
Title:	Responding To Inquiries Related To Integrity Procedures
Type:	Academic
Policy #:	AC100-13
Responsibility:	Applied Research Centre
Approved by:	Board of Governors, December 2005
Revised:	
Review date:	

1. Policy

Refer to Policy Number AC100-13

2. Complaint Procedures¹

2.1 Introduction

These procedures have been designed to encourage informal discussions and interventions in order to resolve problems efficiently, without confrontation or unwarranted penalty, and to maintain privacy of information as much as possible. Centennial College will promote compliance with the Integrity in Research and Scholarships Policy (hereafter referred to as the Policy), and will ensure that impartial and informal advice on this Policy can be accessed easily. Centennial College will also ensure that violations of the Policy will be dealt with fairly and expeditiously. Therefore, College officials will act appropriately whenever a violation of the Policy occurs.

2.2 Procedures

2.2.1 Anyone who believes that there has been a breach of the Policy may seek informal assistance and may request a preliminary investigation from the Director of Applied Research at any time.

2.2.2 Such inquiries shall be kept confidential by the Director of Applied Research.

2.2.3 All faculty researchers, students, research assistants and staff have an obligation to report to the Director of Applied Research, any circumstances which they believe involve a breach of the Integrity In Research and Scholarships Policy of Centennial College.

2.2.4 The Director of Applied Research shall take such steps as may be reasonable to protect against retribution or coercion of Complainants, including students, staff and research assistants under the supervision of faculty members whose conduct is the subject of misconduct allegations.

2.2.5 A formal complaint must be made in writing before the Director of Applied Research takes any steps against the individual whose conduct is the subject matter of the complaint. Such a complaint may be formulated by any person

¹ This policy was adapted from Red River College, H2 - Integrity in Research and Scholarship, <http://www.rrc.mb.ca/files/File/policies/new/R2/Integrity%20in%20Research%20and%20Scholarships.pdf>

who has reviewed the relevant information. Anonymous allegations will not normally be considered; however if compelling evidence is received anonymously by the Director of Applied Research a preliminary investigation will be initiated.

- 2.2.6 Complaints shall contain sufficient details to enable the Respondent to understand the matter that is to be investigated. A complaint in writing shall identify the person or persons who made the allegations if the Director of Applied Research deems that such identification is necessary to evaluate the complaint. No such person shall be identified unless that person has expressly so agreed.
- 2.2.7 Upon receipt of a complaint, the Director of Applied Research shall, in a timely fashion, conduct an investigation into the allegation. Within five working days of receiving the complaint the Director of Applied Research will discuss with the faculty member whose conduct is in question, the nature of the complaint and the circumstances surrounding it.
- 2.2.8 In the event the Director, at his/her discretion, determines that the formal complaint is without foundation, then the Director of Applied Research may dismiss the complaint and immediately advise the Complainant accordingly providing written justification for the decision. The Complainant may challenge this decision by submitting an appeal to the President. Appeals must be in writing and a copy of the appeal letter should also be sent to the Director of Applied Research. Centennial College shall use a duly constituted Appeal Committee (appointed by the President consisting of at least five members none of whom is a member of the REB) to review the decision. Appeals may be granted when there is a significant disagreement over an interpretation of the Tri-Council Policy Statement. The decision of the Appeal Committee shall be binding.
- 2.2.9 If, in the opinion of the Director, a satisfactory resolution of a formal complaint is possible, the Director of Applied Research shall attempt such a resolution. The complaint will be considered resolved through an informal process when the Complainant and Respondent confirm that it has been resolved to their satisfaction (resolution, in this context, implies that the Complaint is withdrawn and the Complainant and Respondent unreservedly accept any additional resolution matters).
- 2.2.10 In the event the Director of Applied Research is unable to achieve a satisfactory resolution, or if the Director of Applied Research determines that an investigation is required, he/she will refer the complaint to a committee for investigation within 10 days of receipt of the complaint.
- 2.2.11 The Director of Applied Research, in consultation with the appropriate Vice President, will strike a committee of three independent persons with relevant experience in the area of research and scholarship involved in a particular case, to conduct an investigation. No member of the department/school involved shall be among the three persons appointed. Persons external to the College may be appointed if necessary. The committee will conduct interviews with the Complainant, Respondent and other individuals as they deem appropriate to discern the facts. All interviews will be documented. During any

meeting with the Respondent, the Respondent is entitled to be accompanied by an advocate of the Respondent's choosing. The Respondent has the right to know the allegations against him/her and has the right to answer the allegations both orally and in writing.

- 2.2.12 The committee will address the allegations made and determine if they have merit and in doing so will act fairly and conduct its proceedings in a manner consistent with the principles of natural justice.
- 2.2.13 The committee shall make its final decision within two calendar months from its appointment. The committee will provide the Complainant and the Respondent with a draft of their report. The report will include, but is not limited to, the allegations, a list of committee or panel members and justification for their selection, methods and materials used during the investigation, persons interviewed or those who provided any information in the matter under investigation, and where applicable a proposed plan to restore reputations and protect complainants who have acted in good faith. The Complainant and the Respondent may submit, in writing, comments to the committee within five working days. The committee will then report in writing to the Vice-President, who will provide a copy of the final report to the individuals named and to the Director of Applied Research within five working days. If the investigation was initiated at the request of one of the Agencies, the report will be provided to that Agency within 30 days of completion of the investigation. Also, if the investigation was initiated within the institution and misconduct was found to have occurred in research funded by one or more of the Agencies, the institution will provide the Agency with a copy of the report. The final decision of the committee will be binding on the institution.
- 2.2.14 In cases where the committee determines that misconduct or breach of the Integrity in Research and Scholarships Policy has occurred, such a determination could be cause for sanctions.
- 2.2.15 In the case of unfounded allegations, efforts will be made by the Institution to protect or restore the reputation of those unjustly accused and Complainants who have been found to have made allegation of misconduct which are unfounded, reckless, malicious or in bad faith shall be subject to sanctions.
- 2.2.16 Sanctions will depend on the severity of the offence, which may include for faculty and staff, (all of which will comply with the relevant provisions of the appropriate Collective Agreement or employment contract), but are not limited to:
- a) verbal warning,
 - b) special monitoring of future work,
 - c) letter of reprimand to the individual's permanent personnel file,
 - d) withdrawal of specific privileges,
 - e) removal of specific responsibilities,
 - f) suspension or steps to terminate the appointment.

