Procedure for investigating and resolving allegations of misconduct in academic research (effective 1 November 2022)

Foreword

UCL is committed to maintaining the integrity and probity of academic research. To this end, UCL regards it as fundamental that the conduct of resh tnd, dsanthi ( ) 6.dai3 (ve)-n.c.o.sequ12.2s (aW-1.1 (a3 (ale)-1 (r) u3 (mis-1.1 (ac-1 (h)-12s.1 in research is made, timely, thorough and objective actions, as described in this Procedure, should enable UCL to carry out a full and fair investigation. The Procedure follows UCL's Equal Opportunity Policy and its commitment that all staff, students and visitors to UCL are expected to abide by the principles set out in this policy.

UCL's Registrar is responsible for ensuring the integrity of proceedings conducted under this Procedure as the designated 'Named Person'. With effect from June 2023, UCL's Vice-Provost (Research, Innovation and Global Engagement) is acting as the interim 'Named Person'.

Executive Summary

This document sets out the procedure that UCL will follow for the consideration of allegations of misconduct in research. Such allegations might be brought to UCL as the employer of the individual against whom the allegations are made, or in another capacity, such as the host or sponsor of the research. Where a situation is judged by UCL's Third Party Notification Group to be of a particularly serious nature, the appropriate authority or regulatory body will be notified by UCL at the earliest practicable opportunity.

It is not intended that the Procedure will be used as part of any disciplinary or regulatory process. Information gathered in the course of an investigation may become relevant to, and disclosed in, any such disciplinary or regulatory process. This document provides a blueprint for how the stages of the Procedure will be conducted and how appropriate screening and investigation panels will be organised. The objectives of the Procedure are to:

- ensure that decisions at each point and an investigation, where it is conducted, are thorough and fair;
- demonstrate that, by using an agreed standard process, there should be fewer errors in the conduct of the Procedure and investigations; and
- reassure those who are subject to the Procedure that the process of investigation will follow a standard Procedure adopted nationally by universities and other research organisations.

By adopting and following the Procedure it will be possible to:

- establish the ethos and mechanisms by which misconduct in research may be addressed appropriately, investigated effectively and handled fairly;
-

Contents

Section

Annex 11	Acknowledgements and Bibliography	Sources acknowledged in drafting the Procedure	44

Part A: Background for the use of the Procedure

A1. This Procedure has been approved by UCL's Research Governance Committee (RGC) and is closely based on the model procedure developed by UKRIO.

A2. The Procedure is intended to be used in accordance with the Principles at Annex 1. Those responsible for implementing the Procedure will be guided by the Principles at all times to ensure that the Procedure is carried out in a comprehensive, fair, and timely manner, and with integrity, sensitivity and confidentiality.

A3. The Procedure is a mechanism to consider and investigate allegations of misconduct in research. As such it is designed to provide a means to facilitate full exploration of potentially complex matters in research that can arise in situations where misconduct may have taken place.

A4. In considering allegations of misconduct in academic research, it is envisaged that the Procedure may be invoked where necessary prior to any use of UCL's standard disciplinary processes. The Procedure is designed to allow the full and fair investigation of research-related issues by an expert panel, and to reach a conclusion on any allegations prior to considering any disciplinary or other non-disciplinary steps that might be required or recommended. Disciplinary processes may however be invoked at an earlier stage where there is a concern about potential misconduct other than research misconduct.

A5. The individuals responsible for implementing this Procedure should be familiar with the statutory obligations of UCL and the rights of employees according to employment law and other relevant legislation, such as the Public Interest Disclosure Act 1998. Further, they should have knowledge of any additional rights and obligations that might be particular to UCL and/or its employees. Those individuals and Panel members will therefore be provided with appropriate briefing material.

A6. In research, it is not uncommon that misunderstandings or disputes between individuals might present as potential misconduct. It may be possible to mediate or resolve such differences at the individual or local level and this route will be considered and explored where appropriate, before the formal steps described in Part C of this Procedure are initiated.

A7. In situations where the allegations are of a particularly serious nature, formal steps will be implemented immediately (see Para C9 (c), (d) and (e)).

A8. Those entitled to bring complaints about alleged misconduct in research include (but are not restricted to) members of staff or honorary staff of UCL (present or past), students of UCL (present or past), individuals external to UCL, as well as external bodies such as, but not limited to, regulators, professional bodies, funders and journals.

