

# Human Ethics Policy - Research Involving Human Participants

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<b>Contact Officer</b>	Ethics Coordinator – Office of the Assistant Vice-Chancellor (Academic)

## Introduction

The Human Ethics Committee (HEC) and Educational Research Human Ethics Committee (ERHEC) are responsible to the Vice-Chancellor, via the Deputy Vice-Chancellor or his/her nominee. The Committees' review proposals for research and teaching exercises that involve human participants in order to ensure that this work is conducted with appropriate regard for ethical standards and cultural values.

This document sets out the guiding principles and procedural matters to be followed when applying to either committee.

## Policy Statement

The purpose of research is to produce evolving understanding and information which may improve the situation of human beings. All research involving human participants should be conducted in accordance with ethical norms and be subject to ethical appraisal and approval of both its means and ends. Ethical standards do evolve but the focus of the Human Ethics Committee (HEC) and Educational Research Human Ethics Committee (ERHEC) is to review human subject research conducted by staff, and to ensure University research safeguards the dignity and welfare of human research subjects.

Researchers are responsible for ensuring their projects meet the demands of current best practice research ethics in their scholarly field.

The role of the HEC and ERHEC is to support researchers, via review of researcher projects, to protect all participants in the research activity, including the researchers themselves, and to continually build the University's capability in research integrity. The committees should encourage all researchers to be aware of and seek guidance about the

principles and values of ethical research involving human participants, particularly as those principles and values apply to their own fields of research.

The review process should be seen as a conversation between the Researcher and the wider community (both within the University and the public) about how to best bring integrity to the research. Both the HEC and the ERHEC represent the interests of those communities. All research projects differ so it is difficult for review committees to produce a one size fits all approach to their reviews. Research disciplines also often have their own research ethics literature. It is the researcher's responsibility to bring to the ethics review their knowledge of their research, and its ethical implications in their application.

The committees should endeavour to create a review process that grants researchers the same level of respect that researchers should offer to research participants.

There are occasions when funding agencies and other groups commissioning research require assurances that research projects have received ethical approval from an appropriate body. The HEC and ERHEC would provide such assurance.

### **Purviews of the Committees**

The HEC reviews all proposals that are conducted within the University or outside of the University that do not involve an educational setting for either research or teaching and learning, as covered by the ERHEC below. The HEC reviews research proposals from all colleges and research units within the University except for those covered by the ERHEC.

The ERHEC reviews research that is conducted in an educational setting, is about an educational setting, or involves research into teaching and learning. Some examples of research applications that would be considered by ERHEC include investigating teaching and learning in curriculum areas in primary and secondary settings; describing how early childhood educators use assessment to inform their practices; or how schools communicate assessment information to students, their families and whanau.

Where research falls under the statutory regime of the Health and Disability Committees (HDECs) as set out in the [New Zealand Public Health and Disability Act 2000 \(New Zealand Legislation website\)](#), researchers **do not** need to also have their research reviewed by HEC or ERHEC. However, they should send a copy of their approval and their final application to the UCHEC ethics secretary for the University's records.

In 2012 the scope of the HDEC's operating procedures was narrowed, leaving the University to review most health research under PhD level, and most other observational health research. However, it is the individual researcher's responsibility to determine whether their research Falls under the scope of the HDEC review, and provide evidence of this to the University if required (by means of an Out of Scope letter confirming HDEC approval is not required).

## Guiding Principles

Researchers and teachers must take account of the following principles when planning their projects and preparing their proposals. Where research varies from these principles a detailed justification must be included in the application.

