Publications of the Finnish National Board on Research Integrity TENK
4/2023

The Finnish Code of Conduct for Research Integrity and Procedures for Handling Alleged Violations of Research Integrity in Finland

2023

FINNISH NATIONAL BOARD ON RESEARCH INTEGRITY TENK

The Finnish code of conduct for research integrity and procedures for handling alleged violations of research integrity in Finland

Guideline of the Finnish National Board on Research Integrity TENK 2023

Publications of the Finnish National Board on Research Integrity TENK 4/2023

ISSN 2669-9427 (ed.)
ISBN 978-952-5995-88-6 (pdf)

1. edition

Helsinki 2023

Finnish National Board on Research Integrity TENK
Kirkkokatu 6
00170 Helsinki
Finland

Layout: Anne Haapanen

Preface

FINNISH GUIDELINES ON RESEARCH INTEGRITY have since 1994 provided research organisations, researchers and students in Finnish higher education with a description of good research practices and instructions for the handling of alleged violations of the good practices. The guidelines have been drafted by TENK in cooperation with the Finnish research community. The guidelines are based on self-regulation, and they are followed in all organisations committed to them. The guidelines are general and valid for all disciplines and serve, in addition to scholarship and learning, society at large. It is in the interest of all researchers and their employers that alleged violations of research integrity are investigated in a controlled RI process approved by the signatories.

Since the publication of the previous guidelines from 2012 (*Responsible conduct of research and procedures for handling allegations of misconduct in Finland*), the internationalisation of research cooperation has continued at a fast pace. Today, plagiarism detection is used as a digital tool to prevent research misconduct. Principles of open science, data protection regulations, social media, artificial intelligence applications and ways of assessing research performance have all contributed to changes in the research environment and research practices. Increases in authorship disputes led in 2019 to a new TENK publication *Agreeing on authorship. Recommendation for research publications*.

In these 2023 guidelines, hereafter *RI Guidelines*, a great deal of emphasis is directed at promoting good research practices and a responsible research culture. Prolonged investigation processes are against the interests and rights of researchers. Therefore a main objective of the updated RI Guidelines is to shorten the time needed to conduct these processes.

The most significant reforms in the RI Guidelines are:

- The duration of the RI process and the deadlines for requesting a statement from TENK have been shortened
- The description of the role of the research integrity advisers has been added
- The categorisation of RI violations has been aligned with international practice
- To clarify the categorisation of the RI violations, a description of the assessment of the severity of the offence has been added
- The principle of the European Code of Conduct for Research Integrity to protect those involved in investigations has been noted

- The requirement to declare significant conflicts of interest has been added
- The handling of alleged RI violations at the level of bachelor's and master's degrees is assigned to the respective institutions of higher education
- The term *Responsible conduct of research* has been replaced by *Research integrity*

The Editorial Board wishes to thank the research community and the stakeholders for the numerous comments received during the feedback rounds. The comments had a major impact on the contents of the RI Guidelines. TENK's sincere wish is that all research organisations and organisations promoting and funding research consider committing to these updated RI Guidelines. TENK approved of the 2023 RI Guidelines in its meeting on January 27, 2023 and published them in connection with the Ethics Day Seminar on March 1, 2023.

Helsinki, March 15, 2023

Editorial Board

Table of contents

1. Premises

1.1. Background and purpose of the RI Guidelines

The Finnish National Board on Research Integrity TENK was established in 1991 to handle ethical issues related to research integrity and to promote responsible research practices in Finland (Decree 1347/1991). The members of the National Board are appointed for three-year periods by the Ministry of Education and Culture. TENK's responsibility is to take initiatives in research integrity by issuing statements and by providing general guidelines.

TENK complies with the Principles of Good Governance, Regulations of Conflict of Interest, and the Act on the Openness of Government Activities. TENK's activities are based on cooperation with the Finnish research community.

The first national guidelines for responsible conduct of research and for handling allegations of misconduct were drafted in cooperation with the Finnish research community in 1994. Since then, the guidelines have been updated in 1998, 2002 and 2012. The current guidelines (after this, the RI Guidelines) were drafted in 2022, and research organisations have been able to commit to them since March 15, 2023. All committed organisations are obliged to follow these RI Guidelines when dealing with research integrity issues.

The aim of the RI Guidelines is to promote good and responsible research practices and to prevent violations of research integrity in all academic disciplines[1].

This document is an English translation of the original guidelines in Finnish (*Hyvä tieteellinen käytäntö ja sen loukkausepäilyjen käsitteleminen Suomessa. Tutkimuseettisen neuvottelukunnan HTK-ohje 2023*). The Finnish version shall prevail in case of any discrepancy or inconsistency between the Finnish and English version.

1.2. Other research-ethical guidance in Finland

TENK has supplemented the RI Guidelines with additional recommendations and instructions. These include a template for a researcher's curriculum vitae[2] and a recommendation for agreeing on authorship[3].

1 Universities are obligated to follow ethical principles and RI under the Universities Act (24.7.2009/558).
2 Researcher's CV template, www.tenk.fi.
3 Agreeing on authorship – Recommendation for research publications, www.tenk.fi.

International research integrity guidelines include the *European Code of Conduct for Research Integrity*[4] for projects receiving EU funding, the *Code of Conduct and Best Practice Guidelines for Journal Editors*[5] for Finnish COPE members and the *Vancouver Style* guidance for referencing in *Biomedical Journals*[6]. The Finnish RI Guidelines are in compliance with these international guidelines, but in addition, the Finnish RI Guidelines provide the definitions for RI violations in Finland and describe the procedures applied when investigating alleged violations in Finland. The Finnish RI Guidelines are to be applied in Finnish contexts, while international guidelines need to be consulted when applicable.

Certain areas of research have their own field-specific research-ethical boards in Finland, such as the National Advisory Board on Social Welfare and Health Care Ethics (ETENE), the National Committee on Medical Research Ethics (Tukija) and the Advisory Board on Biotechnology (BTNK). The norms applied by these bodies offer more detailed professional ethics guidelines and regulations on matters, such as the relationship between the researcher and the research participant or research subject.

In addition, regional, discipline-specific or organisation-specific research ethics committees have been established for hospitals, higher education and research organisations. Their remit is to carry out advance ethical reviews in which the research settings of project proposals are evaluated in light of general and discipline-specific ethical principles. The aim of an ethical review is to assess the potential harm and damage of the research caused to the participants, their families or the researchers themselves in relation to the informative value sought by the project. In Finland, ethical reviews for research are partly regulated by legislation[7] and partly by discipline-specific guidelines[8].

4 ALLEA – All European Academies. The European Code of Conduct for Research Integrity, www.allea.org.

5 COPE – Committee on Publication Ethics, www.publicationethics.org.

6 International Committee of Medical Journal Editors (ICMJE). Recommendations for the Conduct, Reporting, Editing, and Publication of Scholarly Work in Medical Journals, www.icmje.org.

7 E.g. the Medical Research Act 9.4.1999/488 and the Act on Clinical Trials on Medicinal Products 983/2021, section 16.

8 For example non-medical research in human sciences follows the TENK guideline (2019 or later) The ethical principles of research with human participants and ethical review in the human sciences in Finland. www.tenk.fi.

2. Application of the RI Guidelines

2.1. Enforcement of the 2023 guidelines and transitional provisions

Organisations have been able to commit to the 2023 guidelines since 15 March 2023. Table 1 contains instructions for transitioning from previous guidelines to the updated ones.

