



## Guidelines and instructions for the assessment of suspected deviations from good research practice at the Royal Institute of Art

Type of document	Guidelines and instructions
Decided by	Vice-Chancellor
Valid from	Ongoing
Replaces document	(No previous document exists.)
Responsible administrative unit	Education and Research

## Content

1. Introduction.....	2
2. Responsibility of the researcher.....	2
3. Deviations from good research practice.....	3
4. The National Board for Assessment of Research Misconduct.....	4
5. General information about the handling procedure.....	5
6. Handling procedure for assessing <i>suspected misconduct in research</i> .....	5
7. Handling procedure for assessing <i>suspected other deviations from good research practice</i> .....	6
8. Other information on good research practice .....	7

### 1. Introduction

Kungl. Konsthögskolan is a place that enables art and learning, and we take artistic risks and experiment for art to grow. We work across disciplines through exchanges and collaborations with related fields in culture, science and society. Our activities are designed to achieve high quality in education and research.<sup>1</sup> This continuous quality work also includes safeguarding good research practice.<sup>2</sup>

Kungl. Konsthögskolan is obliged under the Higher Education Ordinance to provide advice and support on good research practice. The school must also establish guidelines for its assessment of suspected deviations from good research practice.

From January 1, 2020, the handling of misconduct in research is governed by the Act on Responsibility for Good Research Practice and the Examination of Misconduct in Research (SFS 2019:504). Suspected cases of misconduct in research are reviewed by The National Board for Assessment of Research Misconduct (Npof).

According to provisions in the Higher Education Ordinance (SFS 2019:1151), it is the higher education institution that must investigate suspicions of other deviations from good research practice, i.e. deviations that are not considered misconduct.

The following guideline contains a background to the area and two different handling procedures:

- Procedure for assessing *suspected misconduct in research*.
- Procedure for assessing *suspected other deviations from good research practice*.

The purpose of these guidelines and procedures is to ensure that suspected deviations from good research practice are handled in accordance with applicable rules and guidelines, and to contribute to transparency in the handling of these issues.

### 2. Responsibility of the researcher

The researcher is responsible for complying with good research practice in their research and, when necessary, for example, submitting the research to an ethical review or applying for the necessary permits.<sup>3</sup>

---

<sup>1</sup> Higher Education Ordinance (1992:1434), 4 §

<sup>2</sup> Higher Education Ordinance (1992:1434) 3 a §

<sup>3</sup> [https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/lag-2019504-om-ansvar-for-god-forskningssed\\_sfs-2019-504](https://www.riksdagen.se/sv/dokument-lagar/dokument/svensk-forfattningssamling/lag-2019504-om-ansvar-for-god-forskningssed_sfs-2019-504), 4 §.

There are several ethically based requirements for the credibility of research:

- 1) You shall tell the truth about your research.
- 2) You shall consciously review and report the basic premises of your studies.
- 3) You shall openly account on your methods and results.
- 4) You shall openly account for your commercial interests and other associations.
- 5) You shall not make unauthorized use of the research results of others.
- 6) You shall keep your research organised, for example through documentation and filing.
- 7) You shall strive to conduct your research without doing harm to people, animals or the environment.
- 8) You shall be fair in your judgement of others' research.<sup>4</sup>

According to the European Code of Conduct for Research Integrity, the four underlying principles of research are:

*Reliability* in ensuring the quality of research, reflected in the design, the methodology, the analysis and the use of resources.

*Honesty* in developing, undertaking, reviewing, reporting and communicating research in a transparent, fair, full and unbiased way.

*Respect* for colleagues, research participants, society, ecosystems, cultural heritage and the environment.

*Accountability* for the research from idea to publication, its management and organisation, for training, supervision and mentoring, and for its wider impacts.<sup>5</sup>

### 3. Deviations from good research practice

In its role as a host institution/fund manager, Kungl. Konsthögskolan has overall responsibility for managing any deviations from good research practice or instances of misconduct in research.<sup>6</sup>

According to the law, deviations from good research practice or research misconduct are: "... a serious deviation from good research practice in the form of fabrication, falsification or plagiarism committed with intent or gross negligence in the planning, implementation or reporting of research."<sup>7</sup>

The European Code of Conduct for Research Integrity<sup>8</sup> defines these three concepts as follows:

- *Fabrication* is making up results and recording them as if they were real.
- *Falsification* means manipulating research materials, equipment or processes, or changing, omitting or suppressing data or results without justification.
- *Plagiarism* is using other people's work and ideas without giving proper credit to the original source, thus violating the rights of the original author(s) to their intellectual outputs.

