



Code of Practice for Research at The Open University

1. Introduction

1.1 This Code of Practice sets out the standards that govern the conduct of research at The Open University. It covers:

- Principles
- Responsibilities
- Legal and ethical requirements
- Research data and records
- Authorship, publication and access to research outputs
- Collaborative working
- Conflict of interest
- Where to go for advice on the conduct of research
- What to do if malpractice or misconduct is suspected.

1.2 *Research* is defined as original investigation undertaken in order to gain knowledge and understanding and make this widely available.

1.3 Research at The Open University is based on the principles of **high standards, honesty, openness, accountability, integrity, inclusion and safety**. The University expects high standards of personal conduct from all those engaged in research, and its research environment is one where excellence and high ethical standards are promoted.

1.4 It is applicable to all those who conduct, supervise or support research in the University's name, including staff, students and other individuals working on University premises or using University facilities. It also applies to OU staff working in collaboration with other organisations.

1.5 All those to whom the Code is applicable are expected to work in accordance with it.

1.6 The document includes links to related policies and information where appropriate.

1.7 The following University policy documents should also be consulted in conjunction with this policy:

- Ethics principles for research involving Human Participants: <http://www.open.ac.uk/research/ethics/human-research>
- OU Animal Use Statement
- Public interest disclosure:
- Anti-Bribery and Corruption Policy:
- Terms and Conditions of Service: Academic Staff Group
- Terms and Conditions of Service: Research Staff
- Procedure for dealing with allegations of academic malpractice or
- Health and Safety guidance
- 'Procedures for Dealing with the Inadequate Performance or Misconduct of Academic and Academic-Related Staff, and Removal for Incapacity on Medical Grounds'
- Research Degrees Student Handbook <http://www.open.ac.uk/research/research-handbook/>
- Data Protection Code of Practice
- Computer Acceptable Use Policy

The Open University Code of Conduct for Research:

Principles

The principles which govern the conduct of research at The Open University are based on the Nolan Principles of public life. They are:

High Standards: Researchers are expected to strive for excellence and the highest ethical standards when conducting research.

Honesty: At the heart of all research, regardless of discipline, is the need for researchers to be honest in respect of their own actions in research and in their responses to the actions of other researchers, at every stage in the research process.

Openness: While recognising the need for researchers to protect their own research interest in the process of planning their research and obtaining their results, the University encourages researchers to be as open as possible in discussing their work with other researchers within and outside the University and with the public.

Accountability: Researchers are expected to ensure that the work they undertake is consistent with the expectations of the University and any other parties involved in the research, such as funding or regulatory bodies, professional associations, collaborators or participant groups.

Integrity: Researchers are expected to take appropriate actions to address actual, potential or perceived conflicts of interest throughout their research.

Inclusion: The Open University aims to promote and sustain an inclusive research culture, providing equality of opportunity for all who are part of its research community and advancing equality by identifying and removing barriers affecting researchers. Researchers are expected to treat individuals with dignity and respect, to challenge inequalities, and to anticipate and respond positively to different needs and circumstances in carrying out their research.

Safety: The OU and its researchers will ensure the dignity, rights, safety and well-being of all involved in its research, and avoid unreasonable risk or harm to its research subjects, participants, researchers and others. Research will only be initiated and continued if the anticipated benefits justify the risks involved.

2. Responsibilities

Both the University and individual researchers have responsibility for research conduct and standards.

2.1 The University is responsible for:

- **Leadership:** it is the responsibility of the University, through the Pro Vice Chancellor, Research, Scholarship and Quality, and the Research Committee, and through the Deans and Directors, to foster a climate in which research is conducted in accordance with good research practice. At unit and sub-unit level, this responsibility is allocated to named individuals.
- **Training and development:** it is the responsibility of the University to provide adequate opportunities for training and development for all its researchers,

including those on fixed term and part-time contracts, whatever their experience or background, and to ensure that researchers are properly trained. This will align with the requirements of the Concordat to Support the Career Development of Researchers <https://www.vitae.ac.uk/policy/concordat-to-support-the-career-development-of-researchers> and Vitae <https://www.vitae.ac.uk/policy> requirements.

