Research - Higher Degree Student Misconduct Procedure

Section 1 - Key Information

Policy Type and Approval Body	Academic – Academic Board
Accountable Executive – Policy	Pro Vice-Chancellor (Research Training)
Responsible Manager – Policy	Senior Manager, Graduate and Global Research
Review Date	22 July 2029

Section 2 - Purpose

(1) This procedure governs the processes for managing complaints and allegations regarding potential breaches of the Australian Code for the Responsible Conduct of Research (2018 or as updated) by students undertaking research in a higher degree at La Trobe University at either AQF Level 9 or 10.

(2) Students undertaking research in any higher degree must conduct research with integrity, according to the standards set out in the Australian Code for the Responsible Conduct of Research (2018 or as updated), applicable legislation and La Trobe University statutes and policies.

(3) Supervisors or student coodinators, of students undertaking research have a responsibility for ensuring that students receive appropriate guidance and training in research integrity and conduct research responsibly.

(4) Any suspected breaches of research integrity by a higher degree student undertaking research will be managed under this Procedure which specifies how the Board of Graduate Research (BGR) applies the provisions in Part 3 of the Academic Integrity Statute 2015. The Research Misconduct Procedure must be followed in the circumstances outlined in Section 6 – Part A of this procedure.

Section 3 - Scope

(5) This Procedure applies to:

a. students undertaking research in any higher degree, including higher degrees by research, and higher degrees examined by a combination of coursework and research at either AQF Level 9 or 10.

Section 4 - Key Decisions

Key Decisions	Role
Appointment of Academic Misconduct (Research) Officers (AMROs)	Pro Vice-Chancellor (Research Training) (PVC (RT))

This policy document may be varied, withdrawn or replaced at any time. Printed copies, or part thereof, are regarded as uncontrolled and should not be relied upon as the current version. It is the responsibility of the individual reading this document to always refer to La Trobe's Policy Library for the latest version.

Key Decisions	Role
Determination following a preliminary assessment (including decision to refer and assessment of risk)	Board of Graduate Research (BGR)
Determination following research misconduct hearing	Academic Misconduct (Research) Officer (AMRO)

Section 5 - Policy Statement

(6) This procedure forms part of the Research Integrity Policy suite which governs its application.

Section 6 - Procedures

Part A - Application

(7) Complaints and allegations of academic misconduct in a coursework component of any higher degree will be managed under the Student Academic Misconduct Policy.

(8) The Research – Higher Degree Student Misconduct Procedure will be followed for:

a. a complaint or allegation made against a higher degree student; and
b. a complaint or allegation made against a higher degree student who is also an academic staff member and the complaint or allegation relates to work they are doing as a student.

(9) The Research Misconduct Procedure should be followed in the first instance where a complaint or allegation is made against a student who is also an academic staff member and the complaint or allegation relates to work they are doing as a La Trobe employee.

(10) Where a complaint or allegation is made against multiple parties (students and staff), the preliminary investigation will be managed using the Research Misconduct Procedure. If the preliminary assessment identifies any misconduct by a higher degree student, it will be referred to the Board of Graduate Research and the provisions of this procedure will be followed.

Part B - Responsibilities and the Promotion of and Training in Research Integrity

(11) Higher degree students, supervisors, subject coordinators, Graduate Research Coordinators and School Directors of Graduate Research have a responsibility to ensure they are fully aware of their responsibilities concerning research integrity, as outlined in the Australian Code for the Responsible Conduct of Research (2018 or as updated).

(12) A range of La Trobe University codes, policies, procedures, and statutes also impose requirements or provide guidance regarding the responsible conduct of research, including where relevant:

a. Student Charter
b. Conflict of Interest Policy
c. Foreign Engagement Policy
d. Graduate Research Supervision Policy
e. La Trobe University Academic Integrity Statute 2015
f. Research Animal Ethics Procedure
g. Research Authorship and Outputs Policy

h. Research Biosafety and Biosecurity Procedure
i. Research Clinical Trials Policy
j. Research Data Management Policy
k. Research Governance Policy
l. Research Human Ethics Procedure
m. Research Integrity Policy
n. Research Misconduct Procedure
o. Responsible AI Adoption Policy

(13) Key external research legislation, guidelines, and policies that contribute to the responsible conduct of research include, where relevant:

a. AIATSIS Code of Ethics for Aboriginal and Torres Strait Islander Research;
b. ARC Research Integrity Policy;
c. Australian Code for the Care and Use of Animals for Scientific Purposes (version in force as varied from time to time);
d. Australian Sanctions;
e. Biosecurity Act 2015, Export Control Act 2020, Imported Food Control Act 1992 and relevant Regulations where appropriate;
f. Gene Technology Act 2000 and Regulations;
g. National Statement on Ethical Conduct in Human Research (version in force as varied from time to time);
h. NHMRC Ethical conduct in research with Aboriginal and Torres Strait Islander Peoples and communities: guidelines for researchers and stakeholders 2018 (version in force as varied from time to time); and
i. NHMRC Research Integrity and Misconduct Policy 2019.

