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## Responsible Conduct in Research

Office of Research Services

Policy

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The University of New Brunswick (UNB) is committed to providing an environment that supports high quality Research and Scholarly Activity, and fosters Researchers' abilities to act honestly, accountably, openly, and fairly. To achieve this end, in alignment with the [Tri-Agency Framework: Responsible Conduct of Research](#), integrity from all Members of the University Community is essential in the pursuit of Research. Research and Scholarly Misconduct, in whatever form, is ultimately destructive to the values of the University, as well as community and industry partners; furthermore, it is unfair and discouraging to those who conduct their Research with integrity.

### 1.0 Purpose

- 1.1 To set forth the standards for responsible conduct of research for all those involved, in any capacity, in all Research conducted by Members of the University Community;
- 1.2 To promote integrity in Research and support a positive scholarly environment;
- 1.3 To ensure compliance with applicable laws, policies, and procedures;
- 1.4 To ensure that Research is conducted in accordance with the University's expectations for responsible conduct as outlined in this Policy;
- 1.5 To promote an awareness of [research ethics](#) within the University and educate University Members on responsible conduct of research;
- 1.6 To provide a process for dealing with allegations of Research and Scholarly Misconduct in an appropriate and timely manner; and,
- 1.7 To ensure visibility and consistent application of measures to prevent and deal with issues/incidences of Research and Scholarly Misconduct when they arise.

### 2.0 Applicability

- 2.1 All Research that is conducted by University Members, is undertaken under the auspices of, or in affiliation with the University, or involves University equipment, facilities, space, resources, employees, post-doctoral fellows, or students.
- 2.2 Shall not supersede the [University of New Brunswick Act](#), collective agreements, policies, or regulations as they apply to specific types of transactions and/or agreements.

### 3.0 Definitions

#### 3.1 In this Policy:

- 3.1.1 "Research and Scholarly Misconduct" includes any conduct that constitutes a breach of generally accepted standards for Research and Scholarly Activity within the relevant Research or academic community for conducting, proposing, reporting, supervising, or reviewing Research or other Scholarly activity.

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Research and Scholarly Misconduct *does not* include situations of:

- i) Honest and reasonable error;
  - ii) Differences of interpretation or judgment relating to data and results;
  - iii) Valid differences in research design or evaluation of information; and/or,
  - iv) Conflicting results that are reasonable considering the circumstances in which they are made or reached.
- 3.1.2 "Complainant" means a person who has made allegations of Research and Scholarly Misconduct by filing a Complaint pursuant to section 6.0 of this Policy.
- 3.1.3 "Complaint" means the matter reported in writing that alleges Research and Scholarly Misconduct against a Respondent, which begins the processes and procedures set out in this Policy.
- 3.1.4 "Conflict of Interest" means activities or situations that may place an individual in a real, potential, or perceived conflict between their duties and responsibilities related to Research and personal, University, or other interests. These include, but are not limited to, business, commercial, or financial interests pertaining to the individual, their family and/or friends, and current, former, or prospective professional associates. This definition of Conflict of Interest is as defined and interpreted by the Tri-Council in [The Tri-Agency Framework: Responsible Conduct in Research](#).
- 3.1.5 "First Nations Principles of OCAP (ownership, control, access, and possession)" means First Nations control the data processes in their communities, own the information collected, and protect how it is used. Protocols surrounding these principles may differ by community.
- 3.1.6 "Indigenous Research," as per Tri-Agency definitions, includes:
- a) Research in any field or discipline that is conducted by, grounded in, or engaged with First Nations, Inuit, Métis, or other Indigenous nations, communities, societies, or individuals, and their wisdom, cultures, experiences or knowledge systems, as expressed in their dynamic forms, past and present;
  - b) Intellectual, physical, emotional, and/or spiritual dimensions of knowledge in creative and interconnected relationships with people, places, and the natural environment;
  - c) Research conducted by and in collaboration with Indigenous peoples and communities; and,
  - d) Research that emphasizes and values the existing strengths, assets, and knowledge systems of Indigenous peoples and communities.