A9. This Procedure will normally apply to all UCL staff, including individuals working under an honorary contract at UCL.

A10. The Procedure will also normally apply to research students of UCL where the allegation of research misconduct relates to work intended for publication or already published. An allegation of research misconduct in relation to assessed work or any draft unpublished work should be referred for consideration

Part B: Responsibilities for the implementation of the Procedure

B1. UCL will designate a senior member of staff as the Named Person for the purposes of this Procedure. The Named Person will:

a. be an individual within UCL with knowledge and experience of UCL's research governance framework;
b. have responsibility for:
    i. receiving any allegations of misconduct in research;
    ii. initiating and supervising the Procedure for investigating allegations of misconduct in academic research;
    iii. maintaining the information record during the investigation and subsequently reporting on the investigation with internal contacts and external organisations; iv. taking decisions at key stages of the Procedure.

B2. The Registrar is the Named Person under this Procedure. The Registrar is, therefore, the UCL officer with responsibility for ensuring the integrity of any proceedings conducted under this Procedure. Any reference to the Registrar in this document also includes anyone deputed by the Registrar to take action on his/her behalf at any stage under the Procedure. With effect from June 2023, UCL's Vice-Provost (Research, Innovation and Global Engagement) is the interim Named Person and therefore any reference to the Registrar also includes the Vice-Provost.

B3. The Research, Innovation and Global Engagement Committee (RIGEC), that replaces the former RGC, is the body within UCL with responsibility for overseeing the operation and review of the Procedure.

B4. The Procedure defined here is designed to provide a report that might require subsequent action using UCL's disciplinary processes or through other non-disciplinary processes.

B5. The Procedure is designed to operate in conformity with the Principles outlined in Annex 1. Those using the Procedure should refer to the Principles with respect to all decisions or interpretations. Where they are unable to resolve matters by reference to the Principles, users of the Procedure will seek appropriate guidance as necessary.

B6. Users of the Procedure may seek further guidance from the Named Person, the Governance Manager: Research Integrity, the Chair of the Research Misconduct Committee, or the Vice-Provost (Research, Innovation and Global Engagement) who has responsibility for UCL's research.

Part C: The Procedure

Introduction

C1. The Procedure allows allegations of misconduct in research to be considered and investigated once submitted to the Registrar in writing. Straightforward allegations that are not considered to be serious in nature, where there Registrar determines that there is not an intent to deceive, might be resolved by the Registrar at the initial assessment stage.

C2. The allegations will be submitted to the Registrar in writing and will be accompanied by any supporting evidence that is available to the person making the allegations, who is the 'Complainant' under this Procedure. Upon receipt of the allegations, the Registrar will share a copy of this Procedure with the Complainant who shall also be asked to specify what type(s) of misconduct he/she claims has occurred,

- to agree a process for dealing with press and informing research subjects, if this is deemed necessary.

C6. UCL also reserves the right to investigate any allegations, or suspicions, of misconduct in research that have been made available in the public domain or otherwise made known to UCL, but where there is no specific Complainant or complaint in writing to the Registrar. Such cases will be considered only at the discretion of the Registrar.

C7. Allegations of misconduct in research shall normally be dealt with under this Procedure. However, there may be instances where UCL employees and/or other persons connected with UCL and/or UCL students wish to disclose concerns about misconduct in research but also wish to remain anonymous. Persons wishing to disclose concerns in this way, often referred to as 'whistleblowers', are able to do so via UCL's Public Interest Disclosure policy (https://www.ucl.ac.uk/human-resources/public-interest-disclosure). Cases of 'whistle-blowing' may therefore be referred for consideration under the Public Interest Disclosure Procedure instead of the Research Misconduct Procedure.

C8. This procedure will be applied consistently, promptly, impartially, reasonably and without discrimination. Annual monitoring will be undertaken to ensure action initiated and any sanctions issued do not impact unfairly on any one group or in any one area (see https://www.ucl.ac.uk/human-resources/equality-diversity-inclusion).

