

## Policy Directive



# South Western Sydney Local Health District Research Code of Conduct

<b>Document Number:</b>	SWSLHD_PD2015_002
<b>Functional Sub-Group:</b>	Research and Ethics Office
<b>Summary:</b>	The purpose of this code is to guide institutions and researchers in responsible research practices. The Code promotes integrity in research and explains what is expected of researchers by SWSLHD. The Code assists researchers, administrators and the community with how to manage departures from best practice research
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## 1. Introduction:

The purpose of this Code of Conduct is to guide institutions and researchers in responsible research practices. The Code promotes integrity in research and explains what is expected of researchers by SWSLHD. The Code assists researchers, administrators and the community with how to manage departures from best practice research.<sup>1</sup>

### The risk addressed by this policy:

Addresses the risk of research misconduct by employees, affiliates and associates of SWSLHD.

## 2. The Aims / Expected Outcome of this policy:

Responsible research is encouraged and guided by the research culture of the organisation.

A strong research culture will demonstrate:

- honesty and integrity
- respect for human research participants, animals and the environment
- good stewardship of public resources used to conduct research
- appropriate acknowledgment of the role of others in research
- responsible communication of research results.

This code provides a framework for the responsibilities of institutions and researchers to maintain an environment that fosters responsible research

### Related Policies (if relevant):

NSW Health GL2011\_001 - Research Governance in NSW Public Health Organisations

## 3. Policy Statement

- Researchers must conduct their activities in an ethical and professional manner, ensuring validity and accuracy in the collection and reporting of data.
- SWSLHD has developed this *Research Code of Conduct* to meet the standards set out in the *Australian Code for the Responsible Conduct of Research*
- No part of this Code is a substitute for personal responsibility.

<sup>1</sup> The SWSLHD's code is based on the Australian Code for the Responsible Conduct of Research and the UNSW Australia Research Code of Conduct 2009, and MoH Research Governance in NSW Public Health Organisations.

## 4. Principles

The purpose of research is the creation and dissemination of new knowledge and emphasizes the importance of transparency and due process to allow claims and findings to be tested by others. Researchers must conduct their activities in an ethical and professional manner, ensuring validity and accuracy in the collection and reporting of data.

Responsible research is encouraged and guided by the research culture of the organisation.

A strong research culture will demonstrate:

- honesty and integrity
- respect for human research participants, animals and the environment
- ensuring participants' safety and welfare
- ensuring that the benefits justify the risks
- good stewardship of public resources used to conduct research
- appropriate acknowledgment of the role of others in research
- responsible communication of research results

4.1 SWSLHD researchers are committed to high standards of professional conduct in accordance with best practice in the relevant discipline, codes of relevant external funding bodies and legislative requirements.

4.2 Supervisors and mentors are to provide research students and trainees with guidance in the practice of the Code. Research findings should not be reported in the public domain before the research has been reported to experts in the field of research preferably by publication in a peer-reviewed journal.

This Code is part of the SWSLHD research governance framework and should be read with other relevant NSW Health policies, procedures and guidelines including on the maintenance of records, retention of data, publication and authorship, management of intellectual property, research training, occupational health and safety, confidentiality and managing conflict of interest. These are detailed in NSW Health Guideline *GL2011\_001 - Research Governance in NSW Public Health Organisations*.

### APPLICATION OF THIS CODE

- This Code applies to all researchers of SWSLHD, including visiting appointees and volunteers.
- Where a researcher is uncertain about the application of this Code, advice should be sought from the Director of Research SWSLHD. Such advice will be provided on a confidential basis.
- Where a research trainee is uncertain about the application of this Code, advice should be sought from their Supervisor, the Director of Research SWSLHD, postgraduate supervisor or from the Dean of Graduate Research.

### Investigator's Responsibilities

- i) Investigators are responsible for the day-to-day conduct of research taking place in SWSLHD. They are accountable for this to: (i) SWSLHD (ii) their employer who may or may not be the research host; and (iii) if applicable, the clinical trial sponsor.

Key responsibilities are outlined below.

