

Higher Education Research Ethics Guidelines

These guidelines should be read in conjunction with the Higher Education Ethics Approval: Code of Practice

1.0 Definitions:-

'Research'

- Original investigation undertaken in order to gain knowledge and understanding
- Work of direct relevance to the needs of commerce, industry and to the public and voluntary sectors
- Scholarship
- The invention and generation of new ideas, images, performances, artefacts including design, where these lead to new or substantially improved insights
- The use of existing knowledge in experimental development to produce new or substantially improved materials devices, products and processes, including design and construction.
- Any form of disciplined inquiry that aims to contribute to a body of knowledge or theory.

2.0 Recruitment of participants for research projects

The recruitment of human participants requires careful consideration and should be carried out with respect. Research participants must take part voluntarily, free from coercion. The use of inducements or incentives (other than the reimbursement of necessary expenses) to encourage participation should be carefully monitored where it is deemed to be an acceptable practice. At the College, this would not be deemed to be an acceptable practice and a clear rationale for their use would have to be provided. Any such application would automatically be referred to the Ethics Panel for approval and would not be deemed suitable for Local Level Approval.

Whilst not actively prohibited, it is expected that Wakefield College staff members should not normally be approached as participants in student research activity.

All participants should be made aware that the research activity may be subject to ethics committee scrutiny and approval.

3.0 Use of the Internet in Research

When utilising the internet as a research tool, the applicant should ensure that they have consulted and fully considered this section of these guidelines. This should be confirmed within their Ethics Proposal form.

This section is included in order to minimise any risk posed using the internet and to ensure that students follow best practice whilst engaged in such research.

3.1 No activity which has the potential to expose parts of Wakefield College's computer network to risk of infection or attack will be permitted

3.2 Students and staff are reminded that internet-based data collection requires careful management in order to (1) protect the quality of the data; and (2) to avoid reputational risk for either the researcher or Wakefield College

3.3 Mass emailing is discouraged due to the potential for it to be perceived as 'spam' email. Any email-based questionnaire distribution should be done with the consent of carefully targeted recipients prior to distribution. Details of the research and its timeframe should be provided during initial contact. In a situation where multiple students may be requesting information of a similar nature, the supervisor/module tutor, is responsible for monitoring such activity to try and prevent multiple requests which may constitute a nuisance

3.4 Students wishing to undertake data collection activities via newsgroups, chatrooms or through broadcast invitations should take specific advice from their supervisor/module tutor as these routes are likely to result in skewed results, potentially biased opinions and the potential for single individuals to submit multiple responses. Questionnaires issued via these media should be carefully constructed, subject to access restrictions and single completion tools

3.5 Researchers are recommended to create user identities which do not connect to either their Wakefield College or their personal IDs. This identity should be utilised only for the research activity and only be in existence for the duration of the research

3.5 All precautions should be taken to ensure that no data is accessible by others on public-access machines. Researchers are always reminded to ensure participant confidentiality. In a situation where there is the chance that material may be encountered which could be considered objectionable, no matter how slight the possibility, this should be fully discussed with their supervisor and all reasonable steps must be taken to ensure that this material is only accessible and viewable by the researcher

3.6 No ethical consent will be granted for any research activity which would require the observation, tracking or online discussion/questioning of any form of illegal/criminal activity

3.7 The use of any reference material which is Internet-originated must be carefully considered. The Internet can be utilised to publish material which has not been independently verified or peer reviewed

and therefore sources can be potentially unreliable. All steps must be taken to ascertain the reliability of the material, for example, checking editorial and reviewing policies for online journals. Where doubt exists, the material should not be utilised, or treated with caution.

4.0 Research Ethics Guidelines

The Higher Education Ethics Approval Code of Practice sets out the Principles of Ethical Research which Wakefield College adheres to. The principles and their wider context are, where applicable, discussed below in order to ensure that researchers are able to fully embed the appropriate ethos into their research activity.

Principle 1: Research participants should take part voluntarily, free from any coercion or undue influence, and their rights, dignity and (when possible) autonomy should be respected and appropriately protected. The use of inducements or incentives to encourage participation should be carefully monitored where it is deemed to be an acceptable practice.

Principle 3: Research staff and participants should be given appropriate information about the purpose, methods and intended uses of the research, what their participation in the research entails and what risks and benefits, if any, are involved. Any research proposal which offers variance from this principle may be approved, but the context in which this would be permitted is very specific and will relate to the value of the proposed research.

Principles 1 and 3 must be considered together. The notion of consent from participants relates to the legitimisation of actions which is considered to present some sort of risk to those individuals.

