

ETHICS CLEARANCE AND PERMISSION TO ENGAGE UCT STAFF AND/OR STUDENTS OR THEIR DATA IN RESEARCH

Policy and Standard Operating Procedure

Title	Ethics Clearance and Permission to Engage UCT Staff and/or Students or Their Data in Research
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Table of Contents

POLICY	2
1. STATEMENT OF PURPOSE	2
2. APPLICABILITY	2
3. DEFINITION OF RESEARCH	2
4. PERMISSION	3
5. ACCOUNTABILITY	4
6. ETHICS REVIEW AND EXEMPTIONS	4
7. COLLABORATIONS	6
ANNEXURE A: STANDARD OPERATING PROCEDURE	7
1. ETHICS APPROVAL REQUIREMENTS	7
2. APPLICATION TO INSTITUTIONAL AUTHORITIES	7
3. EVALUATION	8
4. EVALUATION PROCESS	8
5. COORDINATION WITH RESEARCH ETHICS COMMITTEE APPROVAL	9
ANNEXURE B: DECLARATION FORM FOR EXTERNAL RESEARCHERS	10
ANNEXURE C: RESEARCH REPORT FORM	11

POLICY

1. STATEMENT OF PURPOSE

The UCT department of Human Resources and the UCT Department of Student Affairs, respectively, are responsible for well-being of staff and students and supporting the capacity of staff and students to contribute to the university and its intellectual life. The research interests of investigators at UCT at all levels from students to senior faculty may relate to staff and students as subjects and/or participants in vital research questions. The ability for staff and students to participate in research is to be both used and conserved as a valuable, collective resource, this is the purpose for Standard Operating Procedure (SOP) and policy.

The intention of this policy and SOP is to create a collaborative milieu seeking best practice in all research into the UCT community, to promote generation of knowledge, to protect the University and the participants from foreseeable harm, and to spread the burden of impacts upon researched persons, all in a transparent and publicly accountable manner.

UCT is committed to protecting the rights, dignity and welfare of its staff and students. As such appropriate levels of ethical and institutional review and approval are provided for in this policy and the SOP which follows.

2. APPLICABILITY

This policy applies to any proposed research into the UCT community, in whole or part, including research conducted or led by departments, divisions or units using staff and student cohorts of their own or collaborating UCT structures, whether the research is of a developmental nature or otherwise. This policy applies both to requests for data¹ and for requests that contemplate interactions or interventions involving students or staff as research participants.

Requests to access UCT staff and/or students for other non-research purposes including but not limited to class projects, training exercises, and creative works shall be reviewed in a parallel process, as appropriate, by the Executive Director: Human Resources for staff and the Executive Director: Student Affairs for students (or their delegated authorities).

Requests for data about and/or access to UCT alumni must be separately addressed to Deputy Director and the Senior Manager for Research and Information Systems, Department of Alumni and Development.

3. DEFINITION OF RESEARCH

Research is defined as "a systematic investigation, including research development, testing, and evaluation, designed to develop or contribute to generalizable knowledge." For purposes of providing access to students, staff, and/or individual-level data about students and staff, the University adopts

¹ The institution regularly collects data about its staff and students for operational and institutional activities and quality assurance processes. Permission to access these data form part of this policy.

this definition of research as codified in United States Health and Human Services regulations at 45 CFR 46, consistent with the usage of this definition among various faculty-level Research Ethics Committees (REC) at UCT.

Under this policy, research falls into a number of different categories:

- 3.1 Research conducted using students as participants which will be reviewed by the Department of Student Affairs (DSA) after the REC process has been completed
- 3.2 Research conducted using staff as participants which will be reviewed by the Human Resources (HR) department after the REC process has been completed and may be routed in one or more of the following ways:
 - 3.2.1 Research conducted for degree or academic purposes
 - 3.2.2 Research conducted for non-degree, but other academic purposes, including institutional or operational matters:
 - 3.2.2.1 Research conducted to investigate academic matters
 - 3.2.2.2 Research conducted to investigate operational or institutional matters
 - 3.2.2.3 Research conducted to investigate both academic and operational or institutional matter (i.e. 3.2.2.1 and 3.2.2.2 above)

Please read the above in conjunction with the visual workflow.

