

BIRMINGHAM CITY UNIVERSITY'S RESEARCH ETHICAL FRAMEWORK

1. Introduction

1.1 This document sets out a framework through which staff and students of the University give consideration to the ethical implications associated with any research that they undertake. Further Guidance Notes consistent with the principles and requirements of the framework will be produced by Faculties so as to inform and disseminate good practice.

2. Background

2.1 Funding bodies are increasingly requiring research proposals to indicate the processes that universities have in place for considering research ethics.

2.2 This framework has been informed by practices and processes operating in different Faculties, which themselves respond to the principles and requirements of external bodies.

2.3 The ethical framework should be read and operated in conjunction with other policies of the University's Board of Governors or Senate that may have a bearing on ethical issues.

2.4 The framework does not attempt to define or alter the obligations of staff or students under English law (please see Appendix 1).

2.5 The framework points to a set of obligations to which all staff and students should normally adhere as principles for guiding their conduct. The purpose is to ensure that staff and students are aware of the ethical obligations that may arise in their academic activity, and to encourage ethical behaviour. The framework does not, therefore, provide a set of answers to all ethical dilemmas, and the researcher is required to make specific decisions on the basis of careful consideration of all contributing factors.

3. Ethical Statement

3.1 The University expects that staff will behave professionally and ethically in all its activities. This implies that staff and students who are engaged in research and other activities are aware of the ethical implications of such activities and are committed to discharging their responsibilities to the University, to clients and to research participants in an ethical manner, conforming to the highest professional standards of conduct.

3.2 Issues of morality, safety and personal and institutional liability affect the University at many levels. The University must be seen to be acting with propriety and care for the welfare of staff, students and the wider public.

3.3 The practice of ethics is about conducting one's research in a disciplined manner within legal and other regulated constraints and with minimal impact on and detriment to others.

3.4 It is the responsibility of staff within the University to consider the ethical implications of their research using the framework as a guide to fulfilling their obligations.

3.5 It is the responsibility of Faculties to ensure that staff and students are aware of their ethical obligations and that processes are in place to support them when elaborating methodologies, responding to the ethical requirements of funding bodies, or confronting ethical dilemmas.

4. Definitions of Terms

In the context of this framework the following definitions of terms apply:

4.1 “Research” is understood as original investigation undertaken in order to gain knowledge and understanding. It includes work of direct relevance to the needs of commerce and industry, as well as to the public and voluntary sectors; scholarship; the invention and generation of ideas, images, performances and artefacts, including design, where these lead to new or substantially improved insights; and the use of existing knowledge in experimental development to produce new or substantially improved materials, devices, products and processes, including design and construction.

4.2 A “researcher” is a member of staff or student engaged in research activity.

4.3 A “participant” is an individual and/or organisation that comes into contact with the University through research activity.

5. Principles for the Consideration of Ethical Issues

5.1 Staff and students shall be made aware of their responsibilities and obligations to consider ethical issues arising from their research at or on behalf of the University.

5.2 The dignity, rights, safety and well-being of participants must be the primary consideration in any research study.

5.3 Informed consent is at the heart of ethical research.

5.4 The ethical implications of research shall be assessed through a consideration of, for example:

- the sensitivity of any data that may be collected, with particular regard to matters such as age, colour, race/ethnicity, nationality, disablement, religion, sex, gender, sexual orientation, personal medical records and political beliefs;
- the transparency to junior research staff and participants as to the purpose and possible uses of the research;
- the research methods and any risks involved;
- the confidentiality of information provided by research participants;
- the security and well-being of participants;
- the arrangements for the security of data;

- the arrangements for ensuring the anonymity of participants;
- whether any payments are to be made to the participants or other rewards granted and the integrity of that provision;
- whether any special indemnification arrangements may be required;
- the intellectual property rights of all those involved in the research, including research staff, research participants and the university;
- arrangements for the publication of research results, including issues of co-authorship and acknowledgement;
- the desirability of an objective assessment being conducted of the ethical implications of the proposed academic activity by a competent person who has no direct association with it or the researcher(s) involved;
- the ethical issues/guidelines of any third party involved in the University's activities, such as professional bodies or providers of research funding.

Where applicable, research must comply with the following requirements:

- the size of sample proposed for any enquiry shall not be larger than justifiably necessary;
- lines of enquiry must be pertinent and must not cause undue distress;
- any relationship between the researcher(s) and the participant(s) must be declared;
- participants shall be made fully aware of the true nature and purpose of the study, except where there is satisfactory justification for withholding that information (such as the likelihood of the end results being affected);
- participants shall have given their explicit consent, except where there is satisfactory justification for not obtaining this consent and the participants will not be adversely affected;
- participants must be informed at the outset that they can withdraw themselves and their data from the research activity at any time and they must not subsequently be put under any pressure to continue;
- processes shall be in place to ensure that the rights of those participants who may be unable to assess the implications of the proposed work are safeguarded;
- risks to the researcher(s), the participant(s) or the University shall be assessed;
- any potential risk to the University must be outweighed by the value of the research;
- if any research is concerned with studies on activities which themselves raise questions of legality, there must be a persuasive rationale which demonstrates to the satisfaction of the University that:
 - i) the risk to the University in terms of external (and internal) perceptions of the worthiness of the work has been assessed and is deemed acceptable;
 - ii) arrangements are in place which safeguard the interests of the researcher(s);
 - iii) special arrangements have been made for the security of related documentation and artefacts.

