Management of Research Data, Primary Materials and Information Policy

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In developing this policy the University had regard to the provisions of section 40B(1)(b) of the Human Rights Act 2004 (ACT).

1. PURPOSE:

1.1. This Policy sets out the requirements for Staff, Affiliates and Students at the University to ensure Research Data, Primary Materials and Information are managed according to legal, statutory, ethical and funding body requirements. This Policy derives from the University's responsibility to ensure institutional practices are consistent with the principles and responsibilities of the Australian Code for the Responsible Practice in Research (the Code).

2. SCOPE:

2.1. This Policy applies to all University Staff, Affiliates and Students, visitors and visiting fellows who:

2.1.1. undertake research activities;

2.1.2. manage Research Data, Primary Materials and Information; and

2.1.3. provide the necessary infrastructure and support for Staff, Affiliates and Students.

3. PRINCIPLE:

3.1. **Policy Statement**

3.1.1. The aim of this Policy is to ensure that Research Data, Primary Research Materials and Information required for the validation of research results are properly managed according to recommendations made in the Code and applicable legislation.

3.1.2. The Code states that all individuals and institutions engaged in research have a responsibility to manage Research Data Primary Materials and Information effectively, by addressing ownership, storage, retention, access, acknowledgement and disposal issues.

3.1.3. The potential cumulative value of Research Data, Primary Materials and Information should also be considered and, where possible, Research Data,Primary Materials and Information

should be made available for re-use. The University recognises that access to Research Data, Primary Materials and Information can raise the research profile of individuals and institutions, increase returns on public investment, promote open inquiry and debate, and enable innovative uses of data that may not have been foreseen by Researchers at the time of its creation. The University is committed to supporting the long-term management of research data to enable continuing access to Research Data, Primary Materials and Information.

3.1.4. To optimise research outcomes, Research Data, Primary Materials and Information must be stored, retained, documented and/or described, made accessible for use and reuse, and/or disposed of, according to legal, statutory, ethical and funding body requirements. The management of Research Data,Primary Materials and Information is a shared responsibility. The University expects all Researchers, academic units, the Library and central administrative units to work collaboratively to implement good research data management practices.

3.1.5. All researchers and research support personnel are to follow the procedures set out by the University in the Management of Research Data, Primary Materials and Information Procedure .

3.2. **Storage of Research Data, Primary Materials and Information**

3.2.1. Responsibilities of the University

3.2.1.1. The University will make reasonable efforts to provide facilities and processes for the storage and management of Research Data, Primary Materials and Information that:

3.2.1.1.1. are safe and secure,

3.2.1.1.2. can adequately record the research data throughout its life cycle, and

3.2.1.1.3. can adequately record the research metadata to enable access to the stored data.

3.2.2. Responsibilities of Researchers

3.2.2.1. Researchers must take reasonable steps to keep Research Data, Primary Materials and Information secure.

3.2.2.2. Researchers must store Research Data, Primary Materials and Information in appropriate facilities and adequately record them in a register or index of research metadata to enable access as required.

3.2.2.3. Researchers must curate Research Data, Primary Materials and Information properly throughout its life cycle, and store Research Data with the appropriate metadata.

3.3. **Retention and Publication**

3.3.1. Responsibilities of the University

3.3.1.1. The University is required to ensure that the Research Data, Primary Materials and Information required for the comprehension and interpretation of those data and materials, are retained for a period determined by prevailing standards for the specific type of research and any applicable state, territory or national legislation[1].

3.3.1.2. Agreements covering all management aspects of Research Data, Primary Materials and Information are to be reviewed, prior to movement or departure of Researchers between institutions.

3.3.2. Responsibilities of Researchers

3.3.2.1. Researchers have primary responsibility for deciding which Research Data, Primary Materials and Information are candidates for long-term retention and wider accessibility.

3.3.2.2. Researchers must retain Research Data, Primary Materials and Information in a durable, indexed and retrievable form, for at least as long as relevant, i.e. considering record keeping legislation, national codes, agreements or funding body requirements.

3.3.2.3. Subject to clause 6.1, Researchers can retain copies of Research Data, Primary Materials and Information for their own use, considering the confidentiality and sensitivity of the data.

