

POLICY



CATEGORY	D. Student and Academic
SUBJECT	Responsible Conduct of Research
POLICY NUMBER	D38
CROSS REFERENCE	D9 Applied Research A7 Conflict of Interest A20 Institutional Animal Care and Use C15 Occupational Health and Safety D44 Research Involving Animals D45 Research Involving Humans
ADMINISTRATIVE SERVICES COMMITTEE	
February 12, 2018	
ACADEMIC COUNCIL	

POLICY STATEMENT

The goal of this policy is to foster responsible research at Olds College as well as to align with the policies of external funding agencies in order to facilitate funding applications. This policy describes the rights and responsibilities of researchers at Olds College in undertaking research, and describes the responsibility of management to promote responsible research at the College. It also describes the mechanisms for filing allegations of breaches of the Responsible Conduct of Research Policy, as well as receiving, review, investigation, recourse and appeal of alleged breaches.

This policy and its procedures have been developed to be fully compliant with the Tri-Agency Framework: Responsible Conduct of Research, and Canadian regulatory and granting agencies. The Vice President responsible for Applied Research, or delegate, is responsible for:

- Promoting awareness to members of the Olds College community of what constitutes the responsible conduct of research, including Olds College requirements as set out in Olds College policies, the consequences of failing to meet them, as well as the process for addressing allegations,
- Making public annual reports on confirmed findings of breaches of that policy as well as actions that were taken by the College, subject to applicable laws, including privacy laws,
- Being the central point of communication and contact responsible for receiving confidential enquiries, allegations and information related to allegations of breaches of policies.

DEFINITIONS

Tri- Council/Tri- Agency: The Tri-Council agencies are a major source of research funding for Canadian post-secondary institutions and include the Canadian Institutes of Health Research (CIHR), the Natural Sciences and Engineering Research Council of Canada (NSERC) and the Social Sciences and Humanities Research Council (SSHRC).

Breach: Failure to comply with policy at any time through the life cycle of a research project- from application for funding, to the conduct of research and the dissemination of research results. It includes all activities related to the research, including the management of funds.

Allegation: A declaration, statement or assertion in writing to the effect that there has been, or continued to be, a breach of one or more policies, the validity of which has not yet been established.

GUIDELINES

Responsibilities of Researchers

Scope:

Olds College requires that all persons conducting researcher at or in conjunction with Olds College comply with this policy and responsible conduct of research requirements.

Promoting Research Integrity:

Researchers shall strive to follow the best research practices honestly, accountably, openly and fairly in the search for and in the dissemination of knowledge. In addition, researchers shall follow the requirements of applicable institutional policies and professional or disciplinary standards and shall comply with applicable laws and regulations.

At a minimum, researchers are responsible for the following:

- Using a high level of rigor in proposing and performing research; in recording, analyzing, and interpreting data; and in reporting and publishing data and findings.
- Keeping complete and accurate records of data, methodologies and findings, including graphs and images, in accordance with the applicable funding agreement, 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.
- Referencing and, where applicable, obtaining permission for the use of all published and unpublished work, including data, source material, methodologies, findings, graphs and images.
- 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.
- Acknowledging, in addition to authors, all contributors and contributions to research, including writers, funders and sponsors.
- Appropriately managing any real, potential or perceived conflict of interest.

Applying for and Holding External Funding:

Applicants and holders of external grants and awards shall provide true, complete, and accurate information in their funding applications and related documents. They must represent themselves, their research, and their accomplishments in a manner consistent with the norms of the relevant field.

- Applicants must certify that they are not currently ineligible to apply for, and/or hold, funds from Tri-Council agencies (NSERC, SSHRC, CIHR) or any other research funding organization for reasons of breach of responsible conduct of research policies such as ethics, integrity, or financial management policies.
- Principal funding applicants must ensure that others listed on the application have agreed to be included.

Management of Grants and Award Funds:

Olds College ensures that research funds are administered with a high degree of responsibility and accountability. All research funded by the Tri-Council must be administered in accordance with the Tri-Council Agreement on the Administration of Agency Grants and Awards by Research Institutions as well as the Tri-Agency Financial Administration Guide. Researchers are responsible for using grant or award funds in accordance with the policies of the awarding agency, and for providing true, complete, and accurate information on documentation for expenditures from grant or award accounts.

