Dealing with Research Misconduct Allegations
A collaborative approach to building a culture of research integrity

Sarah Byrne
Setting priorities

- NHMRC stakeholder consultation project to identify national dementia research and translation priorities
- Ten focus groups and sixteen interviews with senior researchers, early career researchers and clinical practitioners
- Three focus groups and twenty four interviews with people with dementia, their family members and carers, and professional care providers
- Survey seeking stakeholder views on dementia research and implementation priorities (with 400 completed responses)
Administering Institutions Policy

• The NHMRC requires that Institutions certify that they will be able to comply with all the obligations in the Funding Agreement prior to being placed on the Register of Administering Institutions. The acceptance of an organisation onto the Register is conditional upon NHMRC confirming this.

• Circumstances in which Institutions will not be placed onto the Register, or will be removed from the Register, include where the NHMRC has reasonably determined that the institution is unable to meet the requirements as set out in the Deeds of Agreement.
NHMRC Funding Agreement

• **Recitals, para F:** The AI acknowledges it is required to provide advice and information to NHMRC as required under the Agreement.

• **Clause 10.1:** The AI must provide information to NHMRC as it reasonably requires, comply with all reasonable requests, directions, or monitoring requirements from NHMRC, and co-operate with and assist NHMRC in any review or other evaluation that NHMRC undertakes of the Research Activities or the Funds.

• **Clause 11.1:** The AI must provide NHMRC with access to information, including records and accounts, relevant to the performance of the research activities.
Clause 16.1: The AI must notify NHMRC of the receipt of any complaint or allegation of Research Misconduct made to the AI that involves any Specified Personnel within ten (10) Working Days of receipt.

16.2. The AI must conduct any investigation in accordance with the Code.

16.3. The Administering Institution must notify NHMRC of the decision, and the reasons for it, within ten working days of reaching of that decision.

16.4. NHMRC may withhold Funds for any Research Activity connected to the alleged Research Misconduct pending the outcome of the investigation or inquiry.

16.5. The AI represents and warrants to NHMRC that it has informed the Specified Personnel prior to their involvement in the Research Activity that their Personal Information may be disclosed to NHMRC under this clause, and in future will inform any other person becomes Specified Personnel.
Part A: identifies the requirements for Institutions and Researchers and identifies minimum standards for the responsible conduct of research.

Part B: sets out the requirements for responding to an allegation of research misconduct.

The Code is currently under review by the co-sponsors NHMRC, ARC and Universities Australia and there will be comprehensive consultation with the sector.
Notifying NHMRC – what happens next?

- Notification should occur ASAP, and need not initially be formal.
- NHMRC will maintain absolute confidentiality and does not engage with the media on ongoing matters.
- FOI requests: institutions and researchers will always be consulted and have appeal rights, and exemptions are very likely to apply.
- Suspending funds is rare. NHMRC will always issue a show cause notice first to give institutions the chance to respond.
- PGPA Act places new accountability requirements on NHMRC
- NHMRC’s aim is to work collaboratively with AIs to build a positive culture of research integrity– this is not an adversarial process.
Probity Events

• Clause 30.4.h: The AI must immediately notify NHMRC if it becomes aware of a Probity Event (including a conflict of interest)
• "Probity Event" means any event or occurrence which:
  • a. has a material adverse effect on the integrity, character or honesty of the Administering Institution, a Participating Institution or Personnel involved in a Research Activity; or
  • b. relates to the Administering Institution, a Participating Institution or Personnel involved in a Research Activity and has a material adverse effect on the public interest or public confidence in the Administering Institution, Participating Institution or Research Activity.
Who you gonna call?

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