



Guidelines in case of suspected deviations from good research practice

Fundamental principles and procedure in case of suspected deviations from good research practice at Karlstad University.

Decision	RB 107/23	Reg.no.	C2023/808	Replaces	C 2020/68
Effective from	2 October 2023	until	further notice	Officer	Emma Engb

Table of Contents

Guidelines in case of suspected deviations from good research practice	1
1. Background	3
2. Good research practice	3
3. Research misconduct	5
4. Other deviations from good research practice	5
5. Other rule violations	7
6. Procedure principles	7

Appendix: Procedure in case of suspected deviations from good research practice at Karlstad University

1. Background

Good research practice should permeate all Karlstad University operations and considerable proactive measures should be taken to ensure quality research and ethical awareness among the researchers. Every individual who is involved in research at Karlstad University should be aware of and comply with university principles on good research practice. The principles specify fundamental responsibility and the ethical values that should be applied in research. Additionally, the principles should promote reflection among academic staff and at the institution at large regarding the practical, ethical, and intellectual challenges and positions involved in research.¹

The Swedish Higher Education Act stipulates that the University shall uphold academic credibility and good research practice in the course of its operations (Chap. 1 Sect. 3a). The Higher Education Ordinance states that a higher education institution must ensure that staff can obtain advice and support on issues relating to good research practice and deviations from such practice (Chap. 1 Sect. 16).

In case of suspected deviation from good research practice, Karlstad University is obligated to handle the suspicions in an effective manner, using a common method of investigation. The investigation and, where applicable, subsequent sanctions must be handled in a clear, consistent, and transparent process. The assessment criteria should be equal for all researchers involved.

On 1 January 2020, the Act on responsibility for good research practice and the examination of research misconduct (SFS 2019:504, henceforth referred to as LAO) entered into force. The Act stipulates that suspicions of research misconduct shall be investigated by the National Board for Assessment of Research Misconduct (henceforth referred to as the NPOF). Suspected deviations from good research practice that are not subject to investigation by NPOF should be examined by the higher education institution, as per the Higher Education Ordinance (Chap. 1 Sect. 17). In other words, the University is obligated to examine the matters that are not within the jurisdiction of NPOF. Additionally, the University is responsible for certain issues involved in the matters that are handed over to the NPOF.

The Higher Education Ordinance states that a higher education institution must draw up guidelines for the examination of suspected deviations from good research practice (Chap. 1 Sect. 17). The following guidelines and procedure apply to Karlstad University's administration of these matters. The purpose of the document is thus to ensure that suspected deviations from good research practice are handled in accordance with relevant regulations and to contribute to a transparent process.

2. Good research practice

Good research practice concerns the moral practice that evolves from critical reflection about research activities between various research parties in dialogue with the community at large.²

¹ See RB 127/19 Beslut om ett sammanhållet kvalitetssystem vid Karlstads universitet (Decision regarding a cohesive quality assurance system at Karlstad University)

² SOU 1999:4 p. 24

All European Academies, ALLEA, has published the European Code of Conduct for Research Integrity.³ The European Commission and Council both recognise the Code of Conduct. The ALLEA Code of Conduct specifies four fundamental principles for research integrity:

- *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.

The ALLEA Code of Conduct should be used by Karlstad University to inform decisions on what constitutes a deviation from good research practice. In brief, the reason is that the Code of Conduct has been developed by international experts, is established at a European level, and is mandatory for every researcher with EU funding to follow. Furthermore, it is a living document that can be updated and developed to suit the evolution and methods of future research. The ALLEA Code of Conduct is available in Swedish translation and the Swedish Research Council cites it as a document that can provide guidance to researchers in practical, ethical, and intellectual matters. Following the ALLEA Code of Conduct is compliant with the recommendation from SUHF (Association of Swedish Higher Education Institutions) regarding how to handle suspected deviations from good research practice.

There may be other documents that discuss separate issues or problems in greater detail. Examples include the so-called Vancouver Recommendations for multi-authorship,⁴ the EU-supported Global Code of Conduct for Research in Resource-Poor Settings,⁵ and the ethical guidelines for peer review issued by the Council on Publication Ethics, COPE.⁶ Where applicable, Karlstad University should also consult these documents. There may be a need to supplement the ALLEA Code of Conduct through clarifications and additions. Guidance is available in several forms, including the Swedish Research Council's publication Good Research Practice.

Deviation from good practice always constitutes some form of violation of the principles for research integrity listed in the ALLEA Code of Conduct. Deviations in turn can be divided into three categories which are all handled differently.

