



**LUNDS**  
UNIVERSITET

Vice-Chancellor

## **Guidelines for the processing of matters relating to suspected deviation from good research practice at Lund University**

These guidelines enter into force on 1 January 2020 and replace the regulations from 24 May 2018 (STYR 2018/760).

Pursuant to the Act on Responsibility for Good Research Practice and the Examination of Research Misconduct (2019:504) (referred to below as the Act on Responsibility for Good Research Practice) and chapter 1, section 17 of the Higher Education Ordinance (1993:100), Lund University issues the following guidelines.

### **General**

#### **Section 1**

If a deviation from good research practice is suspected, the following administrative procedure is applied.

Research conducted without ethical permit or other types of authorisation are processed according to a specific procedure.

#### **Section 2**

Good research practice is based on Lund University's four fundamental principles (compare *The European Code of Conduct for Research Integrity*, ALLEA 2017):

- *Reliability* in ensuring the quality of research, reflected in the design, the methodology, the analysis and the use of resources
- *Honesty* in developing, undertaking, reviewing, reporting and communicating research in a transparent, fair, full and unbiased way
- *Respect* for colleagues, research participants, society, ecosystems, cultural heritage and the environment
- *Accountability* for the research from idea to publication, for its management and organisation, for training, supervision and mentoring, and for its wider impacts.

At Lund University, it is recommended that research is conducted according to the following (compare *The European Code of Conduct for Research Integrity*, ALLEA 2017):

- researchers take into account the latest findings in developing research ideas

- researchers design, carry out, analyse and document research in a careful and well-considered manner
- researchers make proper and responsible use of research funds
- researchers publish results and interpretations of research in an open, honest, transparent and accurate manner, and respect confidentiality of data and findings when legitimately required to do so
- researchers report their results in a way that is compatible with the standards of the discipline and, where applicable, can be verified and reproduced.

## **Definitions**

### **Section 3**

Research misconduct, pursuant to section 2 of the Act on Responsibility for Good Research Practice, concerns a form of fabrication, falsification or plagiarism that is committed intentionally or through gross negligence when planning, conducting or reporting research.

### **Section 4**

Other deviations from good research practice refer to offences other than those stated in section 3 that risk damaging, or damage, the integrity of the research process, research or researchers, and that is committed intentionally or through gross negligence when planning, conducting or reporting research.

Examples of other deviations from good research practice include:

- unfounded claims of authorship, unfounded exclusion of someone from co-authorship or other deviations from publishing ethics
- obstructing scientific or research ethics reviews, for example by withholding background material or not keeping data from studies in a secure manner
- inducing or trying to influence someone into actions that fall under deviations from good research practice
- carrying out reprisals against someone who has reported or presented information or suspicions relating to deviations from good research practice
- reporting suspicions with the sole purpose of discrediting someone else
- using research material contrary to current contracts or agreements
- unauthorised use of information given in confidence
- giving misleading information about someone's contribution to research
- destroying samples or in some other way spoiling another researcher's ongoing work

## **Examination of suspected deviation from good research practice**

### **Section 5**

Suspected research misconduct is examined in accordance with a specific procedure by the national Research Misconduct Board pursuant to section 7 of the Act on Responsibility for Good Research Practice and is processed by Lund University in accordance with section 10–11.

**Section 6**

Suspicions regarding other deviations from good research practice are examined in accordance with section 12–19.

**Section 7**

In the case of a report that contains suspicions of both research misconduct and other deviations from good research practice, the University is to examine the part relating to other deviations from good research practice.

**Section 8**

A suspected deviation from good research practice is to be reported immediately in writing to the vice-chancellor at Lund University or reported in accordance with section 10 below.

The faculty management, or equivalent, concerned is to be promptly informed about the reported suspected deviation from good research practice.

The faculty, or equivalent, concerned is to ensure that the person or persons involved receive the support they may need in connection with stress that may arise in matters relating to deviation from good research practice.

The research funders that have stated this as a requirement are to be promptly informed about the presented suspicions of deviation from good research practice.

**Section 9**

The examination of deviation from good research practice is not to be based on circumstances that are older than 10 years when the matter is initiated; unless there are special reasons for an examination.

*Examination of research misconduct***Section 10**

If the suspicion is deemed to relate to research misconduct that has occurred in the University's activities, the matter is to be handed over for examination by the national *Research Misconduct Board* in accordance with the Act on Responsibility for Good Research Practice.

**Section 11**

Pursuant to section 12 of the Act on Responsibility for Good Research Practice, the University is to submit the information and documents on research that the national Research Misconduct Board requests and provide access to computers and other equipment that has been used in research.

*Examination of other deviations from good research practice***Section 12**

At Lund University, the investigation of suspected other deviations from good research practice is the responsibility of the *Deviations from Good Research Practice Review Board*, referred to hereafter as the Board.

The Board is made up of the university director, a legal counsel from the Legal Division and three representatives of teaching staff employed at Lund University with high academic expertise and integrity.

The university director are standing members of the Board. The other members sit for three years and their term of office can be renewed.