Receipt and Initial Assessment of Allegations

C9. The Registrar will conduct an Initial Assessment of the allegations in order to determine whether the allegations:

a. are mistaken, frivolous, vexatious, malicious, do not disclose any case to answer or are otherwise without merit. If the Registrar decides that the allegations are mistaken, frivolous, vexatious, malicious, do not disclose any case to answer or are otherwise without merit, the allegations will be dismissed. This decision will be reported in writing to the Complainant. The Registrar will advise the prospective Respondent in writing that allegations had been made against him/her by the Complainant (who shall be named by the Registrar), but were dismissed as being mistaken, frivolous, vexatious and/or malicious. The Registrar will also take steps, as required and appropriate to the seriousness of the dismissed allegations, to support the reputation of the Respondent and the research project(s) concerned (see Annex 8) e.g. the Registrar will consider recommending to the appropriate parties that action be taken under UCL's relet1 (o t)-1(dent)-13 acofb (t)-1.1

disciplinary actions nor do they indicate that the allegation is true and that the relevant parties will be notified of the same;

d. are of such a nature that it is necessary to notify legal or regulatory parties, such as in situations as detailed in (c) above, where an activity is potentially or actually illegal and/or a danger to persons, animals and/or the environment. As a consequence of such notification, UCL may be required to comply with an investigation led by a legal or regulatory body, which will ordinarily take precedence over this Procedure. The Procedure may continue in parallel but may have to be suspended, to be concluded later, or may have to be declared void by the Registrar;

e. include behaviour subject to defined sanctions in UCL's disciplinary processes. In such circumstances, the Registrar will refer the allegations to the Chief People Officer (in cases involving members of UCL staff and honorary staff) or to the Head of Regulations and Casework (for cases involving UCL students) for consideration under the relevant disciplinary process. As above, the Procedure may continue in parallel with the disciplinary process but may have to be suspended, to be concluded later, or be declared void by the Registrar.

C10. If the allegations are judged to fall outside the definition of misconduct in research under this Procedure as detailed in Annex 2, the Registrar will communicate to the Complainant in writing:

- the reasons why the allegations cannot be investigated using this Procedure;
- any alternative process for dealing with complaints which might be appropriate for handling the allegations (if any); and
- details of any UCL officer to whom the allegations should be reported and any action taken by the Registrar in reporting the allegations.

C11. Allegations of misconduct in research that are assessed by the Registrar as falling within the definition of misconduct in research but not requiring notification to legal or regulatory bodies or immediate referral to UCL's disciplinary processes will proceed to the Screening stage of the Procedure, except in the following circumstances:

a. where the Registrar decides, in exceptional cases, that the allegations are sufficiently serious and are judged to pose a threat to the reputation of UCL and/or public safety and/or a danger to persons, animals and/or the environment, that the allegations should proceed straight to the

- Vice-Provost (Research, Innovation and Global Engagement);
- Chief Finance Officer;
- Chief People Officer (for cases involving UCL staff or honorary staff); or
- Head of Regulations and Casework (for cases involving UCL students); and
- Director of Legal Services
- Director of Compliance and Assurance
- The Head of Department or equivalent

that allegations of misconduct in research have been received on a particular date and that they will be investigated under this Procedure. They will be provided in confidence with the following information:

- the identity of the Complainant;
- the identity of the Respondent;
- details of all sources of internal and external funding (where known/available);
- details of all internal and external collaborators for the research in question (where known/available); and
- other details that the Registrar considers appropriate.

It will be stressed that the allegations of misconduct in research that are to be investigated are as yet unproven and that the information is confidential.

C13.

An external sponsor, funding organisation and/or collaborator might have a valid interest in, or responsibility for, the way that the investigation is conducted. The Registrar will confirm whether UCL has any contractual/legal obligations towards such external parties concerning any aspects of the investigation to ensure that any such obligations are fulfilled at the appropriate time through the correct mechanisms. The Registrar will liaise with UCL Human Resources and UCL Legal Services to ensure that the rights of the Respondent and Complainant, and the integrity of the investigation are not compromised by any such actions.

C17. The Registrar will emphasise to all parties that the allegation is to be investigated, is as yet unproven and that the information is confidential. The 'appropriate time' will vary from case to case and may be following the initial assessment or not until after the completion of the screening stage.

