

## THE UNIVERSITY OF AUCKLAND CODE OF CONDUCT FOR RESEARCH

### 1. **PURPOSE**

This code of conduct seeks to ensure that researchers at the University of Auckland maintain the highest standards of professional conduct when undertaking and supervising research by outlining the guiding principles and responsibilities along with relevant examples. Breaches of the code may constitute "Misconduct in Research". The Education Act 1989 protects the academic freedom of academic staff and students to undertake research, but this academic freedom is predicated on the need to maintain the highest ethical standards; the need to permit public scrutiny to ensure maintenance of those standards; and the need for accountability and the proper use of resources.

All researchers at the University of Auckland are expected to adhere to this Code.

### 2. **DEFINITIONS**

For the purposes of this code, the definition of "**Research**" is that used for New Zealand's Performance-Based Research Fund, which is currently:

"original investigation undertaken in order to contribute to knowledge and understanding and, in the case of some disciplines, cultural innovation or aesthetic refinement. It typically involves enquiry of an experimental or critical nature driven by hypotheses or intellectual positions capable of rigorous assessment by experts in a given discipline. It is an independent\*, creative, cumulative and often long-term activity conducted by people with specialist knowledge about the theories, methods and information concerning their field of enquiry. Its findings must be open to scrutiny and formal evaluation by others in the field, and this may be achieved through publication or public presentation. In some disciplines, the investigation and its results may be embodied in the form of artistic works, designs or performances. Research includes contribution to the intellectual infrastructure of subjects and disciplines (eg. dictionaries and scholarly editions). It also includes the experimental development of design or construction solutions, as well as investigation that leads to new or substantially improved materials, devices, products or processes.

\* The term 'independent' here should not be construed to exclude collaborative work."<sup>1</sup>

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<sup>1</sup> Tertiary Education Commission (2011), Performance-Based Research Fund Quality Evaluation Guidelines 2012.

**“Researcher”** means:

any member of The University, including:

- anyone employed under a University of Auckland or Auckland UniServices Limited employment agreement or as an independent contractor, and
- anyone subject to the University of Auckland Policy on Honorary and Adjunct Appointments, and
- anyone holding a University title such as Emeritus Professor, and
- any student enrolled at the University of Auckland, and
- anyone else

who is undertaking, piloting or supporting research in association or affiliation with the University of Auckland.

### **3. PRINCIPLES**

The University of Auckland mandates the following principles in respect of research undertaken at the University:

- Honesty and integrity in all aspects of research
- Accountability in the conduct of research
- Professional courtesy and fairness in working with others
- Good stewardship of research on behalf of others.

### **4. OVERVIEW OF RESPONSIBILITIES**

- 4.1. Integrity: Researchers should take responsibility for the integrity of their research.
- 4.2. Adherence to Regulations: Researchers should be aware of and adhere to the University’s policies and guidelines related to research, available from the University Policy Register.
- 4.3. Research Methods: Researchers should employ appropriate research methods, base conclusions on critical analysis of the evidence, and report findings and interpretations fully and objectively.
- 4.4. Research Records: Researchers should keep clear, accurate records of all research in ways that will allow verification and replication of their work by others and will evidence and support claims to and protection of intellectual property.
- 4.5. Research Findings: Researchers should share data and findings openly and as promptly as possible, as soon as they have had an opportunity to establish priority and ownership claims and subject to any intellectual property requirements and contractual obligations.
- 4.6. Authorship and Acknowledgement: Researchers should take responsibility for their contributions to all publications, funding applications, reports and other representations of their research. Lists of authors should include all those and only those who meet applicable authorship criteria. Researchers should acknowledge in publications the names and roles of those who made significant

contributions to the research but who do not meet authorship criteria, including writers, funders, sponsors and others.