- Research misconduct
- Other deviations from good research practice
- Other rule violations

³ The European Code of Conduct for Research Integrity — published by ALLEA, All European Academies.

⁴ Recommendations for the Conduct, Reporting, Editing and Publication of Scholarly Work in Medical Journals, published by International Committee of Medical Journal Editors (ICMJE)

⁵ Global Code of Conduct for Research in Resource-Poor Settings, www.globalcodeofconduct.org

⁶ COPE Council. Ethical guidelines for peer reviewers, www.publicationethics.org

3. Research misconduct

The legal definition of *research misconduct* is “a serious deviation from good research practice in the form of fabrication, falsification or plagiarism that is committed intentionally or through gross negligence when planning, conducting or reporting research” (Sect. 2 LAO).

The ALLEA Code of Conduct defines the deviations included in the term misconduct as follows:

Fabrication is making up results and recording them as if they were real.

Falsification is manipulating research materials, equipment or processes or changing, omitting or suppressing data or results without justification.

Plagiarism is using other people’s work and ideas without giving proper credit to the original source, thus violating the rights of the original author(s) to their intellectual outputs.

Actions of the type described above are legally required to be serious in nature to be considered misconduct. The ALLEA Code of Conduct states that offences included in the term misconduct (fabrication, falsification, and plagiarism) are particularly serious because they distort research records. In the eyes of the Swedish government, fabrication and falsification are nearly always serious deviations from good research practice. Some plagiarism matters should not be considered serious in nature and are therefore not subject to NPOF examination, see below.⁷

To be defined as misconduct, an act must not only be serious but also be intentional or the result of gross negligence. The government’s simplified explanation is that a person either knew what he/she was doing (intentional) or ought to have known (negligence).⁸

If suspicion concerns an act that meets the legal definition of misconduct, the matter should be passed on to NPOF. There should be a low threshold for passing matters on during the initial assessment to ensure that all matters that could conceivably be cases of misconduct are examined by NPOF.⁹

4. Other deviations from good research practice

Deviations from good research practice can fall outside the jurisdiction of NPOF for one of four reasons: (i) they do not belong to any of the categories of fabrication, falsification, plagiarism, (ii) the law does not define them as serious, (iii) they are not intentional or the result of gross negligence, (iv) they have been committed within the framework of artistic research or development. The new system instructs the research principal to deal with such deviations on their own.

⁷ prop 2018/19:58 p. 44

⁸ prop 2018/19:58 p. 50

⁹ prop 2018/19:58 p. 54

These other deviations merit examination, despite falling outside NPOF jurisdiction, because the ALLEA Code of Conduct defines them as other unacceptable practices that damage the integrity of the research process or of researchers.

According to the ALLEA Code of Conduct, such practices include but are not limited to

- Manipulating authorship or denigrating the role of other researchers in publications.
- Re-publishing substantive parts of one's own earlier publications, including translations, without duly acknowledging or citing the original ('self-plagiarism').
- Citing selectively to enhance own findings or to please editors, reviewers or colleagues.
- Withholding research results.
- Allowing funders/sponsors to jeopardise independence in the research process or reporting of results so as to introduce or promulgate bias.
- Expanding unnecessarily the bibliography of a study.
- Accusing a researcher of misconduct or other violations in a malicious way.
- Misrepresenting research achievements.
- Exaggerating the importance and practical applicability of findings.
- Delaying or inappropriately hampering the work of other researchers.
- Misusing seniority to encourage violations of research integrity.
- Ignoring putative violations of research integrity by others or covering up inappropriate responses to misconduct or other violations by institutions.
- Establishing or supporting journals that undermine the quality control of research ('predatory journals').

There may be additional examples of behaviour that should be considered a serious deviation from good research practice. The new bill specifically cites impeding scholarly review as a matter to be handled by the research principal.¹⁰ Other examples of deviation cited in the SUHF recommendations for how to handle suspected deviations from good research practice include subjecting individuals to a disproportionate risk of harm, lying about obtaining necessary permits to conduct research, or conducting research outside Sweden in a way that would be unequivocally unacceptable here. The examples above constitute a reasonable basis for what should be considered within the category of deviations to be handled by the

¹⁰ prop 2018/19:58 p. 46

University. These matters should be handled in accordance with the approved procedure, see appendix.

