Animal Ethics Manual

Processes for responding to complaints, alleged breaches of ethical standards or appeals against decisions

BOOKLET 01

Last updated September 2019

IN THIS BOOKLET

1.0 Introduction

2.0 National guidelines

3.0 Investigator responsibilities

4.0 Responsible Investigator responsibilities

5.0 AEC responsibilities

6.0 Institutional responsibilities

7.0 Independent contact

8.0 Concerns or complaints about a research and / or the ethical conduct of a project

9.0 Alleged non-compliance with the Code

10.0 Failure to work with the ethics reviewers

More overleaf…

1.0 Introduction

Griffith University is committed to the highest ethical standards in the conduct of our research. Griffith University is committed to the humane and justifiable use of animals for teaching and research and recognises that laboratory animals are sentient creatures and their use is a privilege accompanied by moral and legal obligations for their humane care.

From time to time institutions may receive complaints about the care and use of animals for scientific purposes. Complaints may be raised by any person or group and may relate to the activities of any party or person involved in the care and use of animals.

In response to community expectation that the conduct of animal research should be subjected to independent review, and the University's commitment to high ethical practice, independent processes have been established for responding to both concerns and complaints regarding the use of animals in University research, and to allegations of breaches of ethical standards.

The University's animal ethics arrangements are based upon the principle of facilitating excellent and ethical research, through processes and resources that are responsive, timely and relevant. Nevertheless, there will still be circumstances where a researcher, stakeholder or third party feels unable to resolve a matter with some element of the University's arrangements. Even though there is an attempt to approach all such matters as a discourse, with the parties working together to find a solution, there will be situations where this is not possible. The University has established an independent appeal process to respond to such situations.

This Booklet provides an overview in regards to the University's processes to deal with concerns/complaints, alleged breaches of the *Australian code for the care and use of animals for scientific purposes* (the Code) and/or University animal ethics policy, and appeals.

Back to contents

Continued from previous

11.0 Formal Investigation

12.0 External independent investigation

13.0 Research misconduct

14.0 Staff misconduct

15.0 Informing policies, processes, systems and the conduct of ethical review

16.0 Protections for complainants

17.0 Media enquiries

2.0 National guidelines

The Australian code for the care and use of animals for scientific purposes (Code) is the Australian reference for animal ethics matters.

Section 5.0 of the Code relates to the handling of complaints and non-compliance. This chapter specifies requirements in regards to:

- the initial receipt and handling of complaints;
- the investigation of complaints;
- addressing non-compliance with the Code;
- Reporting between institutions where complaints or non-compliance relates to projects involving more than one institution or Animal Ethics Committee (AEC);
- the availability of external independent review;
- the interface with research misconduct processes; and
- the availability of institutional procedures in this regard.

The Australian Code for the Responsible Conduct of Research 2018 (Australian Code) is a principles-based set of guidelines outlining the responsibilities of researchers and institution when conducting research. Breaches of the Australian Code can occur on a spectrum from minor to major. An allegation of research misconduct may arise from an investigation of a complaint from a research participant or an alleged breach of ethical standards.

Clause 5.1 of the Code indicates that institutions must establish processes to deal with complaints and non-compliance relating to the care and use of animals for scientific purposes. Where a complaint concerns the AEC process of review of an application or report the AEC may need to review its process in reaching its decision and re-evaluate its decision in light of the reviewed process, however the ultimate decision regarding the ethical acceptability of an activity lies with the AEC and must not be overridden (see clause 5.6).

Back to contents

3.0 State guidelines

Different states in Australia have developed their own legislation for the use of animals in research and teaching. For research occurring in QLD, investigators must be familiar with and comply with the QLD Animal Care and Protection Act (2001). For research which will occur in other states, investigators must be familiar with and comply with the relevant state legislation. The definition of an animal is not the same from state to state, and investigators must be aware of their local obligations. In QLD, the AEC must report annual animal use and information about Committee membership to the state regulator, the Department of Agriculture and Fisheries (DAF).

