

Procedure for Handling Academic Misconduct

1. Academic Misconduct

Academic misconduct can be difficult to define. As a guide to what may be considered academic misconduct, the UK Research Integrity Office (UKRIO) defines academic misconduct as including but not limited to:

- a) Fabrication
- b) Falsification
- c) Misrepresentation
- d) Plagiarism
- e) Failures to follow procedures or take due care when working with:
 - a. Human research participants
 - b. Animals
 - c. The environment
 - d. Privileged or private information about individuals collected during the course of research
- f) Improper handling of allegations of academic misconduct

The expression of new ideas, controversial or unpopular opinions or challenging received wisdom, within the boundaries of the law, is not academic misconduct and this procedure should not be used to curb such academic freedoms.

2. Introduction

- a. Academic misconduct is extremely serious and all allegations of academic misconduct will be duly investigated by the Sanger Institute.
- b. The purpose of this document is to provide a framework to investigate, resolve and remedy situations where academic misconduct may have occurred. It is designed to offer guidance to those reporting misconduct or carrying out an investigation into misconduct. It is not meant to be prescriptive and may be deviated from where circumstances necessitate with agreement from the Chief Operating Officer who will act as the Named Person (NP).
- c. Any investigation into academic misconduct may run in parallel to other disciplinary proceedings. The General Counsel and the Head of Policy will ensure coordination of all proceedings.
- d. The process outlined in this document is based on guidance from UKRIO but has been adapted to fit with the management and Faculty structures of the Sanger Institute. It may be useful to also refer to the [UKRIO guidance](#) during the course of an investigation.

3. Allegations of Academic Misconduct – initial steps

- a. Informal Approach
 - i. In the first instance, concerns regarding academic misconduct may be dealt with informally. If an individual suspects there has been a breach of research integrity they may attempt to resolve the matter informally with the individual concerned. This approach may be appropriate where there has been a misunderstanding between individuals and/or the matter appears to be basic or minor.

- ii. If the problem is satisfactorily resolved by informal means there is no need to take any further action or report the matter formally.
 - iii. If a problem cannot be resolved informally, including if the allegation is too serious or the individual concerned will not satisfactorily respond to the concerns, the matter should be addressed formally.
- b. Making a Formal Allegation
 - i. Formal allegations must be made in writing, and where possible evidence to support the allegation should be provided. Allegations can be submitted to any member of faculty, Human Resources or the Board of Management (BoM).
 - ii. Upon receiving an allegation of academic misconduct the allegation should be passed on to the Named Person as speedily as possible. The Named Person will then notify the General Counsel, who will be responsible for the initial screening process to investigate the merit of the complaint. The Director, Directors of Finance and Human Resources, Head of Policy and Head of Grants will also be informed.
 - iii. Anonymous allegations will be reviewed and given due consideration but will only be investigated at the discretion of the Named Person. Anonymity may undermine the validity of the complaint and can be a significant hindrance to investigation of a complaint. In line with the Whistleblowing Policy, any employee raising legitimate concerns in good faith are protected from being dismissed or penalised.
- c. The Named Person will inform the complainant, the respondent and any relevant stakeholders that they have received the allegation and of the instigation of the Screening Process.
- d. The Head of Grants will ensure relevant funders are notified in compliance with their terms of funding.
- e. The General Counsel will manage the investigation. They will be supported by the Head of Policy, who will act as an advisor to the General Counsel and Named Person.
- f. The Named Person should act immediately to:
 - i. Prevent any illegal/dangerous activity.
 - ii. Ensure contractual/legal obligations are fulfilled.
 - iii. Secure evidence to support a fair and robust investigation of the allegation made so that the issue may be resolved in a timely manner.
- g. Allegations made against researchers at the Sanger Institute by researchers or organisations outside the Sanger Institute should be reported to the Named Person by the respondent within 3 days of receipt of the allegation.

4. Screening Process

- a. Upon being informed by the Named Person of an allegation of misconduct, the General Counsel will ask a member of Faculty to conduct the Screening Process. The purpose of the Screening Process is to determine whether there is a need for a full investigation; it is not to decide whether academic misconduct has occurred. For this reason, the Screening Process should concentrate on the allegation made and should not seek to look beyond the stated allegation.

If during the Screening process the investigating member of Faculty believes there are additional areas of concern beyond those outlined in the original allegation these should be raised with the Named Person who may decide to broaden the scope of the screen.

The Screening Process should aim to be focussed and brief.

