

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

- Animal Research Statement :
<http://www.open.ac.uk/research/governance/ethics/animal/faqs#policy>
- Anti-Bribery and Corruption Policy:
<https://help.open.ac.uk/documents/policies/anti-fraud>
- Consultancy Policy (Research and Enterprise):
<http://www.open.ac.uk/research/sites/www.open.ac.uk.research/files/files/Documents/enterprise-consultancy-policy.pdf>

- Disciplinary Procedures for Academic and Academic-related staff' (internal only):
<http://intranet6.open.ac.uk/human-resources/sites/intranet6.open.ac.uk.human-resources/files/files/ecms/policies-and-procedures/d/disciplinary/disciplinary-procedures-for-academic-and-academic-related-staff-psg034.pdf>
- Data Protection Code of Practice (internal only):
<http://intranet6.open.ac.uk/governance/data-protection/sites/intranet6.open.ac.uk.governance.data-protection/files/files/ecms/web-content/Data-Protection-Code-of-Practice.pdf>
- Ethics principles for research involving Human Participants and associated guidance:
<http://www.open.ac.uk/research/governance/ethics/human/guidelines>
- Export Control Compliance Statement:
<http://www.open.ac.uk/research/sites/www.open.ac.uk.research/files/files/Documents/export-control-policy.pdf>
- Health and Safety guidance (internal only):
<http://intranet6.open.ac.uk/estates/main/health-and-safety>
- Information Security Policies (internal only):
<http://intranet6.open.ac.uk/it/main/information-security/information-security-policies>
- Intellectual Property Policy (Research):
<http://www.open.ac.uk/research/sites/www.open.ac.uk.research/files/files/Documents/research-ip-policy-2018-14-12-18.pdf>
- Open Access Policy:
<http://www.open.ac.uk/library-research-support/open-access-publishing/open-university-open-access-policy>
- Open Research Data Management On-line policies:
<http://www.open.ac.uk/library-research-support/research-data-management/ordo-system-information>
- Procedure for dealing with allegations of research malpractice or misconduct:
<http://www.open.ac.uk/research/governance/policies>
- Public interest disclosure (Whistleblowing):
<http://www.open.ac.uk/foi/main/sites/www.open.ac.uk.foi.main/files/files/Whistleblowing%20Policy.pdf>
- Research Data Management Policy:
<http://www.open.ac.uk/library-research-support/research-data-management>
- Research Degrees Student Handbook:
<https://help.open.ac.uk/documents/policies/research-degrees-handbook>
- Terrorism and Extremism-related Research Policy:
<http://www.open.ac.uk/research/policies/terrorism-extremism>

- Terms and Conditions of Service: Academic Staff Group (internal only):
<http://intranet6.open.ac.uk/human-resources/sites/intranet6.open.ac.uk.human-resources/files/files/ecms/policies-and-procedures/t/terms-and-conditions/Terms-and-Conditions-Academic-Staff-HRP037.pdf>
- Terms and Conditions of Service: Research Staff (internal only):
<http://intranet6.open.ac.uk/human-resources/sites/intranet6.open.ac.uk.human-resources/files/files/ecms/policies-and-procedures/t/terms-and-conditions/Terms-and-Conditions-Full-Time-Research-Staff-HRP039.doc>

The Open University Principles for Research Conduct

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, Enterprise and Scholarship, the Research Committee, and through the Executive Deans and Directors, to foster a climate in which research is conducted in accordance with good research practice. At Faculty, School and Institute 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 aligns 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> .
- New researchers: The University has a special responsibility for the well-being and career development of students and early career researchers. Executive Deans, Associate Deans, Research, Heads of Schools, and Supervisors must ensure that there are systems for monitoring and mentoring to provide adequate opportunities for career development.
- Ensuring that recruitment, selection and management 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 All those conducting research at the OU 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 Open University Research Degrees Supervision Policy (<http://www.open.ac.uk/students/research/ou/forms-and-guidance> internal only) sets out guidelines for the conduct of the relationship between research students and their supervisors.

Legal and Ethical Requirements

- 3.1 The OU and its researchers must comply with all legal and ethical requirements relating to their research.
- 3.2 Research must be conducted in accordance with the highest contemporary ethics standards, and researchers must obtain the required ethical approvals. See <http://www.open.ac.uk/research/governance/ethics> for guidance on all OU ethics policies and required approvals.

- 3.3 The use of animals in research must be carefully considered and justified, and proper account must be taken of all possibilities for reduction, refinement and replacement (the 3Rs) are taken account and that high standards of accommodation and welfare are achieved. The OU is a signatory to the Concordat on Animal Research, which promotes transparency in animal research.

In particular, researchers must comply with the following requirements:

- 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.
- 3.4 Researchers collecting or using information about living individuals (personal data) must also comply with the requirements of UK Data Protection legislation and register their project with the University's Data Protection Coordinator. See <http://intranet6.open.ac.uk/governance/data-protection/ou-data-protection-procedures> (internal only) for guidance.
- 3.5 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. See <http://intranet6.open.ac.uk/governance/freedom-of-information/information-requests> (internal only) for guidance on Freedom of Information and Environmental Information Regulations requirements.
- 3.6 Information on copyright in relation to research activity can be found in staff Terms and Conditions of Service at <http://intranet6.open.ac.uk/human-resources/policies-and-procedures?path=t/terms-and-conditions#documents> (internal only).

3. 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 (e.g. 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 Faculty or Institute 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-REC-review@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 Information Security policies (<http://intranet6.open.ac.uk/it/main/information-security/information-security-policies> - internal only).
- 4.8 Guidance on research data management is provided at <http://www.open.ac.uk/library-research-support/research-data-management>.

4. 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 Senior

Manager, Knowledge Exchange and Enterprise in the Research, Enterprise and Scholarship Unit, before entering into such an agreement.

- Intellectual Property in relation to publications is governed by the University Intellectual Property Policy.
- The Freedom of Information Co-ordinator should be consulted where confidentiality provisions to protect Intellectual Property rights, which may limit free publication and dissemination, are being considered.
- Researchers must ensure that their OU affiliation is properly recorded on publications.

5.3 *Access to Research Outputs*

- The OU 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. Accordingly, as stated in the OU's Open Access Publication policy, all OU-affiliated research outputs, including journal articles (mandatory), published peer reviewed conference proceedings (mandatory), book chapters and similar material (recommended), either in the form of the author's final peer-reviewed manuscript or the formally-published version, where copyright allows, should be deposited in Open Research Online (ORO) upon acceptance for publication or as soon as possible thereafter and no later than three months after the date of acceptance. This version may be replaced or augmented with the final published version of the output, with publisher's type setting and formatting, at a later date if appropriate. Further information on Open Access is available at <http://www.open.ac.uk/library-research-support/open-access-publishing>

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. This is particularly important for international collaborations, where researchers should ensure that they recognise any differences in expectations or requirements. 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 equivalent), 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, Enterprise and Scholarship Unit will provide assistance.

9. Allegations of research malpractice or misconduct

9.1 Research misconduct or malpractice is characterised as behaviour or action that falls short of the standards required to ensure that the integrity of research at the Open University is upheld.

9.2 *Research misconduct or malpractice*, which includes acts of omission as well as acts of commission, 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.

9.3 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/governance/policies>) The Pro-Vice-Chancellor, Research, Enterprise and Scholarship is responsible for the investigation of such allegations.

9.4 The Public Interest Disclosure (Whistleblowing) Policy (<http://www.open.ac.uk/foi/main/sites/www.open.ac.uk.foi.main/files/files/Whistleblowing%20Policy.pdf>) 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.

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