4.0 Investigator responsibilities

All Investigators are responsible for the ethical conduct of their research. These responsibilities include:

An Investigator conducting animal research must **immediately** report:

a) unexpected adverse events and emergencies that have the potential to adversely affect animal wellbeing;

b) any concerns / complaints he/she receives about the ethical design or conduct of the project;

c) proposed changes in the protocol; and

d) unforeseen events[*] that might affect continued ethical acceptability of the project.

* The University interprets this responsibility as referring to matters that were not canvassed in the application for ethical approval, or situations where it becomes apparent that the risks associated with the project are no longer justified by the benefits.

The following are the standard conditions of Griffith University ethical clearance, which relate to reporting / monitoring. The Investigators must always:

- complete the mandatory online Animal Ethics – Animal Care and Use training Modules at Learning@Griffith.
- immediately advise the Animal Ethics Coordinator if any complaints are made, or expressions of concern are raised, in relation to the project;
- Promptly notify the AEC of any adverse or unexpected events through the submission of a Adverse or Unexpected Event report in RIMS . Events should be reported within 48 hours of occuring;
- respond in a timely manner to any instructions or requests from the AEC[1]; and
- provide reports on the progress of the project as requested by the Office for Research.

[1]Instructions or requests from the AEC may include:

- requests for further information about an application for ethical clearance, or advice or a referral to modify a proposed activity;
- requests for annual progress or final reports on each approved activity conducted;

- requests for observers to witness the conduct of a procedure; or
- requests for information about the conduct of a project.

Investigators who are in any way unclear of their responsibilities in this regard should consult with an Animal Ethics Advisor or the Animal Ethics Coordinator.

Back to contents

4.1 Chief Investigator responsibilities

The University considers the principal supervisor as the Chief Investigator for student research, even if the student holds an academic appointment in their own right.

The Chief Investigator must stay abreast of the conduct of projects and offer informed advice on ethical, responsible conduct, and regulatory matters.

5.0 Responsible Investigator responsibilities

The Responsible Investigator has ultimate responsibility for the care and use of animals in a project. The Responsible Investigator must be an employee of Griffith University and preferably a person with an academic appointment.

The Responsible Investigator must:

(i) ensure that all people involved in the project understand and accept their roles and responsibilities
(ii) ensure that procedures and resources are in place so that all people involved in the care and use of animals in the project can meet their responsibilities, including their education, training and supervision, as appropriate
(iii) be competent with respect to the wellbeing of animals used in the project.

This person does not relieve the individual responsibility of each investigator working with animals in the project.

Responsible Investigators must also ensure:

- applications are of an appropriate standard before submission to the AEC
- any outstanding matters regarding an application are resolved promptly
- the project is conducted as approved
- that advice on ethical, responsible research conduct and regulatory matters is provided•Animal Facilities staff and the AEC are informed when a project changes or new issues arise.

For student research, the student is a named member of the research team (an investigator) and has shared responsibility for the ethical conduct of the project. Investigators have a number of responsibilities as outlined 2.4 of the Code.

These include but are not limited to:

- Ensure that records of the animals used for scientific purposes are maintained. These records should allow the tracking of individual animals through the entire project.
- Ensure that animals used for scientific purposes are monitored as outlined in the approved application.
- All deaths or adverse impacts on animal wellbeing must be reported immediately directly to Animal Facilities Manager and by submitting an adverse event report in RIMS which will be reviewed by the AEC.
- The conduct of projects is to be reported each calendar year or at the conclusion of projects using the Annual/Final/Progress or Adverse Event Report form.
- Use the Application Variation Request form to seek AEC approval for changes to project conditions, to extend a project, or to change personnel.
- Provide an annual progress report for each approved project to the AEC. Failure to do so will result in withdrawal of permission to use animals and suspension of the project. Annual reports are due by 25 January each year and, like all other animal ethics forms, are lodged via RIMS: https://www.griffith.edu.au/research/research-services/research-ethics-integrity/animal/animal-ethics-applications.

