

Research Misconduct Investigation Panel

Terms of Reference

Version 1.00
Status: Final
Author: Helen Edwards
Date: 16/10/23

Approval History

Version	Date	Comments	Approver
1.00	16/10/2023		Angela Lee

Document History

Version	Date	Reason	Person
0.01	16/08/2023	New terms of reference required linked to Research Misconduct Procedure	Helen Edwards

Research Misconduct Investigation Panel – Terms of Reference Continuation page

1 Key Purpose

- 1.1 The Research Misconduct Investigation Panel investigates allegations of misconduct in research that are deemed sufficiently serious or of sufficient substance to be referred to Stage 3 Formal Investigation within UCEM's Research Misconduct Procedure. These terms of reference should therefore be read in conjunction with the UCEM Research Misconduct Procedure.

2 Terms of Reference

- 2.1 Consider all relevant information from the Screening Panel and any evidence secured by the Associate Dean (Research) during the receipt of allegations stage as background for the investigation, including the submission and supporting evidence provided by the Complainant and Respondent to the Screening Panel and the Screening Panel's Report;
- 2.2 Set an indicative timeline for the investigation, which will be conducted as quickly as possible without compromising the full and fair investigation of the allegation;
- 2.3 Maintain a record of evidence sought and received and conclusions reached;
- 2.4 Conduct an assessment of the evidence;
- 2.5 Consider any additional evidence provided by the Complainant or Respondent prior to the hearing;
- 2.6 Hear from the Complainant and such other individuals as the Panel consider relevant to the investigation;
- 2.7 Call evidence from expert witnesses;
- 2.8 Hold a Formal Hearing to hear the Respondent's response¹ to the allegations made. Where there are multiple Respondents hold a separate hearing for each;
- 2.9 Consider the allegations of misconduct in research aiming to reach, a unanimous decision based on the balance of probabilities, for each Respondent that:
- The allegation is upheld in full.
 - The allegation is upheld in part.
 - The allegation is not upheld.
- 2.10 Consider what further actions should be taken, for example:
- Where the case needs to be referred directly to external agencies including funding bodies.
 - Notification to research participants or other involved parties.
 - In the event the case is not upheld recommendations of appropriate steps to preserve the good reputation of the Respondent.

¹ Respondents have the right to be accompanied see the Research Misconduct Procedure for further information.

Research Misconduct Investigation Panel – Terms of Reference Continuation page

- Recommendation that the case is referred to another UCEM procedure such as staff or student disciplinary or academic misconduct procedure.
 - Referral to resolution by informal measures.
 - Recommendations around training, development and support.
- 2.11 Recommend any procedural matters that have come to light as part of the investigation and any recommendations about training requirements and lessons learnt from allegations;
- 2.12 Record the evidence considered and the discussion held and conclusion reached for subsequent use;
- 2.13 Produce and submit a final written report confirming the outcome for sharing with the Complainant and Respondent for fact checking and then for sharing with the Associate Dean (Research), Vice Principal Education, Director of HR, Postgraduate Research Team if appropriate and the Respondents line manager.

3 Membership of the Panel

- 3.1 The membership of the Investigation Panel will be appointed by the Associate Dean (Research) or designate and will consist of at least three members of senior academic staff including one member who is external to UCEM, two members shall be academic specialists in the general area within which the research misconduct has been alleged, or for highly specialist areas, one member.
- 3.2 The Associate Dean (Research) will appoint one of the panel members to chair the Panel.
- 3.3 The Associate Dean (Research) will not be a Panel member and will not seek to influence the Panel.
- 3.4 A representative from HR should be appointed by the Director of HR to advise on the process and attend all panel meetings.
- 3.5 Where the Respondent is employed by another institution it may be appropriate to include a representative from the employing institution, but they are not counted as a panel member.
- 3.6 The Panel must not include any of the members from the Stage 2 Screening Panel.
- 3.7 Members of the Investigation Panel should declare any conflicts of interest.
- 3.8 The secretary of the Research Ethics Panel will act as secretary for this Panel and will be attendance to record the Panels discussions and the agreed outcome.

**Research Misconduct Investigation Panel – Terms of Reference
Continuation page**

4 Quorum

- 4.1 For the Research Investigation Panel to be quorate at least three senior academic members of the Panel need to be present. Once the Panel has been convened the membership will not normally be added to or amended. If a member is unable to continue to serve on the Panel, and if required to meet quoracy requirements, they will be replaced by another member of staff appointed by the Associate Dean (Research) or designate.

5 Frequency of Meetings

- 5.1 Panel meetings will be convened as and when necessary, as research misconduct cases arise. In line with the Research Misconduct Procedure Stage 3 investigation by the Investigation Panel will normally be concluded within 30 working days from the point at which the Investigation Panel is convened.

Signed:



Professor Angela Lee, Chair of the Research Committee

Date 16/10/2023