4. PERMISSION

Permission to access UCT staff and/or students as research participants or subjects may be granted by the Executive Director: Human Resources for staff and the Executive Director: Student Affairs for students (or their delegated authorities). This permission does not negate the obligation to obtain approval for the research from an appropriate UCT REC when required. (See Section 6).

- 4.1. **Institutional Research involving direct interaction with staff:** Where UCT organisational units (Faculties and/or PASS departments) or external parties wish to conduct surveys for institutional research purposes, (i.e.: in contrast to doing research towards a formal qualification), and it includes staff as research participants, these must be put forward, for consideration and approval, to the DVC with oversight for academic staff matters, where this includes academic staff, as well as the Chief Operating Officer (COO), for institutional operations purposes. In these instances, applications should be initially directed to the Executive Director of Human Resources (or the delegated authority).
- 4.2. **Research involving institutional data:** Permission to access data which the institution regularly collects for operational and institutional activities and quality assurance processes. The original collection of these data was not undertaken with the intention of using them for research purposes, and therefore without the usual protections associated with research data.² While these are a rich institutional data resource there may nevertheless be ethical challenges associated with using these data in research.³ Therefore, researchers are required to submit an application to the appropriate REC in order to make use of these data and, to ensure that data use and research is conducted in line with benchmarks for ethical research (exemptions may apply – see Section 6 below).

Permission to recruit UCT staff and/or students for research does not oblige the University to prepare and provide sorted data, e.g. some researchers may request specific data elements (year of birth, immigration status, affiliations by race, ethnicity, religion, etc.), the production of which in the form of a

² For example (but not limited to), student course evaluations and other course-based data; job interview records and personnel evaluations.

³ Some of these challenges include (but are not limited to) participants not being able to consent to their data being used through a traditional informed consent process and not being able to opt-out of research.

data set that may be released from the institution to the researcher may require significant effort in preparation. Researchers who anticipate special data preparation needs must confer with the appropriate data custodians as early as possible to establish whether the data will be available, and if so to ensure the timely availability and preparation of the data required for a given research study. Fees may apply for this service. Approval and permission under this Standard Operating Procedure does not guarantee the feasibility of production of data by a UCT custodian.

5. ACCOUNTABILITY

Researchers internal to UCT who are using the UCT community as a research population must comply with the conditions stipulated in their ethics approval documentation, which could, *inter alia*, include regular reporting requirements, informed consent processes, data management and use requirements and, reporting of adverse events. Researchers are encouraged to keep in contact with their ethics committees in order to respond to evolving levels of risk and ethical matters.

Researchers external to UCT who are using the UCT community as a research population must comply with the conditions in their ethics approval documentation from their home institutions, UCT research ethics committee and/or Human Resources or the Department of Student Affairs as appropriate. External researchers will be expected to comply with the following additional requirements in order to manage risk to the UCT community and to ensure transparent and consistent processes:

- 5.1 **Declaration by researchers:** Researchers will be required to submit a signed declaration agreeing to abide by UCT rules and regulations relating to research practices, when engaging with the UCT community. This declaration is available as ANNEXURE B of this policy and standard operating procedure.
- 5.2 **Reporting requirements:** Researchers will be required to submit either an annual report or a standard closure report (whichever is most appropriate) to the UCT REC which initially granted permission for the research to take place. The submission of this report must take place within 8 weeks of completing the data collection portion of the research.
- 5.3 **Suspension of approval:** If/when a UCT and/or external REC establishes that a research project is not being conducted in line with the approved protocol, resulting in an infringement of the rights and/or welfare of the participants, the REC may withdraw the approval for the project. In the event of withdrawing approval, the REC has the responsibility of notifying the researcher, Human Resources and/or the Department of Student Affairs and the researcher's home institution. Researchers are required to discontinue all research activities immediately and comply with any conditions stipulated by the REC. RECs may withdraw approval for any of the following reasons: (i) unanticipated problems involving risk to participants or the institution or (ii) serious or continuing non-compliance with institutional approvals or legal regulations.