In the case of students, sanctions may include verbal warning, special monitoring of work, letter of reprimand in the student's official file, suspension, or expulsion.

2.2.17 If sanctions are to be taken, the sanctions will be imposed by the appropriate Vice-President.

2.2.18 A person subject to disciplinary action, who believes that the decision was reached improperly or if he or she disagrees with that decision or with the sanctions, may file an appeal or grievance as appropriate in accordance with the relevant collective agreement or employment contract or in the case of students with the Student Code of Conduct – Hearings and Appeals.

2.2.19 Reports and records will be kept by the Director of Applied Research for a period of 10 years, and access to such records will be by application to the Director. Access to reports and records are subject to the Freedom of Information and Protection of Privacy Act.

2.2.20 Where misconduct is found to have occurred, the Director of Applied Research will be responsible for the protection of agency funding by informing the Controller's Office to withhold any payments or disbursements of Agency funds, if such action is deemed appropriate.

3. Review and Revision

Experience with procedures and policies may indicate the need for revision and refinement. Therefore, administrative procedures should be established to facilitate review and revision. Annually, the Director of Applied Research, or another authority appointed by the Board of Governors to oversee Integrity in Research and Scholarship, will report to Board of Governors on the following:

- 3.1 number of queries/disputes/allegations handled at both informal and formal levels;
- 3.2 the nature and number of cases in which there has been a finding of misconduct;
- 3.3 type of sanctions employed;
- 3.4 the educational activities carried out to promote integrity in research and scholarship;
- 3.5 number of attendees at educational activities;
- 3.6 nature and number of requests for information regarding integrity issues from within and outside the College;
- 3.7 whether assessors or negotiators are external or internal to the College.

This information will help the College to evaluate and revise the Policy and enhance integrity in research and scholarship activities.

4. Cross References to Other Existing Policies or Regulations

- Integrity in Research and Scholarships
- Research Ethics Policy
- Policy on Research Ethics Involving Humans
- Policy on Research Involving Animals, Biohazard Agents, or Radioactive Materials
- Confidentiality Agreement
- Intellectual Property Ownership and Authorship Policy

5. Revisions

October, 2007

Appendix: Guidelines on Conflict Of Interest

A potential conflict of interest situation arises when an employee or student of Centennial College is in a position to use research, knowledge, authority, or influence to which they have access as a function of their relationship with the College, for personal gain or benefit (financial or otherwise). It is also a conflict of interest when a family member of an employee or student of the College is in a position to obtain personal gain or benefits.

The credibility of research and scholarship can be undermined by even the appearance of conflict of interest. Centennial College requires that employees and students acknowledge and disclose potential or real conflicts of interest in which they find themselves.

Research granting councils, publishers, and other interested parties must also be informed by employees or students when a conflict of interest might affect or might be perceived to affect the impartiality of a reviewing process.

Procedures

Researchers must reveal potential or real conflicts of interest to their immediate supervisors, and also to co-researchers and to sponsors, as soon as they become aware of these conflicts, and discuss with these people ways in which the conflicts may be managed. Supervisors must consider whether a conflict of interest can be managed or whether it must be disallowed. They must also follow up on their assessment, and periodically update their knowledge of the conflict situation.

Examples of conflict situations

Favouring of outside interests for personal gain

- Entering into research contracts with companies employing a faculty member or a member of that faculty member's immediate family.
- Directing research toward developments of potential benefit to private firms in which the researcher has an interest.
- Influencing the purchase of equipment or materials from a company in which the person has a personal interest.

Inappropriate use of College personnel, resources, assets, or good name:

- Faculty/Staff requiring students supervised by them to undertake work of personal benefit to them or a company in which they have an interest.
- Unauthorized and unreimbursed use of College property or resources for the benefit of themselves or a company in which they have an interest.
- Participating in the review or hiring process when the College employee has a marital, familial or intimate relationship with the person being hired.
- Utilizing the name of the College when presenting ideas, implying that the ideas represent the College's position, or identifying publicly with the College when carrying out private, non-College business.

Inappropriate use of information:

- Use of privileged information acquired as a result of College-supported activities for private gain (for instance, in obtaining a contract for a company in which one has a financial interest).
- Unreasonable delay of publication of research results or premature announcement of research results for personal gain.

Other Potential Conflicts

- Conflict between the goals of research funded by two different sources.
- Conflict between Codes of Ethics for research and those for practice within a particular profession.

References

1. Policy on Integrity in Research and Scholarship, Laurentian University
http://www.laurentian.ca/GRAD_STUDY/RESEARCH/policye.html
2. Algonquin College Directive, Integrity in Research and Scholarship, H2.
3. Red River College, H2 - Integrity in Research and Scholarship
<http://www.rrc.mb.ca/files/File/policies/new/R2/Integrity%20in%20Research%20and%20Scholarships.pdf>