

Ethical Policy for the Journals of the London Mathematical Society

This document is a reference for Authors, Referees, Editors and publishing staff. Part 1 summarises the ethical policy of the journals and Part 2 gives guidance on how complaints and enquiries will be dealt with.

It does not cover good business practice and ethical publishing in the sense of setting price or dissemination policies, neither does it describe the general process of peer review on the LMS journals, for which there are separate guidance notes for Authors and Editors.

In the absence of a specific policy outlined here, the Society will refer to the procedures of the UK Committee on Publication Ethics.¹

On Conventions, Rules and Laws

There are two main areas of law that govern journal publishing: copyright and libel. Connected to these, there are also laws on obscenity, patents and trademark infringements. Copyright only protects the expression of the work and not the underlying ideas which could only be protected by a patent; however mathematical proof cannot be the subject of a patent (only applications such as software may be patented). Here the ethical policy of the journals will concentrate on plagiarism, including self-plagiarism, and libel. We will also cover the conventions of mathematical publishing and include 'good practice' rules, some of which are put in place to reduce the proliferation of requests to referees and editors.

Copyright and licensing agreements are about the ownership of intellectual property and the right to be identified as the true author of a work; it is these laws that encompass plagiarism.

Remedies under copyright law look at actual financial loss and, for individual papers, these are typically negligible. The Society's conventions around plagiarism and reuse of other people's work in an original research article go well beyond what could be derived from law. It is because these are only conventions that we need to lay out what is expected from authors and referees.

Illegal copying and file-sharing of journals and books can lead to substantial financial loss, but these will not be dealt with here except to note that any instances found should be forwarded to the LMS Publisher who will alert the relevant agencies.

Remedies for libel under current UK law include significant financial penalties to compensate for reputational damage. These are set by the jury and not the judge. Moves are underway to reform the UK libel laws but, for the present, the greatest risk to the Society's finances comes not from copyright infringement but from publishing a libellous statement in the journals, books, or on the website, or from an Editor or staff member making an unwarranted accusation about an author. Libel also applies to corporations, which may be either or both parties in a dispute.

A conclusion is that the Society and its Editors will avoid publishing or making direct accusations of wrongdoing to, or about, anyone. It should be possible to undertake a review of a complaint without making potentially libellous statements.

¹ <http://publicationethics.org/about>

Part 1 Ethical policy for the stakeholders

Authors

1. Authorship

The authorship of a paper should normally include the names of all people who have made a significant contribution to the research content, and it is the responsibility of the authors to ensure that each individual has agreed to have his or her name included as an author. Should an author decline to be associated with the paper, the other authors need to reach agreement with the individual on the extent of acknowledgement to make or the withdrawal of content.

Only people who have made a substantial contribution to the paper should be listed as Authors. Discussions over authorship should take place before the paper is submitted. Generally, Editors will not deal with papers under disputed authorship.

In LMS mathematics journals, the convention is that authors are listed alphabetically by surname.

2. Single submission

Authors may submit their paper to only one journal at a time. This is a convention that is taken seriously by the mathematics community.

Should it come to light, for example from a referee, that a paper is under review with a different journal, the LMS staff will verify this by contacting the Editors of the other journal before taking further action.

The LMS reserves the right to refuse to consider future papers from the author if they find the submitted paper is under review with more than one journal.

3. Plagiarism and self-plagiarism

Plagiarism is the wrongful appropriation and purloining and publication of another Author's language, thoughts, ideas, or expressions, and the representation of them as one's own original work. Self-plagiarism occurs when an author republishes substantial parts of their own work that has previously been published elsewhere with the intention to present it as new work and without reference to the previously published papers.

Authors must be the true originators of the new research presented in their paper. Due and reasonable acknowledgement should be given to the authors of earlier work where there has been a significant contribution to the new research published in the journal article; in particular, others' work should be quoted accurately and cited correctly.

