

MPF1318 Process B:

Reviews of the management of potential breaches of the Code

Overview

This document supports the [Responsible Conduct of Research Policy \(MPF1318\)](#) by outlining the way in which the University will manage applications to review, on procedural fairness grounds, how it managed and made decisions about potential breaches of the [Australian Code for the Responsible Conduct of Research, 2018 \(the Code\)](#) under *MPF1318 Process A: Management of potential breaches of the Code*.

Purpose

This process describes when applications may be made for procedural fairness reviews by certain people, how decisions are made about these applications, and how the University will engage with the Australian Research Integrity Committee (ARIC) in relation to procedural fairness review applications it receives.

Process

Part 1 – Procedural Fairness Reviews by the University

Making an application

1. A Notifier or respondent Research Personnel (an Applicant) may make an application requesting that the University conduct a review of the way in which it managed or investigated a Notification, which results in:
 - a. a decision after preliminary assessment under section 34 of MPF1318 Process A; or
 - b. a decision after investigation under sections 51 to 56 of MPF1318 Process A.
2. Decisions made by a Student Research Integrity Committee to impose or recommend imposing a penalty under the Academic Board Regulations are dealt with under *MPF1318 Process C: Penalties for breaches of the Code by Students*.
3. An application to the University to review a decision described in section 1:
 - a. must be made in writing, outlining the ground(s) for the review, and be accompanied by relevant supporting information:
 - i. online: [link to form]; or
 - ii. by email: research-integrity@unimelb.edu.au.
 - b. will only be considered on the grounds the applicant was not afforded procedural fairness; and
 - c. must be made within ten (10) business days of receiving the notification of the decision.

Decision on request

4. The application for review will be assessed by a Review Officer (RO), who will determine whether the application has been made in accordance with section 3.

5. If an application has not been made in accordance with section 3, the request may be dismissed by the RO.
6. If an application has been made in accordance with section 3, the RO must determine:
 - a. Whether the applicant was afforded procedural fairness; and
 - b. Whether the original outcome of a decision listed in section 1 should be:
 - i. Affirmed;
 - ii. Amended; or
 - iii. Repealed.
7. If an RO determines that a decision listed in section 1 should be amended or repealed, the RO must refer the matter back to the original decision maker, along with directions as to how the decision should be amended or repealed. An RO may affirm a decision listed in Section 1 without requiring referral back to the original decision maker.

Outcome of request

8. The RO must give written notice of the outcome of the procedural fairness review to the Applicant within 10 business days of the decision, which must include:
 - a. The decision(s) made;
 - b. The reason(s) for the decision(s) made; and
 - c. Information about how to make a request to the Australian Research Integrity Committee (ARIC) to review the way in which the preliminary assessment or investigation was conducted on procedural fairness grounds.
9. If a Designated Officer (DO) or the Responsible Executive Officer (REO) receives directions from an RO, it must take the action to amend or repeal the original decision, and provide notice to the Applicant within 10 business days of the decision, in accordance with the relevant notice requirements outlined in MPF1318 Process A.

Miscellaneous Provisions

10. The Deputy Vice-Chancellor (Research) will appoint appropriately qualified and experienced senior staff as ROs for the purpose of this process.
11. Any person delegated decision making authority under this process, must disclose conflicts of interest in accordance with the [*Managing Conflicts of Interest Policy \(MPF1366\)*](#).
12. Decisions listed in section 1 of this Process will not be given effect until after 10 business days of communicating the decision, or the completion of a review process, whichever is later. corrective actions required by a decision made under MPF1318 Process A may be stayed.

Part 2 – The Australian Research Integrity Committee

13. The University recognises that the Australian Research Integrity Committee (ARIC) is the body established to review the processes by which the University manages and investigates potential breaches of the Code, in accordance with the [*Australian Research Integrity Committee Framework \(2024\)*](#).
14. The University will engage and respond constructively and in a timely manner to any requests made of it by ARIC in exercising its functions in accordance with the [*Australian Research Integrity Committee Framework \(2024\)*](#).

Authorised by:	Date:
Deputy Vice-Chancellor (Research)	DD/MM/YYYY

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