

Research and Knowledge Exchange Misconduct Policy

1 INTRODUCTION

Whilst the University expects its employees and staff to comply with this policy, it does not confer contractual rights or form part of any contract of employment and may be amended by the University or replaced at any time.

The University of Northampton is committed to maintaining the best quality of research and expects all researchers to observe the highest standards of research and knowledge exchange (KE) practice and comply with all accepted procedures for research and KE. It is the responsibility of all persons authorised to undertake research and KE at the University or using University facilities/resources to be aware of their responsibilities and obligations in carrying out research and KE. Further guidance can be found in the Code of Good Practice for Researchers.

Research and KE misconduct is least likely to arise in an environment where good, open research and KE practice (e.g. documentation of results, peer review of research, regular discussion, and seminars) is encouraged and where there is adequate supervision at all relevant levels.

Employees and students undertaking research and KE should be made aware of relevant policies and procedures involving grants and contracts, research compliance, intellectual property management, consultancy, and commercialisation activities and comply with the standards of practice set out in guidelines published by funders, journals, publishers, scientific societies, and other relevant professional bodies.

This policy will be reviewed by the Research and Knowledge Exchange Committee on a yearly basis or amended in response to changes in the scholarly landscape, future legislation and/or case law.

2 OWNERSHIP

The Directorate of Research & Knowledge Exchange owns and manages this policy on behalf of The University of Northampton (UON).

3 ORGANISATIONAL SCOPE

This policy applies to allegations of misconduct arising from the conduct of research and KE activity undertaken under the auspices of the UON. It applies to all such activity conducted on behalf of the University, involving staff, students, visiting or emeritus staff, associates, honorary or clinical contract holders, contractors, and consultants, across all disciplines. This also includes those undertaking research and knowledge exchange activity on university premises but not in the University's name.

This Policy applies to any allegation of misconduct in relation to **research** or **KE** activity raised by a Complainant (as defined below) against a person authorised to undertake research or KE activity at the University or using University facilities.

The University looks gravely upon all misconduct and is empowered to recommend severe penalties on those who are found guilty of misconduct in relation to research and KE.

Allegations of misconduct relating to KE activity will be considered under the same definition (see section 4.6), principles and procedure (see section 5) as allegations relating to research misconduct. Nothing in this policy shall be interpreted as reducing or replacing professional standards and responsibilities set out in other University policies (including those relating to consultancy, intellectual property, conflicts of interest, ethics or conduct), or the University's obligations to funders, partners, regulators or external stakeholders.

Whether a researcher against whom an allegation of misconduct has been raised comes within this Policy or within another Policy of the University shall be decided by the Academic Registrar. Where a breach is not understood to be research or KE misconduct, it will be addressed via the University's Disciplinary

Policy and Procedure.

Allegations of misconduct by research students in part of their formal assessment (including but not limited to annual reviews, thesis and oral examination) will be dealt with under the Academic Regulations for Research Students. Allegations of research misconduct involving research students outside the assessment process fall under this procedure for investigation. Where there is doubt this policy takes precedence.

Where a member of staff is also a registered research student, the procedure applied will be determined by the capacity in which the individual was acting at the time of the alleged misconduct. Where this distinction is not clear (for example doctoral work is linked to funded projects or contractual outputs) the policy and procedure for staff research misconduct takes precedence. This will be decided at the initial review stage (see section on procedure).

4 DEFINITIONS

4.1 **Research:** Drawing on the UK funding bodies' definition used in the Research Excellence Framework (REF), research is defined here as 'a process of investigation leading to new insights, effectively shared'. It includes work of direct relevance to the needs of industry, and to the public and voluntary sectors; scholarship; the invention and generation of new ideas, images, performances, artefacts including design, where these lead to new or substantially improved insights; and the use of knowledge in experimental development to produce new or substantially improved materials, devices, products and processes, including design and construction. For the purposes of this Policy, "effectively shared" includes KE activity that involves: the creation, sharing, exchange or application of knowledge, expertise or skills with external organisations, partners, communities or individuals, where such activity is undertaken for mutual benefit and contributes to social, economic, cultural, environmental or policy impact.

This includes (where relevant) the co-production of knowledge and/or outputs with partners and the use or generation of data, materials, software, creative works or other forms of intellectual property. Accordingly, matters such as

confidentiality, data protection, intellectual property and commercial sensitivity, authorship/attribution and acknowledgement of contributions, conflicts of interest, and compliance with contractual and funder requirements may apply to knowledge exchange activity as they do to other research activity.

