OFFICE FOR LEARNING AND TEACHING: RESEARCH ETHICS PROJECT

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Support for this project has been provided by the Australian Government Office for Learning and Teaching. The views in this project do not necessarily reflect the views of the Australian Government Office for Learning and Teaching.
1. Why was this project commissioned?

The Australian Government Office for Learning and Teaching (OLT) has identified that a number of funded projects and fellowships have been delayed or stalled, and that many of the researchers have attributed this to ‘ethical review problems’. In August 2014, the OLT contracted Australasian Human Research Ethics Consultancy Services (AHRECS) to:

1. review available data with regard to OLT-funded projects that have been delayed or stalled because of ‘research ethics review problems’,¹ and
2. provide advice on useful strategies relating to professional development, capacity building and the provision of resources that OLT could use to minimise the risk of ethics review problems delaying or stalling funded projects.

This document summarises a longer Options Paper and set of recommendations AHRECS provided to the OLT in May 2015.

The term ‘research ethics review problems’ encompasses a number of quite different phenomena:

1. researchers not being familiar with their ethical responsibilities or ethical review arrangements/policies of the relevant institutions;²
2. the timeliness of an institution’s research ethics arrangements (see figure 1 below);
3. the institution’s policy settings with regard to risk and whether university students are considered to be vulnerable or in a dependent relationship;
4. whether the institution’s ethics review arrangements are adversarial and focused on enforcing compliance; and
5. whether the institution has a policy or arrangements in place for the scholarship of teaching and learning.

Addressing these issues requires a suite of strategies focussed upon grant and fellowship recipients, project leaders, funded institutions, and the OLT. There will be a series of booklets which provide practical advice for academics involved in the Scholarship of Teaching and Learning.

2 Ethical review: Recognising potential challenges for OLT-funded research

The National Statement on Ethical Conduct in Human Research sets out the Australian framework for human research ethics review with which institutions must comply when using public research funds.

A review of OLT reports for the period 2010-14 (see 3 of this document) found that a significant proportion of funded work incorporated human research components and so were subject to ethical review.

The relationship between researchers and research ethics committees in Australia can sometimes be characterised as acrimonious. This has mostly been experienced in the interaction of ethics

¹ As reported by the funded researchers.
² Including sufficient time for the conduct of the review
reviewers and administrators with researchers in the social sciences, humanities and the creative arts.

The National Statement can often be viewed by HRECs, administrators and institutions as though it were legal regulation, to be read and applied literally. This reflects a mindset that if a proposed resolution of an ethical dilemma is not authorised explicitly by or discussed in the National Statement it is not permissible. This is perhaps especially significant for the Scholarship of Teaching and Teaching (SoTL), which is not discussed in the National Statement. It also tends to result in specific provisions of the National Statement being applied in a one-size-fits-all way that ignores the realities and context of a specific project, and is sometimes at odds with the general principles presented in Section One of the National Statement.

At the same time that concerns are being expressed about the appropriateness and deleterious impact of research ethics frameworks, regulators are placing increasing focus on the responsibilities of institutions. In many jurisdictions (e.g. Australia, the United Kingdom, the United States, and Canada), there is an explicit articulation of the responsibility of institutions to ensure their researchers are trained in their ethical obligations. Consequently, the possibility of non-compliance with research ethics requirements is increasingly viewed as a serious institutional risk. In practice, many institutions rely upon a bureaucratic structure to ensure compliance with ethical and regulatory standards rather than focusing on supporting researchers in their reflection on the ethical issues that arise through the design, conduct and publication of their work. This approach tends to rely on ethics committees as regulators and enforcers rather than enablers of better practices.

The obvious limitation of an ethics-as-compliance approach is that it tends to be conceptually constraining. Some administrations see very little need for transparency or open dialogue with researchers. This in turn perpetuates an adversarial tone for the interactions between researchers and ethics committees.

3 Data collected and analysed for this project

AHRECS considered the following sources of information:

1. **De-identified information provided by OLT** with regard to 39 projects from 21 institutions that had received OLT grants between 2011-12 (plus one project from 2010), 12 of which reported delays as a result of problems with research ethics.

2. The results of a **short survey of team leaders** conducted by the OLT in January-February 2015. This was sent to 200 recipients of OLT funding. Of the 51 respondents, 20 reported problems/delays, identified what they believed to be the cause and suggested strategies to mitigate against such problems occurring.

3. **Short interviews with HREC Chairs and research ethics officers** at six institutions selected to ensure geographical, size and experience coverage where the selected institutions had received OLT research funding in the past few years.

