Elsevier and the publisher role in supporting publishing ethics practices

Presented by: Mark Seeley, General Counsel

October 2011, University of Maryland

ELSEVIER

Key points

- Consensus re ethics landscape
- Determination at Elsevier to set global policies (base threshold)
- Engagement between Elsevier and external Editors-in-Chief
- Hot issues of the moment

Ethics landscape

- Growth in number of issues referred to publishing staff or editors
- Well-publicized breaches including our own episode with Dr Wakefield in The Lancet but many others
  - News reports generally focus on (alleged) research fraud & conflicts of interest
- More collective efforts generally–
  - ICMJE formulating informal guidelines on article submission (with ethics issues) beginning in 1978, major revisions from 1997 on
  - NIH's Office of Research Integrity formed (as OSI) in 1989, major initiatives in the 1990's (reports, guidelines)
  - COPE formed 1997
- Understanding within Elsevier (& other houses) that more work was needed

COPE COMMITTEE ON PUBLICATION ETHICS

Recent article Nature

NatureArticleRetractons2011.pdf - Adobe Acrobat

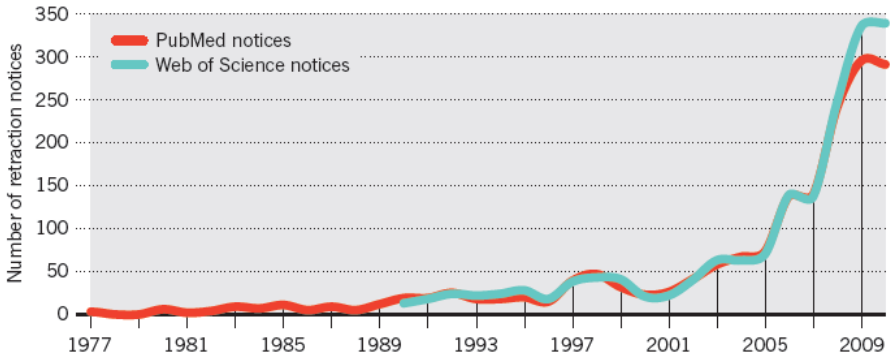
Instead, it is more probable that the growth in retractions has come from an increased awareness of research misconduct, says Steneck. That's thanks in part to the setting up of regulatory bodies such as the US Office of Research Integrity in the Department of Health and Human Services. These ensure greater accountability for the research institutions, which, along with researchers, are responsible for detecting mistakes.

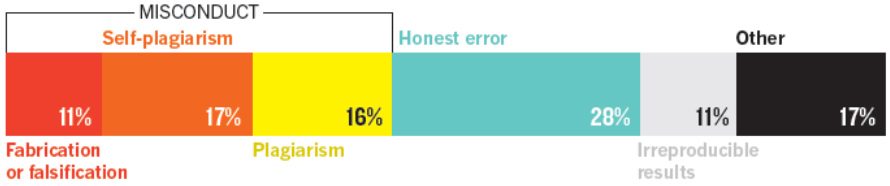
The growth also owes a lot to the emergence of software for easily detecting plagiarism and image manipulation, combined with the greater number of readers that the Internet brings to research papers. In the future, wider use of such software could cause the rate of retraction notices to dip as fast as it spiked, simply because more of the problematic papers will be screened out before they reach publication. On the other hand, editors' newfound comfort with talking about retraction may lead to notices coming at an even greater rate.

"Norms are changing all the time," says Steven Shafer, editor-in-chief of the journal *Anesthesia & Analgesia*, who has participated

RISE OF THE RETRACTIONS

In the past decade, the number of retraction notices has shot up 10-fold (**top**), even as the literature has expanded by only 44%. It is likely that only about half of all retractions are for researcher misconduct (**middle**). Higher-impact journals have logged more retraction notices over the past decade, but much of the increase during 2006–10 came from lower-impact journals (**bottom**).