C18. If the allegations are against an employee whose research or work is funded by a third party, or who is in receipt of funding by a third party, the Registrar may take steps to inform UCL's Third Party Notification Group in order for it to consider whether UCL is or may be required to notify the funding body in relation to such allegations and what steps, if any, may need to be taken in this regard, whether in connection with the terms under which the relevant funding is provided or otherwise. The name of the employee will be kept confidential to the Registrar, the Director of Compliance and Assurance and the Director of Legal Services and only the nature of the allegations and the type of funding will be discussed. The name of the employee may be disclosed to the Third Party Notification Group if considered appropriate. The Registrar and the Third Party Notification Group shall endeavour to deal with such matters with discretion as detailed at Annex 4.

C19. Subje02 Tc 06 >>BDC -12.2ten..3 (i)3.s1 (en..3 (2.2 (f)-1.1 (t)-1.1nd w)-15 (hat)-1.11.482 .1 ((er)-6. (i)-8.9 -12.2t)-(onf)

- request the temporary barring of the Respondent from part, or all, of UCL's premises and any of the sites of any partner organisation(s); and/or
- request a temporary restriction be placed on the Respondent requiring him/her not to have

- constituting research activity for which UCL is the Sponsor or for which UCL has primary [or otherwise material] responsibility;
- involving a Respondent where UCL is the substantive employer or where it has primary responsibility, agreed with other employing organisations; and
- having the potential to have substance, in that the allegations, as considered in the initial assessment, are not considered to be mistaken, frivolous, vexatious, malicious, do not disclose any case to answer

Interview

C39. During the Screening Stage, where relevant, a Screening Panel will interview the Complainant, the Respondent, and other individuals who might provide relevant information to assist the Panel. Where the Complainant will not take part in the screening stage, the Registrar will provide advice to the Panel on the extent to which that party can be kept up to date with proceedings as they progress.

C40. An employee Complainant/Respondent interviewed by a Screening Panel may be accompanied and represented by a companion, who must be a workplace colleague or trade union representative.

C41. A student Complainant/Respondent interviewed by a Screening Panel may be accompanied and represented by a companion, who must be a student friend or a UCL Union sabbatical officer or a member of staff who is in receipt of a valid contract of paid employment with UCL.

C42. UCL expects those who can provide relevant information to provide that information to a Panel.

Screening Report

C43. The Committee Secretary will make a Screening Panel's draft report on a case available to the Registrar and will forward the draft report to the Complainant and Respondent for their comments on its factual accuracy. Where the Complainant has not participated in the screening process, the Committee Secretary will not normally send the draft report to the Complainant.

C44. Only when the report include errors of fact, as indicated by the Complainant and/or Respondent, will a Screening Panel modify the report. The Chair of the Panel will judge the validity of such comments submitted via the Committee Secretary and seek the agreement of the Panel before making amendments to the Panel's report.

C45. The Committee Secretary will then forward the final version of a Screening Panel's report to the Registrar, who will forward it to the Complainant, where it is appropriate to do so, and to the Respondent.

Outcome

C46. The Committee Secretary will inform the UCL Third Party Notification Group of the outcome of the case so

C86.

Annex 1: Principles

1. Misconduct in research is a serious matter. Equally, the investigation of allegations of misconduct in research must be conducted in accordance with the highest standards of integrity, accuracy and fairness.

2. Those responsible for carrying out investigations of alleged misconduct in research will act with integrity and sensitivity at all times.

3. The following principles of Fairness, Confidentiality, Integrity, Prevention of Detriment, and Balance as defined below will inform the carrying out of this Procedure (Parts A, B and C) for the investigation of allegations of misconduct in research.

Fairness

4. The investigation of any allegations of misconduct in research will be carried out fairly and in accordance with the statutory rights of all parties involved.

5. Those responsible for implementing this Procedure should be familiar with:
   - the statutory obligations of UCL and the rights of employees according to current law;
   - any additional rights and obligations particular to the institution and/or its employees.

6. Where anyone is the subject of an allegation of misconduct in research, that person will be given full details of the allegations in writing *.

   * The only exception to this Principle might be in circumstances where the allegations involve matters which are or are reasonably likely to be subject to a criminal investigation.

7. When someone is formally investigated for alleged misconduct in research, he/she will be given the opportunity to set out his/her case and respond to the allegations against him/her.

