

Procedures for Handling Allegations of Research Misconduct

1. Introduction and scope

The School takes seriously any allegations of research misconduct, and the purpose of this document is to set out the principles and procedures for making, managing, and investigating allegations of research misconduct. The following procedures are based on some of the recommended UK Research Integrity Office (UKRIO) model guidelines for the investigation of allegations of misconduct in research.

All members of the School who work in research have a responsibility to report any suspected cases of research misconduct.

This procedure is not intended to cover complaints for which the School has existing policies, such as grievance or disciplinary cases, pay and reward issues, diversity, discrimination, harassment and bullying issues or student grievances. The adoption of a distinct procedure for investigating research misconduct reflects national standards and seeks to:

- Encourage and enable members of the School to raise genuine and legitimate concerns internally without fear of reprisal;
- Provide an opportunity for those concerns to be investigated and for appropriate action to be taken to ensure that the matter is resolved quickly and effectively within the School wherever possible;
- Deter serious research misconduct;
- Promote openness and accountability throughout London Business School.

2. Key Definitions

Research:

'Research' is defined as any form of disciplined inquiry that aims to contribute to a body of knowledge or theory.

Research Misconduct:

'Research Misconduct' includes but is not limited to;

- Fabrication;
- Falsification;
- Misrepresentation of data and/or interests and or involvement;
- Plagiarism; and
- Failures to follow accepted procedures or to exercise due care in carrying out responsibilities for:

- o avoiding unreasonable risk or harm to:
 - humans;
 - animals used in research; and
 - the environment; and
- o the proper handling of privileged or private information on individuals collected during the research.

For the avoidance of doubt, misconduct in research includes acts of omission as well as acts of commission. In addition, the standards by which allegations of misconduct in research will be judged will be those prevailing in the country in question and at the date that the behaviour under investigation took place.

Complainant:

The person, or persons, bringing an allegation of research misconduct. The Complainant may or may not be a member of the School.

Respondent:

The person, or persons, against whom the allegation of research misconduct is made.

3. How to make an allegation of research misconduct – procedures

Step 1 – Making an allegation

Any allegation of misconduct in research should initially be made to the Deputy Dean (Faculty). The allegation should be submitted in writing and be accompanied by any supporting evidence that is available to the Complainant. On receipt of the written allegation, the Deputy Dean (Faculty) will acknowledge receipt of the allegation by letter to the Complainant (and his/her representative by agreement)

Step 2 – Preliminary Steps (to be completed within 10 working days)

The Deputy Dean (Faculty) will review the nature of the allegation; where the allegations are within the definition of misconduct in research as detailed under section 2 of this procedure, the Director, Research & Faculty Office will be notified of the allegation. The notification will include relevant information regarding the date of the allegation, and the procedures to be followed, as outlined in this document.

At this stage the allegations of misconduct in research to be investigated are as yet unproven. The Deputy Dean (Faculty) will inform the Respondent in a confidential meeting that an allegation of misconduct in research has been made which involves him/her. The Respondent may be accompanied by a colleague or other representative at this meeting.

The Deputy Dean (Faculty) and a nominated senior colleague will determine whether the allegations of misconduct are mistaken, frivolous, vexatious/and/or malicious, whether the

allegation should be referred to the appropriate disciplinary procedures, and whether the issue can be resolved through training and education.

Step 3 – Formal Investigation (to be completed within 30 working days)

The Deputy Dean (Faculty) will form an Investigation Panel and notify the Dean, Director, Research & Faculty Office, and School Secretary that a formal investigation will take place.

The purpose of the investigation will be to establish all of the facts surrounding the allegation and to decide what appropriate action is required. The depth and scope of the investigation will depend on the nature of the allegation.

All investigations will be independent and objective, respecting the rights of all concerned to be appropriately heard and represented. In this light, the Complainant and the Respondent will be entitled to be accompanied by a representative of his/her choice.

The formal investigation will be conducted as sensitively and speedily as possible.

The Investigation panel will provide a draft report of its findings, which will be forwarded to both the Respondent and the Complainant for comment on the factual accuracy of the report.

The Investigation Panel will then produce a final report that:

- summarises the conduct of the investigation;
- states whether the allegations of misconduct in research have been upheld in whole or in part, giving the reasons for its decision and recording any differing views;
- makes recommendations in relation to any matters relating to any other misconduct identified during the investigation; and
- addresses any procedural matters that the investigation has brought to light within the School, relevant partner organisations and/or funding bodies.

On receipt of this final report the Director, Research & Faculty Office will send a copy of the report to the Respondent and the Complainant, the Dean, Deputy Dean (Faculty), and the School Secretary.

In some circumstances, an allegation may need to be referred to an external body for advice and/or action such as allegations involving security-sensitive information or material such as terrorist or extreme groups. In such cases the School Secretary should be contacted in the first instance and to support members of the School in reporting allegations of this nature the 'Security-Sensitive Material Form' should be completed and can be found on the portal pages.

Step 4 – Outcomes and Action

Having considered the final report the Dean will conclude whether the allegations should proceed to the appropriate disciplinary process. If the appropriate disciplinary procedure is to take place the disciplinary panel will receive all of the information collected and reported on the particular case via the Director, Research & Faculty Office.

Where allegations have not been upheld (in full or in part), appropriate steps will be taken, given the seriousness of the allegation, to support the reputation of the Respondent.

Where the Investigation Panel concludes the allegations are frivolous, vexatious and/or malicious, the Dean will consider recommending the Complainant to the appropriate School disciplinary panel.

4. Safeguards and Protection

Protection is provided under this procedure provided that:

- The allegation is made in good faith and in the reasonable belief of the person making the disclosure that the information made available tends to show research misconduct; and
- The allegation is made to an appropriate person (as defined in section 3)

The individual making the allegation will:

- Be protected from reprisal or unfair treatment attributable to the making of the disclosure;
- Be kept informed at all stages of the procedure
- Be assured that any research misconduct will be thoroughly but quickly investigated.

Anonymous Allegations

Individuals are encouraged to put their name to any allegation they make, on the understanding that great care will be taken to protect their identity and in the interest of promoting an open and safe environment. Concerns expressed anonymously are much less powerful and far more difficult to address, however they will be considered with discretion taking into account:

- The seriousness of the issues raised
- The credibility of the concern
- The likelihood of confirming the allegations from alternative credible sources.

5. Monitoring

The School is committed to ensuring the effectiveness of this procedure through efficient monitoring in accordance, where appropriate, with statutory requirements.

6. Training

London Business School will ensure that all relevant members receive appropriate training to increase their awareness of the School Ethics Policy, Code of Practice, and the procedures outlined in this document.

7. Procedure Review

This policy was approved by Management Board in November 2011. It was reviewed by Management Board in May 2016 and no amendments were made. It will be reviewed for fitness of purpose after each use. Any need for change will be reported to and approved by Management Board.