***Table 1**. Instructions for transitioning from previous guidelines to the latest guidelines.*

STATUS	INSTRUCTION
The alleged violations took place and the RI process began before the organisation's commitment to the latest guidelines.	• The alleged RI violation is investigated according to the guidelines enforced when the alleged violation took place.
The alleged violations took place before the organisation's commitment to the latest guidelines, but the notification of the alleged violation was submitted after the organisation's commitment to the latest guidelines.	• The alleged RI violation is assessed using the guidelines enforced when the alleged violation took place. • The RI process is conducted following the latest guidelines.
The alleged violations have taken place and the notification has been submitted after the organisation's commitment to the latest guidelines.	• The alleged RI violation is assessed and the RI process conducted using the latest guidelines.

2.2. Commitment to the RI Guidelines

Commitment to good research practices in accordance with the RI Guidelines is part of the ethical self-regulation system of the research community. Following these guidelines is binding for the committed organisations.

All research organisations in the Finnish research community can commit to these guidelines. They include research performing organisations, such as universities, universities of applied sciences, research development and innovation organisations, think tanks and businesses, museums, archives, libraries, science centres and similar institutions conducting research projects. In addition to research performing

organisations, funding organisations and organisations promoting research can also commit to the RI Guidelines.

An organisation commits to the guidelines by the director signing the commitment form[9]. With the director's signature, the organisation commits to *promoting good research practices* in accordance with the RI Guidelines. If a violation of RI is suspected and a notification has been submitted in the organisation, the organisation is obliged to investigate the case according to the procedures described in the RI Guidelines (Chapter 5).

In addition, the organisation is committed to *applying* the guidelines in national and international research cooperation, including university–business cooperation. All those employed by, working for or affiliated to the organisation, such as grant researchers and docents, are obliged to *comply* with the RI Guidelines.

To promote trust in science and research, it is highly recommended that Finnish research organisations, irrespective of size, become signatories of the RI Guidelines. Small organisations, such as learned societies, may request support for the RI process from organisations with established practices in conducting RI processes.

2.3. Scope of the RI Guidelines

The RI Guidelines are applied in the committed organisations to all types of academic research, including artistic disciplines and other research as well as RDI projects during the life span of these activities. In the following, all these activities are referred to as **research**.

Table 2 includes examples of research in which the RI Guidelines and the processes described in them apply. For more information, consult the Secretary General of TENK.

Good research practices described in the RI Guidelines also need to be applied in basic degree (bachelor- and master-level) and licentiate degree studies at higher education organisations and bachelor's and master's degrees[10] and licentiate degrees. It is essential that students at all levels at higher education organisations receive training in research integrity and good research practices. However, allegations of RI violations in basic degree studies or theses are not handled by TENK nor by the procedures in the RI Guidelines. Instead, they need to be handled by the internal guidelines and processes of the organisation.

In addition, the RI Guidelines are not applied in following cases (unless also RI issues are involved):

- differences of opinion in scholarly or artistic academic disputes, or differences of opinion between schools of thought

9 Commitment form for organisations: the RI Guidelines, www.tenk.fi.
10 Bachelor's and master's theses in universities and universities of applied sciences.

- legal issues, such as violations of the Copyright Act, Data Protection Act, Patents Act or Administrative Procedure Act or breaches of obligations of confidentiality
- employment disputes or problems in the work community
- hiring decisions and appointments
- issues concerning professional ethics
- evaluation processes and publishing decisions by scholarly publishers
- the grades or evaluations of doctoral dissertations
- violations of discipline-specific ethical norms

Table 2. *Examples of activities in which the RI Guidelines are applied in committed organisations.*

ACTIVITY	EXAMPLE
All academic and other research activities and RDI projects	Research, projects and consortia conducted in Finland; joint international projects in Finland or abroad, with advance agreements needed; when applicable, national and international research cooperation with companies or other businesses, as well as and public and third sector actors; commissioned research
Artistic research	Artistic research and artistic productions related to research
Publications, manuscripts and other outputs	Outputs directly related to research irrespective of the publication format or channel: printed and electronic publications in scholarly journals; doctoral dissertations[11], nonfiction books, anthologies; textbooks, teaching materials, instructions and guidebooks; posters, presentations; videos, images; methods, tools, innovations; research data, computer software, research materials
Societal engagement and research communication	Research communication and societal engagement directly related to research activities, regardless of implementation methods and channels: press releases, social media, training events, seminars, exhibitions, podcasts, opinion pieces
Expert roles	Referee statements, written and oral expert statements, expert evaluations and presentations (also in the media)
Applications related to research	Job and funding applications, CVs and lists of publications, applications for the title of docent, data permits and research permit applications

11 Doctoral dissertations submitted for preliminary examination. Alleged RI violations concerning doctoral dissertation manuscripts before the preliminary examination are handled in accordance with each institution's internal processes and guidelines.

3. Research Integrity (RI)

3.1. Basic principles

According to the European Code of Conduct for Research Integrity[12], the basic principles of **research integrity** are reliability, honesty, respect, and accountability (Figure 1).

Research integrity (RI) consists of practices that ensure that RI is maintained throughout the life span of any research. **Good research practices** are thus also part of the quality assurance systems of all organisations in the research community. Neglecting good research practices may at worst lead to suspicions and investigations of RI violations.

3.2. Good research practices

In the European Code of Conduct for Research Integrity, good research practices are described in eight contexts: 1) Research Environment, 2) Training, Supervision and Mentoring, 3) Research Procedures, 4) Safeguards, 5) Data Practices and Management, 6) Collaborative Working 7) Publication, and 8) Reviewing, Evaluating and Editing. Following the above division, Sections 3.2.1.–3.2.8. give examples of good research practices in all eight contexts. The examples also illustrate the multilevel characteristics of good research practices. This means that commitment to good research practices is necessary both by individual researchers and by the leadership and personnel of the organisation. TENK recommends that each organisation appoints one or more persons to promote attention to good research practices.

3.2.1. Research environment

Research organisations

- make sure that the RI Guidelines are well-known and easily accessible
- provide appropriate methods and tools for appropriate curation and management of research data
- investigate alleged violations of responsible conduct of research without delay in accordance with the RI process described in the RI Guidelines (Chapter 5).
- treat all parties involved in an investigation (person(s) submitting a notification of alleged RI violation and the person(s) suspected of the RI violation) with due fairness

12 ALLEA – All European Academies. The European Code of Conduct for Research Integrity, www.allea.org.

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, for its management and organisation, for training, supervision and mentoring, and for its wider impacts.

Figure 1. *The basic principles of research integrity according to the European Code of Conduct for Research Integrity.*

3.2.2. Training, supervision and mentoring

Research organisations

- ensure that students receive training in research integrity at undergraduate-, graduate- and postgraduate-level studies
- regularly analyse the needs of their staff for appropriate training in good research practices
- encourage participation in RI training and follow the feedback
- appoint research integrity adviser(s)[13] in the organisation and allocate sufficient resources for their work.

3.2.3. Research procedures

Researchers

- design, carry out and document their research in a careful manner and, whenever possible, following the principles of open science[14]
- take into account the state-of-the art in the design process
- apply for research funding appropriately and make truthful and conscientious use of research funds.

