REGULATION 17.1.R8
UNDER STATUTE 17.1

17.1.R8 - CODE OF CONDUCT FOR RESEARCH

1. Principles

(1) **Statement of Guiding Principles**

This Code of Conduct ('the code') prescribes standards of responsible and ethical conduct expected of all persons (academic staff, students, technical and other support staff) engaged in research ('research workers') in The University of Melbourne ('the University') based upon the following guiding principles

(a) Research is original investigation undertaken in order to gain knowledge and understanding and make this widely available

(b) Research workers should, in all aspects of their research -

(i) demonstrate integrity and professionalism;

(ii) observe fairness and equity;

(iii) demonstrate intellectual honesty;

(iv) effectively and transparently manage conflicts of interest or potential conflicts of interest; and

(v) ensure the safety and well being of those associated with the research.

(c) Research methods and results should be open to scrutiny and debate.

(2) **Observance of the code**

Research workers must familiarise themselves with the code and ensure that its provisions are observed.

(3) **Breach of the code**

Failure to comply with the provisions of the code may be a ground for disciplinary action.

(4) **Advice**

Where a research worker or any other member of the University is in doubt about the applicability of provisions of the code, or about the appropriate course of action to be adopted in relation to it, advice should be sought from a faculty associate dean (research and research training) or a member of the Research Integrity Committee. . Such advice should provide on a confidential basis.

2. Specific Requirements

(1) Research **Data and Records**

(a) Research workers must comply with the University's 'Policy on the Management of Research Data and Records' and related policies that may be promulgated from time to time. This policy includes, but it is not limited to, the following requirements -

(i) data and records should be accurate, complete and in sufficient detail to enable verification of research results and to reflect what was communicated, decided or done;

(ii) data (including electronic data) must be recorded in a durable and retrievable form, be appropriately indexed and comply with relevant protocols;

(iii) data must be retained intact for a period of at least five years from the date of any publication which is based upon or longer than this if discussion of results continues, if there are regulatory or sponsor requirements, or if the data has historical or archival value;

(iv) a research unit or department must establish procedures for retention of data and maintain a register of the data and records and their location; data and records will normally be kept in the department or unit where the research was conducted;

(v) data forming the basis of publications must be available for discussion with other research workers; where confidentiality provisions apply, the data should be kept in a way that allows reference by third parties without breaching confidentiality; and

(vi) when data are obtained from limited access data bases, or via a contractual arrangement, written indication of the location of the original data, or key information regarding the database from which it was obtained, must be retained by the research worker or research unit.

(2) **Authorship**

(a) For a person to be recorded as an author of a publication requires that he or she is directly involved in the creation of the publication by -

(i) conceiving it, analysing and interpreting the data on which it is based;

(ii) writing or revising the intellectual content; and

(iii) giving final approval of the version to be published.

(b) The right to authorship is not tied to position or profession; ghost, gift, or honorary authorship is unacceptable. Authorship should honestly reflect the contribution to the work being published. Participation solely in the acquisition of funding or the collection of data is not sufficient for a person to be attributed as an author of a publication.

(c) Any part of an article critical to its main conclusion must be the responsibility of at least one author.

(d) An author's role in a research output must be sufficient for that person to take public responsibility for at least that part of the output in that person's area of expertise.

(e) No person who is an author, consistent with this definition, may be excluded as an author without their permission in writing.

(f) When there is more than one co-author of a research output, one co-author (by agreement amongst the authors) should be nominated as executive author for the purposes of administration and correspondence and when there is more than one co-author of a research output, the authors should discuss and reach agreement on the order in which authors shall be listed.

(g) Other persons who contributed to the work who are not authors should be named in Acknowledgements (where the publisher provides for this, and in a manner consistent with the norms of the research field or discipline). An author must ensure that the work of research students, research assistants and technical officers is recognised in a publication derived from research to which they have made a contribution.

(h) Research workers must comply with authorship criteria appropriate to their discipline, and/or according to the requirements of the journal their work is to be published in.

(3) **Publications**

(a) Publication of more than one paper based on the same set(s) or subset(s) of data is not acceptable, except where each subsequent paper fully cross-references and acknowledges the earlier paper or papers as the case may be (for example, in a series of closely related work, or where a complete work grew out of a preliminary publication and this is fully acknowledged).

(b) An author who submits substantially similar work to more than one publisher must disclose this to the publishers at the time of submission.

(c) Publications must include information on the sources of financial support for the research and must include a disclosure of any potential conflicts of interest. Financial sponsorship that carries an embargo on such naming of a sponsor should be avoided.

(d) Confidentiality provisions to protect intellectual property rights may be agreed between the University, the research worker and a sponsor of the research. Where such agreements limit free publication and discussion, limitations and restrictions must be explicitly agreed.

(4) **Supervision of Students Undertaking Research**

(a) Supervision of doctor of Philosophy students should be carried out in accordance with the 'Guidelines on PhD candidature for departments, supervisors' set out in the PhD Handbook.

(b) Supervision of all other students undertaking research should be carried out in accordance with the requirements set down by the relevant faculty, school or department.

