

**LTC15D059**

**Title:** Procedures for Dealing with Allegations of Misconduct in Research  
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**Issue**

Revisions required to the Procedures for Dealing with Allegations of Misconduct in Research to highlight the academic complaint route where students have concerns with the further action to be taken under paragraph 2.5 of the Procedures (excepting referral to SSDC).

**Recommendation**

That the proposed changes to the Procedures for Dealing with Allegations of Misconduct in Research, which apply to both taught and research students, be approved – namely the addition of paragraph 2.7 highlighted below.

**Resource Implications**

No resource implications.

**Risk Implications**

No risk implications are anticipated.

**Equality and Diversity**

No specific issues.

**Timing of decisions**

To be considered at the December 2015 LTC so that current practice can be formalised with immediate effect.

**Further Information**

Please contact Melanie Steele, x3870 [m.steele@uea.ac.uk](mailto:m.steele@uea.ac.uk) for enquiries about the content of the paper.

## **Background**

Senate agreed in June 2012 (SEN11D024) that Regulation 15 'Conduct of Research' would apply to all students, not just research students, to take effect from the 2012-13 academic year. General Regulation 15 directs all students to the Procedures on Misconduct in Research, to be found on the PGR Office website.

The overarching University Procedures for dealing with Allegations of Misconduct in Research <https://www.uea.ac.uk/research/our-research-integrity> were revised in November 2012 and include an explicit reference guiding students to section 5 of the Research Degree Policy Documents which was also revised at this time.

The Research Degree Policy Documents were updated during 2014-15 as part of the periodic review cycle. The PGR Executive endorsed the proposed changes to Section 5 of the Research Degree Policy Documents at its meeting on 2 June 2015 (PGR14D089).

The proposed change formalises current practice – where a student is unhappy with the further action to be taken as a result of the investigation into an allegation of Misconduct in Research or they consider that the investigation has not been conducted fairly or appropriately the formal academic complaint process is open to them.

## RESEARCH DEGREE POLICY DOCUMENTS

### SECTION 5

#### **PROCEDURES FOR DEALING WITH ALLEGATIONS OF MISCONDUCT IN RESEARCH AGAINST STUDENTS**

##### **1. PREAMBLE**

- 1.1 These Procedures outline the action to be taken when allegations of misconduct in research are brought against any present or past student of the University in respect of research undertaken while registered with the University.
- 1.2 The context of what constitutes misconduct in research and the principles which guide the operation of these Procedures are set out in the University's Procedures for Dealing with Allegations of Misconduct in Research.

##### **2. RECEIPTS OF ALLEGATIONS**

- 2.1 Any allegation of misconduct in research must be made in writing by the Complainant to the Head of the School. The Complainant must provide a detailed written statement in support of the allegation before any inquiries are instigated. In circumstances where

- (a) the Head of School is also the Complainant or the Respondent, or,
- (b) the Head of School considers there to be a real or apparent conflict of interest,

the allegation shall be referred to the Dean of the Faculty who will appoint an alternative suitable senior person to investigate and report back to the Dean. In the event that it is felt that confidential advice is required from experts in the relevant subjects that may be sought.

- 2.2 On receipt of the Complainant's written statement the Head of School shall

- (i) consider whether any immediate action is required, for example in the interests of health and safety or of safeguarding evidence. In case of sufficient seriousness the Head of School may ask the Vice-Chancellor to suspend the student without prejudice pending the outcome of further inquiries;
- (ii) conduct an investigation to determine whether or not there is a case to be answered and to assemble the detailed evidence. The Head of School may appoint a member of staff with appropriate experience as an Investigating Officer to conduct the enquiry and report to him/her.

- 2.3 Where the student concerned is funded by or engaged with one of the UK Research Councils, the Head of School (or the Dean of Faculty) shall consult the Registrar and Secretary as to whether the case should be reported to the Research Council concerned.

- 2.4 Following the report of the investigation the Head of School (or the Dean of Faculty as appropriate) shall consider the allegation and the evidence collected and determine either:
- (i) that there is no evidence to support the allegation and that it should be dismissed. The Head of School (or Dean of Faculty) shall inform the Complainant of the outcome of the investigation and of his/her decision and where necessary the Respondent;
  - (ii) that the evidence supports some elements of the allegation whilst others are not substantiated;
  - (iii) that the evidence supports the allegation to the extent that in the judgement of the Head of School (or Dean of Faculty) the allegation, on the balance of probabilities, should be upheld.
- 2.5 The Head of School (or Dean of Faculty) shall not conclude 2.4(ii) or 2.4(iii) unless the investigation has included the presentation of the allegation to the Respondent and consideration of any response from them to the allegation. In the event of 2.4(i) the Head of School (or Dean of Faculty) shall inform the Complainant and anyone else who has been made aware of the allegation and needs to know the outcome. In the event of 2.4(ii) or 2.4(iii) above, the Head of School (or Dean of Faculty) shall consider the seriousness of the findings and decide whether any further action should be taken, which could include the issue of a warning to the student concerned or referral to the Senate Student Disciplinary Committee (acting in Mode B)\*.
- 2.6 Following receipt of the allegation by the Head of School (or Dean of Faculty), the procedures in section 2 above shall be completed as quickly as possible and normally within 40 working days.
- 2.7 Where the Respondent has concerns regarding the further action to be taken, excepting where they have been referred to Senate Student Discipline Committee (which has its own Appeals processes), or considers that they have received unfair treatment under these Procedures, they may raise these concerns formally by making a complaint in writing, under the University's Academic Appeals and Complaints Procedures. These can be found at: [http://www.uea.ac.uk/calendar/section3/regs\(gen\)/academic-appeals-and-complaints-procedure](http://www.uea.ac.uk/calendar/section3/regs(gen)/academic-appeals-and-complaints-procedure)**

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\* Senate Student Discipline Committee (Mode B)

The Chair or Vice Chair and two members of the academic staff of the University. At the discretion of the Chair, an additional member may be appointed with particular specialist expertise from inside or outside the University.

The Committee is empowered to hear alleged misconduct in research in contravention of General Regulation 15 Conduct of Research.

June 2010

Revised November 2012

Revised October 2015