

## RESPONSIBLE CONDUCT OF RESEARCH

Approval Authority: Senate

Established On: December 15, 2022

Amendments: N/A

Category: Academic

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### 1.0 POLICY STATEMENT

NOSM University recognizes the importance of research, including innovation and scholarly inquiry, in the advancement of new knowledge. As such, NOSM University requires all research, innovation and scholarly inquiry conducted by its faculty, staff, and learners, and under its auspices be performed in the most rigorous and responsible manner according to the guidelines established by the Tri-Agency Framework: Responsible Conduct of Research (as it is amended from time to time).

This policy sets out the responsibilities of NOSM University and researchers in establishing a positive and supportive environment of research, and the procedures to be followed in the event of allegations of research misconduct.

### 2.0 SCOPE

This policy applies to all research, including innovation and scholarly inquiry, that is conducted under the auspices of NOSM University by faculty, staff, and learners. This policy applies to funded and non-funded research conducted by NOSM University researchers and to all aspects of research from application for research funds, to the conduct of research, and to the dissemination of research results. Researchers are expected to follow applicable law(s), ethical and professional standards, guidelines, policies, and contractual obligations relevant to the research.

This policy applies to all members of the NOSM University community engaged in research under NOSM University's auspices or jurisdiction, regardless of the location of the research. Nothing herein will be construed to restrict the academic freedom of NOSM University researchers. This policy shall not be applied to Unit 1 members in any way that is inconsistent with the Collective Agreement between NOSM University and Unit 1 OPSEU Local 677.

This policy adheres to the Responsible Conduct of Research (RCR) Framework, which describes institutional, researcher, and Agency responsibilities with respect to responsible conduct of research and lists specific violations that constitute breaches of Agency policies. To apply for or hold Agency funds, researchers are required to adhere to the RCR Framework.

The following list of activities constitutes research misconduct and is derived from Section 3.1 of the [RCR Framework](#):

Breaches of Agency Research Integrity Policies:

- a. *Fabrication*: Making up data, source material, methodologies or findings, including graphs and images.

- b. *Falsification*: Manipulating, changing, or omitting data, source material, methodologies or findings, including graphs and images, without appropriate acknowledgement, such that the research record is not accurately represented.
- c. *Destruction of research data or records*: The destruction of one's own or another's research data or records or in contravention of the applicable funding agreement, institutional policy and/or laws, regulations and professional or disciplinary standards. This also includes the destruction of data or records to avoid the detection of wrongdoing.
- d. *Plagiarism*: Presenting and using another's published or unpublished work, including theories, concepts, data, source material, methodologies or findings, including graphs and images, as one's own, without appropriate referencing and, if required, without permission.
- e. *Redundant publication or self-plagiarism*: The re-publication of one's own previously published work or part thereof, including data, in any language, without adequate acknowledgment of the source, or justification.
- f. *Invalid authorship*: Inaccurate attribution of authorship, including attribution of authorship to persons other than those who have made a substantial contribution to, and who accept responsibility for, the contents, of a publication or document.
- g. *Inadequate acknowledgement*: Failure to appropriately recognize contributors.
- h. *Mismanagement of Conflict of Interest*: Failure to appropriately identify and address any real, potential or perceived conflict of interest, in accordance with the Institution's policy on conflict of interest in research, preventing one or more of the objectives of the RCR Framework (Article 1.3) from being met.

#### Misrepresentation in an Agency Application or Related Document:

- a. Providing incomplete, inaccurate, or false information in a grant or award application or related document, such as a letter of support or a progress report.
- b. Applying for and/or holding an award when deemed ineligible by CIHR, NSERC, SSHRC, or any other research funding organization world-wide for reasons of breach of responsible conduct of research policies such as ethics, integrity, or financial management policies.
- c. Listing of co-applicants, collaborators, or partners without their agreement.

#### Mismanagement of Grants or Award Funds:

Using grant or award funds for purposes inconsistent with the policies of NOSM University or the Agencies; misappropriating grants and award funds; contravening financial policies, namely the [Tri-Agency Guide on Financial Administration](#), Agency grants and awards guides; or providing incomplete, inaccurate or false information on documentation for expenditures from grant or award accounts.

**Breach of Agency Policies or Requirements for Certain Types of Research:**

Failing to meet policy requirements or, to comply with relevant policies, laws, or regulations, for the conduct of certain types of research activities; failing to obtain appropriate approvals, permits or certifications before conducting these activities.