The teaching staff representatives on the Board are appointed by the vice-chancellor after consultation with the faculties of the University. One of the teaching staff representatives chairs the Board. The vice-chancellor decides which of the three will be the chair. A legal counsel from the Legal Division are appointed by the vice-chancellor on the proposal from the university's general counsel. If necessary, the vice-chancellor can decide to temporarily replace one of the board members (including the chair). The Board can decide to give people the right to attend board meetings and make statements regarding certain matters.

The Board is quorate when at least three members are present.

When a doctoral student has filed a report on a matter or is the subject of an investigation, a student representative, appointed by the Lund University Students' Unions (LUS), is given the right to attend board meetings and make statements.

The Board shall be assisted by a member of administrative staff.

The University's faculties, or equivalent, shall, at the request of the Board, assist the Board in its work in accordance with the requests made. The faculty deans or equivalent shall ensure that this occurs.

In investigations, the Board, in accordance with the rules in the Administrative Procedure Act, shall ensure that there are no conflicts of interest.

### **Section 13**

The Board shall first arrange for a preliminary investigation and then, if the University considers that there are grounds, propose to the vice-chancellor that a full investigation be conducted. The Board is responsible for ensuring that the full investigation is carried out.

If the Board considers that there are no grounds for the reported suspicion of other deviations from good research practice, the Board can propose that the vice-chancellor dismiss the report without further action, i.e. without the Board first having conducted a preliminary investigation.

The Board may, in the course of the investigation, obtain information from other public authorities and, when necessary, decide to transfer parts of the investigation to other authorities, e.g. with regard to reports concerning an authority's supervisory role.

### *Preliminary investigation*

#### **Section 14**

The Board is responsible for the preliminary investigation.

#### **Section 15**

The preliminary investigation shall be carried out promptly, maintaining the greatest possible protection of personal integrity for both the person suspected of other deviations from good research practice and the person presenting the allegation.

In the preliminary investigation, facts in the matter shall be gathered and the person reported shall be offered the opportunity to respond orally or in writing to the allegation and other information that has been submitted in the matter by other people. Interviews may also need to be held with other parties during the investigation.

If necessary, the Board can appoint a subject expert during the preliminary investigation.

When interviews are held with individuals in the preliminary investigation, an official note shall be produced that renders what the person has said.

#### **Section 16**

After the preliminary investigation is concluded, the vice-chancellor is to decide whether the situation is such

- a) that the matter is to be dismissed without further action, or
- b) that a full investigation of the matter is to be carried out, or
- c) if a full investigation is clearly unnecessary, other deviations from good research practice have occurred.

### *Full investigation*

#### **Section 17**

The Board is responsible for the full investigation.

#### **Section 18**

The full investigation shall be carried out promptly, maintaining the greatest possible protection of the personal integrity of both the person suspected of deviations from good research practice and the person presenting the allegation.

In the full investigation, the Board shall be assisted by at least two subject experts affiliated with other higher education institutions.

The Board shall give the person reported and the person who filed the report the opportunity to make a statement on the matter to the Board. The person reported has the right to be present when the person who filed the report makes a statement before the Board, unless there are specific reasons to the contrary, and the person reported is to be given the opportunity to respond to the allegations at the meeting. If it finds it appropriate, the Board may decide to allow the person who filed the report to be present at the meeting when the person reported speaks to the Board.

When interviews are held with individuals in the investigation, an official note shall be produced that renders what the person has said.

### **Section 19**

After the full investigation is concluded, the vice-chancellor is to decide whether the situation is such that other deviations from good research practice have occurred or not.

### **Follow up and measures**

### **Section 20**

In cases where a person is guilty of deviations from good research practice, according to a decision made by the national Research Misconduct Board concerning research misconduct, or a decision has been made by the University concerning other deviations from good research practice, the information is to be provided directly to the part of the research community concerned. How the information is provided is to be assessed according to the circumstances in each particular case.

### **Section 21**

Any measures that need to be taken due to a decision concerning deviation from good research practice are to be managed by the faculty concerned and reported to the Board. Possible measures can, among other things, be assessed on the basis of how the violation has damaged research processes, adversely affected relations between researchers, undermined trust in, and the credibility of, the research, caused a waste of resources or has exposed the object of the research, the users, society and the environment to unnecessary damage. The offence is also to be set in relation to the employment position, which is addressed according to a specific procedure.

In cases where research misconduct has been proven, a report concerning measures is to be sent to the national Research Misconduct Board in accordance with section 13 of the Act on Responsibility for Good Research Practice.

### **Section 22**

Pursuant to section 18 of the Higher Education Ordinance, a report of the cases that have been examined relating to other deviations from good research practice is to be submitted annually to the national Research Misconduct Board.

### **Section 23**

With regard to professional misconduct pursuant to chapter 20 of the Swedish Penal Code (1962:700) or to neglect of duty pursuant to section 14 of the Public Employment Act (1994:260), a decision on the referral of the matter to the National Disciplinary Board, in cases involving professors, shall be made by the vice-chancellor. The National Disciplinary Board shall then make a decision on whether disciplinary action is to be taken or if the matter is to be reported for prosecution.

For professional misconduct or neglect of duty committed by other categories of staff, decisions on whether disciplinary action is to be taken or if the matter is to be reported for prosecution are taken by the University's Staff Disciplinary Board.