Code of Ethical Conduct for Research and Teaching Involving Humans as Research Participants

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Procedure

1. Status of the Code

1.1 The Code of Ethical Conduct is endorsed by the Academic Committee and administered by the Research and Knowledge Transfer Committee. All staff involved in research which requires the co-operation of human participants and in any teaching which involves the participation of humans for the demonstration of procedures or phenomena are subject to the Code and are to take account of its principles. Individual staff should assess the ethical status of their projects by discussion with colleagues and with reference to any appropriate professional ethical codes. Section 8 of the Code lists circumstances which are especially important.

1.2 Where staff members undertake teaching or research for the purpose of consultancy and/or contract work, they are expected to operate as members of the academic community and are subject to this Code.

2. Principles of the Code

The major principles are:

- informed consent (of the participants)

- confidentiality (of the data and the individuals providing it)

- minimising harm (to research participants, researchers, technicians, etc.)

- truthfulness (to the age, gender, culture, religion, social class of the research participants)

3. Justification of the Code

3.1 All academic staff are expected to conform to the highest ethical standards in relationships with colleagues, professional associations, students, clients and community.

3.2 The Code is intended to protect the:

a) participants of human research;

b) researcher;

c) Institution.

3.3 The Chief Executive is accountable for research conducted in the College and for research conducted by UCOL staff which has been authorised or sponsored by UCOL. All staff are accountable to the Chief Executive for their actions, but abiding by the Code can minimise risks of ethical and legal criticism. The Code cannot protect staff from criticism or even from a potential for litigation. However, UCOL insurance does provide cover for approved projects when UCOL policy and regulations have been followed. For this reason, formal research requests must be directed through the Research and Knowledge Transfer Committee.

4. *The Social Context*

Ethical requirements arise from an evolving understanding of the rights and duties of human beings. Ethics are broader than law though the law can both reflect and clarify ethical duties. UCOL staff are part of a changing social system. They are, therefore, required not only to abide by ethical principles such as justice, truthfulness, confidentiality and respect for persons but also to attend to the evolving understanding of how these principles are expressed in society at a particular time. Staff must, for example, be aware of cultural sensitivities, the Treaty of Waitangi, gender, and socio-economic differences. Staff must also be aware of how those principles are expressed in UCOL Official Documents. In particular, staff must recognise the power relationships involved in their work particularly where there are age, race, cultural, religious, class or gender disparities between researchers/teachers and their human research participants or where the persons involved belong to vulnerable groups (eg. the mentally ill, the socially disadvantaged, young children).

5. *Responsibilities under the Code*

5.1 Primary ethical responsibility rests at all times with the individual researcher or teacher who is responsible for the actions of research assistants, support staff and students. However, all of these also incur obligations under the Code when part of the UCOL community. Approval of a project by the Research and Knowledge Transfer Committee does not release the individual from these responsibilities. If major ethical problems arise from a staff member's work, UCOL may take disciplinary action against the staff member.

5.2 Responsibility for research at UCOL lies with the Executive Dean or Manager. Therefore, they are required to be aware of staff projects. The Executive Dean or Manager should alert staff in general to the possibility of ethical problems and should draw the attention of individuals to particular ethical issues. Discussion of such problems should be part of initial discussions on research.

6. *The Conduct of Research and Teaching*

6.1 The principles of the Code apply to the following activities:

a) Any research which requires the participation of humans. In this context participation covers a range of possibilities from face-to-face involvement to granting access to artefacts such as documents or computer records.

b) Any teaching which involves the participation of humans for the demonstration of procedures or phenomena. NB: see also The Use of People as Teaching Resources Policy.

6.2   In planning these activities the individual should be satisfied by thought, reading and discussion that:

a)   The proposed activities will achieve worthwhile objectives in research or teaching.

b)   These objectives could not be satisfactorily achieved without the use of human participants.

c)   There are adequate human and material resources for the successful completion of the activities.

