

University Research Ethics Policy

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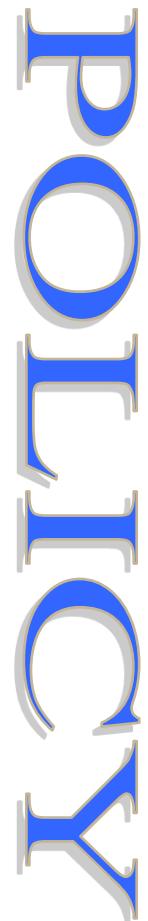
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POLICY

HERIOT-WATT UNIVERSITY UNIVERSITY RESEARCH ETHICS POLICY

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1. INTRODUCTION

This Policy sets out the general principles that underpin the University's approach to research ethics.

Nothing in this Policy shall be interpreted in a way that is contrary to the Charter, Statutes, and Ordinances. The Charter, Statutes, and Ordinances shall have primacy should this Policy be found to be in any respect contrary to the Charter, Statutes, or Ordinances.

The Principal and Vice-Chancellor shall have the final say on all questions as to the interpretation of this Policy.

1.1 DEFINITION

Research ethics is the protection of human and animal subjects in the planning, conduct and reporting of research (Resources for Research Ethics Education, 2016).

1.2 RESEARCHER RESPONSIBILITY

It is the role of Academic Staff to familiarise themselves and comply with this Policy, its associated procedures and applicable School research ethics-related policies and practices.

It is the responsibility of Academic staff or Principal Researcher to ensure compliance with the Policy.

In the case of Student-led research, it is the responsibility of programme and/or course leaders, research project supervisors, to make students aware of the Policy. However, it is the responsibility that Student researchers follow School research guidelines and declare where necessary conformance to codes of ethical conduct.

2. SUMMARY

The University Research Ethics Policy (henceforth, the Policy) provides a general framework for School research ethics practice at Heriot-Watt University (henceforth, the University), including the Animal Ethics Committee and the Genetic Modification Committee.

The University is committed to best practice in relation to research ethics as it ensures research is conducted in a manner that respects the dignity, rights and welfare of participants (see Section 15 for definition of participant).

Research ethics are taken seriously by the University to minimise risk to participants, researchers, third parties and the University itself.

The Policy conforms with all related legislation, e.g. Human Rights Act 1998, UK Data Protection Act 2018, European Union General Data Protection Regulation (GDPR); Human Tissues Act 2004, Equality Act 2010, Animals (Scientific Procedures) Act 1986, Genetically Modified Organisms (Contained Use) Regulations 2014, EU Charter of Fundamentals Rights, and the Council of Europe Convention as well as Recommendations. The Policy is consistent with research ethics procedures and systems of key external institutions, e.g. professional associations, research councils, the NHS and local authorities.

The Policy will be relevant to:

- a. Academic Staff responsible for, or are members of, School research ethics committees;
- b. Academic Staff and Students seeking ethical approval for proposed research projects;
- c. external organisations (e.g. enterprise organisations) who support or engage with the University on research-related matters;
- d. the wider public.

The Policy should be read in conjunction with the University Research Ethics Procedures Policy, which sets out the general framework for ethical conduct in relation to research activity at the University.

The Policy should also be read in conjunction with the University Data Protection Policy.

3. PURPOSE

The Court delegates to the Senate all of its powers in relation to academic work and standards so that, subject to the terms of the Charter and the Statutes and to the powers reserved to the Court, the Senate is the principal body responsible for the academic work and standards of the University.

The general powers and functions of the Senate are prescribed in the Statutes (Statute 5). The specific powers and functions of the Senate and the ways in which those powers and functions shall be delegated are described in the Statement of Primary Responsibilities and Delegations. Under the Statement of Primary Responsibilities and Delegations the Senate may make, modify, or revoke Regulations and policies in respect of research governance and standards.

This Policy sets out the general principles to be followed by Academic Staff, Students and the University in relation to research ethics.

4. BENEFITS

There are many benefits from having a policy that sets out recommendations on research ethics practice. The policy:

- a. sets out the University's overall position on research ethics;
- b. provides a framework to help inform School committees of good research ethics practice;
- c. harmonises research ethics procedures and systems across the University;
- d. helps to embed a culture based on best practice principles, therefore strengthening commitment to high-quality, transparent and accountable research practices;
- e. reinforces how research ethics link closely with the University's Strategic Plan, in that shared best practice in this aspect of research contributes to the aim of the University of becoming a world leader in a wide-range of academic disciplines.