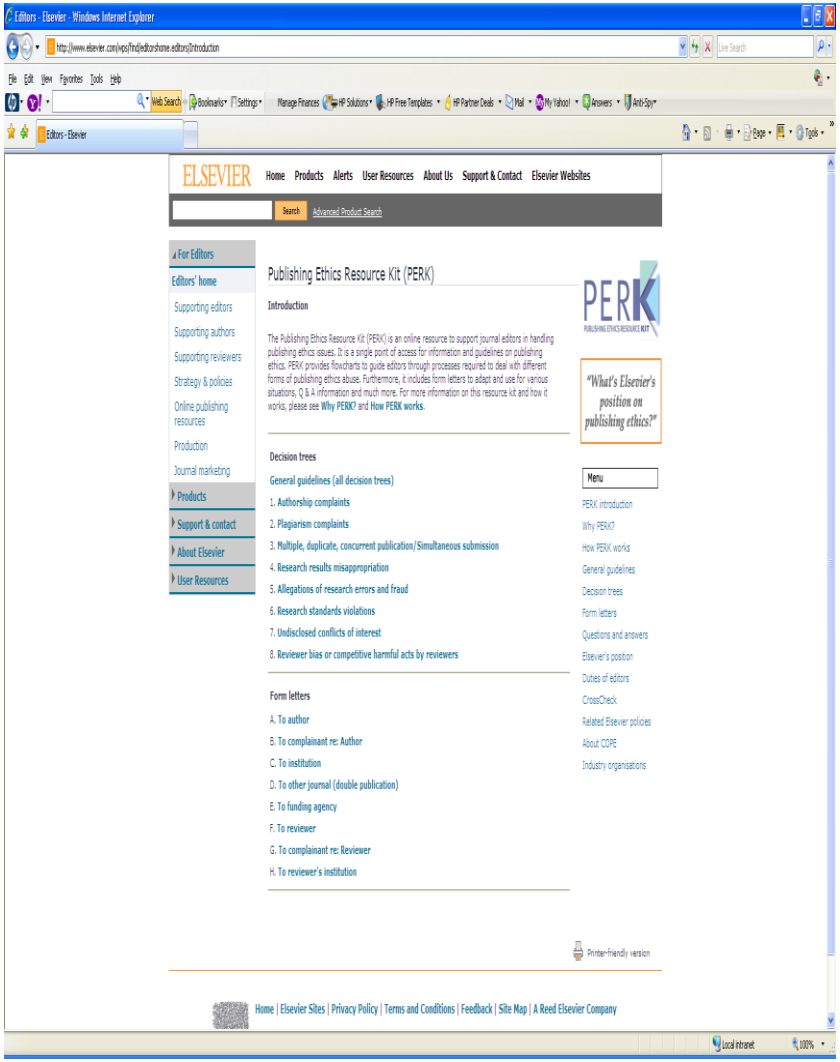




AMS/J. MED. ETHICS

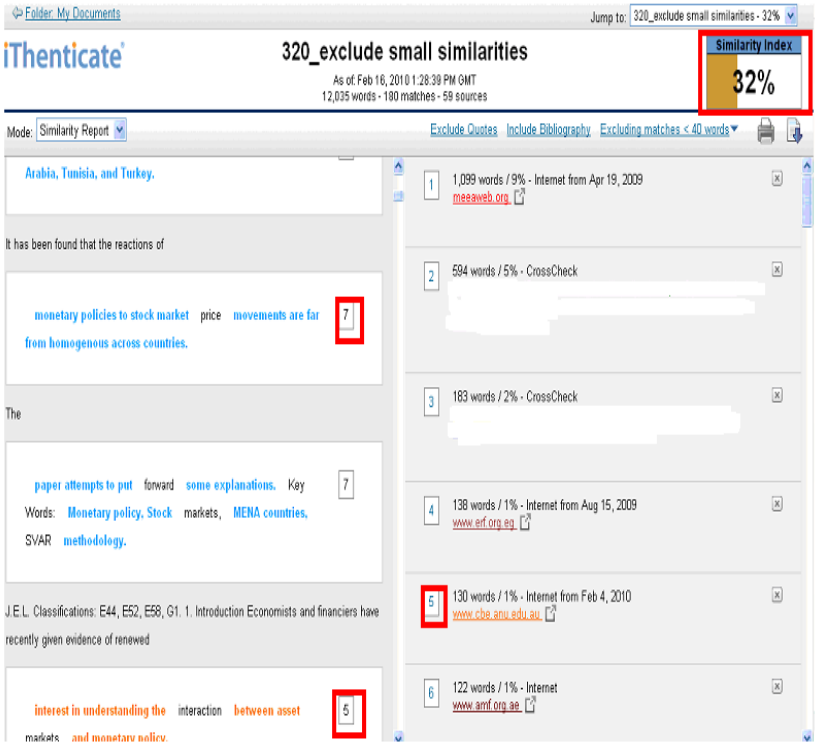
The situation at Elsevier (starting mid-2000's)

- Recognizing need to raise bar, Elsevier introduced new "common" approaches (defaults)
  - Conflicts of interest (2005)
  - Ethical Guidelines (2006)
  - Codes included in electronic submission system (2006)
  - Worked with STM trade association on industry guidelines ("record of science")
  - Helpdesk experiment 2007-2008
  - Launched PERK site 2009 (Publishing Ethics Resource Kit)
  - Full membership COPE 2009



Focus on CrossCheck initiative 2010-2011

- Cross Check initiative
  - Huge database: 26.6 million articles from 49,000 journals from 124 publishers
  - Ithenticate software shows similarities between the article and previously published articles
  - 400 Editors piloted in 2009, now widely available for all Elsevier journal editors
  - Goal now: can we ramp up for all submissions?



CrossCheck operationally

Return to Folders View

Jump to: Aqua mediated synthesis - 60%

iThenticate

Processed on: Oct 10, 2008 10:16:42 AM BST
Word count: 2304
Folder: Miscellaneous

Aqua mediated synthesis by A Heravi

Similarity Index: 60% View: Similarity Report Exclude Quotes Include Bibliography

the more powerful green chemical technology procedures.

21 Aqua

mediated reactions have received considerable attention 4 in organic synthesis due to environmental safety reasons. Water is the cheapest, most abundant and non-toxic chemical in nature. It has unique physical and chemical properties such as a high dielectric constant and cohesive energy density compared to organic solvents. It has also special effects on reactions arising from inter- and intramolecular non-covalent interactions leading to novel solvation and assembly processes. Many organic reactions have been performed successfully in water as reaction medium, and several books and reviews have been devoted to such

