Research Ethics – Code of Practice[1]

Research Ethics Code of Practice

1. Background

The University for the Creative Arts is committed to supporting good practice in research and scholarly activity. Conducting research in accordance with ethical principles is considered to be of fundamental importance.

This document defines the scope of the University's Research Ethics Code of Practice and sets out the guiding principles, responsibilities and procedures for the development and conduct of research in an ethical manner within the formal academic framework of the University.

The Research Ethics Code of Practice forms an essential part of the University's academic governance framework, which includes the following:

- UCA Research Ethics Code of Practice
- Guidelines on Good Research Conduct
- UCA IP Policy and Guidelines
- UCA Policy and Procedures on Academic Misconduct
- UCA Equality and Diversity Policy
- UCA Health and Safety Policy and Procedures
- UCA Research Data Management Policy
- Code of Practice for the Investigation of Research Misconduct,

2. Definitions

2.1 Research in this context is defined as 'a process of investigation leading to new insights effectively shared'[2]. Scholarship refers to the maintenance and advancement of own personal knowledge and skills to maintain up to date professional expertise[3]. Research in the Creative Arts incorporates modes of inquiry through practice including processes of making that enhance knowledge and understanding.

2.2 For the purposes of this document the phrase 'human participants' refers to persons involved in formal University research activity. For example, through subjects involved with artworks, field work, through human specimens and samples, surveys, interviews, recording of images and or sound, film or emerging media and formats, through the observation of groups or individuals etc.

[1] This Code was originally an appendix in the 'Research and Ethics (non-clinical) at Bath Spa College' (Davies, P,.2001). It was amended in 2012 by taking consideration of the RCUK Common Principles on Data Policy, and by studying other institutional Research Ethics Code of Practice including University of Bournemouth and University of the Arts London, and the Research Data Management policy framework developed by the University of Edinburgh.

[2] Research Excellence Framework: Second Consultation on the assessment and funding of research, http://www.hefce.ac.uk/pubs/hefce/2009/09_38/)

[3] UNESCO, Recommendation concerning the Status of Higher-Education Teaching Personnel, 1997, http://portal.unesco.org/en/ev.php-URL_ID=13144&URL_DO=DO_TOPIC&URL_SECTION=201.html

2.3 Research within this definition can be undertaken by:

- Undergraduate and Postgraduate students undertaking research as part (or all) of a qualification whether taught (BA/BA Hons/PGCert/PGDip/Masters) or by research (MPhil/PhD)
- Academic staff and supervisors of students mentioned (above)
- Personal research, collaborative and participatory research, and contract research
- All staff undertaking research with students (at any level) or with other members of staff.

3. Issues and Principles

3.1 As a matter of principle, all research is subject to ethical considerations and risk assessment taking into account professional codes of practice / standards where these exist and subject specificity.

3.2 All research involving human participants, whether in a direct or virtual or any other way, must consider the following issues from the inception of the research project. Researchers should be in a position to justify their research methods should it be required:

i. the value of the research
ii. informed consent
iii. openness and honesty
iv. right to withdraw without penalty
v. confidentiality and anonymity
vi. protection from harm
vii. briefing and debriefing
viii. reimbursements, payments and rewards
ix. experience of researcher and suitability of methods employed
x. ethics standards of external bodies and institutions
xi. research for clients/consultants
xii. research data management

3.3 These issues require careful consideration and the principles laid out below provide the basis for good practice in research management.

4. The Value of the Research

4.1 The value of the research, in terms of its original contribution to knowledge and understanding, should be made apparent to all involved wherever possible. In the case of deceptive or some covert research this does not apply to participants, but needs to be justified through the procedures outlined below. It is recognized that investigations through practices in the Creative Arts and cognate areas has the potential to lead to original insights, new understanding and innovative applications, or challenge current boundaries of knowledge or excavate lost knowledge. This may be achieved through, amongst others, observation, experimentation, the exploration of and reflection on material processes and their constituent elements and protocols, recombinations, reconfigurations, recontextualisations and interpretations.