5. OBJECTIVES

5.1 ETHICAL PRINCIPLES

The Policy recognises and advocates the use of the following ethical principles:

- a. *Prevention of harm*: Academic Staff and Students (henceforth ‘researchers’) must seek to protect participants from physical and psychological harm during the research process. Researchers should not make frivolous use of participants. Researchers must also take steps to protect their own physical and psychological well-being during the research process. The risk of harm must reflect a balance of impact on participants and the benefits of the research. See Section 15 for a definition of harm.
- b. *Informed consent*: Informed consent helps to minimise harm to participants. Without informed consent, participants may feel manipulated, humiliated or mistreated by researchers. It is necessary to attain full participant consent unless there is a strong rationale for no or partial consent. Consent should be attained by researchers informing participants in advance of all necessary information expected to influence willingness to take part in the study. The process of gaining consent should also include how the research participants will be regularly informed of the research outcomes. Participants should be given the opportunity to ask questions about their involvement in the study before securing consent. Where the study involves more than a one-off research interaction, such as the case in the use of longitudinal research methods, it may be necessary to seek approval from participants/actors (see Section 15 for a definition of ‘actor’) at more than one juncture of the study.
- c. *Rights of participants*: In giving consent, participants retain the right to withdraw this consent. If applicable, researchers should indicate at what point in the study participants can withdraw consent or request data destruction. Participants should also be informed of what measures are in place for consent to be withdrawn if required.
- d. *Minimising risk with vulnerable participants*: Some participants should automatically be considered vulnerable because of a limited ability to provide consent to take part in a research project, e.g. young children, people who are ill or bereaved. Other groups may be considered vulnerable because of the context, e.g. unemployed, migrants, refugees. Extra safeguards and consent procedures must be designed and followed when recruiting vulnerable participants to research projects. See Section 15 for definitions of vulnerability and vulnerability in relation to children and protected adults.
- e. *Respect for participants*: Researchers should aim to conduct research that is respectful of: national and international law, gender differences, all groups in society, and, marginalised/disadvantaged groups.
- f. *Confidentiality*: Unless agreed otherwise, the findings from research should be communicated in a manner that protects the confidentiality of the participants. Researchers are expected to protect the confidentiality of the participant’s identity and data throughout the fullness of the research project. Where it is not possible or fitting to provide all information necessary for informed consent, it should be provided at an appropriate juncture once the participant has made the contribution to the study.

- g. *Appropriate use of rewards and incentives:* Incentivising participation in research projects should only be on the basis of making people want to take part, rather than only taking part because of the reward, or they cannot refuse such rewards.
- h. *Anti-discriminatory:* Researchers should act in a manner that complies with the Equality Act 2010.

5.2 ETHICAL CONDUCT

The Policy also recognises and advocates the use of the following principles relation to academic conduct.

- a. *Reciprocity:* Research should be based on the creation of outcomes for the common good.
- b. *Accessibility:* Researchers should aim wherever possible to disseminate their findings in the public domain and through learning and teaching roles at the University.
- c. *Independence:* Researchers should not distort research design and/or findings to suit funder requirements.
- d. *Specified use of research funding:* Researchers must not use funding for purposes other than that specified in their grant award.
- e. *Safe and secure data management:* Steps must be taken to retain all research materials gathered (including physical and visual data), in a safe and confidential space, for a minimum period of five years. Where it is necessary to keep data for long periods of time, data should be stored wherever possible in an electronic format and kept password protected on a University server. Through the informed consent process, participants should be informed about how study data will be managed and how long it will be retained.
- f. *Three Rs:* Research involving animals research should aim to conform to the principles of replacement, reduction and refinement.
- g. *Ethical bioprospecting:* Researching the commercial use of natural resources must be respectful of indigenous territories and cultures, and take account of relevant international agreements (e.g. Nagoya Protocol).
- h. *Conform to the Universal Declaration of Bioethics and Human Rights:* Researchers should subscribe to universal guidelines covering all issues in the field of bioethics (see Section 14).

6. SCOPE

The Policy:

- a. provides a framework for the conduct of ethical procedures and systems for School committees, across all campuses;
- b. sets out core principles that inform the duty of care a researcher owes to research participants, and the duty that the University owes to both participants and researchers;
- c. sits within the broader framework of research governance and values of the University;

- d. conforms with all related legislation, e.g. Human Rights Act 1998, UK Data Protection Act 2018, European Union General Data Protection Regulation (GDPR); Human Tissues Act 2004, Equality Act 2010, Animals (Scientific Procedures) Act 1986, Genetically Modified Organisms (Contained Use) Regulations 2014, EU Charter of Fundamentals Rights, and the Council of Europe Convention as well as Recommendations;
- e. is consistent with research ethics procedures and systems of key external institutions, e.g. professional associations, research councils, the NHS and local authorities.
- f. conforms with the fundamentals of academic freedom;
- g. covers all forms of academic and student research, as well as situations involving the development and interpretation of existing knowledge within a professional setting (i.e. consultancy work) and the interpretation and application of knowledge within a professional setting (i.e. professional practice); and,
- h. covers research involving the capture of all-manner of data and materials, including, for example, physical artefacts, visual/video imagery and data gathered from digital research (see Section 15 for definition of 'digital research').