8. He/she will also be allowed to:
   - ask questions;
   -

Screening Panel, Research Misconduct Committee and the Investigation Panel via the Secretary

19. Any steps to reveal the name of the Respondent or Complainant in public, arising from the investigation of allegations of misconduct in research, will typically be taken only at the conclusion of UCL's disciplinary and appeals processes (unless UCL reasonably believes it is appropriate to do so at an earlier stage, for example if there is a legal requirement to do so).

20. Any disclosure to a third party of the identity of the Complainant or Respondent, or of any other details of the investigation, will be made on a confidential basis. The third party should understand this, and that he/she must respect the confidentiality of any information received.

21. UCL and/or its staff may have contractual/legal obligations to inform third parties, such as funding bodies, regulators, collaborating organisation(s) or current employer(s), of allegations of misconduct in research. In such cases, those responsible for carrying this Procedure out will ensure that any such obligations are fulfilled at the appropriate time through the correct mechanisms, always keeping in mind the legal rights of the employees involved in the allegations.

22. While the allegations are under investigation using this Procedure (and/or UCL's relevant disciplinary process), the Complainant, the Respondent, witnesses or any other persons involved in this Procedure should not make anw]TJ /TT1 1o.9 (ght)-2-1.1 (,)-1.1 e02 Tc 0.0004 Tc -0(s)-8.1 ((anw]TJ /)-8 (t)-1..)-1.1 4 (or)-6.3 2 Tc
pra 0T3.2 (s6.4 (r)-6.28.1 (ed)-1n -0n (ens12.3 (i)31w 1.84e-8 (i)3.1 (l)cv)-8.1.3 (t).3 (ur)-e-13.2 (he b518 T

30. In the interests of openness and transparency, the Registrar will consider whether it would be appropriate to invite members from outside UCL to join both the Screening Panel and Formal Investigation Panel of the Procedure.

31. Detailed and confidential records will be maintained on all aspects, and during all stages, of the Procedure. It is the responsibility of the Registrar to see that such records are maintained and made available at all stages for any use of UCL's disciplinary processes.

32. At the conclusion of the proceedings, all records should be retained by UCL (within Office for General Counsel), for as long as UCL's policy for maintaining such records requires.

33. To preserve the integrity of this Procedure, great care will be taken to ensure that all relevant information is transferred to those involved in the various stages of the Procedure, such as between the Screening Panel and any Investigation Panel and between the Investigation Panel and any relevant disciplinary process.

34. Those responsible for carrying out the Procedure should recognise that failure to transfer information could lead to the process being unfair to the Complainant and/or Respondent. The transfer of information includes the report made at each stage and any expert opinion sought.

35. Suggested good practice on the keeping, transfer and storage of records can be found in Annex 9.

Prevention of Detriment

36. In using this Procedure, and in any action taken as a result of using the Procedure, care must be taken to protect:
    - individuals against frivolous, vexatious and/or malicious allegations of misconduct in research;
    - the position and reputation of those suspected of, or alleged to have engaged in, ( )Tj EMC /6.4 (ds)-8 (c)-8 (an)-

42. As far as reasonably practicable, UCL must take reasonable steps to ensure that the Respondent (or any

Annex 2: Definitions

- failure to declare (where known) that an external collaborative partner has been found to have committed research misconduct in the past or is currently being investigated following an allegation of research misconduct;
- facilitating misconduct in research by collusion in, or concealment of, such action; and
- submitting an accusation of research misconduct based on vexatious or malicious motives.

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 should be judged should be those prevailing in the country in question and at the date that the behaviour under investigation took place.

The basis for reaching a conclusion that an individual is responsible for misconduct in research relies on a judgement that there was an intention to commit the misconduct and/or recklessness in the conduct of any aspect of a research project. Where allegations concern an intentional and/or reckless departure from accepted procedures in the conduct of research that may not fall directly within the terms detailed above, a judgement should be made as to whether the matter should be investigated using the Procedure.

8. Named Person

The Named Person is defined in the Procedure as the individual nominated by UCL to have responsibility for receiving any allegations of misconduct in research; initiating and supervising the Procedure for investigating allegations of misconduct in research; maintaining the record of information during the investigation and subsequently reporting on the investigation to internal contacts and external organisations; and taking decisions at key stages of the Procedure.

