



RESEARCH INTEGRITY OFFICE

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# Barriers to Investigating and Reporting Research Misconduct

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## Foreword



Research misconduct is pernicious in its effects. It may represent a small fraction of the research conducted in the UK – and we can only surmise that it does, because the reporting of research misconduct is poor and patchy – but its impact on confidence in research is profound. That confidence is the currency of decision for funders and investors, for researchers building on other work in their field, and for politicians and the public determining what to trust. It is also the basis of research institutions' standing – as employers and as places to conduct research – and the UK's international standing as a research leader.

Little wonder then that unease about research misconduct has led to calls for a regulator and talk of crisis to a growing list of what this should address. Someday it may. However, many barriers to dealing with research misconduct right now are in truth not so intractable in our universities and institutes. I am pleased that UKRIO undertook this examination of what happens to good practice in practice to make that plain.

As this report identifies, there is more that can be done to ensure the UK research community has the clarity, confidence, and culture to investigate and report on research misconduct effectively. With this in mind, it outlines a series of proposals to develop standardised procedures, train those investigating cases to implement these, and instil a culture of transparency which destigmatises early investigation of allegations. In the context of pressures from an increasingly competitive and financially challenging environment, these need our urgent attention.

While this report is by no means a comprehensive review of the issues or solutions, I believe it offers a valuable starting point for UKRIO and the wider research community to work more closely together to prevent, investigate, and report on research misconduct. I and my fellow trustees hope this report will galvanise wider discussion and action across the research sector, and others will find cause to take more decisive steps to encourage early reporting of potential research misconduct, to simplify the process for investigating, and collaborate to build a professional and consistent response across our universities and beyond.

*Tracey Brown*

Tracey Brown OBE  
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## Executive summary

Between January 2023 and March 2024, the UK Research Integrity Office (UKRIO) convened a working group to explore what barriers there may be to investigating and reporting<sup>a</sup> research misconduct. Although our primary aim was to better understand such barriers to enable UKRIO to more effectively advise and guide matters relating to research misconduct, we believe our findings are relevant to all those in the research ecosystem.

This report summarises our key reflections and planned actions, alongside broader proposals for UK research employers, funders, and Government to tackle these issues and wider tensions within the research ecosystem which hinder the investigation and reporting of research misconduct.

This is intended to trigger further dialogue in the UK and internationally, rather than to be taken as a comprehensive review of the issues or a complete set of solutions. Misconduct happens in every profession. When it does, there is a duty to ensure it is addressed and communicated appropriately. We hope this work will allow UKRIO and the wider research community to work more closely together to get a better measure of how much research misconduct is taking place and take steps to prevent, investigate, and report it. In doing so, our hope is to minimise the prevalence of research misconduct and its wider societal impact.

### The current system of self-regulation in the UK

- Under the current 'employer-led' or 'self-regulation' system, research organisations are responsible for ensuring good practice in research carried out under their auspices and for addressing concerns and allegations of misconduct. A key challenge is that there is no unifying legal framework or national legal standard to addressing research misconduct, which can lead to a lack of parity in approach and outcome, as well as wider confidence issues with the present system. Although [The Concordat to Support Research Integrity](#) provides a set of national standards for research integrity which some research funders include in their terms and conditions, these are applied inconsistently by a limited number of funders and without a compliance body or reporting system.
- More generally, the lack of a universally agreed definition of research misconduct and consistent data collection and reporting within the UK hampers our ability to form a complete picture of the frequency and nature of research misconduct.

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<sup>a</sup> By 'reporting', we mean sharing information with relevant stakeholders at various stages from when an allegation is made through to an outcome of an investigation of research misconduct. This may or may not include the public.

## Barriers to investigating and reporting research misconduct

- People involved in research misconduct cases will have different perspectives and priorities, as well as different perceptions of what the barriers in the current system are. This can lead to significant challenges in investigating and reporting research misconduct effectively.
- We found that issues can particularly arise during the initial assessment of a concern, when communication must necessarily be limited but it may be necessary to engage expert help, keep initiators informed, and respond to any reporting required by funders under their terms and conditions. Issues also occur during the final phase following a finding of misconduct, when the number of bodies that need to be informed can suddenly increase.

### Research employers

- In practice, processes and protocols vary both between and within research organisations, due to differences in resources, procedures, and discipline-specific research cultures and norms. This lack of overarching requirements and procedures can cause confusion and lead to concerns that misconduct responses may be in tension with other responsibilities or risks such as funder requirements, confidentiality and General Data Protection Regulation (GDPR) concerns, and potential exposure to legal action.
- A noted tension arises with requests to share information outside the organisation about suspicion of misconduct. Research organisations often expressed concerns that such sharing would contravene GDPR and is against the principles of natural justice. However, funders frequently held the view that such information is requested in part so that safeguarding and other precautionary actions can be taken if appropriate.
- Responses to our consultation also suggest that organisational precedent and ‘tradition’ are barriers to addressing research misconduct. In particular, the language used in policies and procedures stigmatises both the people who raise concerns and the people who go through an initial investigation, causing others to back away from making disclosures.
- Beyond the legal and cultural tensions in addressing misconduct, there are logistical challenges to investigating and reporting research misconduct that can often hinder research employers from responding effectively. Research organisations frequently spoke of the difficulties and cost of finding experts to sit on panels, for example, or fitting investigations into busy jobs and ensuring relevant expertise is sought in making a judgement.

### Research funders

- Although usually not directly involved in research misconduct cases, research funders influence the process when they make requirements about investigating and reporting research misconduct a condition of grant funding. Funders who took part in our review commonly viewed misconduct-

related policies and requirements as an essential part of the assurance process for the research they fund and specify these in their terms and conditions.

- However, our survey of research funders found considerable variation in when and what they require to be reported to them in research misconduct cases. In practice, this means that when concerns about potential misconduct are raised, an organisation must vary its procedure according to the relevant funder contract(s).

### Initiators and respondents

- At the heart of any research misconduct investigation is the researchers involved – whether they be the “initiator” (that is, the person making the allegations) or the “respondent” (the person alleged to have acted in a way that constitutes misconduct).
- Rightly or wrongly, there is a strong perception amongst initiators that research employers ‘protect their own’, particularly senior staff with research grants and power. Conversely, allegations that are frivolous, vexatious or malicious – or perhaps simply mistaken – can and do happen, and respondents frequently express concerns about the fairness of the process and note the need for a duty of care and presumption of innocence.

### Publishers

- While responses from publishers to our consultation were limited, they likewise can play a key role in research misconduct cases, as they must take appropriate and timely corrective action when disseminated research is found to be inaccurate. Publishers can correct the published record when they have the appropriate information or evidence – but when they do not, their ability to do so depends on research institutions providing them with the necessary information. In practice, this can often be challenging when both organisational and publisher policies for research misconduct include confidentiality provisions or there is more generally a lack of clarity on what can be communicated and when.

### Key themes and proposed actions

In engaging with research employers, research funders, researchers, and publishers on their views of the barriers to addressing research misconduct, it is apparent that while the way in which issues are experienced differ, there are common themes at the root:

- the need for every actor involved to have **clarity** on the relevant procedures and processes;
- **confidence** that these procedures will be followed (and the relevant parties have the appropriate skills, resources and information to do so);

- and wider shifts in research **culture** to destigmatise research misconduct, promote transparency, and ensure the task at hand – to uphold the research record – remains at the heart of investigating and reporting efforts.