6.1 DUBAI AND MALAYSIA CAMPUSES

As the University operates internationally, through its campuses in Dubai and Malaysia and through arrangements with approved learning partners in other jurisdictions, the management of research ethics shall include consideration of the requirements of such overseas campuses of such host countries and shall pay due regard to non-UK legislation that may be applicable.

In particular, the University shall ensure that its operations in Dubai and Malaysia comply with research ethics protocols of the host country. Where UK research ethics protocols are of a higher standard the University will also apply these where applicable. Applications for ethical approval for research projects from the Dubai and Malaysia campuses should be directed towards the relevant UK-based School research ethics committee.

6.2 CROSS INSTITUTIONAL AND INTERNATIONAL RESEARCH

Providing research approval procedures equivalent to that of the University have been applied, research led by external collaborators (UK or abroad) is not required to go through further ethical approval.

However, researchers should ensure that a copy of the research ethics approval is obtained and stored for future reference. Approval on this kind should be on the basis that the ethical approval procedures of collaborating institutions meets or exceeds that of the University.

6.3 SECURITY-SENSTIVE RESEARCH

The University does not automatically disbar security-sensitive research. However, where research involves the gathering of security-sensitive research materials, which can be interpreted as engaging Terrorism Act (2006) provisions, such materials should in no circumstances be kept on personal computer equipment. Instead, such materials should be kept on specially designated University servers to allow ease of

access to authorised researchers, yet not in a manner that would allow such materials to be transmitted or exchanged to non-authorised parties. See Section 14 for further reading concerning security-sensitive research.

7. ETHICAL APPROVAL

All research requires ethical review and if deemed necessary formal ethical approval should be sought. Further ethical approval or re-approval may also be required should significant details change on commencement of the proposed research project. Please note: retrospective ethical approval cannot be granted.

Furthermore, all pilot research is subject to ethical approval too. Ethical approval for research at the University is a devolved matter and is the responsibility of School research ethics committees. The general procedure for gaining ethical approval for a research project is detailed in the University's Research Ethics Procedures.

8. TRAINING

While UREC maintains oversight of research ethics training, the Research Futures Academy in the Research Engagement Directorate is responsible for facilitating appropriate research ethics training.

9. MISCONDUCT

Research ethics-related misconduct by researchers is covered by the University's Disciplinary Code. The consequences of such misconduct could involve academic staff being subject to the University's Procedures for Investigating Research Misconduct.

Research ethics-related misconduct by Students is covered by Regulation 50 of the University Regulations. The consequences of such misconduct could involve students being subject to the Student Discipline Policy and Procedure.

Examples (not exhaustive) of research ethics-related misconduct include:

- a. Misappropriation of another's intellectual property by plagiarism or breach of confidence as a reviewer;
- b. Misrepresentation of research findings by deception or lying;
- c. Obstruction, including withholding, destroying or falsifying evidence;
- d. Unfairly influencing witnesses or interviewees;
- e. Breach of confidentiality required by external contracts;
- f. The deliberate commercial exploitation of ideas of others without acknowledgement and, where necessary, informed consent; and,
- g. Failing to comply with statutory or institutional regulations, including ethical review.

10. LINES OF RESPONSIBILITY

The Principal and Vice-Chancellor is responsible for the effective working, management, and good order of the University in accordance with the Charter and Statutes and such powers as are delegated by the Court.

The Deputy Principal (Research & innovation) has delegated authority from the Principal to:

- oversee the principles of this policy and the related Procedures to ensure their effective working and management;
- examine and investigate any research and related activity of the University to establish compliance with ethical standards;
- appoint a Chair of the University Research Ethics Committee.

11. THE POLICY AND UREC

The purpose of the University Research Ethics Committee is to:

- a. to provide institutional-level leadership on ethical matters arising out of research, innovation and related institutional activities.
- b. to recommend policies and procedures for the University in respect of research ethics.
- c. to maintain an oversight of research ethics training across the University.
- d. to consider and approve (as appropriate) research proposals submitted by Schools
- e. to advise the UCRI on matters related to research ethics.
- f. to receive reports from School Research Ethics committees/representatives where necessary.
- g. to have oversight of the application of School policies and procedures.