**Breach of Agency Review Processes:**

- a. Non-compliance with the [Conflict of Interest and Confidentiality Policy of the Federal Research Funding Organizations](#).
- b. Participating in an Agency review process while under investigation.

**3.0 DEFINITIONS**

- a. *Agency(ies)*: Canada's three federal granting agencies: Canadian Institutes of Health Research (CIHR), the Natural Sciences and Engineering Research Council of Canada (NSERC) and the Social Sciences and Humanities Research Council of Canada (SSHRC). Also known as the Tri-Agency and granting councils.
- b. *Allegation*: A written statement that asserts that there has been research misconduct conducted by a NOSM University researcher or under the auspices of NOSM University.
- c. *Complainant(s)*: The individual(s) submitting an allegation of research misconduct against a member of the NOSM University community.
- d. *Designated Officer*: The person, normally the Vice Dean, Research, Innovation and International Relations (RIIR), responsible for overseeing an allegation of research misconduct. In the case where a conflict of interest arises between the Vice Dean, RIIR and either the Complainant(s) or the Respondent(s), the President will designate the responsibility for the investigation to a senior academic member of NOSM University.
- e. *Innovation*: Development of a new product or modification of a product established through systematic inquiry and testing.
- f. *Inquiry*: Preliminary review of an allegation of research misconduct to determine if an investigation is necessary.
- g. *Investigation*: A formal review, carried out by an Investigation Committee, to review an allegation of research misconduct.
- h. *Investigation Committee*: A committee appointed by the Vice Dean, RIIR, or designate, to review and report on the determination of whether research misconduct has occurred.
- i. *Learner*: A student in an undergraduate, graduate or diploma program of NOSM University, postdoctoral scholar, medical resident or clinical fellow or anyone in an educational training program who is directly supervised by a NOSM University faculty or staff member.

- j. *Research*: An undertaking intended to extend knowledge through a disciplined inquiry or systematic investigation, including innovation and scholarly inquiry.
- k. *Researcher*: A faculty member, staff person or learner engaged in research activity, including innovation and scholarly inquiry.
- l. *Research Misconduct*: The purposeful action of not adhering to practices of responsible conduct of research. Activities that are part of the normal process of academic and scholarly research activity such as honest error, conflicting data, or differences in opinion or interpretation of research data do not in their own right constitute research misconduct.
- m. *Respondent(s)*: The individual(s) against whom an allegation of research misconduct has been made.
- n. *Scholarly Inquiry*: Seeking new knowledge through systematic and critical questioning.

#### 4.0 POLICY TERMS AND PROCEDURES

NOSM University adheres to the highest standards and practices with respect to research and fosters an environment of research integrity upholding ethical standards and intellectual honesty. NOSM University takes measures to ensure its faculty, staff and learners are provided with information on the responsible conduct of research, including awareness of educational and training opportunities on research best practices and integrity.

Researchers are expected to adhere to the highest standards in conducting research, including honesty, openness, accountability and fairness in proposing and performing research, recording and analyzing data, using methodologies, and reporting and publishing results. Researchers adhere to the Conflict of Interest Policy of NOSM University and identify real, potential, or perceived conflicts of interest in research.

The Research and Graduate Studies Office posts annually the number and general nature of confirmed findings of breaches of research misconduct by NOSM University researchers.

The Research and Graduate Studies Office reports annually to the [Secretariat on Responsible Conduct of Research](#) (SRCR) the number of allegations of research misconduct, and the number and nature of confirmed breaches that involve Agency funds.

##### 4.1 Reporting an Allegation of Research Misconduct

- 4.1.1 Allegations of research misconduct against a NOSM researcher are to be made in writing directly to the Vice Dean, RIIR, and include the date, description of the alleged misconduct, and signature of the Complainant(s).
- 4.1.2 The Vice Dean, RIIR, or designate, shall ensure allegations are investigated promptly, fairly and judiciously and in a confidential manner that is consistent, as appropriate, with related policies, agreements and procedural fairness.