- 4.2 **Researcher** refers to any person authorised to undertake research including a postgraduate student, a member of staff and persons not employed or studying at the institution, but who are carrying out research /KE under the auspices of the University or using University facilities/resources.
- 4.3 **Complainant** refers to any individual or organisation who, in good faith, raises an allegation or concern regarding potential research misconduct under this Policy. This may include, but is not limited to, members of staff, research students, former members of staff or students, collaborators, research participants, funders, publishers, external bodies or members of the public.
- 4.4 **Respondent** refers to any individual against whom an allegation of research misconduct is made under this Policy.
- 4.5 **Questionable research practices (QRPs)** refer to minor infractions or research practices, including avoidable errors, which fall short of the definition of intentional research misconduct. They may arise due to a lack of knowledge or attention to detail, negligence, or deliberate action, and may occur where there is no evident intention to deceive.
- 4.6 **Research and KE misconduct** refers to behaviours or actions that fall short of the standards of ethics, research and scholarship required to ensure that the integrity of research and KE activity is upheld. Research and KE misconduct can take many forms, including, but not limited to:
- **fabrication:** making up results, other outputs (for example, artefacts) or aspects of research, including documentation and participant consent, and presenting and/or recording them as if they were real
 - **falsification:** inappropriately manipulating and/or selecting research processes, materials, equipment, data, imagery and/or consents
 - **plagiarism:** using other people's ideas, intellectual property or work (written or otherwise) without acknowledgement or permission

- **failure to meet legal, ethical and professional obligations**, for example:
 - o not observing legal, ethical and other requirements for human research participants, animal subjects, or human organs or tissue used in research, or for the protection of the environment
 - o breach of duty of care for humans involved in research whether deliberately, recklessly or by gross negligence, including failure to obtain appropriate informed consent
 - o misuse of personal data, including inappropriate disclosures of the identity of research participants and other breaches of confidentiality
 - o inappropriate use, disclosure or management of confidential, proprietary or partner-provided information (including material provided under confidentiality or non-disclosure obligations)
 - o improper conduct in peer review of research proposals, results or manuscripts submitted for publication. This includes failure to disclose conflicts of interest; inadequate disclosure of clearly limited competence; misappropriation of the content of material; and breach of confidentiality or abuse of material provided in confidence for the purposes of peer review
 - o failure to comply with agreed ethical, legal, regulatory or contractual requirements governing research or knowledge exchange activity

- **misrepresentation of:**
 - o data, including suppression of relevant results/data or knowingly, recklessly or by gross negligence presenting a flawed interpretation of data
 - o expertise, findings, outcomes or impact in the context of external engagement, partner working, or contractual arrangements
 - o involvement, including inappropriate claims to authorship or attribution of work and denial of authorship/attribution to persons who have made an appropriate contribution
 - o interests, including failure to declare competing interests of researchers or funders of a study
 - o qualifications, experience and/or credentials

- o publication history, through undisclosed duplication of publication, including undisclosed duplicate submission of manuscripts for publication

improper dealing with allegations of misconduct: failing to address possible infringements, such as attempts to cover up misconduct and reprisals against whistleblowers, or failing to adhere appropriately to agreed procedure in the investigation of alleged research misconduct accepted as a condition of funding. Improper dealing with allegations of misconduct includes the inappropriate censoring of parties through the use of legal instruments, such as non-disclosure agreements.

5 RESEARCH AND KE MISCONDUCT PROCEDURE

Basis UON's research misconduct procedure typically involves a two stage process: an initial discreet review to see if a formal investigation is warranted, followed by a full investigation by an independent panel if needed, all while ensuring fairness for the complainant and respondent, rectifying the scholarly record, and adhering to institutional policies and national standards (like the UK Research Integrity Office).

5.1 Stages of a Research and KE Misconduct Procedure

Any allegation of research misconduct in the first instance needs to be made on the Research Misconduct form and submitted to (email address). An initial **assessment/preliminary investigation** will be undertaken by three senior nominated individuals at UON (Dean of Research and Knowledge Exchange, Chair of the UON Ethics Committee and Head of REF and Research Support). The allegation will be handled discreetly to determine if there is enough evidence (a prima facie case) to proceed to a full investigation. This may involve interviews with relevant parties and an initial review of evidence. If the evidence points to research misconduct a formal investigation will ensue following the procedure and guidelines outlined by UON's Disciplinary procedure. The Disciplinary procedure will involve a formal investigation undertaken by an appointed panel. This process will include in-depth interviews, evidence gathering, and detailed reporting. The Chair will determine the final outcome.