These findings have clear import for UKRIO. As a national charity established with the express purpose of promoting good research practice and preventing misconduct in the UK, it is incumbent on our organisation to hear and respond to the needs of the sector. Arising from these findings are clear areas of work for UKRIO to action, including:

- Providing guidance to address key tensions and perceived barriers relating to investigating and reporting on research misconduct
- Convening research funders and employers to discuss the development and adoption of a consistent set of expectations, process, and policies relating to research misconduct
- Developing training for those undertaking research misconduct investigations
- Promoting efforts to destigmatise allegations of research misconduct and to encourage early reporting – in the first instance, by updating our Procedure for the Investigation of Misconduct in Research and inputting into the upcoming revision of the Concordat to Support Research Integrity, but also working to promote culture change through the research sector more broadly
- Continuing to investigate the underlying issues that contribute to bad research practices and fraud and identify and support good practice to address these

However, no one actor can tackle the barriers to investigating research misconduct or single-handedly devise a solution. As such, we are committed to working with the wider research community and Government on four key proposals identified by our working group to respond to the challenges within our current system:

1. The research community should adopt a standardised set of requirements and procedures detailing how allegations of research misconduct are investigated and reported, including the feasibility of a universal standard for reporting to funders.
2. Professional research misconduct investigation training should be implemented across the UK in all sectors undertaking research.
3. The research community should adopt a flagging system that promotes transparency, destigmatises allegations of research misconduct, and normalises early raising of concerns.
4. Government should develop the infrastructure needed to collect and report on research misconduct cases nationally. This would not only enable a better understanding of its prevalence and underlying drivers, but also facilitate monitoring and evaluation of any processes, procedures, or training adopted.

# 1. Introduction

## Context

Under the longstanding UK system for research integrity, research organisations are responsible for ensuring good practice in research carried out under their auspices and addressing concerns and allegations of misconduct. This has been described as an ‘employer-led’ system<sup>1</sup>, though it also includes institutions addressing issues relating to research students. The legal basis for discharging these responsibilities is primarily employment law (education law for universities/students) of the UK legal jurisdictions, shaped by contractual conditions set by research stakeholders such as funding bodies.

Part of the challenge in addressing research misconduct in the UK is that there is no unifying legal framework or national legal standard. The ‘teeth’ of the Concordat to Support Research Integrity, a set of national standards for research integrity led by stakeholder groups of research funders and other bodies<sup>2</sup>, arise from adherence being integral to the terms and conditions of research funders. However, there are significant weaknesses to this approach. First, individual grant contracts vary and therefore lack consistency. Second, there is no compliance body or system for reporting failures to uphold the Concordat. Third, take-up of the Concordat has largely been limited to funders within higher education, yet in 2021, 59% of total UK expenditure on research and development was from the business sector<sup>3</sup>. Similarly, though it is recommended by some research funders, it is not mandatory for organisations to adopt UKRIO’s Procedure for the Investigation of Misconduct in Research<sup>4</sup>, which provides a standard framework for addressing allegations.

The effectiveness of this system of self-regulation has been the subject of examination by the House of Commons Science and Technology Committee as part of its inquiries on research integrity in 2018<sup>5</sup>, and on reproducibility in 2023<sup>6</sup>. Echoing previous research<sup>7,8,9</sup>, as well as longstanding commentary by the research community, the Committee identified key concerns relating to research misconduct, including:

- pressures within the current research system driving mistakes, questionable practices and misconduct;
- employer concerns about investigating and reporting research misconduct and a wider lack of confidence across key actors in the current system of self-regulation;
- and a need for all actors in the system to have a greater focus on research integrity.

Despite the Committee’s recommendations to address these issues (see Table 1 for a summary), efforts to enact systemic change have largely stalled. Indeed, the Committee’s most ambitious recommendation – that UKRI create a regulatory body, with oversight of research misconduct – has arguably achieved the opposite of its intention, inadvertently diverting focus and energy away from other practical and specific responses that might be more immediately introduced. In the absence of a

systemic approach, the research community has continued working to identify good practice, as well as the barriers that prevent it being adopted. This effort provides the basis to assess what can be done now, rather than pushed to some future body. It is in this context that the UK Research Integrity Office (UKRIO) convened a working group to examine research misconduct within the UK, with a particular focus on the perceived barriers and tensions to effectively investigate and report on cases – that is, share information with relevant parties at various stages from when an allegation is made through to an outcome of an investigation of research misconduct – within the current system of self-regulation.

**Table 1.** Summary of Science and Technology Committee recommendations relating to research misconduct from its 2018 and 2023 inquiries into research integrity and reproducibility.

Date	Recommendation	Implementation
<b>2018</b>	UKRIO to convene a discussion with publishers to explore a set of commitments in the publishing community to invest jointly in software for the detection of image manipulation or common standards for checking images (Paragraph 82).	Publishers have undertaken individual and collective work on this issue (e.g. COPE, STM Working Group on Image Alterations and Duplications). UKRIO stands ready to support this work.
<b>2018</b>	The use of external panel members in misconduct investigations should be a requirement in a revised Research Integrity Concordat (Paragraph 88).	Included as a specific provision for employers in the revised Concordat (2019), although it is unknown how widely it is adopted.
<b>2018</b>	The Government should ask UKRIO to consider how this practice [ <i>using non-disclosure agreements to keep misconduct quiet</i> ] can be effectively banned by organisations receiving public funds, and statements to this effect should be included in a strengthened Concordat (Paragraph 101).	The revised Concordat (2019) states that employers should avoid “ <i>the inappropriate use of legal instruments, such as non-disclosure agreements</i> ” and includes in its definition of research misconduct “ <i>improper dealing with allegations of misconduct includes the inappropriate censoring of parties through the use of legal instruments, such as non-disclosure agreements.</i> ” Again, it is unknown how widely this is adopted.
<b>2018</b>	Greater diligence in employers checking for past misconduct, and for previous employers fully disclosing such information (Paragraph 101).	No agreed approach or initiative to date.
<b>2018</b>	Employers, funders and publishers of research to work together to agree on a protocol for information-sharing on researchers involved in research integrity problems in a way that meets employment protection legislation (Paragraph 106).	No protocol agreed to date.

<p><b>2018</b></p>	<p>Government to ask UKRI to establish a new national committee to:</p> <ol style="list-style-type: none"> <li>1. Provide a means of independently verifying if a research organisation follows appropriate processes to investigate misconduct, with powers to recommend to UKRI that funding be restricted/ reclaimed if it does not (Paragraph 122).</li> <li>2. Have formal responsibility for promoting research integrity (Paragraph 123).</li> <li>3. Drive the implementation of an updated research integrity Concordat (Paragraph 123).</li> </ol>	<p>UK Committee on Research Integrity (UKCORI) was established in May 2022 by UKRI, with function (2) and, relating to Function (3), a commitment to “work with Universities UK (UUK) to operationalise the Concordat to Support Research Integrity.”</p> <p>Function (1) was not included in their terms of reference when set up by UKRI<sup>10</sup>.</p>
<p><b>2018</b></p>	<p>New national research integrity committee to publish an annual report on the state of research integrity in the UK (Paragraph 128).</p>	<p><i>See below.</i></p>
<p><b>2023</b></p>	<p>UKCORI to commit to producing an annual statement on national research integrity (Paragraph 43).</p>	<p>UKCORI is publishing such annual statements<sup>11</sup>.</p>
<p><b>2023</b></p>	<p>Government should lead on a co-produced framework with the UK Reproducibility Network, UKRIO and UKCORI, which sets out the roles and expectations for key actors when cases of misconduct are identified. (Paragraph 60).</p>	<p>Government and UKRI did not accept this recommendation.</p> <p>No further action has been taken.</p>
<p><b>2023</b></p>	<p>Government to assess the benefits that an additional body, set up to investigate malpractice, could bring to the UK’s research integrity governance architecture. (Paragraph 61).</p>	<p>Government and UKRI did not accept this recommendation.</p> <p>UKCORI is exploring a variety of models for addressing research misconduct in a review due to report in Autumn 2024.</p>

## Our approach

In January 2023, UKRIO established a working group to examine perceived barriers to addressing research misconduct. This group comprised of UKRIO Trustees, Advisory Council members, and staff, all of whom have expertise in research and research integrity, as senior leaders in research organisations, researchers, publication ethics or research integrity specialists, and professional services staff:

- Tracey Brown OBE (Chair)
- Dr Jane Alfred
- Jeremy Barraud
- Professor Sir Ian Boyd FRS FRSB FRSE
- Professor Sarah Harper CBE FMedSci FRAI
- Dr Peter Hedges
- Matthew Hodgkinson
- Professor Inke N  thke FRSE
- James Parry FRSB
- Nicola Sainsbury
- Professor Sir James Cuthbert Smith FRS FMedSci FRSB
- Dr Simon Kolstoe

The expert working group had responsibility for oversight of the project and, working with the full UKRIO team, for its execution. The group met virtually thirteen times during the project and carried out its work through document reviews, consultations and correspondence. Its expert members helped further develop the project methodology and data gathering process and considered the information collected and wider evidence base, before developing solutions to the issues as they were identified.

