

# SOAS Policy: Investigating Allegations of Research Misconduct

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## Table of Contents

<b>SOAS Policy: Investigating Allegations of Research Misconduct</b> .....	<b>1</b>
1. Scope.....	3
2. Status .....	3
3. Definitions.....	4
4. The Nature of Research Misconduct.....	4
5. Whistleblowing .....	6
6. Relationship with National Standards.....	6
7. Investigating Research Misconduct .....	7
8. Data Protection .....	7
Appendix 1 .....	9
Appendix 2 .....	17
Appendix 3 .....	18
Appendix 4 .....	19
Appendix 5 .....	20
Appendix 6 .....	22
Appendix 7 .....	24
Appendix 8 .....	25
Appendix 9 .....	27
Appendix 10 .....	29
Summarised timelines.....	31
Document version.....	32

## 1. Scope

- 1.1 SOAS expects its members to conduct research to the highest ethical standards, in accordance with the principles set out in the Schools [Research Ethics Policy](#). Although allegations of ethical misconduct in research are likely to be rare, SOAS takes them very seriously, and will investigate complaints thoroughly to protect its own reputation and the interests of researchers, research participants and the wider society.
- 1.2 A robust procedure for investigating alleged research misconduct is also necessary to meet the requirements of funding bodies.
- 1.3 The policy defines SOAS's approach to investigating complaints of research misconduct, including allegations submitted from inside and outside the School. Except as specified below, this policy applies to allegations of misconduct involving any research which is subject to SOAS's [Research Ethics Policy](#) including (but not limited to) research by SOAS staff and doctoral researchers. It does not apply to allegations of misconduct involving research conducted by undergraduate students or taught postgraduate students. These will be dealt with, as appropriate, under SOAS's student disciplinary procedure or the procedures for assessment and examination offences.
- 1.4 The policy is based on the principle that a procedure for investigating alleged research misconduct should be distinct from, but may interact with other investigative procedures, such as disciplinary processes. The goal of a research misconduct investigation is to determine whether an allegation of research misconduct should be upheld or dismissed.
- 1.5 Any disciplinary or other outcome which follows from that will be the result of a separate process. The adoption of a distinct procedure for investigating research misconduct reflects national standards, and brings the following benefits:
  - i. Allegations of research misconduct which originate in academic disagreements or methodological disputes can be resolved without resort to disciplinary or grievance processes.
  - ii. Complaints of research misconduct may be received from a range of sources within and outside SOAS, including academics, students, research funders, research participants, campaigning groups and members of the public. A distinct research misconduct policy and procedure allows allegations to be investigated in a uniform manner, regardless of their origin.
  - iii. The preliminary investigation of a complaint, to determine whether a full investigation is necessary, will be carried out in a fair, consistent and equitable manner. Where an allegation is found to have some basis, remedial non-disciplinary alternatives, such as education or training, can be applied where considered appropriate.

## 2. Status

- 2.1 The current policy format (version 2.1, as amended) was presented before the Research and Enterprise Committee (REC) on 9 October 2019 and formally adopted.
- 2.2 The policy may be subject to review and reissuance at scheduled periodic reviews.

### 3. Definitions

3.1 In line with the [Research Ethics Policy](#), the following definitions are hereby adopted therein:

- i. **Research:** any form of disciplined inquiry that aims to contribute to a body of knowledge or theory. This includes research carried out as part of consultancy or “third stream” activities approved by SOAS, but not other research carried out by researchers in a private capacity. Research conducted collaboratively with other institutions or non-SOAS researchers is covered by this Policy, to the extent that it involves a contribution from a researcher acting under the auspices of SOAS.
- ii. **Researcher:** any member of SOAS conducting research at any level, including staff and students, and any other person (regardless of their status) engaged in research under the auspices of SOAS or on behalf of or in association with SOAS (for example, independent contractors, consultants, visiting staff, staff from other institutions, emeritus staff, and staff on joint or honorary contracts).
- iii. **Research Ethics:** the moral principles guiding research, from its inception through to completion, publication of results and beyond. These broad principles are set out in SOAS’s Research Ethics Policy.
- iv. **Research Misconduct:** conduct or performance by a SOAS researcher which exhibits one or more of the characteristics referred to as being misconduct. The existence of any of these characteristics is indicative of research which has failed to meet SOAS’s principles of ethical research.
- v. **Research Participants:** living individuals who are the focus of research.

3.2 These definitions will apply in the place of the definitions for any identical or similar terms in the UKRIO Procedure for the Investigation of Research Misconduct.

### 4. The Nature of Research Misconduct

4.1 SOAS’s definition of research misconduct is based on definitions that are used by UKRI and the UK Research Integrity Office.

4.2 This policy will be used to investigate allegations of behaviour which fall within the definition of research misconduct set out in the School’s Research Ethics Policy.

4.3 Conduct or performance by a researcher which exhibits one or more of the following characteristics (4.4) shall be treated by SOAS as deeming to fall within the scope of research misconduct. The presence of any of these characteristics in a research project will indicate behaviour which falls significantly short of the principles of ethical research that SOAS adheres to, as outlined in the Research Ethics Policy.