6. ETHICS REVIEW AND EXEMPTIONS ⁴ ⁵

The majority of research projects involving staff or students will require UCT ethics approval, even if the researcher is external to UCT and has ethics approval from their own institution. UCT recognises that in contexts of multi-institution projects, obtaining ethics review from every institution involved may be burdensome. In such cases the UCT REC (IF-REC) may agree to recognise and accept ethics approval from the initiating institution. This will be evaluated on a case-by-case basis.

⁴ Adapted from: UCT FHS HREC SOP (October 2019)

⁵ Adapted from: University of Stellenbosch, REC SBE SOP (June 2020)

Exemption from ethics review does not imply that there is no need for the project to consider and reflect upon ethical challenges which may be present or arise during the course of the research. Oversight of research may still be required, and researchers will be required to abide by the **ACCOUNTABILITY** measures (outlined in section 5). **Researchers who are unsure as to whether their research is exempted should seek confirmation from the relevant REC.** Certain types of research activities may be exempt from UCT ethics review:

- Institutional benchmarking and information gathering
- Research using existing publicly available documents or data obtained from an open access source
- Research using anonymous undergraduate course evaluations where there are greater than 50 in the data set ($n > 50$).
- Quality assurance and programme evaluation activities and performance reviews usually do not constitute research. However, if there is any potential for these activities to be published, it is prudent to obtain ethics approval before the study begins, or to confirm that the research qualifies as exempted. **UCT RECs do not grant retrospective ethics approval.**
- Collection of non-human data (e.g. collection of annual reports, policies etc).
- Observation of people in public spaces and natural environments provided that the following criteria are met:
 - (i) the researcher must obtain permission to enter UCT campus(es)/property from the appropriate institutional authority,
 - (ii) the researcher must not interact directly with individuals or groups,
 - (iii) the researcher must not photograph the individuals or groups, and observations must protect the identity of the individual or groups (identification of individuals or groups must not be possible),
 - (iv) the researcher does not stage any intervention,
 - (v) individuals or groups being observed in these public spaces do not have a reasonable expectation of privacy, and,
 - (vi) the dissemination of findings will not identify individuals or groups.

Exemption from UCT ethics review does not imply researchers are exempt from obtaining permission to engage with the UCT community from institutional authorities (e.g.: Human Resources and/or the Department of Student Affairs).

Research projects seeking exemption from UCT ethics review and approval must submit their research project, with a short summary, along with a description of who at UCT will be engaged in this process to the Inter-Faculty Research Ethics Committee (IF-REC). The IF-REC will review the request and make a determination of whether ethics exemption is appropriate, or not. If it is not deemed appropriate, then the researcher will need to submit a formal application to a UCT REC in order to seek ethics approval, following which an application to Human Resources and/or the Department of Student Affairs will be required.

- If it is determined that a research project is exempt from UCT ethics review and approval researchers are required to fully disclose the nature and purpose of the research with the intended/target participants. Additionally, targeted participants must be given the option to opt-out of participating in the research, and this choice must be respected.
- If it is determined that the research project is exempt from UCT ethics review and approval, then the IF-REC will issue the researcher with a formal letter confirming this. This letter will need to be shared with the institutional officials in the application to access staff and/or students or their data and may also be required by publishers at a later date.

7. COLLABORATIONS

UCT's Vision 2030⁶ is committed to "solving Afrika's problems through research" (item 2) and notes that "to do this we must ensure that we continue to expand our local and international partnerships, [and] improve the diversity and functionality of our interdisciplinary research teams."⁷

UCT RECs encourage external researchers to seek out collaboration opportunities with researchers within the UCT community. Collaborative research provides researchers with opportunities to build partnerships, learn from others, enhance ideas, and respond innovatively to research questions. When collaborative research involves UCT staff, students or data, UCT will usually require ethics approval from its own institution.

Original version: 29 October 2009

Revised versions: 14 February 2013; 21 February 2014; 20 July 2021.

ORIGINAL VERSION:

Destination: Research Handbook; Research Portal; Faculty RECs and Faculty Research Committees; URC and SEC/Senate for formal approval.

Note: the document has been circulated to Faculty RECs and Faculty Research Committees to ensure standardised approaches

⁶ <http://vision2030.uct.ac.za/>

⁷ <http://vision2030.uct.ac.za/#how-our-vision-2030-will-achieve-its-purpose>

ANNEXURE A: STANDARD OPERATING PROCEDURE

This SOP should be read in conjunction with the visual workflow outlining the process, which follows.