Papers should not contain material that has been plagiarized or self-plagiarized from other works. Any significant overlap of material with work of the authors published or under review elsewhere must be made clear and appropriately cited. Likewise, future work of the authors with substantial overlap with a paper accepted by the LMS should cite the original publication.

If the paper is one of a sequence of papers then this should be declared in the submission letter and the relationship of the papers to each other is described.

4. Conflicts of Interest and loyalty

Conflicts of interest and loyalty may arise where there is an established professional or personal relationship between an Author and Referee or Editor. It is the responsibility of the authors to declare any instance they consider to be a potential conflict of interest or loyalty in their submission letter.

Referees

1. *Anonymity*

The Society operates a single-blind refereeing policy on all journals, i.e. the identity of the Referee is confidential to the Editors and publishing staff and it will not be revealed to an Author, but the identity of the Author is known to the Referee. Similarly, Referees should not contact Authors and identify themselves as the Referee.

2. *Conflicts of interest and loyalty*

When a Referee is invited by an Editor or Adviser to review a paper, they should declare any possible conflict of interest. These occur, for example, where there is a personal relationship or when one or more of the Authors are colleagues of the Referee or where there is competition between the Referee and Authors.

In mathematics it is common for the Referee to know the Authors personally so some fine judgements need to be made but where there is potential for a serious conflict of interest or loyalty the Referee should inform the Editor/Adviser prior to him or her agreeing to referee the paper. The Editor/Adviser will make the decision on whether to continue and ask the Referee for a report.

3. *Confidentiality*

Even if a preprint version of the paper is available, the fact that the paper is under review with a particular journal is confidential information and this confidence should be respected by the Referee and the Editors and publishing staff.

Referees may ask junior colleagues to help check proofs and gain experience in refereeing but they all need to adhere to the same principles of confidentiality and conflict of interest. Ultimately, the Referee takes full responsibility for the report they submit and should let the Editors know what parts of the report have relied on another's work.

The exception on confidentiality is when a Referee knows that the paper is currently under review with another journal, in which case he or she should inform the Editors of both journals.

4. *Responsibilities*

Referees shouldn't gain undue benefit from agreeing to referee a paper. They have an obligation not to deliberately introduce delays in returning a report with the intention of damaging the work and reputation of the authors.

If a Referee suspects or finds evidence of plagiarism, self-plagiarism, or libel, they should inform the journal Editors immediately and not contact the authors directly.

In the event a Referee recommends acceptance, they are expected to have read the paper and to have satisfied themselves of the correctness of the main results.

5. *Opinions*

Editors may seek informal opinions from colleagues in addition to deciding whether a full referee report should be requested. The people who provide opinions are subject to the same principles of anonymity, confidentiality and conflict of interest as referees.

Advisers and Editorial Board Members

Editors and Advisers are responsible for ensuring that the process of reviewing a paper and the treatment of referees and authors is fair.

They should know the rules of the journal pertaining to authors and referees (the sections above) and if, in the course of handling a paper, they find anything seriously amiss that goes beyond their past experience on the journal, they should contact the Main Editors and/or the Publisher at the LMS for them to deal with finding a remedy to the problem.

1. *Conflicts of interest and confidentiality of the paper*

The same principles apply as described above for Referees, and the Editor or Adviser is responsible for deciding if the conflict of interest between them and the Author is so great that the paper should be passed to someone else to handle. They can get further advice from the main Editors or the LMS Publisher.

2. *Checking for plagiarism and libel*

Plagiarism and self-plagiarism is a fast-growing problem for science journals. Online submission, automated peer review systems and the growth in academic research papers all contribute to Editors being asked to deal with a larger number of papers each year and it is extremely difficult for them to keep up with published material and the arXiv.

While authors are asked on acceptance to assert that the work is their own and has not been published elsewhere, Editors and Advisers should be aware of the problem and inform the publications staff if they suspect a paper has been plagiarised or self-plagiarised..

It is extremely rare that anyone attempts to libel another in a research paper, but Editors should be aware of the problem and must question any statement in the paper that might be seen as defamatory. If they suspect a statement is libellous, they should inform the LMS Publisher.