All investigators are responsible for the wellbeing of an animal throughout the period of use of the animal in the approved project, until provisions are made for the animal at the conclusion of their use (see Clause 2.4.1 of the Code). Investigators must ensure that an adequate number of competent people can provide care for the animals (e.g. animal technicians, investigators). If an investigator acts as an animal carer during this period, their responsibilities include those of an animal carer.

Even though a student may submit variations requests and reports for a protocol they are listed on, the Responsible Investigator must stay abreast of the actual conduct of their student's project, and offer informed advice on ethical, responsible conduct, and regulatory matters.

Back to contents

6.0 AEC responsibilities

The Code specifies the role and responsibilities of AECs. The primary responsibility of the Griffith University AEC is to ensure that all activities relating to the care and use of animals are conducted in compliance with the Code.

The AEC must only approve projects or activities associated with the care and management of animals in facilities that are ethically acceptable and conform to the requirements of the code, review approved projects and activities, monitor the care and use of animals, take appropriate actions regarding unexpected adverse events or non-compliance, approve guidelines for the care and use of animals on behalf of the institution, provide advice and recommendations to the institution and report on its operations to the institution.

In response to these expectations, the University has adopted the following principles:

- the composition and operation of the committee should be available in a *Standard Operating Procedure* which is available from the animal ethics website (see Contacts for details);
- the deliberations of the committee should be based upon the Code;
- the policy positions that underpin the decisions of the ethics committee should be transparent and consistent;
- the decisions of the committee should be communicated to applicants in a timely and clear manner, with advice on how best to resolve any outstanding matters;
- the Committee and Animal Ethics Advisors should strive to engage and consult with the various elements of the University, and respond to the needs and challenges faced by researchers; and
- the Committee, or a subset should inspect all animal facilities at least once per year, review project records and reports, and monitor the conduct of procedures as well as perform random audits of approved projects;
- the AEC requires prompt notification of an unexpected adverse event and the completion of a Unexpected Adverse Event report in RIMS within 48 hours. Any activities that have the potential to adversely affect animal wellbeing must cease immediately;
- where projects or activities that are in breach of the Code are detected, the AEC takes action to ensure animal wellbeing is not compromised, the issue is addressed promptly and activities that have the potential to adversely affect animal wellbeing cease immediately;
- the Committee considers the approval of guidelines for the care and use of animals that are referred to it by the institution;
- the Committee should provide the University with regular reports in relation to its work.

Back to contents

7.0 Institutional responsibilities

Both the Code and the Australian Code for the Responsible Conduct of Research (2018) specify a range of institutional responsibilities in regard to the ethical and appropriate conduct of research as well as the governance of an AEC.

These responsibilities include:

- ensuring, through the operation of an AEC, that all activities involving the care and use of animals complies with the Code;
- promoting awareness of and compliance with the Code and the Australian Code;
- ensuring and supporting the effective operation of the AEC;
- identify clear lines of responsibility, communication and accountability;

- ensuring that all people involved in the care and use of animals understand their responsibilities and the requirements of the Code, have the necessary skills and knowledge, and have access to appropriate educational programs and resources;
- regularly monitor and review the institution's compliance with the Code;
- responding to the recommendations of the AEC;
- establishing formal processes for the generation of policy, handling of complaints, and operation of the Committee;
- ensuring that the AEC membership will allow the Committee to meet its responsibilities;
- ensuring that the AEC has terms of reference that are publically available;
- providing the AEC with the resources required to carry out its responsibilities, and to maintain the AEC;
- establishing procedures for the effective governance and operation of the AEC that will enable the AEC to meet its responsibilities under the Code and relevant institutional policies, and promote competent and timely ethical review of animal care and use; and
- conduct an annual review of the operation of the AEC.