- Conducting research in accordance with:
  - a) the National Statement on Ethical Conduct in Human Research;

- b) relevant legislation and regulations;
  - c) ethical and research arrangements of the organisations involved;
  - d) any conditions of approval stipulated by the HREC, and any other special conditions required by the HREC and the site; and
  - e) any contractual requirements such as those under a clinical trial agreement;
- Ensuring participants' safety and welfare during the research project.
- ii) Principal Investigators, and for multi-centre research coordinating Investigators, have the following additional key responsibilities:
  - Developing and submitting the proposal for ethical and scientific review and site authorisation;
  - Providing reports to the HREC and/or site on:
    - a) Adverse events;
    - b) Proposed amendments to the protocol; and
    - c) Information that might affect the continued ethical and scientific acceptability of the project;
  - Providing, at a minimum, annual progress reports and a final report to the HREC and the site; and
  - Appropriately disseminating the outcome of research, including provision of information to research participants.
- Further details of the responsibilities of investigators, Principal Investigators and Coordinating Investigators in relation to different stages of research are provided in Annex 2 of NSW Health Guideline *GL2011\_001 - Research Governance in NSW Public Health Organisations*.

### Research Ethics

- i) Researchers must comply with all ethical requirements in conducting research at SWSLHD.
- ii) Where research procedures involve humans or animals as research subjects, approval must be sought from the appropriate **Human Research Ethics Committee** or the **Animal Care and Ethics Committee**. The design and conduct of projects must take account of:
  - the *National Statement on Ethical Conduct in Human Research*;
  - the *Australian Code of Practice for the Care and Use of Animals for Scientific Purposes*.
- iii) Research specifically targeting Aboriginal and Torres Strait Islander peoples must only be conducted in accordance with *Values and Ethics: Guidelines for Ethical Conduct in Aboriginal and Torres Strait Islander Health Research* and the *Guidelines for Ethical Research in Indigenous Studies*.
- iv) Community participation in research is encouraged and facilitated by SWSLHD and must be conducted in accordance with the *Statement on Consumer and Community Participation in Health and Medical Research*.

### Management of Research Material and Data

- i) Researchers are expected to comply with the NSW Health Policies and legislation as outlined in NSW Health Guideline *GL2011\_001 - Research Governance in NSW Public Health Organisation 3.2.2 Privacy*

- 1.1 Data underpinning research conducted at SWSLHD (including electronic data) must be recorded in a protected, durable and appropriately referenced form.
  - 1.2 Researchers must maintain a catalogue of all research data in an accessible form.
  - 1.3 Research data and other records relating to research must be retained for at least the minimum periods required by the *NSW State Records Act*, funding agency or publisher guidelines or in accordance with discipline norms, whichever is the longer period.
- ii) Research Material and data related to publications must be available for discussion with other researchers (unless confidentiality provisions apply).
  - iii) Research data and materials remain the property of SWSLHD, unless subject to a third party agreement.

### **Finance**

There must be good stewardship of public resources used to conduct research. The receipt, investment and expenditure of funds used for research should comply with NSW Accounts and Audit Determinations for Public Health Organisations.

### **Risk**

Risks to participants, research team, organisation and others involved in research must be identified, assessed and minimised. Mechanisms must be put in place to monitor and manage harm that occurs.

### **Privacy and Confidentiality**

- i) Researchers are responsible for ensuring appropriate security for any confidential material in accordance with the *NSW Privacy and Personal Information Protection Act 1998*.
- ii) Confidential information must only be used for the purpose for which it was made available.
- iii) Researchers must maintain the confidentiality of any information to which they have been given access to on a confidential basis. This includes ensuring secure storage for confidential information.
- iv) Confidentiality agreements to protect intellectual property rights may be agreed between SWSLHD, the researcher and a sponsor of the research. Where such agreements limit free publication and discussion, limitations and restrictions must be agreed explicitly.

### **Publication**

- i) Where research that has not yet been subjected to peer review is privately reported, researchers must disclose fully the unpublished status of the work and the peer-review mechanisms to which it will be subjected.
- ii) Publications must include information on the sources of financial support for the research. This must include recognition of the support of the SWSLHD in cases where a by-line is not included. Financial sponsorship that carries an embargo on the naming of the sponsor must be avoided. Researchers must acknowledge the host institution and funding sources of the research.