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All research involving Indigenous peoples must be undertaken in accordance with the second edition of the Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans, and, in particular, Chapter 9: Research Involving the First Nations, Inuit and Métis Peoples of Canada.

3.1.7 “Members of the University Community (University Members)” shall include any and all of the following:

- a) Administrators (including, but not limited to, the president, vice-presidents, associate vice-presidents, assistant vice-presidents, deans, associate deans, assistant deans, chairs, and directors);
- b) Faculty Members (including, but not limited to, professors, associate professors, assistant professors, full-time, part-time, tenured and untenured, contractual, stipendiary, term, lecturers, instructors, senior instructors, senior teaching associates, archivists, and librarians);
- c) Staff (including, but not limited to, full-time, part-time, term, continuing, or other staff employed by the University, or by any other individual or organization where work is carried out on University premises);
- d) Students (including, but not limited to, full-time, part-time, visiting, undergraduate, and graduate students);
- e) All persons holding non-employment appointments (including, but not limited to adjuncts, honorary research associates, honorary research professionals, professor emerita/emeritus, those on secondments, and visiting professors); and,
- f) Any other person (including, but not limited to, post-doctoral fellows) who has access to information for the purpose of conducting Research and Scholarly Activity at UNB.

3.1.8 “Principal Investigator” or “Co-Principal Investigator” is a person who oversees a research project that is subject to a research agreement and who is either:

- a) An employee of UNB with Professorial, Instructor, or Librarian rank who receives employment remuneration from the University;
- b) A retired employee of UNB who previously held Professorial, Instructor, or Librarian rank during their tenure and who is now designated as “Emeritus / Emerita,” “Honorary Research Associate,” or “Honorary Research Professional”; or,

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- c) A position formally recognized by UNB as being able to oversee a research project that is subject to a research agreement (e.g., adjunct professors and other individuals seconded to UNB whose presence at UNB is detailed by documentation that allows them Principal Investigator status).
- 3.1.9 "Research and/or Scholarly Activity" encompass all scholarly and artistic undertakings, as well as creative endeavors, that are intended to extend/advance knowledge through disciplined inquiry and/or systematic investigation. This includes scholarly, basic, demonstrative, creative, artistic, and applied work. The conduct of Research and Scholarly Activity includes the conceptualization and development of research ideas/projects, applying for and managing funds, collecting and analyzing data, and disseminating results or creative endeavours (e.g., fine arts and music).
  - 3.1.10 "Researcher" means an individual who undertakes Research at, on behalf of, in connection with, under the auspices of, or in affiliation with, the University.
  - 3.1.11 "Research Integrity Officer (RIO)" refers to the Vice-President (Research), who is the individual responsible for promoting the practice of research and scholarly integrity at the University, and administering this Policy.
  - 3.1.12 "Respondent" means person against whom an allegation of Research and Scholarly Misconduct is directed (e.g., Principal Investigator), or who may be implicated in an allegation of Research and Scholarly Misconduct (e.g., co-investigators), or who becomes the subject of an investigation.
  - 3.1.13 "[Secretariat on Responsible Conduct of Research](#)" means the body responsible for administering policies of the Tri-Agency.
  - 3.1.14 "Tri-Agency" means the Canadian Institutes of Health Research (CIHR), the Natural Sciences and Engineering Research Council (NSERC), the Social Sciences and Humanities Research Council (SSHRC), or any one of them as context requires.
  - 3.1.15 "Tri-Agency Research" means a research project funded by the Tri-Agency.

### 4.0 Best Practices

- 4.1 University Researchers are personally and directly responsible for the integrity of their own Research and Scholarly Activity, and must ensure it meets the requirements of all applicable funding agreements, policies, guidelines, standards, laws, and regulations. Researchers are also responsible for monitoring and maintaining the integrity of the Research and Scholarly Activity conducted by those they supervise.

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- 4.2 Members of the University Community share in the responsibility for ensuring adherence to generally accepted standards of research and scholarly conduct in relation to all Research and Scholarly Activity. It is expected that no person will engage in Research and Scholarly Misconduct in relation to Research and Scholarly Activity.