Main Editors

For the LMS journals, there are several different titles for 'Main Editor'; in some cases there are only two people responsible, in other journals the Board or part of the Board makes collective decisions. For our purposes, Main Editors are those people who are responsible for *accepting* what is published in the journal. The Main Editors take responsibility for the paper having been read in its entirety at some stage during the peer review process and prior to their acceptance of the paper.

In 2008, the LMS Council approved the following statement for new Main Editors.

'With the change of Editors, the question will be raised of what their responsibilities are in the event of a complaint or a legal suit being raised against the Society on the basis of its publications.

To quote the AMS: 'Editors must be given and accept full scientific responsibility for their journals' but what does this mean in practice? Ultimately, the LMS Council is responsible and will support the Editors in the event a complaint is made, which the Council is happy to do assuming no negligence is involved. Complaints made prior to publication are usually appeals against the rejection and these are dealt with by advisers, editors, and the staff at de Morgan House according to the seriousness of the complaint and how far the paper has gone down the publication route. It is understood that the Editors' decision is the only one required and is final on the acceptance of a paper for their journal (although this is not explicitly stated on the publications).

Post-publication there are three general types accusations that can be levelled: copyright infringement, plagiarism and libel. The first two can overlap and if a false accusation of plagiarism is passed on, this can lead to the third. Plagiarism in research publications should not be confused with that in university exams. These are legal matters for the Society and it needs to show that it has dealt with such complaints seriously and professionally. If a letter or email is sent to the Editors which raises any complaint or accusation concerning the publication, this should be passed on to the Publisher at De Morgan House. At the present we have no written procedure so the responses will need to be considered carefully and come from the Society who is the body legally responsible.

Editors should be confident that they or the referee or adviser has read the paper sufficiently well to spot potentially libellous statements. Particular care needs to be made on review articles, obituaries and book reviews. Although Editors cannot be expected to spot all cases of plagiarism, they should be able to show that any concerns raised by a referee or adviser have been addressed to the author and noted in the decision making process. It is hoped that advisers or referees would be able to alert the Editors to any problems but the advisers and referees would not generally be held responsible.'

LMS Publishing staff

The LMS staff duties are to aid and support *all* the stakeholders.

For each enquiry, they are there to help the enquirer while not providing information that is confidential to another party.

Staff can advise Editors and Advisers on using the system. The main point of contact with a Referee should be the Editor or Adviser who requested their report.

Staff will also help Referees and can, with the Editor's agreement, operate a screening process so a Referee can ask questions of an Author without revealing their identity.

Staff will alert Editors or Advisers where there are delays in the handling of papers and try to help them deal with long overdue papers.

The LMS publishing staff are not mathematicians and are unlikely to spot instances of plagiarism or other malpractice but they will alert the LMS Publisher and Editors if they suspect malpractice.

The staff are also there to help Authors. The most common author query is 'why is my paper delayed in the system?' The staff member will provide the author with a factual answer without naming Referees, and without causing unnecessary embarrassment to another party who has been slow to handle a paper. The reply will be copied to the Editor or Adviser responsible for the paper. Usually the staff member will explain if there has been a problem in finding a Referee or if a Referee has failed to report and another has been sought. The intention is to inform and enable the Author to decide for themselves what their next best step should be, based on accurate information.

Part 2 Complaints and possible remedies

Complaints made prior to publication

If a question is raised over an ethical issue prior to publication, this is largely dealt with by the Editors using the maxim 'if in doubt, don't publish'.

1. Disagreements on Authorship

Authors may inform the editors that some disagreement has arisen over authorship and ask the advice of the Adviser or Editor. In any case like this, the paper should be withdrawn from review and no further work done until the authors have resolved the issue and come back with an answer to which all the parties concerned have agreed.

It is possible that a third party might claim he or she worked on the paper with the authors and, while it would be unfortunate if a malicious claim held up publication of the work, the Editors will make a judgement on the validity of the complaint and decide whether to continue with processing the paper, or ask the authors to withdraw the work until agreement is reached.