### 1. Respect and Care for Persons

#### Informed consent

- Participation of a human subject in any research project, course work project, or teaching exercise must be voluntary and not obtained through coercion of any sort, or inducement beyond reasonable compensation for participation.
- Information provided to gain the consent of participants must be both adequate and appropriate. Prospective participants must be made fully aware of the nature of the research, so that their decision to participate or not is adequately informed.
- Participants must also be made aware of their right to decline to participate in the research, and to withdraw from it at any time (including withdrawal of information they have provided).
- It is normally desirable that information be given, and consent obtained, in written form; but it is recognised that in certain cases this may not be appropriate or necessary; in these cases the ethics of gaining consent through verbal or other communication should be discussed thoroughly in the application.
- Where a project involves solely an anonymous questionnaire, written consent need not be obtained provided that participants are clearly informed that completion of the questionnaire implies consent.
- In some research involving groups of persons, it may be necessary to obtain consent from leaders of the group, as well as from its members.
- Where prospective participants are not capable of giving informed consent to their own participation (as in the case of young children or persons with impairment and disabilities), this must be obtained from other persons legally entitled to consent on behalf of the prospective participants.

#### Limitation of deception

- Deception of participants is allowable only when it is shown to be appropriate and necessary for the success of the project. Any deception or departure from the standard of **fully informed consent** must be justified in terms of its necessity to the scientific aims of the project.
- As soon as possible following completion of a project where deception has occurred, participants must be provided with an explanation of the true purpose of the project and of the need for the deception, and should then be given the opportunity to withdraw from participation in the project.

## **Confidentiality**

- Confidentiality of information is to be assured at all stages of a project; participants have an absolute right to privacy and confidentiality, and they must be invited to exercise this right.
- The identification of participants or use of information they provide must not occur without their consent, and steps must be taken to see that their identities cannot be known by unauthorised persons.
- In practical terms, researchers are responsible for the safekeeping of consent forms and the secure storage or destruction of information that may enable participants to be identified. Researchers should refer to terms and conditions as required by any funding agency that is wholly or partially funding the proposed research, the [Data Management Policy \(PDF, 243KB\)](#), [Research Conduct Policy \(PDF, 523KB\)](#) and [Intellectual Property Policy \(PDF, 502KB\)](#) for more detailed information.
- Where transcription will be carried out by a person(s) other than the researcher a confidentiality agreement should be made with the transcribers and participants made aware of this.
- Projects must accord with legal requirements such as those of the [Privacy Act 1993 \(New Zealand Legislation website\)](#). Researchers should refer to the [Privacy Policy \(PDF, 761KB\)](#) for the University's application of the Act.

## **Minimisation of harm to participants, groups or communities**

- Researchers must endeavour to minimise any risks attendant on participation; such risks include pain, stress, emotional distress, embarrassment, and moral or cultural offence.
- Prospective participants must be informed of any potential risks at the time when informed consent is sought, and should also be consulted to ascertain any potential risks they may foresee.
- Researchers also have an obligation to be available after participants have participated in the project should any stress, harm or other concerns arise.

## **Special care of potentially marginalised, or otherwise vulnerable or dis-empowered participants**

- Research must demonstrate respect for the participant. It should be sensitive to the needs and characteristics of the participant(s), such as age, gender, sexuality, ethnicity, culture, religion, disability or social class.
- Researchers must recognise the power relationships involved in their work particularly where there are disparities related to age, race, culture, status, religion, class, gender or sexuality between researchers and participants, or where the persons involved belong to vulnerable groups in research such as young children, or people with mental illness or social disadvantage.

- When the participants in the research are children or other dependent persons, the following additional points should be observed:
  - The consent of the dependent persons must be obtained as far as possible; they must not be required to participate against their will.
  - The written informed consent of the legal guardians of persons who are in loco parentis (teachers, guardians, caregivers) must normally also be obtained, and in some cases the consent of legal guardians may be mandatory.

### **Respect for property rights, including intellectual property**

- Researchers should respect the property of others. This covers legal rights to land, goods, and intellectual property as well as taonga and culturally sensitive data of any particular group.

