



THE UNIVERSITY OF WINNIPEG
POLICY

NUMBER I-1 (Ac)

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INITIALS RK

TITLE: INTEGRITY IN RESEARCH AND SCHOLARSHIP

EFFECTIVE DATE: June 22, 1998
(replaces the policy dated May 30, 1995)

AUTHORITY: Board of Regents

Purpose

The purpose of this policy is to promote and advance a high standard of integrity in research and scholarship. Research and scholarship, that is the quest for new knowledge and understanding and the application of these, are fundamental to the life of a university.

Background

This policy has been established to address public concerns about responsibility and accountability in research and scholarship. It outlines procedures for promoting integrity among researchers and scholars and for investigating allegations of misconduct in research and scholarship as directed by Tri-Council (Medical Research Council of Canada, MRC; Natural Sciences and Engineering Research Council of Canada, NSERC; and the Social Sciences and Humanities Research Council of Canada, SSHRC). According to the Council's directive, institutions must have procedures in place by 30 June 1995 and "those that do not comply may not be able to receive funding from the Councils in the future".

Scope

This policy and the procedures outlined herein apply to all members of The University of Winnipeg. Within this policy, members refers to University of Winnipeg faculty, administrative and support staff, graduate and undergraduate students, post doctoral fellows, research fellows, researchers under contract and research associates, as well as to visiting scholars at all levels of training. Authority for this policy rests with the Board of Regents.

Responsibility

- 1) The University expects its members to engage in an honest search for knowledge, and to maintain the highest standards of conduct in every aspect of research and scholarship.
- 2) Members shall be responsible for retaining accurately recorded and retrievable research and scholarly materials. The procedure for recording and retaining original research data, and matters related to access, use, publication and ownership of primary research data and other products of research/scholarship, should be outlined by the principal investigator/supervisor and discussed with co-researchers/students at the beginning of a project.



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- a) *Record-keeping:* Good record-keeping is important. When possible, all primary data should be recorded in clear, adequate, original and chronological form.
 - b) *Retention of records:* Original data for a given study should be retained in the University for at least five years after the work is published or otherwise publicly presented (if the form of the data permit this, and if assurances have not been given that data would be destroyed to assure anonymity).
 - c) *Access to data:* Supervisors and collaborators should have unrestricted access to all data and products of their collaborative research. Access does not imply either ownership of, or the unrestricted right to use, data or products.
 - d) *Ownership:* Entitlement to ownership of primary data, software and other products of research and scholarship can vary according to the circumstances under which research/scholarship is conducted. A shared understanding about ownership should be reached among collaborators, especially between supervisors and their students, before the research is undertaken.
- 3) Responsibility for the administration of this policy is vested in the Vice-President (Academic). All allegations of misconduct against members, whether arising internally or externally to the University, shall be directed to the Vice-President (Academic).
 - 4) The primary responsibility for misconduct in research and scholarship rests with those individuals who have committed specific acts that demonstrate lack of integrity and are defined as misconduct in Research and Scholarship in this policy.
 - 5) Principal investigators, co-investigators and supervisors who have been negligent in directing and monitoring researchers, trainees, students, or staff who have committed misconduct in research and scholarship shall share responsibility for the misconduct.

Promotion of Integrity in Research and Scholarship:

- 1) The University, through the Office of Research Services, shall conduct information and discussion sessions annually on issues of integrity in research and scholarship.
- 2) The University will ensure that copies of this policy are accessible to all members.
- 3) Recipients of all research and scholarship grants and funds administered by the University will be required to indicate in writing that they have read and agree to comply with the University's Policy on Integrity in Research and Scholarship, before they are able to access those funds.
- 4) University ethics vetting forms will require researchers and scholars to indicate that they have read and agree to comply with the University's Policy on Integrity in Research and Scholarship.



