Order number 86/2016 of the Rector of ISCTE-IUL

In the use of the competence established in article 30 of the Statutes of ISCTE – Instituto Universitário de Lisboa (Normative order number 11/2011, of 14 April, published in *Diário da República*, 2nd Series, number 124, of 30 June), I homologate and publish the Code of Ethical Conduct in Research, which aims to promote compliance with ethical standards in research carried out within ISCTE-IUL. This arises under the general context of the mission and duties of the Ethics Committee of ISCTE-IUL (Order number 7095/2011, published in *Diário da República*, 2nd Series, number 90, of 10/06/2011).

27 December 2016, Luís Antero Reto, Rector of ISCTE-IUL

Code of Ethical Conduct in Research

1. OVERVIEW

1.1. The objectives of the present Code are to: (1) protect the dignity, safety and wellbeing of the participants; (2) preserve the safety and reputation of the researchers; and (3) promote the quality of the research as a whole.

1.2. In the context of the present document, research is defined as all initiatives that seek to generate original knowledge through the application of scientific methodologies. The Code is applicable to all research activities with human participants developed within Schools, Departments, Research Centres, Institutes, associate entities and/or other organic units of ISCTE-IUL, by lecturers, researchers, students and/or other intervenors.

1.3. Although the Code is of a prescriptive nature, it emphasises the role of the autonomy, responsibility and self-regulation of the person conducting research, in accomplishing the principles and guidelines that it conveys. Thus, it is neither binding nor intends to replace critical reflection in the identification and resolution of ethical issues in research. Rather, the Code aims to inform and guide the action of all intervenors with responsibilities in planning, management and/or scientific disclosure.

1.4. Likewise, the Code is viewed as a document that should be continuously improved, moulding itself to the evolution of ethical requirements and preoccupations in scientific research. It is, therefore, open to the inclusion of suggestions of review and updating that are in line with all the objectives presented in its overview (see paragraph 1.1), focusing, as much as possible, on a parsimonious and careful selection of the contents to be included.

1.5. With respect to its structure, in addition to the present overview, the Code has a series of general principles that inform ethical conduct in research, a list of practical guidelines organised by relevant topics for ethics in research, and an annex with the sources used in the preparation of the document.

1.6. The provisions of the Code do not exempt, replace or override the consultation and knowledge of other guides and legislation of relevance at a national and European level, such as: the Charter of Fundamental Rights of the European Union; the Convention for the Protection of Human Rights and Fundamental Freedoms; Law number 67/98, of 26 October – Personal Data Protection Law (LPDP); Law number 12/2005, of 26 January, relative to Personal genetic information and health information; Law number 125/99, of 20 April, relative to the Legal System for Scientific Research Institutions.

1.7. Likewise, the provisions of the Code and/or guides and legislation of relevance at a national European level do not exempt, replace or override the legal obligations of other countries, whenever the research is conducted in third countries.

2. GENERAL PRINCIPLES

Responsibility

2.1. Responsibility in relation to the impact of the research: on the participants, respecting self-determination and taking measures to mitigate any risks to health and physical and/or psychological wellbeing; on society, giving priority to activities with high potential relevance in social and scientific terms; and on the environment, mitigating harmful impacts and promoting the sustainable management of the available resources.

Honesty

2.2. Honesty in relation to the research process, ensuring the transparency and veracity of the procedures, data, results, interpretations and of any implications, recognising the contributions of third parties, and neither using nor concealing bad practices of research.

Reliability and rigour

2.3. Reliability and rigour in carrying out research activities, acting in a meticulous and careful form, attentive to details; and in the communication of results, reporting them in a correct, comprehensive and impartial manner.

Objectivity

2.4. Objectivity in the interpretations and conclusions, substantiating them on data and evidence that can be provided and is confirmable, obtained through replicable procedures.

Integrity

2.5. Integrity in the identification and manifestation of conflicts of interest, real and/or potential, and in compliance with all the ethical and legal requirements in relation to the respective research area.

3. PRACTICAL GUIDELINES

Relevance and quality of the research

3.1. The research activities should be planned and conducted according to the research questions/problems, so as to enable relevant additional knowledge on a particular topic, developing new methods/instruments with potential application or improving existing methods/instruments.

3.2. The relevance of the research can also be justified in situations of confirmed pedagogic-educational value for purposes of training and instruction of students, researchers and/or other intervenors, even if the achievement of an original contribution in a given topic is not the principal focus of the activities.

3.3. Research carried out through studies lacking in validity and with serious methodological flaws is not considered ethical. Apart from wasting resources and undermining the contribution of the participants, it could give rise to erroneous data and results, whose dissemination could have possibly damaging implications.