Griffith University has established animal ethics arrangements which meet and exceed the national standards.

Back to contents

8.0 Independent contact

Section 5.4.(ii) of the Code directs that where complaints relate to activities that would normally require AEC approval, the complaints are referred to the AEC to investigate whether such activities are conducted in accordance with AEC approval. This section also indicates that where complaints relate to activities that have the potential to adversely affect animal wellbeing, the activities cease immediately.

The University has nominated that the standard contact person for concerns and complaints related to the ethical conduct of animal research is the AEC Secretary (see Contacts for further information). Where there are situations where the AEC Secretary is a potential respondent to a matter, the Manager, Research Ethics & Integrity (see Contacts) is the contact person.

Back to contents

9.0 Concerns or complaints about a researcher and/or the ethical conduct of a research project

Section 5.1 of the Code specifies that institutions must establish procedures for addressing complaints relating to the care and use of animals for scientific purposes which clearly define the mechanisms for receiving, investigating and addressing complaints. This section outlines the University's arrangements in regards to such concerns and complaints.

9.1 Scope

This section relates to situations where a concern or complaint is raised in regards to the conduct of a Griffith University researcher or research project.

9.2 Who has 'standing' to raise a concern or complaint?

Concerns or a complaint about research and/or the ethical conduct of a project will most typically be raised by another researcher, another member of staff (e.g. animal facilities staff) a member of the AEC or delegate (e.g. after the observation of a procedure) or a member of the public. However, concerns or complaints could be raised by other parties (e.g. animal welfare organisations), if they are considered to be in a position to know about the conduct of the researcher or project.

9.3 Initial receipt

In most cases, an expression of concern or complaint will be made to the independent contact person (see 8 of this Booklet). However, in some cases they will initially be received by the research team and then forwarded to the AEC Secretary.

Where a concern or complaint relates to activities that have the potential to adversely affect animal wellbeing, the approval of animal use may be immediately suspended during the consideration of the concern or complaint.

The AEC Secretary will explore whether the matter should be handled as a formal complaint and be subject to investigation (see 12.0 of this Booklet) or whether it is possible to resolve the matter informally. In the case of a more informal matter, the Secretary will liaise between the complainant and Investigator(s) to see whether it is possible to reach a mutually satisfactory conclusion. In the case of an informal process, it may not be necessary (or indeed appropriate) for the complainant to be identified to the Investigator(s).

The AEC Secretary will keep the Chair of the AEC informed. During this process there should be a reflection on:

i) Whether the complaint relates to activities that have the potential to adversely affect animal wellbeing;

ii) Whether the complaint relates to activities that would normally require AEC approval and therefore must be referred to the AEC to investigate whether such activities are conducted in accordance with AEC approval;

iii) Whether there is a need to modify the conditions of approval for the project;

iv) Whether there are matters which should be drawn to the attention of the AEC in their consideration of similar projects in the future;

v) Whether there is need to modify or add to University policy; and/or

vi) Whether there is a need for additional training resources for Investigators.

If the concern or complaint is found to have related to activities conducted in accordance with an AEC approval the committee must review the activities in consultation with all relevant people to ensure that the reason for the complaint is addressed. The AEC may decide that modification to a project or activity is required, or an approval for a project or activity is suspended or withdrawn. If the concern or complaint is found to have related to activities not conducted in accordance with an AEC approval the AEC should refer the matter back to the institution for action.

If such a matter is successfully resolved, the AEC Secretary and the Chair or Deputy Chair of the AEC will decide what, if any reporting, there should be (e.g. to the AEC and to the Deputy Vice Chancellor (Research)).

Where the matters cannot, or have not, been resolved to the satisfaction of all the parties, the matter needs to be referred for further review (as per 12.0 or 13.0 of this Booklet).

9.4 Escalation to a formal complaint

As was noted in 9.3 of this Booklet some expressions of concern or complaint will be immediately escalated to a formal complaint. In other cases, it may have proven impossible to satisfactorily resolve the matter via an informal process, and so a formal review is required.