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- 5) It is the responsibility of the Principal Investigator or Senior Scholar to ensure that the University's Policy on Integrity in Research and Scholarship is communicated to their co-investigators, research associates, and research students and assistants, and to advise them of the importance of the policy and of the potential consequences of misconduct.
- 6) It is the responsibility of department chairs, program coordinators and course coordinators to ensure that the University's Policy on Integrity in Research and Scholarship is communicated to external advisors of student projects.
- 7) The University, working through Deans, curriculum committees and course instructors, shall endeavour to include education for students on issues of integrity in research and scholarship in the curriculum, especially in courses on research procedures and professional practice.

Definition of Misconduct in Research and Scholarship

The University considers the following to show lack of integrity, and therefore to be instances of serious misconduct in research and scholarship:

- 1) Falsification, that is, the intentional misrepresentation through alteration, selective omission or manipulation of research design, data or citations.
- 2) Fabrication, that is, the invention or forging of research data or citations.
- 3) Plagiarism, that is, intentionally representing the thoughts, writings, inventions, or ideas of another as one's own.¹
- 4) Abuse of confidentiality, that is, transmitting to a third party, by any means, the ideas or data of a scholar or scientist taken from private discussion, from a manuscript or funding application submitted for review, or from any other exchange of information which is explicitly stated to be, or normally assumed to be, confidential without the authorization of the originator of the ideas or data.
- 5) Misappropriation, misallocation, or misuse of money or other resources supplied for research or scholarly purposes or the use of funds for a purpose not authorized by the funding source.

¹Cases of student plagiarism where a student has submitted course work that is not their own work shall be dealt with following the procedures outlined in Section 22.4 of the General Regulations found in the University of Winnipeg Arts and Science Calendar.



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- 6) Material² failure to comply with federal or provincial regulations for the protection of researchers, scholars, human participants or the public, or for the welfare of animal subjects, or material failure to meet other legal requirements that relate to the conduct of research.
- 7) Failure to reveal to those who sponsor or commission work any material conflict of interest when asked to undertake reviews of funding applications, manuscripts for publication, theses, etc., or to test products for sale or distribution to the public.
 - a) A conflict of interest occurs when the personal interests of a researcher or scholar clash, or have the potential to clash, with the interests of other researchers or scholars, the University, or the interests of research sponsors. Personal interests include, but are not necessarily limited to, a business, commercial or financial interest, whether of the person involved or arising from family or marital relationships, from friends, or from former, existing or prospective business associations.
- 8) Failure by those involved in contract vetting and awarding or otherwise aware of the contract, to reveal to the University any material financial interest in a company that contracts with the University to undertake research, to participate in research involving the company's products, or to provide research related materials or services. (Material financial interest means ownership, substantial stock holdings [i.e., greater than or equal to 10% of shares being traded], a directorship, or honoraria or consulting fees over \$1,000., but does not include minor stock holdings in publicly traded corporations, or minor royalties or license fees.)
- 9) Failure of the author(s) of a work to include as coauthors or to provide other appropriate acknowledgement for individuals who have made substantial contributions to the conception, design, or execution of a work, to the interpretation of data, or to the drafting of a manuscript. Inclusion as coauthors of individuals who have not made substantial contributions to a work is also considered to be misconduct.
 - a) It is suggested that each academic department and program define a set of criteria for authorship and that this be distributed to all department researchers and scholars and filed with the Associate Vice-President (Research & Graduate Studies)
 - b) In the absence of department/program guidelines the following considerations should be taken into account when determining authorship.
 - i. One author should be identified as being responsible for the validity of the entire manuscript or authored object.
 - ii. All authors listed should have been involved in the research. Each is expected to have made a significant intellectual and/or practical contribution, understand the significance of the conclusions, and be able to share responsibility for the content and reliability of the reported data.

² Throughout this policy, "material" is defined as being of real importance or great consequence.



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All Co-authors listed should have seen and approved a manuscript before submission unless following reasonable efforts to make contact to obtain that approval no contact was able to be established.

iii. Authorship guidelines should be discussed with collaborators and students before the research is begun or before they become involved in it.

- 10) Failure to use archival material in accordance with the rules of the archival source.