## **2. Acknowledgement of Treaty of Waitangi**

- The University is legally bound to acknowledge the principles of the Treaty of Waitangi in the performance of its functions and the exercise of its powers ([S181\(b\), Education Act 1989 \(New Zealand Legislation website\)](#)).
- It is the responsibility of the researcher to be aware of when they should conduct consultation with Māori regarding their research. If in doubt the researcher should speak with their faculty Kaiārahi (Māori advisor), or the Māori Research Kaiārahi in the Research & Innovation team.
- Consultation with Māori should be discussed through the Māori Research Kaiārahi. More information is available via [Māori Research \(University Research and Innovation intranet\) \(Staff only\)](#)
- All researchers, whether their research is health related or not, are referred to the [Health Research Council of New Zealand's Guidelines for Researchers on Health Research Involving Māori 2010 \(Health Research Council of New Zealand website\)](#).

## **3. Research Merit**

- Projects involving human participants must be carried out and supervised by suitably qualified personnel.
- Research must meet appropriate scientific and scholarly standards.

## **4. Management of Conflicts of Interest**

- Any real or possible conflicts of interest must be avoided or declared.

## Application Procedures

Projects requiring review may be initiated only after the appropriate committee has given its approval. Retrospective approval of projects that have already begun will not be granted.

Failure to gain approval may affect funding and publication decisions.

**Projects which require ethical approval from ERHEC or HEC** include:

- a) Any research or teaching activity in which **persons** are subjected to experimental procedures or observation or questioning or otherwise used as a source of information or data.
- b) Research which draws on personal information which is not currently in the public domain accessed from artefacts such as documents or computer records that has been collected for other purposes than the research.
- c) Projects not involving human participants, but that involve human tissue, genetic modification, or animals may also require review by an appropriate body. Researchers are expected to be aware of their responsibilities.

## Low Risk Applications

These are applications involving the same risk as might be encountered in normal daily life. Projects which meet low risk criteria are firstly reviewed and approved by departments/schools, but also require a final review and approval by the appropriate committee.

Research may be considered low risk when it arises from:

- Master's or PhD theses, or supervised projects undertaken as part of specific course requirements, where the theses or projects do not raise any issue of deception, threat, invasion of privacy, mental, physical or cultural risk or stress, and do not involve gathering personal information of a sensitive nature about or from individuals.
- Undergraduate and Honours class research projects which do not raise any issue of deception threat, invasion of privacy, mental, physical or cultural risk or stress, and do not involve gathering personal information of a sensitive nature about or from individuals, but do not have blanket approval as outlined below.

No project, regardless of level, will be considered as low risk if it involves any of the following:

- Invasive physical procedures or potential for physical harm;
- Procedures which might cause mental/emotional stress or distress, moral or cultural offence;



- Personal or sensitive issues;
- Potentially vulnerable, excluded, or marginalised groups;
- Tangata Whenua, whether Māori organisations, iwi, mana whenua or individuals;
- Cross cultural research;
- Investigation of illegal behaviour/s;
- Invasion of privacy;
- Collection of information that might be disadvantageous to the participant;
- Use of information already collected that is not in the public arena which might be disadvantageous to the participant;
- Use of information already collected which was collected under agreement of confidentiality;
- Participants who are unable to give informed consent;
- Where a conflict of interest exists e.g. the researcher is also the lecturer, teacher, treatment-provider, colleague or employer of the research participants, or there is any other power relationship between the researcher and the research participants;
- Deception;
- Audio or visual recording without consent;
- Withholding benefits from “control” groups;
- Inducements; and/or
- Risks to the researcher

*Note: This list is not exhaustive*

## **Departmental/School Approval for Low Risk Applications**

Departments/Schools will undertake the first stage of approval of projects that meet low risk criteria.

1. Staff involved must sign a declaration that students undertaking the research projects:
  - Are being made fully aware of the need for and the requirement of seeking HEC or ERHEC approval for all research involving human participants;
  - Are conversant with the procedures involved in making such an application;
  - Have individually filled in the required applications submitted to the staff responsible for the student project.
2. An application form should be filled out and submitted in line with the instructions on the form. Attachments should include the information and consent forms that will be used.

