4. Principles, obligations and conduct during peer review

The peer review process requires applications to be reviewed by people with expertise in that particular field. This is a privilege which carries an obligation on the part of reviewers to act in good faith in the best interests of NHMRC and the research community and in accordance with NHMRC policy, NHMRC’s Principles of Peer Review, the Australian Code for the Responsible Conduct of Research and the requirements of relevant Australian Government legislation and guidelines.1

NHMRC expects PRP members to exemplify integrity in all involvement with the peer-review process. This includes, but is not limited to, the maintenance of absolute confidentiality and thus, abstaining from improper use of their involvement (or information obtained from their involvement) to gain an advantage for themselves or any person, or to cause detriment to NHMRC.

4.1. NHMRC’s Principles of Peer Review

The Council of NHMRC endorsed the following Principles of Peer Review (the Principles) on 14 March 2013. The Principles are high-level, guiding statements that underpin NHMRC’s peer review processes.

1. **Fairness.** Peer review processes are fair and seen to be fair by all involved.
2. **Transparency.** All stages of peer review are transparent.
3. **Independence.** Peer reviewers provide independent advice. There is also independent oversight of peer review processes by independent Chairs and Observers.
4. **Appropriateness and balance.** The experience, expertise and operation of peer reviewers is appropriate to the goals and scale of the funding vehicle.
5. **Research community participation.** Persons holding tax-payer funded grants should willingly make themselves available to participate in peer review processes, including mentoring of junior researchers, whenever possible.2
6. **Confidentiality.** Participants respect that confidentiality is important to the fairness and robustness of peer review.
7. **Impartiality.** Peer review is objective and impartial, with appropriate processes in place to manage real and perceived conflicts of interest.
8. **Quality and excellence.** NHMRC will continue to introduce evidence-based improvements into its processes to achieve the highest quality decision-making through peer review.

4.1.1. Understanding the Principles

**Fairness**

Peer review processes are designed to ensure that peer review is fair and seen to be fair by all involved.

Peer review participants have an obligation to ensure that each application is judged consistently and objectively on its own merits, against published assessment criteria. Peer reviewers must be fair and impartial and not introduce irrelevant issues into consideration.

Applications will be subject to scrutiny and evaluation by individuals who have appropriate knowledge of the fields covered in the application.

Peer reviewers should ensure that their assessments are accurate and honest, and that all claims are capable of being verified.3

All complaints to NHMRC relating to the process are dealt with independently and impartially.

Applications can request more information on the assessment of their application.

Complaints processes are outlined on the NHMRC website. If an applicant is not satisfied with the outcome of an internal review, a complaint may be lodged with the NHMRC Commissioner of Complaints, as detailed in Part 8 of the NHMRC Act.

**Transparency**

NHMRC will publish key dates4 and all relevant material including scheme requirements, assessment criteria and scoring processes, peer review guidelines, guides to applicants and grant announcements, on its website and through direct electronic communications.

NHMRC publicly recognises the contribution of participants in the peer review process, through publishing their names on the NHMRC
Independence

- The order of merit determined by peer review panels is not altered by NHMRC staff, Research Committee, Council or the CEO.\(^6\) Where the results of multiple peer review panels are brought together to form a single merit list, NHMRC will use its best endeavours to reduce scoring variance between panels.
- Peer review panel Chairs are independent and are not involved in the peer review of any application before that panel. Chairs act to ensure that NHMRC’s processes are followed for each scheme, including adherence to the principles of this document.

Appropriateness and balance

- Peer review panels are established to meet the objectives and breadth of disciplines covered by applications received.
- NHMRC uses best endeavours to ensure that panels are constituted to provide the required balance of experience, and expertise, including the breadth required to assess multidisciplinary applications whilst also ensuring conflicts of interest are dealt with appropriately.\(^7\)
- NHMRC uses best endeavours to ensure that panels are constituted to ensure an appropriate representation of gender, geography and large and small institutions.