4 4% match (Internet from Feb 10, 2008)
www.arkivoc.com

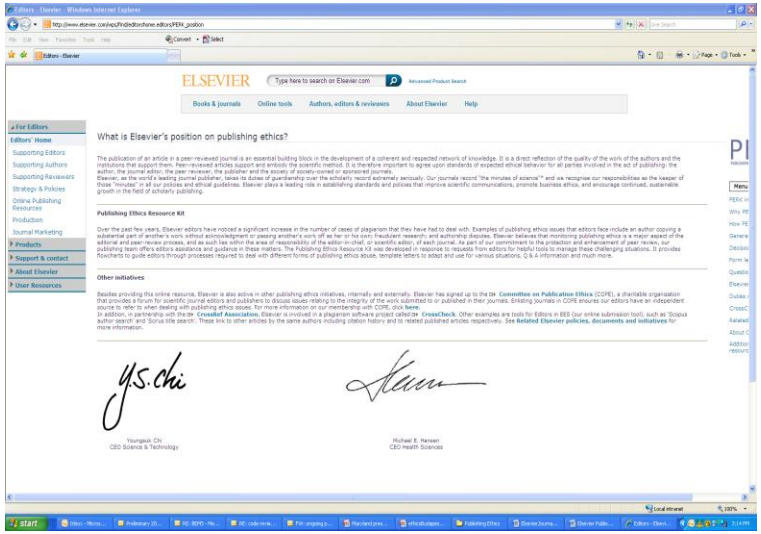
show in web page next match

mediated reactions have received considerable attention in organic synthesis due to environmental safety reasons. Water is the cheapest, most abundant and non-toxic chemical in Nature. It has unique physical and chemical properties such as a high dielectric constant and cohesive energy density compared to organic solvents. It has also special effects on reactions arising from inter and intramolecular non-covalent interactions leading to novel solvation and assembly processes. Large numbers of organic reactions have been performed successfully utilizing water as the reaction medium, and several books and reviews have been devoted to such

Click on brown text in left column and immediate link to matching text in CrossCheck database or internet source is highlighted

Elsevier Publishing Ethics policy (base)

- Identifies duties of editors, reviewers, authors & Elsevier
  - Editors: fair play, vigilance & engagement on ethics issues
  - Reviewers: disclosure (COI), confidentiality, promptness
  - Authors: originality, multiple publication, authorship, disclosure (COI), research standards
  - Elsevier: help determine & communicate policies, support editors, help formulate industry approaches



Elsevier Publishing Ethics policy (author issues)

- Originality: work is original to author, and third party content appropriately quoted/cited
  - Notes that “plagiarism” takes many forms, from passing off others’ research as one’s own, copying or paraphrasing (without attribution)
- Multiple/redundant/concurrent publication:
  - improper to publish or seek to publish papers describing essentially same research in more than one journal (or republish article previously published– “self-plagiarism”)
- Authorship = significant contribution to concept, design, execution & interpretation (others should be acknowledged)

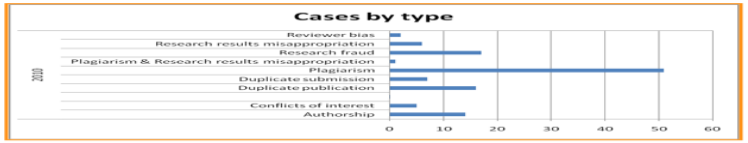
Elsevier Publishing Ethics policy (continued)

- Disclosure & Conflicts of Interest:
  - Any financial or other substantive CoI that might be “construed to influence the results or interpretation”
  - All sources of financial support disclosed
- Other research standards:
  - Reporting standards: papers should present accurate account & objective discussion (& acknowledge all sources)
  - Data retention: data should be retained for possible peer-review
  - Research subjects: compliance with relevant laws, standards (informed consent)