- 4.7. Peer Review: Researchers should participate in the peer review process, both by submitting their work for peer review and reviewing the work of others. Researchers should provide fair, prompt and rigorous evaluations and respect confidentiality when reviewing others' work.
- 4.8. Conflict of Interest: Researchers should disclose financial and other conflicts of interest that could compromise the trustworthiness of their work in research proposals, publications and public communications as well as in all review activities.
- 4.9. Supervision of Research Trainees: Researchers should responsibly guide the professional development of any research trainees they are supervising, including providing guidance on all matters related to research conduct and providing training on discipline-based research methods and other necessary skills.
- 4.10. Collaboration: When collaborating with staff and students of other institutions, researchers should specifically consider and agree on any issues raised by the collaboration, such as sharing intellectual property, managing research findings, managing research data, and managing conflicts of interest.
- 4.11. Reporting Irresponsible Research Practices: Researchers should report any suspected Misconduct in Research (as defined by the University's Research Misconduct Policy) to the appropriate authorities.
- 4.12. Societal Considerations: Researchers should recognise that they have an ethical obligation to weigh societal benefits against risks inherent in their work. Researchers should ensure that their research is conducted in accordance with the principles of Te Tiriti o Waitangi.
- 4.13 Standards of behaviour: Researchers should be respectful of others and not harass, bully or otherwise behave inappropriately.

## **5. DETAILED RESPONSIBILITIES**

### **5.1. Integrity**

Researchers should act with honesty and integrity during the course of their work. The Education Act 1989 requires researchers to maintain the highest ethical standards when carrying out their research and permit public scrutiny to ensure the maintenance of those standards. Researchers should:

- Endeavour to obtain and present facts and interpretations in an objective and open manner.
- Strive to be fair and unbiased in all aspects of their research and in their application of their knowledge.
- Honestly represent their research goals and intentions to any potential participants in the research process.
- Fairly and fully represent their results without falsification.

- Not commit plagiarism, nor condone acts of plagiarism by others.
- Comply with all legal requirements.

Researchers must ensure that they cite other relevant work appropriately and accurately and ensure the work of others is properly acknowledged. Use of the work of others without acknowledgement is considered plagiarism and is completely unacceptable. Researchers have an obligation to acknowledge any financial or other support they received for their research.

## **5.2. Adherence to Regulations**

Researchers should be aware of and adhere to the University's policies and guidelines related to research. These are available on the University Policy Register.

Researchers must always ensure that the involvement of people as participants in any proposed research is fully justified. The interests, safety, well-being and dignity of participants must be of paramount concern to researchers at all times. Researchers must comply with the University of Auckland Human Participants Ethics Committee Policy and all legal and other requirements for informed consent, privacy and confidentiality.

Researchers must minimise the use of animals in research, and respect and promote the welfare of any animals that are used in research. Researchers must adhere to the University of Auckland's Code of Ethical Conduct for the use of Animals for Teaching and Research, which is available from the staff intranet.

Researchers should conduct their research so as to minimise adverse effects on the environment. When working with high risk micro-organisms or genetically modified organisms, researchers must in addition to all New Zealand legislation, comply with the University of Auckland's HSNO Approval of Genetically Modified Organisms Policy, HSNO Approval of Higher Risk Genetically Modified Organisms Policy, and UABSC Approval of Work Involving Higher Risk Micro-Organisms Policy.

Researchers sharing biological or chemical materials with collaborators at other institutions or any third party Researchers must follow the University's instructions and policies for material transfer using the relevant Material Transfer Agreement or Conditions of Supply Form.

## **5.3. Research Methods**

Researchers should ensure they use appropriate or mandated research methods, and base conclusions on critical analysis of the evidence. Research methods should be open to scrutiny by the academic community through appropriate peer-reviewed publication.