9. The Procedure

* Scholarship… is defined as the creation, development and maintenance of the intellectual infrastructure of subjects and disciplines, in forms such as dictionaries, scholarly editions, catalogues and contributions to major research databases.'

13. Respondent

The Respondent is the person against whom allegations of misconduct in research have been made.

Annex 3: Russell Group Statement of Cooperation in respect of cross -institutional research misconduct allegations

Introduction

1. This Statement of Cooperation acts as a public acknowledgement of the principles agreed between the Russell Group Universities[1] in respect of managing investigations of alleged research misconduct. It also sets out the desired standards for cross-institutional investigations between Russell Group members and other universities and/or research organisations (including those outside the UK).

2. This Statement is intended as a set of principles regarding the approach to managing the review of cross-institutional research misconduct allegations. It is not intended to direct how the review process itself is conducted as this is dictated by the relevant institutions policies.

3. Note: The term ‘investigation’ is used in its broadest sense and refers to the whole process, from receipt of an allegation to completion of the process.

Purpose

4. Institutions have a responsibility to properly consider all allegations of potential research misconduct, in

- Be supportive to enable each institution to meet their responsibilities in respect of reviewing misconduct allegations, as well as the responsibilities they bear as an employer of any individual against whom allegations are being considered;

- Ensure that all individuals involved, affected institutions and relevant research funders are kept apprised of progress, as required.

8. To support this, when allegations arise, members of the Russell Group will:

- Contact the party institution(s);

- Agree from the outset whether it would be most appropriate for a single institutional process, separate processes, or a combination of processes to be followed;

- Where a single institutional process is to be followed, agree what involvement the other institutions will have in the process (for example, providing observers or panel members, approving Terms of Reference of any formal investigation panel);

- Where appropriate, agree a lead institution, with clear lines of responsibility for and within each institution, including contact points;

- Contact relevant funders (at the stage required by the funder) and other third parties who may need to be notified (e.g. regulators, hospital trusts) to inform them of an allegation/investigation;

- Agree clear lines of communication between the institutions for both during and after the review

Annex 4: UCL Third Party Notification Group

Role of the Third Party Notification Group

1. Research funders are increasingly requiring recipient organisations to provide notice of matters with potential to adversely impact research they support, in particular as this relates to bullying, harassment and misconduct. Examples include: the Wellcome Trust Policy on bullying and harassment; the CRUK Policy on Dignity at Work in Research, and the BHF's Policy on Bullying and Harassment.

2. UCL's Third Party Notification Group has been established to:
   - Provide consistent expert advice and support to the relevant UCL policy owner in the interpretation of, and compliance with, UCL's contractual and regulatory obligations (to notify third parties);
   - Ensure that such notice(s) adhere to UCL's principles of Fairness, Confidentiality, Integrity, Prevention of Detriment, and Balance; are GDPR Compliant; and are auditable;
   - Develop mechanisms in support of the above.

Terms of Reference of the Third Party Notification Group

3. The Third Party Notification Group brings together UCL's senior administrative officers to collectively assess and advise upon UCL's contractual and regulatory obligations to provide notice of potential matters of Research Misconduct; Public Interest Disclosure; Fraud; or Bullying and Harassment, to third parties including (but not limited to) Funders, Collaborators / Research Partners, NHS Trusts (or other Sponsor), UCLB, and Professional Bodies etc.

4. The Third Party Notification Group will liaise directly with said third parties to secure written assurances regarding the handling of UCL confidential information, ahead of such information being shared.

Composisoo.1 (N)-2.9 (H)-15ing tu9 (at)-1.1 (i)-8.9 (on)-.6 (o.1 (N)-2.9 (H)-15i)-.8 (r)-6.5002 Tc 0.001 Tw -44.458 -1.5h58 -1.

y

- Any known other third parties.
- Any known associated information within the public domain.
- The procedural stage (e.g. Screening).
- The procedural stage outcome (e.g. Referral from Screening to Formal Investigation).
- The date of outcome.
- Any mitigating interventions required, planned or implemented (mandatory for cases in which staff have been suspended) as these relate to research activities e.g. temporary transfer of grant holder.

