

Name: **CBU Integrity in Research and Scholarship**

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1. Purpose

All researchers are required to conduct their research in an ethically responsible manner through honest and thoughtful inquiry, rigorous analysis and adherence to professional standards. In particular, researchers are expected to conduct research in accordance with the Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans (<http://www.pre.ethics.gc.ca/eng/policy-politique/initiatives/tcps2-eptc2/Default/>) and the Canadian Council on Animal Care (<http://www.ccac.ca/>) standards, guidelines and procedures. Researchers conducting research with and/or among indigenous peoples are expected to conduct their research with the principles and approval of the appropriate ethics organizations (eg. Mi'kmaw Ethics Watch). Those conducting research with and/or among First Nations People are expected to conduct their research in accordance with the Atlantic Policy Congress of First Nations Chiefs' *Honouring Traditional Knowledge*^{*} policy document.

The purpose of this policy is to set out the responsibilities of researchers and the University, and to establish a uniform set of regulations and procedures related to Integrity in Research and Scholarship. It identifies the responsibilities of the researcher as well as procedures for the reporting and investigation of an alleged breach.

This policy will be reviewed and updated as needed. The reader is referred to the CBU research website (www.cbu.ca/research) for the most up to date version. In addition, the reader is referred to the Tri-Agency Framework Document for additional information (http://www.rcr.ethics.gc.ca/doc/Framework-CadreReference_eng.pdf).

2. Scope

This policy applies to all researchers at CBU including, but not limited to, full-time and part-time employees, visiting scholars, research associates, post-doctoral fellows, research assistants, students and volunteers. Unionized employees are encouraged to refer to applicable articles in the appropriate collective agreement. The collective agreements were consulted during the drafting of this policy and much of the policy and procedures were taken from existing collective agreements or Tri-Agency documents, however, in the event that there is disagreement between this policy and a current collective agreement between CBU and one of its unions, the procedures of the collective agreement supersede this policy for the members of the appropriate bargaining unit.

^{*} <http://www.apcfn.ca/en/economicdevelopment/resources/EldersRecommendationsHandout.pdf>

This policy and the procedures herein do not apply when a CBU employee conducts research outside his/her employment duties such as in private consulting or is hired on an external contract not affiliated with CBU.

3. Definitions

The reader is referred to the CBU research agreements policy, available on the research website (www.cbu.ca/research) for a full list of definitions. Some key definitions are repeated here for convenience.

CBU	Cape Breton University
CBUFA	Cape Breton University Faculty Association
NSGEU	Nova Scotia Government and General Employees Union
VPA	Vice President Academic & Professional Studies (Provost)
DRGS	Dean of Research & Graduate Studies
SRCR	Secretariat on Responsible Conduct of Research
Principal Investigator	the lead researcher at Cape Breton University (CBU) who is employed in a fulltime capacity and is responsible for a Research Project
Researcher	includes the Principal Investigator as well as other faculty, students and staff involved in a Research Project and also includes faculty, students and staff from other universities, student research assistants and contract researchers
Employee	an individual employed by CBU either on a full-time or part-time basis
Student	an individual who is registered as a student at CBU but who is working in a research project which is not part of their university coursework; otherwise they are covered under CBU's Academic Dishonesty process.
Post-Doctoral Fellow	an individual with a doctorate degree (awarded in the past five years) who, working under the supervision of a faculty mentor at CBU, holds an appointment of limited duration involving substantial full-time research or scholarship which is preparatory for an academic appointment or research career and not a source of continuing employment
Research Associate	an individual with a doctorate degree who is employed by the principal investigator as part of a research team
Research Assistant	an individual who is employed by the principal investigator as part of a research team

Visiting Scholar	a faculty member at rank, who holds a similar rank at another university, who is visiting CBU
Visiting Student Scholar	a graduate student registered at another university, who is conducting research at CBU and being supervised by a CBU faculty member
Adjunct Professor	an individual holding an adjunct appointment at CBU
REB	Research Ethics Board
ACC	Animal Care Committee
Granting Agency	any public or not-for-profit funding source which provides funding for a Research Project
External Sponsor	any external partner, other than a Granting Agency, which provides funding for a Research Project
Fabrication	Making up data, source material, methodologies or findings, including graphs and images
Falsification	Manipulating, changing, or omitting data, source material, methodologies or findings (including graphs and images) without acknowledgement
Destruction of research records	The destruction of one's own or another's 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
Plagiarism	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
Redundant publications	The re-publication of one's own previously published work or part there of, or data, in the same or another language, without adequate acknowledgment of the source, or justification
Invalid authorship	Inaccurate attribution of authorship, including attribution of authorship to persons other than those who have contributed sufficiently to take responsibility for the intellectual content, or agreeing to be listed as author to a publication for which one made little or no material contribution
Inadequate acknowledgement	Failure to appropriately recognize contributions of others in a manner consistent with their respective contributions and authorship policies of relevant publications

Mismanagement of Conflict of Interest

Failure to appropriately manage any real, potential or perceived conflict of interest, in accordance with the University's policy on conflict of interest in research, preventing one or more of the objectives of the Framework (Section 1.3) from being met.

