

## ETHICAL CONSIDERATIONS FOR RESEARCH

<b>Section</b>	Research		
<b>Approval Date</b>	16.07.08	<b>Approved by</b>	Academic Board
<b>Next Review</b>	April 2010	<b>Responsibility</b>	Director of Teaching and Learning
<b>Key Evaluation Question</b>	4	<b>ITPNZ Quality Standard</b>	11

### PURPOSE

To ensure researchers, research supervisors and NMIT research outcomes meet accepted ethical standards.

### SCOPE

Research<sup>1</sup> as defined in: Approval and Publication of Research, 2Q1 (DEFINITION OF RESEARCH).

<sup>1</sup>Note: for the purpose of gaining approval to undertake and publish research the NMIT Definition of Research is extended to include projects, protocols, contracts and teaching activities, including experiments set up for teaching purposes, which involve ethical considerations. Refer: Responsibilities and authorities of the Research and Ethics Committee.

All research undertaken by staff or students of NMIT that will be associated in any way with the name of NMIT, including research undertaken jointly or in collaboration with external people and organisations, and research supervised externally.

### DEFINITIONS

**Human Subject** and **subject** mean any human participant, client, or informant, or any person or group subjected to experimental procedures, whether those individuals or that group is involved knowingly or otherwise.

**Teaching** means any teaching activity undertaken by any employee of NMIT while in the course of employment with the Institute.

**Teaching activity** means any teaching activity which requires the participation of students as subjects in teaching exercises, laboratory exercises, training sessions, or student projects, but does not include teaching activities such as those which require students to answer questions in class or in written assignments as part of their studies.

**New Zealand Health & Disability Ethics Committee** is funded by the Ministry of Health and responsible to the Health Research Council Ethics Committee. It is accredited by the Health Research Council and is an accredited ethics committee for the purposes of the Accident Compensation Rehabilitation & Insurance Act 1992.

The **NMIT Animal Ethics Committee** operates according to the NMIT Code of Ethical Conduct – Animals Protection. This code is pursuant to the Animals Protection (Codes of Ethical Conduct) regulations, 1987 and is approved by the NMIT Academic Board and the Minister of Agriculture.

## TERMS OF REFERENCE OF THE RESEARCH & ETHICS COMMITTEE

The Research and Ethics Committee (R&EC) is a Standing Committee of the Academic Board and is responsible to that Board.

### RESPONSIBILITIES AND AUTHORITIES OF THE R&EC:

Refer to: *Academic Board Terms of Reference*, Research and Ethics Committee Responsibilities and Authorities

## NMIT CODE OF ETHICAL CONDUCT

### PURPOSE OF THE CODE

The code is intended to protect the subjects, the researcher and the Institute.

### STATUS OF THE CODE

The NMIT Code of Ethical Conduct is approved by the Academic Board and administered by the Research and Ethics Committee. All staff and students involved in research are subject to the NMIT Code of Ethical Conduct as a minimum. Researchers should assess the ethical status of the project by discussion with their supervisor and with reference to relevant professional and ethical standards.

### RESPONSIBILITIES UNDER THE CODE

Ethical responsibility rests at all times with the researcher(s). Approval, of a research project, publication or presentation, by the Research and Ethics Committee does not release the researcher(s) from ethical responsibility. Researchers may be subject to disciplinary action by the Institute if major ethical problems arise; refer *Staff Misconduct Procedure*,; *Student Misconduct Procedure*.

The legal responsibilities for working with animals are set out in the Animal Protection Act 1960 and amendments 1962, 1964, 1971, 1978, and 1987, and the Animal Protection (Codes of Ethical Conduct) Regulations 1987.

### PRINCIPLES

The following principles will guide those responsible for considering applications for ethical approval. There must be:

- Protection of the rights of individuals and groups;
- Informed consent free of coercion;
- Respect for rights of privacy and confidentiality and in particular, conformity with the Privacy Act 1993 and any Code issued under that Act;
- Minimisation of risk of harm to the subject;
- Limitation of deception;
- Social and cultural sensitivity, including acceptance of the principles of the Treaty of Waitangi;
- Research and teaching merit;
- Avoidance of conflict of interest;

- Respect for property rights;
- No discrimination which breaches the Human Rights Act 1993 or the New Zealand Bill of Rights Act 1990;
- Special care taken of vulnerable participants (eg children).