3.2.4. Safeguards and agreements

Researchers

- acquire any required permits, consent agreements and ethical reviews for their research before starting the collection of data
- carry out their research following the RI Guidelines and in accordance with the rules and guidelines of their own academic discipline(s)
- ensure that their research does not endanger the health and safety of researchers and research participants
- show respect for colleagues and participants involved in the research and are aware of and sensitive to societal aspects, ecosystems, environment and cultural heritage
- report sources of funding and potential conflicts of interest to the partners and other involved parties.

13 Recommendations of the Finnish National Board on Research Integrity TENK for research integrity advisers. www.tenk.fi/en.

14 E.g. the Declaration on Open Science and Research 2020–2025 https://doi.org/10.23847/isbn.9789525995237 and the UNESCO Recommendation on Open Science https://en.unesco.org/science-sustainable-future/open-science/recommendation.

3.2.5. Data practices and management

All partners

- agree in advance about the ownership of the research data and about the rights to its use, its processing, storage and possible reuse
- if necessary, revisit the agreements later during the course of the research, for potential amendments
- comply with current data protection legislation and obligations related to non-disclosure, confidentiality and secrecy
- promote the openness and further use of the data[15] to the extent possible.

3.2.6. Collaborative working

All partners in collaborative projects

- agree about the objectives, rights and obligations of each partner
- agree about their commitment to good research practices and agree about the regulations and guidelines to be applied in potential allegations of RI violations
- make sure that all partners commit to the European Code of Conduct on Research Integrity in EU funded research[16].

3.2.7. Authorship, publication and dissemination

Researchers and authors

- respect the work of colleagues and acknowledge their achievements and refer to them in an appropriate manner
- agree on co-authorship and the order of authors according to the Finnish authorship recommendations[17]. International guidelines on authorship apply in Finland only on the basis of a prior agreement between the authors.
- communicate about their research in an honest and open manner irrespective of publication format or channel
- inform their partners without delay if they intend to publish material related to their collaboration
- specify funding sources and declare potential conflicts of interest separately for each author.

15 E.g. the FAIR principles (Findable, Accessible, Interoperable, Re-usable), www.vastuullinentiede.fi/en.

16 ALLEA – All European Academies. The European Code of Conduct for Research Integrity, www.allea.org.

17 Agreeing on authorship – Recommendation for research publications, www.tenk.fi.

3.2.8. Reviewing and evaluating

Researchers

- carry out review and evaluation assignments in a transparent, justifiable and confidential manner and take into account the legislation on conflict of interest in the Administrative Procedure Act
- respect the rights of authors and applicants related to, for example, research ideas, data and conclusions when carrying out expert assignments
- comply with the guidelines on responsible evaluation of research, researchers and research organisations[18]
- report funding sources and other commitments or obligations to partners, research participants and publishers.

18 Working group for the responsible evaluation of a researcher. Good practices in researcher evaluation. Recommendation for the responsible evaluation of a researcher. The Responsible Research series 5:2020. Committee for Public Information and Federation of Finnish Learned Societies, Helsinki 2020. DOI: https://doi.org/10.23847/isbn.9789525995268.

4. Violations of good research practices

4.1. Definition and assessment of the RI violation

Violations of good research practices breach the principles of research integrity. They damage the quality and credibility of research and undermine research collaboration and authorship. These actions may also be against the law, in which case they are investigated also in official or judicial procedures. Differences of opinion and disagreements over theories, methods or interpretations of results are part of academic discourse and generally not RI violations.

Violations of good research practices are described in these RI Guidelines with definitions and examples, but the list is not exhaustive. Whether a violation of good research practices constitutes a violation of research integrity (an RI violation) is always evaluated on a case-by-case basis, and it is not possible to provide a comprehensive and unambiguous list. Alleged violations of research integrity are investigated in the RI process, which is described later in these guidelines.

An RI violation meets one of the following criteria:

- Serious intentional activity that violates research integrity
- Activity in which research integrity has been seriously neglected due to indifference or carelessness when principles of RI could have been followed
- Activity in which research integrity has been seriously neglected due to ignorance and unawareness of RI principles and guidelines in force

The severity of RI violations is assessed on a case-by-case basis, taking into account the practices and traditions of the research discipline in question. The assessment criteria include the scope of the actions, their recurrence, scientific significance and harmful consequences (Figure 2).

In the Finnish system, violations of good research practices are divided into two categories: **research misconduct** and **disregard for good research practices**. Violations can take place at any stage of the research process.

4.2. Research misconduct

4.2.1 Criteria of research misconduct

Research misconduct distorts and falsifies research-based knowledge. It misleads the research community, decision-makers and the general public, decreases the value of research results and outputs, and damages the appreciation of academic research. Furthermore, it causes harm for researchers and research participants.

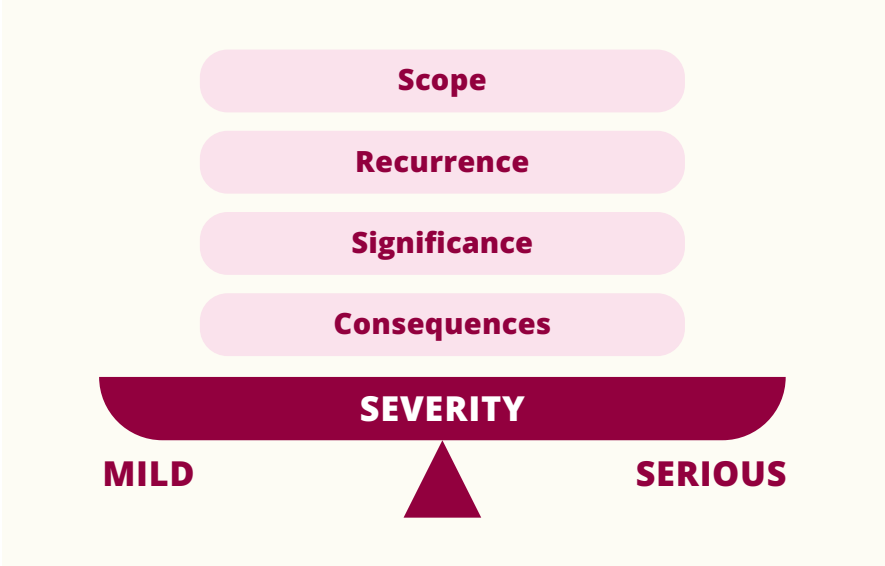

Figure 2. *Assessment criteria for the severity of RI violations.*

In Finland, research misconduct is categorised into fabrication, falsification and plagiarism in accordance with international practice. Allegations of research misconduct are investigated in the RI process on a case-by-case basis. The assessment takes into account the above definition of an RI violation and the examples of the assessment of severity, as applicable (Figure 2).

4.2.2. Definition of fabrication

Fabrication refers to presenting fake observations, research data or results. An example of fabrication is when the observations presented in a publication do not correspond to the methods described.

4.2.3. Definition of falsification

Falsification means the manipulation of research findings. By falsification of observations, the results of the research are distorted. Deliberate data selection or omission can also result in falsification. Falsification can occur in publications, manuscripts intended for publication, teaching materials and funding applications.

4.2.4. Definition of plagiarism

Plagiarism, or unacknowledged borrowing, means using someone else's work or research ideas without permission or reference. Plagiarism also infringes on the rights of the original authors. Plagiarism can be direct, modified or paraphrased.

Plagiarism includes presenting or using as one's own another researcher's text or sections of text, research plans, manuscripts, articles, results, materials, research ideas, observations, programme codes, translations, diagrams, images or other visual material without appropriate reference to the original.

