

APPENDIX A

Human Ethics Guidelines
(to be read in conjunction with the Human Ethics Policy)
Research Policy Group

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1 General Procedures Regarding Applications

Members of the University intending to conduct research or a teaching activity which requires ethical approval must complete and submit an application to the Human Ethics Committee (HEC). Applications should be written in plain language and made online at <https://rme.vuw.ac.nz/rmenet/>.

Information about how to apply is available at the [Research Office website](#).

- (a) Applications must be accompanied, as appropriate, by a copy of an information sheet, a separate consent form for participants and any confidentiality agreements with research assistants and transcribers. Where research is being carried out on an organisation, and/or with participants associated with an organisation (for example, as employees), the researcher is responsible for determining whether the organisation should be provided with an information sheet and consent form. In the case of research with children under the age of 16 there should be an information sheet and consent form for their parent/guardian. Children should be informed in appropriate ways about any research they are invited to participate in; their ongoing assent to participate should be checked for at all stages in the research process. Information letters and consent forms must be on University letterhead and, in the case of student research, should include the name and contact details of the supervisor. All consent forms should be retained for audit purposes until the date when the applicant has stated that the data will be destroyed or returned to the participants. Further information on information sheets and consent forms, and examples, can be found in Appendix B.
- (b) Student research projects at undergraduate and postgraduate level are subject to HEC approval in the same way as are staff research projects.
- (c) Applications must be approved before data collection or other activity involving human participants is initiated. The HEC will not normally consider giving retrospective approval (see Human Ethics Policy Section 4.4(a) for exceptions).
- (d) Research using electronic media – electronic recruitment and electronic questionnaires – is subject to the HEC Policy. In cases where potential respondents are approached electronically, that is, through email lists, websites, personal email contact or written correspondence inviting participation in an online survey, the request for participation must comply with the HEC Policy. In all cases where an organisation's systems are being used to recruit participants, permission should be obtained from the organisation prior to contact with potential participants. Participants must be required to read the information sheet, and the conditions concerning confidentiality of data and feedback to participants, before proceeding to complete any online or downloaded survey form.
- (e) Researchers are responsible for considering the ethical issues involved in any research project before research proposals are submitted to outside granting agencies or to any source of internal University research funds. It is recognised that it may not be feasible to submit a finalised ethics application before submitting an application to an external funding agency or to internal funding sources. However it is the responsibility of the researcher to have read the Human Ethics Policy and Guidelines before submitting a research proposal. If applications for funding are successful, ethics approval must be sought and obtained before commencing data collection or any other activity involving participants. External funding agencies may require researchers to go through their own ethical approval processes. These processes do not replace the need to get ethical approval from Victoria University HEC. However approvals obtained from a Health and

Disability Ethics Committee (see Human Ethics Policy Section 4.6) are accepted by the VUW Human Ethics Committee.

- (f) Applicants are responsible for informing the HEC if new ethical issues arise in the course of the research or if their project changes significantly during the period for which approval has been given. In such cases the HEC will determine if a new application for approval is necessary or if any changes to the conditions of approval are required.
- (g) Where researchers are collaborating with researchers at other universities, ethical approval should be sought from the ethics committee of the lead researcher, provided it is HRC accredited. If this is not the case an application should be made to the Victoria University HEC. If the lead researcher is based at a university in another country the Victoria University researcher must consult with the Convener of the HEC concerning procedures.
- (h) Data gathering for a research project should not commence until formal notification of approval is received.
- (i) Regardless of whether ethical approval is necessary, all data collection must comply with the Privacy Act 1993. Note that the University is an “agency” and that all personally identifiable information collected or held by University staff is subject to the Information Privacy Principles.