Misrepresentation in an Application or Related Document

- a. Providing incomplete, inaccurate or false information in a grant or award application or related document, such as a letter of support or a progress report
- b. Applying for and/or holding an award when deemed ineligible by any research funding organization (world-wide) for reasons of breach of responsible conduct of research policies such as ethics, integrity or financial management policies
- c. Listing of co-applicants, collaborators or partners without their agreement

Mismanagement of Grants or Award Funds

Using grant or award funds for purposes inconsistent with the policies of the Agencies; misappropriating grants and award funds; contravening CBU, Tri-Agency financial policies; or providing incomplete, inaccurate or false information on documentation for expenditures from grant or award accounts.

Breaches of Conduct Failing to comply with relevant policies, laws or regulations, for the conduct of research activities; failing to obtain appropriate approvals, permits or certifications before conducting these activities.

4. Academic Freedom

The common good of society is furthered by the search for knowledge, and its free exposition. Academic freedom in universities is essential to these purposes in the teaching function of the university as well as in its scholarship and research. At the same time, academic freedom does not supersede the moral duty to use that freedom in a manner consistent with the scholarly obligation to base research and teaching on an honest search for knowledge.

Honesty in the quest for knowledge is inconsistent with fraud and other research misconduct. CBU is committed to promoting and nurturing a culture of integrity in research and ensuring that procedures are in place to assist scholars and students to meet their professional obligations to integrity and to ethical conduct in research.

CBU recognizes that academic freedom is an inseparable component of all research activity. Academic freedom does not require neutrality on the part of the individual.

Researchers are entitled to freedom in carrying out research and in publishing the results thereof. Censorship of information is inimical to the free pursuit of knowledge. The collection, organization, and dissemination of knowledge will be done freely and without bias. No censorship by the University based on moral, religious, or political views shall be exercised or allowed against any material.

Researchers have a responsibility to respect the academic freedom and rights of other members of the University community. Academic freedom does not confer legal immunity, nor does it diminish the obligations of researchers to meet their employment duties and responsibilities to the University. When expressing opinions in any public forum, researchers shall not purport to speak for the University unless so authorized.

5. Integrity in Scholarly Research

CBU is committed to excellence in scholarly activities and as such is committed to assuring that the highest standards of scholarly integrity are understood and practiced. As a scholarly community, the University, and all the individuals that comprise it, have a responsibility to maintain the highest standards of scholarship which include such principles as:

1. rigorous attention to citing the contributions of others (including students) such as joint authorship on publications;
2. using unpublished or published work of others only with permission and with due acknowledgement;
3. respecting the privileged access to information or ideas obtained from confidential manuscripts or applications;
4. respecting the privileged access to information or ideas obtained from duly executed non-disclosure and confidentiality agreements between the University and outside parties;
5. careful planning of research protocols, ensuring that ethical action and reflection is incorporated into research activities and design, methods of data collection, analysis, and storage are appropriate;
6. using scholarly and scientific rigor and integrity in obtaining, recording and analyzing data, and in reporting and publishing results;
7. proper use of all research resources (funds, equipment and materials, research subjects);
8. revealing to sponsors, universities, journals or funding agencies, any material conflict of interest, financial or other, that might influence their decisions on whether the individual should be asked

to review manuscripts or applications, test products or be permitted to undertake work sponsored from outside sources;

9. following the regulations of the University and the requirements of granting agencies;
10. appropriately and fairly recognizing the contribution of others from within or beyond the University Community to the creation of intellectual property;
11. following the ethical values and principles relevant to one's own discipline;
12. following Senate approved policies and procedures of the University's Research Ethics Board and the guidelines of the Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans;
13. following the policies and procedures defined by the University's Animal Care Committee and consistent with the Canadian Council on Animal Care's Guide to the Care and Use of Experimental Animals;
14. following all other the principles and responsibilities defined in the Tri-Council Policy Statement: Integrity in Research and Scholarship.

