

INTRODUCTION

1. These regulations are made by Senate and Council in accordance with the Provisions of the University of Nairobi Act and the Terms of Service for Academic, Senior Library and Administrative Staff.
2. The Regulations came into effect on 11th September, 2001 and shall be binding upon every member of staff on Academic, Senior Library and Administrative terms of service, and students, upon their being granted funds to carry out research and so long as such a member of staff/student remains employed/registered with the University of Nairobi.
3.
 - a) Every member of staff/student involved in research activities shall be required to read these regulations and to sign a declaration appended hereunder, that he/she has understood the contents and meaning and that he/she undertakes to be bound thereby.
 - b) Failure or refusal to comply with clause (a) herein may constitute grounds for the withdrawal/cancellation of research funding granted by the University or recommendation to the donor for withdrawal or cancellation of research funding.
4.
 - a) Nothing in these regulations shall preclude the University from requiring any member of staff/student to execute any bond, assurance or undertaking to conduct research devoid of misconduct.
 - b) Such bond, assurance or undertaking when required and executed, shall have the same effect as if it were part of these regulations.
5. These regulations shall supplement all other regulations set out in the various memoranda of understanding signed between the University of Nairobi and various institutions and or bodies.
6. In the event of a conflict or contradiction these Regulations shall prevail over the Memoranda of understanding.

ADMINISTRATION OF GRANTS

- i) The Finance Department shall handle all grants awarded to members of staff/Students, who are involved in research projects.
- ii) Each grant shall be deposited in a University of Nairobi account and operated through a vote number that shall be given to each grant recipient.
- iii) A member of staff/student shall be required to apply to the Finance Department whenever he/she wishes to draw funds from a research grant account.
- iv) Upon such an application at 3, above, a member of staff/student shall be required to attach relevant documents that are a pre-requisite before any funds can be disbursed.
- v) Funds awarded by the Deans Committee will be disbursed in accordance with the Committee regulations, which are an initial 60% of the grant and the remaining 40%, upon the submission of a progress report and a statement of accounts.
- vi) Any member of staff/student shall not be advanced any funds until the prior portion of disbursement has been satisfactorily accounted for.
- vii) The University is entitled to recover a token charge to cover overheads of all research grants administered by the institution. This charge, which may be, reviewed from time to time currently stands at 15% of the recurrent budget of each grant.

REPORTS AND FINANCIAL STATEMENTS

Upon completion of any project, the University shall require the following from the member of staff/student involved in research:

- a) A final report detailing the work accomplished and embodying research funding, Project results and any policy recommendation
- b) A complete financial statement, in Kenya Shillings, covering all funds expended on the project, in the same form and including the detail of the budget, the financial statement shall also be certified correct by the Principal Investigator and by a Senior Finance Officer of the University.

COMPLIANCE WITH THE TERMS GOVERNING RESEARCH CONDUCT

The following provisions shall apply with respect to the compliance of staff/students with the rules governing research conduct:

- a) All staff/students involved in research and being recipients of University of Nairobi funds or donor funds shall conduct themselves in accordance with the highest standards of integrity, personal discipline and morality.
- b) All staff/students shall adhere to administrative and academic procedures established to control, govern and operate research funds advanced to individuals for purposes of conducting research.
- c) All staff/students shall expend all monies advanced in form of research grants on projects for which the grants were advanced.
- d) All staff/students awarded research funds shall present accounting statements that are devoid of dishonesty and cheating.
- e) All Staff/students shall observe deadline in the submission of progress reports, final reports and financial statements.
- f) All staff/students shall carry out their research in accordance with high ethical standards and in such a way that nobody shall suffer any prejudice.
- g) All staff/students shall conduct research that is not based on the plagiarization of the ideas/projects of other scholars.

RESEARCH MISCONDUCT

The following shall constitute research misconduct:

- a) Any false accounting of University of Nairobi/donor funds.
- b) Non compliance with the ethical standards required by the University of Nairobi.
- c) Any plagiarization of the work of others.
- d) Any withholding of research results, copyrights and patent rights from the University and donor/funding agencies.

DISCIPLINARY PROCEDURES

1. Any person (*whether a member of the University or not*) may bring a research complaint against a member of staff/student.