4.4 Interpretation of these categories will depend on the context of the research project and will reflect the judgement and experience of those charged with investigating whether research misconduct has occurred:

- i. Fabrication: the creation of fictitious data, evidence, documentation or results.
- ii. Falsification: the inappropriate manipulation or selection of data, evidence, imagery or documentation.
- iii. Misrepresentation: this may include:
  - a. Misrepresentation of data: such as, the undisclosed suppression of evidence or findings, or the deliberate or negligent presentation of a flawed interpretation of data.
  - b. Misrepresentation by the researcher of their qualifications or experience.
  - c. Misrepresentation of involvement: e.g. the inappropriate or unjustified claim by a researcher to authorship or attribution, or the denial of others' rights to authorship or attribution.
  - d. Misrepresentation of publication: e.g. the undisclosed duplication of publication, or undisclosed duplicate submission of works for publication, where this involves deception or the deliberate circumvention of publishers' or funders' policies.
- iv. Plagiarism: the misappropriation or use of the ideas, intellectual property or work (written or otherwise) of others without acknowledgement or permission.
- v. Mismanagement of research data or results: the failure to ensure that research data, evidence and research results are preserved and accessible for a reasonable period after the completion of research, in accordance with [SOAS's records management policies](#) and any particular funder requirements agreed by contract.
- vi. Breaching a duty of care: this may occur where the researcher deliberately, recklessly or negligently:
  - a. Discloses improperly the identity of research participants, or information provided by research participants, without their consent or in breach of confidence. Particular care must be taken when conducting research involving human research participants (identifiable living individual/natural person) and their personal data.<sup>1</sup> Researchers must have due regard to the School [Code of Practice](#) in this regard and complete any mandatory training, where required to do so.
  - b. Places research participants, research staff or others involved in research at risk of harm, and without appropriate mitigating safeguards.
  - c. Fails to take reasonable care to ensure the informed consent of research participants.
  - d. Fails to observe legal, regulatory or contractual requirements, and obligations to research funders.
  - e. Conducts themselves improperly in the peer review of applications or publications: e.g. through the gross misrepresentation of the content of material,

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<sup>1</sup> Personal Data being defined as: Information relating to an identified or identifiable living individual/natural person (data subject): one who can be identified directly/indirectly by reference to an identifier (e.g. a name) or, one of certain specific characteristics relating to the individual. See: Data Protection Act (DPA) 2018 Part 1 section 3 (Preliminary) (2), (3).

inadequate disclosure of limited competence, or the abuse of material provided in confidence for peer review.

- vii. Deception: deliberately failing to declare a conflict of interest(s); intentionally providing misleading statements or providing misleading information in order to secure sources of funding.
- viii. Collusion: acting to conceal misconduct in research; falsifying results, deliberately destroying or concealing evidence and research findings and / or participating / colluding with others to do so for that express purpose.
- ix. Conduct or performance by a researcher which falls into at least one of the above categories will be research misconduct if it involves deliberate intent, negligence or recklessness.
- x. Research misconduct includes acts of omission as well as acts of commission and may fall within Questionable Research Practices (QRPs) that include the design, analytic, or reporting practices employed with the purpose of deliberately presenting biased evidence in favour of an assertion.

4.5 For the sake of clarity, research misconduct does not include:

- i. Genuine academic disagreements, e.g. over research methodology.
- ii. Honest errors or mistakes, where no negligence, recklessness or deliberate intention is involved.

4.6 Researchers who detect errors or mistakes in their research are expected to make all reasonable efforts to rectify them: e.g. by publication of a correction or retraction. Deliberate failure to rectify research errors will be treated as falling within the parameters of misrepresentation.

## 5. Whistleblowing

5.1 The present policy shall operate in tandem with the School's adopted [whistleblowing policy](#), in particular where concerns are raised or detailed in accordance with section 2 of that policy.<sup>2</sup>

5.2 The present policy does not act as a substitute to (5.1) or any of the Schools wider disciplinary policies and procedures.

## 6. Relationship with National Standards

6.1 SOAS will investigate allegations of research misconduct in accordance with the model [Procedure for the Investigation of Misconduct in Research](#) published by the UK Research Integrity Office.<sup>3</sup>

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<sup>2</sup> Section 2 of the whistleblowing policy states that it is intended to cover concerns which are in the public interest. Several examples are detailed including improper conduct or unethical behaviour.

<sup>3</sup> Publication date: August 2008.

6.2 That procedure, together with revised facets to the process, have been translated into the specific context of SOAS.

## 7. Investigating Research Misconduct

7.1 The main features of the model procedure (6.1) adopted and modified by SOAS are summarised here.

7.2 The process for investigating research misconduct comprises 8 stages:

- i. Preliminary (receipt of allegation)
- ii. Preliminary meeting
- iii. Pre-Screening Stage (1)
- iv. Screening Stage
- v. Screening Panel
- vi. Formal Investigation
- vii. Report and Outcomes
- viii. Appeals

7.3 In contrast to the model procedure, SOAS has adopted an appeals process and has formally revised the timelines for each of the requisite stages. Appeals made against the decision of the Investigation Panel are only heard on the papers.

7.4 Further details of the operationalisation of the procedure are set out in the Annex 1 accompanying the policy. Composition of the various panels (as per 7.2 above) has been adapted specifically to reflect the organizational structure at SOAS. Annexes 2 to 7 provide for various template correspondences that the Named Person will utilise; annexes 8 to 10 set out the determination templates of the Panels.

7.5 Allegations of research misconduct that are made if determined as being frivolous, spurious, vexatious or wholly without merit, may precipitate referral of the individual making the allegation to the School's disciplinary process and, where appropriate, notification provided to the relevant regulatory body.