Obtaining consent for research mimics the process of a medical practitioner obtaining consent from a patient prior to a procedure taking place, however, in the case of research, the benefit to the participant is not necessarily obvious as it would be in the case of medical treatment. In research where there is intended physical contact between researcher and participant, failure to obtain consent would create legal liability for the researcher. Where there is no physical contact it is still held to be appropriate ethical practice for consent to be obtained. Ethically valid consent should satisfy the following:

It must be a voluntary, un-coerced decision which is made by a sufficiently competent person on the basis of adequate information and deliberation.

- Informed – adequate information must have been provided to the participant for them to base their decision upon
- Voluntary – no coercion shall have taken place

- Competent – the participant must be a person who has capacity to consent (see 3.2 Ethics Approval CoP).

In order to be classed as adequate information, the information must be of a certain quality and also must be understood by the participant – the format of the information is a secondary consideration. The information must include, as a minimum, the following:

- Research aims (and where potential concerns or risks have been identified, the research methods outlined)
- What participation will involve
- Why the selected participants are being chosen
- Any potential benefits to the participant
- Any potential risks to the participant
- Any right to withdraw (including any time limitations)
- How their data will be utilised, how their identities will be protected both during the research and also in any resulting publication.

The inclusion of all of this information should enable an informed choice to be made.

In order to ensure that the participants are able to understand the information being provided, the following guidance should be followed:

- Omit any technical information which most members of the public are unlikely to understand – if its inclusion is necessary to fulfil the ethos of informed consent, it must be presented in ‘layman’s terms’
- Avoid jargon
- Avoid presenting details around any specialised methodological issues
- Do not present too much information – it may confuse, or the participant may fail to read it all
- The participant should be competent to understand the information (see 3.2 Ethics Approval CoP)
- Ensure the participant has at least 24 hours to make their decision, ask questions around the information and discuss any concerns.

A discussion around cases where consent would not be possible (e.g. covert research) would be applicable here, however, for research being undertaken at Wakefield College for the purposes of undergraduate study, no such research will be granted consent by the committee for any such proposal.

In order to ensure that the consent is voluntary the researcher should ensure that all information provided is proper, clear and transparent and presented in advance of the research taking place. No form of persuasion should occur after the fact. Payments for participation should not occur (unless it is to recompense any

reasonable expenses incurred where this has been subject to prior agreement); any such scheme would need to be clearly defined and presented as part of the Ethics Proposal.

The information relating to capacity to consent in section 3.2 of the Ethics Approval Code of Practice includes children under 18 not being able to consent. This would apply to children under 16, however, at Wakefield College, it has been decided that research involving under 18s is not acceptable other than in specific circumstances.

Principle 2: Research should be worthwhile and provide value that outweighs any risk or harm. Researchers should aim to maximise the benefit of the research and minimise potential risk of harm to participants and researchers. All potential risk and harm should be mitigated by robust precautions. The stance of the College is that harm (physical and psychological) to research participants and researchers must be avoided in all instances.

Principle 5: Research should be designed, reviewed and undertaken to ensure recognised standards of integrity are met, and quality and transparency are assured.

These two principles (Principle 2 and Principle 5) are taken together as they form the basic starting point for conducting ethical research - the scholarly (or scientific) aims of the research activity are of secondary importance to the avoidance of harm which is achieved through transparent practice conducted with integrity. Full consideration of all potential risk is an inherent part of the research process thereby ensuring the protection of dignity, rights and well-being during the process of obtaining new knowledge. This does however, involve value judgements being made and different parties involved in the research process are likely to have differing values. It is important therefore to ensure that risk assessment takes full account of the potential benefits of the research outcomes and relates to two schools of ethical thought – consequentialism and deontology. Researchers are guided to remind themselves of the principles of these two schools of thought and the implications they have on research activity.

The researcher must take into account the relationship between the means used (methods) to obtain certain ends (potential outcomes). The researcher must recognise that at the proposal stage they will be looking at risks and outcomes in terms of potentials, possibles and hypotheticals and these can be difficult to judge. This is the reason that more complex proposals are considered by a committee, rather than an individual, as the multiple perspectives deriving from committee discussion is likely to ensure a more balanced approach.

One particularly difficult area to predict in terms of potential harm is that of psychological harm as it often cannot be known in advance what might affect an individual. It is for this reason that the notion of informed consent must be applied as this allows a participant to utilise their own self-knowledge in deciding whether to

take part in the process. The table below may assist with the identification of types of potential harm and the domains which they may affect:

DOMAIN	AGENT	HARM
<i>Physical</i>	Persons	Environment
	Institutions	Bodily injury or death
	Environment	Pollution
<i>Psychological</i>	Persons	Mental or Emotional Distress
<i>Social</i>	Persons	Relationships; reputation
	Institutions	Reputation; legal compliance

It is important to recognise that the consideration of harm should not just cover the participants but also the researcher and, potentially, any member of the public who is not involved in the research activity but is merely a bystander. In a situation where the researcher is considered, by the committee, to be placed in a situation of unnecessary risk by the proposed research, the researcher may argue that they are prepared to take that risk and to prevent them doing so restricts their freedom of choice, however, research is not undertaken in isolation, particularly that undertaken for undergraduate study as is discussed here. A potential knock-on effect, for example, of a student coming to harm when undertaking research for a degree module, would be on the organisation where the harm occurred, and it is for that reason that the committee would have the right to refuse consent in such a situation.