- New researchers: The University has a special responsibility for the well-being and career development of students and early career researchers. Deans and research group leaders must ensure that there are systems for monitoring and mentoring to provide adequate opportunities for career development.
- Ensuring that recruitment, selection and retention of research staff is managed so that it underpins effective career development, and is in line with equality principles.
- Keeping this and other governance documents relating to research conduct current, ensuring that they reflect relevant external requirements.
- Monitoring compliance by all researchers with this Code of Practice

2.2 Researchers, including members of staff and research students are responsible for:

- Leadership in maintaining best practice standards among all members of their teams
- Demonstrating good practice in all aspects of their research.
- Maintaining awareness of the OU's and relevant external policies and procedures relating to research.
- Ensuring that their research complies with these policies and procedures, seeking guidance if necessary, and reporting any concerns to the proper persons.
- Engaging with opportunities for training and development.

2.3 Research students and supervisors: the Code of Practice for research students and supervisors sets out guidelines for the conduct of the relationship between research students and their supervisors. It is part of the Research Degrees handbook, and can be found here: <http://www.open.ac.uk/research/research-handbook/part-3-codes-procedures-and-policies/11-codes-practice-111-quality-assurance-agency-uk-quality-cod-0>.

3. Legal and Ethical Requirements

3.1 The OU and its researchers must comply with all legal and ethical requirements relating to their research.

- Researchers who are planning to collect data or biological samples from human participants must submit protocols for ethics review by the Human Research Ethics Committee where appropriate, and abide by the outcome of such reviews.

- Researchers whose proposed project would involve the collection of survey data from more than 30 OU staff must contact the HR Staff Survey Group, which assesses any research, internal or external which involves OU staff as participants.
 - Researchers who wish to carry out research work using animals must engage with the Animal Welfare Ethical Review Body's procedures and comply with Home Office requirements where relevant.
- 3.2 See <http://www.open.ac.uk/research/ethics/> for guidance on all OU ethics policies and required approvals.
- 3.3 Researchers collecting or using information about living individuals (personal data) must also comply with the requirements of the Data Protection Act and register their project with the University's Data Protection Coordinator.
- 3.4 Research data can also be subject to the Freedom of Information Act and the Environmental Information Regulations. Researchers must deal appropriately with any requests for information made under this legislation.
- 3.5 See <http://www.open.ac.uk/foi/main/> for guidance on Freedom of Information and Environmental Information Regulations requirements.
- 3.6 Information on copyright in relation to research and scholarship activity can be found in staff Terms and Conditions of Service.

4. Research data and records

- 4.1 Research data and records must be accurate, and sufficiently detailed and complete in the context of the conventions of the relevant discipline to enable verification of research results and to reflect what was communicated, decided or done.
- 4.2 Data, including electronic data, must be recorded in a durable, secure and retrievable form, be appropriately indexed, and comply with any relevant protocols. Appropriate levels of data security should be applied based on a systematic assessment of sensitivity and risk.
- 4.3 The individual researcher is responsible for the retention and archiving of data and must comply with any external requirements (eg funders), and the terms on which ethical approval was granted. Where there are no specific external requirements for retention, the researcher should keep the data as long as is necessary for the purpose of the research, and in line with any data collection agreements, or funder or institutional requirements.
- 4.4 It is the responsibility of each unit to monitor research outputs and to ensure that the institution complies with its obligations to funders to manage intellectual property arising from research and to disseminate the results of publicly funded research.
- 4.5 Data forming the basis of publications must be available for discussion with other researchers. Where confidentiality provisions apply, the data must be kept in a way that allows reference by third parties without breaching confidentiality. Where data are obtained from limited access databases or via a contractual arrangement, written

indication of the location of the original data, or key information regarding the database from which it was obtained, must be retained by the researcher of the unit.

- 4.6 It should be recognised that offering a right of confidentiality to research participants and other persons associated with research cannot be an absolute right. Certain circumstances, such as a risk of imminent harm to a person or persons, or the disclosure of information such as an undetected serious crime, may require a researcher to act in the public interest or in the interest of protecting a person(s), by passing on the information to an appropriate agency such as the police. Where the nature of the research is such that there is a significant risk of such disclosures arising, any agreement made with participants or other persons associated with the research, such as may be made via an information sheet and consent form, should be clear about the limits of any confidentiality right. In some circumstances it may be appropriate to mitigate the risk by asking the consenting persons to avoid giving any information that is not directly relevant to the research topic and that might challenge the confidentiality agreement. Where relevant, advice should be sought from the Open University Human Research Ethics Committee on developing secure protocols to manage risks associated with confidentiality challenges (research-ethics@open.ac.uk).
- 4.7 For specific guidance relating to the management of records held on the OU computing network, or elsewhere (e.g. laptops, portable storage devices and websites not hosted by the OU) researchers are advised to consult the Open University's Computing Acceptable Use Policy.

