Senate Advisory Research Committee Report to Senate and Notice of Motion

Senate Meeting of January 14, 2013

To ensure compliance with the new Tri-Agency Framework: Responsible Conduct of Research, the Senate Advisory Research Committee (SARC) was required to revise the *Queen's University Senate Policy on Integrity in Research*.

During the October SARC meeting, the Chair requested that an ad hoc SARC subcommittee be struck to manage the process and revise the policy. Following revision of the policy, it was submitted to SARC for review and approval. The revised policy was approved by SARC at its meeting of December 3, 2012. The Committee agreed that the revised policy would be submitted to Senate for its January 2013 meeting to provide increased time for review by Senators, with a vote on the policy to be held at the February 2013 Senate meeting.

Policy Revisions

Revisions to the policy are outlined below.

Current	Revised
(Section 2 – Jurisdiction) The Policy has also been written to be consistent with	The original Policy was written to be consistent
the Tri-Council Policy Statement: Integrity in Research and Scholarship. This is a requirement of all institutions in Canada that have signed the Memorandum of Understanding with the Tri-Council funding agencies.	with the requirements of Tri-Agencies and was revised in 2012 to reflect their updated requirements as outlined in the <i>Tri-Agency Framework:</i> Responsible Conduct of Research. Having a policy consistent with the Framework is a requirement of all institutions in Canada that have signed the Memorandum of Understanding with the Tri-Agencies.
(Section 3 – Expectations)	(Added) d. Use a high level of rigour in proposing and performing research; in recording, analyzing, and interpreting data and in reporting and publishing data and findings.
(Section 3 – Expectations) d. Base findings upon a critical appraisal and interpretation according to scientific, scholarly and/or creative principles appropriate to the particular discipline or area.	e. Base findings upon a critical appraisal and interpretation according to scientific, scholarly and/or creative principles appropriate to the particular discipline or area.
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. 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. 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.

h. Retain complete and accurate research records, in a manner that will allow verification or replication of the work by others, within their personal control for a minimum of five 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.

(Section 3 – Expectations)

(Added)

- i. Provide true, complete and accurate information in funding applications and related documents and represent research and other accomplishments in a manner consistent with the norms of the relevant field. Principal applicants must ensure that others listed on an application have agreed to be included.
- j. Use grant or award funds in accordance with the policies of applicable funding agencies and provide true, complete and accurate information on documentation for expenditures from grant or award accounts.
- k. Comply with all applicable funding agency requirements and legislation for the conduct of research.
- 1. Be proactive in rectifying any breaches of research integrity by, for example, correcting the research record, providing a letter of apology to those impacted or repaying funds.

(Section 4 – Misconduct in Research or Scholarly Activity)

- 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
- c. Failure to appropriately recognize contributions of others in a manner consistent with their respective contributions, the discipline and authorship policies of relevant publications; using unpublished material of others without permission; use of archival materials in violation of the rules of the archival source
- e. Attribution of authorship to persons other than those who have contributed sufficiently to take responsibility for intellectual content
- e. Attribution of authorship to persons other than those who have contributed sufficiently to take responsibility for intellectual content; agreeing to be listed as author to a publication when inappropriate in terms of respective contributions, the discipline or authorship policies of relevant publications.
- f. Submission for publication of articles published elsewhere excepted where clearly indicated to be a republication
- f. Submission for publication of articles published elsewhere, or parts thereof, or data, in the same or another language, except where clearly indicated to be a republication with appropriate

