

 <p>QIMR Berghofer Medical Research Institute</p>	<p>Policy on the Responsible Conduct of Research and Research Misconduct</p>	Effective: 25/07/2024
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		Authorised by: Deputy Director & Chief Scientist
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1 PURPOSE

- 1.1 This Policy formally adopts the principles and responsibilities in the [Australian Code for the Responsible Conduct of Research \(2018\)](#) as amended (the **Code**).
- 1.2 The Code establishes a framework for responsible conduct of research that provides a foundation for high-quality, credible research that the community can trust.
- 1.3 This Policy is to be read with the Institute's *Procedures for Managing and Investigating Potential Breaches of the Australian Code for the Responsible Conduct of Research*. Together, these documents set out the principles and procedures for reporting, receiving and resolving complaints about potential breaches of the Code in accordance with the NHMRC's [Guide to Managing and Investigating Potential Breaches of the Australian Code for the Responsible Conduct of Research \(2018\), as amended](#) (the **Guide**).

2 POLICY STATEMENT

- 2.1 The Institute is committed to upholding the highest standards of integrity in research.
- 2.2 The Institute adopts and endorses the Code's general principles and responsibilities for the responsible conduct of research, by creating a conscientious research culture, characterised by honest and ethical conduct.
- 2.3 Departures from the standards of conducting research outlined in this policy may amount to Serious Misconduct, including Research Misconduct, or Misconduct on the part of the individual Research Staff.

3 SCOPE

- 3.1 It is MANDATORY for all researchers conducting research under the auspices of the Institute to comply with the Code and conduct their research in a manner consistent with the standards set out in this Policy and other Institute policies.
- 3.2 This Policy applies to all Personnel, other than as outlined in paragraph 3.3 below.
- 3.3 This Policy:
 - 3.3.1 does not apply to complaints relating to the Director and CEO as these will be dealt with in accordance with the Policy on Complaints involving the Director and CEO (Public Official);
 - 3.3.2 does not address other forms of misconduct such as harassment, bullying or financial misconduct. These are addressed through the Institute's Misconduct and Unsatisfactory Performance Policy or other procedures established by QIMR Berghofer and amended from time to time;
 - 3.3.3 does not cover complaints relating to other Institutions as these will be referred to the relevant Institution.

4 DEFINITIONS

Unless otherwise stated, the terms in this Policy shall have the following meanings:

Complaint	A Complaint about a potential breach of the Code refers to a concern that is raised or identified relating to one or more Researchers conducting research that is not in accordance with the principles and responsibilities of the Code and this Policy. These can be made either verbally or in writing.
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Faculty	Those Institute positions titled as Team Head, Group Leader, Senior Group Leader, and Distinguished Scientist.
Institute	QIMR Berghofer Medical Research Institute
Misconduct	Misconduct is unacceptable behaviour or conduct by an employee on a one-off or ongoing basis. Misconduct includes behaviour or conduct that is inconsistent with QIMR Berghofer's Code of Conduct, or a breach of QIMR Berghofer's policies and procedures, or in breach of an obligation under legislation, but which is not severe enough to constitute Serious Misconduct. Misconduct can include behaviour or conduct in a private capacity that reflects seriously and adversely on QIMR Berghofer.
Personnel	All Institute employees, volunteers, Council Members, Animal Ethics Committee and Sub-Committee Members, students, Visiting Scientists, Honorary Scientists, Emeritus Scientists, Affiliates and consultants engaged to assist the Institute with preliminary assessments or investigations conducted pursuant to these procedures.
Procedural Fairness	Means acting fairly in administrative decision making and using a fair and proper procedure when making a decision. The principles of procedural fairness are also referred to as natural justice, and apply to managing and investigating potential breaches of the Code. The principles are based on three rules: 1. The hearing rule – The Respondent has an opportunity to be heard; 2. The rule against bias – decision makers do not have a personal interest in the outcome; and 3. The evidence rule – decisions are based on evidence.
Research Misconduct	A serious breach of the Code which is also intentional, reckless or negligent as further defined in section 6 of this Policy.
Research Staff	All persons conducting or assisting with the conduct of research under the auspices of QIMR Berghofer, including but not limited to employees, non-paid Researchers, Visiting Scientists, Honorary Scientists, Emeritus Scientists, Affiliates and Students.
Respondent	An individual who is the subject of a Complaint about a potential breach of the Code.
Serious Misconduct	Serious Misconduct is Misconduct that would make it unreasonable for QIMR Berghofer to continue with an employee's employment contract. Serious Misconduct includes: (a) wilful or deliberate behaviour by an employee that is inconsistent with the continuation of the contract of employment; (b) conduct that causes serious or imminent risk to (i) the health or safety of a person; or (ii) the reputation, viability or profitability of QIMR Berghofer's business; (c) Research Misconduct; (d) theft; (e) fraud; (f) assault; (g) being intoxicated at work; and (h) refusing to comply with a lawful and reasonable direction.

