Tate Code of Good Practice in Research

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1. The Principles of Good Research Practice

1.1 Introduction

Tate has a responsibility to ensure that the research it supports is carried out in conformity with the law and in accordance with best current practice.

Tate expects all those engaged in research to act with the highest standards of integrity, whether they are employees or students or researchers associated with Tate, and irrespective of the source from which their posts or research is funded. Tate also expects these standards to be maintained by those involved in setting research priorities and in assessing research.

1.2 The Code

The Code provides guidelines on the issues involved in the proper conduct of research and on the standards of research conduct expected at Tate. It supplements the code of practice described in the *Employee Handbook*, which is given to all members of staff.

The Code is intended specifically for: staff employed by Tate and other individuals carrying out research on behalf of, or in association with, Tate; students and their supervisors associated with Tate; individuals involved in the peer review and evaluation of research at Tate. It is made available internally to Tate employees on the Research department intranet site and external researchers are sent paper or electronic copies.

The Head of Art Historical Research is responsible for ensuring that all those engaged in research at, or in association with, Tate have access to a copy of the Code or know where they can consult one. As explained below (section 4), Divisional Directors and Heads of Departments are responsible for ensuring compliance with the Code.

1.3 Definition of research

Definitions of research can vary according to context but typically research is understood here to mean 'original investigation undertaken in order to gain knowledge and understanding', and this is the definition accepted here.[1] Concepts of research that focus on the processes of research emphasise in addition:

- the research questions or problems that the research project seeks to address
- the research context to which the project seeks to make a contribution
- the particular research methodology chosen.[2]

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[1] Research Assessment Exercise 2001 and thereafter.
[2] Arts and Humanities Research Council, *Research Funding Guide*, December 2016, p.9, (http://www.ahrc.ac.uk/documents/guides/research-funding-guide/).

Research includes:
- scholarship (the analysis, synthesis and interpretation of ideas and information, and the creation, development and maintenance of the intellectual infrastructure of subjects and disciplines, in forms such as scholarly editions, catalogues and contributions to major research databases);
- the invention and generation of ideas, concepts, exhibitions, images, performances and artefacts where these lead to new or substantially enriched insights;
- the use of existing knowledge in experimental development of products or processes.
- basic research (work undertaken to acquire or establish new knowledge without a particular application in view);
- strategic research (work which is carried out to discover new knowledge which might be of use to future applications)
- applied research (work which is undertaken to discover new applications of existing or new knowledge).

It excludes the development of materials that do not embody original thinking or new information, and an uncritical gathering of information undertaken without a view to developing from it original insights.

A further distinction can be drawn between those activities whose goals are outputs that embody new knowledge, enhance understanding, or enrich the creative and intellectual infrastructure, and those whose outputs that are primarily instrumental and not open-ended. The boundaries between these activities are sometimes blurred but it is helpful to try to be clear about the different natures of these two types of outputs when defining the character and goals of any research project.

The quality of research can be defined in terms of its:

- significance (the degree to which the work has enhanced, or is likely to enhance, knowledge, thinking, understanding and/or practice in its field);
- originality (the degree to which the work has developed new formulations or data and/or initiated new methods and/or forms of expression);
- rigour (the degree of intellectual precision and/or systematic method and/or integrity embodied in the research).

Other criteria involve the research environment (strategy, people, structure) and esteem indicators (recognition, influence, benefit). [3]

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[3] See Higher Education Funding Council for England et al, *RAE 2008, Panel Criteria and Working Methods: Panel O*, January 2006 (www.rae.ac.uk: RAE 01/2006), quoted in Marcia Pointon, 'A Report on the Strategic Direction and Management of Tate's Research Programme', Tate 2006.

2. Management of Good Research Practice

2.1 Professional standards

- **Honesty**

At the heart of all research, regardless of discipline or institution, is the need for researchers to be honest in respect of their own actions in research and of their responses to the actions of other researchers or other participants. This applies to the whole range of work, including experimental projects, generating and analysing data, publishing results, and acknowledging the direct and indirect contributions of colleagues, collaborators and others.

All individuals in Tate's employment, or working with Tate, must refrain from plagiarism, infringement of intellectual property rights or the fabrication of results. Committing any of these actions is regarded as a serious disciplinary offence (see section 4).

- **Fairness and ethical considerations**

Researchers should observe fairness in their research and scrupulously avoid expressions of personal prejudice with respect to gender, religion, national or ethnic origin, age, sexual preference, race, physical or cognitive disability or health condition.

