

Summary of RGC's Decision on Substantiated Misconduct Cases

(2021/22 Funding Exercise)

Case 1: Non-disclosure of Similar / Related Research Work in the Application

Case Background

It came to the attention of the University Grants Committee (UGC) Secretariat that similar proposals submitted by the same Principal Investigator (PI) were funded under different funding schemes. Three projects were involved, including two funded by the RGC and one funded by another funding agency. The Panel commented that the three proposals were similar and varied by the agents being chosen for study. Having considered the PI's representations, the Panel considered that it was a suspected case of non-disclosure of similar / related research work in the application and there was prima facie evidence to warrant further investigation.

On request, the PI's affiliated university conducted a formal investigation into the alleged misconduct. The PI admitted his failing to report / declare the project funded by another funding agency in a proposal submitted to the RGC due to oversight and negligence. Regarding the relatedness of two proposals submitted to the RGC, the PI explained that he used to define similar / related research work by originality and novelty, and he did not realize that investigating different compounds towards a common goal would make the projects being considered as closely related. The investigation panel concluded that the alleged misconduct of non-disclosure of similar / related research work in the application was substantiated but considered that the PI did not intentionally hide his grants / project record.

The case was further examined by the Investigation Working Group (IWG) appointed by the Disciplinary Committee (DC) (Investigation). The IWG considered that there was evidence that the PI failed to report / declare a related project funded by another funding agency in his proposal submitted to the RGC in the 2021/22 exercise. Regarding the relatedness of the two proposals submitted to and funded by the RGC, the IWG considered that the two proposals were not related as the compounds under investigation and the putative mechanisms of action were totally different. On the consideration of the IWG's findings and recommendations, the DC (Investigation) agreed that the allegation of non-disclosure of similar / related research work (i.e. project funded by another funding agency) in the application submitted to the RGC in the 2021/22 exercise should be substantiated.

The DC (Investigation) considered that it was not a deliberate attempt of the PI to withhold his grants record in the application. With reference to RGC's "Guiding Principles for Determining the Level of Penalty" and the level of penalty of precedent cases, the DC (Investigation) recommended a penalty of "warning letter plus disqualification of related funding application in the concerned exercise" on the PI.

The RGC approved the DC (Investigation)'s recommendations on the substantiation of the allegation of non-disclosure of similar / related research work in the application and the penalty of "warning letter plus disqualification of related funding application in the concerned exercise" (i.e. 2021/22 exercise).

Summary of RGC's Decision on Substantiated Misconduct Cases

(2020/21 Funding Exercise)

Case 1: Plagiarism and self-plagiarism

Case Background

The Principal Investigator (PI) submitted a funding proposal in the 2020/21 exercise. During the assessment process, an external reviewer found that a statement in the proposal appeared to be copied from somewhere else. The First Reader also found that there was word-by-word copy from a former paper of the PI to the proposal with no reference cited, and some figures in the proposal seemed to be copied from somewhere. Having considered the PI's representations, the Panel considered that it was a suspected case of plagiarism and self-plagiarism and there was prima facie evidence to warrant further investigation.

On request, the PI's affiliated university conducted a formal investigation into the alleged misconduct. In the university's investigation report, the Investigation Panel concluded that the allegation of plagiarism was substantiated for some quoted examples but the allegation of self-plagiarism was not substantiated. The university believed that the mistakes were caused by the PI's negligence but not the deliberate acts of the PI.

The case was further examined by the Investigation Working Group (IWG) appointed by the Disciplinary Committee (DC) (Investigation). The IWG considered that five figures in the PI's proposal were copied from publications / website without acknowledgement which amounted to the misconduct of plagiarism and lines of text were copied from the PI's previous publication without proper citation in two instances which amounted to the misconduct of self-plagiarism. Having considered the findings and recommendations of the IWG, the definition of plagiarism and self-plagiarism in the RGC's "Guidelines on Handling of Research Misconduct Cases" and the PI's final representations, the DC (Investigation) concluded that the allegation of plagiarism and self-plagiarism against the PI was substantiated.

Penalty

The DC (Investigation) considered that unlike the precedent case with a penalty of five years' debarment, the core idea of the proposal in the current case was not plagiarized from others' work and therefore the case was not serious enough to warrant a maximum penalty of five years' debarment. However, the DC (Investigation) doubted if the misconduct acts were the deliberate acts of the PI as a number of figures were copied from publications / website. Moreover, the PI was an experienced applicant of RGC grants. Hence, the DC (Investigation) considered that the minimum penalty of plagiarism (i.e. two years' debarment) was not suitable for this case.

With reference to the "Guiding Principles for Determining the Level of Penalty" endorsed by the RGC and the level of penalty of precedent cases of plagiarism, and having considered the circumstances pertinent to the case, the DC (Investigation) recommended to impose a penalty of "debarment from all research funding schemes administered by the UGC / RGC in all capacities for three years plus disqualification of all submitted applications in all capacities" on the PI. The recommended penalty covered both the misconduct of plagiarism and self-plagiarism committed by the PI.

The RGC approved the DC (Investigation)'s recommendations.

