



ROSE BRUFORD COLLEGE OF THEATRE AND PERFORMANCE
PROCEDURE FOR THE INVESTIGATION AND RESOLUTION OF CONCERNS
RELATING TO THE CONDUCT OF RESEARCH

1. Introduction

1.1 Rose Bruford College of Theatre and Performance is committed to maintaining the highest standards of integrity and probity in the conduct of research, in accordance with the principles of the Concordat to Support Research Integrity (2025) (herein, the Concordat), which are honesty, rigour, transparency and open communication, care and respect, and accountability. To that end, the College has developed a framework setting out its expectations and requirements for staff and students regarding good practice in research, to ensure that research conducted at the College is of the highest standards of integrity and probity. It is the responsibility of researchers to be aware of their commitments and the expectations placed on them. This framework can be found in the College virtual learning environment (VLE).

1.2 The College takes seriously any concerns raised about the conduct of research and has put in place this procedure to deal with any concerns in line with the principles of the Concordat to Support Research Integrity and guidance issued by the UK Research Integrity Office. The College takes seriously any concerns raised about the conduct of research and has put in place this procedure to deal with any concerns in line with the principles of the Concordat to Support Research Integrity and guidance issued by the UK Research Integrity Office (UKRIO). The purpose of this procedure is to investigate any concerns raised, recognising that there may be various underlying causes, including questionable research practices, or that the initiator of the matter is mistaken to deliberate misconduct in research. Any investigations undertaken will focus on integrity and/or ethical issues within the research itself. In line with the Concordat, reasonable steps will be taken to protect all parties from undue pressure, victimisation or unwarranted negative consequences. These procedures outline the action to be taken when concerns are raised about research undertaken under the auspices of the College, as set out in Section 2 below.

1.3 The Procedure is intended to fulfil requirements that funders and other organisations placed on institutions to have robust procedures for the investigation of matters raised, and reflect our commitment to upholding research integrity at all stages of research.

1.4 Where concerns relating to the conduct of research are raised under the College's Policy on information disclosure (whistleblowing), the matter will be referred under this procedure at Stage 2.

1.5 All staff and students have a responsibility to report, in confidence, any concerns they have relating to the conduct of research at the College, whether this has been witnessed or for which there are reasonable grounds for suspicion. This also includes self-reporting where a person considers that they might have fallen below required standards. Not reporting such matters can harm the integrity of research resulting in wide ranging and damaging consequences. It is therefore very important to report concerns either in one's own or another person's research in a timely way so that it can be investigated. Your concern will be reviewed and taken seriously but will not automatically progress. The College aims to seek productive changes to research practice in line with promoting a positive research culture. 2. **Scope**

2.1 This Procedure sets out special provisions for the investigation of concerns relating to the conduct of research. It recognises the complex circumstances in which such investigations are likely to be conducted and seeks to discharge the College's obligations in a fair and sensitive manner.

2.2 The Procedure covers any person engaged in research under the auspices of the College, either solely or in conjunction with others in the College or in other organisations (commercial or educational) or in conjunction with one or more agencies. It includes but is not limited to academic staff of the College. For the purposes of this Procedure research is defined as 'a process of investigation leading to new insights'.

2.3 This Procedure applies to all individuals (whether employed or otherwise engaged in research on a full- or part-time basis) carrying out research for the College, including all College employees or former employees, irrespective of whether their current place of work is within or outside College premises, and all visiting researchers of the College, irrespective of whether they are employed by the College, including those with honorary positions, conducting research within or on behalf of or in association with the College. After investigation into concerns raised about the conduct of any individual who is not an employee or former employee of the College, the Deputy Principal will determine the nature of any further action to be taken in relation to the activity.

2.4 This Procedure applies to research carried out by students studying for a research degree at the College under validation arrangements.

2.6 The Procedure does **not** apply to students registered for undergraduate or postgraduate taught degrees. Any matters raised will be considered under academic misconduct arrangements.