They should also abide by the ethical and legal standards required by Tate (see section 2.4) or other bodies associated with or directly relevant to, the research project, including, for example, funding bodies and collaborating partners.

More generally, researchers should be guided by the principles of non-maleficence and beneficence, indicating a systematic regard for the rights and interests of others in their academic relationships and activities. Non-maleficence is the principle of doing, or permitting, no foreseeable harm, including infringement of rights, as a consequence of the research. It is the principle of doing no harm in the widest sense. Beneficence is the requirement to serve the interests and well being of others, including respect of their rights. It is the principle of doing good in the widest sense.

- **Openness**

While recognising the need for researchers to protect their own research interests in the process of planning their research and obtaining their results, Tate encourages researchers to be as open as possible in discussing their work with other researchers and with the public.

Once results have been published, researchers should make available relevant data and materials to others on request for appropriate purposes.

- **Conflicts of interest**

Researchers must be honest about any possible conflicts of interest, whether real, potential or perceived. Conflicts of interest include but are not restricted to personal or close family

affiliation to or financial involvement with any organisation sponsoring or providing financial support for a project undertaken by a researcher. Disclosure of a potential conflict of interest should be made to both the research project leader and the Head of Department/ Divisional Director as soon as reasonably possible (see *Employee Handbook*, section 4.4).

2.2 Leadership and organisation in research groups

The culture and tone of procedures within any organisation must be set by individuals in authority. Within Tate, it is the responsibility of the Trustees, the Director, the Directors of the four Tate sites, the Head of Research and the Head of Collection Research to ensure that a climate is created which allows research to be conducted in accordance with good research practice.

Within a research group, responsibility lies with the project leader. Project leaders should create a research environment of mutual cooperation, in which all members of a research team are encouraged to develop their skills and in which the open exchange of ideas is fostered. They should consider using the training opportunities provided by Tate to help develop the skills of particular individuals. They must also ensure that appropriate direction of research and supervision of researchers and research students is provided. Responsibilities should be clearly allocated and understood.

Research misconduct is least likely to occur in an environment where good research practice (e.g. documentation of results, peer review of research, regular discussion and seminars) is encouraged and where there is adequate supervision at all levels.

2.3 The needs of new researchers

Researchers who are inexperienced may face particular difficulties. Responsibility for ensuring that new researchers understand good research practice lies with all members of a research project group, but particularly with research project leaders, and the Head of Art Historical Research. Good practice includes mentoring less experienced researchers in their new environment.

2.4 Accountability

Researchers, and in particular those named as principal investigators or grantholders, must ensure that the research that they are undertaking is consistent with the terms and conditions as defined by the sponsoring body and / or covered by agreements between Tate and the sponsor (e.g. a research funding body).

This includes, but is not restricted to, ensuring that the research programme carried out is as defined in the original proposal submitted to the sponsor, unless amendments have been agreed in writing; that finance is used solely for the purpose that it was intended; that reports are both accurate and produced on time; and that conditions relating to publication and ownership of Intellectual Property are adhered to.

Tate employees engaged on research are also accountable to Tate for the use of their time to deliver research projects. They need to agree a delivery schedule with their project manager. There should be regular reviews of the project (typically, monthly or quarterly) at which the project's progress or any slippages in the timescale need to be reported. Timescales may be adjusted in the light of changes in circumstance or in the direction of the project. If this needs to happen, it is the responsibility of the researcher to address this with the appropriate project or line manager. The manager should in turn report this to, and have any revised timescale approved by, the Head of Department/Divisional Director, who in turn is accountable to the Director for the use of staff time and the delivery of the research project.

2.5 Legal requirements

Researchers should comply with relevant legislative requirements. These include: The Data Protection Act, The Computer Misuse Act, The Equality Act 2006, The Obscene Publications Act and The Human Rights Act, along with relevant legislation on age, disabilities, The Health and Safety at Work Act and the Safety Regulations approved under this Act. Specifically, Tate must conform to government rules and legal requirements on access to information under the Freedom of Information Act. Please note that all research and research documents, even research notes, generated by researchers working for Tate, may be made available to the public under the provisions of this Act.

Staff can access further information about the operation of The Freedom of Information Act and The Data Protection Act on the Library and Archive intranet site, under Gallery Records Documents, and also under Data Protection in Guides on the intranet. Advice on these issues can also be obtained from the Head of Archive, Tate's Legal department and the Human Resources department.

2.6 Purchasing and expenditure for research

Purchasing and expenditure of funds should take place in accordance with the terms and conditions of any grant or contract held for the research and Tate's own practices. Advice on compliance can be obtained from Tate's Finance department.