Between January and March 2023, UKRIO and its expert working group invited anyone with an interest in the UK research system to take part in an open consultation exercise on investigating and reporting research misconduct. The call for participation was publicised via the UKRIO newsletter, website, and social media and included questions about:

- what barriers or concerns exist when investigating and reporting research misconduct;
- what and when other parties should be informed about research misconduct;
- and what support or action could be taken to address such barriers or concerns.

The nature of the responses varied: most reflected an organisational view or the view of an individual where research misconduct was in their professional remit, but a small number were from unaffiliated individuals, usually reflecting on a specific situation. Broadly speaking, responses were received from the following perspectives: research employers (universities and some learned societies); researchers and research ethics committee members; publishers; and individuals who have raised allegations of research misconduct.

Separately, major UK research funders were invited to take part in a funder survey to better understand their approach or role in research misconduct investigations, including for example what requirements they place on grant holders to report research misconduct. Altogether, we received 46 responses to our consultation or survey.

In addition to the consultation and survey responses, our report draws from:

- high level analysis of UKRIO’s Advisory Service enquiries, which routinely centre around potential breaches in good research practice and possible research misconduct<sup>12</sup>;
- consultation responses to UKRIO’s revised [Procedure for the Investigation of Misconduct in Research](#) in June 2022<sup>13</sup>;
- research misconduct discussions at UKRIO’s subscriber-led best practice forum in May 2023<sup>14</sup>;
- UKRIO’s round table on addressing research misconduct in December 2023<sup>15</sup>;
- discussions within UKRIO’s expert working group on research misconduct, chaired by Tracey Brown OBE, and discussions with other external stakeholders within the research community.

## Limitations

We recognise that input into our report – via our consultation calls and/or participation in our roundtables, best practice forums, or advisory service – relied heavily on our existing networks and subscriber community. Though our subscriber community comprises 127 research organisations across the UK and Ireland, the majority are higher education institutions. Their perceptions and experiences will therefore not necessarily be representative of research taking place in the commercial, public and third sectors.

We also note that some individuals who took part in our information-gathering activities, particularly those who initiated the allegations, will have been motivated to note concerns with the existing system. Other respondents were affiliated with organisations but chose to respond in a personal capacity, whereas some responses were on behalf of organisations. In recognition of these wide-ranging perspectives and capacities, we have sought to summarise the different viewpoints in this report.

## 2. What is research misconduct and how prevalent is it?

We do not know how much research misconduct occurs. In part, this is because there is no UK-wide agreed definition of the term. Although [The Concordat to Support Research Integrity](#) sets out a definition that has seen significant uptake within higher education (see Box 1), it has yet to be adopted and used by all research sectors<sup>2</sup>. Misconduct is commonly viewed as requiring a degree of intent in its execution, which can be challenging for an investigation process to assess, though some definitions<sup>2</sup> state that reckless conduct of research can be misconduct. The lack of universally agreed definitions can lead to a lack of parity, where some may process the issues as alleged fraud, and others as mistakes needing corrective action particularly in the instance of questionable research practices<sup>16</sup>.

### 1 Research misconduct, as defined in The Concordat to Support Research Integrity

Research misconduct can take many forms, including but not limited to:

- **Fabrication:** making up results, other outputs (for example, artefacts) or aspects of research, including documentation and participant consent, and presenting and/or recording them as if they were real
- **Falsification:** inappropriately manipulating and/or selecting research processes, materials, equipment, data, imagery and/or consents
- **Plagiarism:** using other people's ideas, intellectual property or work (written or otherwise) without acknowledgement or permission
- **Failure to meet:** legal, ethical and professional obligations, for example:
  - not observing legal, ethical and other requirements for human research participants, animal subjects, or human organs or tissue used in research, or for the protection of the environment
  - breach of duty of care for humans involved in research whether deliberately, recklessly or by gross negligence, including failure to obtain appropriate informed consent
  - misuse of personal data, including inappropriate disclosures of the identity of research participants and other breaches of confidentiality
  - improper conduct in peer review of research proposals, results or manuscripts submitted for publication. This includes failure to disclose conflicts of interest; inadequate disclosure of clearly limited competence; misappropriation of the content of material; and breach of confidentiality or abuse of material provided in confidence for the purposes of peer review

## 1 Research misconduct, as defined in The Concordat to Support Research Integrity *continued...*

- **Misrepresentation of:**
  - data, including suppression of relevant results/data or knowingly, recklessly or by gross negligence presenting a flawed interpretation of data
  - involvement, including inappropriate claims to authorship or attribution of work and denial of authorship/attribution to persons who have made an appropriate contribution
  - interests, including failure to declare competing interests of researchers or funders of a study
  - qualifications, experience and/or credentials
  - publication history, through undisclosed duplication of publication, including undisclosed duplicate submission of manuscripts for publication
- **Improper dealing with allegations of misconduct:** failing to address possible infringements, such as attempts to cover up misconduct and reprisals against whistle-blowers or failing to adhere appropriately to agreed procedures in the investigation of alleged research misconduct accepted as a condition of funding. Improper dealing with allegations of misconduct includes the inappropriate censoring of parties through the use of legal instruments, such as non-disclosure agreements.

Honest errors<sup>b</sup> and differences in, for example, research methodology or interpretations do not constitute research misconduct.

*The Concordat to Support Research Integrity, Universities UK (2019), Commitment 4, p 12-13.*

A lack of consistent data collection and reporting within the UK hampers our ability to form a clear picture of the frequency and nature of research misconduct. The Concordat requires employers to publish anonymised summary data on misconduct cases as part of their annual research integrity statements – but this is not mandatory (except when required by funding contracts) or widely adopted outside of higher education and these reports are variable in terms of their detail and quality. Some research funders may require grant recipients to provide data and publish annual anonymised summary data of allegations and investigation outcomes, but this is by no means a widespread practice and there is no central repository for those data.

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<sup>b</sup> It is recognised, however, that it is difficult to determine the difference between “honest errors” and poor professional practice.

Attempts to form even an incomplete picture of research misconduct by, for example, combining datasets from employer and funder annual statements is beset by inconsistencies in terminology, classification and reporting periods, as well as a lack of parity between organisations on what crosses the threshold for inclusion in annual reporting. However, there is work in progress to address this. Research commissioned by the UK Committee on Research Integrity (UKCORI) has recently developed an approach to analyse and improve data from annual research integrity statements<sup>17</sup> and has committed to repeating this activity. This now needs to be expanded to create annual monitoring, and to provide an evidence base against which to track the effectiveness of efforts to reduce misconduct.

While the prevalence of research misconduct remains unclear, the impact it can have on the academic record and wider society is not. As the Parliamentary Office of Science and Technology identified in its briefing for the Science and Technology Committee's 2018 inquiry, research misconduct (and a lack of research integrity more generally) can undermine public trust; misdirect funding, resulting in lost opportunities; damage reputations; and risk public health and welfare<sup>9</sup>.

### 3. Investigating and reporting research misconduct

Professional misconduct investigations in general are complex and intersect with the requirements of confidentiality, reputation, contracts and safety. However, there are additional considerations in a research context. Firstly, there is often a need for research specialist insight to assess the situation and, if an investigation concludes that there has been research misconduct or there are wider concerns about the integrity of the research, it must also:

- determine whether the accuracy of the research has been impacted;
- determine whether corrective actions are necessary concerning the research;
- and communicate changes that may be required to the research record and its implications for other work and funding (e.g., request retractions of published or deposited research outputs).

Secondly, research usually involves other parties beyond the organisation itself, most notably funders, but often collaborators in industry or other institutions. These two aspects give rise to additional tensions in the demands placed on investigations.