University Members are also responsible for:

- 4.2.1 Obtaining all required University of New Brunswick, respective agency, and community approvals and training for Research including, but not limited to, research involving human participants, Indigenous nations, communities, or groups, animal subjects, fieldwork, biohazards, radioisotopes, and environmental impact.
- 4.2.2 Ensuring that their Research is conducted in accordance with approved protocols, institutional policies, and all reporting requirements, as well as Tri-Agency and other institutional and community guidelines and policies concerning respectful and equitable work environments.
- 4.2.3 Ensuring all Researchers are properly supervised and trained in [equity, diversity, and inclusion](#), as well as the conduct of Research, including execution of research designs, processing of acquired data, recording of data and other results, interpretation of results, publication, and the storage of research process records and materials.
- 4.2.4 Recognizing the unique considerations imperative to conducting research with, or on behalf of, Indigenous nations, communities, or groups, while respecting Indigenous knowledge and rights. Researchers conducting Indigenous Research should consult [Chapter 9: Research Involving the First Nations, Inuit and Métis Peoples of Canada](#) of the [Tri-Agency Policy Statement: Ethical Conduct of Research Involving Humans \(TCPS 2\)](#) and [First Nations Principles of OCAP](#) (ownership, control, access, and possession) to ensure that appropriate protocols are in place. These frameworks do not supersede ethical guidelines, protocols, or other formal or informal review processes established by Indigenous communities.
- 4.2.5 Exercising supervision of research students in adherence with accepted standards and norms.
- 4.2.6 Exercising scholarly and scientific rigour and integrity when recording, analyzing and interpreting data, and in reporting and publishing findings. This includes keeping complete and accurate records of data, methodologies, and findings, including graphs and images, in accordance with the applicable

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funding agreements, institutional policies and/or laws, regulations, and professional or disciplinary standards in a manner that will allow verification or replication of the work by others.

- 4.2.7 Protecting the privacy of any individuals whose personal information has been obtained as part of any Research as required under the [University's Policy for the Provision of Access to Information](#) and [Policy for the Protection of Personal Information and Privacy](#), the [Right to Information and Protection of Privacy Act \(RTIPPA\)](#), the [Personal Health Information Privacy and Access Act \(PHIPAA\)](#), the [Personal Information and Protection of Electronic Documents Act \(PIPEDA\)](#) and the TCPS 2.
- 4.2.8 Managing funds acquired for the support of Research as required by the terms of Tri-Agency guidelines, research funding agreements, University policies on the administration of research funds, and the administration of research grants and contracts.
- 4.2.9 Including 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.
- 4.2.10 Acknowledging, in addition to authors, all contributors and contributions to Research, including, but not limited to, writers, funders, and sponsors.
- 4.2.11 Keeping complete, thorough, timely, and verifiable records, and preserving those records as required by law and/or policy, acknowledging that all records of research conducted at the University remain the property of the University, or the Researcher, as per University policies and collective agreements.
- 4.2.12 Reporting Conflicts of Interest as per University policies, processes, and collective agreements with respect to Conflict of Interest.

## 5.0 Avoiding Misconduct

- 5.1 Examples of Research and Scholarly Misconduct, to be avoided by all Members of the University Community, include, but are not limited to:
  - 5.1.1 Fabrication – manipulation of research data, source material (including other Researchers' scholarship), methodology, or results, but does not include those factors intrinsic to the process of academic research, such as honest error, conflicting data, differences in interpretation or judgment of data, and/or study design, or works of fiction and other creative and/or artistic activities.