2.5 This is an investigatory procedure and is **not** part of the College's disciplinary processes. The reported outcome of either the initial investigation or the report of the full investigation will be used in determining any further action (if any) by the College, including potentially invoking the relevant Disciplinary Procedure at any stage. The report(s) may be used in evidence at any formal Disciplinary Hearing and may be released in reporting the matter to any appropriate external body.

3. Definitions

3.1 The following definitions apply throughout this procedure:

Initiator: The person raising the concern. This need not be a member of the College.

Named Person: This is the person nominated by the University to:

- receive any concerns raised
- initiate and supervise the Procedure for investigating concerns raised, ensuring the integrity of the proceedings
- maintain a record and preserve documentation relating to an investigation
- report on the outcome of investigations to relevant parties
- take decisions at key stages of the Procedure
- seek legal or other external advice at any stage or on any aspect of the proceedings, as appropriate
- delegate to another senior officer part or all of their responsibilities as the Named Person, as appropriate

Respondent: The person(s) responsible for the research about which the concerns are raised is described as the Respondent.

Initial investigation: This is the first stage investigation for matters raised under the Procedure where the Named Person has determined it falls within the scope of this Procedure. Its role includes clarification of the concerns raised, determination of whether they are made in good faith, and whether matters need to proceed to a full investigation.

Full investigation: The full investigation takes place when an initial investigation has determined there is a case to answer. Its role is to determine whether there is substance to the concerns raised and their level of seriousness.

Research Misconduct

3.2 As set out in the Concordat to Support Research Integrity, 'Misconduct' in research is taken to include (but is not limited to):

* **Fabrication:** making up results, other outputs (for example, artefacts) or aspects of research, including documentation and participant consent, and presenting and/or recording them as if they were real;

* **Falsification:** inappropriately manipulating and/or selecting research processes, materials, equipment, data, imagery and/or consents;

* **Plagiarism:** using other people's ideas, intellectual property or work (written or otherwise) without acknowledgement or permission;

* **Failure to meet:** legal, ethical and professional obligations, for example:

- not observing legal, ethical, and other requirements for human research participants, animal subjects, or human organs or tissue used in research, or for the protection of the environment;
- breach of duty of care for humans involved in research whether deliberately, recklessly, or by gross negligence, including failure to obtain appropriate informed consent;
- misuse of personal data, including inappropriate disclosures of the identity of research participants and other breaches of confidentiality;
- improper conduct in peer review of research proposals (both internal to the College and external), results, or manuscripts submitted for publication. This includes: failure to

disclose conflicts of interest; inadequate disclosure of clearly limited competence; misappropriation of the content of material; and breach of confidentiality or abuse of material provided in confidence for the purposes of peer review

***Misrepresentation of:**

- data, including suppression of relevant results/data or knowingly, recklessly, or by gross negligence presenting a flawed interpretation of data
- involvement, including inappropriate claims to authorship or attribution of work and denial of authorship/attribution to persons who have made an appropriate contribution
- interests, including failure to declare competing interests of researchers or funders of a study
- qualifications, experience, and/or credentials
- publication history, through undisclosed duplication of publication, including undisclosed duplicate submission of manuscripts for publication

***Improper dealing with allegations of misconduct:** failing to address possible infringements, such as attempts to cover up misconduct and reprisals against whistle-blowers, or failing to adhere appropriately to agreed procedures in the investigation of alleged research misconduct accepted as a condition of funding. Improper dealing with allegations of misconduct includes the inappropriate censoring of parties through the use of legal instruments, such as non-disclosure agreements.

For a finding of research misconduct, activity needs to be determined to be deliberate or reckless.

Honest errors and differences in, for example, research methodology or interpretations, do not constitute research misconduct.

