



AAH Policy

AUSTRALIAN CODE FOR THE RESPONSIBLE CONDUCT OF RESEARCH

1 Introduction

The Australian Academy of the Humanities (AAH) welcomes the opportunity to provide feedback on the new Australian Code for the Responsible Conduct of Research (the Code). The AAH is the peak national body for the humanities in Australia and one of the nation's four Learned Academies. Established by Royal Charter in 1969, the Academy has over 600 elected Fellows who are leaders and experts in the humanities.

We understand the existing Code has been the subject of substantial review and appreciate the work to date by the Australian Research Council (ARC), National Health and Medical Research Council (NHMRC) and Universities Australia (UA). We respond briefly to the consultation questions below.

2 Consultation Questions

2.1 Do you like the new approach to the Code, namely the principles-based document being supported by several guides that provide advice on implementation?

Yes, the AAH agrees that a principles-based document being supported by additional guidelines is a good model. The new Code provides high-level advice; it is lucid and broadly applicable across disciplines. It would benefit from clearer distinction between what is mandatory (the Code) and what is 'best practice' guidance (the various supporting Guides). It would also benefit from a distinction between 'values' and 'principles'.

The Preamble refers to 'moral leadership and espoused values of the institution'. A shared set of values across the university sector for the conduct of research would include:

- **Independent:** Free and open critical enquiry, a hallmark of Australian research and scholarship, should be promoted. Intellectual integrity and innovation depend on the ability of scholars in every field to engage in debate without fear of censorship or retaliation, and without undue intervention from governments or interest groups. The right to academic freedom carries responsibilities that oblige researchers to undertake their work in good faith and within the ethical frameworks required of researchers. On this point, we agree that free and open inquiry is rightly located under responsibilities (R2) in the document because it is not a principle of responsible conduct but rather a responsibility of host organisations.
- **Open:** The outcomes of publicly funded research should be discoverable and accessible. This includes research data and publications. On this point it would be worth cross-referencing existing open access and open data policies and guides to best practice.¹

- **Ethical:** As per the Statement on the Ethical Conduct of Research, ‘All human interaction, including the interaction involved in human research, has ethical dimensions. However, ‘ethical conduct’ is more than simply doing the right thing. It involves acting in the right spirit, out of an abiding respect and concern for one’s fellow creatures ...’² It would help to cross-reference existing policies that have a bearing on the Code.

2.2 The draft Code is intended to be used by all research disciplines. Do the principles adequately capture the expectations for responsible research across all research disciplines?

Yes, the high-level principles are relevant across disciplines. It would be worth specifying this in the Preamble, i.e. include an explicit statement that the Code applies across the full breadth of disciplines – the humanities, arts and social sciences (HASS), and science, technology, engineering and mathematics (STEM). It might also be helpful to specify the range of users of the Code and supporting Guides. The Code currently refers to a generic target audience of ‘institutions and researchers’. A range of users would include: researchers, universities, research centres and institutes, research offices, and student researchers (including undergraduates where relevant), and other recipients of publicly-funded research. It may be worthwhile developing specific guidance for user groups, such as postgraduates.

2.3 The draft Guide refers to breaches of the Code rather than providing a definition of research misconduct, and states that institutions can decide whether or not to use the term research misconduct in their own processes. Is this guidance clear and implementable? What issues do you foresee with that approach?

One of the key risks we foresee in the new model is that it may be difficult for institutions and/or researchers to make a determination about what is ‘obligatory’ and what is ‘expected’. So clearer direction is needed both in the Code and supplementary Guides.

While there may not be an ‘internationally agreed definition of research misconduct’, we would argue that there is a strong case for an Australian definition of ‘misconduct’ which is based on the very values, principles and responsibilities set out in the draft Code. The level of specification in the accompanying *Guide to Investigating and Managing Potential Breaches* is extremely useful. The definition about what constitutes a ‘breach’ should be referenced in the Code itself – particularly as this should have obligatory status, it is not simply a guide to good practice. Definitions should be consistent across the Code and Guides.

2.4 Do you think the process described for investigating and managing potential breaches of the Code is clearly described and practical?

Yes, although we would defer to institutional input on this question given it will be universities themselves who will have to interpret and apply the Code.

2.5 The Code Review Committee and working group are considering what additional resources should be developed to support implementation of the Code and Guide. Do you think that case studies would assist you to investigate and manage potential breaches of the Code in accordance with the Guide?

There is relatively good level of detail and examples in the Guide as it currently stands. We see the merit in case studies directed at particular users, for example one aimed at postgraduates, and possibly discipline specific examples.

2.6 Are the mechanisms for review of an investigation clearly and correctly described in Section 7.6 of the Guide? If not, where are the inaccuracies?

Again, we'd leave this question to universities who will be best placed to answer based on their current policies and experiences.

2.7 NHMRC, ARC and UA are considering the development of additional guides to support implementation of the Code. The next two guides will likely focus on authorship and data management. The possible topics for additional guidance are supervision, conflicts of interest, peer review, collaborative research, intellectual property and copyright, the role of research integrity advisors, the role of research integrity offices, strategies to encourage compliance or clinical trials. All of these are currently covered in varying amounts of detail in the current Part A of the Code and in other material. Please comment on which three topics you would nominate as being the highest priority and why.

We agree with the prioritisation of guides on authorship and data management. Authorship is often contested territory and can be difficult to navigate for researchers at the early stages of their careers, for postgraduates, and for a range of other researchers (including professional staff and industry partners). Clear guidance from the NHMRC, ARC and UA on what constitutes authorship would be very valuable. This would include attention to discipline-specific practices. While the principles of authorship may apply across all research outputs, various practices of collaboration have implications for attribution of authorship. We note in particular the range of research outputs in the creative arts disciplines including exhibitions, etc.

Data management practices (including the archiving of data) and expectations across disciplines are very diverse. We agree that clear guidance is a priority. In the humanities, this is becoming increasingly urgent across the span of disciplines. It is an issue on the radar of many of the Academy's Sections, most recently raised by our Archaeology Section. We would be pleased to provide and /or broker more detailed advice on this issue.

In terms of the next priority, we would suggest a guide on 'Supervision'. Guides on 'copyright' and 'conflicts of interest' would be lower down on the priority list because there are already available guides/statements.

Thank you for the opportunity to contribute to the consultation, we would be happy to elaborate on any of these responses. We look forward to further discipline-specific consultation on the proposed supporting guidelines and welcome the opportunity to contribute a humanities perspective.

¹ ARC Open Access policy, <http://www.arc.gov.au/arc-open-access-policy>; we would also point to other documents such as the UA Working Group 'Policy Statement on F.A.I.R. Access to Australia's Research Outputs'; and to guidance that AIATSIS has provided in its submission to the National Research Infrastructure Roadmap consultation – regarding the finer grained consents required to ensure research meets culturally sensitive and/or ethics protocols.

² NHMRC, *The National Statement on Ethical Conduct in Human Research*, p.3.
https://www.nhmrc.gov.au/files_nhmrc/publications/attachments/e72_national_statement_may_2015_150514_a.pdf