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- 5.1.2 Falsification – falsification of data, source material, or results, including any manipulation of graphs, images, numbers, texts, and/or transcripts that is not reported, or that distorts the conclusions of a study, but does not include those factors intrinsic to the process of academic research, such as honest error, conflicting data, differences in interpretation or judgment of data, and/or experimental design.
- 5.1.3 Falsification of Credentials – misrepresenting qualifications, awards, achievements, status of publications, or reporting non-existent work.
- 5.1.4 Destruction of Research Records – the destruction of one’s own or another’s research data or records to avoid the detection of wrongdoing, or in contradiction to the applicable funding agreement, institutional policies, regulations, laws, and professional or disciplinary standards.
- 5.1.5 Plagiarism – using another's words or ideas as one's own, but does not include factors intrinsic to the process of academic Research, such as honest error, conflicting data, differences in interpretation or judgment of data, and/or experimental design.
- 5.1.6 Self-Plagiarism – re-publication of one's own previously published work, or part thereof, including data, in the same or another language, without adequate acknowledgment of the source or justification for its use.
- 5.1.7 Misrepresentation of authorship and credit:
  - i) Failure to obtain consent regarding participation and knowledge use;
  - ii) Failure to appropriately recognize contributions of others (e.g., denying authorship credit to someone who has contributed substantively to the intellectual content of a manuscript or not recognizing contributions of a co-inventor in a patent application);
  - iii) Attribution of authorship to persons other than those who have contributed sufficiently to the intellectual content (e.g., giving authorship credit to someone who has not contributed substantively to a manuscript);
  - iv) Use of others' unpublished materials without permission; and/or,
  - v) Misrepresentation of professional credentials and experience.



### 5.1.8 Misrepresentation or mismanagement of Conflict of Interest:

- i) Failure to comply with University policies, processes, and collective agreements, with respect to Conflict of Interest in relation to a research project;
- ii) Failure to disclose actual or appearance of Conflict of Interest to institutions, sponsors, commissioners of work, or publishers (e.g., journal editors) when submitting research grant applications, manuscripts for publication, and testing products for sale or distribution to the public;
- iii) Failure to reveal to the sponsors any Conflict of Interest when asked to undertake reviews of research grant applications or to test products for sale or distribution to the public;
- iv) Lack of proper disclosure of involvement with firms, institutions, organizations, and/or groups with an interest in the outcomes of the Research; and/or,
- v) Inappropriate alteration or suppression of research results to favour the interests of the funding provider, be it commercial or not-for-profit, such as government or a private foundation.

### 5.1.9 Financial Misconduct – using research funds for purposes contrary to the funding agency's or sponsor's expressed requirements; misappropriation of research funds, including fraud.

### 5.1.10 Disregard for University, federal, or provincial research-related policies and regulations:

- i) Failure to meet University, federal, provincial, or community research-related policies or regulations (e.g., policies that protect Researchers, human subjects/participants, the health, safety, and well-being of the public, the welfare of lab animals, those dealing with biohazards or radioactive materials, etc.);
- ii) Failure to obtain the appropriate approvals before conducting Research; and/or,
- iii) Failure to meet relevant legal requirements on the conduct or reporting of Research and Scholarly Activity.

### 5.1.11 Misappropriation of Indigenous knowledges, cultures, and heritages:

- i) Failure to engage Indigenous communities in all stages and phases of research and planning;
- ii) Exploiting and expropriating Indigenous knowledges, cultures, and heritages;



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- iii) Failure to recognize and honor First Nations Principles of OCAP (ownership, control, access, and possession);
- iv) Conducting research that does not benefit the community (e.g., not providing training, employment, and/or educational opportunities to community members);
- v) Devaluing Indigenous peoples' knowledge as primitive or superstitious;
- vi) Violating community customs regarding the use of human tissue and remains;
- vii) Failure to share data and resulting benefits with communities; and,
- viii) Disseminating information that misrepresents or stigmatizes Indigenous communities.

### 5.1.12 Deliberate impairment or interference with the progress of Research:

- i) Selective reporting of reliable and relevant research results with the intent to mislead;
- ii) Abuse of personal or institutional power to pressure Researchers into misrepresenting research results;
- iii) Undue delay of the publication of research results;
- iv) Sabotage of the research work or materials of others;
- v) Deliberate misleading of colleagues or communities about the results and interpretation of a study; and/or,
- vi) Interference with a misconduct investigation.