Elsevier statistics on ethics cases & retractions

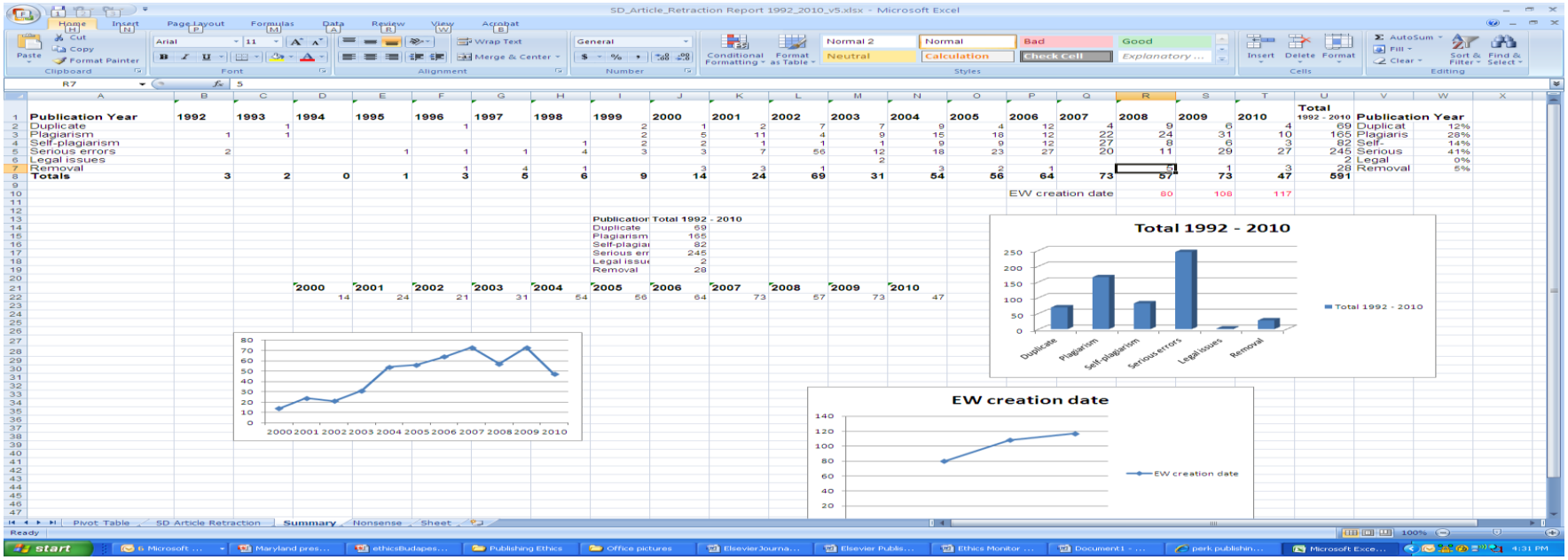
- We compile reports twice annually (relying on publishing staff)
- Table shows statistics for mid-year 2011 for physics/chemistry journals
- Fewer cases reported this year (but we have more retractions)

Number of cases by type	2011 (January-May)
Authorship disputes	8
Conflicts of interest	1
Contractual dispute	1
Duplicate publication	3
Duplicate submission	3
Plagiarism	20
Research fraud	1
Research results misappropriation	1
Reviewer bias	2
Other	2
SUM	42



Retractions & removal processes

- Corrections to online “record” goes through “Retraction Panel” (3 staff) to review proposed notice
- Opportunity to probe process (communications with authors?)
- Retraction vs removal vs withdrawal



Engagement, Elsevier & external editors

- Ethics allegations made in many different ways
  - To Editor, to Ed Board, to publishing team, to CEO
- But we rely principally on the judgment of Editors
  - Knowledge of the field
  - Awareness of institutions that may be involved
  - Knowledge of the respective researchers
- So first assessment done by Editors supported by publishing team (& lawyers)

Ethics in Publishing: Instructions to Authors

For Elsevier Editorial System

This general statement will be supplemented by instructions to authors (as well as in communications to editors and peer reviewers) relevant for each journal. In case the journal is affiliated to or owned by a Society: In the event of any conflict between this statement and Society guidelines, policies or procedures, Society preference prevails.

Ethics and Procedures

General

The editor(s) and publisher of this Journal believe that there are fundamental principles underlying scholarly or professional publishing. While this may not amount to a formal "code of conduct", these fundamental principles with respect to the authors' paper are that the paper should:

- be the authors' own original work, which has not been previously published elsewhere
- reflect the authors' own research and analysis and do so in a truthful and complete manner,
- properly credit the meaningful contributions of co-authors and co-researchers,
- not be submitted to more than one journal for consideration (ensuring it is not under redundant simultaneous peer review), and
- be appropriately placed in the context of prior and existing research.

For a full description of the standards of expected ethical behaviour by all parties involved in the publishing process (the author, the journal editor, the peer reviewer, the publisher and the society for society-owned or sponsored journals) please see: http://www.elsevier.com/wps/find/intro.cws_home/publishing.