There are three phases to research misconduct investigation: initial investigation following concerns being raised; a full investigation if deemed necessary; and actions required following a finding of misconduct<sup>4</sup>. Tensions raised in the course of this report concern in particular the first and third phases: the initial assessment of a concern, when communication must necessarily be limited but it may be necessary to engage expert help, keep initiators informed, and negotiate the requirements of any funders under their terms and conditions; and the final phase following a finding of misconduct, when the range of bodies that need to be informed can suddenly broaden.

Determining whether the accuracy of the research has been impacted, for instance, requires scrutiny of the allegations by experts in the research in question. A wide range of activities, from safeguarding research participants to proposing new processes, may be necessary when discerning whether – and what – corrective actions may be required for the research. Communicating changes for the research record is likely to involve navigating requirements to inform partner organisations and publishers.

Consequently, research misconduct cases often involve multiple actors, all of whom have different perspectives and priorities, as well as perceptions of what the challenges in the current system are. The following section summarises these perspectives, drawing from our consultation and survey responses, analysis of enquiries to our independent advisory service, best practice forums and roundtables, and wider discussions within our expert working group on research misconduct and with other external stakeholders.

## Research employers

It has long been recognised by the research community<sup>8</sup> – as well as more recently by Government – that research employers often struggle to suitably address allegations of research misconduct within the existing system. This is not to say that many research employers are not using good practice. At a roundtable convened by UKRIO in December 2023, the organisations that were represented spoke about several proactive initiatives they took to respond to, and prevent, research misconduct; for example, by instigating processes to log potential research misconduct issues and linking these to training needs<sup>15</sup>.

However, it is clear that the effect of an employer-led system without any overarching set of requirements, processes or procedures, creates confusion. In practice, processes and protocols vary both between and within organisations, due to differences in resources, procedures, and discipline-specific research cultures and norms. That the majority of enquiries to UKRIO’s longstanding advisory service relate to managing potential research misconduct (ranging from how to respond to concerns raised by publishers, to managing cross-organisational allegations, appeals processes, students or historical cases) speaks to the challenges organisations face within the current system<sup>12</sup>.

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*“Every case is different and has its own potential implications. The discipline, funder, project, journal, agreements, partners, theoretical or practical, human involvement, animal involvement, health and safety implications, etc... are all factors. In addition, institutional management systems and platforms, operational structure (centralised or devolved) and size will all affect how this is handled.”*

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Research Governance Manager, UK university

This reflection from a Research Governance Manager illustrates the need to create investigative and response frameworks that simplify process and procedure. As a result of a lack of overarching requirements and procedures, research employers are frequently concerned that misconduct responses can be in tension with other responsibilities or risks such as funder requirements, confidentiality and General Data Protection Regulation (GDPR) concerns, as well as potential exposure to legal action. Consequently, organisations often seek formal (and costly) legal advice during investigations, particularly on proposed communications, actions relating to investigation outcomes, and sharing findings.

Under GDPR, the general principle is that there should be a compelling reason to share data. A noted tension can arise with requests to share information outside the organisation about suspicion of misconduct, based on the perception that this is prohibited by GDPR. There are also concerns that such sharing is against the principles of natural justice, as it takes place before a conclusion is reached on the

allegation in question; a counterpoint is that the information is requested in part so safeguarding and other precautionary actions can be taken if appropriate.

We expect to clarify issues relating to GDPR through UKRIO’s participation in an initiative with the Wellcome Trust, Association of Medical Research Charities, UK Research & Innovation and the Universities & Colleges Employers Association to improve understanding of data sharing, drawing on guidance provided by the Information Commissioner’s Office. However, we also believe that this and other tensions can be overcome by improvements in funder requirements, discussed further on.

While that tension does need to be addressed, in other cases there appears to be an overestimation of research employers’ vulnerability to legal claims and investigators are hampered by an excess of caution where they do not have confident knowledge of the legal position. Consultation responses suggest that detailed national guidance on legal matters relating to research misconduct investigations (such as defamation, data protection and employment law) might minimise the need for costly and time-consuming advice and reduce the likelihood of complaints by those caught up in investigations. Clarification on the public interest defence to action for defamation in the Defamation Act 2023 or the High Court ruling regarding vicarious liability could also provide research employers with greater confidence in their legal position and basis in investigating and communicating research misconduct (see Annex 4).

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*There still seems to be a culture of fear in relation to the term ‘research misconduct’; with the issues seen less as learning opportunities for individuals and organisations, and more likely to be seen as problems that can be weaponised to discredit an individual. My experience is that institutions focus on conducting thorough investigations so as to minimise reputational impact caused by publicity over investigations.”*

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Research Governance Manager, UK university

Consultation responses also suggest that organisational precedent and ‘tradition’ are barriers to addressing research misconduct. In particular, the language used in policies and procedures stigmatises both the people who raise concerns and the people who go through an initial investigation, causing others to back away from making disclosures. Terms such as ‘complainant’ or ‘allegation of misconduct’ are not neutral, and stigmatisation can be inadvertently enhanced by the titles of organisational policies or by procedural steps that route all concerns about research, whether they initially present as potential errors or allegations of fraud, via a ‘misconduct’ procedure. There have been longstanding calls for destigmatisation of retractions in research<sup>18,19,20</sup> and, in more recent years, for similar approaches to be applied to investigating potential cases of research misconduct, often drawing on models in other countries<sup>21</sup> or sectors<sup>22</sup>. We propose measures to achieve this in Section 4.

Beyond the legal and cultural tensions in addressing misconduct, there are logistical challenges to investigating and reporting research misconduct that can often hinder research employers from responding effectively. A common refrain from organisations is the sheer resource intensity required. Research organisations frequently spoke of the difficulties and cost of finding experts to sit on panels, fitting investigations into busy jobs with competing priorities, and ensuring relevant expertise is sought in making a judgement. This is exacerbated when investigations are conducted by staff who are inexperienced in investigations or who have no research integrity background. This can cause missteps to take place that can undermine wider confidence within the research system.

## 2 The resource intensity of investigating research misconduct: a case study

*Submitted to our expert panel by an academic tasked with carrying out an investigation.*

An allegation of misconduct was submitted to a UK higher education institution in relation to the award of a PhD examining what was a politically charged issue at the time. It was difficult for the investigating officer to determine whether the allegation reflected a genuine concern relating to the conduct of the research, or alternatively a strongly held difference of opinion between the researcher and those making the allegation. A significant amount of time was spent by the investigating team reading the entire thesis, comparing it to other publications in the field, and also examining related evidence such as ethics review records.

In the end the allegation was not upheld, but the effort to investigate involved a senior academic having to familiarise themselves with a new research topic and make essentially an academic judgement as to the behavioural and ethical norms within a different field of research. The time involved far exceeded the time that would have been required for the same academic to have examined the thesis in the first place. While in this case the allegation was not vexatious per se, it did emphasise the significant cost implications for running an investigation.

Research employers also highlighted the challenges when cases involve behaviours or practices that may be reckless or negligent, but not motivated by an intention to deceive. They noted that many organisations simply do not have a specific mechanism for dealing with practices that fall short of good research practice but do not meet the threshold for research misconduct, leading to a gap in processes to respond to unintentional poor practice. Likewise, there are currently no UK-wide processes to communicate outcomes of unfounded concerns or allegations not upheld. Evidence is near impossible to gather on this point, but it follows that behaviour short of research misconduct sometimes goes on to cross that threshold and more generally provides a cultural climate in which research misconduct is more likely to occur and go unchecked.

## Research funders

Although usually not directly involved in research misconduct cases, research funders influence the process when they make requirements about investigating and reporting research misconduct a condition of grant funding. Most requirements set by funders focus on research employers having appropriate policies and procedures, which can be asked about in annual assurance forms sent to the organisation. The majority of funders we surveyed broadly stipulate what such a procedure should cover, though only some recommended more detailed protocols.

We frequently heard from funders that misconduct-related policies and requirements were a part of essential assurance processes for the research they fund, and thus a vital component of their mission to support high-quality research. Some funders felt there was a lack of understanding of why they needed to be informed about cases and the challenges that they face without this information; conversely, research organisations expressed the view that funders did not always appreciate the difficulties in sharing such information. Notably, while some funders expect organisations to report annually on research misconduct, just 25% of those we surveyed said that they publicly share anonymised summary/aggregate information on what is reported to them.