7.6 SOAS does reserve the right to process data relating to the number and frequency of investigations, including those that are found to be without merit. That reporting may feed into its annual report on Research Integrity.

## 8. Data Protection

8.1 Investigations concerning allegations of research misconduct will invariably involve the processing of Personal Data as defined by the Data Protection Act (DPA) 2018.<sup>4</sup>

8.2 Formulation of the procedure for the investigation of research misconduct has borne in mind and been designed according to the Data Protection Principles outlined in the current legislation.

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<sup>4</sup> This also may include Special Category Data, as defined in the Act and GDPR.

8.3 It is the Schools position that the lawful basis for processing personal data for investigating allegations of research misconduct is the performance of a specific task carried out in the public interest that is set out in law.<sup>5</sup>

8.4 Upon completion of an investigation, personal data will only be retained where it is lawful to do so, as defined by the DPA 2018 and where appropriate, in line with the School's data retention policies.<sup>6</sup>

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<sup>5</sup> See: [SOAS Data Protection Policy Statement](#)

<sup>6</sup> Ibid.



## Appendix 1

### Process for Investigating Research Misconduct

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#### 1. Process stages

1.1 Investigations into allegations raised concerning research misconduct are comprised of eight distinct stages:

- i. Preliminary (receipt of allegation)
- ii. Preliminary meeting
- iii. Pre-Screening Stage (I)
- iv. Screening Stage (II)
- v. Screening Panel
- vi. Formal Investigation
- vii. Report and Outcomes
- viii. Appeal

1.2 The reporting timelines for each of the aforementioned stages of the process are detailed below.

#### 2. Submission

2.1 An allegation of research misconduct must be submitted to a 'Named Person.' The Named Person is a senior member of staff who will manage the overall investigation and make key decisions at various stages. The Named Person is to declare from the outset any conflict(s) of interest which would require the investigation of the complaint to be passed to an alternate person. The Named Person must not be the, the Director of Research & Enterprise, head of human resources (HR) or the Director of the School.

2.2 All complaints in relation to research misconduct must be submitted in writing.

2.3 The complaint must include the name and contact details of the individual raising the complaint – the Claimant. Anonymous complaints will not be investigated.

2.4 The complaint should identify the research which is the subject of the complaint as precisely as possible (e.g. citing the specific publication) and should explain why, in the complainant's view, the research is not in accordance with SOAS's Research Ethics Policy.

2.5 Complaints will only be accepted on the basis that full details of the complaint and the complainant's identity will be provided to the respondent at the appropriate point in the research misconduct investigation.

2.6 Complaints must be submitted for the attention of the Schools' Registrar (the Named Person) at the following address:

- i. (Ms Paula Sanderson)<sup>7</sup>  
Directorate, Room 115 - College Buildings  
SOAS University of London  
Thornhaugh Street  
Russell Square  
London WC1H 0XG.

2.7 Complaints presented as allegations of research misconduct may originate in misunderstandings or disputes between individuals. Opportunities to resolve the matter through informal mediation, arbitration or dispute resolution should be considered, where appropriate, by the Named Person before proceeding to the formal stages of the process. The formal process should only be entered if arbitration or mediation is an inappropriate alternate or remedial measure.

2.8 An 'alternate person' shall be detailed in the absence or unavailability of the Named Person set out in (2.6).

### **3. Preliminary (receipt)**

3.1 The Named Person will provide formal written confirmation of receipt to the individual who has raised the complaint.

3.2 The Named Person will formulate a preliminary view as to whether the raised allegation(s) falls within the definition of research misconduct.

3.3 If the matter does not fall within the parameters of research misconduct, the Named Person may then refer back to the claimant, setting out in writing:

- i. Why the matter is not being taken forward under the formal process
- ii. Why the allegation does not fall within the definition of research misconduct
- iii. Any alternative remedies (if applicable).

3.4 Following on from (3.3), the process may end at this stage. The Named Person may notify the individual to whom the allegation was made against, informing them of receipt and the steps as per (3.3). The identity of the individual who lodged the allegation will not be disclosed.

3.5 If the matter does not fall within the parameters of research misconduct, the Named Person will consider and institute any immediate steps to be taken if presented with actual risks or potential illegal activity. Notification may also be considered / provided to any legal or regulatory authorities where it is deemed necessary.

3.6 Depending on the nature of the allegation(s), the Named Person may refer the allegation(s) to the institution's disciplinary process thereby suspending or terminating the research misconduct investigation.<sup>8</sup>

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<sup>7</sup> Rex Knight appointed in the interim pending full permanent appointment:

<https://mysoas.sharepoint.com/news/Pages/Chair%E2%80%99s-note-of-26-November-Board-meeting.aspx>

<sup>8</sup> If a decision is made to move from the research misconduct investigation to a disciplinary procedure, the disciplinary procedure applied will be: a) For staff - the disciplinary procedure which is relevant to the respondent's category of