	acknowledgement of the source and justification.
h. Failure to meet relevant legal requirements that	h. Failure to meet relevant granting agency,
relate to the conduct or reporting of research and	policies, regulatory or legal requirements that relate
scholarly activity amount to misconduct in research	to the conduct or reporting of research and scholarly
	activity
(Section 4 – Misconduct in Research or Scholarly	(Added)
Activity)	i. Failure to obtain appropriate approvals, permits or
	certifications before conducting research activities.
(Section 4 – Misconduct in Research or Scholarly	
Activity)	
i. Failure to reveal conflicts of interest to the	j. Failure to reveal conflicts of interest to the
University, sponsors, commissioners of work, or when	University, sponsors, commissioners of work, or
reviewing research grant applications or manuscripts	when reviewing research grant applications or
for publication or to test products for sale or for	manuscripts for publication or to test products for
distribution to the public	sale or for distribution to the public
j. Financial misconduct involving research funds	k. Financial misconduct involving research funds
including the misuse or misappropriation of research	including the misuse or misappropriation of
funds	research funds, or providing incomplete, inaccurate
	or false information on documentation for
	expenditures from grant or award accounts.
k. Failure to inform co-workers in a timely manner of	1. Failure to inform co-workers in a timely manner
experimental findings and developments	of experimental findings and developments
1 Fe'il and a d'antenna Gl' de annual annual Grand Gl' de	F. T
Failure to disclose conflict or appearance of conflict of interest	m. Failure to appropriately manage or disclose any conflict of interest or appearance of conflict of
of interest	interest
(Section 4 – Misconduct in Research or Scholarly	(Added)
Activity)	n. Destroy 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.
	o. Provide incomplete, inaccurate or false
	information in a grant or award application or
	related document, such as a letter of support or a progress report.
	progress report.
	p. Apply for or hold a research award when deemed
	ineligible to do so by the applicable agency.
	q. Listing co-applicants, collaborators or partners
	without their agreement.
(Section 4 – Misconduct in Research or Scholarly	(Footnotes)
Activity) 3 Definition: Making up data, results or findings and	³ Definition: Making up data, source material,
recording or reporting them (based on U.S. Office of	methodologies or findings, including graphs and
Research Integrity definition)	images. (Source: Tri-Agency Framework:
	Responsible Conduct of Research)
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4 Definition: Manipulating research materials,	⁴ Definition: Manipulating, changing or omitting
equipment or processes or changing or omitting data,	data, source material, methodologies or findings,
findings or results such that the research is not	including graphs and images, without
accurately represented in the research record (based on	acknowledgement and which results in inaccurate

U.S. Office of Research Integrity definition)	findings or conclusions (Source: Tri Agency
U.S. Office of Research Integrity definition)	findings or conclusions. (Source: Tri-Agency Framework: Responsible Conduct of Research)
5 Definition: Appropriation of another person's ideas,	⁵ Definition: Presenting and using another's
processes, results or words as one's own (based on	published or unpublished work, including theories,
U.S. Office of Research Integrity definition)	concepts, data, source material, methodologies or
	findings, including graphs and images, as one's
	own, without appropriate referencing and without
	required permission. (Source: Tri-Agency
(C. 4) 5 D All All All PM' I. All	Framework: Responsible Conduct of Research)
(Section 5 – Reporting Allegations of Misconduct in Research or Scholarly Activity)	
Allegations of misconduct can come from members of	Allegations of misconduct can come from members
the Queen's community or sources external to Queen's	of the Queen's community or sources external to
and must be reported to the Principal in writing, with	Queen's and must be reported to the Principal in
evidence, and be signed and dated. Any administrator	writing, with evidence, and be signed and dated.
or other member of the Queen's community who	Anonymous allegations will not be acted upon. Any
receives an allegation must refer it to the Principal.	administrator or other member of the Queen's
	community who receives an allegation must refer it to the Principal.
(Section 6 – Investigation of Allegations)	(Added)
(233-201 of Tamegurion)	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 funds. Allegations
	involving significant financial, health and safety, or
	other risks shall be reported immediately to the
(Section 6 – Investigation of Allegations)	relevant agency.
b. The Vice-Principal (Research) shall within 15	b. The Vice-Principal (Research) shall within 10
working days of receipt of the allegation advise the	working days of receipt of the allegation advise the
subject of the allegation (hereinafter referred to as the	subject of the allegation (hereinafter referred to as
`respondent`) in writing of the nature and substance of	the `respondent`) in writing of the nature and
the allegation and scope of the investigation, inviting	substance of the allegation and scope of the
the respondent to respond by meeting with the Vice-	investigation, inviting the respondent to respond by
Principal (Research) or submission of materials or	meeting with the Vice-Principal (Research) or
both. The Vice-Principal (Research) will instruct the respondent to retain all materials relevant to the	submitting materials or both. The Vice-Principal (Research) will instruct the respondent to retain all
allegation until further notice.	materials relevant to the allegation until further
	notice.
c. The respondent must respond within 20 working	c. The respondent must respond within 15 working
days of the date of notification by the Vice-Principal	days of the date of notification by the Vice-
(Research). The Vice-Principal (Research) may provide suggestions of evidence to be submitted and	Principal (Research). The Vice-Principal (Research) may provide suggestions of evidence to be
issues to be addressed which might expedite, simplify	submitted and issues to be addressed, which might
or render an investigation unnecessary. The respondent	expedite, simplify or render an investigation
is responsible for providing the Vice-Principal	unnecessary. The respondent is responsible for
(Research) access only to research and scholarly	providing the Vice-Principal (Research) access only
activity materials that are in her or his possession,	to research and scholarly activity materials that are
power or control but not to materials that are publicly	in her or his possession, power or control but not to
available. Based on the response and evidence	materials that are publicly available. Based on the
provided by the respondent the Vice-Principal	response and evidence provided by the respondent,
(Research) will decide, and inform the respondent and	the Vice-Principal (Research) will decide, and
complainant in writing, that either: i. There is sufficient evidence to indicate a situation	inform the respondent and complainant in writing, that either:
1. There is sufficient evidence to mulcate a situation	mai cinici.