### 5.1.13 Withholding of Research information:

- i) Omission of key aspects of methodology in papers or proposals to wilfully hamper replication by colleagues;
- ii) Undue withholding of data, research materials, or key aspects of methodology from the research community; and/or,
- iii) Failure to inform collaborators in a timely fashion of experimental findings and developments.

### 5.1.14 Abuse of confidentiality:

- i) Failure to maintain the confidentiality of information and ideas taken from grant applications, manuscripts, or other documents being reviewed;
- ii) Failure to maintain the confidentiality of information marked as confidential;
- iii) Failure to maintain the confidentiality of discussions held in confidence; and/or,
- iv) Improper use of private or confidential information.

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### 5.1.15 Abuse of peer review:

- i) Failure to disqualify oneself from a process once potential Conflict of Interest becomes known;
- ii) Failure to preserve the privacy and intellectual property rights of the persons whose work one is reviewing; and/or,
- iii) Failure to obtain permission of the author before using information gained through access to manuscripts or grant applications during the peer review process.

### 5.1.16 Abuse of supervision:

- i) Failure to follow University policies (e.g. [Discrimination, Sexual Harassment and Harassment Policy](#)), processes, and/or collective agreements with respect to supervision and Conflict of Interest once potential Conflict of Interest becomes known;
- ii) Failure to follow Tri-Agency [equity, diversity, and inclusion](#) guidelines;
- iii) Failure to preserve the privacy and intellectual property rights of students and assistants;
- iv) Failure to obtain permission, where appropriate, from a student or assistant before using information gained through access to manuscripts, data, or grant applications;
- v) Failure to address violations of University policies in the conduct of supervised Research; and/or,
- vi) Failure to acknowledge structural inequalities (e.g., treating individuals differently based on embedded biases that provide advantages for some while marginalizing others).

Research and Scholarly Misconduct may vary in levels of intent. Although the level of intent may be a factor in determining the appropriate consequences, the conduct constitutes Research and Scholarly Misconduct.

## 6.0 Receiving Allegations

6.1 University officials (senior administration, deans, department chairs, directors, and managers) are responsible for promoting and overseeing Research at the University to help ensure that it is conducted with the highest standards of research integrity.

They, or their designates, are also responsible for:

- a) Encouraging activities that support research integrity among University Members;
- b) Dealing expeditiously and fairly with any known instances or allegations of a breach of the Responsible Conduct in Research Policy;
- c) Directing and overseeing any inquiry as outlined in the procedural section of this Policy; and,
- d) Determining whether a formal investigation will occur.

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- 6.1.1 Under this Policy, Senior Administrators include:
- a) deans (when Respondents are faculty members, sessional lecturers or students in a faculty);
  - b) executive directors, directors, or associate/assistant vice-presidents in charge of an administrative unit (when Respondents are employees of a particular unit);
  - c) Vice-President Academic/Vice President Saint John (when Respondents are deans or visiting professors);
  - d) Dean of Graduate Studies (when Respondents are adjunct professors, post-doctoral fellows, graduate students, professional affiliates, or visiting scholars/professors);
  - e) vice-presidents (when Respondents are directors of an administrative unit, associate vice-presidents, and those positions that are not listed);
  - f) President (when Respondents are vice-presidents or other members of administration reporting directly to the President); and,
  - g) Board of Governors (when the Respondent is the President).
- 6.1.2 The Research Integrity Office (RIO) will maintain and securely store records of all allegations, investigations, and decisions made under this Policy.
- 6.1.3 Senior Administrators, or their designates, are responsible for maintaining and securely storing records of all allegations, investigations, and decisions made under this Policy, relevant to their department, unit, etc.
- 6.1.4 All Members of the University are required to cooperate in any inquiry and/or investigation process initiated under this Policy.
- 6.2 Allegations of breaches of the Responsible Conduct in Research Policy will be dealt with by prompt, judicious, confidential, and effective procedures that ensure procedural fairness and protect both those whose integrity is brought into question and those who bring forward allegations of breaches of Research and Scholarly Misconduct. The University will provide an environment that supports quality Research and fosters Researchers' ability to act honestly, accountably, openly, and fairly in the search for and dissemination of knowledge.
- 6.3 Any Member of the University Community who has witnessed or has reasonable grounds to believe that Research and Scholarly Misconduct is occurring or has occurred in the University must report the matter promptly to the relevant University Official or Senior Administrator as outlined in section 6.1.1 of this Policy.