2 Research Involving Written or Electronic Questionnaires Only

- (a) Anonymous research, as defined in Section 3 of the Human Ethics Policy, may be approved by the Convener of the HEC or relevant ethics subcommittee. Such research must meet the definition of anonymous in Section 3 and respondents’ participation must be restricted to the completion of a written or electronic questionnaire in a manner not requiring disclosure of their identity.
- (b) Applications should include the information sheet and questionnaire to be used, which must meet the criteria for informed consent and ethical research outlined in the HEC Policy.
- (c) Applications should state how anonymity is to be preserved, providing details, as relevant, for the collection/return of printed surveys, or for online survey software.
- (d) The questionnaire must be totally anonymous, responses should be returned anonymously and there should be no coding or other means of identifying respondents from the response.
- (e) Survey data collected in person, either orally, or by handing the researcher a completed printed survey, are not considered to be anonymous.
- (f) Any research involving questionnaires which does not meet these criteria should be reviewed by the relevant HEC committee in the normal way. Questionnaires which contain questions on sensitive topics (e.g. sexual practices, drug taking, illegal or controversial activities), even when anonymous, must be reviewed by the HEC.

3 Procedures Regarding Interviews, Observations, Experiments and Other Forms of Non-anonymous Data Collection

- (a) Unless exempted under Section 4.4 of the Human Ethics Policy, ethical approval is always required for data gathered from interviews, observations, experiments, or any other procedures where identifying characteristics of the participants are known to the researcher (e.g., visual appearance, name, address). The researcher should normally obtain written informed consent from any participant in these forms of research.
- (b) A case can sometimes be made for an exemption from the requirement for written informed consent. Examples of grounds on which exemptions may be granted include research where participants refuse to be identified even on a consent form, where there are social, cultural or religious reasons for not obtaining written consent, or where there is potential risk to the participant (such as risk of self-incrimination).
- (c) In such cases, it is possible participants may not allow oral consent to be recorded by an audiotape recorder or electronic recording device. Where written or orally recorded evidence of informed consent is not obtained, the participant must still receive a written information sheet explaining the research, the nature of their participation, the proposed use of the data, who will have access to it, whether it will be reported anonymously, and how identity (of the organisation and/or individual participants) will be disguised. The information sheet should also state whether examples from the data (e.g. statements from participants' interviews, drawings or photos provided by participants, other samples of participants' own data) will be attributed to identifiable individuals. Further, researchers should ensure that they note in their own records that they went through a thorough procedure for obtaining informed consent, and believe that the participant provided it.
- (d) Participants' language or literacy skills may sometimes compromise their ability to read and adequately understand a written consent form, or to provide written consent. In these cases, they should be informed orally of the information in the information sheet, using a language with which they have sufficient familiarity to fully understand the information contained in the information sheet. Participants should still be given a copy of the information sheet. If these participants are unable to provide written evidence of consent, consideration should be given to audio-recording oral consent.
- (e) All exceptions to the written consent requirement must be fully explained in the ethics application.
- (f) When data are to be attributed (i.e., where the participant's name or organisation will be included with the data sample) in any form of report or presentation on the results of the research, participants must be clearly informed of this intention on the information sheet. Their consent to attribute data must be explicitly given. In the case of organisations, permission is also needed from the organisation's manager.
- (g) Staff members should make a single application for teaching approval to the HEC or relevant subcommittee when students, as part of their course work, are collecting data and each student in the class or group is required to undertake essentially the same research tasks and there is adequate supervision. The staff member making the application should include a standard information sheet and consent form designed specifically for the particular class exercise, and both should be used by all students taking part in the tasks as part of their coursework. This procedure applies whether students are collecting data in the classroom or the wider community.