3. A second stage of review will be undertaken by the Chair of the appropriate committee (or their designate) before final approval can be given.

### **Blanket Approval**

Blanket approval will be granted only for research projects that are low risk.

Blanket approval may be sought for undergraduate, graduate and postgraduate class research or projects related to specific courses and/or field trips, which pose no threat to the well-being of the participants and where the methodology and its ethical implications is similar for all the projects.

- a) The staff member responsible for the project may seek approval for the whole class based on a single application to the appropriate committee in the first year.
- b) This approval should be valid for three years if there is no substantial change in the project during this period. For the fourth year, a new application can be made seeking approval for a further three years and so on.
- c) The staff member when applying, should set out how they are to ensure that the students:
  - Who undertake those research projects are made fully aware of the need for and the requirement of seeking ethical approval for all research involving human participants; and
  - Are conversant with the procedures involved in making such an application;
  - Have completed a component of the course that involves a discussion of the research ethics involved in the class project.

### **Projects which do not require ethical approval**

In some cases, research activities may not require either committee's approval and may be eligible for an exemption. In the first instance, those seeking an exemption need to contact the committee they are seeking the exemption from.

If an exemption is agreed to, then responsibility for facilitating exempt activities rests with either the researcher (if a staff member), or with the responsible staff member (if a student). The exempt activities must conform to this policy. A letter will be issued from the HEC confirming the project details have been reviewed and found not to require ethical approval. Details will be held on file.

Activities exempt from review and which do not require HEC/ERHEC approval or notifications are:

1. Projects for which blanket approval has been approved by the appropriate committee (See Blanket Approval section above).



2. Research conducted by the Learning and Teaching Committee (LTC), the University of Canterbury Students' Association (UCSA), or departments/schools for the purpose of evaluating educational practices or courses.
3. Interviews conducted as teaching assignments by students enrolled in the University's Postgraduate Diploma in Journalism.
4. Case studies of business organisations and institutions [where results will be used internally for that organisation and not published] unless the project involves gathering personal information of a sensitive nature about or from individuals, and where there is no threat that an employee's confidential comments to the researcher can be identified by an employer.

## **Insurance**

The University retains insurance cover against claims relating to harm, loss or damage suffered by participants in research projects as a result of any negligent act, error or omission by or on behalf of the University. Where relevant, (e.g., for research involving human tissue), these words must be incorporated into consent forms,

*“Where a person being a participant in research sanctioned by the University, suffers personal injury as a result of medical error or medical mishap, the injury may be considered for coverage under the accident compensation scheme, if the trial has had HEC approval.”*

## **Amendments to already approved research**

Researchers often wish to make a change to their research project. Where researchers realise such a change will raise further ethical questions (e.g. a change in treatment of participants, or the way the data is handled), they should apply for an amendment. An email to the Secretary requesting the amendment should include:

- All details of the changes
- Any ethical issues that arise
- A discussion of those ethical issues
- Any public documents associated with the project (e.g. information sheets) that require revision as a result of the amendments.

## **Reconsideration of decisions of the Committee**

An applicant who is dissatisfied with a decision of either committee may request that the decision is reconsidered.

- Requests should be in writing and addressed to the Secretary, HEC/ERHEC. Informal discussions of these matters may be initiated with members of the appropriate committee.

- If approval is given for research, but there is deviation from the application, the approval may be withdrawn.
- In reconsidering the original decision, either committee may seek and consider additional information.
- Complaints about research may be addressed to the HEC, ERHEC, the UC Research Committee, or the Deputy Vice-Chancellor.