2. Suspected plagiarism or self-plagiarism

If it is thought that substantial parts of a paper have been copied from another source then the Adviser or Editor will bring it to the attention of the Main Editors and the LMS Publisher and not write directly to the author. The LMS Publisher will contact the source journal to establish a link with their Editors so that both the journals are fully informed. If the author has 'self-plagiarized' his work, then the original journal Editors and Publisher are contacted.

Where there is an absolutely clear case of copying, the Publisher will write to the plagiarising author and to the original author (if different), first asking for an explanation. If no explanation is forthcoming, the Committee on Publication Ethics (COPE) provides a useful flowchart, http://publicationethics.org/files/u2/02A_Plagiarism_Submitted.pdf, to which the Society will refer as a standard mechanism for dealing with plagiarism and self plagiarism.

An author who has been found to have plagiarised a work will be banned from submitting any further papers to all the LMS journals.

Where the case is not clear-cut, for example if there is substantial overlap but the plagiarised paper is cited in the references, then the Editor's judgement is needed to decide if there is sufficient evidence. If it looks like a genuine cultural misunderstanding, the Editor or Adviser should write to the author, rejecting the paper and explaining what they have done wrong without accusing the author of deliberate intent to mislead the Editors and Referee.

3. Complaints about the Referee

The Society does not make a commitment that all authors will receive a Referee's report. Frequently papers are rejected without a full report being sought, based on the expertise of the Adviser or Editor who knows the quality, scope and extent of competing papers currently in the peer review pipeline.

If the rejection of a paper has relied on the Referee's report, then there is a duty on the Society to handle questions of fairness concerning the report.

Authors are free to question the accuracy of the referee report on points of fact; this doesn't count as a complaint.

Authors may question the motives of the Referee. The Society is limited in the extent to which it can provide a remedy; Authors know the system is single-blind peer review and they will not be given the identity of the Referee even if they make a formal complaint, but the Author may give some background that makes the Adviser or Editor look at the report in a new light and doubt its value. It is also possible that the authors assert correctly that X was the referee and that X has some conflict of interest that has not been declared.

The remedy is simple but time-consuming and the Society will support the Adviser and Main Editors' judgement whether to re-open the question and find a second, impartial reviewer.

4. Slow response times leading to disadvantage

This is an increasingly common problem in mathematics where referee times are long and there is pressure on young researchers to publish quickly. Slow and careless handling of papers is unacceptable and there is a system of automated reminders and staff checks in place to alert Editors and Advisers to any undue delays.

If an Author claims that the slow review of their paper is causing damage to their career, there is, unfortunately, little that the Society can do about this. The Adviser or Editor will be asked to make special efforts to reach a fast conclusion.

An author might claim that a Referee/Adviser/Editor has deliberately held up publication of the paper in order to get their own, similar work into print first. For Authors who use the

arXiv, it is easy to establish precedence but in the absence of the work being on the arXiv, the Publisher will send an enquiry to the journal who published the competing work in order to establish precedence. If the Author's claim proves correct, then the person held responsible for holding up the work should not work on the journals again.

5. Questioning the fairness of the Editor's decision

Authors do not like to be rejected but, provided the Editor/Adviser has given clear and unambiguous reasons for rejecting a paper based on a fair and impartial assessment, Authors will be politely told that there is nothing further to be done, the decision of the Editors is final.

However, an Author may claim that the Editor/Adviser had an ulterior motive for rejecting their paper.

The Main Editors or LMS Publisher will discuss the complaint with Adviser/Editor. It would only be if there is clear, documented evidence to back up the Author's assertion that one would consider removing the Editor/Adviser and the burden of proof lies with the Author.

Complaints made after publication

Complaints made about what has been published are primarily legal matters and the balance of responsibility for handling these complaints shifts from the Editors to the Society as owner and publisher of the journals. However, requests for corrections to be made are matters for the Main Editors to decide.