(14) The Research Office in collaboration with the Graduate Research School will provide training and resources in research integrity.

(15) Supervisors will ensure that students receive guidance and training in research integrity as outlined in the Research Integrity Policy and associated Procedures.

(16) Research Integrity Advisors, as outlined in the Research Misconduct Procedure, can provide informal advice to a staff member or student who is unsure about a research conduct issue and may be considering making a complaint.

Part C - Appointment and Responsibility of Academic Misconduct (Research) Officers

(17) The Pro Vice-Chancellor (Research Training), in consultation with Associate Deans (Research and Industry Engagement), will appoint a minimum of four members of the senior academic staff, drawn from the Schools and selected to ensure disciplinary and gender balance, as Academic Misconduct (Research) Officers (Misconduct Officers). It is recommended that Misconduct Officers hold their positions for a minimum term of twelve (12) months.

(18) Misconduct Officers are responsible for ensuring they are fully aware of their responsibilities concerning research integrity, as outlined in the Australian Code for the Responsible Conduct of Research (2018 or as updated), the National Statement on Ethical Conduct in Human Research (version in force as varied from time to time), the Australian Code for the Care and Use of Animals for Scientific Purposes (version in force as varied from time to time), the Gene Technology Act and Regulations, the Australian Sanctions, the relevant Biosecurity and Export Control regulations and University statutes, policies and procedures as mentioned in this procedure.

(19) Misconduct Officers must declare any conflict of interest in relation to an allegation referred to them.

(20) Where there is no conflict of interest, Misconduct Officers must hear and determine all allegations of academic (research) misconduct that are referred to them according to the Academic Integrity Statute and this Procedure.

Part D - Submitting a Complaint of Suspected Student Research Misconduct

(21) Any person, including a supervisor or examiner, who suspects that research misconduct by a higher degree student has occurred, must make a confidential complaint in writing to the Board of Graduate Research.

(22) Prior to making a complaint, a person may seek advice from any of the following regarding research misconduct:

a. Research Integrity Advisor;
b. Senior Manager, Ethics Integrity and Biosafety;
c. Graduate Research Coordinator (GRCs) and/or School Directors of Graduate Research (DGRs); and
d. Associate Deans, Research and Industry Engagement (ADRIEs)
e. Chair, BGR

(23) Complaints should:

a. include the identity of the person (or persons) making the complaint (where known) about the conduct of research (the Complainant);
b. clearly identify each instance of the potential research misconduct, indicating the place(s) or date(s) on which the conduct in question was alleged to have occurred;
c. state the identity of the student (Respondent) alleged to have engaged in the relevant research misconduct; and
d. identify and attach (in as much detail as possible) any supporting evidence to enable a review.

(24) Where a Complainant wishes to remain anonymous, those involved in the processing of the complaint should respect this request as far as possible and appropriate. The complainant should also be informated that:

a. there may be limitations to confidentiality (where a legal action requires identification);
b. there may be limitations to the action that can be taken in relation to the complaint;
c. procedural fairness may necessitate revealing the identity of the Complainant to the Respondent; and
d. the University does not tolerate retribution/vilification and would take allegations of such conduct seriously.

Part E - Preliminary Assessment and Referral of Complaints

(25) Upon receipt of a complaint, the Board of Graduate Research will, as soon as reasonably practicable, consider the complaint and make a preliminary assessment as to whether the matter may constitute a breach of the Australian Code for the Responsible Conduct of Research (2018), including possible research misconduct.

(26) If any member of the Board of Graduate Research has a perceived, potential or actual conflict of interest in relation to the complaint being heard, they must declare the conflict as soon as possible to the Chair of the Board. The Chair will determine whether the conflict of interest requires the member to be recused from consideration of the complaint. If the Chair of the Board of Graduate Research has a perceived, potential or actual conflict of interest in relation to the complaint being heard, they must declare the conflict as soon as possible to one of the Co-chairs of the Board. The Co-Chair will determine whether the conflict of interest requires the Chair to be recused from consideration of the complaint.

This policy document may be varied, withdrawn or replaced at any time. Printed copies, or part thereof, are regarded as uncontrolled and should not be relied upon as the current version. It is the responsibility of the individual reading this document to always refer to La Trobe's Policy Library for the latest version.

(27) Where the Board of Graduate Research determines that research misconduct has not occurred or that the complaint has arisen from poor scholarship, the Board may, in consultation with the student's supervisor, direct that the student revise the affected work and/or undertake any training that may be required. The Complainant (where known) will be advised of this outcome.