5.2 **Core Principles & Requirements (Based on UKRIO guidance) of the Research and KE Misconduct process include:**

For the purposes of this procedure, references to “research” and “research outputs” include **KE** activity and outputs (as defined in section 4.1) where relevant, for example co-produced outputs, consultancy or evaluation deliverables, software or creative works, reports for partners, and associated datasets or materials.

- **Clarity:** Clear definitions of misconduct (fabrication, falsification, plagiarism, etc.) and who is covered.
- **Fairness:** Both parties must be informed and have a chance to be heard, with support for disabilities.
- **Transparency:** Procedures should be open and accessible.
- **Good Faith:** Allegations must be raised in good faith. Deliberately false, malicious or vexatious allegations may be dealt with under the University’s Disciplinary or Student Conduct procedures.
- **Independence:** Investigations should involve independent, impartial individuals, often peers.
- **Rectification:** Focuses not just on disciplinary action but also on correcting the scholarly record (e.g., retractions).
- **Appeals:** A process for appealing decisions is crucial.
- **External Input** (where deemed necessary): Seeking advice from bodies like UKRIO if required.

5.3 All formal investigations via UON’s Disciplinary Procedure will follow the principles outlined above to ensure fairness, with opportunities for both complainant(s) and respondent(s) to contribute.

5.4 **Anonymous allegations** of research misconduct may be considered where sufficient evidence is provided to enable an initial assessment to be undertaken. However, the absence of a named Complainant may limit the University’s ability to investigate the allegation fully or provide feedback on the outcome.

5.5 The basis for reaching a conclusion that an individual is responsible for misconduct in research relies on a judgement that, on a balance of probabilities, there was an intention to commit the misconduct and/or recklessness/negligence in the conduct of any aspect of the research project.

5.6 Activities that, outside formal investigation procedures, attempt directly or indirectly to influence the course of a misconduct investigation constitute staff/student misconduct, and allegations will be investigated via the University's Disciplinary Procedures, or the Student Code of Conduct.

6 CONFIDENTIALITY AND DATA PROTECTION

6.1 All allegations of research and KE misconduct will be handled sensitively, and information will only be shared on a need-to-know basis, but absolute confidentiality cannot be guaranteed, particularly where disclosure is required to conduct a fair investigation or to meet legal, regulatory, or contractual obligations.

6.2 Personal data will be processed in line with data protection legislation and the University's Data Protection policies. Record relating to allegations and investigations will be retained securely and only for as long as necessary.

6.3 The University will take reasonable steps to protect the identity of the Complainant and the Respondent during the investigation process, subject to the requirements of natural justice and procedural fairness.

7 OUTCOMES AND ACTIONS

7.1 Where an allegation of research or KE misconduct is not upheld, no further action will be taken under this Policy.

7.2 Where an allegation of research or KE misconduct is upheld, outcomes may include one or more of the following, depending on the severity and context:

- Corrective actions to address questionable practices
- Requirements to correct the scholarly record (for example, corrections, retractions, or expressions of concern)
- Mandatory training or supervision
- Action under the University's Disciplinary Policy or Student Conduct

procedures.

- 7.3 Corrective actions relating to publications or research outputs (including, where relevant, KE outputs/deliverables as described in section 4.1) will normally be the responsibility of the Respondent, with the University requiring confirmation that appropriate action has been taken.

8.0 EXTERNAL REPORTING AND NOTIFICATION

- 8.1 Where required the University will notify relevant bodies of the substantiated findings of research misconduct. This may include but is not limited to research funders, regulators, professional bodies, partner institutions, KE partners/clients, and publishers.
- 8.2 External reporting will be undertaken in accordance with contractual (including partner or KE agreements), regulatory, and legal requirements, and with due regard to confidentiality and fairness.

9.0 SUPPORT FOR PARTIES INVOLVED

- 9.1 Both the Complainant and the Respondent will be treated fairly and with respect throughout the process and may access appropriate sources of support. This may include trade union representation, student support services, or reasonable adjustments to support participation in the process.

10 APPEALS

- 10.1 Where a formal investigation is conducted under the University's Disciplinary Policy and Procedure or Academic Regulations, the right to appeal will be in accordance with those procedures.

This policy is approved by the Research and Knowledge Exchange Committee on behalf

of Senate and will be reviewed annually.

11 EQUALITY IMPACT ASSESSMENT

An Equality Impact Assessment must accompany this document.

12 VERSION CONTROL

Version Control	
Author:	Cathy Smith and Paul Bramble
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Record of Amendments

Version number	Details of Change
3.0	Developed in close collaboration with HR to ensure alignment with external guidance, sector best practice such as the UK Research Integrity Office (UKRIO) and internal processes to improve consistency in handling cases