5 PRINCIPLES FOR THE RESPONSIBLE CONDUCT OF RESEARCH

5.1 All Personnel are expected to:

- 5.1.1 Read and abide by this Policy, the Code and the Institute's Procedures for Managing and Investigating Potential Breaches of the Australian Code for the Responsible Conduct of Research;
- 5.1.2 Conduct their research with integrity and according to the Code's general principles and responsibilities;
- 5.1.3 Comply with any other Institute policies, procedures and guidelines and any other legal or regulatory requirements that are relevant to their field of research;
- 5.1.4 Obtain the following relevant approvals before commencing research:
 - 5.1.4.1 Safety approval;
 - 5.1.4.2 Human Research Ethics Committee (HREC) approval for all work involving human subjects, human biospecimens or data (when required);
 - 5.1.4.3 Animal Ethics Committee (AEC) approval for all work involving animals;
 - 5.1.4.4 Approval from Office of the Gene Technology Regulator (OGTR) when working with genetically modified organisms;
- 5.1.5 Comply with the following guidelines in relation to research involving humans, animals and genetically modified organisms throughout the research project:
 - 5.1.5.1 National Statement on Ethical Conduct in Human Research
 - 5.1.5.2 Australian Code for the Care and Use of Animals for Scientific Purposes;
 - 5.1.5.3 Guidelines issued by the OGTR; and
 - 5.1.5.4 Any other guidelines issued from time to time by the NHMRC and made available via the [Research Integrity intranet page](#)
- 5.1.6 Conduct research involving Aboriginal and Torres Strait Islander peoples in accordance with the relevant guidelines adopted by the NHMRC^{1,2} and the Australian Institute of Aboriginal and Torres Strait Islander Studies³;
- 5.1.7 Encourage consumer and community participation in research, which if undertaken, must be conducted in accordance with the NHMRC *Statement on Consumer and Community Involvement in Health and Medical Research*; and
- 5.1.8 Obtain any other regulatory approvals that are relevant to their field of research⁴.

6 BREACHES OF THE CODE AND RESEARCH MISCONDUCT

6.1 A breach of the Code is defined as a failure to meet the principles and responsibilities of the Code and may refer to a single breach or multiple breaches. Examples of breaches of the

¹ *Ethical Conduct in Research with Aboriginal and Torres Strait Islander Peoples and Communities: Guidelines for Researchers and Stakeholders*, National Health and Medical Research Council, 2018.

² *Keeping Research on Track II*, National Health and Medical Research Council, 2018.

³ *Guidelines for Ethical Research in Australian Indigenous Studies*, Australian Institute of Aboriginal and Torres Strait Islander Studies, 2012.

⁴ In accordance with relevant legislation, regulations, codes of practice and standards.

Code include, but are not limited to, the following:

- **Not meeting required research standards** – for example by conducting research without the required ethics approval or misuse of research funds;
- **Fabrication, falsification or misrepresentation** – for example fabrication, falsification or misrepresentation of research data or source material, or falsification and/or misrepresentation to obtain funding;
- **Plagiarism** – for example plagiarism of someone else’s work, including theories, concepts, research data and source material, and duplicate publication (also known as redundant or multiple publication, or self-plagiarism) without acknowledgement of the source;
- **Research data management** – for example poor record keeping or inappropriate destruction or disclosure of research records, research data or source material;
- **Supervision** – for example failure to provide adequate guidance or mentorship on responsible research conduct to researchers or research trainees under their supervision;
- **Authorship** – for example failure to acknowledge the contribution of others fairly, or misleading ascription of authorship;
- **Conflicts of interest** – a failure to disclose and manage conflicts of interest; and
- **Peer review** – a failure to conduct peer review responsibly.