(28) If the Board of Graduate Research determines research misconduct may have occurred they must refer the matter to a Misconduct Officer.

(29) The Board of Graduate Research must confirm with the Misconduct Officer that they have no conflict of interest in relation to the allegation. If there is a conflict of interest the allegation will be referred to another Misconduct Officer.

(30) The Board of Graduate Research's referral to the Misconduct Officer must be in writing and include as much information as is available regarding the alleged misconduct.

(31) Where the Board of Graduate Research suspects that a staff member may be implicated in an allegation, they will approach the Senior Manager, Ethics Integrity and Biosafety (or delegate) and follow the steps outlined in the Research Misconduct Procedure.

(32) Where the Board of Graduate Research determines that the alleged research misconduct may pose any risk to an individual, animal, environment, or the University, they will inform the Deputy Vice-Chancellor (Research and Innovation) (DVC(R&I)) as soon as possible. The DVC(R&I) will take any necessary immediate action, pending the outcome of a hearing, to protect any individual, animal, environment, or the University.

Part F - Notification to a Student

(33) Within two (2) business days of the referral to a Misconduct Officer, or as soon as practicable, the Board of Graduate Research must notify the student in writing that they suspect misconduct may have occurred and that the allegation has been referred to a Misconduct Officer for hearing and determination.

(34) The notice to the student will include:

a. a copy of the referral and all accompanying material;
b. a copy of the relevant section of the Academic Integrity Statute, and this procedure, including the Schedule of Responses and Penalties for Higher Degree Student Research Misconduct; and
c. advice that the student may be accompanied by a support person (other than a legal practitioner or person with a law degree) at a hearing.

(35) Where a complaint contains any personal information relating to third parties, the Board of Graduate Research will seek advice from the University Privacy Officer or Legal Services about any requirement to suppress any part of that information.

(36) The student, and their supervisor, will be notified if their research has been suspended due to any potential risk to an individual, animal, environment or the University, pending an investigation or outcome of a hearing.

(37) Where the research that is the subject of the allegation is under examination:

a. the examination will cease until a determination has been reached; and
b. other examiner reports or information in relation to the examination may be withheld at the discretion of the Chair, BGR.

Part G - Conduct of a Hearing by a Misconduct Officer

(38) The Misconduct Officer will advise the student of a date for a hearing, which must be a minimum of ten (10) business days from the date of the notice from the Misconduct Officer, unless all parties agree to an earlier date.

(39) The Misconduct Officer will convene a Research Misconduct Panel (Misconduct Panel) to support a hearing, and will conduct the hearing according to the provisions in Section 27 of the Academic Integrity Statute and this Procedure to reach a determination about the alleged research misconduct.

(40) The Misconduct Panel will consist of at least two other senior academics (Level C or above) from the School of the student who have no direct association with the student, or any prior involvement with the supervision of the student. A professional staff member from the Graduate Research School will support the Panel as secretary.

(41) Members of the Misconduct Panel will assist the conduct of the misconduct hearing through, for example, analysis of any related material, being present at the hearing, and being available for consultation as needed. The Misconduct Officer will determine the final finding and penalty according to the provisions outlined in Part H of this Procedure.

(42) Following the hearing, the Misconduct Officer will make one of the following determinations in relation to the allegation; that is, the student:

a. did not engage in research misconduct;
b. was found to demonstrate poor scholarship; or
c. did engage in research misconduct.

Part H - Findings and Penalties

(43) Within five (5) business days of conducting a hearing, or as soon as practicable, the Misconduct Officer will notify the student in writing of the decision, the reasons for it and the student's right to seek a review.

(44) The Misconduct Officer will send a copy of the decision to the Chair, BGR in every case and the relevant Associate Dean, Learning & Teaching where a higher degree by coursework student is involved.

(45) If the decision is that the student did not engage in research misconduct, the Misconduct Officer will apply no penalty to the student. Where there is a finding of poor scholarship, the Misconduct Officer may, in consultation with the student's supervisor recommend that the student revise the affected work and/or undertake any training that may be required.

(46) If the finding is that the student did engage in research misconduct, the Misconduct Officer will apply a penalty to the student from the Schedule of Responses and Penalties for Higher Degree Student Research Misconduct.

(47) The application of any penalty will be:

a. undertaken in consultation with the relevant Associate Dean, Learning & Teaching or Chair, BGR as appropriate; and
b. implemented after twenty (20) business days have elapsed from the date of the notice of the decision, or after the outcome of any appeal proceedings.

(48) Where a penalty of suspension, exclusion or termination of candidature is applied to an international student, the University is obliged to report the student's change in status to the Department of Home Affairs (DHA). This may lead to cancellation of the student's visa.