12. MONITORING AND EVALUATION

The UCRI, on behalf of the Senate, shall approve this Policy.

The Global Director of Research Engagement, on behalf of the Secretary of the University, shall periodically review this Policy in terms of its currency and effectiveness and ensure that it is published in accordance with the University publication scheme.

13. POLICY REVIEW

The Policy will be due for review two years from the date posted at the end of the document.

14. RELATED POLICIES, PROCEDURES AND FURTHER REFERENCE

14.1 Policies and Procedures

**Other policies and procedures should be referred to on related matters;
Including, *inter alia*:**

- Data Protection Policy

- Procedures for Investigating Research Misconduct
- Disciplinary Code
- Disciplinary Policy
- Student Discipline Policy and Procedure

These policies and procedures can be found here:

- www.hw.ac.uk/about/policies.htm
- www.hw.ac.uk/students/student-policies.htm
- www.hw.ac.uk/services/human-resources/human-resources-policies.htm

14.2 Further reference

For more information on research integrity see the following documents:

- The [Concordat to Support Research Integrity](#) 2019
- The [Concordat to Support Research Integrity: Progress Report](#) 2016
- Both available at (www.universitiesuk.ac.uk)

For more information of the Nagoya Protocol see:

- [The Nagoya Protocol on Access and Benefit-sharing](#) (www.cbd.int)

For more information on security-sensitive research see the following document:

- [Oversight of Security-sensitive Research Material in UK Universities: Guidance](#) 2019. (www.universitiesuk.ac.uk)

Guidance on ethical issues associated with researching social media platforms can be viewed in the two following documents:

- [MRS Guidelines for Online Research](#). MRS 2014 (www.mrs.org.uk)
- [Townsend, L. and Wallace, C. \(2016\). Social Media Research: A Guide to Ethics: University of Glasgow.](#) (www.gla.ac.uk)

Details of UNESCO's ethical policy on science and technology can be accessed from the link below:

- [Universal Declaration on Bioethics and Human Rights](#). UNESCO 2016 (<http://unesco.org>).

A broader and more in-depth definition of research ethics can be found by consulting the following resource:

- [What is Research Ethics?](#) RREE, Resources for Research Ethics Education 2016 (<http://research-ethics.org>)

Questions and queries related to this Policy should be directed towards the Chair of UREC. The Chair of UREC can be contacted via UREC@hw.ac.uk

A current copy of this Policy can be found at: www.hw.ac.uk/about/policies.htm

15. DEFINITIONS

Actor	Participants observed in their natural setting, e.g. in the case of ethnography.
Child	Current Scots, UK and European Law (all based on the United Nations Convention on the Rights of the Child (1989), define a child as anyone who has not yet reached their 18 th birthday.

However, the definition in Scotland differs due to legislation which historically gives adult rights to anyone over 16 in particular situations or circumstances (e.g. the right to marry).

Digital research

The University classifies anyone under 18 as a member of a protected group.

The use of digital technologies to change the way research is undertaken and make it possible to tackle new research challenges. For example, digital research includes researching social media, mobile computing and working, analytics and big data, cloud computing and the consumerisation of IT.

Harm

A person's actions causing physical harm to another (including sexual abuse); a person's actions causing psychological harm to another, e.g. causing fear, alarm, or distress, or negatively affecting self-esteem; a person doing something illegal which adversely affects someone else's property, rights, or interests e.g. theft, fraud, or extortion.

Participant

A person who serves as a data source for research as a 'participant'.

Protected adult

Adults aged 18 (or in certain contexts 16) and over who: are unable to safeguard their own well-being, property, rights or other interests and may therefore be or are at risk of harm or; because they are affected by disability, mental disorder, illness or physical or mental infirmity, are more vulnerable to being harmed than adults who are not so affected.

Vulnerability

Participants should be considered vulnerable if they are children, persons lacking capacity, or, individuals in a dependent or unequal relationship.

16. FURTHER HELP AND ADVICE

Please contact the Chair of the University Research Ethics Committee (UREC@hw.ac.uk), Policy, Strategy & Impact (psi@hw.ac.uk) in Research Engagement or visit:

<https://intranet.hw.ac.uk/ps/registry/ar/ucr/rec/Pages/default.aspx>

17. POLICY VERSION AND HISTORY

Version No	Date of Approval	Approving Authority	Brief Description of Amendment
V. 1.0	29 March 2017	The Senate	N/A
V. 2.0	9 April 2020	The Senate	N/A