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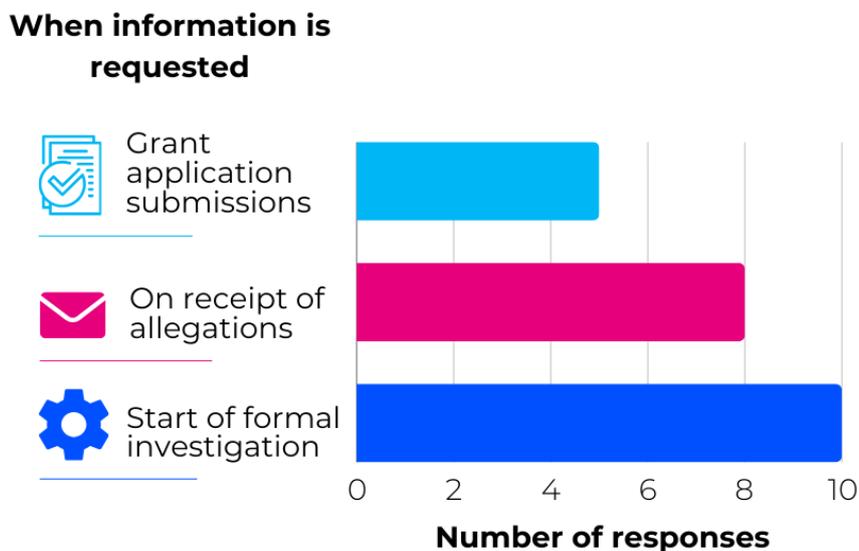
*“As a funder, our concern is more accurately about credibility – misconduct may happen, but we need to be seen to deal with it effectively. For [us], confidence that we are being informed of all cases would reduce the likelihood of criticism of funding poor research and allegations of hypocrisy... If an organisation handles investigations well, then their reputation should be enhanced not damaged.”*

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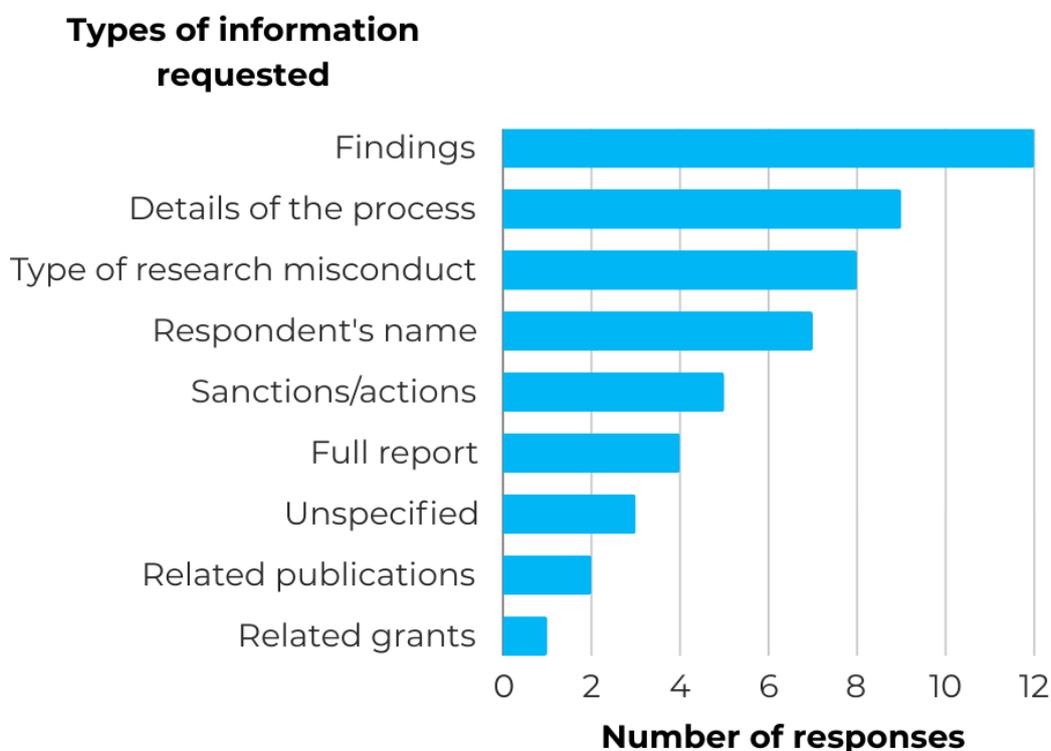
UK funder

Requirements by funders to be informed of suspected cases and their progression and outcomes vary, along with the reasons given and the use of the information provided (see Figures 1 and 2). In practice, this means that when concerns about potential misconduct are raised, an organisation has to look up the relevant funder contracts (and there may be several) and vary its procedure accordingly. It is unlikely that anyone would consider this a desirable outcome, and the burden on smaller organisations of managing this is plain.

**Figure 1.** In your standard funding terms and conditions, when do you require grantee institutions to inform you about an allegation and/or finding of research misconduct? (Funders survey, n=23).



**Figure 2.** What information do you ask for about the allegation? (Funders survey, n=23).



These findings echo the Tickell Review, an independent review of research bureaucracy undertaken in 2021, which found that:

- overall, there are too many requirements relating to assurance bureaucracy and they are often complex and duplicative;
- uncertainty in the sector about how to manage assurance issues contributes to risk aversion and over-compliance in research organisations' internal assurance processes;
- there is a lack of trust, coordination, partnership working and knowledge exchange on assurance throughout the research sector;
- and changing priorities have meant that, over time, new assurance requirements have been introduced and bureaucracy has grown incrementally – but few attempts have been made to remove or reduce redundant assurance requirements<sup>23</sup>.

In response, the Tickell Review has urged steps to reorganise assurance around principles of harmonisation, simplification, proportionality, flexibility, transparency, fairness, and sustainability. While recognising the value of such principles, some key funders expressed a view that they must remain in control over their assurance processes to correctly discharge their responsibilities in this area; such processes could not be delegated to a third-party process such as the Concordat or a new policy or entity. However, we are confident that there is still a significant opportunity to address where the majority of the tensions arise – in the preliminary stage – and this is proposed in Section 4.

## Initiators and respondents

At the heart of any research misconduct investigation is, of course, the researchers involved – whether they be the “initiator” (that is, the person making the allegations), the “respondent” (the person who is alleged to have acted in a way that constitutes misconduct), or other related parties (see the Annex 3 for a full list of terms and definitions). UKRIO has collected information on the experiences of individuals involved in misconduct investigations through a variety of means: the evidence submitted to our consultations, the operation of its Advisory Service, accounts from RIOs involved in such investigations, and previous reviews into the UK situation, such as the enquiries by the Science and Technology Committee.

Initiators raise concerns at what they often feel to be considerable risk to their career and wellbeing and frequently have very strongly held convictions about the matter they are raising. Consequently, they sometimes find it difficult to understand why others do not see the matter in the same way or have trouble accepting findings that do not support their view. Rightly or wrongly, there is a strong perception amongst initiators that research employers ‘protect their own’, particularly senior staff with research grants and power, with decisions taken based on perceptions of credibility rather than on the evidence. One consultation respondent described the

current employer-led system as a 'conflict of interest', noting the tension involved in a research organisation being responsible for investigating its own.

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*“What I see from a lack of accountability is a ‘snowball effect’. Researchers feel that it is alright to breach simple and basic (and very clear) integrity rules, as they often go unreported. When they do get reported, the university feels they can further breach integrity by not following their policies, and/or using bias in investigations to create outcomes in favour of their researchers... They are public institutions that should be publicly accountable, especially regarding the trustworthiness of their research and academics, and definitely when these concern publications.”*

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UK initiator

Conversely, it is vital that research employers undertake investigations with a duty of care to all parties, including those who are the subject of the allegations, and on the presumption of innocence. Respondents, like initiators, find investigations very stressful and complaints about the perceived fairness of the process on both sides are common. But allegations that are frivolous, vexatious or malicious – or perhaps simply mistaken – can and do happen. Similarly, it is important to recognise that breaches of good research practice do not always take place with intent<sup>15</sup>.