6. Conflict of Interest during the procedures of this policy

No individual covered by this policy shall participate in any procedure leading to a decision pursuant to any of the provisions of this policy affecting his/her own position or that of an individual with whom he/she has or has previously had a marital, familial, sexual, significant financial or similar relationship. All individuals involved in the investigation of allegations covered under this policy are required to do so in an impartial manner.

In the event that the DRGS is in conflict of interest, the VPA will serve in place of the DRGS for purposes of this policy and the President shall serve in the role of the VPA. In the event that the VPA is in conflict of interest, the President shall serve in the role of VPA for the purposes of this policy.

7. Fraud or Misconduct

Factors intrinsic to the process of academic research or scholarly activity such as honest error, conflicting data, or differences in interpretation or assessment of data or of experimental design or practice do not constitute fraud or misconduct.

Fraud or misconduct in academic research or scholarly activity can vary widely in nature and causes and includes:

- a) fabrication, falsification, or plagiarism;

- b) failure to recognize by due acknowledgment the substantive contributions of others, including students, or the use of unpublished material of others without permission, or the use of archival materials in violation of the rules of the archival source;
- c) failure to obtain the permission of the author before making significant use in any publication of new information, concepts or data obtained through a confidential review process[†];
- d) attribution of authorship to persons other than those who have participated sufficiently in the work to take public responsibility for its intellectual content[‡];
- e) submission for publication of articles originally published elsewhere except where it is clearly indicated in the published work that the publication is intended to be a republication;
- f) unauthorized and intentional diversion of the research funds of the University, federal or provincial granting councils or other sponsors of research;
- g) material failure to comply with relevant federal or provincial statutes or regulations for the protection of researchers, human subjects, or the health and safety of the public, or for the welfare of laboratory animals;
- h) material failure to meet other relevant legal requirements that relate to the conduct or reporting of research or scholarly activity;
- i) failure to reveal material conflict of interest to sponsors or to those who commission work, or when asked to undertake reviews of research grant applications or manuscripts for publication, or to test products for sale or for distribution to the public;
- j) failure by those involved in a research project to reveal to the University any material financial interest in a company that contracts with the University to undertake research, particularly research involving the company's products or those of its direct competitors, or to provide research-related materials or services. Material financial interest includes ownership, substantial stock holding, a directorship, significant honoraria or consulting fees but does not include routine stock holding in a large, publicly traded company.

[†] Such as access to manuscripts or grant applications during a review process for purposes of considering renewal of probation, promotion, or tenure or during review of such information or materials when assisting a colleague to obtain approval for publication of the results of his/her research, or during a review of materials received from a granting committee, council or agency, either internal or external.

[‡] A purely formal association with the research project, such as the headship of a laboratory or Faculty, (where the head or Dean had no direct research or research direction involvement) may be noted as an acknowledgment, but not as authorship. General supervision of a research group is not normally sufficient for authorship.

8. Possible Breaches of Conduct

8.1 Confidentiality

In as far as possible, the privacy of the complainant(s) and respondent(s) will be protected. During all stages of the processes described in this policy, personal information will only be disclosed to individuals who are involved in the investigation. To the extent possible, the individual(s) making an allegation in good faith or providing information related to an allegation will be protected from reprisals in a manner consistent with relevant legislation and collective agreements.

The University shall take such reasonable steps as may be necessary to:

- a. protect the reputation and credibility of researchers wrongfully accused of fraud or misconduct in research or scholarly activity, including written notification of the outcome of a formal investigation or arbitration proceeding to all agencies, publishers, or individuals who were informed by the University of the investigation.
- b. protect the rights, positions and reputations of researchers who in good faith make allegations of research or scholarly activity misconduct, or whom it calls as witnesses in the formal investigation conducted by the DRGS.
- c. minimize disruption to the research of the person making the allegation, and of any third party whose research may be affected, by the securing of evidence relevant to the allegation during the course of any investigation.

8.2 Receiving Allegations

- A. The DRGS will receive all confidential enquiries, allegations of breaches of policies, and information related to allegations. All allegations of fraud or misconduct in research or scholarly activity shall be in writing, with documented evidence, signed, dated and directed to the DRGS. The DRGS may refer the allegations to a designate. After receiving an allegation, the DRGS (or designate) will meet with the complainant(s) to verify the details of the alleged breach before proceeding with the processes of 8.3.
- B. All allegations under this policy must be in writing and signed by the complainant(s). Anonymous allegations will not be addressed.
- C. The University may independently, or, in exceptional circumstances, at one of the Tri-Agency council's request take immediate action to protect the administration of Agency funds. Immediate actions could include freezing grant accounts, requiring a second authorized signature from an institutional representative on all expenses charged to the researcher's grant accounts, or other measures, as appropriate.