6.2 Breaches of the Code occur on a spectrum, from minor (less serious) to major (more serious). Repeated or persistent breaches will likely constitute a serious breach.

6.3 Research Misconduct is defined as a serious breach of the Code which is also intentional, reckless or negligent. Fabrication and falsification are types of breaches that are commonly recognized as being undertaken intentionally or recklessly and are examples of Research Misconduct. Repeated or persistent breaches will likely constitute a serious breach, which will trigger consideration of Research Misconduct.

6.4 Research Misconduct does not, however, include honest differences in judgement. Unintentional errors do not usually constitute Research Misconduct unless they result from behaviour that is reckless or negligent.

6.5 Once a breach has been found, the seriousness of the breach of the Code is to be determined on a case-by-case basis and requires good judgement, careful deliberation and an appreciation of the context and accepted academic disciplinary norms.

6.6 All complaints relating to potential breaches of the Code and Research Misconduct will be dealt with in a manner, that is:

6.6.1 Proportional, procedurally fair, impartial, timely, transparent and confidential;

6.6.2 In accordance with the Institute’s *Procedures for Managing and Investigating Potential Breaches of the Australian Code for the Responsible Conduct of Research*; and

6.6.3 In accordance with the *Guide*.

6.7 Substantiated complaints of Research Misconduct may be considered to be Serious Misconduct and will be referred for assessment and any disciplinary action in accordance with the relevant sections of the Institute’s *Procedures for Managing and Investigating Potential Breaches of the Australian Code for the Responsible Conduct of Research*.

- 6.8 Substantiated complaints of conduct in breach of the Code which are not severe enough to constitute Research Misconduct may be considered to be Misconduct and may be referred for assessment and any disciplinary action in accordance with the Institute's Procedures for Managing and Investigating Potential Breaches of the Australian Code for the Responsible Conduct of Research.
- 6.9 Every reasonable effort will be taken to restore the reputation of any researcher alleged to have engaged in improper conduct of research when such complaints cannot be substantiated.

7 ROLES AND RESPONSIBILITIES

7.1 Personnel:

The primary responsibility for ensuring the integrity of research lies with both the individual researcher and the Institute. Any Personnel concerned that a researcher has not conducted their research in accordance with the Code, has an obligation to report their concerns in accordance with the Procedures for Managing and Investigating Potential Breaches of the Australian Code for the Responsible Conduct of Research.

7.2 Research Integrity Advisor (RIA):

An RIA is a staff member appointed by the Institute to promote the responsible conduct of research and provide confidential advice to those with concerns or complaints about potential breaches of the Code, who may be considering whether to make a complaint. RIAs will explain the options available to the individual considering making or having made a complaint. RIAs do not investigate complaints, or contact the person who is the subject of the complaint or their supervisor.

At the Institute, the appointed RIAs are from different career stages, research programs and diverse backgrounds to accommodate the needs of different researchers and promote peer-to-peer opportunities in accordance with NHMRC's Research Integrity Advisors: A Guide supporting the Australian Code for the Responsible Conduct of Research.

7.3 Designated Officer:

The Designated Officer is a senior member of the Institute's Faculty other than the Director and CEO, for example the Deputy Director. The Designated Officer is appointed to receive complaints about the conduct of research, potential breaches of the Code or Research Misconduct and to oversee their management and investigation where required.

7.4 Research Integrity Office (RIO):

The RIO comprises staff with responsibility for managing the research integrity process at the Institute. The RIO will include Research Integrity Officers who are appointed as Assessment Officers to conduct preliminary assessment of a complaint about research and assist investigation panels with the management of investigations.

Where a potential breach of the Code, including Research Misconduct, becomes known without an identified or continuing complainant (such as by anonymous Complaint, where a complainant wishes not to pursue the Complaint, or where information arises in the course of another investigation), the RIO does not act as and should not be taken to be the complainant. In such matters, there will be no actual, potential or perceived conflict of interest for the RIO and its staff to fulfil their roles under the *Procedures for Managing and Investigation Potential Breaches of the Australian Code for the Responsible Conduct of Research* and they will continue to assist with managing and investigating potential breaches in accordance with that Procedure.