Research employers can struggle to retain the balance between investigating thoroughly and doing so as quickly as possible, both to ensure the wellbeing of participants and to take action and correct the research record, if necessary. Input from Research Integrity Officers (RIOs) emphasised their strong commitment to doing the right thing by all but noted this frequently has the effect of frustrating the different parties involved. Regardless of whether negative perceptions are warranted or whether a future regulator would resolve them without introducing others, it is likely that considerable improvements could be made to these tensions by ensuring there is transparency and good communication about the process and what everyone can expect from it.

## Publishers

Depending on the case, research misconduct may also require communication and action by publishers, journals or editors, whose roles are in part to promote and protect the integrity of the record of research<sup>25</sup>. This includes taking appropriate and timely corrective action when disseminated research is found to be inaccurate<sup>26</sup>, whether due to error or misconduct. As such, organisations should communicate to publishers, journals and editors any conclusion of an investigation where the research record needs to be corrected. There also needs to be clear lines of

communication from publishers to organisations, as journals and editors can be the first to learn of concerns about research outputs<sup>26</sup>.

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*“There are often complaints that publishers/journals take too long to act. Whilst in some instances these delays are due to editorial deliberation or investigation, most often these are due to legal threats, uncooperative or unresponsive authors or institutions, or other lack of availability of information (e.g., “lost” data).”*

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UK publisher

In some cases, journals and research organisations are investigating allegations at the same time. Both organisational and publisher policies for research misconduct include confidentiality provisions, which can make it challenging to determine what can be communicated and when. There are also practical challenges. For example, points of contact can be unclear<sup>26</sup> and dealing with researchers/authors direct, while good practice, can lead to organisations and publishers feeling that they have been ‘left out of the loop’ by the other.

We note that responses from publishers, editors and journals to our consultation were limited. However, there are well-evidenced reports on these topics, such as [Cooperation & Liaison between Universities & Editors \(CLUE\): recommendations on best practice](#)<sup>26</sup>, which identify the key challenges and propose evidence-based, practical solutions. Widespread adoption and operationalisation of CLUE would help to alleviate barriers to organisations and publishers communicating about research misconduct and the effects that these can have on researchers and on the research record. There is also learning to be had from other countries: between 2021 and 2022, universities in the US, for example, convened a working group comprised of RIOs, journal editors, and publishing staff to propose recommendations on improving collaboration and transparency between institutions and journals when addressing research misconduct<sup>25</sup> – much of which would be pertinent to the UK context.

## 4. Key themes and proposed actions

In engaging with research employers, research funders, researchers, and publishers on their views of the challenges and barriers to addressing research misconduct, it is apparent that while the way in which issues are experienced differ, there are common themes at the root:

- **Clarity:** There is a need for every actor involved in research misconduct investigations and reporting to have clarity on the relevant procedures and processes, including their role and what they can and should expect from other actors (and when). In addition, there is a need to demystify the legal positions or basis of all parties involved so that concerns about litigation or other legal aspects do not hinder investigation and reporting. More generally, a lack of consistent data collection and reporting within the UK hampers our ability to form a clear picture of the frequency and nature of research misconduct. Greater clarity of the issue is required if we are to adequately address the barriers to investigating and reporting research misconduct.
- **Confidence:** Alongside consistent procedures and processes, there must be confidence across all actors that these will be followed. In practice, this means both ensuring the relevant parties have the appropriate skills, resources, and information and that there are accountability measures that ensure these procedures and processes are being upheld.
- **Culture:** Allegations of research misconduct should be taken seriously, but the stigma attached can often have the unintended effect of enabling such actions and behaviours to go unaddressed. A culture change which destigmatises research misconduct and focuses on correcting the errors in the research as opposed to determining intent may in turn encourage concerns to be raised earlier. This shift in focus from the individual to the quality of the research would purposely improve research culture.

These findings have clear import for UKRIO. As a national charity established with the express purpose of promoting good research practice and preventing misconduct in the UK, it is incumbent on our organisation to hear and respond to the needs of the sector. Arising from our findings are clear areas of work for UKRIO to action (noted in more detail below).

Aligned to these principles, we have identified four key proposals for UKRIO, the research community and Government, recognising that no one actor can tackle the barriers to investigating research misconduct or single-handedly devise the solution.

### **Proposal 1. The research community should adopt a standardised set of requirements and procedures detailing how allegations of research misconduct are investigated and reported.**

- 1.1** A clear national agreement or statement as to the expectations and process for conducting misconduct investigations should be developed and agreed by research employers, funders, and publishers. The Concordat to Support Research Integrity could offer a strong starting point for this work.

Forthcoming revisions to the Concordat should more clearly set out requirements for investigating and reporting research misconduct that specify the process and responsibilities of both the individuals and organisations to prevent, address, and report research misconduct. Any changes to the Concordat should also consider how to increase both take-up and adherence across research organisations, including private, public, and third sector organisations. As part of this, the Concordat should be revised to be fully applicable to all research sectors and strengthen the institutional commitment involved.

- 1.2 All research employers, including those not in the higher education sector, should adopt a procedure based on the [UKRIO Procedure for the Investigation of Misconduct in Research](#). This Procedure, which has been adopted and operationalised by research organisations since 2008, has been developed on an ongoing basis through consultation with the research community. It will be revised following publication of this report to reflect our findings and proposals.
- 1.3 Research funders should adopt a universal set of policies setting out their responsibilities, requirements and standards for the research misconduct investigation process which they require grant-holding research employers to have. These standards should be benchmarked against national good practice in this area. Any requirements relating to reporting should ensure they do not put grant holders in a position of potential GDPR breach.

**Proposal 2. Professional research misconduct investigation training should be implemented across the UK in all sectors undertaking research.**

- 2.1 Relevant research funding streams should make provision for research employers to seek professional research misconduct investigation training, perhaps through use of quality-related (QR) research funding or similar.
- 2.2 UKRIO should offer a UK-wide research misconduct investigation training programme which provides participants with a strong understanding of the national requirements and procedures to investigate research misconduct; relevant employment law, such as data protection and defamation; and the roles and responsibilities they have to report misconduct to other actors, including funders and publishers. However, Government funding would be required to ensure equity of access to this training for all research organisations.

**Proposal 3. The research community should adopt a flagging system or model that promotes transparency, destigmatises allegations of research misconduct, and normalises early raising of concerns.**

- 3.1. Policies, systems and leadership should shift from describing concerns as ‘allegations of misconduct’ to a destigmatising model that, at the preliminary investigation stage, focuses on concerns about research and then, as processes progress, routes them to mechanisms for correcting problems or to mechanisms for investigating alleged misconduct as appropriate. More neutral terminology – e.g., ‘initiators’ instead of

‘complainants’, ‘breaches of good practice’ instead of ‘allegations of misconduct’ – should be adopted and processes revised to mitigate against confrontational or stigmatising systems and attitudes. This should be operationalised through an update of the UKRIO Procedure and the upcoming revision of the Concordat, and then cascaded through the research sector, building on existing work being done in this area by UKRIO and many research organisations.

- 3.2. Approaches found in other countries or sectors could provide useful models for change. For example, the Australian approach shifts the focus from establishing intent to commit wrongdoing to correcting errors and, in doing so, helps to normalise the practice of raising concerns earlier on<sup>26</sup>. Similarly, sectors such as transportation, aviation, and healthcare have encouraged cultural shifts towards rapid flagging of incidents with a focus on prevention of further harm and improvement through learning<sup>21</sup>.

**Proposal 4. Government should collect and report on research misconduct cases to not only enable a better understanding of its prevalence and underlying drivers, but also monitor the effectiveness of any processes, procedures, or training adopted.**

- 4.1. Based on consultation with the whole research community (HEI, public, commercial and charity), Government should provide rules for reporting research misconduct investigations, specifically to include those that do not uphold allegations and ongoing investigations.
- 4.2. Government funding should be committed to tracking annual anonymised summary data on misconduct cases. The UK Committee on Research Integrity (UKCORI) could oversee and commission this, building on its current analysis of annual research integrity statements. Alternatively, such data could become a National Statistic and be collected by the Office of National Statistics.
- 4.3. UKRIO is well placed to provide an annual report on the issues that contribute to bad research practices and fraud, and to investigate and propose solutions for underlying factors of research culture and practice that contribute to them. This would draw on its independent advice, Advisory Service on research integrity and research misconduct, and standards advocacy.

