



Australian Government

National Health and Medical Research Council

NHMRC Research Integrity Fact Sheet Three

NHMRC precautionary and consequential actions

This document describes the type of precautionary and consequential actions that can be taken under the [NHMRC Research Integrity and Misconduct Policy](#). It provides additional information to institutions about actions that NHMRC may take under the policy, and should be read in conjunction with the policy.

Precautionary actions

Precautionary action refers to any temporary action initiated by NHMRC to manage any risks, at any time prior to the conclusion of a research integrity matter (e.g. while a preliminary assessment or investigation is ongoing). Types of precautionary action that NHMRC may take are described below.

Limitations on, or suspension from, participation in NHMRC peer review

NHMRC may prevent, suspend or remove a researcher from participation in peer review, or limit participation.

Due to the tight timeframes associated with NHMRC's peer review process, NHMRC will not routinely give institutions an opportunity to make representations about precautionary action related to peer review but any decisions to take action will be communicated to the relevant institution.

A decision to suspend or limit a researcher's involvement in NHMRC peer review does not represent a judgement by NHMRC about the seriousness or veracity of the research integrity complaint. It is an action taken by NHMRC to ensure the quality of, and maintenance of confidence in, NHMRC's peer review processes by applicants, other peer reviewers and the public.

Limitations on, or suspension from, participation in other NHMRC activities (e.g. other committees)

A decision to suspend a researcher from a current NHMRC activity will be at the discretion of the NHMRC Executive Director of Research Quality and Priorities Branch, in consultation with any other relevant Executive Directors. A decision will have regard to:

- any information provided by the institution or investigating agency about the researcher, and
- the stage of the NHMRC activity at the time of the decision.

NHMRC will generally not give the institution an opportunity to make representations before taking this action, unless the affected researcher is currently participating in such activities.

Placing conditions on grants

NHMRC may decide that the placing of condition/s on a grant will effectively mitigate any risks identified prior to the conclusion of a research integrity matter. NHMRC will generally provide the institution with an opportunity to

make representations about the proposed grant condition/s. A condition on a grant may include the satisfactory resolution of a research integrity matter before payments on the grant can commence.

Withholding of a grant recommendation

Researchers involved in research integrity matters may still lodge grant applications with NHMRC and their application/s will progress through NHMRC's peer review processes without reference to the complaints or allegations. In the event the application/s are recommended for funding, any consideration of funding recommendations by Research Committee or Council will take place without reference to the complaints or allegations.

However, allegations of a potential breach of the Code or misconduct may indicate circumstances where it is not appropriate for a funding decision to be made about the application until all issues are satisfactorily resolved. Consequently, the NHMRC CEO may decide not to make a funding recommendation to the Minister having regard to any information known by NHMRC about the integrity matter.

NHMRC will regularly assess the impact of withholding a funding recommendation. As part of this assessment, NHMRC may refer the proposed grant to a scientific expert panel to assess the effect of the passage of time on whether the proposed grant is still suitable to be recommended for funding. If, on the advice of the panel, NHMRC decides that the proposed grant is no longer suitable for funding (for example, the research is out of date), the funding recommendation will not be made to the Minister, and the institution will be advised.

If the allegations are resolved to NHMRC's satisfaction with respect to the application and the applicants, and the proposed grant is still considered suitable for funding despite the passage of time, the funding recommendation will proceed to the Minister as soon as possible.

Temporary suspension of grant payments

NHMRC may suspend payments to one or more grants until satisfied that resuming payments would be a proper use of Commonwealth resources (including that there is not a risk of harm to humans, animals or the environment associated with the grant's resumption).

Generally NHMRC will only suspend grant payments if it has decided that the risk of harm to humans, animals, the environment, Commonwealth resources or NHMRC's reputation, cannot be adequately addressed by the placing of one or more conditions on the grant. NHMRC will generally give institutions an opportunity to make representations about the suspension of grant payments before implementing this action.

If payment is suspended for more than a year, NHMRC may refer the grant to a scientific expert panel to assess the impact of the suspension on the grant's suitability for funding. If, on the advice of the panel, NHMRC decides that the grant is no longer suitable for funding (for example, the research is out of date), it may be terminated consistent with the provisions of the NHMRC Funding Agreement or relevant Funding Agreement for MRFF funding.

All researchers on the grant team may continue to cite the grant award and/or the NHMRC title in their curriculum vitae and professional credentials (for example, the title 'NHMRC Research Fellow') while the grant is suspended.

Consequential actions

Consequential action refers to any action initiated by NHMRC in response to a finding of a serious breach of the [Australian Code for the Responsible Conduct of Research, 2018](#) (the Code). Types of consequential action that NHMRC may take are described below.

Exclusion from involvement in peer review and other NHMRC activities

NHMRC may decide that a researcher should be excluded from participation in some or all NHMRC activities (including NHMRC's peer review processes) for a period of up to five years. The institution will be informed of any decision to limit, exclude or terminate participation in NHMRC activities but will not generally be given the opportunity to make representations about this action before it is implemented.

Excluding current or future applications from peer review or placing conditions on their consideration

NHMRC may determine that any current applications in which a particular researcher is involved will not be considered in NHMRC's peer review process. NHMRC may also determine that any future applications in which a particular researcher is involved will not be considered in peer review processes for a period of up to five years, or that their consideration during that period will be conditional on the application(s) being reviewed by the researcher's head of department and approved for submission by the relevant institution's Deputy Vice-Chancellor (Research) or equivalent.

Researcher's applications will not be recommended

NHMRC may decide not to recommend the researcher's application/s to the Minister for funding, regardless of the outcome of any peer review process. This decision has the effect of terminating the application in the event it is recommended for NHMRC or MRFF funding by a grant review process. Institutions will be advised of this action. This decision does not exclude the researcher from applying for funding from other organisations for which NHMRC conducts peer review.

Placing of conditions on grants

NHMRC may decide that the placing of condition/s on a grant will effectively mitigate any risks remaining upon completion of an investigation. Conditions will usually be in place for the duration of the grant.

Termination of grant/s

Cases involving a finding of serious breach of the Code or research misconduct may give rise to circumstances where it is not appropriate for NHMRC to commence or continue making grant payments. This may relate to a specific grant or may cover all or some grants involving a researcher found to have committed a serious breach or misconduct.

In these circumstances, NHMRC may decide to terminate one or more grants on which the researcher is listed. Where a grant has been terminated, researchers who were listed on the grant are not permitted to cite the NHMRC award in their curriculum vitae or cite the award as a professional credential.

Recovery of grant funds

Where a grant has been terminated, or a completed grant is found to be affected by a finding of a serious breach of the Code or misconduct, or if there is a Probity Event (see [NHMRC Funding Agreement](#) for definition of a Probity Event), NHMRC may decide to recover the expended funds from the institution. Institutions will be given the opportunity to make representations about this action before it is implemented.