- b. The Screening Process will be led by a member of Faculty who will be supported by the General Counsel and the Head of Policy. The selected member of faculty should have no conflicts of interest that could affect their ability to act impartially. The General Counsel may ask for additional support from other persons as they deem necessary.
- c. At the outset of the Screening Process, the General Counsel and the investigating member of Faculty will agree a time-line for completion of the Screening Process. This ideally will be 2-3 weeks. Short time lines are strongly encouraged.
- d. If the complainant, respondent or any other relevant party are asked to meet with the investigating member of Faculty and/or the General Counsel they are entitled to bring a member of the Employee Partnership, a Trade Union Representative or a colleague for advice and/or support.
- e. Once the Screening Process is complete, the investigating member of Faculty should prepare a brief report for the Named Person and the Director with recommendations. The Director will then decide on the outcome, which may be:
 - i. No case to answer – at which point the matter will be dismissed.
 - ii. Move to a full investigation
 - iii. Case for moving to alternative disciplinary proceedings. In this instance the Screening Process has found no evidence of Academic Misconduct but there may have been other misconduct. The Named Person will inform Human Resources and initiate appropriate disciplinary proceedings.
- f. The complainant and the respondent should be informed of the outcome of the screening process by the Named Person, in a timely manner. At this stage there is no right of appeal.
- g. The Named Person should inform the Director, the Director of Human Resources and the Head of Grants of the outcome.
- h. The Named Person will decide whether any action to curtail the activities of the respondent needs to be taken. This includes, but is not limited to, the respondent's access to Sanger Institute IT systems and applications, campus facilities and Institute resources and suspension on full pay. In addition, the Named Person may seek to suspend the publication of any research and the submission of grants involving the respondent.

5. Full Investigation

- a. The purpose of the Full Investigation is to examine the relevant evidence, decide whether the allegation is upheld and to make recommendations for addressing the misconduct, including how to correct the research record.
- b. Having decided to initiate a Full Investigation, the Named Person will notify the Director, the Chair of the GRL Board, the General Counsel, the Head of Grants, the Head of Policy and the Directors of Finance and HR, and the Director of Grants at Wellcome. The Named Person will then appoint a panel to investigate. The panel should possess the necessary knowledge to properly investigate the matters raised in the allegation. This may necessitate the inclusion of independent external experts on the panel. The constitution of the panel shall be:
 - i. 3 – 5 members at the Named Person's discretion.
 - ii. At least two members of Sanger Institute Faculty. One of these members will act as Chair.
 - iii. An independent person nominated by Wellcome at their discretion.

- iv. The remaining members will be appointed by the Named Person depending on the magnitude or complexity of the investigation. These additional members may either be Sanger Institute Faculty or independent external experts.
- v. The member of Faculty who conducted the Screening Process cannot sit on the Investigation Panel.
- c. Prior to or at the initial meeting of the Investigatory Panel, all Panel members must declare any conflicts of interest. Conflicts of interest may include links to the research or individuals involved in the research under investigation that may affect the panel member's ability to remain neutral throughout the investigation. The General Counsel is responsible for maintaining a written record of all declarations.
- d. The respondent has the right to object to but not veto the appointment of any member of the panel.
- e. The Investigatory Panel will be supported by the General Counsel and the Head of Policy, who may also request additional assistance as required.
- f. The Chair and the General Counsel should agree a time-line for the investigation; indicatively this may be 6-8 weeks from the formation of the Investigatory Panel. Dates for any hearings should be set as soon as possible and the respondent and any witnesses informed. Where there are unexpected findings or unanticipated difficulties in the investigation process the Named Person, at the request of the Chair, may agree to extend the duration of the investigation for a defined period in order to ensure a full and fair investigation. The complainant and the respondent should be informed of the change of completion date at the earliest opportunity by the General Counsel.
- g. The Chair, in conjunction with the General Counsel, will draw up Terms of Reference for the investigation, which must be agreed by the Panel. The Terms of Reference should include:
 - i. The anticipated date for the conclusion of the investigation.
 - ii. Confirmation that the Screening Process occurred and the name of the Faculty member who carried it out.
 - iii. The names and roles of the members of the Investigation Panel
 - iv. The scope of the investigation
 - v. Commitment to declare any conflicts of interest and maintain confidentiality.
- h. The gathering of evidence is the responsibility of the Chair who can request assistance from the Head of Policy. The acceptance of evidence by the Panel is at the discretion of the Chair however the complainant and the respondent both have the right to submit evidence and the respondent must be given the opportunity to respond in person.