4 Use of Electronic Media as a Source of Data

- (a) Researchers using electronic media as a source of data should consider ethical issues before using such material for research purposes. Electronic media includes data in the form of opinions and information posted by individuals to any electronic forum (such as discussion boards, electronic lists, and social network sites).
- (b) Comments and information posted on publicly available forums may be used without seeking further permission.
- (c) In the case of lists and forums which are only available to members of an association, or who have applied to become subscribers and have been subject to some form of vetting, the permission of the moderator to use data from the forum must be sought. Individual contributors should not be identifiable in any use of the data, unless permission has been sought and granted from each individual to be cited. Such permission must conform with the informed consent principles, and other relevant principles of this policy.
- (d) Researchers creating new lists, electronic forums or social networking sites for the purpose of their research must inform all participants when the forum is established, and advise any new participant joining the forum, that comments and information posted to the forum are intended to be used for research purposes. Researchers must also advise what is expected of participants, and what level of confidentiality applies. The information given to participants should state explicitly how the data will be reported (i.e. anonymously, or attributed), where and how the research may be published, and state clearly that it will not be used for any other purpose. Approval from the relevant HEC is required before the list or forum is established.
- (e) Researchers soliciting participation in research through any electronic list or forum should be aware of anti-spam legislation, ensure that their research is relevant to the wider purposes of the list, and provide a brief explanation of the purpose of the research and its benefits in the invitation.
- (f) Research involving the posting of false or misleading information to a web site, list or other online forum is subject to the provisions in the HEC policy regarding deception (see Section 4.2.1(c)). The application must explicitly demonstrate how the benefits of the research outweigh the harm done by the deception involved, the risks to the reputation of the University, and how participants will be debriefed after the research is complete.

5 Use of Visual Images

Where research requires informed consent of participants, consent must also be obtained for the use of any visual images generated as part of data gathering processes. Separate consent must be obtained for the use of these images if they are also to be used for public presentations, teaching and/or publication purposes. Participants must be informed if the visual images will be published in electronic publications, including theses which are stored electronically.

- (a) The period of time during which images can be used for teaching purposes or for public presentations should be stipulated at the time consent is sought. In the case of visual images of children and adolescents, it is recommended that this period is no longer than five years, at which point consent for continued use would need to be renegotiated.
- (b) Where participants themselves generate visual images as part of the research or teaching activities, ownership of the images needs to be negotiated and agreed on as part of the consent process.

6 Procedures Regarding Teaching Activities Involving Human Participants

The Head of School should ensure that all School/Department/Centre teaching and learning activities adhere to the Human Ethics Policy and the ethical principles laid out in Section 4.2. When designing courses and when preparing course outlines, course coordinators should consider whether their planned teaching activities comply with the University's Human Ethics Policy. In particular, students' safety should not be compromised and coordinators must ensure that the privacy, rights and freedoms of students and community participants are protected.

- (a) Formal ethical approval is required for teaching activities which pose specific ethical risk. These include activities which require students to:
 - (i) Reveal personal experiences that may compromise their physical, cultural or emotional safety or result in the disclosure of sensitive information;
 - (ii) Utilise human tissue;
 - (iii) Engage directly or indirectly as learning subjects (e.g., observe self or others; engage in interventional projects such as taking blood samples, or any project in which the experimenter or lecturer intervenes to influence the behaviour of individual subjects through manipulation of the social, psychological or physical environment);
 - (iv) Engage directly or indirectly members of the community as research subjects (except for anonymous questionnaires meeting criteria described in Section 2 of this document);
 - (v) Undertake formal research exercises in learning to be researchers;
 - (vi) Utilise data not available in the public domain.
- (b) Formal ethical approval can be given for individual courses or for a programme. Programme approval can be utilised when the majority of courses in a programme require approval, otherwise individual course approval is required. Programme approval requires that all applicable courses in the programme adhere to the conditions of the approval granted.
- (c) Where students are engaged in learning about research activities, course approval is sufficient, but where the students are undertaking research for a major project or thesis a specific application is required. Course coordinators must ensure that students engage in ethical research and that students read and are familiar with the HEC Policy and Guidelines before engaging in the research exercise.
- (d) It is the responsibility of course coordinators, principal researchers and research supervisors to gain HEC approval and to ensure that required ethical standards are maintained. Students undertaking individual research are expected to make their own applications for ethical approval of research studies after consultation with their academic supervisors.
- (e) Procedures Regarding Teaching Activities with Ethical Risk:

Where approval is required Heads of School need to determine whether this should be at a programme level or individual course level. In making the application, it is important to show that consideration has been given to the following:

 - (i) Identifying the hazards and/or inconvenience (including deception) that might be encountered by students, people being observed, and participants;

- (ii) Students' rights for equal opportunities of assessment (refer to Assessment Handbook);
 - (iii) Students' freedom to consent or decline without consequence;
 - (iv) The development of alternative learning activities if students choose not to consent to an activity.
- (f) The form that information to students may take can include:
- (i) A statement in the course outline concerning the ethical issues and how these are managed as part of the course;
 - (ii) An ethical responsibility statement in courses where students obtain personal information about others and there is an expectation that this information will be shared as part of assignments or tutorials.
- (g) Duration of approval

As with other approvals, approval may be granted for up to three years. If within this period there is any change in the procedure or activity, a new application must be made by the course coordinator concerned. If the course coordinator changes during the period of the term of approval it is the responsibility of the new course coordinator to become familiar with the conditions of the approval.