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- 6.4 Allegations of Research and Scholarly Misconduct may be made by any person within or outside of the University who has reasonable grounds to suspect that Research and Scholarly Misconduct is occurring or has occurred.
- 6.5 All written allegations of Research and Scholarly Misconduct shall be directed to the RIO, who will review the Complaint, and if necessary, refer the allegation to a designate. If in their judgment the allegations have sufficient substance to warrant an informal investigation, the RIO (or designate) shall inform the Respondent, in writing, with copies to their certified union (if any) and Human Resources. The notice shall summarize the allegations in sufficient detail to allow the individual concerned an opportunity to respond, advise the individual concerned of the right to be represented by their union, and suggest they contact their union prior to responding. Should the RIO determine the evidence to be insufficient, all allegations shall be dismissed and no action taken.
- 6.6 If a person is uncertain as to whether an activity or activities constitute Research and Scholarly Misconduct, they may contact the RIO, or their designate, to discuss the matter on a confidential basis. If the circumstance or conduct does not meet the definition of Research and Scholarly Misconduct, but may fall under the provision of other University policies, the RIO will refer the Complainant to the appropriate University office(s) or official(s) with responsibility to resolve such matters.
- 6.7 There may be exceptional situations where an individual has a reasonable concern that their career or personal safety may be compromised by raising an allegation of Research and Scholarly Misconduct. All Complaints submitted remain confidential to the RIO (or designate) and designated investigator during the preliminary inquiry. Anonymous written allegations can be submitted to the RIO. Whether or not an anonymous allegation can proceed in the absence of an identified Complainant will be determined by the RIO, in their sole discretion, based on the circumstances of the case and available evidence.
- 6.8 Graduate students and post-doctoral fellows may be in particularly vulnerable positions in these situations and are encouraged to seek advice and support through their union representatives, academic units, the School of Graduate Studies' Dean's office (for graduate students), or Vice-President (Research) (for post-doctoral fellows).
- 6.9 When an allegation is first received, the RIO (or designate) may choose to initiate an inquiry before a formal investigation to determine if there is sufficient merit to the

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allegation, or issues in dispute, before proceeding with a formal investigation (e.g., a Respondent may admit to the allegation, which removes the necessity of an investigation). The RIO (or designate) may meet informally with the Respondent, or others, to assist in making this determination. Once the inquiry is complete, the RIO (or designate) will notify the Respondent as to whether a formal investigation process will commence or whether the Complaint is resolved at the inquiry stage.

6.10 Should it be determined that the circumstances of the case and the evidence available merit further investigation, where possible, both the Complainant and Respondent will be informed privately prior to initiating the formal investigation. This information will be discussed with the Complainant prior to pursuing the allegation further.

6.11 Where the RIO is unable to discharge their responsibilities under this Policy in relation to a particular allegation due to a potential Conflict of Interest, as defined in this Policy, their responsibilities under this Policy may be assigned to the Vice-President Fredericton (Academic)/Vice-President Saint John, or designate.

6.12 There are numerous reasons as to why a Complaint may not move forward to the formal investigation stage, such as the RIO (or designate) determining that the Complaint has insufficient merit, is immediately mitigated, or has been made with malicious intent. Where it is concluded that the Complaint does not warrant a formal investigation, the RIO (or designate) shall so advise the Respondent and the Complainant and forward a copy of the written Complaint and review report to the appropriate Senior Administrator(s) as defined in section 6.1.1 of this Policy for further evaluation.