5. Informed Consent

5.1 Informed consent by individuals, guardians or individuals acting in loco parentis can be complicated (particularly when children are involved). The default position is that free and informed consent should normally be gained in writing from the participant(s) and/or their properly authorised representative(s).

5.2 In exceptional cases there may be reasons why the participant(s) or representative(s) wish not to sign consent themselves. In such cases the researcher should record consent. Even where an authorised representative gives consent, the 'real' consent of the participant should also be obtained (see also right to withdraw).

5.3 The word informed is important and the participant/s should have an understanding of project aims, objectives, any potential benefits or harm that may arise and likely outcome of the research (e.g. exhibition, publication etc).

5.4 Consent given does not oblige the participant to engage with the research in any formal or legalistic sense. However, it should be made clear to participants what commitment they are consenting to, and that they are in effect consenting to carry through the agreement.

5.5 The secondary analysis of data through access from their 'gatekeepers'[4] does not negate the researchers involved from considering issues relating to consent except where the gatekeeper can act in law as the consenter (e.g. is a parent or guardian).

6. Openness and Honesty

6.1 As a default, research should be carried out in an honest and open manner, with participants fully and honestly informed about the research rationale, method(s) and outcomes (see informed consent above). Some types of research (deceptive and some forms of covert research) may be exceptions and must be agreed (see below).

7. Right to Withdraw without Penalty

7.1 It should be made apparent to all potential participants, as part of the informed consent process, that they are free to withdraw without penalty from the research project, even if they have received inducements or payments. They may also request that consent be withdrawn retrospectively and that any accrued data regarding them be destroyed.

7.2 Those, whose consent has been given through a surrogate can themselves request to withdraw from the research.

8. Confidentiality and Anonymity

8.1 Privacy is normal practice in research and law. Confidentiality and anonymity becomes a real issue when data is recorded on computer or when named organisations are reported upon where individual roles cannot be hidden.

[4] 'Gatekeepers' within this context are people or organisations who provide data, in any form whether visual or written, for use by the researcher.

8.2 Data should be coded and stored in a manner that does not allow direct recognition of individuals within the stored data set(s) by anyone other than the researcher or research team. Data should not normally be shared with others without the consent of the subject or their surrogate.

8.3 If it is suspected (due to the nature or context of the research work) that anonymity cannot be guaranteed even if data are coded etc. then this limitation should be made aware to the participants together with details of plans to disseminate the outcomes of the research.

9. Protection from Harm

9.1 Researchers have a responsibility to ensure that the physical, social and psychological well-being of research participants is not affected in an adverse manner by the research.

9.2 The relationship should be one of mutual respect and based, wherever possible, on trust.

9.3 Any undue risk is considered when this is deemed to be above and beyond risks run in the normal everyday life of the participants. Particular care is needed when the participants are from vulnerable and/or powerless groups.

9.4 The responsibility for protection from harm does not necessarily end with the research project; it may extend to the life of the data set. Particular care needs to be taken when discussing the results of research projects with those in loco parentis or other consenting positions, since such discussion may prejudice attitudes toward the participants.

10. Briefing and Debriefing

10.1 As well as being informed about the research, participants should be adequately briefed as to how the research is to be carried out from inception to dissemination (see informed consent above).

10.2 Wherever possible, participants should also receive information relating to the outcomes of the research and where appropriate debriefing may need to be used to negate any post-participatory effects, for example where new insights may induce negative perception or changes in behaviour.

11. Reimbursements, Payments and Rewards

11.1 Any arrangements should be clearly articulated to participants, in writing wherever possible. If staged or progressive payments are involved these should be clearly articulated from the beginning.

11.2 Withdrawal of the participant between stages does not negate the obligation to reimburse the participant for completed stages. Reimbursements, payments and rewards may not be used to induce participants to take undue risk.

12. Experience of Researcher and Suitability of the Methods Employed

12.1 Investigators should have the relevant academic/professional competence to plan and carry out the research project and to be able to consider and where necessary, justify the methods employed.