---

<https://etikprovningsmyndigheten.se/en>

<sup>4</sup>Swedish Research Council, *Good Research Practice*, p. 8, <https://www.vr.se/english/analysis/reports/our-reports/2017-08-31-good-research-practice.html> (an updated version will be published 2023).

<sup>5</sup>ALLEA – All European Academies, 2017, p. 4, <https://www.allea.org/wp-content/uploads/2017/05/ALLEA-European-Code-of-Conduct-for-Research-Integrity-2017.pdf>

<sup>6</sup>Swedish Code of Statutes 2019:504, 5 §.

<sup>7</sup>Swedish Code of Statutes 2019:504, 2 §.

<sup>8</sup><https://www.allea.org/wp-content/uploads/2017/05/ALLEA-European-Code-of-Conduct-for-Research-Integrity-2017.pdf>, p. 8.

Suspicion of deviation from good research practice may also constitute suspicion of misconduct under the (2021:890) Act on the Protection of Persons Reporting Irregularities (the Whistleblower Act).<sup>9</sup> A report can then be made in accordance with the established process at Kungl. Konsthögskolan.

#### **4. The National Board for Assessment of Research Misconduct**

The National Board for Assessment of Research Misconduct was established on 1 January 2020, as a government agency under the Ministry of Education.<sup>10</sup>

Kungl. Konsthögskolan shall report to Npof, no later than March 30 each year, in de-identified form, information on deviations from good research practice that have been investigated within the school during the previous calendar year. The Unit for Education and Research is responsible for this annual report.

Npof may only examine the type of deviations that falls within the definition of misconduct. The National Board therefore only examines fabrication, falsification and plagiarism. For fabrication, falsification and plagiarism to constitute research misconduct, it is also required that there is a serious deviation from good research practice. In addition, the deviation must have been committed intentionally or through gross negligence.<sup>11</sup> The threshold for reporting must be low.

If Npof assesses that a case does not concern misconduct in research but may concern other deviations from good research practice, the board shall inform Kungl. Konsthögskolan and at the same time submit a report to the school and hand over the documents relating to the case.<sup>12</sup>

By "other deviations" from good research practice, and which it is the responsibility of Kungl. Konsthögskolan to handle, means according to Npof: "... such deviations from good research practice that do not count as misconduct in research, but which significantly damage or risk damaging the integrity of the research or the researchers and which are committed with intent or gross negligence in the planning, implementation or reporting of research, or artistic research and development work."<sup>13</sup>

According to the preparatory law work, *intent* means that the researcher must have understood what the person has done, while *negligence* means that the researcher should at least have understood this. *Gross negligence* requires that the action appears particularly serious or reprehensible. As a rule, *oversights, carelessness or misunderstandings* should not be considered gross negligence.<sup>14</sup>

Whether a deviation from good research practice is to be regarded as serious must be decided in each individual case.

---

<sup>9</sup>[https://www.government.se/contentassets/4c12e7e33d43403ea34067bbd240a3a9/act-on-the-protection-of-persons-reporting-irregularities-2021\\_890.pdf](https://www.government.se/contentassets/4c12e7e33d43403ea34067bbd240a3a9/act-on-the-protection-of-persons-reporting-irregularities-2021_890.pdf)

<sup>10</sup><https://npof.se/en>

<sup>11</sup><https://npof.se/en/research-misconduct>

<sup>12</sup>Swedish Code of Statutes 2019:504, 11 §.

<sup>13</sup><https://npof.se/en/research-misconduct>

<sup>14</sup><https://npof.se/en/research-misconduct>, added italics.

<https://data.riksdagen.se/fil/68E1A2BE-735F-4490-B0CF-03EF24783D65>

If a case contains suspicion of both misconduct in research and suspicion of deviations from good research practice other than misconduct in research, Kungl. Konsthögskolan shall assess the part concerning other deviations.

## **5. General information about the handling procedure**

Assessment of misconduct in research according to Swedish Code of Statutes (2019:504) may not be based on circumstances that are older than ten years when the case is initiated. This provision does not apply if there are special reasons for a review.<sup>15</sup>

At every stage of the processing, the applicable rules in the Administrative Procedure Act (2017:900) must be taken into account, including issues of bias. For information on what applies to the processing of personal data, see Section 15-20 of Swedish Code of Statutes (2019:504).

The Vice-Chancellor decides what disciplinary sanctions and employment law measures may be relevant in the event of a decision that misconduct in research has occurred.

If the researcher is cleared of suspicion of misconduct or other deviation from good research practice, appropriate measures shall be taken to remedy the damage that the suspicion and the handling of the case may have caused.