Consent

3.4. No-one can be obliged or compelled to participate in a study. In the context of the informed consent, the participants should receive information that includes: (1) the general objectives of the study, estimated time and general features of the individual's participation; (2) the right to refuse participating in the study, and to stop the participation at any time; (3) any risks, discomfort or other adverse effects associated to participation; (4) any benefits associated to participation; (5) any limits to confidentiality (see *Confidentiality*, paragraph 3.15); (6) incentives to participation, when existent; (7) who to contact in case of wanting to ask questions or comment on the study.

3.5. The participants should not start participating in a study before having the opportunity to give their consent, in a free and self-determined manner.

3.6. When the participation is in person, preference should be given to obtaining informed consent signed by the participant, except in situations of disability (e.g. difficulties of literacy or motricity), or when personal identification could imply risks for the participant (e.g. studies involving participants with unlawful behaviours). In these cases, the participant can express her/his consent verbally or through a behavioural sign, which should be duly recorded.

3.7. For situations in which the participants are prevented from giving their consent, due to being limited in their self-determination (e.g. children and young people less than 18 years old; disabled patients; severe cognitive difficulties), the consent should be given previously by third parties that ensure respect for their rights, such as the main carers or legal representatives.

3.8. Consent given by third parties can only be obtained, apart from exceptional situations and justified, through the principle of the option of inclusion (opt-in; i.e. in being informed, explicit consent should be given for participation) furthermore, even if consent is given by third parties, the participant's manifestation of refusal should preclude her/his participation.

3.9. The collection of data in the context of a service or organisation should be preceded by formal authorisation on the part of the respective service or organisation. However, the obtaining of formal authorisation for data collection does not mean that the request for informed consent of the study's participants is not required.

3.10. Studies involving mere observation in public scenarios, where it is expected that one could be observed by others, do not require consent – provided that the observation does not imply additional risks to the participants, or the collection of information on their identity.

3.11. In situations where the obtaining of fully informed consent prior to participation could compromise the study's objectives, due to probable risk of constraining the answers and/or conduct of the participants, the guidelines relative to *Deception and concealment of information* (paragraphs 3.27 to 3.29) should be applied.

Confidentiality

3.12. All the information provided by the participants in the context of research should be treated confidentially and, when published, should not be identifiable.

3.13. In the context of research, only the personal data strictly that is necessary for carrying out the study should be collected. The information that identifies the participants in a unique form should be kept only for as long as necessary, and should be converted as soon as possible into anonymous data (e.g. anonymous identification code).

3.14. In research conducted with schools, hospitals, companies or any other public or private organisations, they should not be identified, unless previously agreed by all the parties.

3.15. The duty of confidentiality is not absolute and, under exceptional circumstances, can be overridden by the duty of protection in view of damage. In certain research contexts, it may happen that serious and credible threats are detected in relation to the safety of individuals in vulnerable situations and/or victims of public or semi-public crimes. In this regard, the persons responsible for the research should previously define the procedures to be followed in the event of encountering situations of this nature.

3.16. If the confidentiality and/or anonymity of the data cannot be assured, the participants should be informed of this possibility in the informed consent form.

Debriefing and feedback

3.17. At the end of participation in the study, the participants should be given the opportunity to access more specific information about the objectives, hypotheses, procedures and/or expected contributions of the research (i.e. debriefing), complementing the more general information that may have been provided in the informed consent.

3.18. Where there is a risk of constraining the answers or conduct of other potential participants, due to contact or exposure, the debriefing can be provided at a later date, through contact details given freely for this purpose – provided that the postponement does not imply any foreseeable risks, discomfort or other adverse effects for the participants (see *Protection and safety of the participants*, paragraphs 3.21 to 3.26).

3.19. The participants should be offered the opportunity to obtain information about the results and conclusions of the study (i.e. feedback).

3.20. The duty to offer the participants a debriefing and the opportunity to receive feedback about the study's outcomes is applicable, in principle, to all research in which there is *Consent* (paragraphs 3.4 to 3.11) or *Deception and concealment of information* (paragraphs 3.27 to 3.29).

Protection and safety of the participants

3.21. Respect for the dignity, safety and wellbeing of the participants should be among the foremost considerations of any research. To this extent, the persons responsible for the research should consider all possible risks associated with participation.

3.22. The risks associated with participation may refer to real or potential damage to the physical or psychological health of the participants, discomfort, stress, offences to reputation, damage to family and interpersonal relations, damage to the economic, professional or academic situation, and/or any other factors manifestly contrary to the interests of the participants.

3.23. Where significant risks associated to participation are foreseen, the persons responsible for the research should previously define procedures for mitigation and management of the risks, placing them for consideration of the ethics committee.

3.24. Significant risks are understood to be all risks that do not fit in the strict definition of minimum risk. It is considered that the study is of a minimum risk when it is foreseen that it might imply, at the most, a very slight and temporary negative impact on the wellbeing of the participant.