1. ETHICS APPROVAL REQUIREMENTS

No research into a UCT staff or student target population may be conducted by parties within or beyond UCT, without prior ethics review and approval or clearance for the study proposal. Please see **ETHICS REVIEW EXEMPTIONS** (above) for types of research which may qualify for exemption from ethical review and approval.

- For researchers affiliated with UCT, ethics clearance must be obtained from the REC of the appropriate Faculty, usually that of the researcher. In addition to the requirements of the reviewing REC, researchers must comply with UCT processes for permission to access the targeted study population. Researchers must also familiarise themselves with UCT policies and procedures for research ethics: <http://www.uct.ac.za/about/policies/>
- External researchers working with one or more UCT researchers and engaging in research with UCT student and/or staff participants must obtain clearance from the appropriate UCT REC, be named in the research protocol, and be identified with specific research activities.
- External researchers working independently and for whom UCT is a research site (engaging UCT in human subjects' research) will need REC approval for research with UCT student and/or staff participants. Approval must be obtained from the REC of closest scholarly, disciplinary, or methodologic connection to the proposed research.

Researchers are expected to comply with the **ACCOUNTABILITY** measures, described in section 5 of this policy.

2. APPLICATION TO INSTITUTIONAL AUTHORITIES

To apply for permission to access UCT staff and/or students for research, the researcher must submit the following information:

- Fully completed application form(s); either the "HR194" to request permission to access staff or the "DSA100" to request permission to access students, or both as necessary.
- A statement that requests permission to recruit UCT staff and/or students, or data about UCT staff and/or students, and a description of any interactions or interventions planned in the course of the research. The statement must address the domains of University and staff or student profile vulnerability to possible outcomes or findings of the research, and how the design of the research provides a favourable balance of possible risks of harm and potential benefits for participants as well as for the University.
- A copy of the research protocol. This may be a copy of the submission provided to the REC of oversight.
- A copy of the approval letter(s) granted by the requisite REC. In the instance of a researcher internal to UCT, the faculty REC letter must be submitted. In the instance of a researcher external to UCT, both the REC approval from the home institution and also the UCT REC approval letter must be submitted.
- If the research has been deemed exempt from ethical review and approval, the applicant must submit a letter from the IF-REC affirming this decision.
- A copy of the researcher declaration submitted to the UCT REC of review and approval.
- A copy of planned communications with UCT staff and/or student research participants including, for example, consent forms, information sheets, study brochures, login screenshots, or other instruments that mediate the relationship between researcher and participant.

Please note that requests cannot be processed in the absence of the above-mentioned information; incomplete applications will not be processed.

3. EVALUATION

In accordance with this Standard Operating Procedure the Executive Director, Human Resources (ED: HR) and/or Executive Director, Department of Students Affairs (ED: DSA), or their delegated authorities, will determine:

- Whether and to what extent to permit access to staff (ED: HR) and/or students (ED: DSA), and/or data about staff and students in support of the proposed research.
- Who will provide access to staff or student populations and, in particular, access to names and contact details of the target population(s); and,
- Any limitations and/or conditions associated with the access such as, for example, reporting requirements, procedures to address participant complaints, and any restrictions on redisclosure of data or requirements for return or destruction of primary data upon completion of the research.

