct has occurred and, b) requires objective evidence to do so. Complaints must be submitted in writing to the Vice Principal (Research) and must outline the specific facts and circumstances related to the alleged(s) of research misconduct. The Vice Principal (Research) will act on all complaints received in accordance with the procedures outlined in the Policy.

A. Initial Review and Assessment of Complaint:

The Vice Principal (Research) or his/her delegate will normally undertake the initial review and assessment of allegations.

The Vice Principal (Research) or his/her delegate will maintain appropriate confidentiality of the review and assessment process at all phases, but may communicate with administrators, witnesses and external agency representatives, as he/she determines is appropriate to the conduct of a full and fair review and assessment. As in Section 5 of this Policy, the University has the responsibility for putting in place appropriate protections for all complainants and witnesses.

In exceptional circumstances, or at the request of a funding agency, immediate action may be taken by the Vice Principal (Research) to protect the administration of research programs involving significant financial, health and safety, or other risks will be acted upon immediately and reported to the relevant agency.

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 of the Policy will apply. If the alleged misconduct involves collaborative research conducted at multiple institutions the following procedures may need to be modified to facilitate parallel investigation processes. There may be situations in which the timelines indicated below cannot be followed or may be in conflict with other agreements or policies that are related to the research. In such cases, the Vice Principal (Research) may exercise his/her judgment to extend timelines as required. The Vice Principal (Research) must also take into account reasonable requests for accommodation with respect to timelines from the complainant and respondent.

- a. The Vice Principal (Research) or his/her delegate shall, within 10 working days of receipt of a complaint, invite the complainant to meet or speak with him/her and such meeting/discussion shall occur within 10 working days of such an invitation. The complainant may be accompanied by a representative of their choosing. The purpose of the meeting/discussion is to inform the complainant of the initial review/assessment and investigative processes under the Policy and to consult with him/her about the allegations in the complaint. During the meeting/discussion and at any point during the initial review and

- iii. Two faculty members from Departments outside of the Department of the respondent (at least one of which is outside the Faculty of the respondent)
- 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 (e.g., staff member, postdoctoral fellow, student)
- vi.

Acceptable grounds for an appeal or grievance with regard to a finding of misconduct and the disciplinary measures are: (i) procedural deficiencies or (ii) an unreasonable sanction. If the respondent is a member of a bargaining unit, the appeal/grievance procedures of the applicable collective agreement should be followed. If the respondent is a student, the 4 X H H Q · V 8 Q L Y H U V L W Policy on Student Appeals, Discipline should be followed. If the respondent is neither a member of a bargaining unit nor a student, an appeal must be submitted to the Provost normally within 10 working days of notification of the sanctions.

8. REPORTING

- a. If there is a finding of misconduct, the report and letter indicating sanctions will be submitted to the Department Head and Dean. Where a relevant process (e.g., through a collective agreement) requires that there be some period of time between a finding of misconduct and a subsequent determination of sanction each will be reported separately to the Department Head and Dean. W K H 3 U L Q F L S D O D Q G W K H \$ G P L Q L V W U D
- b. 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 calendar days. J H F H L Y L Q J W K H , Q Y H V W L J D W L Y H & R sooner if required by the agency/publisher. 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.
- c. If an allegation of misconduct was not supported, the University shall protect the reputation and credibility of the respondent including written notification of findings to all agencies, publishers, or individuals who are known by the University to have been informed of the allegation(s) in the complaint or investigation.
- d.

agreements, which confirms their commitment to maintain confidentiality of all matters related to the fact that a complaint was made, the allegations contained in the complaint and any subsequent review/assessment or investigation process, as applicable. If the agreements are breached, this may lead to sanctions. Complainants must also maintain the confidentiality of the report that is provided to them at the conclusion of the investigation.

If an allegation of misconduct is not supported, the University will remove and destroy all information related to the investigation. If an allegation is supported, all information will be retained in a secure/protected area and will be kept in accordance with the document retention schedule the University recommends.

The University will take reasonable steps to protect the identity of complainants and witnesses in its Procedures for Safe Disclosure Reporting and Investigation to protect complainants who make allegations in good faith or whom it calls as witnesses during the course of an investigation. No member of the Q