## **Appointment of Committee Members of the Human Ethics Committee (HEC)**

HEC appointments should ensure the committee has the appropriate expertise, skills, knowledge and perspectives to conduct ethical review of the best quality. In line with best practice the committee should include persons capable of representing the interests of community, Māori (including mana whenua), and have members with expertise in ethics and law. A gender balance should be maintained. In order to achieve these goals, the membership includes:

- One member nominated by the Vice-Chancellor,
- Three members nominated by the Dean of Arts (Research & Postgraduate) (one each from the Department of Psychology, the School of Humanities & Creative Arts, and the School of Language, Social & Political Sciences);
- One member nominated by the Dean of Business;
- One member nominated by the Dean of Law;
- One member nominated by the Dean of Education and Health;
- One member nominated by the Dean of Engineering (Academic);
- One member nominated by the Academic Dean of Science;
- One member elected by the Academic Staff;
- Two Laypeople appointed by the Committee;
- A representative of the Students' Association (appointed in consultation with the UCSA);
- Two representatives of the Māori Community (one of whom is nominated by the iwi, and the other by the Māori Community within the University);
- The Chair is appointed by the Deputy Vice-Chancellor and the Committee has the power to co-opt

## **Appointment of Members of the Educational Research Human Ethics Committee (ERHEC)**

- Two academic staff from each School of the College of Education, Health & Human Development (School of Educational Studies & Leadership, School of Teacher Education, School of Health Sciences, School of Sport & Physical Education) nominated by the Heads of School.

- One member nominated by the Kaiārahi Māori
- One member nominated by the Dean of Law
- One member representing another College of the University of Canterbury
- Other College of Education, Health & Human Development staff as required
- One College of Education, Health & Human Development Postgraduate Student nominated by the Committee
- Two laypeople representing the wider educational community appointed by the Committee

The Chair is appointed by the Deputy Vice-Chancellor and the Committee has the power to co-opt

### **Monitoring of Quality of Ethics Review**

Each year the HEC will work with universities across New Zealand to review its own internal processes and the quality of its reviews, and will seek feedback from applicants about the helpfulness and quality of its reviews.

This should include but not be limited to:

- A survey of all research staff at the University regarding ethical review of projects.
- The moderation of four high risk applications by another University ethics review committee.

### **Related Documents and Information**

#### **Legislation**

- [Education Act 1989 \(New Zealand Legislation website\)](#)
- [Copyright Act 1994 \(New Zealand Legislation website\)](#)
- [Health & Safety at Work Act 2015 \(New Zealand Legislation website\)](#)
- [Health Research Council Act 1990 \(New Zealand Legislation website\)](#)
- [Human Tissue Act 2008 \(New Zealand Legislation website\)](#)
- [New Zealand Bill of Rights Act 1990 \(New Zealand Legislation website\)](#)
- [New Zealand Public Health and Disability Act 2000 \(New Zealand Legislation website\)](#)
- [Privacy Act 1993 \(New Zealand Legislation website\)](#)
- [Accident Compensation Act 2001 \(New Zealand Legislation website\)](#)

#### **UC Policy Library**

- [Copyright Policy \(PDF, 510KB\)](#)
- [Conflicts of Interest Policy Principles and Guidelines \(PDF,693KB\)](#)

- [Data Management Policy \(PDF, 243KB\)](#)
- [Intellectual Property Policy \(PDF, 502KB\)](#)
- [Privacy Policy \(PDF, 761KB\)](#)
- [Research Conduct Policy \(PDF, 523KB\)](#)

### University Website and Intranet

- [Māori Research \(University Research & Innovation intranet\) \(Staff only\)](#)

### External

- [Health Research Council of New Zealand's Guidelines for Researchers on Health Research Involving Māori 2010 \(HRC of New Zealand website\)](#)

<b>Document History and Version Control Table</b>			
<b>Version</b>	<b>Action</b>	<b>Approval Authority</b>	<b>Action Date</b>
<i>For document history and versioning prior to 2013 contact <a href="mailto:ucpolicy@canterbury.ac.nz">ucpolicy@canterbury.ac.nz</a></i>			
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1.05	Updated A/A title to Deputy Vice-Chancellor	Policy Unit	Sept 2017
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