2. All research complaints shall be submitted to the Dean of the Faculty/School, who shall make enquiries of the complainant as may be necessary, in order to clarify any matters of uncertainty and to identify the specific regulations to which the complaint has reference.
3. The Dean shall ensure that the complainant is aware of these regulations and the University of Nairobi disciplinary powers, and in particular the Dean shall explain that the member of staff/student will be notified of the complaint in order that he or she may exercise the right of reply. The Dean shall also draw attention to the provisions of the regulation on confidentiality.
4. If the complainant wishes to proceed with the complaint, the Dean shall send details of the complaint to the member of staff/student and invite him or her to submit written observations. The Dean shall draw to the attention of the staff/student the provisions of the Regulation on confidentiality.
5. The written observations of the member of staff/student shall be forwarded to the complainant, and, unless the complainant with the consent of the member of staff/student withdraws the complaint, the Dean shall place the same before the College Academic Board as soon as reasonably practicable but not later than four weeks after the complaint was received.
6. The Dean shall provide the College Academic Board with such information, including papers and records which are necessary to enable the CAB to discharge its functions.
7. If in its opinion the College Academic Board finds the matter reported to it involves issues that are essentially outside the jurisdiction of the CAB, such a matter shall be transmitted at once to the Deans Committee.
8. If the College Academic Board refers a case of research misconduct and its recommendations to the Deans Committee, it shall do so by sending a full statement of the research misconduct alleged, specifying the regulations or clauses alleged to have been infringed, together with a summary of the facts and matters which were before it, and a summary or copy of any representation made by the accused member of staff/student to the CAB. A copy of the complaint referred to the Deans Committee shall be given to the member of staff/student.
9. The Deans Committee recommendations on a case of research misconduct shall be submitted to the Chairman of Senate, who shall convene a Senate Disciplinary Committee on research misconduct, as soon as reasonably practicable, but not later than four weeks after receipt of the Deans Committee recommendations.

10. The Senate Disciplinary Committee on Research Misconduct shall comprise:
 - Deputy Vice-chancellor (Research and Development) or [OAO] – to Chair
 - Deputy Vice-chancellor (AA)
 - Senate Representative
 - Chairman of Department
 - Finance Officer
 - Principal of the College
 - Dean/Director
 - College Representative
 - Academic Registrar - Secretary
11. A member of any of the Committees considering research misconduct shall abstain from taking part in the consideration of the complaint if he or she had previous dealings with the accused member of staff/student personally or professionally or has taken part in previous consideration of the complaint or any aspect of the complaint.
12. Taking into consideration the Terms of Service for Academic, Senior Library and Administrative Staff, and in particular Section 23 of the Terms of Service, the College Academic Board, the Deans Committee and Senate, shall have the power to recommend to the Council the imposition of any one or more of the following penalties:
 - a) A letter of warning or sever reprimand.
 - b) Repayment of funds expended on activities not related to research activities.
 - c) Recommendation to the funding agency to terminate summarily the contract between the member of staff/student and the donor without notice and without any payment in lieu of notice.
 - d) Suspension of a member of staff for a specified period or termination of his or her services for action or behaviour which is deemed to have:
 - i) Violated any standards of professional conduct established or prescribed under the provisions of these Regulations.
 - ii) Failed to observe the provisions of these Regulations and any regulations under the provisions of his or her terms of Service terms of Service.
 - e) Suspension of a student for a specified period or the termination of his or her student registration for violating any standards of professional conduct established or prescribed under the provisions of these Regulations.
13. In recommending any appropriate penalty or combination thereof, the Disciplinary Committees constituted to consider a case of research misconduct, shall be at liberty to consider the total conduct of the member of staff/student within or outside the University and not merely the immediate circumstance furnishing the reason for disciplinary action against him or her.

14. Once the Council has made a decision on the recommendations submitted to it, the penalty to be imposed shall take effect immediately.
15. Any disciplinary action taken against a member of staff/student shall be reported to his or her Chairman of Department, Dean of the Faculty/Institute/School, Principal of respective College, Deputy Vice-Chancellor (HR&A), Deputy Vice-Chancellor (AA) and Vice-Chancellor and shall form part of the academic record of the member of staff/student.
16. Any decision by Council to reprimand a member of staff/student or severely reprimand him or her may either stand alone or be coupled with his or her disqualification from holding any office (*elective or appointed*) or Committee membership for a period of _____ years and may be withdrawn at any time after the expiry of _____ years from its commencement at the discretion of the Council, upon application by the member of staff/student.
17. The rules in 16, above, shall apply in case of the suspension of a member of staff/student.

CONFIDENTIALITY

1. Once a research complaint has been made and communicated to the concerned member of staff/student, the substance of the complaint and all related correspondence, statements and submissions of the complainant and the defendant and all proceedings before and findings of the various Disciplinary Committees shall be treated with complete confidentiality by both the complainant and the defendant and all public discussions and disclosure avoided.
2. Any breach, or alleged breach, of paragraph 1 of this regulation which comes to the notice of any of the various Disciplinary Committees shall be considered and may cause further investigation to be made.
3. Where there has been public discussion or disclosure of the substance of the complaint before receipt of the complaint by the Council, Council shall in considering the complaint and the recommendations placed before it, take into account the nature of and justification for such public discussion or disclosure, which may itself give rise to a further complaint being laid before it.
4. The requirements of confidentiality extend to all members of the College Academic Boards, the Deans Committee, and the Senate Disciplinary Committee on Research Misconduct.

ACCEPTANCE

I _____
(Surname) (Other Names) (Designation Prof/Dr/Mr/Mrs/Miss)

Declare that I have read the Regulations Governing the Administration of Research Grants and Research Conduct by Members of Staff and Students at the University of Nairobi, and understand their content and meaning, and undertake to abide by them.

Signature of staff/student

Deputy Vice-Chancellor (Academic)

Date _____

Date _____

Chairman of Department

Dean / Director

Date

Date