7.5 Director and CEO:

The Director and CEO has responsibility for receiving reports of the outcomes of processes of assessment or investigation of a potential or identified breach of the Code or Research Misconduct. The Director and CEO determines whether a breach of the Code or Research Misconduct has occurred and if so the extent of the breach, and then decides on the course of action to be taken including referral to the CPO for disciplinary action in accordance with the Procedures for Managing and Investigating Potential Breaches of the Australian Code for the Responsible Conduct of Research.

8 CONSIDERATION AND MANAGEMENT OF COMPLAINTS

- 8.1 All allegations of breaches of the Code, including Research Misconduct, and any resulting disciplinary action for a substantiated breach of the Code, will be taken seriously and managed in accordance with the Institute's Procedures for Managing and Investigating Potential Breaches of the Australian Code for the Responsible Conduct of Research.

9 RELATED DOCUMENTS AND REFERENCES

9.1 External references

- *Australian Code for the Care and Use of Animals for Scientific Purposes*, National Health and Medical Research Council, Australian Research Council, 2013
<https://nhmrc.gov.au/about-us/publications/australian-code-care-and-use-animals-scientific-purposes>
- *Australian Code for the Responsible Conduct of Research*, National Health and Medical Research Council, Australian Research Council, 2018
<https://nhmrc.gov.au/about-us/publications/australian-code-responsible-conduct-research-2018>
- *Ethical Conduct in Research with Aboriginal and Torres Strait Islander Peoples and Communities: Guidelines for Researchers and Stakeholders*, National Health and Medical Research Council, 2018
<https://nhmrc.gov.au/about-us/publications/ethical-conduct-research-aboriginal-and-torres-strait-islander-peoples-and-communities>
- *Guidelines for Ethical Research in Australian Indigenous Studies*, Australian Institute of Aboriginal and Torres Strait Islander Studies, 2012
<https://aiatsis.gov.au/sites/default/files/docs/research-and-guides/ethics/gerais.pdf>
- *Guide to Managing and Investigating Potential Breaches of the Australian Code for the Responsible Conduct of Research*, National Health and Medical Research Council, Australian Research Council, 2018
<https://nhmrc.gov.au/about-us/publications/guide-managing-and-investigating-potential-breaches-code>
- *Keeping Research on Track II*, National Health and Medical Research Council, 2018
<https://nhmrc.gov.au/about-us/publications/keeping-research-track-ii>
- *National Statement on Ethical Conduct in Human Research*, National Health and Medical Research Council, Australian Research Council, 2007 (Updated 2018)

<https://nhmrc.gov.au/about-us/publications/national-statement-ethical-conduct-human-research-2007-updated-2018>

- *Statement on Consumer and Community Involvement in Health and Medical Research*, National Health and Medical Research Council, 2016

<https://nhmrc.gov.au/about-us/publications/statement-consumer-and-community-involvement-health-and-medical-research>

- *Monitoring and compliance protocols*, Office of the Gene Technology Regulator.

<https://www.ogtr.gov.au/resources/collections/monitoring-and-compliance-protocols>

- *Guidelines for the Transport, Storage and Disposal of GMOs* (2011), Office of the Gene Technology Regulator.

<https://www.ogtr.gov.au/resources/publications/guidelines-transport-storage-and-disposal-gmos>

9.2 Relevant QIMR Berghofer policies and procedures (available on the [intranet](#))

- Appointments to Roles under the “Policy on the Responsible Conduct of Research and Research Misconduct”
- Code of Conduct
- Policy on Complaints involving the Director and CEO (Public Official)
- Conflict of Interest Policy
- Misconduct and Unsatisfactory Performance Policy and Procedures
- Policy on the Criteria for Authorship
- Procedures for Managing and Investigating Potential Breaches of the Australian Code for the Responsible Conduct of Research
- Public Interest Disclosure Policy
- Policy on the Management of Primary Materials, Research Data and Research Records (and accompanying Procedures)

10 CONTACT OFFICER

- Deputy Director and Chief Scientist
- General Manager, Research Governance and Funding

11 AMENDMENT HISTORY

Version	Date approved	Approved by/Scope of change	Date due for review
1.0	21 May 2019	Revised as the <i>Policy on the Responsible Conduct of Research and Research Misconduct</i> and approved by Council	
2.0	25 July 2024	Updates approved by Director and CEO	August 2027