12.2 In particular, they (meaning either an individual in terms of an individually-led project, or the 'team' in the case of joint research) should have experience of dealing with the ethical dimensions of the research.

13. Ethical Standards of External Bodies and Institutions

13.1 Where external bodies and institutions (either those funding the research, such as AHRC, or professional bodies to which the researcher belongs) have their own ethical codes or professional standards, these must be followed.

13.2 If there is any conflict with University principles and procedures these should be identified as soon as possible and the Chair of the University Research and Enterprise Committee notified.

13.3 This Code of Practice covers research involving human participants and does not cover animal welfare. In the event that research involves animals, the relevant animal welfare legislation and Codes of Practice must be followed.

14. Research for Clients/Consultants

14.1 Where it is necessary, ethical positions should be clarified with external clients and organisations prior to the research beginning. Agreement should be in writing. It is particularly important to determine data ownership rights, intellectual property rights and rights to publish (on both sides), since this establishes future 'gatekeepers'.

14.2 Care should be taken not to compromise the University ethics guidelines and/or any relevant professional code.

14.3 Further advice concerning the negotiations of Intellectual Property and its exploitation can be obtained from the Research Office.

15. Research Data Management

15.1 Research data management is necessary to:

- Safeguard research integrity and replication.
- Ensure research data and records are accurate, complete, authentic and reliable.
- Enhance data security.

15.2 Research data is collected, observed or created for purposes of analysis to produce original research results. They may be produced through observation, experimentation and simulation. Data can for instance be extracted from text or images or compiled in databases or 3D models. It can refer to collection of smaller (peer-reviewed) datasets, most probably published and curated.

15.3 Research data can take on many different formats depending on the discipline and on instruments employed in the research including: text (PDF, doc., rtf.), images (raw, tif,), databases (Excel, Access), multi-media (Quicktime), 3D or statistical models, software (java), specific microscope data formats.

15.4 Research data may include all of the following:

- Documents (text, Word), spread sheets
- Logs, field notebooks, diaries, workshop note books, sketch books
- Questionnaires, surveys, interviews, transcripts, codebooks
- Audiotapes, videotapes
- Photographs, films
- Test responses
- Slides, artefacts, specimens, samples
- Collection of digital objects acquired and generated during the process of research
- Data files
- Database contents (video, audio, text, images)
- Models, algorithms, scripts
- Contents of an application (input, output, log files for analysis software, simulation software, schemas)
- Methodologies and workflows
- Standard operating procedures and protocols
- Other emerging digital formats

The following research records may also be important to manage during and beyond the life of a project:

- Correspondence (electronic mail and paper-based correspondence)
- Project files
- Grant applications
- Ethics applications
- Technical reports
- Research reports
- Master lists
- Signed consent forms

15.5 Researchers are responsible for ensuring that files are:

- Rationalised both during and upon completion of a research project.
- Stored in a single place and backed up regularly.
- Stored securely minimising the risk of loss, theft or unauthorised use.

15.6 At the end of a research project, researchers need to have:

- Determined the rationalised documentation and electronic information which must be retained on completion of the research project.
- Identified the period for retaining research data observing any legal or regulatory frameworks for particular types of research as well as terms and conditions imposed by external research organisations or collaborators.
- Identified the material that can be safely discarded and apply appropriate measures to destroy tapes, discs and other electronic storage units and confidentially destroy hard copy documentation adhering to institutional processes and procedures.
- Implemented archival processes for IT software in order that any raw data may be accessed at any future date.

16. Intended Dissemination

16.1 The intended dissemination, for example through a journal article, a book chapter, through film or photography, through internal or external report, through publicly accessible websites etc., should be relayed to the participant as part of the consent process. Wherever possible summaries of research outcomes should be relayed to participants.

17. Consideration of Ethical Issues

17.1 As outlined under 3.1, all research is subject to ethical consideration and requires a respective risk assessment taking into account professional codes of practice where these exist as well as subject specificity.