8.3 Investigating Allegations

- A. The DRGS shall investigate the allegations promptly, fairly, and in a confidential manner. All those contacted in the course of the investigation shall be explicitly informed, and will be required to acknowledge in writing to the DRGS, that the process is confidential.
- B. After receiving an allegation of fraud or misconduct, the DRGS shall inform, in writing, the individual named in the allegation (the 'respondent') of the investigation with a summary thereof sufficiently detailed to permit him/her a fair opportunity to respond if he/she wishes to do so. If the respondent chooses not to respond, it shall not prejudice the substantive consideration of the allegation and shall only be considered as the respondent choosing not to respond. The DRGS shall request, in writing, a meeting with the respondent. Any statements against interest made by the DRGS or the respondent at such meeting shall be without prejudice, and accordingly, any proceedings related to the allegations shall be conducted *de novo*.
- C. If after the meeting in B, the DRGS finds that a formal investigation is warranted, he/she shall give written notice to the respondent, and the complainant that such investigation is to be conducted. The written notice shall include a copy of the signed allegations to allow the respondent an opportunity to respond. If the respondent is a unionized employee, the appropriate union shall receive a copy of the written notice of investigation and the respondent shall be informed in writing of his/her right to union representation.
- D. The formal investigation process commences when the respondent has received the written notice specified in C. If the respondent is a unionized employee, a representative of the appropriate union shall be present at any meeting involving the respondent during the course of the formal investigation. Any statements against interest made by the DRGS or the respondent at such meeting shall be without prejudice, and accordingly, any proceedings related to the allegations shall be conducted *de novo*.
- E. The DRGS shall investigate the allegations promptly and in a confidential manner, ensuring that the respondent has adequate opportunity to know any evidence presented and to respond to that evidence if he/she chooses to do so. If the respondent chooses not to respond, it shall not prejudice the substantive consideration of the allegation and shall only be considered as the respondent choosing not to respond.
- F. Within fifteen (15) working days following commencement of the formal investigation, the DRGS shall make a written report to the President. The report shall include a copy of the signed allegations, the written response, if any, from the respondent(s), and the finding as to whether or not the allegations have been upheld, together with the reasons for the finding. Copies of the report shall be provided to the respondent, the complainant and the appropriate union (if the

respondent is a unionized employee). Any finding of fraud or misconduct in research or scholarly activity shall require clear, cogent, and convincing proof.

- G. Within ten (10) working days following receipt of the report in F., the President shall notify the respondent, in writing, of the outcome of the inquiry. The complainant shall be notified, in general terms, whether the President imposed any action or sanction on the respondent, but not the details of such action or sanction.
- H. The respondent shall be eligible to launch an appeal regarding any concerns with the process to the Senate Research Appeals Committee which shall investigate the matter independently.
- I. At any time during the informal or formal review process, the DRGS may seek impartial expert opinions (external to the University if required) to ensure that the investigation is authoritative, thorough, impartial and fair.

8.4 Recourse

- A. The University shall take appropriate disciplinary or other appropriate action against individuals who make unfounded allegations of fraud or misconduct in research or scholarly activity, allegations which are reckless, malicious or in bad faith.
- B. Disciplinary action against unionized employees will be done in accordance with the relevant collective agreement.
- C. If the President determines that a breach has taken place, appropriate disciplinary action will be taken against the respondent. Recognizing that breaches can range from careless or negligent conduct to deliberate plagiarism or fraud, and based on the severity of the breach, appropriate actions include, but are not limited to (refer to 6.1.3.b of the Tri-Agency Framework: Responsible Conduct of Research, 2012):
 - A letter of reprimand on the respondent's employment file or student records;
 - Barring the respondent from receiving internal funding for research for a period of time, up to and including the remainder of his/her employment at CBU;
 - Barring the respondent from applying for external funding for a period of time, up to and including the remainder of his/her employment at CBU;
 - Freezing the assets in research accounts the respondent may hold for a period of time, up to and including the remainder of his/her employment at CBU;
 - Requiring a co-signor on research expenses for accounts within the control of the respondent for a period of time, up to and including the remainder of his/her employment at CBU;

- Notifying any external funding agencies, with which the respondent holds funding, of the breach and actions taken by the university; and
- Discipline, up to and including, termination of employment (or expulsion in the case of students), subject to the procedures of any relevant collective agreement.