Questionable research practices (QRPs): QRPs refer to minor infractions or research practices, including avoidable errors, which fall short of the definition of intentional research misconduct. They may arise due to a lack of knowledge or attention to detail, negligence, or deliberate action, and may occur where there is no evident intention to deceive

4. Named Person

4.1 The Head of Research and Postgraduate Provision is the designated Named Person for the Procedure and has overall responsibility under the Concordat to support Research Integrity for research integrity at the College. They are responsible for ensuring the integrity of any proceedings under this Procedure. They determine the procedure to be followed in cases of doubt. They may, however, depute to another senior officer some or all the responsibilities ascribed to the Named Person in this Procedure. The Named Person may at any stage seek specialist (including legal) advice on any aspect of the proceedings.

4.2 The Named Person may seek independent advice to assist with the decision as to the course of action to be followed in any case. This includes, where appropriate and in conjunction with colleagues in Human Resources, the decision to recommend that one or more of the individuals involved be given special paid leave pending investigation of the concerns raised. This advice may be sought from senior officers, senior members of the academic staff, and

other members of the College, and may include advice from persons external to the College, where judged necessary by the Named Person.

4.3 The Research Manager is the designated first point of contact under the concordat for research integrity matters. They work with and advise the Named Person in carrying out any investigations under this procedure.

4.4 The Named Person will ensure that appropriate support and information on the process and its operation is provided in an impartial way to the initiator and respondent to ensure that they are fully supported and their wellbeing considered.

4.5 The Named Person has the power at any stage of the process, either on their own initiative or in response to a request from members of an initial investigation or a full investigation panel, to secure or request the surrender of any files, papers, notebooks or records (whether in electronic or hard copy format) or any laptop or equipment which may contain evidence which is essential to the proper functioning of the Procedure. The Named Person will only take such actions in situations where there is a clear risk to individuals, animals or the environment, or that evidence might be destroyed, and only after careful consideration of those risks and consequences. The reason(s) for taking any such action will be recorded in writing and communicated to all relevant parties. The Named Person will be responsible for the safe-keeping (and where appropriate the return) of such records or equipment for the duration of the procedure and will make them available on agreed terms to those involved in the procedure, whether members of initial or full panels, the initiator or respondent or their respective representatives.

4.5 Individuals tasked with initial (or any) investigations are under an obligation to ensure that their enquiries are sufficiently full as to allow them to reach well-founded conclusions on the matters they are considering, and that they pursue their enquiries fairly. They are also under an obligation to inform the Named Person at the outset of any conflict of interest that they might have in the case which might disqualify them from acting.

4.6 The Named Person will nominate an alternate to carry out their duties in cases where they are unable to act, for example through absence or conflict of interest. For example, if the Named Person is the initiator or respondent in a matter, the Deputy Principal will act as Named Person. If both are involved or conflicted, the Principal will determine the way forward.

5. General Principles

5.1 The investigation of concerns relating to the conduct of research must be conducted in accordance with the highest standards of integrity, accuracy, fairness and proportionality. Those responsible for carrying out investigations should always act with integrity and sensitivity. The principles of fairness, confidentiality, integrity, prevention of detriment, and balance must inform the carrying out of this Procedure. The Named Person and any individual tasked with an activity under this Procedure should bear this in mind at all times.

5.2 The matter will be treated in a confidential manner by those involved. The Named Person, Research Manager and those responsible for initial or full investigation into any concern will take all reasonable measures to ensure that neither the identity of the initiator nor the identity of the respondent is made known to any third party except:

a) as may be necessary for the purpose of carrying out a full and fair investigation; or

b) in any action following the initial investigation, eg where the matter is referred under disciplinary procedures or following a full investigation; or

c) in any action taken against an individual who is found to have made a malicious or mischievous allegation.

5.3 Similarly, the initiator, the respondent, any witness or other parties to a case should not make any statements about the case - whether orally or in writing - to any third party while the matter in question is being investigated. The Named Person may take such action where their determines that it is reasonably necessary particularly if disclosure is required by law or is otherwise in the public interest, by express contractual requirement, or where the matter is already in the public domain.

5.4 Any necessary disclosure to a third party of the identity of the initiator or the respondent will, wherever possible, be accompanied by a request that they undertake to keep confidential the information so disclosed.