Summary of RGC's Decision on Substantiated Misconduct Cases

(2019/20 Funding Exercise)

Case 1: Non-disclosure of Similar / Related Research Work in the Application

Case Background

The Principal Investigator (PI) submitted a funding proposal in the 2019/20 exercise. He declared in the application that he did not have any research work that was being / had been conducted in relation to his submitted proposal. By the deadline on 15 April 2019, he did not provide any information update on the part of declaration of similar or related project(s) / proposal(s) either.

A Panel Member found that a preliminary working paper co-authored by the PI, which was available on the internet with the date of publication as March 2019, was similar to the submitted proposal. The Panel considered that this was a suspected case of non-disclosure of similar / related research work and there was prima facie evidence to warrant further investigation.

The PI explained the differences between the working paper and the proposal in his representation. He said the main results in the working paper did not form part of the proposal. Other results in the paper were also not part of the objectives or hypotheses in the proposal. All the hypotheses in the proposal had not been conclusively tested. Analysis had not been done for the proposed tasks in the proposal. The PI was fully engaged and therefore overlooked the email from the Research Office reminding him of the deadline to provide information update to the RGC.

The case was further examined by the Investigation Working Group (IWG) appointed by the Disciplinary Committee (DC) (Investigation). On the consideration of the findings of the IWG, the DC (Investigation) considered that the working paper, at least part of its content / research, was related to the submitted proposal. The PI should follow the RGC's guidelines to report the working paper in the application or during the period of proposal update to the RGC. The allegation against the PI should be substantiated.

The DC (Investigation) agreed that it was not a deliberate attempt of the PI to withhold his working paper, which was partly related to his proposal, to the RGC.

With reference to the “Guiding Principles for Determining the Level of Penalty” endorsed by the RGC and the level of penalty of precedent cases, and having considered the circumstances pertinent to the case, the DC (Investigation) recommended a penalty of “warning letter plus disqualification of related funding application in the concerned exercise” on the PI.

The RGC approved the DC (Investigation)’s recommendations on the substantiation of the allegation of “non-disclosure of similar / related research work in the application” and the penalty of “warning letter plus disqualification of related funding application in the concerned exercise”.

Summary of RGC's Decision on Substantiated Misconduct Cases

(2018/19 Funding Exercise)

Case 1: Non-disclosure of Similar / Related Project

Case Background

The Principal Investigator (PI) submitted a funding proposal in the 2018/19 exercise. He declared in the application that he did not have any projects / proposals similar or related to his submitted proposal. By the deadline on 15 April 2018, he did not provide any information update on the part of declaration of similar or related project(s) / proposal(s) either.

During the assessment, an External Reviewer (ER) pointed out that some of the work in the proposal had already been completed. This was evidenced by the finalization of a working paper in summer 2017. The working paper was available at two websites. This suspected case of non-disclosure of similar / related work was discussed at the Panel meeting and the Panel considered that there was a prima facie case for further investigation.

On request, the university concerned set up an investigation panel to examine the allegation of non-disclosure of similar / related project. The PI explained to the investigation panel that he updated the working paper in late November / early December 2017 for a conference held in Shenzhen. The revised working paper was made available on the public domain in December 2017. The PI did not know that the working paper was published on the website in July 2017. The main co-author of the paper posted the working paper on the website without informing him. The PI was not aware that the Research Office had sent him an email reminding him of RGC's deadline for information update. Hence, he missed the chance to provide an update on his proposal to the RGC. The investigation panel concluded that the working paper was related but not substantially similar to the PI's submitted proposal. The working paper was only the preliminary work of one of the four major objectives of the PI's submitted proposal. The PI failed to disclose the working paper because he was not aware that the paper was posted on the public domain and he missed the notification email from the Research Office on proposal update in April 2018. The PI's failure to disclose the paper was unintentional.

The case was further examined by the Investigation Working Group (IWG)

appointed by the Disciplinary Committee (DC) (Investigation). The IWG considered that there was evidence that the PI failed to disclose a working paper which was related to his submitted proposal. On the consideration of the IWG's findings and recommendations, the DC (Investigation) agreed that the allegation against the PI should be substantiated. The DC (Investigation) commented that it was the PI's responsibility to follow the stipulated guidelines to disclose the working paper in his proposal or report to the RGC during the subsequent information update. The RGC approved the DC (Investigation)'s recommendation and referred the case to the DC (Penalty) for consideration on the penalty.

Penalty

The DC (Penalty) agreed that this was a mild case of misconduct that was committed unintentionally. It was not a deliberate attempt of the PI concerned not to disclose the working paper in his funding application or not to provide information update to the RGC by the deadline of proposal update.

With reference to the "Guiding Principles for Determining the Level of Penalty" endorsed by the RGC and the level of penalty of precedent cases, and having considered all the factors pertinent to the case, the DC (Penalty) recommended a penalty of "warning letter plus disqualification of related funding application in the concerned funding exercise" on the PI. The RGC approved the DC (Penalty)'s recommendation.