2.7 Contractual disputes

If any contractual dispute arises between Tate and a research partner, it is envisaged that this should be settled informally by negotiation within around twenty-one days. However, in the event that an informal settlement cannot be reached by negotiation between the parties, there will normally be some contractual provision for the settlement of disputes by mediation. Any such mediation would be conducted in accordance with the CEDR Model Mediation Procedure, with mediation taking place in London under the guidance of a trained mediation professional.

2.8 Undertaking research projects outside of Tate

Employees should seek permission from their line managers to undertake research projects out of work hours and, in the case of major publications, they should inform Tate Publishing. This should be done to ensure that the line manager is able to assess whether there might be any conflicts of interest between the individual's Tate responsibilities and the needs of the external project, or any potentially damaging consequences to Tate arising from the project. The line manager should ensure that the Head of Department or Divisional Director is aware of major projects.

3. Research Results

3.1 A Self-critical approach

Researchers should always be prepared to question the outcome of their research. While acknowledging the pressures – of time and resources – under which researchers often have to work, Tate expects research results to be checked by the individual researcher before being made public.

Equally, it is important that researchers or research groups should not become subject to such pressures that the normal processes of research inquiry cannot be enforced (for example, by constraints imposed by the source of funding of the research or by the late commissioning of a piece of research in relation to a fixed deadline).

3.2 Evaluating research

For each piece of research, and for each research project, there should be a clearly defined process by which the research will be evaluated in terms of its quality and its conformity with both the objectives of the project and the principles of good practice in research. Individuals engaged in the research need to be clear from the outset what the process of evaluation will be, what the specific criteria of evaluation will be, and, as far as possible, who will be involved in the evaluation. The process of evaluation may involved peer review, with work being sent to experts outside of Tate for a disinterested appraisal.

It is the responsibility of the Head of Art Historical Research to ensure that these processes and mechanisms are in place and are observed.

3.3 Documenting results and storing primary data

- **Record keeping**

Researchers must guarantee that they arrived at their own work independently and without having copied the work or infringed the rights of any third party. Throughout their work researchers are therefore required to keep clear and accurate records of the procedures followed and of the results obtained, including interim results. This is necessary not only as a

means of demonstrating proper research practice, but also in case questions are subsequently asked about either the conduct of the research or the results obtained.

Primary data used as the basis for publications should be securely stored for an appropriate time in a durable form. In cases where transcripts of interviews are the basis for research, these should be kept confidential or otherwise, according to the agreements with the individuals concerned when the data was collected. The keeping and maintenance of notebooks, and other data sources, can also help to ensure that intellectual property can be protected and copyright traced.

- **Storage of records**

As a publicly funded body, Tate is responsible for the appropriate maintenance and storage of the records of research it sponsors. This is also a requirement of several sources of external funding. Researchers should confirm these requirements with the funding source at the outset of the research programme, and a written statement regarding data storage should be included in the description of the research to be carried out.

The appropriate period for retaining data depends on circumstances (e.g. in some fields, the importance and relevance of data can be superseded very rapidly). Equally the means of data storage (paper, diskette, CD-ROM, etc) should be appropriate to the task. Provision should be made for automatic back-up of electronically stored data. Even if the individuals responsible for generating the data relocate or leave the organisation, Tate should still have access to data and appropriate steps should be taken to ensure the transfer of data from individuals to Tate.

Guidance on appropriate timescales and data storage is the responsibility of the research project group leader, and should be confirmed in writing at the outset of the research programme.

3.4 **Acknowledgements**

The contributions of formal collaborators and all others who directly assist or indirectly support the research must be properly acknowledged. This applies to any circumstances in which statements about the research are made, including provision of information about the nature and process of the research, as well as in the final publication. Where appropriate, the sponsors of the research should be acknowledged according to an appropriate formulation, normally agreed at the onset of the project.

The issue of authorship is important in the context of good research practice, and Tate expects the matter to be taken seriously. If a paper is jointly authored, all named individuals should be able to identify their contributions. The practice of honorary authorship is unacceptable (i.e. only those who have contributed to the research should be listed).

3.5 Rights

- **Clearing copyright**

Research which contains third party copyright material, whether from text or through reproduction of images, should always carry an acknowledgement of the original source and, unless the quote is either insubstantial or fair dealing rules apply, it must be cleared for use. Fair dealing rules permit copying for research or private study. This will only apply, however, when research is undertaken for a non-commercial purpose. It is likely that any research undertaken for a fee will be deemed commercial and therefore not able to benefit from fair dealing rules.

Guidance on any of these issues can be sought from Tate's Copyright Manager.