4.3. Disregard for good research practices

4.3.1. Criteria for the disregard for good research practices

Violations of good research practices that do not constitute research misconduct are referred to as disregard for good research practices according to the established practice in Finland. Whether the disregard for good research practices is serious enough to be classified as an RI violation is assessed on a case-by-case basis in the RI process. The assessment takes into account the definition of an RI violation (see 4.1) and the examples of the assessment of severity, as applicable (Figure 2).

4.3.2. Examples

Table 3 includes examples of disregard for good research practices in different stages of research. This list is not exhaustive, and these examples do not comment on the severity of the actions, which is evaluated on a case-by-case basis.

Table 3. *Examples of disregard for good research practices in different stages of research.*

Disregard in planning and preparation
• Failure to request relevant permits, decisions and/or statements (e.g. official permits, data permits, research permits, decisions on the disclosure of data, ethical review statements by ethics committees)
Disregard in implementation
• Failure to comply with data permit or research permit decisions or with statements issued in the ethical review process • Inappropriate use of research data or materials or failure to comply with research data agreements • Inadequate documentation and storage of research results and data • Inappropriately delaying or otherwise hampering the work of other researchers
Authorship-related violations
• Inadequate or inappropriate references to previous results • Omitting the name of a co-author who has made a significant contribution • Denigrating or deliberately neglecting to mention other researchers' contributions • Manipulating authorship by other means, such as adding guest authors or honorary authors who have not contributed to the work in question or by taking credit for work done by ghost authors
Disregard by embellishing one's research achievements
• Misleading the research community, research funders or the general public over one's research • Exaggerating or changing one's research achievements or merits e.g. in a CV or its translation or a list of publications • Self-plagiarism, i.e. republishing one's own work without reference to the original publication
Disregard by misusing one's academic status
• Failure to declare significant conflicts of interest • Violation of confidentiality in the peer review process • Inappropriate use of seniority and influence
Disregard in the RI process
• Inappropriate interfering with the RI process or harassment of those involved in the RI process • Delaying or inappropriately hampering the work or career development of another researcher who has submitted a notification of an alleged RI violation • Submitting a notification of an alleged RI violation with malicious intent

5. The process of handling alleged violations of research integrity (the RI process)

5.1. Overview

The process of investigating alleged research integrity violations (or the RI process) is to be followed in all organisations committed to the RI Guidelines. In the following, the term *organisations* refers to organisations that have committed to the RI Guidelines. If a notification of an RI violation (past or ongoing) is submitted, the organisation needs to initiate the RI process. The director of the organisation is responsible for ensuring that the RI process is followed throughout the investigation. The director's responsibility is to make the decisions, but this responsibility needs to be transferred to another party if there is a conflict of interest.

The principles of good governance and regulations on disqualification in the Administrative Procedure Act apply in the RI process. Investigating alleged RI violations is part of the self-regulation of the research community. For more information on the RI process, contact the Secretary General of TENK.

The parties involved in the RI process are the complainant (*i.e.* the person who has submitted the notification of an alleged RI violation) and the respondent (*i.e.* the person suspected of an RI violation). Their rights are safeguarded by a fair and impartial process carried out with expertise and without delay and by hearing all parties involved. Each stage of the process is carefully documented and the parties' right to information is respected. If one of the parties does not have a sufficient command of Finnish or Swedish, the investigation is carried out in English.

As a rule, research misconduct and disregard for good research practices are not time-barred. A notification of an alleged RI violation can thus be submitted irrespective of the time when the alleged violation is supposed to have taken place. However, organisations can decide that an allegation will not be investigated if the case is so old that the investigation would not advance good research practices or serve the parties involved.

Organisations carry out the RI process as confidentially as possible, bearing in mind that organisations that operate under the Act on the Openness of Government Activities must comply with the provisions of said Act. Organisations need to treat

the complainant and the respondent fairly during and after the process. In addition, organisations protect the rights of the complainant particularly after the process, so that their career prospects are not endangered. The parties involved must refrain from commenting on an ongoing RI process to safeguard confidentiality.

TENK recommends that joint international projects agree in advance on the procedures to be applied in potential cases of suspected RI violations. The Finnish RI Guidelines apply for research conducted in Finland. If a project is coordinated from a Finnish organisation, it is recommended that the Finnish RI Guidelines are used. Project partners in Finnish organisations should contribute to ensuring that alleged RI violations are handled in an appropriate manner.

5.2. The steps of the RI process

The RI process is carried out by the organisation where the alleged RI violation has taken place. The RI process has three steps: 1) submitting the notification, 2) the preliminary inquiry and 3) the investigation proper (Figure 3). The director of the organisation informs the parties involved and the Finnish National Board on Research Integrity TENK of the notification and the decisions made during and after the RI process. If there is a justified reason to interrupt the RI process, TENK should also be informed. TENK is thus able to obtain information of the status of research integrity in Finland. Furthermore, the research integrity adviser(s) of the organisation need to be informed of all the decisions made during the process.

TENK complies with the Act on the Openness of Government Activities[19]. Therefore all documents that are sent to TENK, including decisions in the RI process and requests for statements, become public when TENK receives them. Statements and other documents by TENK become public after TENK has concluded the process. TENK does not, however, publish these documents.

19 If the activities of a research organisation committed to TENK's guideline fall under the Act on the Openness of Government Activities, the corresponding rules apply to the RI process documents in the research organisation. Under the Act on the Openness of Government Activities, each organisation is responsible for its documents, the assessment of their publicity and non-disclosure and the implementation of public access to documents. RI process documents may also include documents that are confidential under the Act on the Openness of Government Activities or other legislation. The non-disclosure of a document does not prevent its handling in the investigation of an alleged RI violation, in TENK's statement process concerning the investigation of an alleged RI violation or in the research organisation when determining sanctions after the RI process has ended. However, such documents may not be disclosed to third parties. Confidential information related to the RI process or TENK's statement process may not be disclosed to third parties or used for one's own benefit or for the benefit or detriment of another.