5. Other rule violations

Some acts that are considered deviations from good research practice may also be included in other regulatory provisions. These acts may fall under public prosecution or the supervision of another public agency. Examples include failure to: obtain necessary ethical permits; register a biobank; comply with relevant regulations concerning management of personal data; file research material to the necessary extent; or obtain permission to export sensitive technologies to certain countries. Such matters should be handed over to the supervising authority. Karlstad University may need to investigate the matter further if the supervising authority concludes that there has been a deviation from good research practice.

6. Procedure principles

Any suspected deviation from good research practice should be handled according to the approved procedure attached to this document.

Reports of suspected research misconduct shall be submitted to the vice-chancellor or the Investigation Team for Examination of Deviations from Good Research Practice, Karlstad University's specially appointed team to which responsibility has been delegated to handle deviations from good research practice. Suspicions are defined as reasonable assumptions based on concrete circumstances that a serious deviation from good research practice has been committed.

When suspected research misconduct is reported, Karlstad University is to perform an initial assessment as soon as possible to learn whether there is cause to investigate the accusation of research misconduct further. As stated above, there should be a low threshold for determining that a matter should be passed on to NPOF. If there is any uncertainty whatsoever, the matter should be passed on to NPOF. NPOF will defer the matter back if they deem it suitable for university investigation. Suspected research misconduct can also be reported directly to NPOF, as per Sect. 7 of LAO.

A complete investigation by Karlstad University should be thorough and conducted promptly. The University's assessment and examination must be characterised by the highest degree of confidentiality in order to protect both the source of the report and the subject of suspicion. Regulations regarding public access to information and secrecy at the University apply. Documents in the matter should be registered in accordance with the University's regular protocol.

The research funding bodies concerned should be informed of the investigation into suspected research misconduct whenever appropriate, if they have made such a request.

In matters of deviations from good research practice, the University should take action that is proportionate to the *seriousness of the deviation*. Seriousness can be assessed using different parameters. The Swedish government has determined that fabrication and falsification almost exclusively constitute serious deviations, which should be taken into account. However, there may be exceptions to this principle and

it is important to conduct a thorough assessment of each individual case. The principles specified in the ALLEA Code of Conduct mean that this assessment should be based on whether the deviation has harmed the research process or its credibility, caused a waste of resources, or subjected any individual to harm.

Deviations committed with intent or as the result of gross negligence are to be considered more serious than deviations that are the result of minor carelessness or accidental.

For matters where NPOF has determined that there has been research misconduct or serious deviation from good research practice in the form of fabrication, falsification, or plagiarism with no intent or gross negligence, the University is to:

- Inform the relevant research funding bodies, public agencies, academic journals, and other parties of the decision. The research principal should also include information that the decision is subject to appeal. (Sect. 14 LAO).
- Take appropriate action when the decision takes effect. The vice-chancellor decides on appropriate action.
- Within six months of the decision taking effect, report to NPOF about which actions the research principal has taken or intends to take as a result of the decision (Sect. 13 LAO). The investigation team is to ensure the report follows the procedure, see appendix.

If research misconduct cannot be verified, the vice-chancellor is to ensure diligent work to restore the reputation of the reported individual.

The individual who reported suspicions of research misconduct in good faith shall not have their standing or reputation questioned as a result of their actions.

Appendix

Procedure in case of suspected deviations from good research practice

Background

All Karlstad University employees share responsibility for ensuring that the research complies with good research practice. In the event of suspected deviations from good research practice, the following procedure applies at Karlstad University.

The procedure applies to suspected research misconduct as well as other deviations from good research practice.

Definitions

The term *Research misconduct* refers to a serious deviation from good research practice in the form of fabrication, falsification, or plagiarism that is committed intentionally or through gross negligence when planning, conducting, or reporting research.

The term *Other deviations from good research practice* refers to deviations from good research practice that are not considered research misconduct but that significantly harm or risk harming the research or the integrity of the researchers and is committed intentionally or through gross negligence when planning, conducting, or reporting research.

The Investigation Team refers to the investigation team for examination of deviations from good research practice, Karlstad University's specially appointed team to which responsibility has been delegated to handle deviations from good research practice. The establishment and composition of the investigation team are specified below in Sections 15–18 of the procedure.

NPOF refers to the National Board for Assessment of Research Misconduct, who are tasked with examining research misconduct. The assignment of NPOF is specified by the Act on responsibility for good research practice and the examination of research misconduct (SFS 2019:504, henceforth referred to as LAO).

Procedure

Report

Section 1 Suspected research misconduct and other deviations from good research practice shall be reported immediately to the vice-chancellor or directly to the investigation team.

