
Minutes of a meeting held on Monday 2 December 2013, 15:00, P411

Present: Mr J Stevens (Chair); Dr K Appleton; Mr S Beer; Dr C Hodges; Dr D Lilleker; Dr C Osborne; Dr G Roushan; Prof H Schutkowski.

In Attendance: Prof M Bennett, Prof I MacRury.

Not in attendance: Mrs S Collins; Dr V Culpin; Mr D Gobbett; Mrs J Hastings Taylor (Secretary/Clerk); Prof V Hundley; Dr M Hind; Ms E Jack; Dr I Jones; Dr N Speith.

1 Welcome

Mr J Stevens welcomed members to the meeting and introduced himself to Dr G Roushan and Dr C Hodges who were not present at the last meeting. He also welcomed Prof M Bennett to the meeting and stated he had been invited to the meeting as he chaired the ethics restructure working group and would present the update on this.

2 Minutes from previous meeting (16 October 2013)

2.1 The minutes were approved as an accurate record.

Action and Progress Log

2.2 Research Ethics Restructure Proposal (minute 5.24): The action was to compile a list of the number of complaints or percentage of risk against the number of projects approved and to provide an estimate of the number of proposals that would go through the Ethics Panels on a monthly basis. This action was completed and the results were included in paper UREC-1314-2-003c Online Ethics Checklist Statistics.

2.3 Revised Research Ethics Code of Practice (minute 7.5): The action was to send all comments to Mrs J Hastings Taylor. This action was completed and comments were included in paper UREC-1314-2-004 Revised Research Ethics Code of Practice.

2.4 Update: Research Ethics E-Module (minute 10.2): The action was to send an updated list of those who have yet to complete the e-module to each School Ethics Representative. This action was completed on 16 October 2013.

2.5 Membership: Recruiting Student and Externals (minute 11.2): The action was to develop an advertisement for the recruitment of two external lay members and one PGR first year student. This action was completed and recruitment advertisements were included in paper UREC-1314-2-005 UREC Vacancies.

2.6 AECC/BU Ethical Agreement (minute 12.3): The action was to liaise with Legal Services regarding BU's agreement with AECC and report back. This action was partially completed. Legal Services have suggested the issue is raised with the Academic Partnerships Team to determine if BU is responsible for research conduct at partner institutions. Mrs J Hastings Taylor will liaise with the Academic Partnerships Team and report back to UREC at the next meeting.

ACTION: Liaise with the Academic Partnership Team to determine if BU is responsible for research conduct at partner institutions.
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ACTION TO BE TAKEN BY: Mrs J Hastings Taylor

3 Research Ethics Restructure Proposal

3.1 Mr J Stevens invited Prof M Bennett to present on the actions around the discussions to

restructure the ethics committees and take any questions or provide further clarification.

- 3.2 Prof M Bennett discussed the three tiers to ethical approval at BU: the online ethics checklist, school committee sign off and UREC. The restructure relates primarily to the second tier of school committee sign off. The proposal to UREC in the last meeting was to restructure from a school to a discipline based model and this was also presented to URKEC.
- 3.3 Prof M Bennett explained the detail around the restructure and how a working group was created, most members of which were from UREC. The working group met on at least three occasions and different components of it met separately in order to debate key issues. The working group had a positive, constructive dialogue and discussed many ideas. For instance the group started with the presupposition that three Panels would be created, but after assessing workloads of the Panels, it was decided that two would work more effectively. Mrs J Hastings Taylor and Dr C Osborne then compiled the discussions and paperwork from these and produced a revised proposal, which is presented to UREC today in order to consider the adoption of the restructure.
- 3.4 It was the recommendation of the working group that the restructure model is adopted in February, after a period of time to constitute the committees and undertake more of the detailed work to move the individual committees to the new structure. This includes establishing the committees in parallel (deciding membership, etc.) and working with the schools to take them from current practice to the new processes. The minor amendments to the Online Ethics Checklist will also need some time to be implemented by IT and this provides a realistic timeframe.
- 3.5 Mr J Stevens invited comments from the Committee. Mr S Beer stated that there had been a lot of discussion within the working group and while he had criticised the previous restructure proposal, he was very supportive of the new structure and paper which outlined this.
- 3.6 Mr J Stevens asked for a consensus view from UREC and approval for the restructure was given.
- 3.7 Prof M Bennett provided details of the next stage of approval; the restructure will be presented for information at URKEC on Wednesday and then to ULT for information. Mrs J Hastings Taylor and Dr C Osborne will then create a detailed implementation plan which will be presented at the February UREC meeting.

ACTION: Create a detailed implementation plan to be presented to UREC in February 2014.