Ordinarily a formal complaint should be in writing and indicate both the matters of concern, and (if relevant) why the result of the informal process was unsatisfactory.

See 12.0 of this Booklet for more about the formal review process.

Back to contents

10.0 Alleged non-compliance with the Code

Section 5.1 of the Code specifies that institutions must establish procedures for addressing non-compliance relating to the care and use of animals for scientific purposes which clearly define the mechanisms for receiving, investigating and addressing non-compliance with the Code. This section outlines the University's arrangements in regards to such alleged non-compliance.

For example a University officer may discover that a research team has changed an element of their project without submitting a variation request.

Alleged breaches of ethical standards are subject to formal review. See 12.0 of this Booklet for more about the formal review process.

Matters that should be considered 'research misconduct' are handled via different mechanisms (see 14.0 of this Booklet).

Back to contents

11.0 Failure to work with the ethics reviewers

Animal Ethics Manual

Processes for responding to complaints, alleged breaches of ethical standards or appeals against decisions

BOOKLET 01

Last updated September 2019

There are a number occasions when a researcher will interact with ethics reviewers (the AEC or AEC Executive), or the Office for Research, on behalf of the AEC.

Some examples are:

- during the review when a researcher may be asked to clarify or amend a method or detail in their application;
- after the review when a researcher might be asked to provide some paperwork for the file;
- during the conduct of research when a research may be asked for a progress or annual report or to participate in an audit; and
- at the completion of animal use when the researcher(s) will be asked for a final report.

There will be circumstances where there are valid reasons for a delay in responding to a request from the Office for Research (on behalf of the Committee) – for example the research student might be on a leave of absence. The University's animal ethics system has provision for such circumstances. However, a member of the team must contact the Office for Research so a 'deferral date' for the matter can be agreed to and added to the system.

Clause 2.4.4 of the Code states Investigators must:… "(viii) report to the AEC as required". Approval may be suspended or cancelled if annual, progress or final reports are not provided when requested by the AEC. The procedures that should be followed if persons using animals for scientific purposes at Griffith University fail to provide details for inclusion in the University's report to the QLD Department of Agriculture and Fisheries (DAF) are:

- Requests for information (usually initial, plus 2 follow ups but not limited to that) should be sent to users of animals for scientific purposes, as per established requirements determined by the Animal Ethics Coordinator for a given reporting period.
- If no response is provided by the end of the determined period, by a person using animals for scientific purposes,
  - i) The Chair of the AEC should be briefed on the situation
  - ii) The Head of School, Director of Centre or other appropriate person should be notified of the failure of the staff/ student to comply with this request.
  - iii) Animal Ethics approval will be suspended in the case of failure to comply with reporting requirements. The investigator(/s) will be notified in writing that their approval is suspended until such time as the report
- The above notifications should include all relevant details, a reminder of the consequences of non-compliance and a request for the Head of School, Director of Centre or other appropriate person to obtain the information on behalf of the AEC for collation and forwarding to DAF.

- Should requested reports remaining outstanding beyond the deadline for submission to DAF, the Animal Ethics Coordinator will brief the Deputy Vice Chancellor (Research) and outline the potentially serious implications of continued non-compliance.

Back to contents

12.0 Formal investigation

As was noted previously in this Booklet, when a matter of concern or dispute arises, there will ordinarily be an attempt to resolve these matters via an informal process of consultation and mediation.

However, the University has a formal investigatory process for situations where either:

a) the informal process was unable to resolve the matters to the satisfaction of the parties; or

b) the matters are considered to be serious enough that there should only be a formal investigation.

This section outlines the University's standard arrangements in regards to the commencement, conduct and outcomes of a formal investigation.