Requirements for Certain Types of Research

All applied research conducted by Olds College faculty, staff or students and whether with human or animal subjects, must be done in an ethical manner, in accordance with the Responsible Conduct of Research policy requirements of the Tri-Council. Researchers must comply with all applicable requirements and legislation for the conduct of research including but not limited to:

- Tri-Council Policy Statement: Ethical Conduct of Research Involving Humans (current edition)

- Canadian Council on Animal Care Policies and Guidelines
- Agency policies related to the Canadian Environmental Assessment Act
- Licenses for research in the field
- Laboratory Biosafety Guidelines
- Controlled Goods Program
- Canadian Nuclear Safety Commission (CNSC) Regulations
- Canada Food and Drugs Act
- Health Canada's Regulatory Directive: Good Laboratory Practice

Breaches of Policy by Researchers

Examples of Breaches of Policy:

The College promotes integrity in research and investigates possible instances of misconduct or breach of policy in research integrity.

1. **Breaches of Policy** include, but are not limited to, the following:
 - **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 and which results in inaccurate findings or conclusions.
 - **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, without appropriate referencing and without permission.
 - **Redundant publications:** The re-publication of one's own previously published work or part thereof, 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 Olds College policy on Conflict of Interest (A7).
2. **Misrepresentation in an Application of Related Document:** 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; Applying for and/or holding an award when deemed ineligible by NSERC, SSHRC, CIHR or any other research organization for reasons of breach of responsible conduct of research policies such as ethics, integrity, or financial management policies; or Listing of co-applicants, collaborators, or partners without their agreement.
3. **Mismanagement of Grants or Award Funds:** Using grant or award funds for purposes inconsistent with the policies of the awarder; Misappropriating grants and award funds; Contravening Olds College financial policies; or Providing incomplete, inaccurate, or false information on documentation for expenditures from grant or award accounts.
4. **Breaches of Policy or Requirements for Certain Types of Research:** Failing to meet Olds College policy requirements or to comply with relevant policies, laws or, regulations for the conduct of certain types of research activities; or Failing to obtain appropriate approvals, permits or certifications before conducting these activities.

5. Breach of Tri-Agency review processes: Non-compliance with the conflict of interest and confidentiality policy of the federal research funding agencies.

Major breaches:

In determining whether a breach is serious, Olds College will consider the extent to which the breach jeopardizes the safety of the public or brings the conduct of research into disrepute. This determination will be based on an assessment of the nature of the breach, the level of experience of the researcher, whether there is a pattern of breaches by the researcher and other factors as appropriate. Examples of serious breaches may include:

- Recruiting human participants into a study with significant risks or harms without Research Ethics Board approval, or not following approved protocols;
- Using animals in a study with significant risks or harms without Institutional Animal Care and Use Committee approval, or not following approved protocols;
- Deliberate misuse of grant funds for personal benefit not related to research;
- Knowingly publishing research results based on fabricated data;
- Obtaining grant/award funds from the Tri-Agencies by misrepresenting one’s credentials, qualifications and/or research contributions in any application.

Rectifying Breaches of Responsible Conduct of Research Policy:

Breach of policy will result in appropriate sanctions in accordance with policy and informing the appropriate council or funding agency of the conclusions reached and the actions taken.

IMPLEMENTATION AND ADMINISTRATIVE RESPONSIBILITY

VICE PRESIDENT Responsible for: Applied Research

REVIEW PERIOD: 5 years

PROCEDURE

SUBJECT AND POLICY NUMBER:	D38 Responsible Conduct of Research
VICE PRESIDENT Sign Off Date:	February 12, 2018

This section describes the mechanisms for filing allegations of breaches of the Responsible Conduct of Research Policy. It details the minimum requirements for addressing allegations of policy breaches, including point of contact, the mechanism for investigating and reviewing alleged breaches, and rectifying breaches.

Confidentiality:

The confidentiality of any researcher being investigated for breach of policy is assured. Researchers accused of breach of policy who have been subsequently cleared will maintain the privacy afforded all researchers. Researchers who submit formal allegations of breach of policy will have their identities protected and will not be identified to the accused.