6.13 If the Complaint is found to have been made in bad faith it will be reviewed by the President and Vice-President (or designates). Under their discretion, as well as relevant collective agreements, consequences and disciplinary measures may be enforced.

6.14 Any acts of retaliation (including threats, intimidation, reprisals or adverse employment or education action) made against the Complainant or any individual who participated in any manner in the investigation or resolution of a report of a breach of the Responsible Conduct in Research Policy may be subject to other University policies and collective agreements.

## 7.0 Investigating Allegations

7.1 The formal investigation process commences when the individual named in the allegations receives written notice that a decision has been made to proceed with a formal investigation. If the Respondent is in a bargaining unit, another employee, who is an authorized representative of the applicable union, shall be present at any meeting(s) or hearing(s) involving the individual(s) named in the allegations during the course of the formal investigation. Any statements made by the Respondent during informal discussions outside of these meetings or hearings shall be strictly without prejudice.

7.2 The RIO (or designate) will provide the [Secretariat on Responsible Conduct in Research](#) with a copy of the allegation where the allegation relates to Tri-Agency Research and where it involves significant financial, health and safety, or other risks.

7.3 Within ten (10) working days of receiving the report that the Complaint requires a formal investigation, the RIO shall:

- a) Appoint an Investigation Committee to conduct an inquiry into the Complaint; and,
- b) Appoint a person to present the evidence in support of the Complaint to the Committee. This person may be the Complainant.

7.4 The Investigation Committee shall consist of three (3) individuals who are not members of either the Complainant's or Respondent's department. At least one member should be from outside the faculty of the Complainant and the Respondent, and may be external to the University. One member must be external to the University if the allegation relates to Tri-Agency funding. One member shall be appointed by the RIO as chair. The RIO shall advise the Respondent and Complainant of the members of the Investigation Committee.

7.5 Any objection to the composition of the Investigation Committee for alleged bias or Conflict of Interest shall be made to the RIO within seven (7) working days. The RIO's decision on this objection shall be final.

7.6 The responsibilities of the Investigation Committee are:

- a) To determine whether the Respondent has committed Research and Scholarly Misconduct; and,

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- b) To make recommendations with respect to appropriate disciplinary actions to the RIO.

7.7 The Investigation Committee has the right to see any relevant documents in the possession of the University or the Researcher, call witnesses, and/or request written submissions. The Investigation Committee may also seek impartial expert opinions as part of the investigation process to ensure they are properly informed and thorough in their investigation. Any interviews conducted or video evidence submitted will be summarized in writing by the Investigation Committee and verified by the interviewee to confirm that the summary encapsulates the information provided in the interview.

7.8 The Investigation Committee shall either conduct its investigation solely by written submission or by holding a hearing on the matter. The Investigation Committee shall sanction behaviours that violate rules and regulations of the University related to Research and Scholarly Activity, while ensuring that administrative fairness is observed.

7.9 All documentation submitted to the Investigation Committee shall be made available to the Respondent who shall be given the opportunity to respond fully to the evidence presented in writing. Ethical or research guidelines that are of a professional organization of which the Respondent is a member and applicable to the subject matter of the Complaint, are admissible as evidence to the Investigation Committee and may be considered in the investigation process and decision.

7.10 If the Investigation Committee conducts a hearing, the Respondent may be accompanied by an advisor. The Respondent shall be able to question any witnesses presented to the Investigation Committee and have the opportunity to call their own witnesses.

7.11 Within sixty (60) working days of the formation, the Investigation Committee shall complete their investigation and report their decision and recommendations in writing to the RIO. The Committee's report shall be considered a confidential, not for public disclosure document.

### 8.0 Recourse

8.1 Depending on the results of the investigation, the RIO may:

- a) Accept the findings of the Investigation Committee report in whole, or in part;



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- b) Forward the Investigation Committee report to the appropriate Senior Administrator(s) for further consideration regarding appropriate disciplinary actions;
- c) Determine an administrative non-disciplinary remedy and provide corresponding direction and support; and/or,
- d) Notify any relevant third parties (e.g., funding agencies, publishers, licensing boards, etc.), if appropriate.

