

Vice-Chancellor

Administrator:

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Guidelines for managing issues of scientific misconduct

General information

The Higher Education Act states that scientific credibility and good research practice must be safeguarded in higher education institutions.¹ Compliance with good research practice is essential to maintain high quality in education programmes, as well as keeping public confidence in research. Requirements for high quality in scientific activities are also stated in the Higher Education Act.²

As soon as there is any suspicion of scientific misconduct in research, this must be reported and investigated promptly. The Higher Education Ordinance makes clear the university's obligation to investigate suspected scientific misconduct.³

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

Responsible body

Scientific misconduct shall be investigated by the Ethical Council at Stockholm University, which is an independent body under the vice chancellor.

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

¹ Higher Education Act (1992:1434) Chapter 1 Section 3 a

² Higher Education Act, Chapter 1 Section 4

³ Higher Education Ordinance (1993:100) Chapter 1 Section 16

Should a report of suspected scientific misconduct be made to another member of staff, it must be promptly forwarded to the vice chancellor.

The vice chancellor will submit the report to the Ethical Council for investigation.

Preliminary investigation and issues of public access and secrecy in this context

Following a report of scientific misconduct, the process should start with a preliminary investigation. The aim is to provide the basis for determining whether there is a strong enough suspicion to warrant continued investigation. If there is any uncertainty, the case must always be investigated further. This part of the investigation should be undertaken expediently, and should not take longer than six weeks. The chairperson will normally decide whether a case is to be sent to the person accused for their statement.

The contents of the report and information from other parties questioned on the matter must be properly documented, partly as a basis for the position taken and partly for information to the accused person.

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 in the sense 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. The point of departure for the Freedom of the Press Act is that public documents are free to access.

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

If the preliminary study does not justify continued suspicion that scientific misconduct has taken place, the Ethical Council shall decide to propose that the vice chancellor take a decision to state this. The matter is thus 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 accused person's name.

After the decision has been taken and there is no longer any suspicion of scientific misconduct, the case is archived. In doing so, it should be ensured that material is kept in the file which is relevant to the case and that enables later checks to be made. Archived materials are public documents and may only be classified as secret with the direct support of the Public Access to Information and Secrecy Act.

Continued process if the preliminary investigation substantiates a suspicion of scientific misconduct

Should the Ethical Council find reason to suspect scientific misconduct after the preliminary investigation, the Council shall decide to further pursue the investigation. If there are specific reasons to bring in other bodies, due to suspicion of crime or similar, the Council may decide to close the investigation. It should be underlined here that the internal investigation by the University's own body only takes place in consideration of the University's responsibility for the quality of the scientific activities at the University.

During the investigation, the Ethical Council may request the opinion of a group of experts on misconduct in research from the Central Ethical Review Board (Centrala etikprövningsnämnden, CEPN). This opinion must be obtained if the person reporting suspicion of scientific misconduct or the person accused requests it. However, such an opinion need not be obtained if the Council considers it to be clearly unnecessary. The Ethical Council may appoint experts to provide opinions 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 remain as working material until further notice since the case is not yet closed.

Further investigation should be undertaken as a matter of urgency. As a general guideline, it should be completed within six months from the date of the report being received by the vice chancellor.

Under the fundamental principles of Swedish administration law, before any decision is made the person being investigated has the right to see all the material that has been collected so that the decision is not based on anything unknown to them.

The investigation is concluded by the Ethical Council submitting a proposal for a decision to the vice chancellor. The vice chancellor will make a decision within three weeks of the completion of the investigation. Under the general rules on 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 for the scientific reputation of the person accused that the decision be made known. The decision must state the reasons on which it was based.

If scientific misconduct is found to have taken place, the decision should clearly specify what kind of misconduct the investigation has confirmed in the scientific work.

If scientific misconduct should be confirmed in contract research, the precise content of which could damage the principal if revealed and whose content could therefore be covered by

secrecy at the University, it is important that the decision concerning misconduct be drawn up so that its main content need not be kept secret.

Information to the vice chancellor before a decision is taken after a continued investigation

In cases where the level of suspicion was sufficient to continue the investigation after the preparatory phase, the Ethical Council must thoroughly inform the vice chancellor of what the investigation was able to prove, as understood by the Council.

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

In the interests of maintaining high standards in research and confidence in research activities, it is important that the results of the investigation be made public in those cases where the Council has determined that scientific misconduct took place. It must be judged according to the circumstances 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 vice chancellor to determine whether there are grounds for considering disciplinary or other measures, directed either at the staff or students. Similarly, it is the responsibility of the vice chancellor to take up the issue with the Staff Disciplinary Board of whether anyone should be dismissed.

This decision shall apply from 28/05/2015 and replaces the previous decision by the vice chancellor on 04/12/2014.

Disclaimer: In case of a discrepancy between the Swedish and the English version of the decision, the Swedish version will prevail.