

May 29, 2020

Advice request

The VCWI received a request for general advice from the VLIR working group Ethics and Research Integrity on behalf of the university commissions for research integrity (CRI's).

The questions concern the situation of altered working conditions following the COVID19 pandemic. In early 2020, the government issued measures, such as social distancing and telework as the norm. More specifically, the questions concern scientific integrity investigation procedures in this situation.

1. Did the VCWI take measures regarding the handling of second advice requests? Does this have an impact on the duration of the case handling?
2. What does VCWI recommend regarding the handling of cases by the university CRI's? For example, is it possible to extend the procedure's duration limit given the difficulties in organizing hearings?

Advice by Flemish Commission for Research Integrity

Digital is currently the new working standard, also for the VCWI. The world has rapidly switched to online: world leaders, companies and university boards meet in video meetings; even exams and patient consultations take place online. This can also become common practice for CRI's as long as social distancing measures are in place. After all, the sharing of documents and meetings for deliberation are possible in an efficient and safe manner via internet connection and by using adequate software support. This also applies to hearing those involved in cases: "tele-hearing" and written questions are temporarily suitable alternatives to a physical hearing.

The altered working conditions also required working from home for the VCWI members and the VCWI secretariat. Meetings of the VCWI and its supervisory committee have already taken place via an online video communication platform. The VCWI also planned an online hearing. No delay is expected in the handling of VCWI cases.

The CWI may also conduct the procedure digitally. Although the CRI's and VCWI have (mainly) worked with physical meetings and hearings in physical meeting rooms, this mode is not set in stone in the regulations that define the CRI procedure. The CRI regulations of the universities include "hearing", "advising", "explaining", "confidentiality", "written and / or oral", "holding conversations", "a meeting takes place", "call for hearing", "attending a hearing" and even "The committee's deliberation takes place behind closed doors." But these words do not exclude the use of digital means for this "hearing", "deliberation" etc. With appropriate interpretation, the CRI regulations therefore allow the CRI procedure to be conducted via online communication.

Physical meetings are possible. The CWI may consider a physical hearing appropriate or necessary if the hearing cannot be held digitally (in a meaningful manner). In this case, it is up to the institution or its CRI to take the measures so that the physical hearing can take place in a safe manner (such as sufficient distance, a spacious and ventilated room, possibly using mouth masks).

CRI's have freedom of choice, within their regulatory framework. Evidently, it is up to the CRI to assess which work format (digital or physical) is most appropriate. When assessing this, the CRI can take into account, among other things, a reasonable request from one of the parties, or the possibility of the parties and CRI to travel safely to the hearing location.

It remains important that the principles underpinning the CRI regulations, such as fairness, confidentiality and care, are not compromised in a digital procedure. For example, it is the institution's duty to provide a reliable meeting medium, in order to guarantee the confidentiality of the procedure.

CRI members can be replaced. If the CRI procedure risks de facto suspension because certain CRI members are unable to fulfill their role via telecommunication and feel uncomfortable moving physically, the CRI can replace them, in the same way as if they would have been ill or otherwise indisposed. If the CRI has enough members, it can continue its work when a member is unable to participate in the deliberation - for example, when the health and work situation requires that a CRI member from a medical discipline suspends certain duties.

In principle, term extensions are not necessary. The time limits of case investigations are currently rather long, in order to enable sound judgment. The availability of good digital alternatives suggest that a (systematic) extension of the treatment periods is not necessary. This does not exclude *force majeure* in individual cases that justify an extension – for example when one of the parties is seriously ill or cannot find a safe place to be heard, or all possible (medical) experts who could be experts in the CRI procedure experience a peak workload due to the health situation. In such a case, the CWI can motivate the longer case handling period.

A shorter maximum treatment time is not necessary either, in contrast to the procedure for ethics committees handling requests for urgent research.

Conclusions

The VCWI recommends that the existing procedures for hearing and judging are followed as much as possible, preferably by digital means as long as telework remains the norm. When a physical meeting is held, health and safety regulations should be observed. The VCWI therefore sees no reason to systematically extend case handling periods, but recognizes that in special cases a motivated extension can be appropriate.



Vlaamse Commissie voor
Wetenschappelijke Integriteit
Flemish Commission for Research Integrity

The VCWI oversees research integrity in Flanders (Belgium). This body of nine professors has a twofold advisory function: general advice (such as this one) and second advice on cases that have previously been handled by the CRI of an institution. In 2020, 20 institutions recognize the advisory role of the VCWI. The VCWI is a member of ENRIO, the European Network of Research Integrity Offices, which previously published a [Statement on Research Integrity and COVID](#).

Flemish Commission for Research Integrity

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