## Conclusion

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*“The only way to avoid these research misconduct situations is creating a culture that understands what research integrity is about.”*

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UK researcher

We recognise our proposals will not fully resolve the tensions relating to research misconduct within the current research system, nor will they eliminate the complexity often involved in investigating and reporting. These are intended as a starting point to dovetail into wider initiatives in this area, including UKCORI’s complementary review to address poor research practice and research misconduct, which will consider the variety of assurance models in place internationally and the extent to which any such approaches may be effective for the UK<sup>28</sup>.

Increasing the clarity and confidence in the processes and expectations for all involved – as well as destigmatising and normalising research misconduct generally – will go a long way to address concerns of fairness and parity; reduce the burden and complexity of handling investigations; and militate against potential GDPR breaches and other litigation. However, it is important to recognise that these speak to the barriers to addressing research misconduct *once allegations are made*.

There is of course a wider question for the research community around actions needed to prevent research misconduct more broadly – for example, by removing the conditions and drivers which allow or encourage researchers to act within the realm of research misconduct. The decision to assess higher education institutions on People, Culture, and Environment (PCE) in the upcoming Research Excellence Framework in 2029 reflects the growing recognition that such factors can and do have an effect on research quality – but establishing a positive community-wide research culture will require systems change and collaboration between researchers, research employers, funders, and publishers on a national and global scale.

## References

1. The Australian Research Council (2023). **International Research Integrity Policy Scan**. <https://www.arc.gov.au/sites/default/files/2023-11/International%20Policy%20Scan%20Report.pdf>
2. Universities UK (2019). **The Concordat to Support Research Integrity**. <https://www.universitiesuk.ac.uk/topics/research-and-innovation/concordat-support-research-integrity>
3. Panjwani, A (2023). **Research and Development spending**. *UK Parliament – House of Commons Library*. <https://researchbriefings.files.parliament.uk/documents/SN04223/SN04223.pdf>
4. Parry, J. and Sainsbury, N. (2023). **Procedure for the Investigation of Misconduct in Research**. *UKRIO*. <https://doi.org/10.37672/UKRIO.2023.01.misconduct>
5. UK Parliament - Science, Innovation and Technology Committee (2018). **Research integrity Inquiry**. <https://committees.parliament.uk/work/4644/research-integrity/>.
6. UK Parliament - Science, Innovation and Technology Committee (2023). **Reproducibility and Research Integrity – Report Summary**. <https://publications.parliament.uk/pa/cm5803/cmselect/cmsctech/101/summary.html>
7. UK Parliament - Science, Innovation and Technology Committee (2011). **Peer review in scientific publications**. <https://publications.parliament.uk/pa/cm201012/cmselect/cmsctech/856/85602.htm>
8. Nuffield Council on Bioethics (2014). **The Culture of Scientific Research in the UK**. <https://www.nuffieldbioethics.org/assets/pdfs/The-culture-of-scientific-research-report.pdf>
9. The Parliamentary Office of Science and Technology (2017). **Integrity in research**. **POSTnote**. **Report No.: 544**. <https://researchbriefings.files.parliament.uk/documents/POST-PN-0544/POST-PN-0544.pdf>
10. UKCORI (2022). **UK Committee on Research Integrity Terms of Reference**. <https://ukcori.org/wp-content/uploads/2022/12/Terms-of-Reference-1.pdf>
11. UKCORI (2023). **Research Integrity in the UK: Annual Statement 2023**. <https://ukcori.org/our-work/annual-statement-2023/>
12. UKRIO (2020). **Use of UKRIO Advisory Service: Summary Data 2007-2019**. <https://ukrio.org/wp-content/uploads/Use-of-UKRIO-Advisory-Service-summary-data-2007-2019.pdf>
13. UKRIO (2023). **Summary of responses on the draft Research Misconduct procedure in May 2022**. <https://ukrio.org/ukrio-resources/summary-of-responses-to-model-procedure-and-how-we-have-responded/>
14. UKRIO (2023). **UKRIO subscriber led best practice forum -Jamboard**. <https://ukrio.org/wp-content/uploads/UKRIO-subscriber-led-sharing-best-practice-forum-3.pdf>
15. UKRIO (2023). **UKRIO Round Table Notes, Topic: Addressing Research Misconduct**. [https://ukrio.org/wp-content/uploads/Round-Table-Notes\\_Research-Misconduct-December-2023.pdf](https://ukrio.org/wp-content/uploads/Round-Table-Notes_Research-Misconduct-December-2023.pdf)
16. Kolstoe, S. (2023). **Defining the Spectrum of Questionable Research Practices (QRPs)**. *UKRIO*. <https://doi.org/10.37672/UKRIO.2023.02.QRPs>

17. Chiarelli, A., Carter, I., Palmer, F., Thomas, B., Higgs, J., and Johnson, R. (2023). *Review of annual statements on research integrity (Version 1)*. Zenodo. <https://doi.org/10.5281/zenodo.8014377>
18. Enserink, M. (2017). *How to avoid the stigma of a retracted paper? Don't call it a retraction*. *Science Insider*. <https://www.science.org/content/article/how-avoid-stigma-retracted-paper-dont-call-it-retraction>
19. Hu, G., and Xu, SB. (2023). *Why Research Retraction Due to Misconduct Should Be Stigmatized*. *Publications*. **11**:18. <https://doi.org/10.3390/publications11010018>
20. Vuong, Q-H. (2020). *The limitations of retraction notices and the heroic acts of authors who correct the scholarly record: An analysis of retractions of papers published from 1975 to 2019*. *Learned Publishing*. **33**: 119-130. <https://doi.org/10.1002/leap.1282>
21. Xu, S.B. and Hu, G. (2022). *Retraction Stigma and its Communication via Retraction Notices*. *Minerva* 60, 349–374. <https://doi.org/10.1007/s11024-022-09465-w>
22. National Health and Medical Research Council (2018). *Guide to Managing and Investigating Potential Breaches of the Australian Code for the Responsible Conduct of Research*. <https://www.nhmrc.gov.au/sites/default/files/documents/reports/guide-managing-investigating-potential-breaches.pdf>
23. Medicines and Healthcare products Regulatory Agency (1964). *Making medicines and medical devices safer. The Yellow Card scheme*. <https://yellowcard.mhra.gov.uk/information>
24. UK Government (2021, 2024). *Independent report. Review of research bureaucracy*. <https://www.gov.uk/government/publications/review-of-research-bureaucracy>
25. Alam, S., Baskin, P., Bennett, C., Carruthers, B., Engler, J., Flanagan, et. al. (2022). *Enhancing Partnerships of Institutions and Journals: A US Perspective for Best Practices*. <https://doi.org/10.31219/osf.io/4qehs>
26. Wager, E. and Kleinert, S., on behalf of the CLUE Working Group. (2021). *Cooperation and Liaison between Universities and Editors (CLUE): Recommendations on Best Practice*. *Research Integrity and Peer Review*. **6**. <https://doi.org/10.1186/s41073-021-00109-3>
27. Woodhams, J. (2023). *Breaches in Research Integrity*. UKRIO. <https://ukrio.org/wp-content/uploads/Breaches-in-RI-2023.pdf>
28. Dunlop, L. and Delgado, M. (2023). *Addressing research misconduct working group. Terms of Reference*. UKCORI. [https://ukcori.org/wp-content/uploads/2023/11/Terms-of-Reference\\_RM\\_working-group\\_version-3.0\\_June-2023.pdf](https://ukcori.org/wp-content/uploads/2023/11/Terms-of-Reference_RM_working-group_version-3.0_June-2023.pdf)

## Annex 1: consultation exercise

At the launch of the review in January 2023, UKRIO published [consultation questions](#) on its website and invited submissions from any interested parties in the research community. The call for participation was publicised via the UKRIO newsletter, website, and social media.