3.25. Special attention should be paid to the existence of potentially significant risks in studies that involve: collection of information about sensitive subjects for the participants (e.g. traumatic experiences; physical limitations; psychological suffering); induction of states of physical discomfort (e.g. prolonged or very repetitive physical tasks) or psychological distress (e.g. anxiety; humiliation); attribution of labels or categories in the experimental context with potentially negative consequences for self-image (e.g. manipulation of perceived skills; manipulation of situations of exclusion); invasive activities (e.g. administration of substances); collection of human tissues, blood or other biological materials.

3.26. Likewise, special attention should be paid to the existence of potentially significant risks in studies with vulnerable populations, such as: children and young people less than 18 years old; people with physical or psychological difficulties; people in relations of inequality or dependence in relation to the persons responsible for the research, or in the context in which the research is taking place.

Deception and concealment of information

3.27. In situations in which the prior obtaining of fully informed consent could compromise the study's objectives, due to probable risk of constraining the answers and/or conduct of the participants, there could be justification for resorting to an incomplete explanation of the research objectives or hypotheses (deception).

3.28. The resorting to an incomplete explanation of objectives and hypotheses, referred to in the previous number, should only be used in research of high scientific, education or applied relevance, when other alternatives not involving deception/concealment of information cannot be used to achieve the same goals.

3.29. When resorting to deception or concealment of information, the concealed or manipulated information should be revealed and contextualised in the debriefing (*Debriefing and feedback*; paragraphs 3.17 to 3.20).

Collection and storage of data

3.30. All the data collected in the context of the research should be stored and kept in a secure and accessible form, for a period of at least five years counted from the end of the study/project or, when reported in scientific publications, from the date of the original publication.

3.31. The research data should be placed at the disposal of persons wishing to replicate the study or work on the results, subject to any limitations imposed by the specific legislation and by the general principles of the confidentiality, protection and safety of the participants.

3.32. Once the storage period has ended, the elimination or destruction of the data should be done in conformity with the applicable ethical and legal requirements, with particular consideration of the general principles of the confidentiality, protection and safety of the participants.

Publication and authorship

3.33. The researchers should publish and disclose the research results in an honest, transparent and rigorous manner.

3.34. The results should be published as soon as possible, thus fulfilling the original contribution for which the research was designed, subject to commercial or intellectual issues that might justify the deferral of publication, for example with respect to patent applications.

3.35. The authorship should be defined taking account of the original and significant participation in the research, namely: significant contribution to the research design, data collection and analysis, interpretation of the results, discussion, writing and/or review of the manuscript.

3.36. The definition of authorship should consider as irrelevant any factors that do not refer to direct and significant participation in the research activities, such as: academic or professional status, job or hierarchical position, research group general supervision without specific contributions to the project, assignment of space or equipment for the research, funding or financial compensation, text edition.

3.37. The work and collaboration of intervenors who do not meet the authorship criteria should be recognised whenever justified, and if consented by these persons, in a footnote or in specific sections for the purpose (e.g. acknowledgements).

3.38. Any financial and material support lent to the research and publication should be mentioned and recognised correctly.

3.39. All the authors should reveal the existence of potential conflicts of interest (e.g. being the holder of financial interests or membership in relation to the research results).

3.40. All the authors should be fully accountable for the contents of the publication, unless it is stipulated that their responsibility is limited to a specific part of the study and publication.

3.41. The order of authorship should be agreed by all right at the beginning of the project or preparation of the manuscript, without prejudice to subsequent redefinition, when justified.

3.42. The first author should be considered the one who most contributed to the research activities (generally considered the research design, data collection and analysis, interpretation of the results and discussion) and who undertakes the main responsibility of writing the manuscript.

3.43. With respect to publications that are substantially based on the contents of a thesis or dissertation, it should be assumed that the students are those who most contributed to the respective research activities, and who undertook the responsibility of its writing. Therefore, in conformity with the previous paragraphs and apart from in exceptional circumstances, they should be listed as the first authors.

Misconduct

3.44. All the intervenors with responsibilities in the planning, management, conduct and/or scientific disclosure should recognise that there are practices qualified as misconduct in research.

3.45. To the extent that these practices are recognised, they should also be repudiated, as they promote a deliberately false representation of reality, contradicting the fundamental principles of the scientific process, and compromise the contributions provided by the research as a whole.

3.46. The most serious practices qualified as misconduct in research include: fabrication of data, falsification and plagiarism.

3.47. Fabrication of data consists of creating false data (e.g. answers of participants; observational records) or other research materials (e.g. informed consent).

3.48. Falsification consists of distorting, manipulating, omitting or altering data, results or materials of the research.

3.49. Plagiarism corresponds to the improper use or appropriation of ideas, processes, intellectual property or other type of work without the due credit of or reference to the source or original author.

3.50. The adoption of practices that are manifestly contrary to the general principles conveyed in the present Code (paragraphs 2.1 to 2.5) should also be perceived as misconduct in research.