8. The Third Party Notification Group will prepare a Case Notification Plan which will clearly set out:

- All identified parties requiring notice (identification of such parties will require input from the relevant Investigating / Named Officer).
- The relevant policy, contractual obligation or regulatory obligation underpinning such notice e.g. the Funder's Research Misconduct Policy.
- The notice or notices (recognising in some cases may involve numerous third parties, with varying requirements). The drafting of such notice(s) will follow the principles of Fairness, Confidentiality, Integrity, Prevention of Detriment, and Balance; and be GDPR Compliant. In cases involving Statute 18 or where any other significant legal risk has been identified, advice should be sought from Legal Services and the Case Notification Plan may include a distinct legal advice section where appropriate.
- The name of person responsible (to be reached in consultationw25 anf3.1 (w25)Tj 0.(ano39<)-8.1 (,)-1.1p8 (i)3.1 (
  Thena7o l1s0.7o uc8 w 1(d tr.he10.7o ubme10.32.ies0.6)-w

Annex 5: UCL NHS Trust Partners

The table below lists the contact addresses for the Chief Executive in each of UCL's NHS Trust Partners, who are to be contacted in cases of alleged research misconduct which involve members of UCL staff employed at their respective Trust, to determine the most appropriate colleague to be involved in the initial case meeting to review the matter to determine the Procedure to be followed (see Part C5).

Name of NHS Trust Partner	Contact details for Chief Executive
Barnet and Chase Farm Hospitals NHS Trust	The Ridgeway Enfield Middlesex EN92 8JL
Central North West London NHS Foundation Trust	Central and North West London NHS Foundation Trust Trust Headquarters Stephenson House 75 Hampstead Road, London NW1 7QY
East London Foundation NHS Trust	East London NHS Foundation Trust Headquarters EastONE 22 Commercial Street London E1 6LP
Great Ormond Street Hospital for Children NHS Foundation Trust	Great Ormond Street Hospital for Children NHS Foundation Trust Great Ormond Street London WC1N 3JH
Moorfields Eye Hospital NHS Foundation Trust	Moorfields Eye Hospital NHS Foundation Trust 162 City Road London EC1V 2PD
North Essex Partnership NHS Foundation Trust	North Essex Partnership NHS Foundation Trust Trust Headquarters Stapleford House 103 Stapleford Close Chelmsford Essex CM2 0QX
North Middlesex University Hospital NHS Trust	North Middlesex University Hospital NHS Trust Sterling Way London N18 1QX
Royal Free London NHS Foundation Trust	Royal Free London NHS Foundation Trust Pond Street London NW3 2QG
UCL Hospitals NHS Foundation Trust	Board of Directors University College Hospital 2nd Floor Central 250 Euston Road London NW1 2PG
Whittington Hospital NHS Trust	Whittington Health Magdala Avenue London N19 5NF

Annex 6: Terms of Reference and Membership of the Research Misconduct Committee

The Terms of Reference for the Research Misconduct Committee are to:

1. Keep an overview of the operation of all stages of the UCL Research Misconduct Procedure.

2. Conduct Research Misconduct Allegations Screening Panels. Individual Screening Panels will be formed as sub-groups of the Committee, usually made up of three members of the Committee. Individual Screening Panels will:
   - consider the allegations and supporting evidence submitted by the Complainant;
   - consider the evidence and supportit • 0t •s (t)-1.1 ( )-12ea25s me.2 (al)-85.2C1.482 T0.072 0 Td [(P)-0.6 (a)-3.o.07

Annex 7: Terms of reference and membership of the Investigation Panel

1. The Terms of Reference for the Investigation Panel are to :

- consider all relevant information from the Screening Panel as background for the investigation, including the submission and supporting evidence provided by the Complainant, any response and supporting material submitted to the Screening Panel by the Respondent, and the Screening Panel's Report;
- set an indicative timetable for the investigation, which will be conducted as quickly as possible without compromising the stated Principles of the Procedure;
- maintain a record of evidence sought and received, and conclusions reached;
- conduct an assessment of the evidence;
- hear from the Complainant and such other individuals as the Panel consider relevant to the investigation;
- call expert witnesses to give advice if necessary and as appropriate but such witnesses do not become members of the Investigation Panel.
- hold a Formal Hearing [see paragraph C68 above], to hear the Respondent's response to the allegations made;
- consider the allegations of misconduct in research and reach a conclusion on the allegations with the standard of proof used to reach that decision being "on the balance of probabilities";
- determine whether the allegations are upheld in full or upheld in part or not upheld. The Investigation Panel may conclude that allegations are not upheld for reasons of being mistaken, frivolous, vexatious and/or malicious;
- report any further, distinct, instances of misconduct in research by the Respondent which may be disclosed, unconnected to the allegations under investigation and/or misconduct in research by another person or persons, to the Registrar in writing, along with supporting evidence for consideration under the initial steps of the Procedure;
- aim to reach a unanimous decision, failing which a majority decision will be acceptable;
- produce and submit to the Registrar a final report setting out the Panel's conclusions on the allegations made and any other issues on which the Panel wishes to comment; and
- identify any lessons to be learned from its consideration of the allegations to be notified to UCL's Research, Innovation and Global Engagement Committee and any other relevant parties.