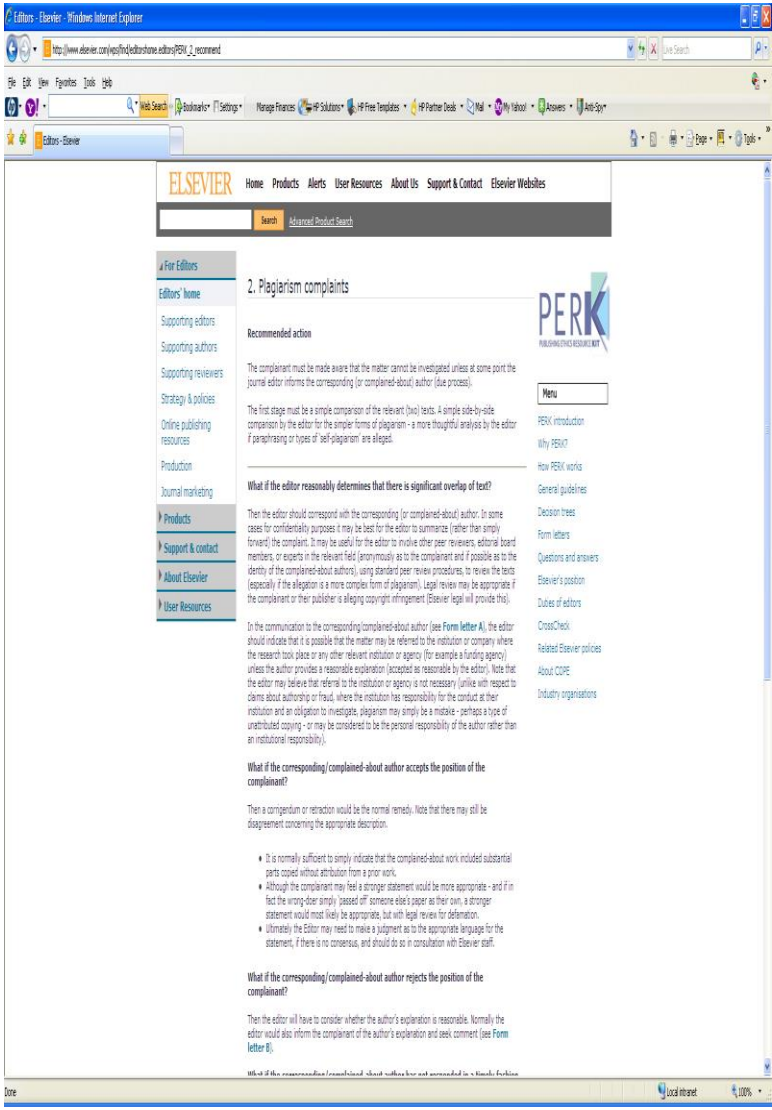
Of equal importance are ethical guidelines dealing with research methods and research funding, including issues dealing with informed consent, research subject privacy rights, conflicts of interest, and sources of funding.

While it may not be possible to draft a "code" that applies adequately to all instances and circumstances, we believe it useful to outline our expectations of authors and procedures that the Journal will employ in the event of questions concerning author conduct. Relevant conflicts of interest should be disclosed (see http://www.elsevier.com/wps/find/authorshome.authors/conflictsofinterest).