Allegations of Breaches of Olds College Responsible Conduct of Research Policy:

1. Roles of Individuals and Committees in Addressing Allegations

Individuals involved in an inquiry or investigation must follow this policy as a complainant, respondent, or third party, as appropriate.

- **First Point of Contact: Vice President responsible for Applied Research**
 - The VP is the first point of contact for receiving allegations and is responsible for referring allegations to the investigating committee.
 - Responsible allegations, or information related to responsible allegations, should be submitted in writing directly to the Vice President responsible for Applied Research.
 - Individuals are expected to report in good faith any information pertaining to possible breaches of policy.
- **Receiving Allegations: Vice President responsible for Applied Research and Responsible Conduct of Research Committee (RCRC)**
 - After reviewing the allegation, the VP will refer it to the RCRC for further evaluation. The VP will ensure that the RCRC receives, reviews, and decides on the allegation within a reasonable period of time.
 - In exceptional cases, the VP may deem it necessary to also inform relevant funding agencies, government agencies, or law enforcement agencies of the allegation.
- **Initial Assessment of Allegations (RCRC)**
 - Upon receipt of an allegation from the VP, the RCRC performs an initial inquiry process, which establishes if an allegation is responsible and if an investigation is required. The RCRC will evaluate whether the allegation was made in good faith and via the proper procedure in order to determine whether or not to investigate the allegation.
 - The RCRC will inform the VP of its decision to investigate or not investigate an allegation within two business days.
- **Full Investigation of Allegations (RCRC and VP Responsible for Applied Research)**
 - The RCRC will perform what investigations it deems necessary to assess if a breach of policy has occurred and will determine any necessary remedies, recourse, or recommendations.
 - The RCRC will submit a written report for each investigation to the VP. Upon review, the VP will inform the researcher and any other parties involved in the allegation of the outcome of the investigation in a timely manner, and will inform them of any remedies, recourse, or recommendations made by the RCRC.

- If the investigating committee and VP agree that an allegation has merit, the College shall advise any relevant funding agencies of allegations related to activities funded by the agency. This disclosure will be made subject to any applicable laws, including privacy laws.
 - The VP shall immediately send a letter to the affected funding bodies informing them of the allegation and notifying them that Olds College is proceeding with an investigation.
 - The VP and RCRC shall prepare a report for the affected funding bodies that includes the following information:
 - The specific allegation(s), summary of finding(s), and reasons for the finding(s)
 - The process and timelines followed for the inquiry and/or investigation
 - The researcher's response to the allegation, investigation, and findings, and any measures the researcher has taken to rectify the breach
 - The RCRC's decisions and recommendations, and the actions taken by the institution.
 - Note: this report should not include information that is not specific to the funding body's funding and policies, personal information about the researcher, or information about any other person who is not material to the findings.
 - Olds College and its researchers may not enter into confidentiality agreements or other agreements related to an inquiry or investigation that prevents the institution from reporting to the funders.
 - In situations where the source of funding is unclear, Olds College acknowledges the right of funders to request information and reports from the institution.
 - Olds College will immediately notify the appropriate authorities if at any time in the investigation process it becomes aware of possible fraud or other unlawful activity.

- **Timelines for Investigation of Allegations**

The RCRC shall complete their investigation, report their findings, make a decision on what action should be taken, and communicate with the parties involved in a timely manner. Inquiry letters and investigation reports must be submitted within thirty (30) days of the receipt of the allegation by the College.

- **Finding of No Fault**

In situations where allegations are determined to be unfounded, every effort will be made by Olds College to protect or restore the reputation of those wrongly subjected to an allegation. Strict adherence to protecting the privacy of researchers under investigation will minimize the possibility that unfounded accusations will harm the reputation of the researchers or Olds College.

2. Recourse:

- **Minor Breaches**

For minor breaches of the Responsible Conduct of Research Policy, a staff member found in breach of any Olds College policy will be given a verbal warning, followed by a written warning. Continued breaching of Olds College policies shall result in the suspension or termination of the offender.