Initial assessment

Section 2 If the report is submitted to the vice-chancellor, he or she then submits it to the investigation team for an initial assessment of the suspicion of misconduct or other deviations from good research practices in the University's organisation.

The initial assessment should be executed promptly and as a matter of high priority.

Section 3 The rules regarding disqualification that are specified in the Administrative Procedure Act should be taken into account. Anyone who knows of any circumstance that could be grounds for their own disqualification is obligated to disclose it immediately.

Section 4 A person who is suspected of a serious deviation from good research practice shall be informed of the accusation as soon as possible and be offered the opportunity to address it.

Section 5 The investigation team can arrive at one of the following conclusions during the initial assessment:

1. If the suspicion is that research misconduct may have been committed, the investigation team should promptly propose that the vice-chancellor makes a decision to hand the matter over to NPOF.
2. If the suspicion is that other deviations from good research practice may have been committed that do not constitute research misconduct, the investigation team should conduct an investigation. See below.
3. If the assessment yields the conclusion that no deviations from good research practice have been committed, the investigation team should present their findings to the vice-chancellor, who will make the decision to dismiss the matter.
4. If the investigation team decides that other actions are necessary, the vice-chancellor is to decide on their nature based on the team's proposal. Other measures include but are not limited to deferring the matter to the disciplinary board if it concerns doctoral students, the staff disciplinary board if the matter constitutes professional wrongdoing, or a prosecutor if the violation may be considered criminal.

Investigation

Section 6 If the suspicion involves the possibility of other deviations from good research practice (as per Sect. 5, item 2 above), the investigation team shall conduct an investigation. An investigation shall also be conducted if NPOF defers the matter back after concluding that it is not a case of research misconduct but possibly other deviations (according to Sect. 11 LAO).

Section 7 In case both research misconduct and other deviations from good research practice are suspected, the investigation team shall investigate the part that involves other deviations.

Section 8 The investigation team shall early on assess the need to add an adjunct member for purposes of contributing expert knowledge, see Sect. 18 below.

Section 9 The investigation team may summon individuals for interviews or gather statements from independent experts if needed.

Investigation report

Section 10 The investigation team shall document the suspicion, investigation, and their position on the suspicion in an investigation report. All parties shall be given the opportunity to

speak on the matter before a decision is made in accordance with the principles of Sect. 25 of the Administrative Procedure Act.

Decision

Section 11 The vice-chancellor makes a decision based on the presentation of the matter and the investigation. If necessary, the vice-chancellor may defer the matter back to the investigation team for further investigation. The decision shall determine if there have been serious deviations from good research practice and if anyone should be held accountable. It should also include whether or not the deviation has been committed intentionally or is the result of gross negligence. If the suspicion of deviations cannot be proven, a decision shall be made and specify if the matter is dismissed or will be handled by the University in another manner.

Section 12 The vice-chancellor also decides which, if any, action to take based on the matter. Any action must be proportionate to the seriousness of the deviation. Which actions may be taken is subject to a case-by-base assessment. Possible actions include informing relevant sections of the research community, research funding bodies, public agencies, and academic journals. The vice-chancellor is also obligated to determine if the matter should result in disciplinary action through the staff disciplinary board or the Government Disciplinary Board for Higher Officials where applicable.

Obligation to report back to NPOF

Section 13 For matters where NPOF has determined that there has been research misconduct or serious deviation from good research practice in the form of fabrication, falsification, or plagiarism with no intent or gross negligence, the University is obligated to report back to NPOF (as per Sect. 13 LAO). The report should be presented no more than six months after NPOF's decision has taken effect. The University should specify which actions have been taken or are planned based on NPOF's decision.

Section 14 The investigation team is responsible for reporting back to NPOF.

Investigation team establishment and composition

Section 15 The investigation team shall comprise representatives of academic or artistic activities as well as management and administration representatives that possess the necessary integrity, experience, and expertise.

Section 16 The investigation team is appointed by vice-chancellor's decision and composed as follows.

- One representative for each faculty and one representative from teacher education, of which one representative acts as chair and two as members.
- A legal officer acting as member and secretary.
- A legal officer acting as alternate member.

The faculties and teacher education shall nominate representatives that possess solid expertise in issues concerning research misconduct and are generally suitable. The nomination process is determined by the faculties and teacher education.

Section 17 investigation team members are appointed for three-year terms.

Section 18 The investigation team have the right to co-opt external or internal members for matters where the team deems it necessary for reasons such as securing special expertise in the subject or in research ethics, or if student representation is required.