It is acknowledged that not all risks can be known or predicted in advance. However, obtaining consent to participate where known risks have been identified and articulated is only one part of the process, and steps must have been taken to minimise the risk and therefore the potential for harm. These steps should be clearly identified within the Ethics Proposal Form.

Principle 5 is a statement about the standards to which all research should aim, both in terms of its quality (academic, scientific etc.) and the conduct of that research. The ethos of this principle also relates to the compliance expectations of all of those involved in the research being undertaken.

Principle 4: Individual research participant and group preferences regarding anonymity should be respected and participant requirements concerning the confidential nature of information and personal data should be respected. *The College's stance is that the collection, processing, storage and destruction of any data (or other materials) collected from participants must be done in alignment with relevant, current legislative requirements (as a minimum the General Data Protection Regulation).*

Researchers should be aware of legal (legislative and common law) duties which exist around the protection of participant confidentiality. As a minimum this incorporates:

- The General Data Protection Regulation
- European Convention on Human Rights (Article 8) as implemented by the Human Rights Act 1998
- Common law duties of confidentiality.

Depending on the research proposed, this may also include:

- Certain areas of administrative law
- NHS Act 2006 (s251)
- Health and Social Care Act 2012

The 7 principles of GDPR must be adhered to:

- Lawfulness, fairness and transparency (obtain the data on a lawful basis, leave the individual fully informed and keep your word)
- Purpose limitation (be specific)
- Data minimisation (collect the minimum data you need)
- Accuracy (store accurate up-to-date data)
- Storage limitation (retain the data for a necessary limited period and then erase)
- Integrity and confidentiality (security) (keep it secure)
- Accountability (record and prove compliance. Ensure policies are aligned with)

In order to ensure that participants can consent to the researcher's protocol for upholding this legislation, any participant information provided must contain a statement which confirms that all relevant legal duties are being complied with, how identities are being protected, data is being anonymised, data storage is following legally defined criteria and all of the specified uses of the data during the research must be clarified. This statement ensures that the legal duties around the protection of individuals and the ethical duties are recognised and articulated.

Detailed information to be included in such a statement would include:

- Preserving confidentiality (a participant could be identified from the data, but it is protected from unauthorised access)
 - How will data be stored
 - The security of any such data storage

- The length of time it will be stored for
- How the data will be utilised
- Who will have access to the data
- If any data sharing is to take place, why, when and with whom
- Anonymity (the connection between participant and data is completely severed)
 - Who will have access to the data prior to anonymisation and why
 - If the data is to be 'coded' where will details of the coding be stored and who will have access to them.

It is not anticipated that during the course of undergraduate research projects situations will arise where a researcher becomes aware of information which carries a legal or ethical duty to breach confidentiality (e.g. terrorism, criminal behaviour etc.). However, in rare cases, this may arise and the researcher should be aware of their obligations. This may occur in situations where (a) the researcher is undertaking primary investigation around a specific topic area (e.g. human trafficking); or (b) where the primary investigation has no such connection but incidental information has arisen.

In both situations, if any form of terrorist activity is discovered the researcher has a legal duty to report even if doing so results in a breach of confidentiality. Failure to report is a criminal offence liable to prosecution.

In situation (b) noted above, any other criminal activity is discovered, the duty to report is context relevant – where money or assets resulting from criminal activity are involved, there is a legal duty to report under the Proceeds of Crime Act 2002. For other criminal activity (e.g. drugs-related crime) there is no clear duty and the researcher is guided to take legal advice.

Under situation (b) noted above, if, during the research evidence of child abuse becomes apparent, and the researcher is a social service professional, there is a legal duty to report the abuse as a professional practitioner. If the information is discovered under situation (a) above, there are complications relating to breach of confidentiality as the researcher is deemed to have entered a situation knowing in advance that criminal activity will be occurring. In all situations, if the researcher is not a social services professional there is no legal duty to report on any such evidence.

Principle 6: The independence of research should be clear, and any conflicts of interest or partiality should be explicit.

Any potential conflict of interest which could potentially compromise the researcher's objectivity must be disclosed (e.g. research relating to the practices of the researcher's own employer). The usual place for such disclosure would be the participant information, but in addition, it must be included in the assignment which results from the research.