5.5 It must be recognised however that in any investigation and for the resolution of the matter, more people than those immediately involved may be affected.

5.6 Every effort will be made to ensure that an individual raising a concern is not victimised for having raised the concern. However, action may be taken against anyone who is found to have made a vexatious allegation.

5.7 Every reasonable and proportionate effort will be made to ensure that the respondent does not suffer any loss of reputation or other loss pending resolution of the matter.

5.8 The respondent may be accompanied or represented at any meeting convened under this Procedure by a colleague, friend or recognised union or professional association representative and will be informed of that right in any correspondence with them. Legal representation may be permitted only at the discretion of the Named Person.

5.9 Written records will be made of all formal meetings convened under the Procedure. These will be kept for at least six years after the investigation is completed.

5.10 All correspondence concerning proceedings under these regulations will be sent to the respondent via their College email address or to any personal email address notified by the respondent to the College. None of the proceedings outlined in these regulations will be invalidated or postponed by reason of the lack of response or non-attendance of the respondent, provided that reasonable notice for response or attendance is given.

6. Reporting an allegation

6.1 As indicated above, anyone may raise a concern relating to the conduct of research; it is not limited to members of the College. The individual raising a concern (the initiator) may, in the first instance and where appropriate, attempt to address the issue with either the individual concerned or the appropriate academic lead. The initiator may also wish to seek advice from either the confidential liaison point within the College, information on which is available here: <https://www.brunford.ac.uk/research/research-governance-integrity-and-ethics/> or from the UK Research Integrity Office, who are available to provide confidential advice, and further information on which is available here: <https://ukrio.org/get-advice-from-ukrio/>.

6.2 In the event that the initiator of a concern is not satisfied with the outcome of an informal approach, or if they do not consider such an approach appropriate, they can raise their concern with the institution as set out below.

6.3 The initiator should put their concerns in writing and refer it in strictest confidence to the Named Person, contact information for which is available on the College website at <https://www.bruford.ac.uk/research/research-governance-integrity-and-ethics/>. They should enclose any evidence they have to support their concerns. It is preferable if concerns are made in a single document on a single occasion to prevent difficulties posed by matters or evidence constantly being added to and hence interrupting the procedure as set out. A summary of the concerns must be provided along with any other pertinent information. It is the responsibility of the initiator of the concern to ensure that only relevant information is provided.

6.4 Individuals wishing to raise a concern will be asked to put their name to their concerns. Anonymous matters will be considered at the discretion of the College, taking account of the substance and seriousness of the matters(s) and the likely availability of independent evidence.

6.5 The College may choose to investigate matters of concern under this procedure that are not formally lodged with it, but which are highlighted via other means, for example in reports or published in the media.

6.6 Matters will be investigated under this Procedure irrespective of such developments as:

- the initiator of the concern withdrawing their concern at any stage;
- the respondent admitting, or having admitted to the conduct in full or in part; or
- the respondent or the initiator resigning, or having already resigned, their post. Once initiated, the procedure will continue to its natural endpoint regardless of any of the above taking place.

7. Preliminary steps

7.1 Upon receipt of concerns relating to the conduct of research, the Named Person will formally acknowledge receipt in writing to the initiator.

7.2 The Named Person will review the nature of the concerns by referring to the definition of misconduct in research detailed in Section 3 above. Where the concerns raised are outside the definition, the Named Person will communicate to the initiator in writing:

- the reasons why the concerns could not be investigated using this Procedure;
- which process for dealing with complaints might be appropriate for handling the concerns (if any); and
- to whom matters should be reported.

7.3 Where the concerns do fall under the definition of research misconduct and are of a nature that require immediate action to prevent further risk or harm to staff, participants or other persons, suffering to animals or negative environmental consequences (where this might contravene the law or fall below good practice), then the Named Person should take immediate appropriate action to ensure that any such potential or actual danger/illegal activity/risk is prevented/eliminated. It may be necessary to notify legal or regulatory authorities.