12.1 Scope

These arrangements are to be used for the following matters, where a concern or complaint has arisen, and it was either not considered appropriate, or was not possible, to resolve the matter via an informal process:

- a concern or complaint about the care and use of animals by the University, including conscientious objection in the case of teaching activities;
- complaints and disputes concerning AEC consideration of an application or report, including resolution of disagreement between AEC members, between the AEC and investigators, and between the AEC and the institution;
- complaints concerning the process for independent external review;
- non-compliance with the Code by any party or person involved in the care and use of animals;
- alleged breaches of relevant state, territory or Commonwealth legislation where an animal is used;
- from an Investigator listed on the project;
- a failure by a researcher to work appropriately with the AEC and/or the Office for Research; or
- a concern or complaint about the AEC, AEC Executive and/or the Office for Research.

12.2 Initial considerations

Upon receipt of a request for a formal investigation, the AEC Secretary will establish if the matter relates to activities that would normally require AEC approval. In cases where the matter relates to activities that would normally require AEC

approval, the matters are referred to the AEC to investigate whether such activities are conducted in accordance with AEC approval.

Once this has been determined the Deputy Vice Chancellor (Research) will normally consider matters such as:

a) whether the matter is vexatious, whether it has merit, and whether there is a *prima facie* case to answer;

b) the nature and severity of the issues;

c) the scope of the matters requiring investigation; and

d) who the respondents and other stakeholders are.

The determination of these matters may be informed by advice of any internal or external persons the AEC believes possess the necessary knowledge and experience for the specifics of the individual complaint / allegation / apparent breach.

12.3 Documentation

Generally a formal complaint should be in writing or via email. However, the AEC or Deputy Vice Chancellor (Research) may elect to commence a formal investigation process without a formal complaint.

There must be an established and documented agreement on whether the complainant will be identified to the subject of the complaint and the nature of the documentation that will be provided to the subject of the complaint. The approach in this regard must comply with the standards of natural justice, procedural fairness and privacy.

The AEC Secretary will compile the following documentation for the AEC:

- A covering briefing note providing commentary on the potential breach.
- A copy of the allegation about the potential breach.
- If it involves a project with AEC approval, a copy of the original application, and any reports or modifications to the project.
- If it involves a project with AEC approval, a report from the University's animal ethics database, that provides details of the operative dates of the project, the outcomes of the original ethics review, and any other matters relevant to the approval status of the project.
- Details of any informal action that has already been taken.

12.4 Notifications at the commencement

Upon receipt of a request for a formal investigation, the AEC Secretary will acknowledge the receipt of the concern or complaint and establish if the concern or complaint relates to activities that would normally require AEC approval. In cases where complaints relate to activities that would normally require AEC approval, the complaints are referred to the AEC to investigate whether such activities are conducted in accordance with AEC approval. The AEC Secretary will confirm receipt of the formal

complaint. Based upon the determination made at 12.2, the formal investigation will either be referred directly to the Deputy Vice Chancellor (Research) or the AEC.

In other cases the Deputy Vice Chancellor (Research) will confirm with a complainant the receipt of their complaint in writing and notify them of the nature and duration of any investigator. The Deputy Vice Chancellor (Research)/ AEC will normally consider what notification of the commencement of the formal investigation should be sent to:

- all members of the research team[1];
- Biosciences Resources Facility Manager[2];
- other AECs[3];
- any funding body / sponsor of the research[4]; and
- any regulatory body[5].

The list above is not intended to be exhaustive, nor is it the case that all of the above would necessarily be notified in every instance. A judgement would be made based upon the specifics of the project, parties, complaint / allegations and the context.

Before any notification is sent, the wishes of the complainant must be determined with regards to whether they will be identifiable, if only by inference, by the research team. In practice, it is often difficult to provide the researchers with the full details of the allegation, or complaint, without identifying the complainant.

[1] Including members of the research team based at other institutions.

[2] Where animals housed in the Biosciences Resources Facility are concerned

[3] Where more than one animal ethics committee has approved the work.

[4] Where the work is funded (e.g. by a competitive grant, consultancy, or commission) or otherwise sponsored by an agency.