Summary of RGC's Decision on Substantiated Misconduct Cases

(2017/18 Funding Exercise)

Case 1: Non-disclosure of Similar / Related Project

Case Background

The Principal Investigator (PI) submitted a funding proposal in the 2017/18 exercise. He declared in the application that he did not have any projects / proposals similar / related to his submitted proposal. By the deadline on 30 April 2017, he did not provide any information update on the part of declaration of similar / related projects / proposals either.

During the assessment, an External Reviewer (ER) pointed out that a working paper available at the internet looked similar to the proposed research. The working paper was published in February 2017 and the PI was one of the authors of the paper. This suspected case of non-disclosure of similar / related work was discussed at the Panel meeting and the Panel considered that there was prima facie evidence to warrant further investigation.

On request, the university concerned set up an investigation panel to examine the allegation of non-disclosure of similar / related project. The PI explained to the investigation panel that the project team did not have a working paper at the time when he submitted the proposal in November 2016. Since the project team already had the data for the period from 2000 to 2012, the team performed preliminary analysis and presented some of the results in the proposal. He did not submit any update to the RGC in April 2017 because he thought that updates were only required if there was any significant change to the proposal. The investigation panel concluded that the project team failed to report a working paper which was related to their proposal due to the team's negligence and misunderstanding of the RGC's guidelines.

The case was further examined by the Investigation Working Group (IWG) appointed by the Disciplinary Committee (DC) (Investigation). The IWG considered that there was evidence that the PI had not disclosed the working paper, which was related to his submitted proposal, to the RGC. On consideration of the IWG's findings and recommendations, the DC (Investigation) agreed that the proposal, which had a similar topic, was an extension of the line of research of the working paper. Given the volume of

data provided in the said working paper, the PI should have a certain degree of work done before the proposal was submitted to the RGC. The DC (Investigation) concluded that the allegation against the PI should be substantiated. The RGC approved the DC (Investigation)'s recommendation and referred the case to the DC (Penalty) for consideration on the penalty.

Penalty

Having regard to the fact that the PI had mentioned the data collection for the period from 2000 to 2012 in the proposal, the DC (Penalty) agreed that the PI had no intention to hide the working paper. It was not a deliberate attempt of the PI to mislead the RGC but it was an oversight of the PI.

With reference to the “Guiding Principles for Determining the Level of Penalty” endorsed by the RGC and the level of penalty of precedent cases, and having considered all the factors pertinent to the case, the DC (Penalty) recommended a penalty of “warning letter plus disqualification of related funding application in the concerned funding exercise” on the PI. The RGC approved the DC (Penalty)'s recommendation.

Summary of RGC's Decision on Substantiated Misconduct Cases

(2017/18 Funding Exercise)

Case 2: Non-disclosure of Similar / Related Project

Case Background

The case was discovered during the investigation of another alleged misconduct case involving a funding proposal submitted in the 2017/18 exercise. That case was found not substantiated after investigation. In the course of investigation, a Member of the Investigation Working Group (IWG) noticed that the proposal submitted by the PI in the 2015/16 exercise was similar to the PI's paper published in 2015, i.e. the work done by the PI during his PhD study.

On request, the university concerned set up an investigation panel to examine the allegation of non-disclosure of similar / related project. The PI explained to the investigation panel that the proposal submitted in the 2015/16 exercise was his first funding proposal submitted in the capacity of PI. Due to his lack of experience, he misinterpreted that the institution's funded project was an on-going project and declared the project as a "similar / related on-going project" rather than a "similar / related completed project / work" in the application. He regretted for the inconvenience caused and said that he would make proper declaration in future applications. Given the fact that the PI had indeed failed to provide information on one of his "completed" work in the application, the investigation panel considered that the alleged misconduct should be substantiated.

The case was further examined by the IWG appointed by the Disciplinary Committee (DC) (Investigation). The IWG considered that there was sufficient evidence to support the allegation. On consideration of the IWG's findings and recommendations, the DC (Investigation) concluded that the paper, which was derived from the on-going project funded by the institution, should have been substantially completed when it was submitted to the journal. If the paper was similar / related to the proposal submitted in the 2015/16 exercise, the PI should declare the paper as "completed work" in Part II Section 7(d) of the application form according to the RGC's requirement. Since the PI failed to declare the paper as a similar / related completed project / work in the appropriate section of the application form, the allegation against the PI should be substantiated. The RGC approved the DC (Investigation)'s recommendation and referred the case

to the DC (Penalty) for consideration on the penalty.

Penalty

The DC (Penalty) noted that the PI of this case was still pursuing his PhD study when preparing the proposal for the 2015/16 exercise and it was his first time in applying for external funding. The PI had declared a similar on-going project funded by the institution, from which the paper was derived, in the application. The DC (Penalty) agreed that it was a mild case of misconduct and the PI had no intention to commit the misconduct. With reference to the “Guiding Principles for Determining the Level of Penalty” endorsed by the RGC and the level of penalty of precedent cases, and having considered all the factors pertinent to the case, the DC (Penalty) recommended a penalty of “warning letter plus disqualification of related funding application in the concerned funding exercise” on the PI. The RGC approved the DC (Penalty)’s recommendation.