may exist that would constitute misconduct and a full investigation is necessary or

- ii. There is insufficient evidence to warrant proceeding with an investigation. In this case all documents shall be removed from the official record of the respondent and destroyed.
- i. There is sufficient evidence to indicate a situation may exist that would constitute misconduct and a full investigation is necessary or
- ii. There is insufficient evidence to warrant proceeding with an investigation. In this case all documents shall be removed from the official record of the respondent and destroyed.

(Section 6 – Investigation of Allegations)

(Added)

vi. An external member who has no current affiliation with Queen's University and has the appropriate background and expertise to serve on the Committee

(Section 6 – Investigations of Allegations)

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.

- 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. If required by an external agency, the agency will be informed whether or not Queen's will be proceeding with an investigation.
- 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 also contain recommendations for the review of other work of the respondent.
- h. The Investigative Committee will prepare a written report of their investigation and submit it to the Vice-Principal (Research) within five months 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 also contain recommendations for the review of other work of the respondent.
- j. The respondent will be provided with a copy of the report to review for factual errors. Requested revisions must be submitted to the Vice-Principal (Research) within 10 working days and these will be forwarded to the Committee for consideration. A final report will be submitted to the Vice-Principal (Research) within 10 working days of receipt of the revisions.
- j. The respondent will be provided with a copy of the report to review for factual errors. Requested revisions must be submitted to the Vice-Principal (Research) within 10 working days and these will be forwarded to the Committee for consideration. A final report will be submitted to the Vice-Principal (Research) within five 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 with a copy of the final report within 10 working days of receipt of the final report.
- k. The finding of the Investigative Committee regarding misconduct is binding (unless successfully appealed according to the grounds noted in Section 7). The Vice-Principal (Research) will provide the respondent with a copy of the final report within five working days of receipt of the final report.

(Section 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 *Queen's University Senate*

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 or sanction. 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

Policy on Student Appeals, Rights and Discipline 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.

student the *Queen's University Senate Policy on Student Appeals, Rights and Discipline* 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 10 working days of notification of the finding and sanctions.

(Section 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.

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 or 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.

Notice of Motion: To be presented to Senate at its January 2013 meeting

That Senate approve the revised Queen's University Senate Policy on Integrity in Research.