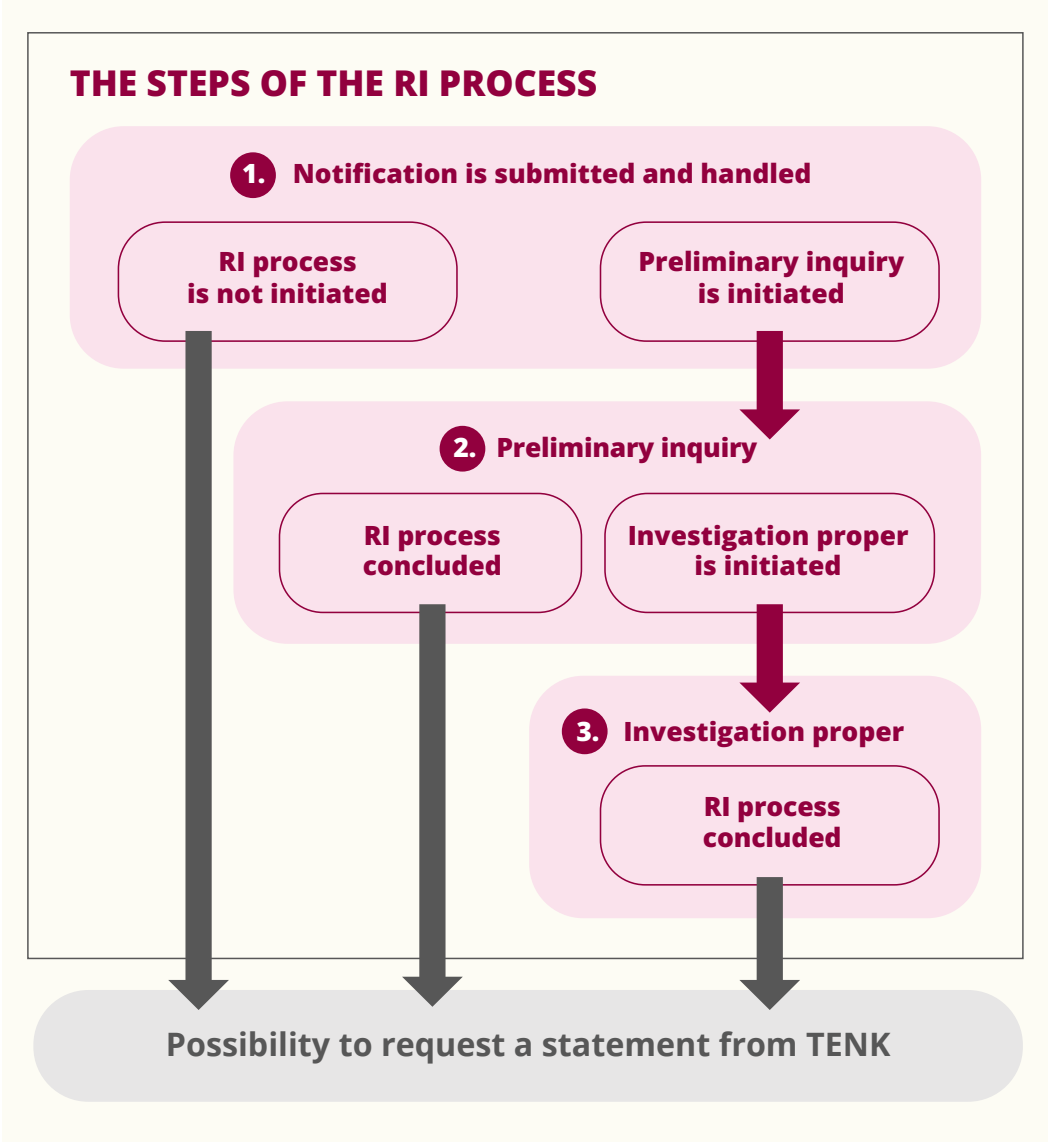

Figure 3. *The steps of the RI process.*

5.2.1. Submitting a notification

The complainant submits the notification of an alleged RI violation in their own name using TENK's notification form[20]. The notification must include the type of the alleged RI violation, the basis for the allegation and the complainant's possible connections to the respondent and/or the case. More information on how to submit a notification is provided by the organisation's research integrity adviser(s) and on TENK's website (www.tenk.fi).

20 Notification form for alleged RI violations, www.tenk.fi.

The complainant sends the notification of an alleged RI violation to the director of the organisation where the alleged violation has taken place (Figure 4). If the alleged RI violation involves several organisations or the respondents are from more than one organisation, the directors decide together where the RI process will be initiated, and cooperate during the process. In exceptional cases, the director of the organisation may start an investigation if a suspected RI violation comes to their attention through other routes. If TENK becomes aware of a suspected RI violation, TENK may also propose to the director that an RI process should be initiated.

The RI process begins when the organisation receives a notification of an alleged RI violation. In the exceptional cases mentioned above, when the investigation is initiated without a notification, the RI process begins with the director's decision to initiate a preliminary inquiry. The director's decision to initiate a preliminary inquiry needs to be made within 30 days of receiving the notification.

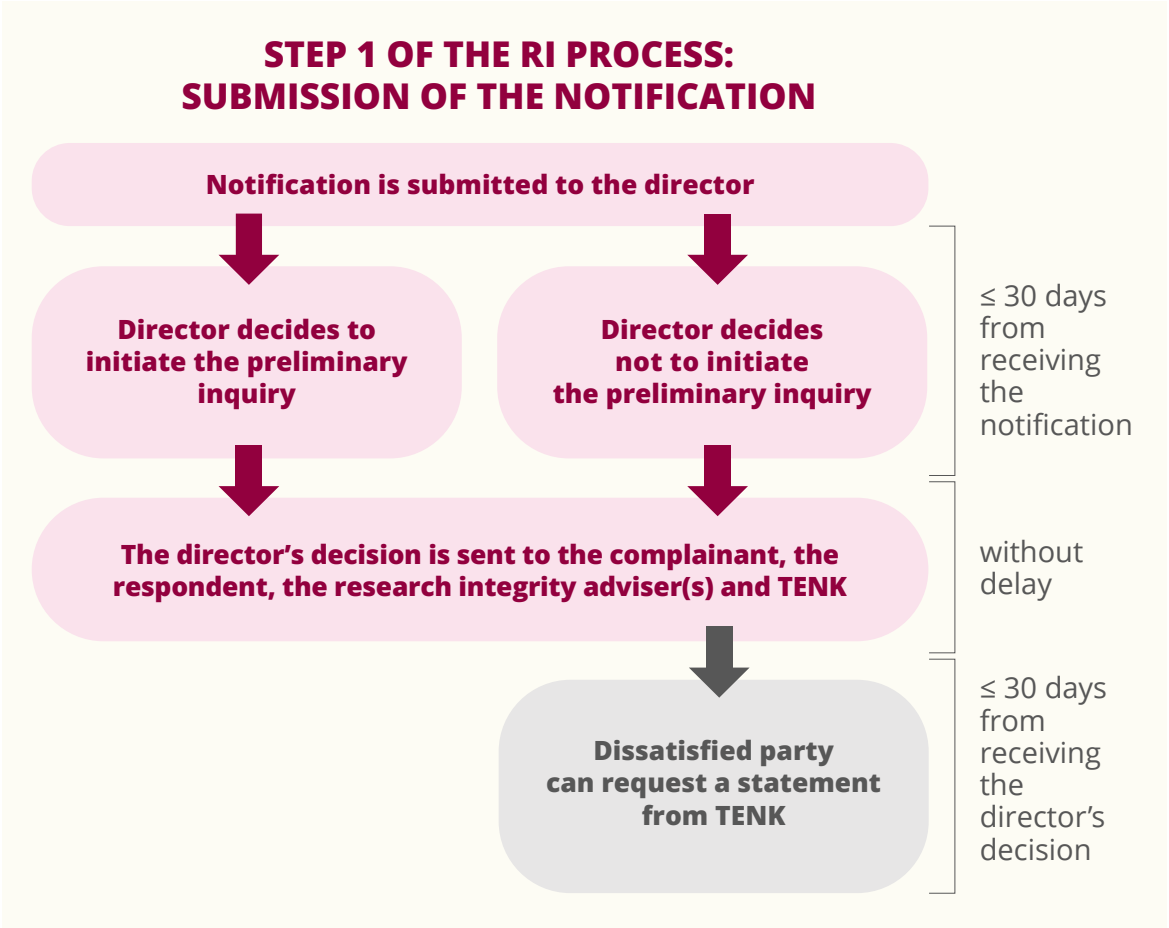

Figure 4. *The main steps of the notification process.*

The preliminary inquiry is not necessary if it is clear that the allegation does not fall within the scope[21] of the RI Guidelines, if the allegation clearly has no factual basis, or if the allegation has been made solely with malicious intent. The preliminary inquiry is also unnecessary if another organisation has initiated the inquiry.