7 Student Feedback Exercises Undertaken by the CAD

- (a) Student feedback of courses or teaching on forms being administered by the Centre for Academic Development (CAD) may be approved by the Director of the CAD.
- (b) HEC approval must be obtained for all other formative or summative evaluations.
- (c) HEC approval must be obtained for other evaluations which:
 - (i) Request the names of students completing the evaluation;
 - (ii) Request information about anyone other than the person conducting the evaluation;
 - (iii) Request any other information of a private or sensitive nature.
- (d) Evaluations and surveys of staff activities and opinions carried out by other cost centres in the University must have HEC approval and declare this to participants.

8 Payments to Research Participants

Payment of participants in research raises special ethical issues and should be considered with care. The reason researchers may wish to give participants some form of payment or goods is to recognise the costs incurred in participating in the research. Reimbursement of reasonable travel and childcare costs is considered an acceptable practice. The case for payment for the time involved is more difficult to determine and any payment needs to take account of the following points:

- (a) All participants should be eligible for any payment that is made to acknowledge participation. Payments may vary depending on the different categories or different contributions of the participants;
- (b) The amount and reason for the payments should be clearly spelt out in the application to the HEC, the information sheet and any advertising of the research;
- (c) Payments must not be, or be perceived to be, an inducement to participate in research;

- (d) Researchers should consider whether a voucher (for example, groceries, music, movie) might be more appropriate than cash;
- (e) Koha or gifts may be offered where appropriate;
- (f) Payments should not be used to encourage participants to undertake dangerous or harmful acts;
- (g) At the the beginning of the project, researchers should make it clear to participants that they have the right to withdraw from the research, irrespective of whether or not payment is involved;
- (h) Payments to children under 16 years of age must not be made without prior approval by their parents or guardians.

9 Storage, Security and Destruction of Data

All projects which involve the collection of personal information must comply with New Zealand legislation on privacy (Privacy Act 1993). See Appendix D of the Human Ethics Policy for a brief summary of the 12 Information Privacy Principles (IPPs) contained in the Privacy Act 1993. It will be noted that the Victoria University Human Ethics Policy reflects the provisions of the IPPs.

- (a) Personal information must be handled in a way which protects the privacy of participants and ensures the secure custody of data.
- (b) Researchers, supervisors and teachers must ensure that personal information is protected by security safeguards against unauthorised access, use, modification, disclosure and other misuse. Appropriate security and backup systems should be used to protect against loss of such data. Where a project involves the collection of personal information, the application to the HEC must set out clearly who is entitled to have access to that information and under what conditions, and whether personal information will be used in the writing up or other means of completion of the project.
- (c) Research information collected for one purpose shall not be used, without the written consent of any person who is the provider of that information, for another purpose unless it is in the public arena or is available in a non-identifying manner which follows an HEC-approved delinking process (where appropriate).
- (d) The information sheet and consent forms presented to the participant must clearly indicate what will happen to collected data when the research has been completed (e.g. how and where it will be stored, and for how long).
- (e) Personal information should not be kept for longer than is necessary to complete the particular project and to allow for academic examination, challenge or peer review. Where it is proposed to keep such information for a longer period, this must be justified in the application for ethical approval. Some professional associations require data to be kept secure for a minimum of five years to enable later substantiation of research findings. It is important that any confidential or sensitive material be kept in a secure and locked environment before it is destroyed and that participants be told how personal material will be stored and for how long.
- (f) Research information collected and/or stored electronically must be protected by secure password access. If the researcher does not have control of the storage mechanism (e.g. when using freely available or open source software, such as SurveyMonkey) he or she must ensure that personal information is kept secure, and is removed before long-term

storage. Destruction of the data after an appropriate interval is still the preferred option.