- 3.7 In the absence of referral to the Schools disciplinary process and / or an investigation to be conducted by any legal or regulatory body, the matter will proceed according to this process.
- 3.8 The Named Person will seek to identify whether any contractual obligations (e.g. to research funders) may be affected or taken into consideration given receipt of the allegation of misconduct.
- 3.9 The Named Person will then provide formal written confirmation to the individual who is the subject of the allegations (the respondent) that an allegation of research misconduct against them has been formally received.
- 3.10 The Named Person will then provide formal confidential written confirmation that an allegation relating to research misconduct has been received to following:
- i. Director of SOAS
  - ii. Director of HR
  - iii. Secretary to the Research Ethics Panel (REP)
  - iv. Director of Finance
- 3.11 Following on from (3.9), the following details may (where necessary) be outlined:
- i. Who has raised the complaint
  - ii. Who it is against
  - iii. When the allegation was received
  - iv. That the matter (at the preliminary stage) falls within the remit of research misconduct
  - v. Notification of the date when the process commenced
- 3.12 The Named Person will also make any relevant enquiries concerning the contractual obligations status of the individual to whom the allegation has been made against in order to discern whether there are any requirements to notify a funder or inform them as set out in a memorandum of understanding.
- 3.13 The total timeframe for steps outlined in (3) is 10 working days. If in exceptional circumstances this timeframe cannot be adhered to, the Named Person shall formally detail this in writing to the relevant parties, setting out what those exceptional circumstances are and the revised timeframe that is being worked to.

#### **4. Preliminary (meeting)**

- 4.1 Notwithstanding (3.8) above, the Named Person will formally contact the Respondent in writing in the timeframe as per (3.13) and invite them to a preliminary meeting.
- 4.2 Written notification shall outline the following:
- i. An allegation of research misconduct has been formally received

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staff; b) For doctoral researchers: the student disciplinary procedure, or the procedures for assessment and examination offences, as appropriate.

- ii. Invitation to a preliminary meeting (with date, time and venue clearly stated)
- iii. The nature and detail of the investigation process
- iv. That the Respondent has a right to be accompanied

4.3 The preliminary meeting shall take place no earlier than 7 (calendar) days from the date when formal notification is provided (4.1).

4.4 At the preliminary meeting the Named Person shall be in attendance, with an appointed minute taker together with the Respondent and their accompanied representative (if applicable).

4.5 At the preliminary meeting the Named Person will present to the Respondent the details of the allegation of research misconduct that has been received. The Respondent shall thereafter be afforded an opportunity to respond to the allegation that has been made, (including by way of an accompanied representative).

4.6 A written transcript shall be taken and provided to the Respondent within 3 working days.

4.7 The Respondent may provide a written submission of response to the allegation of research misconduct following the preliminary meeting within 7 (calendar) days. The submission must be sent to the Named Person.

## **5. Pre-Screening Stage (I)**

5.1 The pre-screening stage shall run in parallel to the steps outlined in (3) to (4) being completed within 7 working days from the date of receipt of the allegation(s).

5.2 The Named Person may undertake any reasonable steps in order to secure relevant information and / or evidence as it relates to the allegation and any subsequent investigation that may ensue. That evidence may take the form of files, information, electronic records or the like.

5.3 In conjunction with HR and the relevant line manager(s), the Named Person will risk assess whether there needs to be any restriction placed upon the Respondent. This may include, but is not limited to, temporary suspension, restriction of access or the like.

5.4 If the Claimant's allegation is withdrawn, and / or if the Respondent leaves/resigns or provides admission, the Named Person shall still continue with the relevant steps set out in the process.

## **6. Screening Stage (II)**

6.1 The Named Person shall undertake a screening evaluation upon the totality of evidence / information available at this point.

6.2 Primarily, this will be to determine:

- i. Whether the allegation is to formally proceed
- ii. Whether the allegation is frivolous, spurious, vexatious or wholly without merit

iii. Whether the allegation is mistaken

6.3 Should a determination at (6.2) (ii) or (iii) be made, the Named Person will formally notify all parties in writing within 7 working days.

6.4 A further determination shall then be made as to whether any follow-on action(s) will be required, including referral of the Claimant to HR to consider whether the School's disciplinary process shall apply and, where appropriate, notification provided to the relevant regulatory body.

6.5 In order to reach a determination outlined in (6.2) (ii), the Named Person may, where appropriate seek additional clarification or guidance from the Associate Director(s) of Research (ADR). A summation of any advice shall be referred to as per (6.3).

6.6 Should a determination of (6.2) (i) be made, the Named Person will proceed to convene a Screening Panel. Formal notification to all parties will then be submitted in writing within 5 working days.

## **7. Screening Panel**

7.1 The Screening Panel will be convened at the request of the Named Person. The Screening Panel's function is to determine whether there is *prima facie* evidence of research misconduct.

7.2 Composition may be drawn from:

- i. One academic head of Department <sup>9</sup>
- ii. One senior academic
- iii. Secretary to the Research Ethics Panel (REP)
- iv. (An appointed minute taker not previously privy to the procedure)

7.3 The Panel will receive submission in writing from the Named Person of all the information available / gathered to date.

7.4 The Panel will formalise its report within the given timeframe (7.7) and make a determination upon the following:

- i. The Claimant's allegation has substance and there is a case to answer.
- ii. Although the allegation contains some substance, the matter does not reach the requisite threshold of Research Misconduct. The matter can therefore be addressed through remedial measures.
- iii. The Claimant's allegation is mistaken
- iv. The Claimant's allegation is frivolous, spurious, vexatious or wholly without merit

7.5 Following a determination made in (7.6) (i), justification will be made for a Formal Investigation to convene.

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<sup>9</sup> The appointment of the departmental head will not be from the same department that the individual subject to the allegation is from.

7.6 Following a determination made in (7.6) (iv), the Panel may recommend the matter to be referred to HR in order to consider whether the School's disciplinary process shall apply and, where appropriate, notification provided to the relevant regulatory body.