6.3   In planning specific procedures and conducting pilot work the individual should ensure that the risk of physical or psychological harm to participants is minimised by:

a)   Detailed analysis of the specific risks for any given procedure.

b)   Careful consideration of a variety of alternative procedures.

c)   Determining whether monitoring and support procedures may be necessary both during and after the activities.

6.4   Before commencing the activities the individual should consider whose consent it is appropriate to seek.   Consent is informed if the intended participant has been provided with a comprehensible explanation, preferably in writing, of:

a)   The nature and purpose of the activities.

b)   Possible hazards of the activities.

c)   The participant's right to: decline participation or withdraw from the activity at any time without penalty of any sort; have privacy and confidentiality protected; receive information about the outcome of the activity in an appropriate form.

6.4.1 The Research and Knowledge Transfer Committee is aware that there are some kinds of research where the gaining of consent is impossible or undesirable (eg. when research is being conducted on a large group). Such situations can, however, lead to other ethical difficulties (eg. violation of privacy).

6.4.2 There are various ways of obtaining informed consent, the simplest of which is the verbal assent of a subject. The best safeguard, however, is the presentation in writing of the details of the research accompanied by a request for written consent. There are situations where this procedure would be the only acceptable one.

6.4.3 In the case of children, the aged, the disabled and the mentally ill, special care is needed. Wherever possible their informed consent should be sought. Where that is not possible, the necessity of the research should be seriously questioned. If the research is necessary, and can be so defended:

a)   The informed consent of a 'guardian' must be obtained.

b)   The researcher must be sensitive to conflicts of interest between guardian and subject.

c)   The subject must be informed to the fullest extent possible (eg. young children and hospital patients can be informed of the presence of observers even if they cannot understand their function).

6.4.4 A consent form should be included with your application for research approval in situations where this is appropriate. You may use a consent form provided by your professional society or

the one located under related documentation at the end of this document, depending on which is the most appropriate.

6.5 During the activities individuals should be sensitive to the emergence of unforeseen hazards, and should be prepared to modify or terminate the procedures if the participants are placed at risk. Any such events should be recorded for future reference.

7.   Handling of Information Gained

7.1 Confidential information should be handled in a way which protects the confidentiality of the participants and ensures the safe custody of the data. Care should be taken to protect the legitimate privacy of institutions, communities and ethnic groups especially when the results are likely to become public and be sensationalised by the media.

7.2 Staff/student should be aware that there is an ethical dimension to the formulation and publication of results. The staff/student must remain sensitive to the uses to which less scrupulous people might put the research finding.

7.3 Wherever possible, the findings should be conveyed in a comprehensible form to those who participated in the research.

7.4 In addition, the Privacy Act 2020 requires that information gained can only be used for the purpose for which it is collected.

8.   Procedures for Ethical Scrutiny

8.1 The Code requires that individuals assess the ethical status of their projects in discussion with colleagues and with reference to appropriate ethical and professional codes. For many projects this process of peer review provides a sufficient ethical evaluation. The Research and Knowledge Transfer Committee will consider whether ethical considerations have been given sufficient attention when research applications are received. There are four circumstances which require particular attention:

i)   When participants are to be subjected to procedures which are potentially harmful to their physical or mental health.

ii)   When specific advice is needed on the nature of ethical problems and their solution in a particular project. For example, the Committee is frequently asked for guidance on the design of consent forms.

iii)   When, during peer review, unresolved ethical issues are apparent.

iv)   When an external agency requires certification of ethical approval as a prerequisite for funding or for screening by its own ethical committee.

If the Committee has any concerns the proposal will be passed to an accredited Human Ethics Committee for scrutiny and recommendations.

Related Documentation

- [Research and Ethics Approval Application Form](#)
- [Information on Doing Research](#)
- [Research reporting Guidelines](#)

- [Lecturers Guidelines for Student Research Projects](#)
- [Research and Knowledge Transfer Policy](#)
- [Use of People as Teaching Resources Policy](#)
- [Consent Form for Participation in a Research Project](#)