17.2 The following research would normally be considered as involving more than minimal risk and therefore would require evaluation of mitigating factors to reduce potential risks and/or requires approval of the University Research and Enterprise Committee :

- Research involving vulnerable groups or individuals, for example children and young people under 18, those with a learning disability or cognitive impairment, or individuals in a dependent or unequal relationship.
- Research involving sensitive topics such as:
    - Sexual behaviour
    - Illegal, political or religious behaviour
    - Experience of violence, abuse, exploitation and/or other racist or sexist behaviour
    - Mental health
    - Physical health and treatment.
- Research involving groups where the permission of a gatekeeper is normally required for initial access to members e.g. ethnic or cultural groups, native peoples or indigenous communities.
- Research involving deception or which is conducted without participants' full and informed consent at the time the study is carried out.
- Research involving access to records of personal or confidential information concerning identifiable individuals.
- Research that would induce psychological stress, anxiety or humiliation or cause more than minimal pain.
- Research involving intrusive interventions such as vigorous physical exercise. Participants would not normally encounter such interventions, which may cause them to reveal information that causes concern in the course of their everyday life.

18. Research for which Approval is necessary

18.1 Deceptive research is that which is undertaken when the investigator deliberately conceals or significantly misrepresents his or herself, the true nature of the research or any other significant aspect of the research. Examples may include covert observation, the stating of a misleading research purpose or providing a misleading professional identity or institutional affiliation on part of the researcher(s).

18.2 Vulnerable group includes any person(s) who may be precluded from giving informed consent. Note that this does not necessarily include all groups whose consent is given by parents or by those in loco parentis. It should additionally be noted that even in those circumstances the 'real' consent of those individuals under study should also be sought wherever possible (advice with informed consent forms is available from the Research Office).

18.3 Research involving animals/animal tissue requires a license under the Animals (Scientific Procedures) Act 1986. Research involving human tissue including its display requires a license under the Human Tissue Act (2004). Experimentation / anatomical examination in human morbid anatomy requires a license under the 1984 Anatomy Act.

18.4 Research involving NHS patients or staff must be approved by NRES; see the NRES website for further information (www.nres.npsa.nhs.uk). Research involving patients or staff of other medical providers must be ethically approved by these institutions.

18.5 No specific approval is needed for research not covered within the categories detailed in Section 17.2, although all projects must adhere to the principles laid out in this Code and the University requires all staff or students undertaking research to ensure that at each stage of the process, research is undertaken in a professional and ethical manner.

18.6 In particular all researchers will ensure that:

- Respect for Intellectual Property Rights and Copyright law is maintained in compliance with University guidelines.
- Researchers will be open and transparent regarding the purpose, methods and possible uses of research.
- Researchers will maintain the right to anonymity of any research respondents/subjects, and highlight any possible risks to staff or subjects arising from the research.
- Researchers will act within the law regarding the sourcing and use of research information and respect the obligation to acknowledge support and collaboration.
- Researchers will at all times act within the law of the UK and the law of any other country within the research being undertaken.

18.7 If there is any doubt as to whether a particular research project needs approval, advice should be sought from the Doctoral College headed by the Research Degrees Leader or School Management Team/Department Director respectively.

19. Procedures and Practice for Approving Research

19.1 Projects requiring approval under 18.1 above will be required to seek approval through the University Research and Enterprise Committee . Advice on submitting projects requiring approval should be sought from the Chair of that Committee at an early stage in the formulation of the research proposal.

19.2 Under no circumstances should such research be started prior to approval being given.

19.3 Ethically responsible conduct is good research practice and failure to comply with the basic requirements through deliberate, reckless or negligent action could result in research misconduct and ultimately action in accordance with the University's disciplinary procedures. However, it is important to note that genuine and honest errors do not constitute misconduct.

20. Ethics Review

20.1 The UCA ethics reporting structure is as follows:

20.2 The University Research and Enterprise Committee submits regular reports and minutes of meetings to the Academic Board. However, this Committee retains absolute independence in the consideration of the ethical status of research.

20.3 The University Research and Enterprise Committee is responsible for guiding ethics policies and processes and reviewing applications.