Altogether, we received 22 responses to this open consultation exercise. The nature of the responses varied: most reflected an organisational view or the view of an individual where research misconduct was in their professional remit, but a small number were from unaffiliated individuals, usually reflecting on a specific situation. Broadly speaking, responses were received from the following perspectives: research employers (universities and some learned societies); researchers and research ethics committee members; publishers; and whistleblowers.

### Analytical approach

All responses to the open consultation were in free text and underwent thematic analysis, with themes assigned under general categories. Recognising this approach involves a degree of interpretation, we sought to minimise subjectivity by having a senior staff member independently code a selection of responses and cross-check these with the original analysis to assess consistency and rigour.

## Annex 2: research funder survey

60 major UK research funders were invited to take part in a funder survey to better understand their approach or role, if any, in research misconduct investigations, including for example what requirements they place on grant holders to report research misconduct.

Altogether, we received 24 responses to this call (a 40% response rate), with 21 responses received by email and a further three via semi-structured interview with UKRIO staff.

### Analytical approach

With the exception of a few closed questions, all responses to the funder survey were in free text (or, in the case of the semi-structured interviews – interviewer notes) and underwent thematic analysis. Recognising this approach involves a degree of interpretation, as with the open consultation we sought to minimise subjectivity by having a senior staff member independently code a selection of responses and cross-check these with the original analysis to assess consistency and rigour.

## Annex 3: proposed universal definitions

**Disciplinary Process:** The Disciplinary Process refers to an Organisation's mechanism for resolving disciplinary issues amongst its staff or students.

**Full Investigation:** The Full Investigation is that part of the Procedure the purpose of which is to: a) conclude whether an allegation of misconduct in research is upheld in full, upheld in part or not upheld; and b) make recommendations, for consideration by the appropriate Organisational authorities, regarding any further action the Full Investigation Panel [the Panel that carries out this stage] deems necessary to: address any misconduct it may have found; correct the record of research, and/or address other matters uncovered during the course of its work.

- **Commentary:** this stage can also be known as a Formal Hearing or a Formal Investigation, however both of these terms can cause considerable confusion. The former can easily be conflated with a disciplinary process, while the latter is often confused with the initiation/ use of a formal investigation *procedure* to investigate an allegation of research misconduct.

**Initial Investigation Stage:** The Initial Investigation stage is that part of the Procedure the purpose of which is to determine whether there is sufficient evidence of research misconduct to warrant a Full Investigation of the allegation or whether alternative action(s) should be taken.

- **Commentary:** this stage can also be known as Screening, Preliminary Investigation or Informal Investigation, though the latter can be confused with using informal means to address allegations of poor practice or where it has been assessed that any misconduct is of a very minor nature.

**Initiator:** The Initiator is a person making allegations of misconduct of research against one or more Respondents. They need not be a member of the Organisation [under whose auspices the research in question has been conducted].

- **Commentary:** Some organisations prefer to use the term 'Initiator' instead of 'Complainant', as they feel this better represents the role of that type of person in their investigation process or because they feel that 'Complainant' can convey negative connotations about those raising concerns/ whistleblowing.

**Misconduct in research:** [The Concordat to Support Research Integrity](#) sets out the UK's national definition of misconduct in research in its Commitment 4, and UKRIO recommends adoption and use of this definition.

UKRIO's [Procedure for the Investigation of Misconduct in Research](#) contains additional commentary, to operationalise that definition for use in investigations:

- In discussing misconduct in research, which could be investigated using the Procedure, the following may serve as useful terms by way of guidance. Interpretation of the terms will involve judgements, which should be guided by previous experience and decisions made on matters of misconduct in research.
- 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 which the research took place and at the date that the behaviour under investigation took place (the requirements on the processing and storage of personal and research data). This is particularly important (and not straightforward) when investigating allegations relating to research that was carried out many years previously.
- 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.

**Named Person:** The Named Person is defined in the Procedure as the individual nominated by the Organisation 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.

The Named Person should have a nominated alternate who should carry out the role in their absence or in the case of any potential or actual conflict of interest. The Named Person and the nominated alternate should not be the Organisation's Principal or equivalent, or Head of Human Resources.

- **Commentary:** this term is most commonly used in the higher education sector.

**The Procedure:** The Procedure refers to the agreed formal process used to investigate an allegation of misconduct in research, such as UKRIO's [Procedure for the Investigation of Misconduct in Research](#).

**Research Integrity Officer:** is the term used in the Procedure for staff within the Organisation responsible for research integrity and research misconduct matters. They may do this alongside other roles.

- **Commentary:** this term is most commonly used in the higher education sector. In a few non-UK jurisdictions, it is a term used instead to refer to the UK 'Named Person' role.

**Resolution using informal measures:** refers to addressing an allegation or concern through education and training or another non-disciplinary approach, either because it relates to poor practice rather than to misconduct or because it has been concluded that the allegation has some substance but is of a relatively minor nature.

- **Commentary:** such measures can include: education and training; enhanced supervision/ oversight of research activities; restriction of research activities; mentoring; mediation between involved parties; awareness-raising of relevant issues of good research practice; pastoral care and support; and/or revision of

relevant research practices, systems and/or policies relating to the allegation(s) in question. UKRIO's Procedure provides further guidance on this complex topic in its Annex 3, including the six key features of an effective system of resolution using informal measures

**Respondent:** The Respondent is the person against whom allegations of misconduct in research have been made. They will be a present or past employee/research student of the Organisation that is investigating the allegations using the Procedure, or an individual visiting the Organisation to undertake research.

## Annex 4: legal commentary

### Disclaimer

The UK Research Integrity Office (UKRIO) is an independent charity providing impartial advice on research conduct. UKRIO does not have regulatory powers. This document is intended as guidance only and its contents do not constitute and should not act as a replacement to legal advice. It is not mandatory for organisations to follow the procedure set out in this document and organisations are strongly encouraged to take independent legal advice on the application and use of this procedure. UKRIO accepts no liability for any loss or damage caused or occasioned as a result of advice given by in this document. This document should not be used for court proceedings within any jurisdiction and may not be cited or relied upon for this purpose. Organisations should consider their obligations in responding to allegations of misconduct in research, including but not limited to employment law, contract law and data protection law, as well as any duty of care it might owe to staff and students.

### Clarification on the public interest defence to action for defamation in the Defamation Act 2013

#### 4. Publication on matter of public interest

1. It is a defence to an action for defamation for the defendant to show that—
  - (a) the statement complained of was, or formed part of, a statement on a matter of public interest; and
  - (b) the defendant reasonably believed that publishing the statement complained of was in the public interest.
2. Subject to subsections (3) and (4), in determining whether the defendant has shown the matters mentioned in subsection (1), the court must have regard to all the circumstances of the case.
3. If the statement complained of was, or formed part of, an accurate and impartial account of a dispute to which the claimant was a party, the court must in determining whether it was reasonable for the defendant to believe that publishing the statement was in the public interest disregard any omission of the defendant to take steps to verify the truth of the imputation conveyed by it.
4. In determining whether it was reasonable for the defendant to believe that publishing the statement complained of was in the public interest, the court must make such allowance for editorial judgement as it considers appropriate.
5. For the avoidance of doubt, the defence under this section may be relied upon irrespective of whether the statement complained of is a statement of fact or a statement of opinion.
6. The common law defence known as the Reynolds defence is abolished.

**Source:** <https://www.legislation.gov.uk/ukpga/2013/26/section/4> [Accessed April 2024].

### High Court ruling regarding vicarious liability - [2024] EWHC 35 (TCC)

We note the recent High Court ruling regarding vicarious liability, reference [2024] EWHC 35 (TCC), available at <https://www.bailii.org/ew/cases/EWHC/TCC/2024/35.html> [Accessed April 2024].

## Annex 5: Competing interests and funding

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### Competing interests

Dr Mohi Ahmed, Pippa Day, Stephanie Neave, James Parry, Nicola Sainsbury and Dr Josephine Woodhams are employees of UKRIO.

Professor Sir Ian Boyd is a Board Member of UK Research and Innovation; Trustee, National Oceanography Centre; Non-executive Director, Fera Science Ltd; Co-Chair

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Dr Peter Hedges was Director of Research Services at the University of Cambridge until December 2023.

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