## **5.4. Research Records**

### *Retention of Data and Records*

Researchers should keep records of all research in ways that will allow verification and replication of their work by others and to provide evidence of the timing of the creation of inventions or copyright works that may give rise to intellectual property rights. This includes keeping clear, accessible and accurate records of the research methods, data sources (including original samples or materials where relevant) and software

development, including any approvals granted, during and after the research process. Researchers must also ensure that primary research records, such as laboratory notebooks, are maintained and that they are kept in safe and secure storage even when not in current use. Best practice for keeping laboratory notebooks is set out in UniServices' Laboratory Notebook Guidelines.

Original research data should preferably be kept indefinitely. At an absolute minimum, research data should be kept for at least six years, but where research data form the basis of a patent, they should be kept for a minimum of 21 years from the date the patent application was filed. In cases where an ethics committee approval requires data to be kept for a specified minimum period, this must be adhered to. It is important to keep data which have resulted in publication for sufficient time to allow reference to the data by other researchers and interested parties. For published research data, this may be for as long as interest and discussion persist following publication.

Data should be stored in a safe and secure location and manner. This applies to electronic storage location as well as hard copy location. Each Faculty is responsible for maintaining an appropriate process for the storage of research data, which is, as a minimum, consistent with this Code and complies with ethics approvals and contracts in any particular work of research. Individual researchers should be entitled to hold copies of the data.

If data or pieces of information of a confidential nature are to be disposed of or destroyed, this must be done securely.

#### *Ownership of data*

All data collected by staff in the course of their employment or using University resources remain the property of the University of Auckland, except where a specific research contract specifies otherwise. Where intellectual property other than an excluded copyright work is created in the course of a staff member's employment or using University resources, the University's Intellectual Property Created by Staff and Students Policy applies. Under this policy, if staff create intellectual property which in their view offers possibilities for commercial exploitation, they are required to promptly make that fact known to UniServices.

#### *Confidential and Private Data*

If data of a confidential nature are obtained, confidentiality must be observed and researchers must not use the confidential data for their own personal advantage or that of a third party. This is particularly important when working with human participants, and when undertaking work for a client who requires information to be kept confidential.

Data relating to human participants must be retained in a manner that maintains the privacy and confidentiality promised in the informed consent document. The issues and risks of retention of data in "the Cloud" must be specifically considered and addressed. Data relating to individuals must be kept in secure storage, whether physical or electronic, which complies with the above requirements.

The Privacy Act 1993 regulates the collection, holding, retention, use and disclosure of information about identifiable individuals. Most, and in some cases all, of the twelve Privacy Principles in Section Six of the Act will have direct application to personal information obtained for the purpose of research. All researchers who collect personal information about individuals should be familiar with Privacy Principles and ensure that they are faithfully observed in the conduct of research, the collection and retention of data, and the publication of its results.

### **5.5. Research Findings**

Researchers should communicate the results of their research responsibly. They should endeavour to make the results of research available to the public as widely as possible and researchers should present their results in an honest, straightforward and unbiased manner. Researchers also have an obligation to report negative results, and findings that are contrary to their hypotheses.

Researchers should do all that they can to ensure the earliest possible publication of the results of publicly-funded research. In situations where research findings are likely to result in valuable intellectual property and commercialisation opportunities, researchers should delay publication until these opportunities have been explored. In these instances researchers should first seek guidance from UniServices.

### **5.6. Authorship and Acknowledgement**

Researchers should adhere to the University's Authorship Guidelines. These guidelines include criteria for establishing whether an individual should be given authorship credit, and state that all contributors who do not meet the criteria for authorship should be listed in an acknowledgements section. These guidelines also encourage researchers to agree on authorship of outputs that result from collaborative research prior to undertaking the research.

### **5.7. Peer Review**

Researchers are encouraged to participate in the peer review process, both by submitting their work for peer review and by reviewing the work of others, as this process plays a very important role in research and research management. It is important that researchers who are peer reviewing the work of others act in confidence, declare all conflicts of interest, and act in an impartial manner. Researchers must not take undue or calculated advantage of knowledge obtained during the peer review process. Researchers whose work is being peer reviewed must not seek to influence the results of the review.