## **6. Handling procedure for assessing *suspected misconduct in research***

1. If there are concrete and well-founded suspicions of deviation from good research practice within Kungl. Konsthögskolan's activities, this must be reported promptly. The report must be made in writing to the Vice-Chancellor and registered. The person or persons against whom the report is directed shall be informed of the suspicion. The report can also be made directly to The National Board for Assessment of Research Misconduct.
2. The initial assessment of the case is made by the Vice-Chancellor in consultation with the Head of Administration, and if necessary, with the support of a legal counsel, after preparation by the Education and Research Unit.
3. In a first step, it is assessed whether the suspected deviation occurred within the framework of Kungl. Konsthögskolan's activities. In the next step, it is decided whether it is a deviation from good research practice or misconduct in research. If the suspicion does not concern deviations from good research practice within the framework of the school's activities, the case is dismissed. The case is also dismissed if the report lacks obvious grounds.
4. If the assessment shows that the suspicion concerns misconduct in research, the case is submitted to Npof for review. The person or persons against whom the report is directed shall continue to be informed of the suspicion and of the disciplinary sanctions and labour law measures that may be relevant in the event of a decision that misconduct in research has occurred. HR and the chief safety officer, and where applicable the union organization of the person(s) concerned, shall be informed.
5. The Vice-Chancellor, with the support of an administrator and, if necessary, an expert appointed by the Vice-Chancellor, prepares a written memorandum with a description and factual basis for the case. The expert's opinion must also be in writing.

---

<sup>15</sup>Swedish Code of Statutes 2019:504, 8 §.

6. A form is used to submit the case to the Npof, which can be downloaded from the National Board's website. Kungl. Konsthögskolan shall provide the information and documents about the research requested by Npof and give the National Board access to computers and other equipment used in the research.<sup>16</sup>

#### After the decision by Npof

When the decision of the Npof has become legally binding, the Vice-Chancellor decides on possible measures.

Kungl. Konsthögskolan is also obliged to inform stakeholders such as research funding bodies, authorities, journals and other interested parties of the decision. The school must also inform them that the decision may be appealed.

Suspicions of misconduct that fall within the framework of public prosecution or another authority's area of supervision shall primarily be handled by the authority concerned. If it emerges within the framework of another authority's investigation that deviations from good research practice have occurred within the framework of Kungl. Konsthögskolan's activities, this may lead to further handling at the school.

Kungl. Konsthögskolan shall, within six months after the decision has gained legal force, report to Npof what measures the school has taken or intends to take as a result of the decision.<sup>17</sup> The Education and Research Unit is responsible for this reporting.

If Npof assesses that a case does not concern misconduct in research but may concern other deviations from good research practice, Npof submits the case to the higher education institution for further investigation.

See also Section 7.

### ***7. Handling procedure for assessing suspected other deviations from good research practice***

1. If there are concrete and well-founded suspicions of suspected other deviations from good research practice within Kungl. Konsthögskolan's activities, this must be reported promptly. The report must be made in writing to the Vice-Chancellor and registered. The person or persons against whom the report is directed shall be informed of the suspicion.
2. The initial assessment of the case is made by the Vice-Chancellor in consultation with the Head of Administration, and if necessary, with the support of a legal counsel, after preparation by the Education and Research Unit.
3. In a first step, it is assessed whether the suspected deviation occurred within the framework of Kungl. Konsthögskolan's activities. If the suspicion does not concern deviations from good research practice within the framework of the school's activities, the case is dismissed. The case is also dismissed if the report lacks obvious grounds.
4. If the assessment shows that the suspicion concerns another deviation from good research practice, the person or persons against whom the report is directed shall continue to be informed of the suspicion. HR and the chief safety officer, and where appropriate the union organization of the person(s) concerned, shall be informed.

---

<sup>16</sup>Swedish Code of Statutes 2019:504, 12 §.

<sup>17</sup>Swedish Code of Statutes 2019:504, 13 §.

5. Kungl. Konsthögskolan with the support of an administrator and any expert person appointed by the Vice-Chancellor, prepares a written memorandum with a description and factual basis for what the case concerns. The expert's opinion must also be in writing.
6. If the matter is of a more serious nature, it is taken up by Kungl. Konsthögskolan's Staff Responsibility Committee.<sup>18</sup> Any measures must be proportionate to the degree and seriousness of the deviation.<sup>19</sup>

#### **8. Other information on good research practice**

<https://www.vr.se/english/mandates/ethics/ethics-in-research.html>

<https://www.codex.uu.se/profesional-ethics/misconduct/>

[https://embassy.science/wiki/Main\\_Page](https://embassy.science/wiki/Main_Page) (EU-funded platform)

---

<sup>18</sup>Kungl. Konsthögskolan, Rules of Procedure, Section 12.

<sup>19</sup>The Administrative Procedure Act (2017:900), 5 §.