Sincerely yours,

Steven N. Liss, PhD Vice-Principal (Research) Chair, Senate Advisory Research Committee

Committee Members:

C. Fekken M. Duncan K. McInnis D. Klinger B. Brouwer W. Ding B. Surgenor J. Wintle R. Deeley G. Jerkiewicz J. Handelman R. Pero R. Holden M. Shultz N. Rewa A. Ghaffari

A. Bakhshai

QUEEN'S UNIVERSITY

SENATE POLICY ON INTEGRITY IN RESEARCH

Approved by the Senate January 29, 2009 Revised September 23, 2010 Revised December 3, 2012

[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 values defined in the Senate Academic Integrity Statement: honesty, trust, fairness, respect and responsibility.

Queen's University Senate Policy on Integrity in Research (hereinafter referred to as the "Policy") outlines the expectations of members of the Queen's community with respect to the conduct of research and scholarly activities in a manner consistent with the highest standards of ethical and scientific practice. The Policy documents the University's expectations in this regard, defines misconduct in research or scholarly activities and outlines procedures to be followed when it is suspected.

The responsibilities of all members of the Queen's community include not only fulfilling the integrity expectations of this Policy, but also reporting suspected misconduct according to the procedures defined. The responsibilities of the University include promoting integrity in research and scholarship, investigating allegations of misconduct, imposing appropriate sanctions if misconduct has occurred and reporting cases of misconduct appropriately.

2. Jurisdiction

The Policy applies to those participating in research or scholarly activities at or under the aegis of Queen's University. This includes faculty (including term adjuncts, emeritus, 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

¹ Academic Integrity Policy Statement; Approved by Senate January 26, 2006; http://www.queensu.ca/secretariat/policies/senateandtrustees/academicintegrity.html

funded by a Tri-Council agency, the Tri-Council will be informed according to Section 8 below.

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 agreement will prevail.

The original Policy was written to be consistent with the requirements of Tri-Agencies and was revised in 2012 to reflect their updated requirements as outlined in the *Tri-Agency Framework: Responsible Conduct of Research.* Having a policy consistent with the Framework is a requirement of all institutions in Canada that have signed the Memorandum of Understanding with the Tri-Agencies.

The collective agreements between Queen's University and the Faculty Association² contain the core components of a scientific integrity policy as defined by the *Tri-Council Statement: Integrity in Research* and the general expectations of the University. For these reasons and in order to have a policy that is as consistent as possible across members of the Queen's community, the expectations, definitions and procedures outlined in this Policy are substantially based on these agreements and in many instances use the specific language in the agreements.

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 and followed to the extent possible. This Policy will prevail when its requirements are more stringent than the US Code. Existing agreements at Queen's (e.g., collective agreements) or applicable Canadian legislation (e.g., Freedom of Information and Protection of Privacy Act) will prevail when there is a conflict with the US Code or other external policies or regulations of funding agencies or other jurisdictions, which are relevant to integrity issues at Queen's University.

3. EXPECTATIONS

It is expected that members of the Queen's University community will pursue research and scholarship activities in a manner that is consistent with the highest standards of ethical and scientific practice.

All members of the Queen's University community who are involved in the conduct of research are expected to:

- a. Adhere to all University ethics policies and meet the recognized ethical standards of the national granting councils, including ethical guidelines for working with animal or human subjects.
- b. Deal fairly with colleagues and students.

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² 2008-20011 FLABU, 2008-20011 SABU

- c. Carry out research in an honest search for knowledge.
- d. Use a high level of rigour in proposing and performing research; in recording, analyzing, and interpreting data and in reporting and publishing data and findings.
- e. Base findings upon a critical appraisal and interpretation according to scientific, scholarly and/or creative principles appropriate to the particular discipline or area.
- f. 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.
- g. Indicate affiliation with Queen's or other institutions as appropriate and properly attribute contributions of others.
- h. Retain complete and accurate research records, in a manner that will allow verification or replication of the work by others, within their personal control for a minimum of five 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.
- i. Provide true, complete and accurate information in funding applications and related documents and represent research and other accomplishments in a manner consistent with the norms of the relevant field. Principal applicants must ensure that others listed on an application have agreed to be included.
- j. Use grant or award funds in accordance with the policies of applicable funding agencies and provide true, complete and accurate information on documentation for expenditures from grant or award accounts.
- k. Comply with all applicable funding agency requirements and legislation for the conduct of research.
- Be proactive in rectifying any breaches of research integrity by, for example, correcting the research record, providing a letter of apology to those impacted or repaying funds.