### **5.8. Conflict of Interest**

Researchers frequently have unavoidable conflicts of interest. 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 discussion. An individual researcher should therefore expect to be conflicted from time to time, and be ready to acknowledge the conflict, make disclosures as appropriate and cooperate fully and frankly in the management of any such conflict.

In the event of a conflict of interest, the researcher is required to disclose the conflict as early as possible, and then manage the conflict of interest (including withdrawing from decisions or exercise of discretion unless the committee or senior staff member to whom the conflict is disclosed declares otherwise), in accordance with the University's Policy on Conflict of Interest.

### **5.9. Supervision of Research Trainees**

Supervisors of research trainees should guide the professional development of the trainees, including providing guidance on all matters related to research conduct and providing training on discipline-based research methods and any other necessary skills. Supervisors should oversee all stages of the research process including setting the objectives and approach, obtaining ethics and other approvals, obtaining funding, conducting the research and reporting the findings. Supervisors should ensure that the methods used and the research outcomes are accurate, appropriate and valid, and that trainees receive appropriate credit for their work.

Note that the University's Senate Guidelines on Thesis Supervision also include a number of statements about the responsibilities of supervisors of thesis students and that these should be followed in relation to thesis students.

### **5.10. Collaboration across Institutions**

Research often involves collaboration across two or more institutions. Where researchers collaborate with staff and students of other institutions, they should specifically consider topics such as:

- Managing research findings
- Storage, retention, ownership, stewardship and disposal of research materials and research data
- Responsibility for ethics and biological safety
- Reporting to funding agencies.

Researchers should work with Auckland UniServices Ltd to reach agreement regarding:

- Sharing and ownership of intellectual property
- Commercialisation of the research outcomes
- Confidentiality.

Agreements should preferably be made in writing, especially in the case of complex, large or long-term collaborations.

Conflicts of interest and, in some cases, competition law issues may arise when collaborative research is undertaken. Therefore, researchers should consider whether they have any conflicts of interest when establishing a research project, and disclose any apparent or actual conflicts of interest as soon as possible. Researchers should seek advice if the collaboration might be such as to raise any issue of collusive or anti-competitive behaviour.

### **5.11. Societal Considerations**

Under the Education Act 1989, academic staff and students are given academic freedom, which includes the freedom to question and test received wisdom, to put forward new ideas, to state controversial or unpopular opinions, and to undertake research. This academic freedom is predicated on the need to maintain the highest ethical standards, the need to permit public scrutiny to ensure maintenance of those standards, and the need for accountability and the proper use of resources.

Researchers should recognise that they have an ethical obligation to weigh societal benefits against risks inherent in their work. In New Zealand, societal considerations also include respect for the principles of Te Tiriti o Waitangi, which the University is bound to acknowledge. Therefore, researchers are required to ensure all research is conducted acknowledging the principles of Te Tiriti o Waitangi.

### **6. AUDIENCE**

All members of The University of Auckland.

### **7. RELATED PROCEDURES/DOCUMENTS**

Staff Research Misconduct Policy  
Student Academic Conduct Statute  
Conflict of Interest Policy  
Intellectual Property created by Staff and Students Policy  
Senate Guidelines on Thesis Supervision  
Authorship Guidelines  
University of Auckland Human Participants Ethics Committee Policy  
University of Auckland's Code of Ethical Conduct for the use of Animals for Teaching and Research  
HSNO Approval of Genetically Modified Organisms Policy  
HSNO Approval of Higher Risk Genetically Modified Organisms Policy  
UABSC Approval of Work Involving Higher Risk Micro-Organisms Policy  
UniServices Laboratory Notebook Guidelines  
Material Transfer Agreement  
Conditions of Supply Form

### **8. DOCUMENT MANAGEMENT AND CONTROL**

Prepared by: The Office of the Vice-Chancellor  
Owned by: Deputy Vice-Chancellor (Research)  
Approved by:  
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