3.3.2.4. Researchers should:

3.3.2.4.1. Comply with this Policy and associated procedures to ensure appropriate retention of Research Data, Primary Materials and Information during the conduct of the research in storage facilities provided by the University.

3.3.2.4.2. Provide access to Research Data, Primary Materials and Information held in the independent storage facilities, on request.

3.3.2.4.3. On publication of research, make the Research Data, Primary Materials and Information available at publishing houses, data centres, national and international collections, or through online repositories maintained by institutions and research communities with enough detail to enable analyses to be repeated.

3.3.2.4.4. Adhere to established national and international standards for data description and structuring to facilitate tracking of references, including using Digital Object Identifiers (DOIs) for datasets, ORCID IDs for researchers, and standard terminology for scientific concepts.

3.3.2.4.5. Provide sufficient context accompanying the Research Data, Primary Materials and Information data (descriptive, technical, methodological, access, and provenance information), either within the data structure or in separate metadata records to ensure the data is FAIR (findable, accessible, interoperable, and re-usable), both manually and with automated tools).

3.3.2.4.6. Adopt the least restrictive option, such as a Creative Commons Attribution licence, for licensing data for use and re-use by others.

3.4. **Access to Research Data, Primary Materials and Information**

3.4.1. Responsibilities of the University

3.4.1.1. The University will identify specific categories of access to Research Data, Primary Materials and Information, and for each category, establish and communicate processes by which those data, materials and information can be accessed and referenced.

3.4.1.2. Where the sharing of research data has been requested and access has been refused, the University will provide reasons for not sharing the data.

3.4.1.3. Where appropriate, the University will negotiate licensing arrangements to provide a standardised way for researchers and institutions to share research data with others.

3.4.2. Responsibilities of Researchers

3.4.2.1. Research Data, Primary Materials and Information, should be made available by Researchers for use within the research team and where possible, more broadly to interested parties for further research.

3.4.2.2. Researchers should ensure that, unless it is prevented by ethical, privacy, or confidentiality matters, Research Data, Primary Materials and Information must be available for reuse.

3.4.2.3. Researchers given access to or using confidential information, must respect and comply with any research project-specific conditions of consent or confidentiality obligations. Confidential information must only be used in ways agreed with those that provided it.

3.4.2.4. Researchers must adhere to any research project-specific protocols that may require measures beyond those required by University policy, procedures or relevant laws, regulations and guidelines, or research discipline-specific practices and standards.

3.4.2.5. Researchers must report any inappropriate use of or access to or loss of data, in accordance with University policies including Privacy Policy and, where relevant, other reporting schemes such as the Notifiable Data Breaches.

3.5. **Managing confidential and other sensitive information**

3.5.1. Researchers must exercise care in handling confidential or other sensitive information used in or arising from a research project.

3.5.2. Research Data, Primary Materials and Information to which obligations of confidentiality or other sensitivities may apply commonly fall into one of the following categories:

3.5.2.1. data or information that is commercial-in-confidence or that is inherently confidential, and which has been provided in confidence (i.e. secret and sacred religious or cultural practices, or information on the location of vulnerable species)

3.5.2.2. sensitive data or information subject to privacy legislation (i.e. identifiable human medical/ health and personal data or information)

3.5.2.3. data or information subject to classification regimes and other controls (i.e. national security information, police records or information and primary materials subject to export controls).

3.5.3. Researchers must ensure that all security and privacy measures used for Research Data, Primary Materials and Information comply with any external funding requirements if applicable, and are proportional to the risks associated with the confidentiality or sensitivities of the data and materials. These measures relate to storage, access and sharing of the Research Data, Primary Materials and Information and should be recorded in a data management plan.

3.5.4. Sensitive Research Data, Primary Materials and Information may be appropriately shared through mediated access arrangements and the application of a risk assessment framework.

3.6. **Ownership, custodian and control**

3.6.1. Subject to agreements entered into by the University with third parties, including funding bodies and other institutions, Research Data, Primary Materials and Information created or collected by Researchers, the University asserts custodianship over Research Data, Primary Materials and Information covered by the scope of this Policy.

3.6.2. Research Data is considered as Intellectual Property, and ownership is governed by the University's Intellectual Property Policy.

3.6.3. Students own the data collected in their research. Subject to any external funding or contract requirements, a student deed of agreement may be required.