7.7 The work of the Panel is to be completed within 15 working days.

7.8 A copy of the Panel's report and (any) recommendations will be communicated to all parties by the Named Person within 5 working days from taking receipt.

7.9 Where the Panel makes a determination based upon (7.4) (ii), the Named Person will be responsible for putting those recommendations into effect, based upon any timeframe that the Panel judges deem to be appropriate.

## **8. Formal investigation**

8.1 An Investigation Panel will be convened by the Named Person following a determination in (7.4) (i).

8.2 Composition of the Panel will be drawn from:

- i. Associate Director of Research (ADR)
- ii. Chair of the Research Ethics Panel (REP)
- iii. One member from outside of the School
- iv. (An appointed minute taker not previously privy to the procedure)

8.3 The Investigation Panel shall not be drawn from those who have sat on the Screening Panel and who are or have been party to the allegation itself.

8.4 The Investigation Panel shall arrange any interviews that are necessary and / or appropriate to the full investigation. Any further allegation or evidence of misconduct that may arise during the course of proceedings shall be formally communicated to the Named Person for consideration, in line with the preliminary procedures outlined above.

8.5 The Investigation Panel shall consider the totality of evidence. The burden of proof adopted is upon a balance of probabilities.

8.6 Where appropriate and necessary, the Panel may convene a formal hearing where the Respondent may give written/oral evidence.

8.7 A directions notice for hearing shall be issued by the Investigation Panel outlining:

- i. The date when the allegation of research misconduct will be formally heard
- ii. Invitation to the hearing (with time and venue clearly stated)
- iii. The nature and detail of the investigation process
- iv. That the Respondent has a right to attend, give evidence and has a right to be accompanied.

8.8 If a hearing is convened as per (8.4), the Respondent shall be afforded a notice period of (a

minimum) 7 working days. The Respondent will be required to attend in person and may be accompanied by a representative.

## **9. Report and Outcome(s)**

9.1 The Investigation Panel shall detail all its findings and any appropriate recommendations in the form of a written report. That report must be prepared within 30 (calendar) days from the date of referral (7.5) and can be served electronically, though a hard-copy will also be served.

9.2 Within the final report the Investigation Panel shall detail whether the allegation of research misconduct shall be:

- i. Upheld in full
- ii. Upheld in part
- iii. Dismissed

9.3 Any further recommendations will also be contained therein, such as whether to refer the matter to the School's disciplinary process and notify any regulatory body, or whether any wider recommendations relating to remedial measures, procedural issues / points, or impact upon wider School policies should be taken into consideration.

9.4 The Named Person shall communicate copies (served in writing, but may also be served additionally electronically) of the full report of the Panel to:

- i. The Respondent
- ii. The Claimant
- iii. Director of SOAS
- iv. Director of HR
- v. Secretary of the Research Ethics Panel
- vi. Director of Finance

9.5 The Named Person shall also follow up areas of recommendation (9.3) and / or actions arising from the decision to ensure they are followed through.

## **10. Appeal**

10.1 Any appeal lodged against the decision (including ancillary findings) of the Investigation Panel must be set out in writing and addressed to the Named Person (2.6) or alternate person (2.8) where applicable within 28 (calendar) days from the date of issuance of the report.

10.2 An extension may only be applied for in exceptional circumstances. An application for extension must be submitted to the Named Person (2.6) or alternate person (2.8) where applicable. The Named Person will consider any mitigating or exceptional circumstances in which to extend the deadline to appeal of up to a maximum of 14 (calendar) days.

10.3 An application to extend the deadline for leave to appeal must be submitted within 10 (calendar) days from the date when the report was served.

- 10.4 If a notice of appeal is not lodged within the timeframe outlined in (10.1) and no further extension applied for, the Named Person shall issue a formal letter to the Respondent outlining that the process has come to an end and no further appeal was made.
- 10.5 The Appeal Panel shall consider the final report of the Investigation Panel and review their central finding(s) (9.2). Recommendations that are set out as secondary to the central finding(s) shall not form part of the scope for appeal.
- 10.6 An Appeal Panel will be convened by the Named Person following receipt of notice to appeal. The Named Person shall inform the relevant parties that an appeal against the decision of the Investigation Panel has been received, namely:
- i. The Respondent
  - ii. The Claimant
  - iii. Director of SOAS
  - iv. Director of HR
  - v. Secretary to the Research Ethics Panel
  - vi. Director of Finance
- 10.7 The Named Person shall convene the Appeal Panel within 10 working days of receipt of an appeal.
- 10.8 Composition of the Appeal Panel will be drawn from:
- i. Pro-Director Research
  - ii. Head of the Doctoral School
  - iii. One member from outside of the School
- 10.9 The Appeal Panel shall consider the determination of the Investigation Panel (9.2) and review the central finding(s). The Appeal Panel shall make a determination as to whether, on appeal, the appeal should be:
- i. Upheld in full
  - ii. Upheld in part
  - iii. Dismissed
- 10.10 Appeals submitted against the decision of the Investigation Panel will be heard on the papers only.
- 10.11 The Appeal Panel shall report their decision within 21 (calendar) days. Thereafter the Named Person shall communicate that decision in writing (which may also be served electronically) to all parties as per (10.6).
- 10.12 The decision of the Appeal Panel is final.