5. Authorship, publication and access to research outputs

5.1 Authorship

- For a person to be recorded as an author of a publication requires that he or she is directly involved in the creation of the publication by:
 - i) being solely responsible for, or making a significant contribution to, the conception of the project, or collection, analysis and interpretation of the data on which the publication is based;
- AND
- ii) writing or revising the intellectual content.
- The right to authorship is not tied to position or profession; ghost, gift or honorary authorship is unacceptable. Authorship must honestly reflect the contribution to the work being published.
 - Any part of an article critical to its main conclusion must be the responsibility of at least one author.
 - An author's role in a research output must be sufficient for him/her to take public responsibility for at least that part of the output in their area of expertise.
 - No person who fulfils the criteria for authorship should be excluded from the submitted work

- When there is more than one co-author of a research output, one co-author (by agreement with the other authors) must be nominated as executive author for the purposes of administration and correspondence. The executive author is responsible for submitting the published output to Open Research Online (ORO) (See paragraph 5.3 below). When there is more than one co-author of a research output, the authors are required to discuss and reach agreement on the order in which authors shall be listed.
- Other persons who contributed to the work who are not authors must be named in Acknowledgements (where the publisher provides for this, and in a manner consistent with the norms of the research field or discipline). An author must ensure that the work of research students, research assistants and technical officers is recognised in a publication derived from research to which they have made a contribution.
- Researchers must comply with authorship criteria appropriate to their discipline and/or according to the requirements of the journal their work is to be published in.

5.2 *Publication*

- Publication of more than one paper based on the same set(s) or sub-set(s) of data, or material previously published by the same author(s) is not acceptable, except where each subsequent paper fully cross-references and acknowledges the earlier paper or papers (for example, in a series of closely related work, or where a complete work grew out of a preliminary publication and this is fully acknowledged). It is the researcher's obligation to follow publishers' guidelines. Material may normally be republished only when it is for a different audience, e.g. if an internal work-in-progress report becomes a journal article, or if an article in one language is republished in a different language.
- Submission of substantially similar work to more than one publisher at the same time is not acceptable. Work may be submitted to a second publisher only when the first publisher approached has rejected it.
- Publications must include information on the source of financial support for the research and must include a disclosure of any potential conflicts of interest. Financial sponsorship that carries an embargo on such naming of a sponsor should normally be avoided. Therefore, you must seek advice from the Research, Scholarship and Quality Unit before entering into such an agreement.
- Confidentiality provisions to protect intellectual property rights may be agreed between the University, the research worker and a sponsor of the research. Where such agreements limit free publication and dissemination, limitations and restrictions must be explicitly agreed. The advice of the Freedom of Information Co-ordinator must be sought at an early stage where such agreements are anticipated.

5.3 *Access to Research Outputs*

- The OU is committed to the RCUK policy on access to research outputs and believes that the ideas and knowledge from publicly funded research should be made available and accessible for public use, interrogation and scrutiny, as widely, rapidly and effectively as possible, and should be preserved and remain

accessible for future generations <http://www.rcuk.ac.uk/research/openaccess/>.

- Accordingly, all researchers in the OU are required to deposit the bibliographic details of their published (or where applicable 'in press') research outputs on Open Research Online (ORO) (<http://oro.open.ac.uk>) as soon as is practicable, and irrespective of the funder of the research, unless the terms and conditions of the funding expressly prevent it. Where copyright permits, the full text of the item (normally as a PDF of the accepted manuscript), can also be attached to the record in ORO.

6. Collaborative working

- The University will work with partner organisations to ensure the agreement of and compliance with common standards and procedures for the conduct of collaborative research.
- Researchers should be aware of the standards and procedures for the conduct of research followed by any organisations involved in collaborative research that they are undertaking. They should also be aware of any contractual requirements involving partner organisations, seeking guidance and assistance where necessary and reporting any concerns or irregularities to the appropriate person as soon as they become aware of it.

7. Conflicts of Interest

7.1 *Definition*

A conflict of interest is a situation in which a researcher, or their close family or associates has a private, personal or commercial interest which may influence the objective exercise of any aspect of their University duties.