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- iii) Researchers must describe accurately the state of publication (in preparation, submitted, under review, accepted for publication, in press), research funding (applied for, granted, funding period), and awards conferred.
  - iv) Researchers must not deliberately include inaccurate or misleading information relating to research activity in curriculum vitae, grant applications, job applications or public statements.
  - v) Researchers must ensure that published reports, statistics and public statements about research activities and performance are complete, accurate and unambiguous.  
In the event that a researcher becomes aware of unintentional misleading or inaccurate statements about their work, they must correct the record as soon as possible.
  - vi) The publication of research findings must be complete, and where appropriate include any negative findings and results which may be contrary to the hypothesis and/or conclusion.
  - vii) Publication of multiple full papers drawing the same conclusions from the same set of research findings is not acceptable, except where there is full cross-referencing within the papers (for example, in a series of closely related works, a review article, or where a complete work grew out of a preliminary publication, such as an abstract or conference presentation, and this is fully acknowledged).
  - viii) Publication of the same material translated into different languages is acceptable provided that the original source is fully acknowledged. Re-publication of control data (rather than performing new control experiments) is not acceptable unless a full justification is provided to and approved by the journal Editor.
  - ix) An author who submits substantially similar work to more than one publisher must disclose this to the publishers at the time of submission.
  - x) SWSLHD and sponsors involved in any collaborative research reported must be acknowledged and fully disclosed, unless there are any restrictions on communications which may have been agreed with the sponsor.

### Authorship

- i) Researchers are expected to comply with NSW Health Guideline *GL2011\_001 - Research Governance in NSW Public Health Organisations 2.4 Dissemination of research outcomes and findings*
- ii) Criteria for Authorship
  - The minimum requirement for authorship is that an author must have had a substantial intellectual contribution to the paper, where one of the following conditions are met:
    - a) conception and design; and/or
    - b) analysis and interpretation of data; and/or
    - c) drafting the article or revising it critically so as to contribute to the interpretation.
  - Acquisition of funding, the collection of data, general supervision of the research group, provision of technical assistance or materials by themselves, do not justify authorship.

- SWSLHD acknowledges that the criteria for authorship (including the order of authors), of research output vary depending on the currently accepted practice in the research discipline.
  - No person who is an author, consistent with the criteria for authorship, may be excluded as an author without their permission in writing. Similarly, no person who has contributed to the acquisition of funding, or the collection of research data, can be intentionally excluded from its analysis or interpretation for the purpose of authorship.
  - All others who contributed to the work and who are not authors must be recognised by being named in footnotes or in the Acknowledgments section, and their specific contribution and role in the work must be fully acknowledged. Individuals and organisations providing access to facilities, samples or reference collections must be fully acknowledged. If individuals are acknowledged, their approval must be sought in writing.
  - Researchers must ensure that they appropriately and accurately cite the relevant work of others.
- iii) Declaration of authorship
- All authors of all types of publication (including web-based publication) must sign a *Statement of Authorship and Location of Data Form* prior to its submission. All authors must have final approval of the version to be published. The signed Statement of Authorship must specify that the signatories are the only valid authors and that there are no other authors.
  - If, for any reason, one or more co-authors are unavailable or otherwise unable to sign the Statement of Authorship, the executive author may sign on their behalf, noting the reason for their unavailability. Confirmation should be obtained from absentee authors within six months of the publication being submitted.
- iv) Authorship Disputes
- Disputes concerning Authorship will be dealt with in accordance with the principles defined in NSW Health Guideline *GL2011\_001 - Research Governance in NSW Public Health Organisations 2.4 Dissemination of research outcomes and findings*
  - A dispute between authors does not constitute an allegation of research misconduct, unless it is alleged that there has been a serious and intentional breach of this Code.

### Peer Review

- i) Peer review is the “impartial and independent assessment of research by others working in the same or a related field”<sup>2</sup>. SWSLHD encourages researchers to participate in peer review to provide public credibility to the reporting of research.
- ii) SWSLHD researchers in receipt of public funding have a responsibility to participate in the peer review process.
- iii) SWSLHD researchers who are asked to participate in peer review should do so in an ethical, confidential and timely manner. Researchers should not agree to peer review any research for which they have a conflict of interest, or where the research is outside the area of expertise.

<sup>2</sup> Australian Code for the Responsible Conduct of Research, Chapter 6, page 6.

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- iv) SWSLHD researchers whose research is being peer reviewed must not seek to influence the outcomes or process.