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## HANDLING RESEARCH INFORMATION

If an assurance of confidentiality is given, then information should be handled in a way that protects the confidentiality of subjects, institutions and communities. Results should be published in a way that maintains this confidentiality. If researchers state that data will be confidential then an explanation must be given in the application to the Research and Ethics Committee as to how this will be achieved.

Informed consent should be gained from participants before they become involved in the project. Informed consent is deemed to be when participants have been provided with a comprehensible explanation of the nature and purpose of the research, possible hazards and their right to decline or withdraw from the research at any time. Participants are to be informed about the degree of confidentiality of the information obtained and of the research results and how they will receive information about the research outcomes.

Information must not be used for personal or commercial advantage, except with the specific consent of the person or agency providing the information.

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

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## RESEARCH INVOLVING HUMAN SUBJECTS

- Subject to paragraphs f) and g) below, participation of a human subject in any research project, course work project, or teaching activity or laboratory class must be voluntary and obtained through informed consent. Non-participation must not result in any penalty to the subject.
- Inconvenience and discomfort to subjects must be balanced against the benefit to the subject and/or society, and the importance of the knowledge gained.
- The information provided to gain the consent of the subject must be adequate and appropriate.
- Research or teaching activities involving human subjects or human tissue must be supervised by appropriately qualified personnel, who have responsibility for ensuring that all procedures relating to ethical standards are complied with. It is the responsibility of the supervisor to ensure that any person who is involved in the activity and is not employed by the Institute will conform to ethical standards.
- The identity of subjects is to be protected at all stages of a research project unless prior written consent has been obtained from the subject for it to be disclosed.
- Where a project involves a measure of deception, any departure from the standard of completely informed consent must be acceptable when measured against possible benefit to the subject and the importance of the knowledge to be gained as a result of the research project or teaching activity. Wherever possible, projects involving a measure of deception should incorporate an appropriate “de-briefing” of the participants after the project has been completed. Applications involving deception must be submitted to the R&EC.
- Informed consent should usually be in writing and signed and, where relevant, include the statement regarding insurance cover set out in paragraph (j) below. However, in some situations

written informed consent may be inappropriate, eg for cultural reasons or where a person wishes to avoid self-incrimination. Where this is so, the application for ethical approval should detail the reasons for departing from the usual procedures with respect to consent.

- h) The R&EC should co-opt a student representative when considering for approval any research or teaching project involving student subjects.
- i) Applicants are responsible for informing the R&EC if their project changes significantly during the period for which approval has been given. In such cases the Committee will determine if a new application for approval is necessary or if any changes to the conditions of approval are required.
- j) The Institute retains insurance cover against claims relating to harm, loss or damage suffered by participants in research projects as a result of any negligent act, error or omission by or on behalf of the Institute. (Where relevant, these words should be incorporated into the written consent). Where a person suffers personal injury as a result of medical error or medical mishap during a clinical trial in the Institute, the injury will be considered for coverage under the Accident Rehabilitation and Compensation Insurance Scheme, if the trial has had R&EC approval.

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## RESEARCH INVOLVING ANIMAL SUBJECTS

Proposals for research and teaching involving animals must show evidence of approval from the NMIT Animal Ethics Committee before being considered for approval by the R&EC. All staff and students involved in research involving animals are subject to the NMIT Code of Ethical Conduct – Animals Protection as a minimum.

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## ETHICAL SCRUTINY

The code requires that researchers assess the ethical status of their work with colleagues and adhere to appropriate professional and ethical standards. R&EC must be informed of the research and the ethical considerations that the researcher has taken into account. R&EC may seek advice from a co-opted specialist for recommendations on ethical concerns.

There are four areas that require particular attention:

- When participants could be subject to mental, emotional or physical harm.
- Where the ethical problem requires external input to be resolved.
- When an external agency requires certification of ethical approval as a prerequisite for funding or for screening by its own ethical committee.
- When conflicts of interest arise for any person involved in the research.

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## REFERENCES AND CONTACTS

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### INTERNAL

Approval and Publication of Research  
Academic Board Terms of Reference

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### EXTERNAL REFERENCES

Guidelines for researchers and application forms are available from the Administrator, New Zealand Health & Disability Ethics Committee (Upper South B Regional Ethics Committee), c/- Ministry of Health, 4th floor, 250 Oxford St, Christchurch. Ph: (03) 372 3018  
Email: [uppersouth\\_ethicscommittee@moh.govt.nz](mailto:uppersouth_ethicscommittee@moh.govt.nz)

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## CONTACTS

Chairperson, NMIT Animal Ethics Committee.