ACTION TO BE TAKEN BY: Mrs J Hastings Taylor & Dr C Osborne

- 3.8 Dr K Appleton raised a concern that the implementation could disrupt semester assignments and this should be avoided. Prof M Bennett agreed and emphasized the need to ensure that the Programme Teams who will be assessing the UG and PGT ethics proposals are in place to reduce the potential for the restructure to negatively impact taught students. Sending the restructure paper for information to ULT and the Deans in a timely manner will be critical to ensure awareness. Additionally, the Framework Coordinators will need a full understanding of the new structure and Programme Teams who will assess taught proposals need to be established. It was agreed that Mrs J Hastings Taylor and Dr C Osborne will create a timetable for this.

ACTION: Create a timetable for information awareness of the ethics restructure to Framework Coordinators regarding taught student proposals.

ACTION TO BE TAKEN BY: Mrs J Hastings Taylor & Dr C Osborne

- 3.9 Dr K Appleton also raised a concern regarding the requirement that all researchers must attend a Panel meeting where their proposal will be discussed. She highlighted that it is

essential the researcher is given sufficient time to ensure this can happen. Prof M Bennett agreed and said this detail would be established when the new Panels are created.

- 3.10 Mr J Stevens thanked the Committee for their contributions and reiterated the consensus to move towards the restructure model in February as agreed.

4 Revised Research Ethics Code of Practice

- 4.1 Mr J Stevens noted that many of the comments on the Research Ethics Code of Practice (RECP) circulated to UREC were from Mr S Beer and invited him to comment. Mr S Beer stated he reviewed the RECP carefully as he was concerned over a number of aspects of it and has concerns as to how this will impact on the restructure.

- 4.2 Mr S Beer's primary concerns centre on the lack of tight definitions within the RECP and how this will impact on what is defined as research at BU. An example given was Section 5.1 which offers a broad definition of research. Mr S Beer had discussed this with colleagues in his and other schools and is not clear as to where 'research' ends. Mr S Beer questioned what we may be doing at BU that needs ethical approval, but which we don't currently know about but under the new definition will need to know about. Mr J Stevens stated it was not the definition of research which determines whether a project should have ethical approval or not, rather than as a principle, if a project needs approval then it should have gained approval.

- 4.3 Mr S Beer offered an example of auto-ethnography and questioned how informed consent could be gained for this. In particular if it was published in a book as an output, and therefore drawing on lots of past experiences, he questioned how informed consent can be gained for this. For instances such as this where a scientific method has not been employed from the outset this could be problematic. Mr S Beer produced an additional complication with the definition related to the aspect of 'contributing to theory' as this occurs naturally during teaching.

- 4.4 Mr J Stevens clarified whether Mr S Beer's concerns were with the definitions which in themselves are not incorrect or whether more research will come to the committees than before as a result of this definition list. Mr J Stevens highlighted the issue of inquiry and stated that when writing a book, the author is stating not producing an inquiry but research is solely inquiry with books and other outputs as a result.

- 4.5 Dr D Lilleker commented that the definitions are not incorrect. He raised the issue on the definitions around the 'professional practice' aspect and states that professionals using work based experience and theory to inform their own practice should be covered by libel laws, but for research gaining consent for this is more complex. Mr J Stevens invited Prof M Bennett to comment. Prof M Bennett stated that gaining permission of the organisation to use that experience in research would be the solution and highlighted that case law defines the definition.

- 4.6 Mr S Beer raised a further concern around the issue of consent and Section 9.3. He highlighted that a complaint which had been brought to UREC involved a case where oral consent was given for an interview which was later used in a research project and UREC rejected this as acceptable. Dr D Lilleker stated that the issue with this case was the lack of evidence of the oral consent and highlighted that the RECP states a record must be made of the oral consent. Prof M Bennett added that this could be accomplished by having the statement read and oral consent given by the participant at the start of the recording. Mr J Stevens emphasised that this would protect the researcher. Mrs J Hastings Taylor and Dr C Osborne will amend the wording around this in the RECP to be more clear.

ACTION: Amend wording around consent and Section 9.3 to be more clear.