7.4 Concerns that fall under the definition of research misconduct but which do not require notification to legal or regulatory bodies will proceed to the next stage of the Procedure. The Named Person will inform, where appropriate, colleagues in Human Resources or Finance. The contractual status of the respondent will be checked to ascertain whether they fall under the definition of those covered by the Procedure, as stated in paragraph 2.3 above.

7.5 The Named Person will investigate whether the matter raised requires the College to undertake prescribed steps in the event of concerns raised, and at what point. Such an undertaking might be:

- specified by a funder organisation as part of their requirements for receiving funding;
- in a contract from a funding organisation;
- in a partnership contract/agreement/Memorandum of Understanding; or
- in an agreement to sponsor the research.

7.6 Exceptionally, the Named Person may resolve the matter informally if, in the judgement of the Named Person, the concern refers straightforwardly to Questionable Research Practice with low risk of damage to researcher, student, participant or institution, and where the research practice can be resolved with minimal difficulty.

7.7 The respondent will be informed that concerns relating to misconduct in research have been made which involve them. If the concerns are made against more than one respondent, the Named Person will inform each person separately and not divulge the identity of any other respondent. An anonymised summary of the concerns raised will be provided to the respondent, together with a copy of the procedure to be used to investigate the allegations.

7.7 Where the concerns raised relate to individuals at more than one institution, the Named Person will contact their equivalent at the other institutions and agree with them an appropriate way forward.

7.8 The Named Person will ensure that relevant information is obtained so that any investigation conducted under the Procedure can have access to it.

8. Initial investigation

8.1 Upon receipt of an allegation, the Named Person will, as soon as practicable following completion of the preliminary steps outlined above, appoint an individual to undertake an initial investigation. The Named Person may appoint a panel of up to three people if deemed appropriate. The individual(s) will normally be senior members of academic staff and may be from within or outside the academic area concerned and the College depending on the circumstances of the case and at the discretion of the Named Person. To mitigate concerns about potential conflicts of interest in a small organisation, it may be appropriate to involve an investigator from outside the College.

8.2 Both the respondent and initiator may raise concerns with the Named Person that they may have about those chosen to carry out the initial investigation but neither has a right of veto over those nominated.

8.3 The investigator/panel will assess the evidence provided and any additional information it requires. The role of the initial investigation will include clarification of the concerns raised (where necessary), determination of whether they are made in good faith, whether a *prima facie*

case of misconduct (as defined above at paragraphs 3.2) is established and its level of seriousness based on the evidence provided. The respondent will be given the opportunity to respond to the concerns raised.

8.4 A report will be submitted by the investigators to the Named Person, as soon as is practicable after their appointment, indicating (where relevant, for each allegation) whether they judge that:

a) the concerns raised are sufficiently serious and there is sufficient evidence to merit further action by the College; OR

b) the concerns have substance but should be addressed through education or training or otherwise is of a character that can be dealt with and remedied at local level (this does not preclude some form of disciplinary hearing/action under the relevant procedure). The Panel will indicate in this situation whether its finding constitutes misconduct in research or questionable research practice short of research misconduct; OR

c) the concerns are unfounded, either because they are mistaken or because they are judged to be vexatious or otherwise without substance, or there is insufficient evidence to support them.

8.5 A summary of the findings will be sent to the respondent and the initiator for comment on the factual accuracy. The Panel will consider the responses received and if it considers that the report includes errors of fact, will modify the report as necessary.

8.6 Following this initial assessment of the concerns, the Named Person may take one of the courses of action set out below:

a) take no further action;

b) refer the matter to the line manager or local academic lead;

c) order that further initial investigation be carried out;

d) proceed to a full investigation;

e) depending on the status of the individual, instigate another procedure (such as the disciplinary or academic misconduct procedure) or refer the matter to the substantive employer if applicable;

f) refer the matter to an appropriate external regulatory, statutory or professional or similar body.