(5) **Conflict of Interest**

(a) A research worker has a conflict of interest in any circumstances where that person has a real, perceived or potential opportunity to prefer their own interests, or those of any other person or organisation, to the interests of the University. Examples of conflicts of interest in research include but are not limited to situations -

(i) where the research is sponsored by a related body;

(ii) where the researcher or a related body may benefit, directly or indirectly, from any inappropriate dissemination of research results (including any delay in or restriction upon publication of such results);

(iii) where the researcher or a related body may benefit, directly or indirectly, from the use of University resources;

(iv) where the researcher conducts a clinical trial which is sponsored by any person or organisation with a significant interest in the results of the trial.

(v) where private benefits or significant personal or professional advantage are dependent on research outcomes.

A related body is any person or body with which the researcher has an affiliation or a financial involvement.

A financial involvement includes a direct or indirect financial interest, provision of benefits (such as travel and accommodation) and provision of materials or facilities.

An indirect financial interest is a financial interest or benefit derived by the researcher's relatives, personal or business associates, or research students.

It is important to recognise that real or perceived opportunities to give preference to personal interests arise from competing obligations and can be other than financial.

(b) The responsibility for managing a conflict of interest rests, in the first instance, with the individual.

(i) A research worker must make a full disclosure of a conflict of interest or of circumstances that might give rise to a perceived or potential conflict of interest as soon as reasonably practicable as follows -

A. where the research worker is a head of department, to the dean of the relevant faculty;
B. where the research worker is a dean of a faculty, to the deputy vice-chancellor (research);
C. in all other cases, to the research worker's head of department.

For the conduct of clinical trials, full disclosure must include the nature of the sponsorship and the relationships between the sponsor, trial subjects and the clinical investigator.

(c) Disclosures shall be handled as follows -

(i) the officer in receipt of the disclosure referred in paragraph (i) above must discuss the matter with the staff member concerned determine a procedure for the management or elimination of the conflict of interest. The procedure must be documented and the research worker advised in writing and a copy of the agreement held in the department's records.

(ii) a research worker must comply with the direction of the officer referred to in section 5 (e)(i) above in relation to the management of the conflict of interest.

(iii) unless involved directly, it is the responsibility of heads of departments to ensure that conflicts of interest in research involving their staff members are managed appropriately.

(iv) when a head of department has a conflict of interest in research, the dean of the faculty will be responsible for recommending to the deputy vice-chancellor (Research) appropriate management arrangements.

(v) when a dean of faculty has a conflict of interest in research, the deputy vice-chancellor (Research) will be responsible for recommending to the vice-chancellor appropriate management arrangements.

(d) a head of department must not be a director of any organisation sponsoring research in that department or have a direct or indirect financial interest in excess of 5% equity in such an organisation unless full disclosure has been made and the vice-chancellor has approved an exception to this policy.

(e) the deputy vice-chancellor (Research), when deciding whether to accept sponsored research or contract research funding on behalf of the University, may seek information regarding disclosure and management of any conflict of interest that may result.

3. Additional Requirements

(1) Any special standards of work performance and ethical conduct imposed by law or by the University in relation to particular categories of research are deemed to be included in this code in its application to persons engaged in that kind of research in the University. These include that where research procedures are of a kind requiring approval by a human or animal ethics committee, gene technology and biosafety Committee or by a safety or other validly constituted regulatory committees, research must not proceed without such prior approval.

(2) Research workers should endeavour to safeguard the interests of all parties in relation to intellectual property in accordance with the Intellectual Property Statute of the University and other guidelines as may be promulgated from time to time.

(3) Every research worker should be provided with access to material on applicable institutional guidelines for the conduct of research, including those covering ethical requirements for studies on humans or animals, requirements for confidentiality, and occupational health and safety matters.

(4) Academic staff must make a declaration as part of their annual reporting requirements that they have complied with the provisions of the code.

4. Research Misconduct

(1) Research misconduct is constituted by a failure to comply with the principles or specific provisions of the code and includes but is not limited to conduct in, or in connection with, research that is (a) dishonest, reckless or negligent and (b) seriously deviates from accepted standards within the scientific and scholarly community for proposing, conducting or reporting research, such as following, includes -

(a) the fabrication or falsification of data or results,

(b) the use of another person's ideas, work or data without appropriate acknowledgement,

(c) misleading ascription of authorship to a publication including the listing of authors without their permission, attributing work to people who have not in fact contributed to the publication, the lack of appropriate acknowledgement of work primarily produced by a research student/trainee or associate, and

(d) failure to disclose conflicts of interest or cases where a conflict of interest might reasonably be perceived to exist.

(2) Procedures for dealing with allegations of misconduct in research are set out in the Personnel Policy and Procedures Manual.

(3) Procedures for dealing with allegations of misconduct in research by students are set out in Statute 13.1 – Student Discipline.

[s. 4(2) made, s. 5 revoked 4/12/00,
s. 2(2)-(4) renumbered s. 2(3)-(5), s. 2(2) made, s. 2(3) subst.,
s. 2(4)(b) am., s. 2(4)(d) made, s. 3(1) am., s. 3(3) made 5/11/01, s. 2(5) subst. 1/7/02, am. 6/3/06.]