3.6.4. The University's assertion of custodianship will not impede the normal use of Research Data, Primary Materials and Information by Researchers for their research and scholarly purposes. Instead, the University is permitted to collect and control Research Data, Primary Materials and Information for long-term purposes, such as data preservation and data sharing.

3.6.5. Where research projects span several institutions, an agreement must be developed at the outset covering the control and management of Research Data, Primary Materials and Information.

3.7. **Acknowledging the use of others' data**

3.7.1. As required by the Code, Researchers are required to ensure that the Research Data, Primary Materials and Information of other researchers is appropriately referenced and cited in any presentation, publication or sharing of research. This principle applies to all Research Data, Primary Materials and Information used as an input to a research project at the University.

3.8. **Disposal and destruction**

3.8.1. The disposal of Research Data, Primary Materials and Information is to be conducted in accordance with the University's policies and procedures, as well as ethical and contractual requirements.

3.8.2. Disposal of Research Data, Primary Materials and Information must not occur prior to the expiration of the retention period or prior to the resolution of any challenge to the results of the research.

3.8.3. If the results from research are challenged, all relevant Research Data, Primary Materials and Information must be retained at least until notification from the University that the matter is resolved.

3.9. **Researcher Departure**

3.9.1. Prior to a Researcher's departure from the University, a review of the data and materials created and collected will be undertaken to determine ongoing ownership and storage.

3.9.2. The Researcher is responsible for:

3.9.2.1. Ensuring that agreements are in place to govern circumstances in which they leave the project or move from one institution to another during the project.

3.9.2.2. Ensuring that all Research Data, Primary Materials and Information necessary for it to be adequately comprehended and interpreted are current in the University's data repository established under this Policy.

3.9.2.3. Provide to the University on request and within a reasonable time, Research Data, Primary Materials and Information on the understanding that the University will maintain appropriate confidentiality in managing those copies.

3.9.2.4. Where it is not possible to copy the materials, advising the University as to where those materials are to be held and not refuse reasonable requests to access those materials.

3.9.2.5. Providing all assistance required by the University to meet its obligations under the Code regarding Research Data, Primary Materials and Information.

3.10. **Training for Researchers**

3.10.1. The University recognises the importance of the proper research data management and is committed to on-going training, promotion and support of best practices in responsible research conduct including research data management.

3.10.2. Researchers should engage with relevant training and education on research data management provided by or through the University.

[1] Normally, the minimum period for retention of research data is 5 years from the date of publication. In the case of clinical data, this minimum period is typically 15 years. In other areas (such as gene therapy),

research data must be retained permanently as is the case for data with community, cultural or historical value, preferably within a national collection.

4. RESPONSIBILITIES:

Who	Responsibilities
Deputy Vice Chancellor Research and Innovation	Owner of the policy, resourcing.
Director Research and Innovation Services	Contact for the Policy; oversight of policy implementation and formulation of associated guidelines.
Director, DITM	Providing the necessary IT support to enable the University and Researchers to meet their obligations under the Code.

5. LEGISLATION:

This Policy is governed by the *University of Canberra Act 1989 (ACT)*. In developing this policy, the University has had regard to the provisions of section 40B(1)(b) of the *Human Rights Act 2004 (ACT).* This Policy has been informed by the following non-exhaustive list of legislation:

a. *Defence Trade Controls Act 2012* (Cth)
b. *Foreign Influence Transparency Scheme Act 2018* (Cth)
c. *Freedom of Information Act 2016* (ACT)
d. *Information Privacy Act 2014* (ACT)
e. *Privacy Act 1988* (Cth)
f. *Territory Records Act 2002* (ACT)

6. SUPPORTING INFORMATION:

This Policy is informed by the Australian Code for the Responsible Conduct of Research, the National Statement on Ethical Conduct in Human Research and NHMRC Statement on Data Sharing, and, other University policies, procedures and guidelines. to ensure the responsible conduct of research by all University staff, affiliates, students, visitors and visiting fellows meet the *National Code* guidelines for institutions and researchers in responsible research practices, and the jointly developed requirements of the Australian Research Council (ARC), the National Health and Medical Research Council (NHMRC) and Universities Australia.

The National Code provides the basis for the University's Responsible Conduct of Research Policy. The University's policies for research activities are designed to ensure compliance with the National Code and with the conditions of external funding bodies.