6. Findings

- a. At the close of the Full Investigation, the Panel will present their conclusions, which will be:
 - i. The allegation of academic misconduct is upheld in full
 - ii. The allegation of academic misconduct is upheld in part
 - iii. The allegation of academic misconduct is not upheld.

These conclusions must contain the Panel's reasons, any differing views, and their recommendations. The Chair, the General Counsel and the Head of Policy must then prepare a confidential report with the Panel's recommendations. The Panel's recommendations may include, but are not limited to:

- iv. Referral to Disciplinary Proceeding

- v. Informing other external organisations of the outcome of the investigation
- vi. Actions to safeguard research participants or animals
- vii. Actions to correct the research record
- viii. Further notification of funding bodies
- ix. Review of internal management, supervisory practices and training

If the panel does not uphold the allegation they may also make recommendations on whether the allegation was vexatious or malicious and if necessary will refer the matter to Human Resources.

- b. The Chair will then submit the report to the Named Person who will consider the Panel's conclusions and/or recommendations and make a recommendation to the Director on what action to take. If necessary the Named Person and/or Director will meet with the Chair, General Counsel, or the Head of HR to consider the report's findings and the appropriate response.
- c. The Director will inform the Chair, the General Counsel, the Named Person and the Chair of the GRL Board of their decision and actions taken.
- d. The Named Person will, in a timely manner, inform the complainant and the respondent of the findings of the report, the outcome and all actions taken.
- e. The Named Person will inform the Head of Grants of the outcome, who will notify funders in compliance with their funding conditions.
- f. The Named Person will report the allegations or findings of the investigation to third parties, depending on the legal, contractual and regulatory requirements. Third parties may include, but are not limited to:
 - i. Publishers/Journals
 - ii. Collaborators
 - iii. Other employing organisations
- g. The respondent has the right to appeal the decision of the Named Person within 14 days of being notified of the outcome of the Full Investigation. The complainant has no right of appeal. Upon notification of the appeal the Director, a member of BoM and a person nominated by the Wellcome Trust will handle the appeal process.

7. Other provisions

- a. If an allegation of academic misconduct is made against the Director the Named Person will inform the chair of the GRL Board, and Wellcome will assume responsibility for the investigation.

8. Additional Considerations

- a. It is important that all those involved in the investigation, including the complainant, maintain confidentiality to protect both the respondent and the complainant, as is reasonably practicable. This means confidentiality should be kept so long as it does not compromise the investigation and does not breach any legal or regulatory responsibilities. Breaching confidentiality may result in disciplinary action.
- b. Any person interviewed at any stage during either the Screening Process or the Full Investigation is entitled to be accompanied by a member of the Employee Partnership or a

colleague for support and/or advice. Any such accompanying person must follow the expectation of confidentiality (Section 8a).

- c. Where an individual has a disability or language skills that may impede their ability to fully participate in the procedure, it is the individual's responsibility to raise this with the General Counsel who must make best efforts to accommodate the needs of the individual.
- d. In appointing members of the investigatory panel the Named Person must make best efforts to ensure broad representation through gender balance and diversity, recognising the importance of diversity in ensuring impartiality and avoiding biased behaviours towards all parties involved.
- e. In some circumstances it may become necessary to seek expert advice in addition to that on the Panel. The Chair should discuss and agree the need for additional expertise with the Named Person. Any person consulted by the Panel must declare any conflicts of interest and must maintain confidentiality in accordance with the conditions outlined in Section 8a.
- f. It is extremely important that any investigations into allegations of misconduct are handled in a timely manner. Both the Screening Process and the Full Investigation should have an agreed anticipated completion date from the outset and those involved should strive to adhere to this deadline. With agreement of the Named Person, reasonable adjustments may be made to the agreed timescale as result of unexpected findings, the complexity of the investigation, or other unanticipated difficulties in meeting the agreed deadline. The Named Person should inform any relevant parties, including the complainant and the respondent, of the change.

The Named Person, the General Counsel and the Chair should ensure that all decisions are made quickly to avoid delaying the investigatory process.

- g. The General Counsel shall be responsible for ensuring full and accurate records are kept during the Screening Process and the Full Investigation. This includes a record of all the evidence taken, decisions taken, and records of meetings including that of the Investigatory Panel. The documentation shall be stored for at least six years after the closure of the case.