Research Community Participation

- Persons holding NHMRC grants willingly make themselves available to participate in NHMRC peer review process whenever possible.\(^8\) If they are unavailable, they provide a written reason to NHMRC to explain their unavailability.
- Consistent with the *Australian Code for the Responsible Conduct of Research*, Section 6.2, all persons involved in NHMRC peer review must do so responsibly:

  It is important that participants in peer review:

  - are fair and timely in their review
  - act in confidence and do not disclose the content or outcome of any process in which they are involved
  - declare all conflicts of interest, do not permit personal prejudice to influence the peer review process, and do not introduce considerations that are not relevant to the review criteria
  - do not take undue or calculated advantage of knowledge obtained during the peer review process
  - ensure that they are informed about, and comply with, the criteria to be applied
  - do not agree to participate in peer review outside their area of expertise
  - give proper consideration to research that challenges or changes accepted ways of thinking.
  - Prior to their involvement, participants in peer review should make themselves aware of relevant NHMRC policies and procedures.

Confidentiality

- All participants in peer review act in confidence and do not disclose any matter regarding applications under review to people who are not part of the process.
- NHMRC will endeavour to protect the identity of peer review panel members and assessors assigned to any particular application, unless required to release such information by relevant legislation. When this occurs, it will be done so following discussion with the assessors.

Impartiality

- Peer review participants declare all interests and matters that may, or may be perceived to, affect his/her judgement on particular applications.
- Peer review panel members disclose relationships with other members of the panel, or with grants being reviewed by other panel members, including:
  - research collaborators
  - student, teacher or mentoring relationships
  - common employment arrangements
  - any other relationship that may, or be seen to, impair fair and impartial judgement
- Peer review panel Chairs manage conflicts of interest and ensure that no one with a significant conflict is involved in decision making of relevant applications.
Quality and Excellence

- NHMRC will continue to introduce evidence-based improvements into its peer review processes.
- Significant change will be developed in consultation with the research community and may involve piloting new processes in smaller or one-off schemes.
- NHMRC will strive to introduce new technologies that are demonstrated to maximise the benefits of peer review, or improve the efficiency and effectiveness of the process while minimising individual workloads.
- NHMRC will undertake post-program assessment of all its schemes, based on feedback from applicants, panel members, Chairs, Research Committee and the NHMRC Commissioner of Complaints.
- NHMRC will provide feedback and advice on training needs for peer reviewers coming into the system.
- Where the peer review panels find external peer reviews to be substandard, feedback may be provided directly to the reviewer or their institution.

4.2. Australian Code for the Responsible Conduct of Research

The Australian Code for the Responsible Conduct of Research (2007) describes the important role of peer review in assessment of grant applications and outlines responsibilities of institutions, peer reviewers and researchers in the peer review process. Peer review provides expert scrutiny of a project, and helps to maintain high standards and encourage accurate, thorough and credible research reporting. Peer review must also draw attention to deviations from the principles of the Code, such a double publication, errors and misleading statements.9

All participants in NHMRC peer review should be familiar with the Australian Code for the Responsible Conduct of Research (2007), in particular Chapter 6.

4.3. Disclosure of Interests

The NHMRC is committed to ensuring that Interests of any kind are dealt with consistently, transparently and with rigour in accordance with Part 5, 42A of the NHMRC Act and sections 16A and 16B of the Public Governance, Performance and Accountability Rule 2014.10

An "Interest" is defined in Part 4 of the NHMRC Act as meaning "any direct or indirect, pecuniary or non-pecuniary, interest." Under section 29 of the PGPA Act, “an official ... who has a material personal interest that relates to the affairs of the entity must disclose details of the interest”.

A material personal interest arises in any situation in which a participant in a peer review process has an interest which may influence, or be perceived to influence, the proper performance of the participant's responsibilities to the NHMRC. The perception of an interest is as important as any actual interest.