[5] Where either such a notification is stipulated by a regulatory body, or it is judged that such a notification is warranted.

12.5 Conduct of the investigation

Based upon the specifics of the project and the complaint / allegation, the conduct of an investigation will be in a manner determined by the Deputy Vice Chancellor (Research) / AEC. However, the following general principles must be observed in the conduct of such an investigation:

- The complainant and research team will be provided with an indication of the investigation process that will be followed and the anticipated timeframe for the investigation. The Deputy Vice Chancellor (Research) / AEC may elect to send a similar notice to the parties discussed at 12.4.
- The subject to the complaint should have the opportunity to respond to the details of the allegation (see 11.2)
- Where a complaint relates to activities that have the potential to adversely affect animal wellbeing, the responsible investigator and any relevant animal facilities staff will be notified that the activities must cease immediately until the outcome of the investigation is known.

- The Deputy Vice Chancellor (Research) / AEC may interview other parties in relation to the project (eg relevant Head of Element, an external stakeholder or an external expert for advice).
- Notification of the outcome of the investigation must be provided in writing to the complainant, the Responsible Investigator and the Deputy Vice Chancellor (Research).

12.6 Outcomes of the investigation

12.6.1 ALLEGED BREACH

The typical outcome for an investigation may include:

- No further action is required;
- The researcher is instructed to modify the design and / or conduct of the relevant project;
- The ethical clearance for the relevant project is withdrawn;
- The ethical clearance for the relevant project is withdrawn, and all other clearances held by the researcher are suspended pending further investigation; or
- The investigator will be advised whether the findings can be disseminated or whether the associated research data should be destroyed; or
- The matter is to be considered further as a potential matter of research misconduct (see 14.0).

12.6.2 COMPLAINT ABOUT THE CONDUCT OF A PROJECT

The typical outcome for an investigation includes:

- No further action is required.
- The researcher is instructed to modify the design and / or conduct of the relevant project;
- The ethical approval for the relevant project is withdrawn;
- The ethical approval for the relevant project is withdrawn, and approval for other projects held by the researcher are suspended pending further investigation;
- The investigator will be advised whether the findings can be disseminated or whether the associated research data should be destroyed; or
- The matter is to be considered further as a potential matter of research misconduct (see 14.0).

12.6.3 APPEAL AGAINST A DECISION

The typical outcome for an investigation may include:

- Original decision upheld;

- AEC to reconsider the matter, with reference to commentary arising from the investigation.

Back to contents

13.0 External independent investigation

Section 5.8 of the Code specifies that institutions should identify an external individual or agency where unresolved matters can be taken for an independent external review.

Given the wide range of research designs conducted by Griffith University, selecting a single external independent individual or agency to review all formal complaints and breaches is not practicable. Instead, an appropriate external review body will be arranged on a case-by-case basis by Griffith University based upon the specifics of the research methodology, context and complaint.

If the Deputy Vice Chancellor (Research) or the Office for Research is advised by one of the parties that they wish to seek a further investigation, the following will generally occur:

a) Identification of a potential reviewer or panel to conduct the investigation;

b) The complainant and respondents will be invited to indicate if they believe the potential reviewer(s) have a conflict of interest or are otherwise inappropriate;

c) Consult with the potential reviewer(s) including confirming whether: i. they could be perceived to have a conflict of interest with regard to conducting the investigation, ii. the scope for the investigation, and iii. the timeframe for the investigation; and

d) Share the necessary information, so the reviewer(s) can contact the parties directly.

Back to contents

14.0 Research misconduct

The Australian Code outlines the processes to be followed in the case of an allegation of research misconduct. The arrangements described in this Booklet do not apply to allegations of research misconduct. However, one possible outcome of a formal investigation into an allegation of a breach of the University's animal ethics arrangements could be the recommendation to commence research misconduct proceedings.