- 4.1.3 An allegation that is received anonymously will be considered if accompanied by sufficient information to enable the assessment of the allegation and the credibility of the facts and evidence on which the allegation is based, without the need for further information from the Complainant(s).
- 4.1.4 Allegations that are directed against the Vice Dean, RIIR, are to be made in writing directly to the President. In the case of an allegation of misconduct directed against one of the Executive Group, it will be the responsibility of the President and Vice Dean, RIIR (as appropriate) to determine how the allegation will be addressed.
- 4.1.5 NOSM University acknowledges the responsibility to protect, to the extent possible, the Complainant(s) making an allegation in good faith or providing information related to an allegation from reprisals.
- 4.1.6 NOSM University acknowledges the responsibility to protect the privacy of both the Complainant(s) and Respondent(s) to the extent possible. As noted in this policy, there are instances where a violation of research misconduct must be externally reported and may pose limits to confidentiality. All those contacted regarding the allegation of misconduct in the course of an inquiry or investigation will be explicitly informed that the process is confidential.
- 4.1.7 NOSM University, or at the request of the Agency, in exceptional circumstances may take immediate action to protect participants in research (human and animal) or the administration of grant or award funds. This may include freezing grant or award accounts, requiring a second authorized signature on all accounts, or other measures deemed necessary to safeguard participants.
- 4.1.8 If the allegation related to conduct that occurred at another institution (whether as an employee, a student or in some other capacity), the Vice Dean, RIIR, or designate, will contact the other institution, and determine with that institution's designated point of contact which institution is best placed to conduct the inquiry and investigation, if warranted. NOSM University, having received the allegation, must communicate to the Complainant(s) which institution will be the point of contact for the allegation.

## 4.2 Inquiry

- 4.2.1 An allegation of research misconduct will be reviewed within ten working days of receipt. Normally, an inquiry will be the responsibility of the Vice Dean, RIIR. If the Vice Dean, RIIR is in a conflict of interest with either the Complainant(s) or the Respondent(s), or is named in the allegation, the Vice Dean, RIIR will refer the allegation to the President, who will designate the responsibility for the inquiry to a senior academic member of NOSM University.
- 4.2.2 The first step in an inquiry is the notification of the Respondent(s), who will be informed in writing of the inquiry, including a copy of the written allegation.
- 4.2.3 The Vice Dean, RIIR, or designate, will notify the Agency or the [SRCR](#), in writing as defined in the RCR Framework.

- 4.2.4 The Vice Dean, RIIR, or designate, will conduct an inquiry, which will include review of the allegation and any documentation related to the allegation that is deemed necessary to determine if an investigation is required. During the inquiry phase the Respondent(s) will be permitted a fair opportunity to respond if they wish to do so in a reasonable time of not more than ten working days of notification. The Respondent(s) will be informed that they have the right to representation at any meetings between the Respondent(s) and the Vice Dean, RIIR, or designate. Any statements made by the Respondent(s) during such meetings will be without prejudice. If the Respondent(s) is a member of NOSM Unit 1 OPSEU Local 677, the union will be provided with a copy of the notification (at the union address designated by the union) alleging research misconduct at the same time that it is made available to the Respondent(s).
- 4.2.5 Following the inquiry, if it is determined that there are no grounds for the allegation of research misconduct and that there will not be an investigation, the Vice Dean, RIIR, or designate, will provide a written report, that includes sufficient evidence as to why the allegation is unfounded and the recommendation that an investigation is unwarranted. If following the inquiry, the Vice Dean, RIIR, or designate, recommends an investigation the Vice Dean, RIIR, or designate, will notify the President.
- 4.2.6 It will be the responsibility of the Vice Dean, RIIR, or designate, to notify the appropriate individuals or offices of NOSM University regarding the outcome of the inquiry, including the President, the Complainant(s), and the Respondent(s).
- 4.2.7 If the inquiry determines there is a breach, and the Respondent(s) accepts responsibility, and an investigation will reveal no further information, then the matter concludes with the inquiry. The Respondent(s) and the Complainant(s) will be notified, and the case will be considered closed.
- 4.2.8 If an investigation is required the Vice Dean, RIIR, or designate, will notify the Complainant(s) and the Respondent(s) of this and the allegation will be forwarded to an Investigation Committee for detailed review as described in this policy.
- 4.2.9 If an outside agency has been notified of an allegation of research misconduct against a NOSM University Researcher, including the SRCR, the agency will be contacted by the Vice Dean, RIIR, or designate, on the outcome of the inquiry.

