

Human Ethics Policy

1. Purpose

- 1.1 The purpose of this Policy is to ensure that all University human research, relevant teaching activities and research involving highly sensitive information conforms to high ethical standards.

2. Application of Policy

- 2.1 This Policy applies to all staff and students of the University.
- 2.2 This Policy may also apply to human research undertaken by outside agencies at the behest of the University or by researchers using University facilities.

Policy Content

3. Principles

- 3.1 The following principles are to be followed when human research, relevant teaching activities, and research involving highly sensitive information are undertaken.
- (a) Respect and care for persons: Researchers must ensure that participants can exercise their autonomy and provide free and fully informed consent; must take special care to protect potentially vulnerable participants; and must respect the legal rights of participants and third parties.
 - (b) The Treaty of Waitangi: Researchers have a responsibility to ensure that research conforms to the University's Treaty of Waitangi Statute.
 - (c) Minimisation of harm to participants, researchers and the University:
 - (i) It is unacceptable to expose participants or third parties to unnecessary mental or physical harm or potential threats to their physical safety
 - (ii) Researchers and their supervisors are required to ensure the physical safety of the researcher, and of those assisting the researcher.
 - (d) Academic freedom: The University is committed to the principle of academic freedom as defined in the Education Act 1989.
 - (e) Respect and care for social and cultural contexts: Researchers must be sensitive to significant social and/or cultural practices of the communities to which individual participants may belong.
 - (f) Responsible conduct of research: Research should be conducted according to established principles of research integrity.

4. HEC Scope and Rationale for Review

- 4.1 Human research poses ethical risk. Ethical risk includes, but is not limited to, the different types of harm that might occur to participants, researchers, and institutions, such as physical and psychological harms, threats to privacy and autonomy, and perpetuation of injustice. It is the role of the HEC to mitigate these risks, by supervising, and providing independent advice to, researchers.
- 4.2 All human research at Victoria University of Wellington (research involving human participants, their data or tissue), relevant teaching activities, and research involving highly sensitive information is covered by this Policy.
- 4.3 Some kinds of human research are exempt from review, such as activities of negligible ethical risk, as outlined in the Human Ethics Guidelines.

5. Human Ethics Application and Approval Process

- 5.1 All applications for human ethics approval must be made through the systems designated by the University for that purpose.
- 5.2 Researchers are responsible for ensuring that they receive formal notification of approval from the HEC before any formal research procedures commence (including, for example, recruitment of participants or gathering of data). There is no process by which the HEC awards retrospective approval.

6. Approval Decision-Making Authority

- 6.1 The Convenor of the Human Ethics Committee (HEC) has authority to approve subject to conditions, or to decline any application.
- 6.2 This authority may be delegated in whole or in part to another member of the HEC.
 - (a) Delegation may be undertaken for a defined period or on an ongoing basis.
 - (b) When such delegation occurs, it must be formally documented in records maintained by the University.
- 6.3 Wherever possible, the decision made by the Convenor should reflect the consensus of recommendations made by other members of the committee responsible for reviewing the application.
- 6.4 Any departure from an agreed consensus view must be formally documented.

7. Schools, Groups and Subcommittees

- 7.1 All University schools and groups (such as research centres or institutes) must ensure research projects and teaching activities proceed ethically and in accordance with this Policy. The formal responsibility for this rests with the head of the school or the group concerned. This responsibility includes facilitating access to advice offered by the HEC, where appropriate, and supporting staff and students in the process of applying for ethical approval.
- 7.2 The Vice-Provost (Research) may give permission for the establishment of human ethics

subcommittees. Human ethics subcommittees must conform to this Policy and the appended Guidelines.

8. Appeals and Complaints

- 8.1 Where an applicant is dissatisfied with the decision of a Convenor of a subcommittee with delegated authority from the HEC, the applicant may appeal to the HEC. A decision of the HEC may be appealed to the University Research Committee.
- 8.2 A complaint to the HEC may be lodged by any other person. Complaints will proceed according to the complaints process outlined in the Human Ethics Guidelines.

9. Sanctions

- 9.1 Where University employees fail to obtain ethical approval when such approval is required or where they act contrary to the decision of a body authorised to consider applications for ethical approval, the matter may amount to misconduct and be dealt with under the University's [Staff Conduct Policy](#).
- 9.2 Where a University student has engaged in conduct contrary to the terms of their HEC approval, the matter should be dealt with by the Head of School in the first instance. In serious cases, the misconduct provisions of the University's [Student Conduct Statute](#) may be applied.

10. Insurance

- 10.1 If an individual should suffer physical injury as a result of being a participant in research sanctioned by the University, and ACC should decline to cover this injury, then the University may be able to respond through its own policies (if these apply in each case).

11. Interaction with Legislation

- 11.1 Privacy Act 1993 - Regardless of whether ethical approval is necessary, all collection of information about or from identifiable individuals 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.

12. Definitions

HEC Approval	Approval granted by Victoria University of Wellington Human Ethics Committee or its delegated subcommittees to proceed with research.
Highly Sensitive Information	Research using leaked secret, confidential, classified, trade-sensitive or similar material; research using extremist and terrorism related material; or research involving security sensitive material, including research commissioned by the military or security services, or that requiring security clearances.
Human Research	Research conducted with or about people, their data, or tissue.

Participant	An individual person or group of people subjected to experimental procedures or participating in research.
Relevant Teaching Activity	A teaching activity for the purpose of research, which is overseen by an employee or contractor of the University and requires the participation of students in teaching exercises, laboratory exercises, training sessions, or student projects that potentially affect the students' or other individuals' privacy, rights and freedoms.

8. Related Documents

[Conflicts of Interest University Statute](#)

[Copyright Act 1994](#)

[Education Act 1989](#)

[Health Information Privacy Code 1994](#)

[Human Tissue Act 2008](#)

[Privacy Act 1993](#)

[Standard Operating Procedures for Health and Disability Ethics Committees \(HDECs\)](#)

[Treaty of Waitangi University Statute](#)

[Vulnerable Children Act 2014](#)

9. Document Management and Control

Approver	Vice-Chancellor
Approval Date	24 April 2018
Last Modified	17 April 2018
Review Date	24 April 2021
Sponsor	Vice-Provost (Research)
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