Guidance on the management of disclosure of interests including Conflicts (CoI) is provided below. Panel Members and External Assessors will receive separate detailed instructions regarding the process for completing the CoI process within the NHMRC Research Grants Management System (RGMS) and a briefing on disclosure requirements under the PGPA Act.

4.3.1. What is a Conflict of Interest

A CoI exists where there is a divergence between the individual interests of a person and their professional responsibilities such that an independent observer might reasonably conclude that the professional actions of that person are unduly influenced by their own interests.

Conflicts of Interest (CoI) in the research area are common and it is important that they are disclosed and dealt with properly. CoIs have the potential to compromise judgments and decisions that should be made impartially. Such compromise could undermine community trust in research.

Financial CoIs are foremost in the public mind but other conflicts of interest also occur in research, including personal, professional and institutional advantages.

For NHMRC peer review purposes, Interests may fall into the broad domains of:

- involvement with the application under review
- collaborations
- working relationships
- professional relationships and interest
- social relationships or interests
- teaching or supervisory relationships
- financial relationships or interests
Researchers frequently have a conflict of interest that cannot be avoided. Decision making processes in research often need expert advice, and the pool of experts in a field can be so small that all the experts have some link with the matter under decision. An individual researcher should therefore expect to be conflicted from time to time, and be ready to acknowledge the conflict and make disclosures as appropriate.

Your interest declaration will enable NHMRC to determine:

i. whether or not, after the conflict has been declared, you should be involved in the peer review process in relation to a particular application; and

ii. if you are to be involved, the scope of such involvement (e.g. provide a score or report but not be involved in further discussion or the final scoring/ranking of an application).

### 4.3.2. Potential Conflict of Interest (COI) Guide

The following Conflict of Interest Situations table outlines matters that may need to be considered when deciding where potential conflicts lie and provides some examples of specific situations where CoIs in the peer review process applies.

The table is intended to be for guidance only. It is representative of CoI situations rather than definitive, as each situation is different and needs to be considered on its merits. The table is provided to assist participants in the Peer Review process to identify the types of circumstances in which CoIs might arise, but is not intended to be a checklist.
<table>
<thead>
<tr>
<th>Situation</th>
<th>Explanations and examples</th>
<th>Conflict level*</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Application under review</strong></td>
<td>You are a named participant on the application under review</td>
<td>High</td>
</tr>
<tr>
<td></td>
<td>You have had discussions/input into the study design or research proposal of this application</td>
<td>High</td>
</tr>
<tr>
<td><strong>Collaborations</strong></td>
<td>You have actively collaborated re publications (co-authorship), pending applications, existing NHMRC or other grants</td>
<td>High</td>
</tr>
<tr>
<td></td>
<td>You have an indirect collaboration e.g. collaborating co-worker, member of a research or discussion group, co-author of a large multi-author paper where involvement was minimal, provided cells/animals etc. to applicants without financial gain or exchange</td>
<td>Obtain a ruling from NHMRC</td>
</tr>
<tr>
<td></td>
<td>You are planning, or have been approached to be involved in a future grant application or other future collaborative relationship with this applicant(s)</td>
<td>Obtain a ruling from NHMRC</td>
</tr>
<tr>
<td><strong>Working relationship</strong></td>
<td>You have the same employer or are part of the same organisation</td>
<td>Usually High; may need a ruling from NHMRC</td>
</tr>
<tr>
<td></td>
<td>You are working in the same department (or equivalent) within an organisation</td>
<td>High</td>
</tr>
<tr>
<td></td>
<td>You work in the same locality but for a different organisation</td>
<td>Obtain a ruling from NHMRC</td>
</tr>
<tr>
<td><strong>Professional relationships and interests</strong></td>
<td>You are also a member of the same scientific advisory committee, review board, exam board, trial committee etc</td>
<td>Obtain a ruling from NHMRC</td>
</tr>
<tr>
<td></td>
<td>You or your organisation are affiliated with the applicant’s organisation</td>
<td>Obtain a ruling from NHMRC</td>
</tr>
<tr>
<td></td>
<td>You or your organisation is affiliated or associated with organisations such as pharmaceutical companies, tobacco companies etc</td>
<td>Obtain a ruling from NHMRC</td>
</tr>
<tr>
<td><strong>Social relationship and/or interests</strong></td>
<td>There is a personal/social relationship between you, your partner or other member of your family and the applicant</td>
<td>Usually High; may need a ruling from NHMRC</td>
</tr>
<tr>
<td></td>
<td>You have a personal / social relationship with the applicant’s partner or other member of their family</td>
<td>Usually High; may need a ruling from NHMRC</td>
</tr>
<tr>
<td><strong>Teaching or supervisory relationship</strong></td>
<td>For either undergraduate or postgraduate studies, you have taught or supervised the applicant; you co-supervised the applicant; your own research was supervised by the applicant</td>
<td>High</td>
</tr>
<tr>
<td><strong>Financial interest in the application</strong></td>
<td>You have an associated patent pending; supply goods and services; improved access to facilities; provide cells/animals or similar to the applicant</td>
<td>Usually High; may need a ruling from NHMRC</td>
</tr>
<tr>
<td></td>
<td>You receive research funding or other support from a company and the research to be reviewed may impact upon the company</td>
<td>Usually High; may need a ruling from NHMRC</td>
</tr>
<tr>
<td><strong>Other interests or situations</strong></td>
<td>You have a previous or pending dispute (may require consideration of events earlier that the last five years)</td>
<td>High</td>
</tr>
</tbody>
</table>