### 9.0 Reporting

- 9.1 The RIO will report the outcome of the case to the Respondent in writing, in ways that appropriately address any privacy and security issues. Where the Complainant has a legitimate interest in the outcome of the investigation, the RIO will report to the Complainant in writing, in ways that appropriately address any privacy or security concerns.

The RIO shall also:

- a) Advise the Respondent and Senior Administrator that the Complaint is dismissed;
  - b) Advise the Respondent and the Dean that the Complaint is substantiated, but can be appropriately dealt with by the Senior Administrator; or,
  - c) Advise the Respondent and the Senior Administrator that the Complaint is substantiated and refer the matter to the President for appropriate disciplinary action in accordance with all applicable University policies, procedures, or agreements.
- 9.2 Where the Investigation Committee finds that there has not been Research and Scholarly Misconduct, the Investigation Committee shall make recommendations with respect to:
- a) The steps to be taken by the person who made the initial allegation (Complainant); and,
  - b) The steps to be taken by the University to help overcome any damage to the Respondent's reputation due to the Complaint.

## **10.0 Appeals**

10.1 A Respondent may appeal the decision of the Research Integrity Committee by filing a written notice of appeal to the Chair of their respective campus' Senate within thirty (30) calendar days of the delivery of the decision. The sole grounds for an appeal are that there was a substantial procedural error in the application of this Policy, or that the Vice-President (Research) lacked jurisdiction to make the decision under consideration. The decision made by this Committee shall be final with no further appeals. The Chair of the Senate shall request that the [Academic Policy and Procedures Committee](#) establish an ad hoc Committee to hear the appeal.

## **11.0 Extensions**

11.1 The time limits set in this Policy may be extended at the discretion of the RIO where there is justified reason to do so and where the parties affected by the Complaint will not be unduly prejudiced. All extensions will be communicated in writing.

## **12.0 Education**

12.1 The University will offer ongoing educational opportunities in Responsible Conduct in Research, along with an orientation for new Members of the University Community. In designing these educational opportunities, the Vice-President (Research) shall consult with faculty, graduate students, postdoctoral fellows, and other relevant groups. Where examples of investigations of misconduct at UNB are provided for the purpose of educating University Members, appropriate measures will be taken to maintain confidentiality, including the removal of personal or unique factual information that could lead to identifying the incident or persons involved.

## **13.0 Interpretation**

13.1 At the end of each academic year, the Vice-President (Research) will deliver an annual report to Senate regarding Research and Scholarly Misconduct which will include:

- a) The number of inquiries regarding Research and Scholarly Misconduct received by the RIO;
- b) The number of allegations received;

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- c) A representation of the types of allegations received by kind of misconduct;
- d) A representation of the allegations by kind of outcomes (e.g., dismissal of allegations, informal resolution, formal investigation, etc.); and,
- e) A representation of formal investigation outcomes and penalties applied (e.g., dismissal of allegations or findings of misconduct).

13.2 This Policy will be reviewed no later than three (3) years from its implementation and every three (3) years thereafter.

### 14.0 Questions

14.1 The Vice-President (Research)/Research Integrity Officer and Office of Research Services are located in Room 215 of Sir Howard Douglas Hall. Questions concerning this Policy may be directed to the Executive Director at [VPR@unb.ca](mailto:VPR@unb.ca).

14.2 The University Secretariat is located in Sir Howard Douglas Hall, Room 110. Questions concerning this Policy may be directed to [secretariat@unb.ca](mailto:secretariat@unb.ca).

14.3 The Vice-President Fredericton (Academic) office is located in Room 105 of Sir Howard Douglas Hall. Questions concerning this Policy may be directed to [VPACAD@unb.ca](mailto:VPACAD@unb.ca).

14.4 The Vice-President Saint John office is located in Room 111 of Philip Oland Hall. Questions concerning this Policy may be directed to [VPSJ@unb.ca](mailto:VPSJ@unb.ca).

14.5 [Tri-Agency Responsible Conduct in Research Interpretations](#).