This may include perceived and potential conflicts of interest.

A test for whether a conflict of interest exists is whether an external observer, knowing the facts of the situation, would reasonably think that the person might be influenced by the interest.

7.2 The basic principles to be applied to cases of conflict of interest are:

- To disclose always
- To manage the conflict as appropriate, including prohibiting the activity if necessary
- To protect the interests of the University, other parties who may be affected, and the public interest.

7.3 *Responsibilities*

Researchers are responsible for:

- Disclosing to their line manager, any conflict of interest that may arise.
- Complying with all reasonable actions taken to manage or remove such conflicts of interest

Line managers are responsible for:

- Consulting with the individual involved to determine areas of concern and identify and agree actions
- Implementing the appropriate action required to manage or eliminate the conflict of interest
- Documenting the circumstances and action taken

8. Advice

Researchers who have questions about how the provisions of this code of practice apply to their research should seek advice from their line manager, Head of Unit, or their Associate Dean, Research, or if a research student, their supervisor, and the Research Degrees Office. If these routes are not appropriate, the Senior Manager, Research Governance in the Research School will provide assistance.

9. Allegations of academic malpractice or misconduct

9.1 *Academic misconduct or malpractice* means any breach of the University's Code of Practice for Research, including, but not limited to:

- fabrication or falsification, including the creation of false data, imagery of other aspects of research, including documentation and/or participant consent, and the inappropriate manipulation /selection of data, imagery, documentation and/or consents
- dishonesty in proposing, carrying out or reporting results of research, including suppression of relevant findings or data, and misrepresentation of data and/or interest and/or involvement
- Plagiarism, including the general misappropriation or use of others' ideas, intellectual property or work (written or otherwise) without acknowledgement or permission.
- deliberate, dangerous or negligent deviation from accepted practice in carrying out research
- failure to follow agreed protocols or accepted procedures, or to exercise due care, including:
 - failure to exercise due care in carrying out responsibilities for avoiding unreasonable risk or harm to humans, animals used in research or the environment
 - failure to properly handle privileged or private information on individuals collected during research
- facilitation of misconduct in research by collusion in or concealment of such actions by others.
- failure to comply with University policies regarding ethics review

- Intentional non-compliance with: the terms and conditions governing the award of external funding for research; the University's policies and procedures relating to research, including accounting requirements, ethics, and health and safety regulations; or any other legal or ethical requirements for the conduct of research
- 9.2 The University believes that staff and students should feel able to raise legitimate concerns without fear of their position within the University being jeopardised. Therefore, a procedure for dealing with such allegations has been developed (<http://www.open.ac.uk/research/main/our-research/research-strategy-and-policies>). The Pro Vice Chancellor, Research, Scholarship and Quality is responsible for the investigation of such allegations.
- 9.3 The Public Interest Disclosure Policy gives guidance to staff and students wishing to raise reasonable suspicions they may have about irregularities in the running of the University or of activities of colleagues



OU Principles of Research Data Management

The principles set out in this document represent the standards for the management of research data to which the Open University aspires. The University is committed to the provision over time of the required access to appropriate infrastructure, comprehensive procedures and guidance, which, together with commitment from the OU academic and research community will enable these principles to be enacted and embedded in research practice.

1. Research data must be managed to the highest standards throughout their life-cycle in order to support excellence in research practice
2. In keeping with OU principles of open-ness, it is expected that research data will be open and accessible to other researchers, as soon as appropriate and verifiable, subject to the application of appropriate safeguards relating to the sensitivity of the data and legal requirements.
3. All those engaged in research at the OU, including those involved in collaborating with other institutions, must take personal responsibility for managing their research data in accordance with University and funder requirements.
4. The University will provide access to services and facilities for storage, access and curation of data produced in the course of research conducted in the University's name.
5. The University will provide training, support and guidance on policies and best practice in research data management and preservation.
6. The Pro Vice Chancellor, Research Scholarship and Quality, the Research Committee, and Deans and Directors are responsible for the overall effective management of research data at the OU.

Constraints: Research data at the OU will be managed within the constraints of existing University policies and external requirements, including records management and data protection policies, IT security, funder conditions and ethics standards.

Scope: Research data is defined as the evidence base on which academic researchers build their analytic or other work (HEFCE 2008). Such data may be in any form.

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