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.

³ Definition: Making up data, source material, methodologies or findings, including graphs and images. (Source: Tri-Agency Framework: Responsible Conduct of Research)

⁽Source: Tri-Agency Framework: Responsible Conduct of Research)

⁴ Definition: Manipulating, changing or omitting data, source material, methodologies or findings, including graphs and images, without acknowledgement and which results in inaccurate findings or conclusions. (Source: Tri-Agency Framework: Responsible Conduct of Research)

- b. Plagiarism.⁵
- c. Failure to appropriately recognize contributions of others in a manner consistent with their respective contributions, the discipline and authorship policies of relevant publications; using unpublished material of others without permission; use of archival materials in violation 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; agreeing to be listed as author to a publication when inappropriate in terms of respective contributions, the discipline or authorship policies of relevant publications.
- f. Submission for publication of articles published elsewhere, or parts thereof, or data, in the same or another language, except where clearly indicated to be a republication with appropriate acknowledgement of the source and justification.
- 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 granting agency, policies, regulatory or legal requirements that relate to the conduct or reporting of research and scholarly activity.
- i. Failure to obtain appropriate approvals, permits or certifications before conducting research activities.
- j. Failure to reveal conflicts of interest to the University, sponsors, commissioners of work, or when reviewing research grant applications or manuscripts for publication or to test products for sale or for distribution to the public.
- k. Financial misconduct involving research funds including the misuse or misappropriation of research funds, or providing incomplete, inaccurate or false information on documentation for expenditures from grant or award accounts.
- l. Failure to inform co-workers in a timely manner of experimental findings and developments.
- m. Failure to appropriately manage or disclose any conflict of interest or appearance of conflict of interest.
- n. Destroy 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.
- o. Provide incomplete, inaccurate or false information in a grant or award application or related document, such as a letter of support or a progress report.
- p. Apply for or hold a research award when deemed ineligible to do so by the applicable agency.
- q. Listing co-applicants, collaborators or partners without their agreement.

Honest error, conflicting data or differences in interpretation of data, or differences in assessment of experimental design or practice do not constitute fraud or misconduct.

⁵ Definition: 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 without required permission. (Source: Tri-Agency Framework: Responsible Conduct of Research)

5. REPORTING ALLEGATIONS OF MISCONDUCT IN RESEARCH OR SCHOLARLY ACTIVITY

If a member of the Queen's community has reasonable grounds to suspect misconduct in research or scholarly activity it is expected that the member will bring forward an allegation promptly. In cases where a member of the community is unclear whether an activity or activities may constitute misconduct under this Policy the member may contact the Office of the Vice-Principal (Research) to request a referral to an advisor who will provide confidential advice regarding the matter. The advisor will be appointed by the Vice-Principal (Research) and will normally be a senior faculty member of the University with significant understanding of Queen's integrity policies and procedures.

Allegations of misconduct can come from members of the Queen's community or sources external to Queen's and must be reported to the Principal in writing, with evidence, and be signed and dated. Anonymous allegations will not be acted upon. Any administrator or other member of the Queen's community who receives an allegation must refer it to the Principal.

Allegations of misconduct received by the Principal 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 – Requirements of Faculties and Schools.

The University will undertake appropriate measures to support individuals who have made allegations in good faith as well as others involved in an inquiry, such as witnesses.

The University will take action against those who make unfounded allegations of fraud or misconduct that are reckless, malicious or not in good faith.

6. INVESTIGATION OF ALLEGATIONS

The University has the onus of establishing misconduct and requires objective evidence to do so. The Principal will normally delegate the review and investigation of allegations to the Vice-Principal (Research).

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.

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 funds. Allegations involving significant financial, health and safety, or other risks shall be reported immediately to the relevant agency.