8.5 Reporting Requirements

- A. Subject to any applicable laws, including privacy laws, the President (or delegate) shall advise relevant funding agencies immediately of any allegations related to activities funded by that agency that may involve significant financial, health and safety, or other risks.
- B. The President (or delegate) shall notify the appropriate funding agency confirming whether or not it conducted an investigation where the agency was copied on the allegation or advised according to A.
- C. The President (or delegate) will prepare a report for the SRCR on each investigation it conducts in response to an allegation of policy breaches related to a funding application submitted to an Agency or to an activity funded by an Agency. Subject to any applicable laws, including privacy laws, each report shall include the following information:
 - i. the specific allegation(s), a summary of the finding(s) and reasons for the finding(s);
 - ii. the process and time lines followed for the inquiry and/or investigation;
 - iii. the researcher's response to the allegation, investigation and findings, and any measures the researcher has taken to rectify the breach; and
 - iv. the President's decisions and recommendations and actions taken by the University.
- D. The University's report should not include:
 - i. information that is not related specifically to Agency funding and policies; or
 - ii. personal information about the researcher, or any other person, that is not material to the University's findings and its report to the SRCR.

9. Promoting Awareness and Education

CBU, through the office of Research and Graduate Studies, is responsible for:

- A. Promoting awareness of what constitutes the responsible conduct of research, including Agency requirements as set out in the University's policies, the consequences of failing to meet them, as well as the process for addressing allegations, to all those engaged in research activities at the

University. Additionally, working with researchers who are unsure of the guidelines or who may have been in breach of this policy to clarify the boundaries regarding matters of integrity in research.

- B. Communicating its policy on the responsible conduct of research within the University, and making public statistical annual reports on confirmed findings of breaches of that policy and actions taken, subject to applicable laws, including the privacy laws. At the final regular Senate meeting of the Academic Year (normally June), through the Senate Research Committee report, the DRGS will report the number of allegations and investigations conducted according to this policy. In addition the DRGS will report on education and promotion activities of Office of Research and Graduate Studies related to the responsible conduct of research.
- C. Communicating within the University, the central point of contact responsible for receiving confidential enquiries, allegations and information related to allegations of breaches of Agency policies.

10. Review of this Policy

While this policy is subject to review and modification as necessary according to the procedures of the CBU Senate, to ensure that the policy remains current, a formal review will take place at least every five years.

11. Responsibilities

11.1 Vice-President Academic and Professional Studies (Provost)

The VPA has the responsibility to promote awareness and education related to ethically responsible conduct of research. The VPA has general responsibility for enforcement and initiating reviews of this policy.

11.2 Dean of Research and Graduate Studies

The DRGS is responsible for reviewing and making recommendations to the VPA on this policy. The DRGS will oversee the internal allegation and investigation process and will give advice to the VPA and President on whether or not action is required. The DRGS will ensure that the Office of Research and Graduate Studies promotes the responsible conduct of research and provides education sessions, particularly for new researchers, at least annually.

11.3 Researchers

At a minimum, a researcher is responsible to:

- A. Conduct his/her research in an ethically responsible manner in accordance with all CBU policies and, if applicable, an appropriate collective agreement;
- B. Keep current with best practices and moral issues relevant to his/her research and to recognize the principles of respect for autonomy, welfare of those involved in the research as either participants or researchers, and justice;
- C. Strive to follow the best research practices honestly, accountably, openly and fairly in the search for and in the dissemination of knowledge, and follow the requirements of applicable university policies and professional or disciplinary standards and shall comply with applicable laws and regulations;
- 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. Keep complete and accurate records of data, methodologies and findings, including graphs and images, in accordance with the applicable funding agreement, university policies, appropriate collective agreement, and/or laws, regulations, and professional or disciplinary standards in a manner that will allow verification or replication of the work by others;
- F. Reference and, where applicable, obtain permission for the use of all published and unpublished work, including, but not limited to, data, source material, methodologies, findings, tables, graphs and images;
- G. Include as authors, with their consent, all those and only those who have materially or conceptually contributed to, and share responsibility for, the contents of the publication or document, in a manner consistent with their respective contributions, and authorship policies of relevant publications;
- H. Acknowledge, in addition to authors, all contributors and contributions to research, including writers, funders and sponsors.

A researcher is not responsible for the secondary use of research data and findings by other third-parties.