## Appendix 2

### Template Correspondence: No Action Taken

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Dear (insert name)

**Re: Allegation raised of research misconduct**

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I write to formally confirm receipt of an allegation of research misconduct that you have raised.

The allegation raised is against \_\_\_\_\_ and concerns the matter of \_\_\_\_\_.

Following perusal of the details and with specific reference to SOAS Research Ethics Policy and Research Misconduct Policy, it would appear that this matter does not fall within the remit of research misconduct:

- 1.
- 2.
- 3.

*[Enclosure of details where required]*

Consequently, the matter will not be taken forward under the formal process outlined in SOAS Research Misconduct Policy.

*[Consideration / detail of any alternative remedies, if applicable]*

Given the circumstances, I would consider the following alternative remedies as being appropriate:

- 1.
- 2.
- 3.

Details of the allegation raised, and action outlined here will be retained and may feed into SOAS' annual report on research integrity.

Yours faithfully

(Named Person)  
(Official position)  
**SOAS University of London**

## Appendix 3

### Template Correspondence: Notification to School

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Dear (Director of SOAS)

**Re: Allegation raised relating to research misconduct**

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I write to formally confirm that an allegation of research misconduct has been received.

The date of receipt is (*insert date*) and the identity of the individual raising the allegation has been recorded [*Enclosure of details where required*].

The substance of the allegation has been raised against \_\_\_\_\_ and details the following:

- 1.
- 2.
- 3.

With specific reference to SOAS Research Ethics Policy as well as the Research Misconduct Policy, I have taken the preliminary view that the matter does appear to fall within the remit of research misconduct:

[*Enclosure of details where required*]

- 1.
- 2.
- 3.

At this juncture, it does not appear that alternative remedies would be applicable or appropriate given the nature of the allegation that has been raised.

The matter will therefore be taken forward as per the process outlined in the Research Misconduct Policy (Annex 1) as of (*insert date*).

Yours faithfully

(Named Person)  
(Official position)  
**SOAS University of London**

cc.

*Director of HR*  
*Secretary of the Research Ethics Panel*  
*Director of Finance*

## Appendix 4

### Template Correspondence: No Further Action

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Dear (insert name)

**Re: Allegation raised of research misconduct**

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I write to formally notify you that an allegation of research misconduct was raised on (insert date).

The allegation concerned the following:

- 1.
- 2.
- 3.

Following perusal of the details and with specific reference to SOAS Research Ethics Policy and Research Misconduct Policy, it would appear that this matter does not fall within the remit of research misconduct:

- 1.
- 2.
- 3.

[Enclosure of details where required]

Consequently, the matter will not be taken forward under the formal process outlined in the SOAS policy on Research Misconduct.

Details of the allegation raised, and that no further action was taken will be retained and may feed into SOAS' annual report on research integrity.

Yours faithfully

(Named Person)  
(Official position)  
**SOAS University of London**

## Appendix 5

### Template Correspondence: Invite to Preliminary Meeting

---

Dear (insert name)

**Re: Allegation raised of research misconduct**

---

I write to formally notify you that an allegation of research misconduct has been formally submitted on (insert date).

The substance of the allegation concerns the following:

- 1.
- 2.

After perusal of the details and with specific reference to SOAS Research Ethics Policy and Research Misconduct Policy, it would appear that this matter does fall within the remit of research misconduct:

- 1.
- 2.

[Enclosure of details where required]

The matter will now be taken forward under the formal process outlined in the SOAS policy on Research Misconduct.

Consequently, I hereby invite you to a preliminary meeting to formally discuss the matter. The date for the preliminary meeting has been scheduled for:

[insert date]  
[insert time/venue]

A written transcript shall be taken of proceedings upon the day and a copy provided to you.

You may wish to be accompanied to the meeting, either by a colleague or representative. If you are unable to attend the scheduled date / time above, please contact me immediately so that this may be rescheduled.

Should you so wish, you may provide a written submission in response to the allegation of research misconduct that has been raised. That can either be served on the day of the meeting but no later than 7 days following the date of the preliminary meeting.

I am also enclosing a copy of the Research Ethics Policy and Research Misconduct Policy for your perusal.

Yours faithfully

Named Person  
(Official position)  
**SOAS University of London**

## Appendix 6

### Template Correspondence: Outcome of Preliminary Screening Evaluation

---

Dear *[insert name]*

**Re: Allegation raised relating to research misconduct**

---

Following receipt of an allegation of research misconduct I write further to outline details of the preliminary screening evaluation that I have undertaken.

This evaluation has been made upon the totality of information available to date, including SOAS Research Ethics Policy as well as the Research Misconduct Policy.

The allegation of research misconduct concerned / concerns the following:

- 1.
- 2.

Given the substance of the allegation and other supporting information (*include where appropriate*), I have determined that:

- a. The matter is to proceed formally and be determined as per the process set out in the Research Misconduct Policy
- b. The allegation raised is mistaken
- c. The allegation is frivolous, spurious, vexatious or wholly without merit  
*[delete as appropriate]*

*[Brief synopsis of decision taken]*

I have also considered whether any alternative remedies would be applicable or appropriate in the circumstances.

*[Detail where appropriate, particularly in relation to (b)]*

*[If (c), then include the following text]:*

Given that the allegation has been judged as frivolous, spurious, vexatious or wholly without merit *[include one or more]*, I have also considered whether this matter formally should be referred to HR in line with SOAS Disciplinary procedures *[detail where applicable]*.