Last revised: 9 January 2007

PERK online tools (for editors & publishing team)

- PERK guidelines on process:
  - Gather relevant information
  - Consider “due process” for authors
  - Involve other bodies or agents, if necessary
  - Consider appropriate remedies & sanctions
  - Caution regarding possible defamation
  - Record and document claims

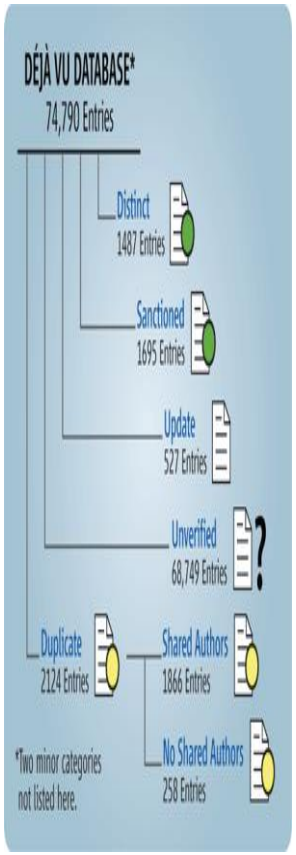


What is the right balance?

- Editors: not always sure this is their job
- Publishing staff: often feel out of depth
- Referring matters to COPE etc not always right (and not always available)
- Institutions are not always responsive or responsible
- No simple solutions: collectively we can make things work
  - Simple plagiarism: CrossCheck
  - Involve lawyers in assessing for defamation, investigation processes, responding to “legal” claims

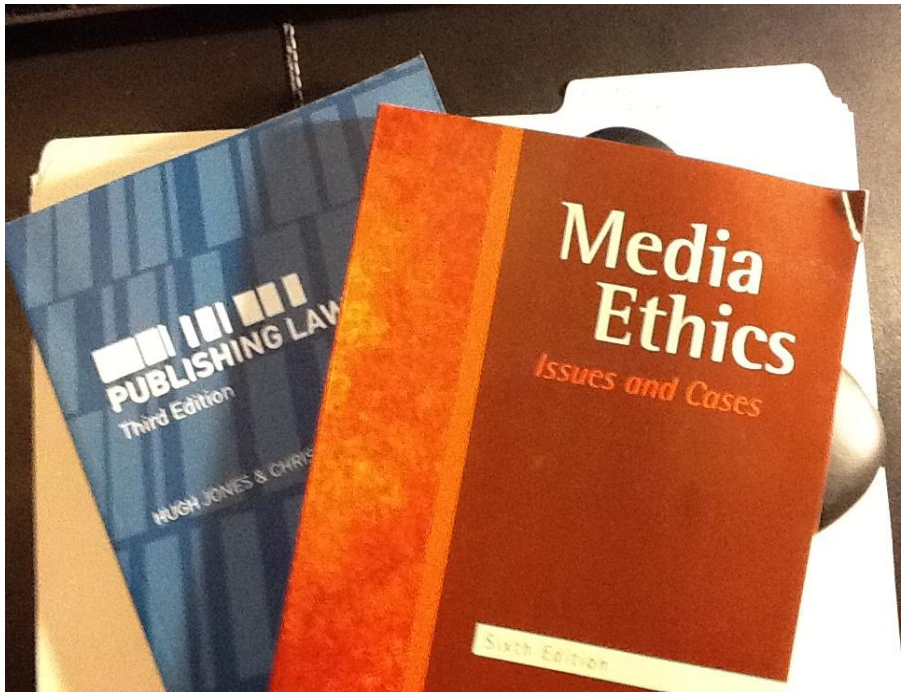
Hot issues

- The most difficult issues:
  - Research fraud– how can anyone tell precisely what went on in a particular lab?
  - Authorship disputes– who is best placed to determine who contributed what?
  - When is “banning” appropriate?
- Hot topics of the moment (within Elsevier):
  - How bad an act is duplicate submission?
  - When does “local” publication and “international” publication violate ethics rules?
  - Do we need interim statements (of concern)?
  - Should all co-authors sign CoI?



SCIENCE Vol. 324
May 2009

Legal and “legalistic” complaints



- Making policies & process more transparent
  - Is the <u>appropriate</u> thing
  - But may also encourage some whose motives are not purely about science
- Journal’s own policies will be cited against it
- But we must disregard questions of motive & remain objective