* Indicative only. Experienced NHMRC staff will exercise judgement when deciding the level of conflict and, in doing so, will consider the particular circumstance of each potential conflict.

4.3.3. Disclosure of Interest at time of appointment
If you are invited to participate in a peer review process, you will be asked to declare any actual or perceived Interests you have. Members of NHMRC peer review committees will be asked to disclose their Interests after appointment, but before assessing applications, through the NHMRC Research Grants Management System (RGMS). Members will be asked to make a disclosure of Interests for each application that they will review.

If you think that you may have a Conflict of Interest (CoI) with an application you have been asked to review, you should provide sufficient detail about the nature of the (perceived) conflict to enable NHMRC to promptly assess each case.

4.3.4. Disclosures and Conflicts of Interest during Peer Review

Under the PGPA Act, the disclosure obligation continues following appointment, for example as soon as practicable after a member becomes aware of an 'interest' or where there has been a change in the nature or extent of the interest.

For any material personal interest, the NHMRC Act and PGPA Act require that the member not be present when the matter that relates to the interest is considered, or take part in any decision of the panel in relation to the matter unless it has been determined otherwise.

4.3.5. Failure to Declare an Interest

The National Health and Medical Research Council Act 1992 (NHMRC Act) requires interests to be identified and specifies the courses of action that apply when this requirement has not been met:

- Section 42A of the NHMRC Act requires members to disclose interests in matters being considered.
- Section 44B(3) requires the Minister or the CEO to terminate the appointment of a member for failing to comply with the requirements of the NHMRC Act.

It is therefore important for participants to inform the NHMRC of any circumstances which either constitute, may constitute, or could be seen to constitute an interest.

4.4. Contact with Applicants

Applicants must not contact or attempt to influence anyone directly engaged with the peer review of their applications (such as peer review panel members or external assessors). Such action must be reported to the NHMRC and may result in their applications being excluded from consideration. Similarly, anyone directly engaged with the peer review of an application must not contact applicants.

4.5. Privacy and Confidentiality

NHMRC peer reviewers are bound to act in accordance with the provisions of the Privacy Act 1988 and the confidentiality requirements under section 80 of the NHMRC Act. See sections 9.5 and 9.6 of the NHMRC Funding Rules and the NHMRC’s Privacy Policy for further details.