Furthermore, I have also considered whether this matter formally should be referred to the *[relevant]* regulatory body *[detail where applicable]*.  
*[Delete as appropriate]*

*[If (a)]*

The matter will therefore proceed to be heard as per the process outlined in the Research Misconduct Policy (Annex 1).

*[for Respondent only]* I have written / will be writing to you separately with details of the next stage where you will be invited to attend a preliminary meeting.

*[If (b) or (c), then add additional text below]*

The matter will not be taken forward as per the process outlined in the Research Misconduct Policy (Annex 1).

Details of the allegation raised, and that no further action was taken will be retained and may feed into SOAS' annual report on research integrity.

Yours faithfully

Named Person  
(Official position)  
**SOAS University of London**

## Appendix 7

### Template Correspondence: Directions Notice

---

Dear *[insert name]*

**Re: Allegation raised relating to Research Misconduct**

---

I write confirm details of the hearing convened to hear evidence relating to the allegation of research misconduct.

The date for the preliminary meeting has been scheduled for:

*[insert date]*

*[insert time/venue]*

The Panel will be composed of the following members:

Composition of the Panel will be drawn from:

1. *[Complete as required]*
2. *[Complete as required]*
3. *[Complete as required]* One member from outside of the School
4. An appointed minute taker not previously privy to the procedure

A written transcript shall be taken of proceedings upon the day and a copy provided to you.

You may wish to be accompanied to the meeting, either by a colleague or representative. If you are unable to attend the scheduled date / time above, please contact me immediately so that this may be rescheduled.

Please refer to the Schools policies relating to Research Ethics and Research Misconduct, copies of which were issued previously.

Yours faithfully

Named Person  
(Official position)  
**SOAS University of London**



## Appendix 8

### Template Determination: Screening Panel

---

#### Screening Panel

---

##### Determination

1. An allegation of research misconduct was submitted in writing and received on [*insert date*]
2. The nature of the allegation of research misconduct was as follows:
  - i.
  - ii.
  - iii.
3. In line with SOAS Research Misconduct Policy, a Screening Panel has been convened to determine whether there is / was *prima facie* evidence of research misconduct.
4. The Screening Panel was comprised of:
  - i. (Chair) (Name and position)
  - ii. (Name and position)
  - iii. (Name and position)
  - iv. [Admin: limited to minute taking]
5. The Claimant's allegation was considered in full, together with the following supporting evidence [*include / list if applicable*]
6. It is the determination of this Screening Panel that:
  - i. The Claimant's allegation has substance and there is a case to answer.
  - ii. The allegation contains some substance, the matter does not reach the requisite threshold of Research Misconduct. The matter can therefore be addressed through remedial measures.
  - iii. The Claimant's allegation is mistaken
  - iv. The Claimant's allegation is frivolous / spurious / vexatious / wholly without merit

[*delete where appropriate*]
7. The Panel has formed this view for the following reasons / based upon the following evidence:
  - i.
  - ii.
  - iii.

iv.

8. *[If 6 (i) write]* Given the Panel’s determination that the allegation does contain substance and there is a case to answer, the Panel formally refers the matter to a Formal Investigation.

*[If 6 (ii) write]* The Panel determines, that while the allegation contain some substance, the matter does not reach the requisite threshold of Research Misconduct as set out in the requisite School policies. The matter can therefore be addressed through remedial measures and these have been detailed in Panel’s recommendations.

*[If 6 (iii) write]* The Panel determines that the Claimant’s allegation is mistaken. The Panel has taken this view based upon the following:  
*[detail as required]*

*[If 6 (iv) write]* It is the determination of this Panel that the Claimant’s allegation is deemed to be: frivolous, spurious, vexatious or wholly without merit *[include / delete as appropriate]*. The Panel has taken this view given the following:  
*[detail as required]*

The Panel has also had due regard to the Schools wider policies, including the disciplinary procedures.

**Recommendations**

1. *[Recommendations to be detailed, where appropriate / applicable, where a determination is made in 6 (ii / iv) above]*

---

Signed (Chair) .....

Date: (date) / (month) / (year) [e.g. 17 Oct-2018]

## Appendix 9

### Template Determination: Formal Investigation

---

#### Determination of Investigation Panel

---

##### Determination

1. An allegation of research misconduct was submitted in writing and received on [*insert date*]
2. The nature of the allegation of research misconduct was as follows:
  - i.
  - ii.
  - iii.
3. In line with SOAS Research Misconduct Policy, a Formal Investigation was convened following referral from the Screening Panel [*insert date*].
4. The Investigation Panel has been tasked with determining whether there is evidence of research misconduct.
5. The Panel was comprised of the following:
  - i. (Name and position)
  - ii. (Name and position)
  - iii. One member from outside of the School
  - iv. (An appointed minute taker not previously privy to the procedure)
6. Details of the evidence heard is as follows [*delete where appropriate*]
  - i. Claimant's allegation of research misconduct
  - ii. Written reply to the Claimant's allegation by the Respondent
  - iii. Report of the Screening Panel
  - iv. Interview with the Respondent [*insert date*]
  - v. Interview with the Claimant [*insert date*]
  - vi. (*Evidence*)
  - vii. (*Expert witness / witnesses*)
7. The Panel has also had due regard to the School's policies:
  - i. Research Misconduct Policy
  - ii. Research Ethics Policy
  - iii. (*Any other relevant policies*)
8. The Panel has considered the totality of evidence relating to the allegation of Research Misconduct. Based upon that evidence and a balance of probabilities, it is the Panel's view that the allegation shall be:

- i. Upheld in full
- ii. Upheld in part
- iii. Dismissed  
[delete as appropriate]

**Reasoning**

9. The Panel has taken the view [as per 8 (i), (ii) or (iii)] for the following reasons:

- i.
- ii.
- iii.
- iv.
- v.