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 and will be investigated in accordance with the procedures outlined in the Policy. The Vice-Principal (Research) may request additional information from the complainant.
- b. The Vice-Principal (Research) shall within 10 working days of receipt of the allegation advise the subject of the allegation (hereinafter referred to as the "respondent") in writing of the nature and substance of the allegation and scope of the investigation, inviting the respondent to respond by meeting with the Vice-Principal (Research) or submitting materials or both. The Vice-Principal (Research) will instruct the respondent to retain all materials relevant to the allegation until further notice.
- c. The respondent must respond within 15 working days of the date of notification by the Vice-Principal (Research). The Vice-Principal (Research) may provide suggestions of evidence to be submitted and issues to be addressed, which might expedite, simplify or render an investigation unnecessary. The respondent is responsible for providing the Vice-Principal (Research) access only to research and scholarly activity materials that are in her or his possession, power or control but not to materials that are publicly available. Based on the response and evidence provided by the respondent, the Vice-Principal (Research) will decide, and inform the respondent and complainant in writing, that either:
 - i. There is sufficient evidence to indicate a situation may exist that would constitute misconduct and a full investigation is necessary or
 - ii. There is insufficient evidence to warrant proceeding with an investigation. In this case all documents shall be removed from the official record of the respondent and destroyed.
- d. If a full investigation is deemed necessary by the Vice-Principal (Research), the responsibility for the investigation will be delegated to an "Investigative Committee." Members of the Investigative Committee shall be appointed by the Vice-Principal (Research) and shall normally include:
 - i. A member of senior administration familiar with research-related policies (Chair)
 - ii. A Dean or Associate Dean from the respective Faculty or School of the respondent
 - 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. An external member who has no current affiliation with Queen's University and has the appropriate background and expertise to serve on the Committee

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. If required by an external agency, the agency will be informed whether or not Queen's will be proceeding with an investigation.

- 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 three 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 five months 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 also contain recommendations for the review of other work of the respondent.
- i. The Investigative Committee will normally decide on a finding by consensus. If consensus cannot be reached, Committee members, with the exception of the Chair, will vote. The finding will be according to the decision of the majority. In the case of a tie, the Chair will make the final decision.
- j. The respondent will be provided with a copy of the report to review for factual errors. Requested revisions must be submitted to the Vice-Principal (Research) within 10 working days and these will be forwarded to the Committee for consideration. A final report will be submitted to the Vice-Principal (Research) within five 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 7). The Vice-Principal (Research) will provide the respondent with a copy of the final report within five working days of receipt of the final report.
- 1. 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 or sanction. 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 *Queen's University Senate Policy on Student Appeals*, *Rights and Discipline* 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 10 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 or 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.

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.

c. Annually, in December, a general summary report regarding internal complaints will be forwarded to the appropriate Tri-Council as required by the *Tri-Council Memorandum of Understanding*. For cases where complaints were submitted but findings not confirmed the report will be general and anonymous in nature. In the event that one of the Councils initiates a request for an inquiry/investigation, a comprehensive report of the process and findings will be submitted to the Council within 30 days of the inquiry/investigation.

9. PRIVACY AND PROTECTIONS

The University will take reasonable steps to maintain confidentiality of the investigative process, records and findings until sanctions are decided. Records concerning allegations and investigations will be kept by the Office of the Vice-Principal (Research). Personal information will be protected according to the *Freedom of Information and Protection of Privacy Act*.

If an allegation of misconduct is not supported the University will remove and destroy all documentation concerning the allegation from the respondent's official file.

The University will take reasonable steps to protect complainants who make allegations in good faith or whom it calls as witnesses. It is expected by the University that no member of the Queen's community will retaliate against a person making allegations in good faith. If retaliation is suspected it should be reported to the Vice-Principal (Research).

10. EDUCATION

Queen's University is committed to ensuring the Senate Policy on Integrity in Research and the principles contained herein are promoted throughout the research community. The Policy will be introduced at new faculty and graduate student orientation sessions each year and will be referenced in letters of appointment to all new research contract staff. The Policy will be posted on the Research and Senate Policy websites at Queen's. At a minimum, a general education session regarding the Policy, which is in addition to the session at new faculty orientation, will be held annually and will be open to all members of the Queen's community.