- **Intellectual property**

Unless otherwise agreed, Tate owns the intellectual property arising from research undertaken by employees in the course of their employment (see *Employee Handbook*, section 4.4).

Tate may waive copyright in certain circumstances, where this is not deemed to be prejudicial to Tate's interests. Unless otherwise agreed, Tate does not own the output from the research of students attached to Tate. If it is necessary for Tate to own this IP, then this must be the subject of a written agreement with the student

The types of IP that might be generated by research can vary and attention should be given to protection of that IP in the final research. Examples might include:

- copyright in a written report: copyright is automatic and there is no need for the formality of registration. Use of the symbol © Tate will ensure third parties are aware of Tate's rights in the published research
- artists' interviews: copyright will belong to the artist and Tate. The artist should be asked before interview for authorisation to make the interview public in published form.
- new photographs of art-works and views including raking, infrared and x-ray are protected by copyright. Copyright in photographs taken by Tate employees will belong normally to Tate.
- scientific techniques can be protected by patent where they meet criteria on novelty and where the process is kept confidential and there is no disclosure before an application is made for registration (the latter point may have implications for publication of the research).

- **Rights of participants in research projects**

In projects involving interviews with or surveys of people outside the project team, it is the responsibility of the researcher to ensure that:

- participants are comprehensively informed about the research so that are able to give informed consent;
- participants are openly asked to give their consent to take part and to any subsequent attributable use of their comments and other related materials;
- participants are told who is sponsoring the research and of any commercial outcomes it may have;
- undertakings made to participants are honoured;
- the research respects the interests of the participants;
- participants are assured that they may withdraw from the project at any time and their data destroyed, and that their withdrawal will be accepted without question;
- participants are treated with respect at all times.

Recordings of participants must be kept in a secure place and not released for use by others unrelated to the project without the participants' permission.

4. Observance of the Code

4.1 Familiarity with the Code

All staff involved in research at whatever level, and external researchers associated with Tate, should familiarise themselves with the Code so that its principles are embedded within the culture at Tate.

The Head of Research is responsible for ensuring that all those engaged in research at, or in association with, Tate have a copy of the Code or know where they can consult it, and are aware of its implications in relation to the conduct of their research projects.

Where researchers are uncertain about the applicability of aspects of the Code to their project, they should consult the Head of Art Historical Research. This is particularly pertinent where the researcher is aware that there are or may be ethical implications that need approval or wider discussion.

4.2 Monitoring the conduct of research

It is the responsibility of project leaders to discuss with their managers all aspects of the progress and management of the projects. Clarity, transparency and openness are essential in order to ensure the delivery of the research and its proper management.

Project leaders may also be asked to prepare full reports of the progress and management of their projects to the Head of Research, who will monitor the conduct of the research and report issues of concern to Divisional Directors or to the Director.

Responsibility for compliance with the Code rests mainly with Divisional Directors in relation to research undertaken by staff within their teams or by external researchers working on projects in association with their teams.

Failure to comply with the provisions of the Code may be grounds for action to be taken by Tate, including under its disciplinary procedure (see *Employee Handbook*, section 15*)* in relation to employees. Tate may choose to lodge a complaint with the sponsors or host institution of any researcher who was not a Tate employee and who was found not to comply with the Code.

4.3 Misconduct

Tate defines academic misconduct as committing an act whereby the researcher knowingly and deliberately seeks to corrupt, misrepresent or to falsify the outcomes of academic or professional study, scholarship or research. Misconduct may include:

- demonstrable breach of the Code
- plagiarism
- the exploitation or misrepresentation of the work or expressed thoughts of others as one's own without permission or acknowledgement
- fabrication of results or false claims
- intentional damage to, or removal of, the research-related property of another
- intentional non-compliance with the terms and conditions governing the award of external funding for research within Tate, or with Tate's policies governing research, including accounting requirements, ethical and legal requirements, and health and safety requirements.
- applications with inaccurate or fraudulent information.

Staff have a duty to report misconduct by other parties in the prosecution of research, where they have good reason to believe it is happening. Everyone should feel able to report misconduct in good faith without fear of victimisation or reprisal. Claims of misconduct will be reported to the most appropriate manager and will be investigated promptly. Where claims are made about external researchers, an appropriate manager within Tate will discuss the claim with the researcher in question so that they are aware of the allegation. Claims which are substantiated or are serious in nature will be reported to the Director, who will decide upon the appropriate course of action to be taken. In this the Director may choose to seek guidance from the Ethics Committee, a subcommittee of the Board of Trustees.

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