- **If a preliminary inquiry is initiated,** the complainant, the respondent, the research integrity adviser(s) of the organisation and TENK need to be informed of the decision and its justification. A copy of the original notification and its appendices must also be sent to the respondent.
- **If a preliminary inquiry is not initiated,** the complainant, the respondent, the research integrity adviser(s) of the organisation and TENK need to be informed of the decision and its justification. A copy of the original notification and its appendices must also be sent to the respondent. Furthermore, the decision needs to state that if the complainant or respondent is dissatisfied with the decision, they may request a statement from TENK within 30 days of receiving the director's decision.

5.2.2. Preliminary inquiry

a) Assignment and implementation

The purpose of the preliminary inquiry is to determine the validity of the allegations and the evidence presented to support them. The preliminary inquiry focuses on the suspected violation as described in the original notification.

The preliminary inquiry is initiated by the director (Figure 5). The preliminary inquiry needs to start within 30 days after this decision. In the decision, the director assigns a person to conduct the preliminary inquiry. The person assigned can come from the organisation in question or another organisation. The person assigned does not need to represent the research discipline relevant to the alleged violation, but they must have sufficient knowledge of research, the RI Guidelines and the RI process. The complainant and the respondent need to have the opportunity to comment on the choice of the person conducting the preliminary inquiry.

21 Scientific or artistic differences of opinion or discipline-specific disputes; legal issues, such as violations of the Copyright Act, Patents Act or Administrative Procedure Act or breaches of confidentiality; employment disputes or problems in the working community; hiring decisions or appointments; questions of professional ethics; evaluation processes of scientific publications and publishing decisions; grades or reviews of doctoral dissertations; violations of discipline-specific ethical norms, unless they also involve potential research integrity violations.

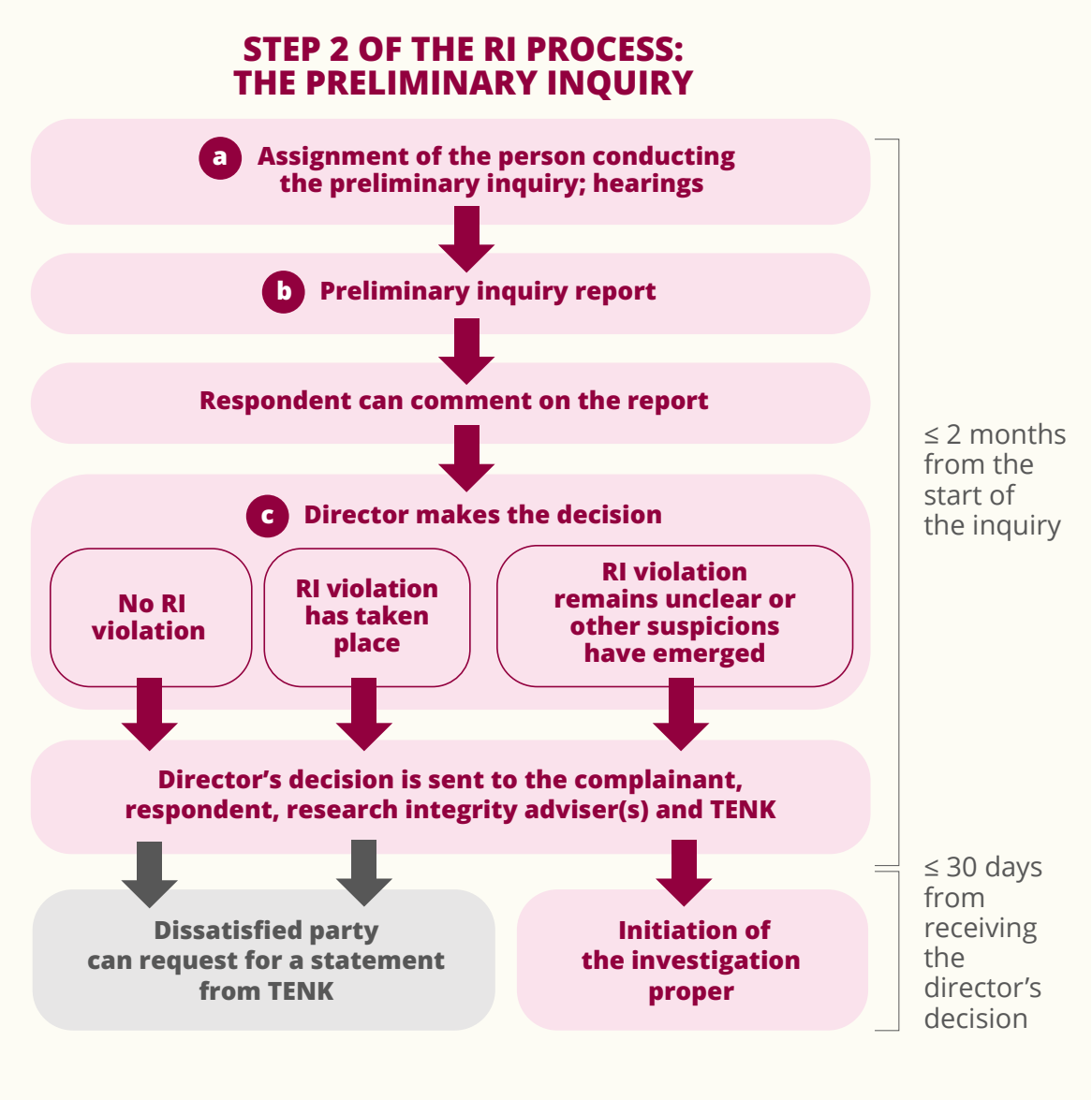

Figure 5. *The steps of the preliminary inquiry.*

The person conducting the preliminary inquiry will ask the complainant and the respondent for a written reply and, if necessary, hear other relevant parties. The person conducting the preliminary inquiry may also use other relevant materials to support the process. The preliminary inquiry needs to be carried out within two months of the assignment, unless there are particular reasons for a longer inquiry.

b) Reporting

Based on the hearings and other possible materials, the person conducting the preliminary inquiry writes a preliminary inquiry report. The report needs to include the

name(s) of the respondent(s) and the alleged RI violation(s) described in the notification form. The report also needs to mention the persons heard in the preliminary inquiry and the main discoveries. The conclusion of the report must state whether an investigation proper is necessary. If it is obvious that an RI violation has taken place, the conclusion needs to specify the type of RI violation in question and name those responsible for the violation. The preliminary inquiry report is submitted to the director of the organisation.

c) Conclusion

Before making the decision, the director sends the preliminary inquiry report to the respondent for comments. The director makes the decision on the basis of the information received from report and the respondent. The director may deviate in their decision from the conclusion of the preliminary inquiry report.

If the director concludes that an RI violation has not taken place:

> The decision must include the alleged RI violation in accordance with the RI Guidelines, on what basis the case in question is not an RI violation and the name(s) of the respondent(s). The decision must include as appendices the original notification of the alleged RI violation and the preliminary inquiry report.

If the director concludes that an RI violation has taken place and no further investigation is necessary:

> Same procedure as above. The decision must include the name(s) of the respondent(s), the RI violation that has taken place and on what basis the case in question is an RI violation.

These decisions need to state that if the complainant or the respondent is dissatisfied with the decision, they may request a statement from TENK within 30 days of receiving the director's decision.

If an RI violation cannot be ruled out and the situation remains unclear, or if there are suspicions of other RI violations:

> The director needs to initiate an investigation proper. This must be done also when the respondent has admitted to the RI violations described in the original notification. At this stage, the process continues but TENK will not issue a statement.