#### 4.3 Investigation

- 4.3.1 The Vice Dean, RIIR, or designate, will appoint an Investigation Committee consisting of at least three members, one of whom will be external to NOSM University, following the guidelines from the RCR Framework. The chair of the Investigation Committee will be selected from one of the non-external members. The Investigation Committee will include members who are senior members of their respective institutions and as necessary at least one member will have knowledge of the relevant research area. All members of the

Investigation Committee must be without conflict of interest, real, potential, or perceived.

- 4.3.2 The Office of the President provides administrative support for the investigation including support to the Investigation Committee and assistance in the preparation of the report. The Investigation Committee will be provided with additional support as necessary.
- 4.3.3 In the case of an investigation of research misconduct that involves Agency funds the Vice Dean, RIIR, or designate, is responsible for ensuring notification to the SRCR.
- 4.3.4 Both the Complainant(s) and the Respondent(s) will have an opportunity to review the membership of the Investigation Committee and comment on members that may be in conflict of interest. Any objection to the Investigation Committee membership will be made in writing, within ten working days of receipt of notice of its membership, to the Vice Dean, RIIR, or designate, for a final decision on its membership.
- 4.3.5 The Investigation Committee will review the allegation from the Complainant(s), the response from the Respondent(s), and any material that it deems necessary to decide on the validity of the allegation. Any evidence (properly identified and labelled) that the Investigation Committee uses in its determination will be available to the Respondent(s) in a timely manner.
- 4.3.6 The Respondent(s) and the Complainant(s) will have the opportunity to be heard and provide evidence on their behalf, and to choose an advisor who may attend meetings with them. The name and position of the advisor must be provided to the Investigation Committee at least three working days in advance of any meeting. If the Respondent(s) is a member of the Unit 1, OPSEU Local 677, they will be informed of and have the right to be represented by the union.
- 4.3.7 The Investigation Committee may call witnesses to appear before the hearing and if doing so, the Investigation Committee must prepare detailed reports on the nature of the information obtained from the witnesses. This information will be available to the Respondent(s) for a period of up to three working days.
- 4.3.8 The Investigation Committee will prepare a written report of its investigation for the Vice Dean, RIIR, or designate within 30 working days of formation of the Investigation Committee. The report will include a list of meetings (attendees, dates and times), list of documents reviewed, summaries of interviews conducted, the determination of whether misconduct has occurred, and recommendations of the Investigation Committee. Any finding of fraud or misconduct in research, innovation or scholarly inquiry will require clear, cogent, and convincing proof of deliberate deception.
- 4.3.9 The decision of the Investigation Committee will normally be made by consensus. However, if necessary, the decision will be based on a majority vote.

- 4.3.10 The Respondent(s), and if the Respondent(s) is a member of the Unit 1, OPSEU Local 677, the union will receive a copy of the report to review. Response by the Respondent(s) to the report must be submitted to the Chair of the Investigation Committee, with a copy to the Vice Dean, RIIR, or designate, within ten working days of receipt of the report to review.
- 4.3.11 The Vice Dean, RIIR, or designate, will provide a copy of the final report to the Respondent(s), the President, and if the Respondent(s) is member of the Unit 1, OPSEU Local 677, the union, within five working days of receipt of the final report from the Investigation Committee.
- 4.3.12 Depending on the case and how the Complainant(s) was affected by the breach, the Vice Dean, RIIR or designate will provide the outcome, a redacted version, or the full report, as appropriate.
- 4.3.13 NOSM University's decision on findings of the Investigation Committee may be subject to grievance arbitration and will follow the grievance arbitration procedure as provided in the Unit 1, OPSEU Local 677 Collective Agreement (Articles 2.17 and 7.3).
- 4.3.14 NOSM University's decision on findings of the Investigation Committee where the Respondent(s) is not a member of the Unit 1, OPSEU Local 677 may be subject to appeal by filing a written notice of appeal to the Chair of Senate within 30 days of the receipt of the decision. The sole grounds for an appeal are that there was a substantial procedural error in the application of this policy.