ACTION TO BE TAKEN BY: Mrs J Hastings Taylor & Dr C Osborne

- 4.7 Mr S Beer raised the issue around confidentiality and stated that confidentiality could not be gained as a FOI request as it would mean it was released. Dr D Lilleker, Prof M Bennett and Mr J Stevens stated this is not the case. Mr S Beer presented a case which will come to UREC in February regarding a colleague who wishes to interview criminals released from prison and has concerns as to what to do with information they receive on crimes for which the participant was not prosecuted. Mr J Stevens stated this would be covered by criminal law and Prof M Bennett added that a caveat statement could be made at the beginning of the consent process which states that all information will be confidential unless it may harm yourself/others, etc. Dr D Lilleker highlighted that no names need to be given on a FOI request, just salient information such as dates.
- 4.8 Mr S Beer presented an additional concern regarding Appendix One related to Research Data Storage and Retention. He recited from the RECP that the minimum period of retaining data from UG and PGT is specified and this is not helpful as BU has no control over this. Prof M Bennett highlighted that this relates to coursework and this must be retained for 5 years under BU policy; the raw data does not need to be retained but this is recommended and this could be inserted into the student handbook in each school. Prof M Bennett acknowledged that the storage issues around this need to be addressed but should be undertaken.
- 4.9 Mr S Beer stated that he could not give approval for the RECP as it stands and Mr J Stevens clarified whether it was the concepts within the RECP or the language used which Mr S Beer disagreed with. Mr S Beer clarified that the wording needs more detailed revisions and this cannot be done within the UREC meeting. It was recommended that Mr S Beer liaise with Mrs J Hastings Taylor and Dr C Osborne to make minor wording amendments which will then be sent for Chair's actions barring there are no major revisions.
- 4.10 Dr K Appleton raised the question around research with those with mental health issues and in particular that the RECP states that these projects must be reviewed by NRES. She stated that a study wishing to involve participants with mental health issues who are not mental health patients is currently under design in DEC and NRES have refused to review this as it is not taking place on NHS premises and does not include NHS patients. A discussion was held as to who could legally give consent on the participants' behalf and this is not clear. Prof M Bennett separated the two issues from this particular case and the RECP wording under discussion and Dr K Appleton stated most research involving mental health participants would fall under NRES as they would be patients on NHS premises and this therefore is an unusual case. Prof M Bennett recommended that the wording in the RECP is amended to state that these should 'normally be reviewed by NRES' as this leaves flexibility to not have to go through this route if NRES refused to review it.

ACTION: Amend RECP to state that projects seeking to involve participants based upon their mental health status (past or present) should be **considered** for review by NRES.

ACTION TO BE TAKEN BY: Mrs J Hastings Taylor

- 4.11 Mr J Stevens invited Dr K Appleton to work with Mr S Beer, Mrs J Hastings Taylor and Dr C Osborne in amending the wording of the RECP further but Dr K Appleton declined on the basis that a significant amount of time had already been dedicated to the restructure document. Mr S Beer stated that he is willing to coordinate the responses from UREC members and discuss these further with Mrs J Hastings Taylor and Dr C Osborne.
- 4.12 Mr J Stevens invited Prof M Bennett to comment further. Prof M Bennett emphasises that on an institutional level it is important to coordinate the recent changes to the Misconduct in Academic Research Policy and the RECP. The disconnect between the two key documents which currently exists does leave BU open to risk and therefore a sense of urgency is present. It was then agreed that UREC members feed any concerns about the RECP to Mr S Beer in the coming week. Mr S Beer will then liaise with Mrs J Hastings Taylor and Dr C Osborne before Christmas to create the final version and have Mr J Stevens approve the new version before the end of December.

ACTION: Coordinate responses from UREC members regarding revisions to the RECP and discuss these further with Mrs J Hastings Taylor and Dr C Osborne to create a final document for Chair's actions.

ACTION TO BE TAKEN BY: Mr S Beer, Mrs J Hastings Taylor & Dr C Osborne

- 4.13 Dr D Lilleker raised the issue as to why other documents are cross referenced within the document; Prof M Bennett responded to say that key documents such as that from the University of Leeds in Section 9.4 is included because it has been hailed as a good practice document by key institutions. Mr S Beer stated that it is important to include this rationale in the RECP and it was agreed that a footnote will be added for this.

ACTION: Footnote to be included in the RECP regarding the University of Leeds document.

ACTION TO BE TAKEN BY: Mrs J Hastings Taylor

- 4.14 Dr G Roushan stated that Business School guidance for students states that they must retain their primary data for x number of years and also dispose of it. Dr D Lilleker raised concerns as to how this will be physically stored at BU. Prof M Bennett suggested that this is discussed further outside of the meeting and BU Legal Services may wish to have data such as this archived and he will liaise with Legal Services and feedback to Dr C Osborne on this to insert into the RECP.

ACTION: Liaise with Legal Services regarding storage of research data.

ACTION TO BE TAKEN BY: Prof M Bennett

5 UREC Vacancies

- 5.1 The wording was approved.
- 5.2 Mr S Beer asked if lay members would be eligible to gain travelling expenses. It was agreed that to attract lay members, their out of pocket expenses should be covered.

6 Other Matters Raised by School Ethics Representatives

- 6.1 Dr K Appleton raised again the issue of the mental health participant study in her school and asked how the researcher should proceed. UREC determined that the PI should complete the online ethics checklist and undergo school sign off as the usual system would dictate and if the school will not give approval or cannot then this can be escalated to UREC.

7 Reports from School Committees

- 7.1 None presented as the Committee met out of cycle

8 Any other business

- 8.1 There was no other business.

9 Date of next meeting:

- 9.1 Wednesday 12 February 2014, 12.30, Room PG142