The complainant, the respondent, the research integrity adviser(s) of the organisation and TENK need to be informed of all these decisions (with the appendices) without delay.

If it is concluded that an RI violation has taken place and the investigation has been concluded, the decision also needs to be sent to the funding organisation and the

respondent's employer, when appropriate. However, these external parties may be informed only after the whole process (including TENK's final statement) is concluded.

If the respondent is exonerated, action must be taken to publish the conclusion in a suitable channel in accordance with the respondent's wishes.

If the respondent is found to have committed an RI violation, the instructions on sanctions (presented below) need to be followed.

5.2.3. Investigation proper

a) Assignment and implementation

The director initiates the investigation proper of the RI process (Figure 6). The investigation process must start within 30 days after this decision. The complainant, the respondent, the research integrity adviser(s) of the organisation and TENK need to be informed of the decision. The director appoints an investigation committee to carry out the investigation proper, and one member is appointed as chair. The committee needs to have sufficient knowledge of the research discipline, legislation, the RI Guidelines and the RI process, and other expertise as appropriate. A minimum of two members in the committee must be from another organisation than the one conducting the investigation. The committee may not include the organisation's research integrity adviser(s) or the person(s) involved in the preliminary inquiry. The complainant and the respondent need to have the opportunity to comment on the choice of investigation committee members.

The investigation (including the reporting and the conclusion) must be carried out within three months from the assignment. The stages of the investigation need to be documented carefully. The investigation committee needs to hear all parties again separately, preferably through written responses. If hearings are held orally, they must be documented in the minutes. The director needs to be informed if the committee is not able to complete the investigation by deadline. The director will decide on an extension of the deadline and inform all the parties of the delay.

b) Reporting

The investigation committee writes a final report, which is delivered to the director. The report needs to contain at least the following information:

- An account of the events that have led to the investigation, including the grounds for the allegation
- An account of the investigation committee's work, all the hearings conducted and other documentation used by the committee
- A reasoned conclusion as to whether the allegations handled by the committee are RI violations
- If the investigation committee concludes that an RI violation has taken place:

- A description of the RI violation and its severity in accordance with the RI Guidelines and the name(s) of researcher(s) who have committed the violation
- If necessary, a list of research data, results and publications affected by the RI violation
- Recommendations for rectifying the consequences of the RI violation

- If the investigation committee concludes that an RI violation has not been committed, recommendations for appropriate restorative action
- Proposal on how to make the conclusions of the final report public

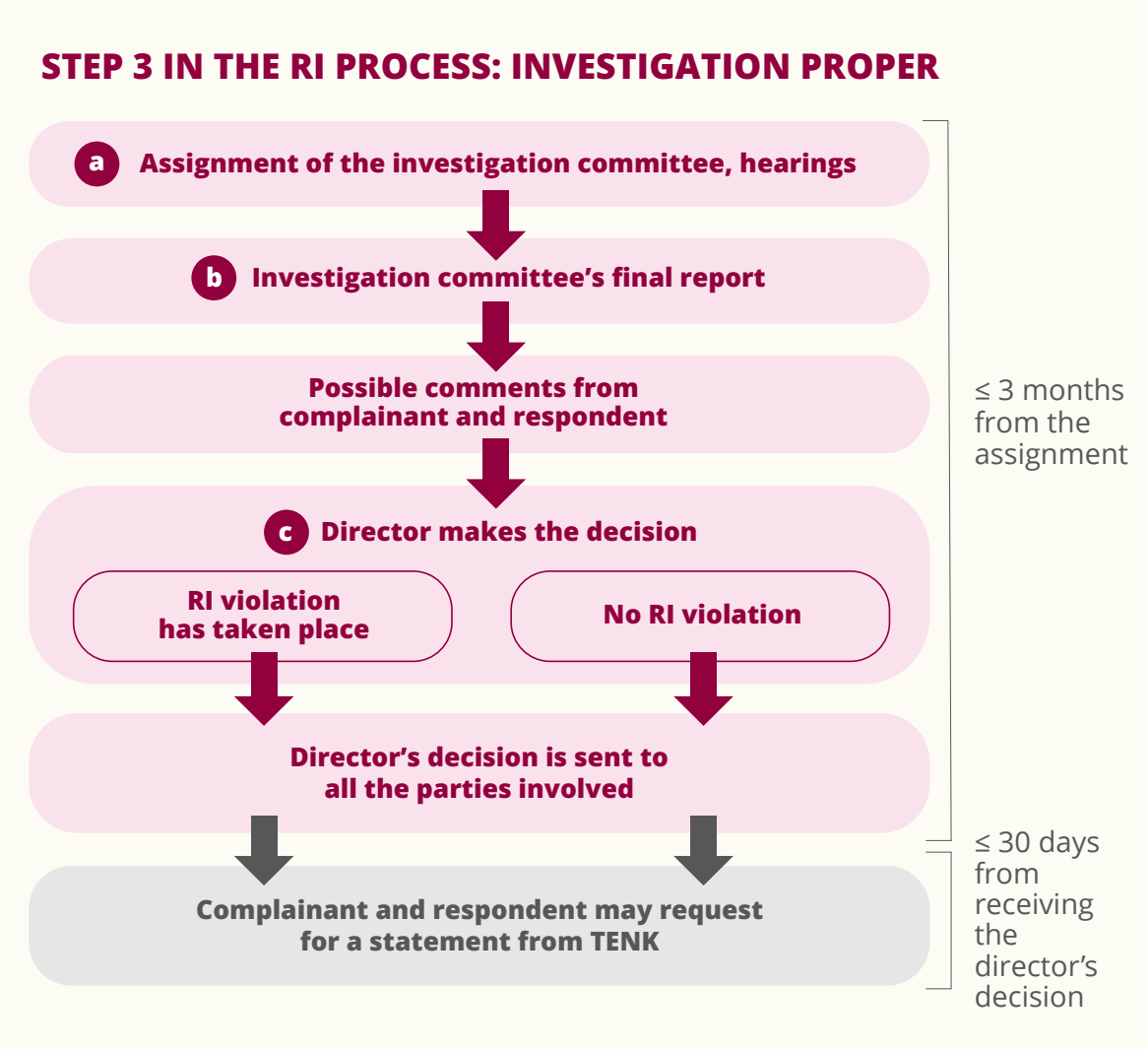

Figure 6. *Main steps of the investigation proper.*

c) Conclusion

The director sends the final report to the complainant and the respondent for comments. On the basis of the report and possible comments from the parties involved, the director decides whether an RI violation has taken place. The director may for justified reasons deviate from the conclusions and recommendations of the investigation committee.

The director's decision must specify for each allegation whether an RI violation has been committed and what type of RI violation is in question. If there are several respondents, this decision must be made separately for each respondent. If no RI violation has taken place, the decision needs to describe the restorative action to be taken. In addition, the decision must inform the complainant and the respondent that if they are dissatisfied with the outcome or the way the RI process was conducted, they may request a statement from TENK within 30 days of receiving the director's decision.

The decision with the appendices needs to be sent without delay to the complainant, the respondent, the investigation committee, the research integrity adviser(s) of the organisation and TENK. If it is concluded that an RI violation has taken place, the decision also needs to be sent to the funding organisation and the respondent's employer, when appropriate. However, these external parties may be informed only after the whole process, including TENK's final statement, is concluded.

