

Guidelines for dealing with suspected research misconduct and other deviations from good research practice¹

These guidelines have been established by the Vice-Chancellor on 30 November 2021 and are valid from the same date.

Dnr HS 2023/685

¹ This is a translation of the Swedish version (Riktlinjer för hantering av misstanke om oredlighet i forskning och andra avvikelser från god forskningssed, dnr HS 2021/1036). In the event of any discrepancy, the Swedish version of this document shall prevail.

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1 Introduction

Chapter 1(3a) of the Higher Education Act (1992:1434) states that the credibility of science and good research practice must be safeguarded in the activities of higher education institutions.

The Act on Responsibility for Good Research Practice and the Assessment of Research Misconduct (2019:504) also contains provisions on the responsibility of researchers and entities responsible for research (research institutions) for ensuring that research is conducted in accordance with good research practice, as well as provisions on the procedure for reviewing cases of research misconduct.

Chapter 1, Sections 16–18 of the Higher Education Ordinance (1993:100) also state, among other things, that research institutions must investigate suspected deviations from good research practice in addition to those that are to be assessed specifically under the Act on Responsibility for Good Research Practice and the Assessment of Research Misconduct. The research institution shall establish guidelines for this assessment.

These guidelines set out how cases relating to suspected research misconduct or other deviations from good research practice are dealt with at the University of Skövde (the University).

Please see the University's website for further information on good research practice.

2 Definitions

Research is defined in Section 2 of the Act Concerning the Ethical Review of Research Involving Humans (2003:460) as “scientific experimental or theoretical work or observational research studies, if the work or studies are carried out to acquire new knowledge, and/or development work on a scientific basis, but not such work or studies that are performed solely within the framework of higher education at basic or advanced level”.

Research misconduct is defined in Section 2 of the Act on Responsibility for Good Research Practice and the Assessment of Research Misconduct as “a serious deviation from good research practice in the form of fabrication, falsification or plagiarism that is committed intentionally or through gross negligence when planning, conducting or reporting research”. See also the University's website for further information on good research practice.

The *research institution* is defined in Article 2 of the Act on Responsibility for Good Research Practice and the Assessment of Research Misconduct (where it is referred to as the “entity responsible for research”) as “a public agency or physical or legal

person that conducts activities in which research is conducted”. The University of Skövde is the research institution responsible for research carried out within the University’s activities.

Other deviations from good research practice, according to the *European Code of Conduct for Research Integrity – Revised Edition* (ALLEA, 2018; where they are referred to as “unacceptable practices”), refer to those deviations from good research practice that are not deemed research misconduct (i.e. do not constitute fabrication, falsification or plagiarism) but which nevertheless “damage the integrity of the research process or of researchers”. See also the University’s website for examples and further information on good research practice.

3 Responsibilities of the researcher and the entity responsible for research

According to Section 4 of the Act on Responsibility for Good Research Practice and the Assessment of Research Misconduct, the researcher is responsible for compliance with good research practice in their research. This means that all University employees who conduct research are responsible for ensuring that the research in which they participate is compliant with good research practice.

Sections 5 to 6 of the Act on Responsibility for Good Research Practice and the Assessment of Research Misconduct also state that the research institution responsible for research has an overarching responsibility for its research being conducted in accordance with good research practice. If there is a suspicion of misconduct in research in the activities of the research institution, the institution must submit the case documents for examination by the Swedish National Board for Assessment of Research Misconduct (Nämnden för prövning av oredlighet i forskning, Npof).

The University is also responsible for investigating other deviations from good research practice that are not assessed by Npof, in accordance with the procedure described in these guidelines.

4 Procedure

At the University, the Vice-Chancellor and the Research Ethics Council (Forskningsetiska rådet, FER) are responsible for dealing with and investigating suspicions of research misconduct or other deviations from good research practice (according to FER’s statement of remit, reg. no. HS 2019/814).

To assist the Vice-Chancellor in their decision-making, FER must:

- act as the receiving body in cases involving suspected research misconduct or other deviations from good research practice

- assist the Vice-Chancellor in preparing and obtaining evidence from researchers in cases involving suspected research misconduct, prior to submitting documents to Npof for assessment of the case
- investigate cases that are not designated as research misconduct (and thus are not assessed by Npof) but that constitute other deviations from good research practice.

4.1 Reporting

Upon receipt of a report of suspected research misconduct or other deviation from good research practice at the University, the Registrar or other official shall immediately forward the report to FER for initial assessment of whether the suspicion concerns research misconduct or other deviations from good research practice in the institution's activities, after which the case shall be dealt with in accordance with 4.2 or 4.3 below.