(49) Where there is a finding of research misconduct by a higher degree student, BGR will submit a brief report to the

This policy document may be varied, withdrawn or replaced at any time. Printed copies, or part thereof, are regarded as uncontrolled and should not be relied upon as the current version. It is the responsibility of the individual reading this document to always refer to La Trobe's Policy Library for the latest version.

DVC(R&I) or relevant Associate Dean, Learning & Teaching. The DVC(R&I) or Associate Dean, Learning & Teaching may then take any immediate action that may be required beyond the application of the penalty (such as the suspension of a project or report to relevant funding authorities).

Part I - Applications for Review

(50) A student who has been advised of a finding of research misconduct concerning an allegation made against them may, within twenty (20) business days of the notice, apply to the University Appeals Committee (UAC) for a review of the outcome, including any penalty, on any of the following grounds:

a. the finding, that the alleged research misconduct took place, was flawed;
b. the Misconduct Officer responsible for the decision did not act in accordance with the requirements of the Academic Integrity Statute or this procedure when hearing and determining the allegation of research misconduct; and
c. the penalty imposed is too severe.

(51) A student who seeks a review of a finding of research misconduct will:

a. make the application in writing;
b. specify the grounds on which the review is sought and provide information in support of these grounds; and
c. provide copies of submissions to the Chair, BGR at the same time the submission is made to the UAC. The Chair, BGR will notify other authorities as required.

(52) A student who is not satisfied with the way in which an allegation of research misconduct against them has been handled may also, within twenty (20) business days of the notice of decision, or within twenty (20) business days after the outcome of a review by UAC, lodge a complaint with the National Student Ombudsman at no cost. Under the Ombudsman Statute 2009, the la Trobe University Ombudsman cannot conduct mediation or investigation in respect of the UAC decision.

(53) Where a student chooses to lodge a complaint with the National Student Ombudsman, they must also notify the Chair BGR, who will notify other authorities as required. For further information on complaints considered by the National Student Ombudsman, go to Making a complaint | National Student Ombudsman (NSO).

Part J - Implications of Findings of Student Research Misconduct for Supervisors

(54) Where an allegation of research misconduct has been made against a higher degree student the Chair, BGR or Associate Dean, Learning & Teaching) may make a recommendation for advice and/or training for members of the student's supervisory team through the relevant Dean.

Part K - Recording and Reporting of Student Research Misconduct

(55) All records associated with an allegation of research misconduct against a student will be stored in the student's file in the University's content management system.

(56) The Board of Graduate Research will provide a de-identified annual summary report as part of its annual reporting to Academic Board for oversight and the monitoring of trends across the University.

(57) The PVC (RT) will make de-identified summary reports of research misconduct allegations and findings to the DVC(R&I) on an annual basis for oversight and the monitoring of trends across the University.

This policy document may be varied, withdrawn or replaced at any time. Printed copies, or part thereof, are regarded as uncontrolled and should not be relied upon as the current version. It is the responsibility of the individual reading this document to always refer to La Trobe's Policy Library for the latest version.

Section 7 - Definitions

(58) For the purpose of this Procedure:

a. Academic Misconduct (Research) Officer (AMRO): a senior academic staff member working in a School who is appointed by the Pro Vice-Chancellor (Research Training) under Section 30 of the Academic Integrity Statute 2015 to hear and determine allegations of research misconduct made against higher degree students undertaking research.
b. Exclusion: means the temporary or permanent prohibition of an individual from accessing any or all University facilities and services or participating in University activities. A temporary prohibition may be for a specific period or until a condition or conditions have been met. Where a student or participant is excluded from a course, short course or subject, their enrolment in the course, short course or subject is cancelled and, where not prevented by the terms of their exclusion, they must reapply for admission.
c. Higher degree: a Master's degree or a doctoral degree, whether by coursework or research or a combination of coursework and research.
d. Research Integrity Advisor: are individuals with knowledge of the Australian Code for the Responsible Conduct of Research (2018) an institutional processes nominated by the University to promote the responsible conduct of research and provide informal advice to those with concerns about issues relating to the conduct of research.

Section 8 - Authority and Associated Information

(59) This Policy is made under the La Trobe University Act 2009.

(60) Associated information includes:

a. Academic Integrity Statute 2015
b. Research Misconduct Procedure
c. Schedule of Responses and Penalties for Higher Degree Student Research Misconduct

Status and Details

Status	Current
Effective Date	3rd August 2026
Review Date	22nd July 2029
Approval Authority	Academic Board
Approval Date	3rd August 2026
Expiry Date	Not Applicable
Responsible Manager - Policy	Rebecca Lubansky Senior Manager, Graduate and Global Research
Enquiries Contact	Graduate Research School

This policy document may be varied, withdrawn or replaced at any time. Printed copies, or part thereof, are regarded as uncontrolled and should not be relied upon as the current version. It is the responsibility of the individual reading this document to always refer to La Trobe's Policy Library for the latest version.