Management of Research Data, Primary Materials and Information Procedure
Management of Data and Information in Research: A guide supporting the Australian Code for the Responsible Conduct of Research (NHRMC)

National Statement on Conduct of Human Research (2007, updated in 2018)
Charter of Conduct and Values
Delegations of Authority Policy
Responsible Conduct of Research Policy
Intellectual Property Policy
Reporting and Managing Intellectual Property Procedure
Privacy Policy
Higher Degree by Research Code of Practice
Higher Degree by Research Supervision Policy
Peer Review of Research Policy
Consultancy Management Policy
Consultancy Management Procedure
Publication and Authorship of Research Policy
Research Cost Centre Management Policy
Research Cost Centre Management Procedure
Cyber Security Policy

7. DEFINITIONS:

Affiliates	Those people given Emeritus or Honorary appointments (including Adjuncts, Professional Associates, Visiting Fellows, and Visitors) in accordance with the relevant University policies and procedures.
Delegated Officer	Deputy Vice Chancellor Research and Innovation (DVCR&I).
Destruction	Means the irreversible obliteration of a collection of Research Data, Primary Materials or Information. Examples of destruction may include shredding or incinerating physical data or primary material collections, permanently deleting of all copies of digital files, or rendering data storage media unreadable.
Disposal	Any action or process undertaken at the end of a retention period. Disposal does not necessarily mean destruction. This may include permanent archiving, redeployment, transfer of custody or ownership, or destruction of the Research Data, Primary Materials and Information.
Externally Funded Research	Externally Funded Research is usually initiated by a research application through a competitive process, or may be a jointly-initiated collaborative project between the University and an external funder (industry, government, commercial organisation etc), or may follow from a specific request from an external funder for a research project to be undertaken. These activities also include consultancies and fee for service activity where research is a component of the activities provided.

Higher Degree Research Candidate	A person (including a member of staff employed by the University) who has accepted an offer to undertake a higher degree by research course including Doctor of Philosophy, Professional Doctorate, Master by Research, Graduate Diploma or Graduate Certificate by Research.
Notifiable Data Breaches	A reporting scheme that requires any organisation or agency the Privacy Act 1988 covers to notify affected individuals and the Office of the Austalian Information Commissioner (OAIC) when a data breach is likely to result in serious harm to an individual whose personal information is involved.
Primary Materials	Objects (original physical, creative, visual or electronic) acquired through a process of scholarly investigation from which Research Data may be derived.
Research Data	Any data collected for the purposes of research, including associated primary materials (laboratory books, samples, video, photographs, creative works) and associated information required to understand or interpret the data, and any information pertaining to approvals for collection of the data or samples from which the data were obtained.
Information	Any information that accompanies the research data and primary materials, including that which is necessary for the comprehension or interpretation of those data or materials (commonly referred to as metadata – see below).
Research data management plan	A Research Data Management Plan (RDMP) describes the data that are generated, acquired and used during the course of the research project and outlines how they are managed, where are data stored, plans for sharing and preserving the data and any restrictions that may need to be applied.
Metadata	Structured or schematised information about the attributes of an item (Research Data, Primary Materials or any subsets of them) which enables that item to be identified, retrieved and managed over time.
Researcher	Anyone who undertakes research at the University including, Staff (academic and professional) Higher Degree by Research Candidate, Students and Affiliates.
Academic Staff	Persons who are members of the Staff of the University, whether full-time, part-time, contract, sessional or casual who have academic roles in the University.
Professional Staff	Persons who are members of the Staff of the University, whether full-time, part-time, contract, sessional or casual who have professional, technical and administrative roles in the University.
Student	A person (who may also be Staff) who has accepted an offer to undertake a course of study or a unit offered by the University, whether offered directly by the University or through its partner institutes.
Supervisor	A person with responsibility for the Higher Degree by Research candidate's supervision and progression.

University	University of Canberra (ABN 81 633 873 422) established pursuant to the *University of Canberra Act 1989* (ACT).
Visitor	Any person conferred that title by the University
Visiting Fellow	Includes any person conferred that title by the University, and/or, any person given access to University resources for the purposes of completing academic study, education, research or development, regardless of collaboration, or not, with the University. This Policy is intended to apply to visitors during the period of their appointment, and beyond, where IP was generated during the appointment (and where research data is IP).