Membership

2. The membership of the Investigation Panel will consist of at least three, and always an uneven number of, senior members of staff (internal and/or external to UCL) judged by the Registrar as possessing the relevant skills and experience to serve on such a Panel. The Registrar will also give consideration to ensuring the diversity of the membership on such Panels.

3. It is preferable that one or more members of the Investigation Panel be selected from outside UCL, and one

unit of UCL established by Council according to Statute 10 (1)) concerned. Where allegations concern highly specialised areas of research the Investigation Panel should have at least one member with specialised knowledge of the field.

5. In selecting members of the Investigation Panel, the Registrar will also consider:

- the subject matter of the allegations, including whether it would be advantageous for members of the Panel to possess any specialised knowledge or investigative skill;
- the appropriateness of inviting members from outside UCL to join;
- any potential conflicts of interest;
- any potential links with any of the persons involved (Complainant) or Respondent);
- any personal connections with the subject matter of the allegations;
- whether a nominee was involved in the work of the Research Misconduct Committee, as this excludes such a person from serving on the Investigation Panel; and
- any connections with the work through, for example, the UCL's groups established to review proposals for research or its ethics committees.

6. A member of UCL Office for General Counsel will normally act as Secretary to an Investigation Panel.

7. The Vice-Provost (Research, Innovation and Global Engagement) may veto nominations for the Investigation Panel, recording the reason for the veto in writing and communicating it to all parties.

8. Both the Complainant and Respondent may raise with the Registrar any concerns that they may have about those chosen to serve on the Investigation Panel, but neither has a right of veto over those nominated. The Registrar will raise any such concerns with the Vice-Provost (Research, Innovation and Global Engagement) as he/she sees fit.

9. Once convened, the membership of the Investigation Panel will not normally be changed or added to (save, for example, where the Panel believes it would benefit from further expertise on the Panel). Members who are not able to continue will not normally be replaced. In the event that the Chair stands down or the membership falls below three, the Registrar will take steps to recruit additional members or re-start the Formal Investigation process.

10. Members appointed to the Investigation Panel will make a written declaration that they:

- will adhere to the Principles of the Procedure (see Annex 1);
- will abide by the Procedure as it affects the work of the Investigation Panel;
- will work within the Terms of Reference for the Investigation Panel;
- have declared any links to the research and/or the individuals involved in the allegations or any interests which might conflict with the Principles of the Procedure; and
- will maintain the confidentiality of the proceedings throughout the work of the Panel and afterwards, unless formally sanctioned by UCL or otherwise required to by law.

11. Members of the Investigation Panel will aim to undertake the work of the Panel as quickly as reasonably possible without compromising the Principles of the Procedure (Annex 1).

Annex 8: Actions and outcomes

The conclusion of the Procedure for the investigation of allegations of misconduct in research and actions taken either through UCL's relevant disciplinary process or through other steps to respond to the conclusions reached by the Investigation Panel should tajd1 (s)-8.1 (h7m af)]TJ 0 Tc 0 Tw 15.5 0 Td (>>BDC /Tc1eo3e)10 (a)-1qTJ [(0)-11.1 (maf)]o3

- retraction/correction of articles in journals;
- withdrawal/repayment of funding;
- notifying patients/patients' doctors of any potential medical issues that may arise;
- notification of misconduct to regulatory bodies (such as the MHRA, the Care Quality Commission, the

Annex 9: Communications and record- keeping

General

1. In accordance with the principle of integrity, appropriate confidential records should be maintained by the Registrar of all stages of any proceedings under this Procedure.

2.