- **Major Breaches**

For major breaches of the Responsible Conduct of Research Policy, the RCRC may recommend to the VP that action be taken, commensurate with the severity of the policy breach. In exercising the appropriate recourse, Olds College will give consideration to affected research personnel, including students, postdoctoral fellows, and research support staff. These actions may include:

- Issuing a letter of concern to the researcher
- Requesting that the researcher correct the research record and provide proof that the research record has been corrected
- Advising the researcher that Olds College will not sign off on future funding applications from the researcher for a defined time period or indefinitely
- Advising the researcher that Olds College will not consider him/her to serve on agency committees (i.e. peer review, advisory boards)

➤ Other recourse available by law

- **Rectifying a Breach of Policy**

Researchers in breach of policy are expected to be proactive in rectifying a breach. They are to take appropriate action in a timely fashion, such as correcting the research record, providing a letter of apology to those impacted by the breach, or repaying funds.

- **Reporting**

- The VP will inform the accused researcher of the decision and any recommended actions either of the researcher or Olds College in writing within two (2) business days of receiving recommendation from the RCRC. The content of this communication will be subject to any applicable laws, including privacy laws.
- The VP will inform the complainant of the decision and, at the VP's discretion, recommended actions either of the researcher or Olds College in writing within two (2) business days of receiving recommendation from the RCRC. The content of this communication will be subject to any applicable laws, including privacy laws.
- The VP will inform relevant funding agencies of findings of fault, as well as the recommended actions, if no appeal is sought at the expiration of the appeal period. If an appeal is sought, VP will inform relevant funding agencies if fault is upheld. No notification will be made to funding agencies in findings of no fault or no fault upon appeal.
- Olds College will notify the appropriate authorities if at any time it becomes aware of possible fraud or other unlawful activity.
- In cases of a serious breach of policy, as determined by the VP, Olds College may publicly disclose the name of the researcher subject to the decision, and the nature of the breach. In determining whether a breach is serious, VP will consider the extent to which the breach jeopardizes the safety of the public or would bring the conduct of research or Olds College into disrepute.

Appeals

- If an appeal of the RCRC decision is sought, the appellant must inform the VP within five (5) business days of receipt of the formal decision from VP of intention to appeal. This notification must identify the grounds for appeal and provide any supporting documentation. After reviewing the allegation, the VP will refer it to the Chair of the Appeals Committee for further evaluation. The VP will ensure that the Appeals Committee receives, reviews, and decides on the allegation within a reasonable period of time.
- If the appeal is accepted, the Chair of the Appeals Committee will schedule an Appeals Committee Hearing to take place within ten (10) business days.
- The appellant may be asked to appear at a hearing to present their case directly to the Appeals Committee. The appellant may be subject to cross-examination regarding information presented to the committee.
- The Appeals Committee will come to a decision and will provide a recommendation to VP within two (2) business days of the Hearing.

- **Appeals Reporting**

- The VP will inform the appellant of the Appeals Committee decision and any recommended actions either of the researcher or Olds College in writing within two (2) business days of receiving recommendation from the Appeals Committee.
- The VP will inform the respondent of the Appeals Committee decision and, at the VP's discretion, recommended actions either of the researcher or Olds College in writing within two (2) business days of receiving the recommendation from the Appeals Committee.

3. Committee Representation

- **Responsible Conduct of Research Committee Composition (RCRC)**

- Chair (or alternate)
 - To be assigned by VP
 - Responsible for receiving allegations from VP and communicating RCRC decisions to VP
 - Responsible for selecting Public representative
 - Not in a conflict of interest position
- Faculty representative (or alternate)
 - Selected annually at the first Fall meeting of the Academic Council
 - Member of the Academic Council, not in a conflict of interest position
- Public representative
 - Selected annually by the Chair
 - Not in a conflict of interest position

- **Appeals Committee Composition**

- Chair (or alternate)
 - President or delegate
 - Responsible for receiving appeals from VP and communicating Appeals Committee decisions to VP
 - Responsible for selecting Public representative
 - Not in a conflict of interest position
- Faculty representative (or alternate)
 - Selected annually at the first Fall meeting of the Academic Council
 - Member of the Academic Council, not in a conflict of interest position
- Public representative
 - Selected annually by the Chair
 - Not in a conflict of interest position