**Recommendations**

[If applicable, detail]

- 1.
  - 2.
  - 3.
- 

Signed (Chair) .....

Date: (date) / (month) / (year)

## Appendix 10

### Template Determination: Appeal

---

#### Appeal Determination

---

##### Case Facts

1. An allegation of research misconduct was submitted in writing and received at SOAS on *[insert date]*.
2. A Screening Panel was convened and referred this matter for a Formal Investigation on *[insert date]*.
3. Following conclusion of the Formal Investigation, the Investigation Panel set out its determination upon the allegation of Research Misconduct. The Panel found that the allegation shall be:
  - i. Upheld in full
  - ii. Upheld in part
  - iii. Dismissed  
*[delete as appropriate]*
4. *[Delete as appropriate]* For the sake of completeness, though not subject to the formal appeal process, the recommendations set out in the report were as follows:
  - i.
  - ii.
  - iii.
5. In accordance with the SOAS Research Misconduct Policy (Annex 1 Process of Investigating Research Misconduct), this appeal has been convened following receipt of an in-time appeal on *(insert date)*.
6. The substance of the appeal grounds are as follows:
  - i. *[Detail the appeal grounds against the Investigation Panel's finding(s)]*
7. Following on from (4), this present appeal is heard on the papers only.
8. The present composition of the Appeal Panel to hear this matter was:
  - i. *[Detail as appropriate]*
  - ii. *[Detail as appropriate]*
  - iii. One member from outside of the School, *[Detail as appropriate]*

## Determination

1. The Appeal Panel has considered the totality of evidence as served and referred to in this process.
    - i. The Claimant's allegation
    - ii. The Respondent's oral evidence
    - iii. The Respondent's written evidence
    - iv. *[Supporting evidence – if enclosed]*
    - v. Findings of the Screening Panel
    - vi. Determination of the Investigation Panel
  
  2. The Appeal Panel has also had appropriate consideration of the following School policies:
    - i. Research Misconduct Policy
    - ii. Research Ethics Policy
    - iii. *[Detail any other relevant policies]*
  
  3. The Appeal Panel has considered the totality of evidence relating to the allegation of Research Misconduct thus far. Based upon that evidence and a balance of probabilities, it is the Panel's view that the present appeal shall be:
    - i. Upheld in full
    - ii. Upheld in part
    - iii. Dismissed  
*[delete as appropriate]*
  
  4. The Appeal Panel has reached this conclusion for the following reasons:
    - i.
    - ii.
    - iii.  
*[Expand if required]*
  
  5. Though formally not part of the appeal process, the Appeal Panel does have the following additional comment(s) in relation to the recommendations of the Investigation Panel, as set out in their determination of *[insert data]* at *[reference]*
    - i.
    - ii.
    - iii.  
*[Expand if required]*
- 

Signed (Chair) .....

Date: (date) / (month) / (year)

## Summarised timelines

Stage	Activity	Timeframe
i. Preliminary (receipt)	Assessing scope Written confirmation(s) Enquires	10-working days
ii. Preliminary (meeting)	Invitation to meeting	7-working days 3-working days (meeting transcript) 7-working days (additional submissions)
iii. Pre-Screening (I)	Securing information	7-working days (in parallel to [ii] above)
iv. Screening stage (II)	Determine to proceed	7-working days (no case) 5-working days (to proceed)
v. Screening Panel	Determining whether case for research misconduct exists	15-working days 5-working days (named person to communicate Screening Panel report)
vi. Formal Investigation	Considering totality of evidence	7-working days (notice to hearing)
vii. Report & Outcome(s)	Report of the Investigation Panel	30-days to issue
viii. Appeal	Lodging appeal against decision of the Investigation Panel	28-days (from the date of issuance of the report)
	Request to extend the deadline to appeal	10-days (timeframe to request extension) 14-days (max. extendable time)

## Document version

Date	Author	Changes	Published
2009	-	-	27 May-2009
Oct-2018	Research Office (K Hasan)	Version control introduced; changes to document formatting, including table of contents.  Updating of paragraphs 4.4 and 7, new paragraphs 5 and 8 (following changes to data protection legislation). Appendices introduced outlining the procedural features of the policy, including appeals process.  Changes approved by Executive Board / 26 Nov-18	3 Dec-2018
5 Sept-2019	Research Office (K Hasan)	Amendments made to: p. 3 para. 2.1 p.4 para. 3.1 (iii) p.5 para 4.4 (vi) b p.8 footnote 5 deleted Amendments made to paragraphs listed in Appendix 1: Para. 2.1, 2.8, 3.5, 6.3, 7.2, 7.8, 10.1 and 10.2 Addition, Para. 9.5 Amendments made to paragraph listed in Appendix 8: Para. 6 Summarised reporting times enclosed (page. 31)	10 Oct-2019
1 Dec-2020	Research & KE Delivery (K Hasan)	Amendments made to: p. 5 para. 4.4 (vi), amended link for updated Code of Practice Appendix 1, para. 2.6 (i), footnote addition	7 Dec-2020