#### 4.4 Reporting the Outcome of the Investigation Committee

- 4.4.1 On receipt of the final report, the Vice Dean, RIIR, or designate, will notify the Respondent(s)'s supervisor, or the Provost and Vice-President, Academic, if the Respondent(s) is a learner. Disciplinary action will be taken in accordance with the related applicable policy (i.e., Code of Conduct) or collective agreement, as appropriate.
- 4.4.2 If, after an investigation, NOSM University decides not to take disciplinary action against the Respondent(s), or if an arbitration board decides in the Respondent(s) favour, the President or designate, will:
  - 4.4.2.1 take such steps as may be necessary and reasonable to protect the reputation and credibility of the Respondent(s), including written notification of the decision to all agencies, publishers, or individuals who were informed by NOSM University of the investigation; and
  - 4.4.2.2 remove all documentation concerning the allegation of misconduct from the Respondent(s)'s official file, and shall, at the sole discretion of the Respondent(s), destroy the documentation or transfer it to the Respondent(s).
- 4.4.3 If the allegation of misconduct is upheld, NOSM University will retain the decision and any arbitration report, the latter of which will be a public document.



- 4.4.4 NOSM University will take disciplinary action against the Complainant(s) if it is found that they made unfounded allegations of fraud or misconduct in research or scholarly activity that were reckless, malicious, or not in good faith.
- 4.4.5 NOSM University will take such steps as may be necessary and reasonable: to protect the rights, positions, and reputations of the Complainant(s), who in good faith made allegations of research misconduct, or whom it calls as witnesses in an investigation to minimize disruption to the research of the person making the allegation and of any third party whose research may be affected by the securing of evidence relevant to the allegation during the course of the investigation; and to ensure that any disruption in research, teaching, community service or learning resulting from allegations of misconduct does not adversely affect future decisions concerning the careers or education of those referenced above.
- 4.4.6 In the case of an allegation of research misconduct that involves Agency funds the Vice Dean, RIIR, or designate, is responsible for ensuring a report is prepared and submitted to the SRCR. The report will include the specific allegation; a summary of the Investigation Committee's finding(s) and reason for the finding(s); the process and timelines followed for the inquiry and investigation; the researcher's response to the allegation, investigation, and findings, and any measures the researcher has taken to rectify the breach; the Investigation Committee's decisions and recommendations, and actions taken by NOSM University.
- 4.4.7 If the research has been funded by an outside agency, the responsibility to inform the funding agency of the outcome of the investigation resides with the Vice Dean, RIIR, or designate.
- 4.4.8 If work has been published or submitted for publication, the Vice Dean, RIIR, or designate, will be responsible to inform the publisher concerned of the outcome of the investigation, as well as the Complainant(s) and the Respondent(s) and if the Respondent(s) is a member of the Unit 1, OPSEU Local 677, the union. If the outside agency or publisher has been informed of the proceedings before a judgment has been rendered, the Vice Dean, RIIR, or designate, will send a copy of the final decision to the agency or publisher concerned.

## 5.0 ROLES AND RESPONSIBILITIES

The Vice Dean, RIIR is the contact for the Tri-Agency Framework on Responsible Conduct of Research and is responsible for ensuring that all matters related to this policy are maintained and up to date.

Responsibilities of NOSM University:

- a. Promote responsible conduct of research.
- b. Ensure regular updating of this policy.

- c. Establish and update, as required, guidelines for addressing allegations of research misconduct based on the RCR Framework.
- d. Ensure the management of grant funds adheres to standards set out in the Agreement on the Administration of Agency Grants and Awards by Research Institutions.

Responsibilities of Researchers:

- a. Adhere to responsible research practices in applications for funds, and supervision of learners.
- b. Promote responsible conduct of research.
- c. Comply with the policies governing use of Tri-Agency funds.
- d. Manage grant and award funds in a responsible manner, in adherence with this policy.

## 6.0 INTERPRETATION

Questions of interpretation or application of this policy or its procedures will be referred to the Vice Dean, RIIR: [vice.dean.research@nosm.ca](mailto:vice.dean.research@nosm.ca)

## 7.0 RELATED DOCUMENTS

[Tri-Agency Framework: Responsible Conduct of Research](#)

[Secretariat on Responsible Conduct of Research \(SRCR\)](#)

[OPSEU 677 Unit 1 Collective Agreement](#)

[NOSM University Faculty Handbook](#)

[Academic Freedom Policy](#)

[Conflict of Interest Policy with Commercial Entities](#)

Academic Integrity Policy

## AUTHORITIES AND OFFICERS

The following is a list of authorities and officers for this policy:

- a. Approving Authority: Senate
- b. Responsible Officer: Vice Dean, RIIR
- c. Procedural Authority: Research Committee
- d. Procedural Officer: Assistant Dean, Research

**Review and Revision History**

**Review Period:** 5 years or as required

**Date for Next Review:** 2027 12