If the respondent is exonerated, action must be taken to publish the conclusion in a suitable channel in accordance with the respondent's wishes. If the respondent is found to have committed an RI violation, the instructions on sanctions (presented below) need to be followed.

5.3. Requesting a statement from TENK

If the complainant or the respondent is dissatisfied with the outcomes of the preliminary inquiry or the investigation proper, they may request a statement from TENK. This must be done within 30 days of receiving the director's decision (Figure 7). The request for a statement must be justified and it must specify all the research integrity issues that the request concerns. The person requesting the statement must disclose what type of relation or involvement they may have in the case. More instructions on how to submit a request for a statement can be found on TENK's website (www.tenk.fi). TENK will not issue statements during an ongoing RI process.

TENK accepts requests for statements only when they concern a potential RI violation or the appropriate handling of the RI process in accordance with the RI Guidelines. TENK will not comment on for example the following, unless a question of compliance with RI is also involved:

- Differences of opinion in scholarly or artistic academic disputes, or differences of opinion between schools of thought
- Legal issues, such as violations of the Copyright Act, Patents Act or Administrative Procedure Act or breaches of obligations of confidentiality
- Employment disputes or problems in the work community
- Hiring decisions and appointments
- Questions of professional ethics
- Evaluation processes and publishing decisions by scholarly publishers
- Grades or evaluations of doctoral dissertations
- Violations of discipline-specific ethical norms

If TENK decides to handle a request for a statement, it will respond to the request and issue a statement within five months. The statement is also sent to the director of the organisation that carried out the RI process, and to the parties involved. TENK may also decide not to issue a statement if the matter is not within its remit.

When handling a statement request, TENK may, if necessary, request further responses from the parties involved and the organisation in question. The person requesting a statement needs to have an opportunity to comment on these responses.

The request for a statement and the appendices become public documents when TENK receives them. In addition, statements by TENK and the documentation and appendices used in drafting them are, as a rule, public documents (see footnote 19). TENK does not, however, make these documents public.

TENK issues statements on the basis of the documents it receives. TENK does not participate in preliminary inquiries or investigations proper of the RI process, or arrange hearings. TENK may, however, consult external experts to support the statements it issues.

If a statement is requested after a preliminary inquiry, TENK may propose an investigation proper, if needed. If a statement is requested after the investigation proper, TENK will comment in its statement on the presence of an RI violation and the handling of the RI process in accordance with the RI Guidelines. If necessary, TENK may also propose further investigations. TENK may also propose on its own initiative that a preliminary inquiry or investigation proper is complemented.

TENK has been appointed by the Ministry of Education and Culture as the highest authority on good research practices and the RI process in Finland. Therefore it is necessary that the director takes TENK's statements into account also when they differ from the director's decisions. The statements made by TENK cannot be appealed because they are not decisions made under the Administrative Judicial Procedure Act.

Summaries of TENK's statements are published on TENK's website. The statement summaries do not include direct information of the cases, the parties involved or the organisations where the RI processes were carried out.

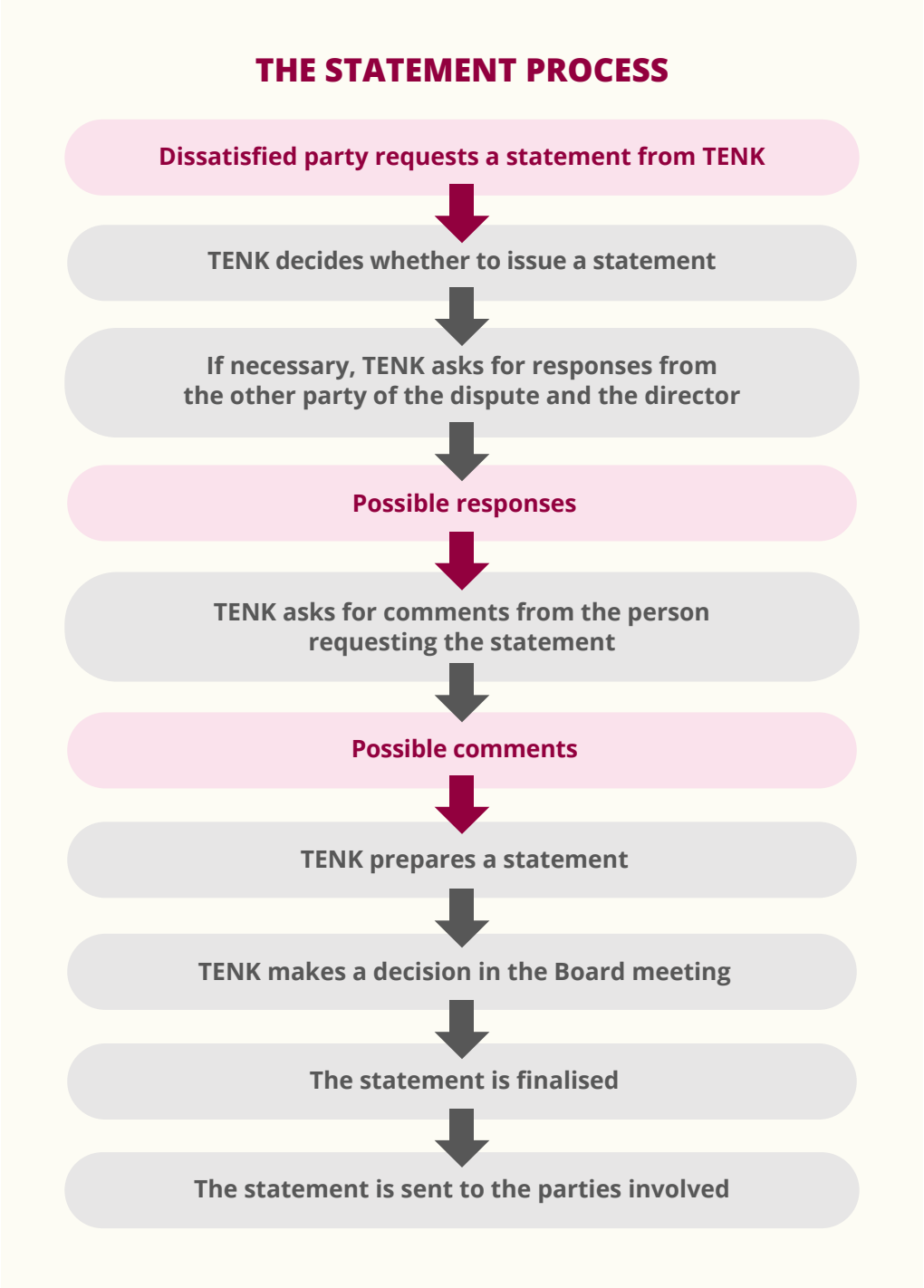

Figure 7. *How the Finnish National Board on Research Integrity TENK handles requests for statements.*

5.4. Sanctions

After the RI process is concluded, the director of the organisation makes a reasoned decision about the presence of an RI violation and the researcher(s) at fault. The director informs all the organisations, funders, publishers and persons involved about the decision through appropriate channels.

TENK recommends that sanctions for attested RI violations (apart from judicial sanctions) are implemented only after the closure of the RI process, including all the time limits concerning TENK's final statements.

The director of the organisation decides on the sanctions for RI violations. TENK does not comment on these sanctions. The sanction for an RI violation must be in just proportion to the severity of the violation. TENK needs to be notified of the sanctions and their implementation.

FINNISH NATIONAL BOARD ON
RESEARCH INTEGRITY TENK

www.tenk.fi