There are also some animal ethics matters that are more appropriately handled as potential research misconduct. For example the following may be investigated as potential research misconduct: an allegation that a researcher consistently fails to seek ethical approval for their work; or an allegation that a researcher has intentionally, or through apparent significant negligence, placed animal wellbeing at serious risk. This determination is at the discretion of the Deputy Vice Chancellor (Research).

The University utilises its Academic Staff, General Staff and Student misconduct processes for the handling of allegations of research misconduct. See the Research Integrity web site for more about the University's approach to allegations of research misconduct.

Back to contents

15.0 Staff misconduct

Neither the Code nor the Australian Code nor the processes outlined in this Booklet are intended for use in regards to staff misconduct matters (eg the bullying of more junior staff members, or the misuse of University facilities).

The handling of such matters is as per the manner specified in current industrial agreements and/or contracts.

There may be situations where an animal ethics assessment may need to be made more urgently than a staff/student misconduct process. This would generally only occur if it appears urgent to suspend the ethical approval of a number of projects the staff/student member is involved in. In most cases the animal ethics considerations will be incorporated into the staff/student misconduct process. This decision will be made by the Deputy Vice Chancellor (Research) on a case-by-case basis.

Please contact the University's human resources department with any questions in regards to staff misconduct matters or processes.

Back to contents

16.0 Informing policies, processes, systems and the conduct of ethical review

In a significant proportion of cases, the matters described in this Booklet will not relate to a serious and intentional breach of ethical standards.

Even though modifications to an approved project, the discontinuation of a project and/or action against a researcher, will rarely result from the investigations into these matters, it is important that the University have a mechanism to feed the expressed concerns or complaint into the process of reviewing and improving the University's animal ethics arrangements.

During the handling of any matter, whether via the informal, formal or external pathways, there will be consideration whether the case provides useful commentary to inform a change to the relevant policies, processes or systems. At the very least, as an element of the final reporting on the handling of the matter, there will be a prominent reflection on, and recommendations concerning any 'lessons' for the University.

Experience suggests that, in the case of many complainants, such a thoughtful and responsive attitude towards their concerns is their primary objective in raising the matter.

Back to contents

17.0 Protections for complainants

Too often, the experience of Australians who raise concerns, whether as a whistle-blower or within some other frame, have suffered negative consequences. The University is committed to the principle that animal ethics resides in a 'shared space' where members of the wider community can and should feel free to engage in a healthy (and sometimes public) discourse about ethical issues.

As such, the University would apply the same standards and protections to a person who raises a concern about animal ethics at Griffith University, as would be applied to a whistle-blower (i.e. that an individual should suffer no economic or professional harm from raising a concern).

Nevertheless, vexatious or frivolous accusations can cause significant and enduring harm to the academic and professional reputations of individuals, groups and institutions and may themselves constitute misconduct. Back to contents

Contacts

Manager, Research Ethics and Integrity
Tel: (07) 373 54375
research-ethics@griffith.edu.au

Animal Ethics Coordinator, AEC Secretary
Tel: (07) 373 56618
animal-ethics@griffith.edu.au

On the animal ethics website you will find:

Policies, procedures and guidelines related to the use of animals for scientific purposes

Either downloadable copies of, or links to, the various application forms

Contact information for the AEAs and other contacts

Educational and other resource material

Useful external links

17.0 Media enquiries

In recent years there has been increasing media interest in breaches in the ethical conduct of university-based research. The experience of some Australian universities has demonstrated that the reputation of an entire institution can be seriously harmed by even an innocent offhand comment.

In the event that a staff member or student receives a direct enquiry about an allegation of a breach of ethical standards, the details of the enquiry and caller should be noted, and the offer made to telephone the caller back.

The staff member or student should then immediately contact the Ethics and Integrity team (see left), who will liaise with Office of the Vice Chancellor (Research) and the Office of Marketing and Communications to organise a reply to the enquiry. This ensures a consistent, informed and strategic response to any such enquiries.

Back to contents