

Procedure for handling issues of scientific misconduct

Type of document	Procedure
Approved by	President
Date of approval	2018-12-06
Ref. no.	SU FV-1.2.1-3699-18
Period of validity	2018-12-06 - until further notice
Replaces document	Guidelines for managing issues of scientific misconduct, SU FV-1.1.2-3492-14, 2015-05-28
Responsible administrative unit	Research Support Office
Responsible administrator	Jonas Åkerman

Description:

The purpose of this procedure is to ensure that issues of scientific misconduct are handled in accordance with applicable laws and guidelines, and to contribute to transparency in the handling of these issues. The main recipients are those that handle these issues at Stockholm University, and those otherwise affected by this handling.



Introduction

The Higher Education Act (ch. 1, 3 a §) prescribes that scientific credibility and good research practice must be safeguarded in higher education institutions. Compliance with good research practice is essential to maintain high quality in education programmes, as well as maintaining public confidence in research. Requirements for high quality in scientific activities are also laid down in the Higher Education Act (ch. 1, 4 §).

Any suspicion of scientific misconduct in research must be reported immediately and investigated promptly. The obligation of the university to investigate suspected scientific misconduct is laid down in the Higher Education Ordinance (ch. 1, 16 §).

In 2007, the Association of Swedish Higher Education and the Swedish Research Council published “Proposals for managing suspected scientific misconduct” (“Förslag till hantering av misstänkt vetenskaplig oredlighet”). These proposals are the basis for the procedure adopted by Stockholm University and presented below.

The purpose of this procedure is to ensure that issues of scientific misconduct are handled in accordance with applicable laws and guidelines, and to contribute to transparency in the handling of these issues. The main recipients are those that handle these issues at Stockholm University, and those otherwise affected by this handling.

Responsible body

Scientific misconduct is to be investigated by the Ethics Council at Stockholm University, which is an independent body under the President.

Reports of suspected scientific misconduct must be made to the President. The report should be in writing.

In case a report of suspected scientific misconduct is made to another member of staff, the report must be forwarded to the President promptly.

The President will submit the report to the Ethics Council for investigation.

Procedure

Preliminary investigation and issues of public access and secrecy

The procedure following a report of scientific misconduct should start with a preliminary investigation, aiming to provide the basis for determining whether there is a strong enough suspicion to warrant further investigation. In case of uncertainty, a further investigation must

be undertaken. The preliminary investigation should be conducted expediently, and should not take longer than six weeks. The Chair will normally decide whether the case is to be sent to the person reported in order to allow him/her to make a statement.

The contents of the report and information from other parties questioned on the matter must be properly documented in order to facilitate future rulings and to make it possible to inform the accused person about the case against him/her.

The rules on public access and secrecy allow notes taken during the questioning of different people, as well as written material collected within the university, to be treated as working material until further notice. As such, they are not established documents as referred to in the Freedom of the Press Act and are therefore not public documents at this stage.

An external written report, however, is a document received by the university and is thus a public document at the university. Such a document can only be classified as secret with the direct support of the Public Access to Information and Secrecy Act. According to the Freedom of the Press Act, public documents are by default free to access.

Further process if the preliminary investigation does not justify continued suspicion of scientific misconduct

If the result of the preliminary investigation does not justify continued suspicion of scientific misconduct, the Ethics Council shall decide to propose that the President take a decision making this clear. The case is thereby closed. There is no legal possibility to classify such a decision as secret and it is important that the decision is made public, not least out of consideration for the person whose work has been called into question. In each individual case it must be assessed whether or not additional measures – such as special information about the decision or similar – are warranted in order to clear the reported person's name.

When a decision has been taken that there is no longer any suspicion of scientific misconduct, the case is archived. Material relevant to the case must be preserved to permit later checks. Any archived material obtains the status of public document, and may only be classified as secret with the direct support of the Public Access to Information and Secrecy Act.

Further process if the preliminary investigation does justify a continued suspicion of scientific misconduct

If the Ethics Council deems that the result of the preliminary investigation warrants continued suspicion of scientific misconduct, the Council shall decide to investigate the case further. If, due to suspicion of crime or similar, there are specific reasons to bring in other bodies, the Council may decide to close the investigation. It should be emphasised that internal investigations conducted by the University's own body only pertain to the University's responsibility for the quality of the scientific activities at the University.

During the investigation, the Ethics Council may request a statement from the Expert group for misconduct in research at the Central Ethical Review Board (Centrala etikprövningsnämnden, CEPN). Such a statement must be obtained if the person reporting suspicion of scientific misconduct or the person reported requests it. However, such a statement need not be obtained if the Council considers it to be clearly unnecessary. The Ethics Council may appoint experts to provide statements on the case.

Material collected from within the University during this phase, as well as material collected during the preliminary investigation, may be considered as working material until further notice. Working material from the initial phase retains the status of working material until further notice since the case is not yet closed.

The further investigation should also be conducted expediently. The Council should aim to complete the investigation within six months from the date when the report was submitted to the President.

In accordance with the fundamental principles of Swedish administrative law, the person being investigated has the right to see all the material that has been collected before the final decision in the case, thereby ensuring that the decision is not based on anything unknown to him/her.

The Ethics Council concludes its investigation by submitting a proposal for a decision to the President. The President will make a decision within three weeks of the conclusion of the investigation. Under the general rules concerning public access to documents within an authority, the decision is a public document and neither can nor should be classified as secret. If the decision states that no scientific misconduct has been found, it is important that the decision be made known, considering the scientific reputation of the person accused. The decision must make clear the reasons on which it was based.

If scientific misconduct is found to have taken place, the decision should clearly specify the nature of the misconduct found in the scientific work.

Contract research can be classified as secret at the University, since revealing the precise content could damage the principal. If scientific misconduct should be found in contract research, it is, however, important that the decision in the case be drawn up so that its main content need not be classified as secret.

Information to the President before a decision is taken after further investigation

In cases where the level of suspicion after the preliminary investigation has warranted further investigation, the Ethics Council must thoroughly inform the President about what it considers the further investigation to have been able to prove.



Certain specific measures that may become relevant after a decision establishing the occurrence of scientific misconduct

In order to maintain high standards in research and confidence in research activities, it is essential that the results of the investigation be made public in those cases where the Council has determined that scientific misconduct did occur. The circumstances of each case must determine whether specific information should be sent to scientific journals in which the material concerned was published, and if there is a need for information being published in journals regarding the findings in the case. If the person found guilty of scientific misconduct has a scientific commission with an authority, the question of whether the authority should be informed must be considered.

It is also the task of the President to determine whether there are grounds for considering disciplinary or other measures, directed either at staff or students. Similarly, it is the responsibility of the President to bring the issue of possible dismissal before the Staff Disciplinary Board.

Special rules concerning research funded by USPHS

Cases concerning research funded by the United States Public Health Service, must also be processed in accordance with the rules stated in U.S. Federal Regulations 42 CFR, parts 50 and 93, insofar as they are applicable and do not contradict binding Swedish law. However, insofar as following these rules requires deviation from the internal process described above, the U.S. Federal Regulations will be given priority.