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3 The valuable insights shared by some respondents has been incorporated in the recommendations discussed in Section 4.
4. **Final reports** submitted for the 23 fellowships listed on the OLT website as published between 2009 and 2012, the 74 grants listed for 2010, the 88 grants listed for 2011 and the 30 listed for 2012.

This data was too limited to allow for any meaningful quantitative analysis, but it was consistent with the OLT’s own observations that ethical review difficulties are a significant issue that needs to be addressed. There was no apparent pattern with regard to whether ethical review difficulties were more prevalent depending upon the: discipline and methodology; host institution; or the experience of the project leader.

However, the following matters were prevalent or significant across the data sources:

1. Some respondents were new to research ethics or otherwise unfamiliar with the ethical review of the particular methodology they employed for the funded work;
2. Some ethics reviewers appeared to be short of experience with SoTL research or were prone to exaggerating the vulnerability of university students and staff;
3. There was little evidence of relevant guidance materials (for researchers and ethics reviewers) that explored the ethical challenges and useful strategies for SoTL research;
4. Extra delays might arise when work is cross-institutional, multiple ethical reviews are required, and institutions insist on the use of their own review form or do not sufficiently recognise prior review at another institution;
5. Delays occur when the research ethics review arrangements of some institutions require a new application for each phase of a project; and
6. Finally, and perhaps surprisingly for those who have become used to hearing criticism of research ethics review arrangements in Australia, several respondents urged their peers to take a positive approach to the review process.

AHRECS suggests there is unlikely to be a simple, single determinant of the ‘ethics review problems’ so even a larger dataset might have failed to identify the root causes of these problems. Drawing on our collective experience as ethics reviewers, research ethics managers and policy makers, and as SoTL researchers, AHRECS has identified the likely interacting factors that cause the ethical review problems and delays. In the full *Options Paper and Recommendations*, we recommend a suite of practical strategies OLT could employ to address these factors. Section 4 summarises some recommendations for OLT-funded researchers and institutions. The deliverables arising from this work are summarised at Section 5.

**4 Recommendations about what the applicants and institutions**

**4.1 RECOMMENDATIONS FOR INSTITUTIONS**

The information, comments and suggestions collected via the data reviewed by AHRECS (see 3 above) and the project investigator’s experience with regard to research ethics suggests that institutions that OLT-funded research would be well served if host institutions have in place:

1. Proportional ethical review arrangements, including executive and administrative review for negligible and low risk projects, the consideration of researcher response to feedback from ethical review, and the review of variations to existing ethical clearances;
2. An efficient arrangement for the ethical review of research that has already been ethically reviewed by another institution;

3. Resource materials, directly relevant to SoTL research, for its researchers and ethical reviewers;

4. An approach to ethical review that doesn’t automatically classify students as vulnerable but which is reflective of contextual matters such as genuine risk, identification and respect for persons; and

5. Professional development/capacity building activities and resources available to all researchers.

4.2 RECOMMENDATIONS TO RESEARCHERS SEEKING OLT FUNDING

Researchers who intend to apply for funding from the OLT would be well served if they:

1. Approach research ethics as a personal responsibility that is central to the quality of the design and conduct of the planned work;

2. Attend their own institution’s research ethics professional development/capacity building workshops, acquaint themselves with the institution’s ethical review arrangements, policies and resources;

3. Speak with colleagues within their area or elsewhere in the institution who have conducted OLT-funded research and sought ethical clearance for SoTL research;

4. Consult, in advance, with a Research Ethics Adviser (if the institution has appointed REAs), the Chair of the Institution’s HREC and/or ethics staff in the research office;

5. Become conversant in all components of the planned research and be able to justify the planned approach; and

6. Allow sufficient time for ethical review (especially if the work will be cross-institutional) when planning for a project.

5 Deliverables that AHEC is currently working on

In addition to the full Options Paper and Recommendations report and this summary document, the following work is currently under way or planned:

1. A booklet-based resource manual which will be available from the OLT and AHRECS web sites late in 2015. This will include the following booklets:
   a. Introduction to research ethics for OLT-funded research
   b. Ethical review and OLT funded research
   c. Risks and benefits in OLT funded research
   d. Recruitment and consent in SoTL research
   e. Privacy and confidentiality in OLT funded research
   f. SoTL Research: Common ethical challenges and practical strategies

2. A series of short videos covering matters discussed in the resources manual and other practical tips relating to the design, ethical review, conduct and responsible reporting of OLT-funded research. These will be available from the OLT and AHRECS web sites late in 2015.

3. A web-based meeting conducted in 2016
Figure 1: Ethics review process

1. Time taken to prepare the application for ethical review

1a. Time taken to review the application and issue review feedback.

1b. Revise and resubmit

2. Time taken to respond to review feedback

2a. Time taken to consider the response to the review feedback.

3. Authorisation to conduct the project