21. Responsibility for Ethical Review

21.1 Undergraduate students should initially discuss the ethical implications of their proposed project with their tutor prior to undertaking such project. For more than very low risk projects further advice should be sought from the School Management Team before approval is requested from the University Research and Enterprise Committee

21.2 Initial ethical review for research projects by Postgraduate Taught and Postgraduate Research Students and staff is the responsibility of the Course Leader or the Course Committee. If required, further approval should be sought from the School Management Team / Department Director and ultimately, from the University Research and Enterprise Committee

21.3 Responsibility for initial assessment of ethical implication of research in

research degrees is the responsibility of the Doctoral College headed by the Research Degrees Leader.

21.4 Responsibility for initial assessment of ethical implication in other types of research projects is the responsibility of the School Management Team/Department Director.

21.5 Researchers have the right to appeal against decisions made by the University Research and Enterprise Committee following the general UCA appeals procedure. Written minutes recording key arguments and decisions must be kept from ethical review meetings.

21.6 In the event of a project needing an urgent approval for a funding body, it will be possible for the application to be submitted whilst awaiting UCA ethical review, provided this approach is acceptable to the funding body concerned. Research must not commence until ethical approval from UCA has been granted.

21.7 The consideration of ethical implications must be continued throughout the entire research project. Researchers and supervisors/mentors should attempt to forecast likely ethical challenges and state how these will be addressed in the research design. If during the course of the research unanticipated ethical problems arise, it will be necessary to record details of the problem and the solution arrived at in writing. School Management Team / Director of Department are also available to further discuss issues arising during research.

21.8 Significant problems experienced with participants should be recorded and reported to the staff responsible for approving the project. Circumstances likely to have a significant legal, moral or public relations impact on the University should be referred to University Research and Enterprise Committee.

22. Procedural Guidance

22.1 Researchers, whether staff or students, are to complete the Initial Research Ethics Checklist to determine whether a further review is necessary and this should be submitted to the School Management Team / Director of Department in the case of staff; to supervisors in the case of research students; and to course leaders in terms of UG, PGT and PGR students. If it is determined from this review that no further action is necessary, a copy of the relevant documentation should be kept within the School/Department and the research may commence.

22.2 Research Ethics Review Application Forms: if it is determined from a review of the checklist that further consideration is necessary, the appropriate research ethics review application form must be completed and submitted to the University Research and Enterprise Committee for approval.

23. Legislation

23.1 Data Protection Act
The collection, management, storage and publication of research data by researchers must comply with the Data Protection Act (DPA) of 1998. Researchers should consult guidance on the DPA:
http://www.legislation.gov.uk/ukpga/1998/29/contents

Researchers should follow the University's Staff Guide to the Data Protection Act, which can be downloaded from Docshare.

23.2 Freedom of Information Act
The FIA gives members of the public a general right of access to documents produced by a public authority. Unless there are grounds to apply a limited number of exemptions it is likely that the public would have access to the final, published versions of research projects. Researchers should consult with the Freedom of Information Act: http://www.legislation.gov.uk/ukpga/2000/36/contents

23.3 Animal Welfare Act
Where research involves living animals, researchers should consult guidance on the Animal Welfare Act (2006): http://www.legislation.gov.uk/ukpga/2006/45/contents

23.4 Human Tissue Act
The HTA concerns the storage, use and display (and for deceased patients, removal) of human tissue. Human tissue includes any material from a human body including human cells, live gametes and embryos created outside the human body (although not hair and nails from living humans). Where research involves human tissue, researchers should consult guidance on the Human Tissue Act 2004 (HTA): http://www.legislation.gov.uk/ukpga/2004/30/contents
Stem cells and cell lines used for human application are also subject to legislative control, either by the provisions of the HTA or the EU Tissues and Cells Directive.

23.5 Europe Direct
Europe Direct Documentation Centres and Information Centres Help universities and research institutes promote and develop education and research on European integration, encouraging them to take part in the debate on Europe. They also provide general EU information (awareness-raising events, websites, publications, engagement with local media) and handle public enquiries in person or by phone/e-mail. Website: http://europa.eu/europedirect/index_en.htm