The Editors should always advise the LMS Publisher when a serious complaint is made after publication so she can suggest possible remedies, comment on legal implications and judge when outside expertise should be called in.

1. Post-publication corrections

Authors regularly ask for Corrigenda (author's mistake) or Errata (publisher's mistake) to be added to a journal and find it difficult to understand why their request to change the final file cannot be implemented prior to the printed version being published.

The Society has established a rule that the version of record is the online version and the date of publication is the date that the paper first appears online. This is the date used by funding bodies and other mathematicians to establish precedence of publication.

Some other publishers may agree to changes being made after publication but the LMS Publications Committee agreed upon the policy that all changes to a paper must be approved by the Editors and made as either a Corrigendum or an Erratum. The online paper is linked to the Corrigendum or Erratum so these cannot be missed by readers.

A reader may find a substantial error and write to the Editors about it. In some cases, the reader uses the error as the basis for submitting their own paper, highlighting the mistake and correcting the proof. The Editors will decide whether to ask the original Author for a corrigendum to state the error exists and, separately, if there is sufficiently new material in the reader's paper for it to stand as research in its own right.

2. Lack of citation, disputed authorship

A mathematician may complain that their work has not been cited in a published paper or go so far as to claim they should be included as an author. The extreme state is where he or she claims that the article published by the LMS is a plagiarized version of their own work.

Lack of citation will be dealt with by first asking the authors to comment. It is the Editor's decision on whether to add a corrigendum to include the citation.

Disputed authorship should be dealt with first by the authors but the Editors will make the final decision regarding any post-publication change.

3. *Plagiarism and self-plagiarism*

If the claim is that a paper has been plagiarized, it is a straightforward matter to look at the papers involved and for the Editors to give a view whether there is substantial overlap. Given the Editors' reputation is involved, the Society will ask a third party to comment on the extent of the plagiarism and confirm they agree it has taken place.

In rare cases, the paper that has been plagiarized may not yet have been published, for example it may only be available in preprint form on the arXiv. Care will be taken to establish precedence.

The Editors or publisher of another journal may inform the Society that they have already published an article with significant overlap to that more recently published by our journal. If the papers are authored by two different mathematicians, then it is outright plagiarism and the remedy is dealt with below. If it is self-plagiarism and both articles have been published, then the later publication should be removed with a retraction notice to declare there was significant overlap with the previously published paper.

As with pre-publication cases of plagiarism, the Society may refer to the COPE guidelines on dealing with such cases, which can be found here:

http://publicationethics.org/files/u2/02B_Plagiarism_Published.pdf.

Once plagiarism is established, the offending paper will be retracted and the LMS publisher will arrange for this to be done. If the Editors and publisher of the plagiarized paper are not aware of the complaint, they should be informed.

Retraction online is straightforward. A covering page is posted as a new version of the article explaining the reason for retraction. The same covering page is published in print in lieu of the retracted article.

If the paper has been published in print, a separate retraction notice will be published both online and in print. The original online article will be stamped 'retracted' and linked to the retraction notice so this cannot be missed by readers.

Offending authors will be banned from making future submissions to the LMS journals.

4. *Accusation of libel*

'The general principles that can be applied to identify whether or not someone could make a claim against you for libel are:

- i) exposes them to hatred, ridicule or contempt
- ii) causes them to be shunned or avoided
- iii) discredits them in their trade, business or profession
- iv) generally lowers them in the eyes of society.

A defence against an accusation can be based on fact, i.e. that the defamatory information is true, but the burden of proof is on the person using the defence.'²

Complaints of libel made about any LMS publication or communication should be addressed to the LMS Publisher and the Society will immediately seek legal advice.

Council has requested that a record be kept of complaints made throughout the year and an annual report sent to them. Although Editors have in some cases dealt with complaints directly, they should inform the LMS Publisher in each case so that a central record may be kept for Council.

² Source: Association of Learned and Professional Society Publishers.