Effective procedures to consider ethical issues within the University shall be established at the Faculty level and they shall comply with any specific requirements by the Senate. Such procedures shall provide for:

- an Ethics Check Form for affirming that ethical issues have been satisfactorily addressed and, where appropriate, granting assent;
- published requirements which describe the approvals process to which each research project is to be subject;
- published information on designated staff or the committee with responsibilities for managing the procedures;
- procedures for intervention where breaches of guidelines are alleged;
- a review process for considering ethical issues to ensure their currency, effectiveness and consistency with best practice.

6. Mechanisms for the Consideration of Ethical Issues

6.1 An appropriate entry to be included in the Staff Manual drawing the attention of every member of employed/contracted staff to their obligations;

6.2 The incorporation within student handbooks of a statement informing students of their ethical obligations and responsibilities;

6.3 The issue of research ethics to be raised during the induction of research students and to be part of research methods training;

6.4 Faculty Research Degrees Committees to affirm that ethical issues in relation to each individual research degree application have been satisfactorily considered;

6.5 The University's Research Degrees Committee to affirm that ethical issues in relation to each individual research degree application for the PhD by published work have been duly addressed.

7. An Ethics Check Form

7.1 As far as is possible, a common ethics check list should be used across the University. However, it is recognised that there may be some variation between Faculties because of the different types of research and the requirements of external bodies;

7.2 Most of the key questions to be addressed by researchers are likely to be consistent across Faculties;

7.3 A Faculty form would reduce these questions to identify major issues that will clarify whether further scrutiny is required.

Research Ethics Framework Appendix 1

1. This ethical framework does not attempt to define or alter the obligations of staff or students under English law, for example:

- Data Protection Act 1998
- Children Act 1989
- Human Rights Act 1998 (Amended 2001)
- Race Relations Act 1976, The Race Relations (Amendment) Act 2000
- Disability Discrimination Act 1995
- Disability Rights Commission Act 1999
- Special Educational Needs and Disability Act 2001
- Sex Discrimination Act 1975, Sex Discrimination (Indirect Discrimination and Burden of Proof) Regulations 2001, Sex Discrimination Amendment Act 1995
- Freedom of Information Act 2000

2. Staff and students should also be cognisant with, and abide by, the published codes of conduct, ethics principles and guidelines of those professional bodies associated with their discipline.

Research Ethics Framework Appendix 2

A Research Ethics Check List

1. *The researcher's responsibility and the outcomes of research*

- Why is this research worth doing? What is the likely impact of the research outcomes?
- How do participants in your research benefit from the knowledge you produce?
- Are there other stakeholders in your research? If so, how do they benefit?
- Does your research have broader human, social, cultural or religious implications? If so, what are they?
- What impact, if any, does your research have on the environment?
- If the research results in the public display of materials or outputs, what is their likely impact?
- Where ethical dilemmas have arisen, what steps have you taken to resolve these? How have (will) you ensure(d) a balance between academic or creative freedom, and civil responsibilities in the community?

2. *Responsibility to research participants*

- How do you explain the purposes of your research to your participants? If you do not, how is such a strategy justified?
- How can you demonstrate that your participants' consent is fully informed? Are participants given the opportunity to decline participation in the research? How do you record their informed consent?
- How will you get their consent for any subsequent use of the material? Are participants able to withdraw their consent at any point? How?
- Are there any possible negative effects (long or short term) on your participants (including any emotional discomfort)? How are these to be justified?
- How might participants gain from being involved in the research?
- Do any participants require special consideration (children, people with disabilities, other vulnerable groups)? If so, how will you demonstrate that you have given due regard to this, and not exploited your participants?
- Are you in a position of power or authority in relation to participants? If so, is it permissible to undertake the research?
- How will you ensure individual respondents cannot be identified from any research reports or papers that are produced? If participants may be identified (whether deliberately, or not), have they agreed to this and/or been advised that this may occur?
- How do you record any agreement?
- How will you report back from the research to your participants?
- Does the research cause you to have access to commercial or sensitive information? How will you ensure the confidentiality of this information?
- Are you able to offer a confidentiality agreement prior to results entering the public domain?

- What will happen to the data (e.g. interview notes, transcripts, questionnaires) once the project is finished? How will you ensure that your research complies with current data protection legislation, with respect to personal information about individuals?
- Could the research cause any suffering to animals? To what degree would this be justifiable? Can you demonstrate that your research complies with current legislation relating to animals, human body parts, human tissue?

3. *Responsibilities to the subject and future researchers*

- Have you conducted your research in such a way that those who have participated would consider participating in future research projects?
- What understanding of the value of research have you left behind you? How do you know?
- How do you demonstrate the methodological rigour and transparency of the research?
- How is the conduct of the research and its progress reported between the parties involved (research students, supervisors, sponsors)?
- How is due acknowledgement given to the work of others?
- Who 'owns' the outcomes of the research? How is this recorded?