Misconduct in research and scholarship does not include honest error, honest differences of opinion, conflicting data, or honest differences in interpretation or judgement about data, data analyses, or research procedures and methods.

Identification of Misconduct in Research and Scholarship

These procedures apply to misconduct in:

- research and scholarly work
- training in research and scholarly activity
- related research and scholarly activities

Individuals who hold what they believe to be well-founded suspicions of misconduct in research and scholarship by a member(s) are encouraged to seek an explanation of the suspicion from the person(s) involved, in order to identify misunderstandings. If, following such explanations, misconduct is still believed to have occurred, the matter should be dealt with as follows.

1. Reporting

- 1.1. It is the responsibility of all members of the University to report instances of alleged misconduct in research and scholarship involving members of the University.
- 1.2. A report of the alleged misconduct in research and scholarship should be made to the Vice-President (Academic), in writing and signed by the complainant. The complaint shall contain details of the alleged misconduct including the name of the respondent and should be accompanied by such supporting evidence as may be available.
- 1.3. The University shall take such steps as may be necessary and reasonable to:
 - a) protect the reputation and credibility of members wrongfully accused of misconduct in research and scholarship.



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- b) protect the rights, positions and reputations of members who in good faith make allegations of research and scholarly misconduct, or who it calls as witnesses in an inquiry or investigation.

1.4 In the case where a graduate or undergraduate student has made an allegation of misconduct in research and scholarship against his/her supervisor, the Vice-President (Academic) shall give due consideration to any impact that reporting the alleged misconduct may have on the student's academic program. Where the student is, at the time of making the allegation, under the supervision of the person alleged to have engaged in misconduct in research and scholarship, the Vice-President (Academic) shall, in consultation with the student, make arrangements through the appropriate administrator for the work and/or examinations, if any, of the student to be evaluated by a disinterested party and, if necessary, for the student to be removed from the environment of the person alleged to have engaged in misconduct in research and scholarship.

2. Determination of the Facts of the Case

When applying these procedures to a specific case, persons acting on behalf of the University and others involved in the proceedings should keep in mind the following:

- a) The importance of the University's maintaining standards consistent with the highest traditions of research and scholarship.
- b) The importance of academic freedom.
- c) The responsibility of the University to the public, to the scientific and scholarly community, and to the institutions and agencies with which the University is affiliated or has contractual arrangements.
- d) The necessity for the University to protect the rights and reputations of all individuals, including the person who is alleged to have engaged in misconduct and the person who has made the allegation.
- e) The necessity for the University to resolve allegations with care and objectivity, with ample opportunity for all interested parties to be heard, and as promptly as the circumstances permit.
- f) The right of all members interviewed as part of these procedures to be accompanied by another member, of their choice, when interviewed as part of these procedures.



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If the complaint is judged by the Vice-President (Academic) to be frivolous or otherwise lacking in substance, the Vice-President (Academic) may take appropriate action against the person making the complaint as per section 3.4 of this policy.

If the complaint is judged not to be frivolous or otherwise lacking in substance, the Vice-President (Academic) shall proceed as follows.

Notice

2.1 Upon receipt of the written complaint from either internal or external sources and within 5 working days, the Vice-President (Academic) shall notify the person(s) named in a report of alleged misconduct that a complaint has been made. The person(s) named shall be informed of the contents of the report and provided with transcription of the written complaint from which all information identifying the person making the allegation has been removed. The person(s) named shall be invited to reply within 7 calendar days. Whether or not a reply is received, the determination of the facts of the case shall continue.

Inquiry

2.2 The Vice-President (Academic) shall at the earliest possible time and within 5 working days of receipt of the complaint, direct the Associate Vice-President (Research & Graduate Studies) and a Dean to conduct an inquiry jointly and in confidence, to determine whether the allegation warrants an investigation.

2.3 The inquiry shall be carried out with due dispatch. Normally the inquiry shall be completed within 30 calendar days of its initiation. If the inquiry takes longer than 30 calendar days to complete, an interim report of progress to date and an estimated date of completion shall be provided to the Vice-President (Academic) at 30 days. The record of the inquiry shall include documentation of the reasons for exceeding the 30 calendar day period.