4.6. Freedom of Information

NHMRC is subject to the Freedom of Information Act 1982 (the FOI Act) and is committed to meeting the Australian Government’s transparency and accountability requirements.

Subject to its FOI obligations, NHMRC remains committed to maintaining the confidentiality of grant applications, the peer review process and the privacy of people participating in peer review. If an FOI application is received in relation to a peer review document, NHMRC will take into account the nature of those documents and where appropriate, consult with anyone whose personal information or business information may be affected by the release of those documents.

Peer reviewers should familiarise themselves with NHMRC’s Freedom of Information Policy before commencing peer review.

4.7. Relative to opportunity and career disruption

Panel members are required to assess each application against the assessment criteria for the funding scheme. In respect of “track record”, panel members must take into account productivity relative to opportunity and career disruption considerations as outlined in section 6 of the NHMRC Funding Rules.

As an example of career disruption considerations: If a woman takes 18 months off to have a baby, before returning to an active research career, then that applicant can add on an extra 18 months to the normal duration counted for all applicant’s outputs. These outputs include publication, translation outcomes, etc. A peer reviewer must then take into consideration in their assessment of track record the additional outputs provided by the applicant to account for the career disruption.

If the career disruption is of a highly sensitive nature (e.g. where an applicant considers their medical condition to be a personal nature),
applicants may submit details separately to the NHMRC rather than sharing these with the Peer Review Panel (PRP). Senior NHMRC staff will review the career disruption claim. If the claim is accepted, they will advise the PRP on the period of time affected by the disruption. Details may also be provided of how the disruption may have affected the applicant’s track record.

4.8. Use of Impact Factors and other metrics

Peer reviewers should take into account their expert knowledge of their field of research, as well as the citation and publication practices of that field when assessing the publication component of an applicant’s track record. Track record assessment should take into account the overall impact, quality and contribution to the field of all of the published journal articles from the grant applicant, not just the standing of the journal in which those articles are published.

It is not appropriate to use publication and citation metrics such as Journal Impact Factors, the previous Excellence in Research for Australia (ERA) Ranked Journal List or h-index when assessing applications as these can potentially be misleading when applied to the peer review of publication outputs of individuals, and may also not be relevant to the project under consideration. More information on this topic can be found on the NHMRC website under:

- Use of Journal Impact factor in peer review of individual applications
- NHMRC removes journal impact factors from peer review of individual research grant and fellowship applications.

The San Francisco Declaration on Research Assessment (DoRA) makes recommendations for improving the evaluation of research assessment. NHMRC is a signatory of DoRA.

4.9. Complaints

Applicants may contact the NHMRC seeking clarification on the outcome of their application for funding, or to state an objection to any part of the peer review process. Information on the objection and complaints process is provided in section 11.6 of the NHMRC Funding Rules.

1 Including the National Health and Medical Research Council Act 1992, the Public Governance, Performance and Accountability Act 2013 and the Commonwealth Grants Rules and Guidelines.

2 Section 6.4 of the Australian Code for the Responsible Conduct of Research (2007) states that all researchers in receipt of public funding have a responsibility to participate in peer review.

3 Peer reviewers should provide citations for all claims made.

4 NHMRC Act, Section 8.

5 Such information will be in a form that prevents applicants determining which particular experts were involved in the review of their application.

6 NHMRC Research Committee may recommend funding additional applications ‘below the line’ in priority areas, such as research to improve the health of Aboriginal and Torres Strait Islander peoples.

7 When the panel considers that the advice of key experts who have had to leave the room due to conflicts is essential, the Chair may request those experts to return to the room to answer technical questions, but absent themselves before scoring takes place.

8 Australian Code for the Responsible Conduct of Research, 6.4


10 Made under subsection 29(2) of the PGPA Act.

11 Chapter 7 of the Australian Code for the Responsible Conduct of Research.