8.7 In exceptional circumstances, for example where new information comes to light, or where the matter is, by its nature serious or has the potential seriously to affect the College's reputation, the Named Person will not be bound by the recommendation of the investigators.

8.8 If it is found that the concerns are without substance, the Named Person will dismiss the matter and no further action will be taken in relation to the respondent.

8.9 If it is found that the concerns are vexatious, the Named Person may refer the matter for consideration under the relevant disciplinary procedure in relation to the initiator if they are a member of the College.

8.10 The role of the initial investigator/panel ends at this stage and they will have no further involvement except to clarify any matter if necessary.

9. Full investigation

9.1 The Full Investigation Panel will be provided with a summary of the concern(s) and relevant information from the initial investigation. Its role is to determine whether there is substance to the matter and its level of seriousness.

9.2 The Panel should comprise a minimum of three individuals. At least one member of the panel will be from outside the College and potentially more. The primary focus is to ensure a panel is appointed that is free from conflict of interest or bias. One of the members will be appointed to Chair the panel. The Named Person will arrange any necessary support for the panel.

9.3 The Chair of the Panel will be responsible for the conduct of the proceedings during the Investigation and will determine its procedure and rules. The Full Investigation Panel does not have any disciplinary powers. The panel will decide based on the information that it has been given, what process it will follow and what information it needs to reach its conclusions and who it wishes to interview/take statements from. This will include the initiator and the respondent.

9.4 Following the investigation, the Panel will produce a report of its findings based on the relevant facts of the case, including whether the concerns raised are upheld. It may make recommendations as to the further action necessary to rectify any misconduct it has found and to preserve the academic integrity of the College, for consideration by the appropriate College authorities.

9.5 The standard of proof used by the Panel is that of 'on the balance of probabilities'.

9.6 The Named Person will convey the substance of the Panel's findings to the initiator, the respondent and such other persons or bodies as they deem appropriate. The initiator and respondent will be given the opportunity to submit proposals for the correction of facts to the Panel. Following consideration of the proposals for the correction of facts, the Panel will send the report of its findings to the Named Person.

10. Subsequent Action and Appeals

10.1 If the matter is upheld the College may, in addition to any action recommended by the Panel, convey the Investigation Panel's factual findings to any relevant employer, statutory, regulatory or professional body, any relevant grant awarding body or any other public body with a relevant interest, and the editors or managers of any journals or publications which have published articles by the person against whom the allegation has been upheld;

10.2 If the matter has been dismissed, the Named Person will take appropriate steps to preserve the good reputation of the respondent.

10.3 The Named Person will normally inform the Academic Board and the Board of Governors of the general nature of any matter which has been the subject of a Full Investigation, and the outcome.

10.4 The respondent or the initiator may appeal against the Investigation Panel's decision and/or its recommendation. Any appeal must be made in writing to the Deputy Principal within 10 days of the Investigation Panel's decision. The written notice of appeal will set out the grounds of appeal, and be accompanied, wherever possible, by supporting documentation.

10.5 An appeal will only be considered on one or more of the following grounds:

- a) significant procedural irregularity in the conduct of the case up to and before the Appeal Panel that had a bearing on the outcome. This includes alleged bias in the process or decisions taken by the panel or;
- b) fresh evidence becoming available which was not, and could not, have been made available to the Investigation Panel;
- c) the recommendation is either excessive or inadequate in relation to the misconduct found proved.

If the Appeal does not meet one of the above criteria, the Deputy Principal will dismiss the application giving reasons.

10.6 The Appeal Panel is made up as follows:

- a) a Chair who is not a member of the College;
- b) two independent persons, at least one of whom should be from outside the College, at least one of whom must be an expert in, or have experience of, the technical field in question.

10.7 No individual involved in the appeal will have been involved at any stage previously. This includes the professional support to the panel.

10.8 The appeal process will take the form of a review of the evidence provided, including any additional information. It is not a complete re-investigation.

10.9 The Appeal Panel may uphold, reverse or modify the decision or recommendation of the Inquiry Panel. The decision of the Appeal Panel is final.

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