A case with a registration number is created when FER receives the reported suspicion. Documents that provide factual information on the case must be registered in the generally accepted order. The case shall be marked in the register in order to highlight any need for appropriate confidentiality checks.

The person(s) reported for suspected research misconduct or other deviations from good research practice must be informed of the report within a reasonable time and be given the opportunity to respond to FER in writing. The representative(s) of a reported activity must also be informed of and given the opportunity to submit a written response to FER concerning the report. In addition, FER may give other stakeholders the opportunity to submit their views, in particular the Head of School, who has overall responsibility for the activities carried out within the school. All assessments and investigations must be carried out with respect for both the person reporting the matter and the person being reported.

The school management or equivalent parties must be informed of the suspicions raised. The school or equivalent parties must ensure that the persons concerned receive the support required in connection with the pressures that may arise from cases involving suspected research misconduct or other deviations from good research practice.

A report may be rejected or dismissed if the case is so incomplete that no assessment or investigation can be conducted, if an assessment or investigation of the case has already been conducted by Npof or FER in the past with no subsequent material additions or if other reasons arise that make an assessment or investigation manifestly impossible or unnecessary. The Vice-Chancellor decides whether to reject or dismiss a report following presentation by FER.

The University's *Guidelines on conflict of interest* must always be taken into account in all enquiries and assessments. Anyone with a conflict of interest must not participate in the investigation.

4.2 Suspected research misconduct

In cases involving suspected research misconduct, FER is responsible for promptly obtaining documentation from stakeholders and compiling the case files. These files must document the allegation and report FER's initial assessment of the report. If the Vice-Chancellor finds that there exists a suspicion of research misconduct, the documents must be submitted to Npof for assessment of the case. According to current recommendations (Government Bill 2018/19:58, p. 102), suspicion of research misconduct must be interpreted generously, so that all cases that could involve misconduct are investigated by Npof.

If Npof is of the opinion that a case does not involve research misconduct but may involve other deviations from good research practice the matter is dealt with as described in 4.3.

4.3 Suspected other deviations from good research practice

FER is responsible for conducting a full investigation if there are suspected other deviations from good research practice. FER is responsible for obtaining documentation from stakeholders and compiling the case files during the investigation. These files must document the allegation and the investigations, and also report FER's assessment of the accuracy of the allegation. The investigation must be conducted promptly, objectively and fairly.

During the investigation, FER may obtain opinions from external experts and/or co-opt the University's lawyer, if necessary.

Based on FER's investigation and assessment of a case, the Vice-Chancellor must then decide whether the circumstances are such that the case can be left with no further action or whether there has been a deviation from good research practice.

If there is a deviation from good research practice, the Vice-Chancellor's decision must determine whether anyone should be held responsible for the deviation. The decision should also state whether the deviation was committed intentionally or through (gross) negligence.

The Vice-Chancellor decides on the measures to be taken in relation to a case, such as referring the case to the Staff Disciplinary Board (SDB) or the Government Disciplinary Board (GDB). Any taken measures must be proportionate to the seriousness of the deviation.

4.4 Follow-up

If a researcher is cleared of any suspected research misconduct or other deviation from good research practice, the concerned school must take appropriate action to remedy any damage that may have been caused by the suspicion and the handling of the case. The department must also ensure that anyone who, in good faith, reports suspicions of research misconduct or other deviations from good research practice is not subjected to reprisals.

In accordance with Section 14 of the Act on Responsibility for Good Research Practice and the Assessment of Research Misconduct, if research misconduct or other deviations from good research practice have occurred, the Vice-Chancellor or a person appointed by the Vice-Chancellor is responsible for informing the relevant research funders, public agencies, scholarly journals and other stakeholders about the decision.

In accordance with Section 13 of the Act on Responsibility for Good Research Practice and the Assessment of Research Misconduct, if Npof decides that research misconduct has occurred, or it appears from an Npof decision that there has been a serious deviation from good research practice in the form of fabrication, falsification or plagiarism without being able to determine intent or gross negligence, the Vice-Chancellor or a person appointed by the Vice-Chancellor is responsible for ensuring, within six months of Npof's decision coming into force, that a report is submitted to Npof on the measures it has taken or intends to take due to the decision.

In accordance with Chapter 1, Section 18 of the Higher Education Ordinance, the Vice-Chancellor or a person appointed by the Vice-Chancellor is responsible for reporting to Npof by 30 March every year, in an anonymised form, certain information about deviations from good research practice that have been examined at the University during the previous calendar year.

5 The document is valid from

The document is valid from 30 November 2021 and replaces the Guidelines for dealing with suspected research misconduct and other serious deviations from good research practice (reg. no. HS 2020/559).