- (g) Special security provisions are required for sensitive data. Whether data collection is outsourced or not, encryption should be used for all sensitive data, and the measures taken to ensure its security explained to participants.
- (h) The destruction of electronic data requires expert assistance. Professional advice on the most appropriate process must be sought from the University's Information Technology Service.

Note: Documents and information held by staff are potentially discoverable under the [Official Information Act 1982](#). Documents and information held by students are not. Information collected by students for their research should thus be available to supervisors and others if needed for academic verification and review but should not be retained by staff.

10 Publication and Dissemination of Findings

- (a) Applications to the HEC and information provided to participants must be explicit about likely publication outlets (this includes informal presentations, conference presentations, teaching cases, book chapters, journal articles or theses). Where it is required (as in the case of theses), or possible that a report or summary of the research findings will be deposited in an electronic repository, or made available on the internet in some other form, this should be spelled out to participants. Care should be taken to remove any potentially identifying information before such publication.
- (b) The general expectation is that research results will be reported back to those who participated. Where possible, research findings should be conveyed in a comprehensible form to those who participated in the research. Generally, consent forms should include an opportunity for participants to indicate that they would like to be sent feedback when the project is completed (e.g. by ticking a box).
- (c) Researchers should be aware that there is an ethical dimension to the formulation and publication of results. The researcher must remain sensitive to the uses to which less scrupulous people might put the research findings.

11 Human Ethics and the Official Information Act 1982

The question has arisen why an ethics application is necessary when information is sought under the Official Information Act. The question arises because under the Act information must be released unless it falls within one of the reasons for refusing the request.

- (a) Under Section 4.4(c) of the Human Ethics Policy interviews “which merely seek non-sensitive factual information (e.g. requests for statistical information or information about services from public agencies)” do not require ethical approval. Under Section 4.4(d) ethical approval is not needed if the research involves existing publicly available documents or data. Many Official Information requests will fall within one or other of these two provisions of the Policy.
- (b) The Official Information Act is silent on the subject of quoting the name of an official who has released information. Thus if the researcher wishes to source the information obtained under the Act by reference to an individual, ethical approval is required in the usual way.

- (c) If the researcher is seeking an opinion from a public official or some comment which is more than “official information”, the Official Information Act is silent. Ethical approval is needed.
- (d) Where the information sought is of a sensitive kind (e.g. information about prisoners), the question of whether there is good reason to refuse access to the information may be in the balance. The two situations (where the information can be withheld under the Act and where it cannot) are considered separately:
 - (i) If the information must be released, i.e. there is no reason to withhold the information, there is probably implicit power to impose conditions (implicitly recognised under Section 28(1)(c) of the Official Information Act). Such conditions could include ethics committee approval.
 - (ii) If there is good reason to withhold the information, the information may still be released by the exercise of executive discretion. If ethical approval has been granted (which might happen because of safeguards the researcher has put into the proposal), the holder of the information might be more willing to accede to the request. To put it another way, the good reason to withhold the information might be waived if certain conditions such as ethics approval, confidentiality and limited use of the material are agreed to (see generally Eagles, Taggart and Liddell (1992) *Freedom of Information in New Zealand*. Auckland: OUP, pages 40-42).
- (e) Even if the agency holding the information places no restrictions on the use of information which it is prepared to release, professional ethical obligations might demand such restriction, especially if the information is highly sensitive. An ethics application serves the function of ensuring that the researcher has thought through the implications of the request. The University requirements on ethics approval therefore must be complied with.

12 Review of Applications and Notification of Decisions

- (a) The Human Ethics Committee attempts to have all applications approved within three weeks but a longer period may be necessary if applications require substantial revision. Where necessary, the applicant may be asked for further information or clarification. In appropriate cases, ethical approval may be subject to conditions, e.g. a redrafting of a consent form. Where an application is refused, notification of the decision will be accompanied by reasons for the refusal.
- (b) Approval may be given for up to three years. If the project is still active after three years an extension of time should be requested.