2.4 The inquiry will use the services of impartial experts as necessary and appropriate, to ensure that the inquiry is thorough and authoritative.

2.5 A *confidential* written report of the inquiry shall be made to the Vice-President (Academic) and shall include a statement of what evidence was reviewed, summaries of relevant interviews, an opinion as to whether or not the allegation is supported, and a conclusion as to whether or not an investigation is warranted.



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- 2.6 If the inquiry finds any indication of possible criminal activity, the Associate Vice-President (Research & Graduate Studies) and Dean will immediately consult the Vice-President (Academic) who will, in turn, determine what further action to take, including contacting the funders and the appropriate authorities.
- 2.7 The person(s) against whom the allegation was made shall receive a copy of the report of the inquiry and have the opportunity to add written comments. The person(s) who made the allegation shall be advised in confidence and in writing of the conclusions of the inquiry.
- 2.8 If the person(s) against whom the allegation was made, admit(s) guilt and the inquiry reports that further investigation is not warranted, the University and the President shall act as described in Items 1 and 2 under University's Response to the Investigation's Findings.
- 2.9 If, as a result of the inquiry, the allegation is not supported and an investigation is reported not be warranted, the University shall act as described in Item 3 under University's Response to the Investigation's Findings.
- 2.10 Whenever an investigation is reported not to be warranted, documentation of the inquiry in sufficient detail to permit a later assessment of the reasons for determining that an investigation was not warranted shall be rendered for safe keeping to the Vice-President (Academic) for a period of three (3) years. Following that period, and at the sole discretion of the member, the documentation shall be destroyed or transferred to the member.
- 2.11 If, as a result of the inquiry, an investigation is reported to be warranted, the Vice-President (Academic) shall, within 14 calendar days of receipt of the report of the inquiry, appoint a committee to conduct an investigation.
- 2.12 The report of the inquiry and all information gathered in the inquiry shall be forwarded to the investigation committee.

Investigation

- 2.13 The committee referred to in item 2.11 shall consist of three (3) impartial members of the faculty recognized to be active in research and scholarship who are appointed by the Vice-President (Academic). No more than two (2) of these committee members shall be from the same general academic area as the person(s) against whom the allegation was made. No more than one (1) of these committee members may be from the same department as the person(s) against whom the allegation was made. As well, at least one (1) committee member shall be from a different general academic area



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(i.e. natural sciences, social sciences, humanities) than the person against whom the allegation was made. The committee may be assisted by a confidential secretary. The committee shall not include the Associate Vice-President (Research & Graduate Studies) nor the Dean involved in the inquiry.

- 2.14 Where the allegation is against a member of staff or a graduate or undergraduate student, the Vice-President (Academic) shall also appoint one (1) committee member who is involved in activities of research and scholarship at a level comparable to those of the person against whom the allegation was made.
- 2.15 This committee shall name a Chair from among its three faculty members.
- 2.16 The mandate of the committee referred to in item 2.11 shall be:
- a) to carry out a detailed examination of the facts relevant to the alleged misconduct in research and scholarship;
 - b) to establish whether or not misconduct in research and scholarship has been committed;
 - c) to identify, as far as is reasonably possible, whether or not any established misconduct in research and scholarship compromises earlier research or scholarly work of the person(s) against whom the allegation was made;
 - d) to identify the role and responsibility, with respect to any misconduct in research and scholarship, of any others involved in the research or scholarly work under question, and to report to the Vice-President (Academic) on any need for further inquiry respecting the role and responsibility of others;
 - e) to submit a full, written confidential report to the President and the Vice-President (Academic) outlining its conclusions and, ordinarily, its comments on the gravity of the offense; and
 - f) to render all documentation gathered by the committee to the Vice-President (Academic) for confidential safe keeping.
- 2.17 This committee shall establish its own procedures with the following provisions:



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- a) all relevant documentation shall be examined, including but not necessarily limited to research data³ and proposals, publications, correspondence and memoranda of telephone calls;
- b) whenever possible, interviews shall be conducted of all persons involved either in making allegation or against whom the allegation was made, as well as others who might have information regarding key aspects of the allegations;
- c) complete summaries of interviews shall be prepared, provided to the interviewed party for comment or revision and included as part of the investigatory file;
- d) the committee shall request and examine all information it deems necessary to complete the investigation;
- e) the committee shall consult with such external experts⁴ as it may deem necessary and appropriate to ensure the investigation is thorough and authoritative; and
- f) decisions shall be made by majority vote.

2.18 This committee shall complete its activities with due dispatch, normally within 60 calendar days of being appointed. If the committee determines that it will not be able to complete the investigation in 60 calendar days, it shall submit to the Vice-President (Academic) an explanation for the delay which includes an interim report on the progress to date and an estimate for the date of completion of the report.

3. University's Response to the Investigation's Findings

Misconduct may be committed with varying degrees of deliberation. It should be recognized that the border between carelessness and negligence, on the one hand, and intentional dishonesty on the other hand, may be very narrow or difficult to draw precisely. The result in either case is objectionable, but the appropriate response to carelessness and negligence should be distinguished from (and lesser than) the response to misconduct.

³ Members shall be responsible for retaining accurately recorded and retrievable research and scholarly materials. Normally such materials should be retained for five years. Further, members shall, upon request, be responsible for providing the investigation committee access to these research and scholarly materials but shall not be responsible for providing access to materials stored in archives, libraries or other institutions which the investigating committee may consult.

⁴ Both the person making the allegation and the person against whom the allegation was made have the right to suggest external experts for consultation.



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- 3.1 If it has been established that misconduct in research and scholarship has been committed by one or more person(s), the President shall take appropriate disciplinary action.
- a) Whenever discipline is imposed on individuals who are governed by the collective agreements, by the academic regulations governing students, or by the policies for excluded staff, the provisions of the applicable agreement, regulations or policy shall be followed.
- 3.2 If it has been established that misconduct in research and scholarship has been committed by one or more person(s), the University shall, through the office of the President:
- a) send each of those person(s) the portion of the report of the committee that pertains to him/her;
 - b) invite those persons to comment on the report;
 - c) notify external sponsors of the research or scholarship in question of the decision and any comments of those person(s) upon the report;
 - d) send to the person(s) who made the allegation those portions of the report of the committee that address their role and opinions in the investigations;
 - e) notify any immediate research collaborators and appropriate administrators of the decision and arrange for the continuance or discontinuance of research or scholarship currently in progress;
 - f) take appropriate remedial measures with regard to any publications or reports invalidated by the misconduct in research and scholarship;
 - g) take appropriate actions to prevent future misconduct in research and scholarship;
 - h) make appropriate public statements; and
 - i) retain all documentation substantiating the findings for a minimum period of seven (7) years.
- 3.3 If the allegation of misconduct in research or scholarship against one or more persons(s) is not established, the University shall, through the Office of the President:
- a) send each of those person(s) the portion of the report of the committee that pertains to him/her;



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- b) invite those persons to comment on the report;
- c) send to the person(s) who made the allegation those portions of the report of the committee that address their role and opinions in the investigation;
- d) take appropriate action against person(s) making allegations that were found to be malicious. (Whenever discipline is imposed on individuals who are governed by the collective agreements, by the academic regulations governing students, or by the policies for excluded staff, the provisions of the applicable agreement, regulations or policy shall be followed.);
- e) remove all documentation concerning the allegation from the member's file and, at the sole discretion of the member, destroy the documentation or transfer it to the member;
- f) provide written notification of the decision to all agencies, publishers, or individuals who were informed by the University of the investigation;
- g) make appropriate public statements; and
- h) take appropriate action on any other related concerns.

Review

This policy shall be reviewed triennially. The Associate Vice-President (Research & Graduate Studies) shall be responsible for ensuring such review takes place.