**Supervision of Students / Research Trainees**

- i) Researchers must comply with the relevant University Policy on Higher Degree Research Supervision.
- ii) Supervisors must be satisfied that the research methods and outcomes of researchers under their supervision are appropriate and valid. Supervisors must also ensure that research trainees are appropriately acknowledged for their work.
- iii) The supervisor must ensure the validity of research data obtained by a student / research trainee under his / her supervision.

**Disclosure of Conflicts of Interest / Insider Trading**

- i) All SWSLHD researchers have an obligation to avoid actual, potential and perceived conflicts of interest.
- ii) Researchers are required to comply with NSW Health Guideline *GL2011\_001 - Research Governance in NSW Public Health Organisations 2.2.3 Conflicts of Interest*.
- iii) Disclosure of conflicts of interest must be made to editors of journals, to the readers of published work, and to external bodies from which funds are sought.
- iv) Researchers have an obligation to disclose, at the time of reporting or proposing research (for example, in a grant application), any conflict of interest which has the potential to influence research and investigations, publication and media reports, grant applications, applications for appointment and promotion, or research commercialisation.
- v) Researchers must not make, or attempt to make, unlawful profits from their participation in, or knowledge of, research conducted at SWSLHD.

**Collaborative Research with Other Organisations**

- i) SWSLHD supports collaborative research within SWSLHD, nationally and internationally.
- ii) Where research collaboration exists, an agreement should be put into place covering ownership of intellectual property, confidentiality and copyright, sharing of commercial returns, responsibility for ethics and research safety, ownership and location of research data and materials.

**Breaches of the Code and Research Misconduct**

- i) Failure to comply with this Code may be grounds for disciplinary action.
- ii) Any allegation of non-compliance with the Code will be dealt with in accordance with the NSW Health Guideline *GL2011\_001 - Research Governance in NSW Public Health Organisations 4.3.7 Managing Complaints and Allegations of Research Misconduct*.
- iii) Research misconduct does not include genuine errors or differences in interpretation or judgments of data.

- iv) Persons considering making an allegation should read the NSW Health Guideline *GL2011\_001 - Research Governance in NSW Public Health Organisations 4.3.7 Managing Complaints and Allegations of Research Misconduct* and consult the Director of Research SWSLHD in the first instance.
- v) The processes for dealing with Scientific Misconduct are detailed in the SWSLHD Policy for Responding to Allegations of Scientific Misconduct.

## 5. Performance Measures

Research within SWSLHD will be conducted in line with this Code of Conduct.

## 6. Definitions

Research	“original investigation undertaken to gain knowledge, understanding and insight.”
Research Trainee	Higher Degree Research student (PhD or Masters by Research) or early career researcher (postdoctoral research fellow or within 5 years of obtaining PhD).
Researcher	All SWSLHD staff, visiting appointments and volunteers undertaking research at SWSLHD.

## 7. References and links

- Australian Code for the Responsible Conduct of Research  
[https://www.nhmrc.gov.au/files\\_nhmrc/publications/attachments/r39.pdf](https://www.nhmrc.gov.au/files_nhmrc/publications/attachments/r39.pdf)
- National Statement on Ethical Conduct in Human Research (2007) (Updated March 2014)  
<https://www.nhmrc.gov.au/book/national-statement-user-guide-0>
- NSW HEALTH Guideline Research Governance in NSW Public Health Organisations  
[http://www0.health.nsw.gov.au/policies/gl/2011/pdf/GL2011\\_001.pdf](http://www0.health.nsw.gov.au/policies/gl/2011/pdf/GL2011_001.pdf)
- NSW Privacy and Personal Information Protection Act 1998.  
[http://www.austlii.edu.au/au/legis/nsw/consol\\_act/papipa1998464/](http://www.austlii.edu.au/au/legis/nsw/consol_act/papipa1998464/)
- NSW State Records Act [http://www.austlii.edu.au/au/legis/nsw/consol\\_act/sra1998156/](http://www.austlii.edu.au/au/legis/nsw/consol_act/sra1998156/)
- *Statement on Consumer and Community Participation in Health and Medical Research*  
<http://www.nhmrc.gov.au/guidelines-publications/r22-r23-r33-r34>
- *Values and Ethics: Guidelines for Ethical Conduct in Aboriginal and Torres Strait Islander Health Research* <https://www.nhmrc.gov.au/guidelines-publications/e52>

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