4. EVALUATION PROCESS

4.1 The University has assigned authority to

- The Executive Director: Human Resources (or their delegated authority) to grant or withhold permission to access a staff population for research purposes, after necessary consultation, which should include consultation with the staff representative body (or bodies) or trade union(s) concerned, if appropriate. The Executive Director may also grant permission to access data about a staff population. In each case, such permission to access is subject to ethics approval being granted by the REC of oversight, to feasibility and other applicable restrictions if any; and
 - Where UCT organisational units (Faculties and/or PASS depts) or external parties wish to conduct surveys for institutional research purposes, (i.e. in contrast to doing research towards a formal qualification), and it includes staff as research participants, these must be put forward, for consideration and approval, to the DVC with oversight for academic staff matters
 - Where UCT organisational units (Faculties and/or PASS depts) or external parties wish to conduct surveys for institutional or operational research purposes, (i.e. in contrast to doing research towards a formal qualification), these must be put forward, for consideration and approval to the Chief Operating Officer (COO).
 - It is possible that permission may need to be sought from both the DVC with oversight for academic affairs and the COO, depending on the nature of the research project.
- The Executive Director: Student Affairs (or their delegated authority) to grant or withhold permission to access a student population for research purposes, in consultation, as appropriate, which may include consultation with the Student Representative Council. The Executive Director may also grant permission to access data about a student population. In each case, such permission to access is subject to ethics approval being granted by the REC of oversight, to feasibility and other applicable restrictions if any.

4.2 The person(s) considering granting permission to access must consider, *inter alia*

- The disruption and burden, if any, to the participants.
- The costs of access and how these costs will be met; and

- The benefits to UCT or to society in general that might be realistically attributable to the research or to its prospective findings.
- The volume and frequency of research requests to access the same or substantially similar participants for similar research purposes.

4.3 The review of a request to access UCT staff and/or students for research purposes will be handled as promptly as can be practically accommodated relative to the other duties and assignments for which the Executive Directors of Human Resources and Students Affairs are responsible. When developing their research plans, researchers should allocate at least 10 business days for the review process.

5. COORDINATION WITH RESEARCH ETHICS COMMITTEE APPROVAL

As the ethics clearance process necessarily involves rigorous consideration of the entirety of the research proposal, ethics clearance from the REC of oversight must ordinarily be resolved first and documented in a written memorandum. Researchers are advised that the university has distinct interests in care for its staff, students, and data about its staff and students. There may be occasions under this SOP in which the responsible Executive Director(s) may ask or require modifications to an approved protocol before finalising a matter of access, and it is the responsibility of the researcher to attend to such modifications. In the event of a conflict between an REC approved protocol and the required standards or criteria of UCT Human Resources or the Department of Student Affairs, the researcher may seek the engagement of the Office of Research Integrity to assist in finding an acceptable accommodation of interests.

Institutional Officials must, in writing, communicate their respective decision(s) about a request to the REC of research oversight so as to ensure clarity about the status of research proposals.

ANNEXURE B: DECLARATION⁸ FORM FOR EXTERNAL RESEARCHERS

Full name and surname		Date	
Full title of research project			

My signature on this declaration confirms that:

- i. Information in the application for the abovementioned project is true and accurate.
- ii. I will begin the research only after written approval is obtained from a UCT REC and the appropriate institutional authority, as well as my home institution (where applicable).
- iii. In the case of research exempt from ethics review and approval, I will only begin the research after written confirmation of the exemption, from the Inter-Faculty REC, and appropriate institutional approval is obtained
- iv. I accept full responsibility for the conduct of this research and the protection of participants' rights and welfare.
- v. I will conduct the research according to all ethical, regulatory, and legal requirements as well as national and international guidelines/regulations.
- vi. I will conduct the research according to UCT's ethical and regulatory policies, including but not limited to the Responsible Conduct of Research Policy and the UCT Research Ethics Code for Research Involving Human Participants.
- vii. I will provide necessary progress reports to the relevant REC as requested, including a final closing report at the end of the research.
- viii. I will notify the relevant REC in writing if any change to the research is proposed and await approval before proceeding with the proposed change except when urgently necessary to protect participants' safety.
- ix. I will notify the relevant REC in writing immediately if any adverse event or unanticipated problem occurs during the research.
- x. I will allow an audit of my research if requested by the relevant REC.
- xi. I have the time, training, experience, and resources to conduct this research.
- xii. I will endeavour to publish and disseminate the findings of the study.

Is this research exempt from ethics review and approval?	Yes (please attach IF-REC letter)*	No (please submit this declaration with your application)
Signature		

** A signed copy of this declaration must be lodged with the IF-REC in the case of ethics review exemptions.*

⁸ Adapted from FHS HREC Application Form, PI Declaration (December 2019)

ANNEXURE C: RESEARCH REPORT FORM⁹

UCT's Responsible Conduct of Research Policy (section 2.10) requires that researchers provide adequate and timely feedback to communities. In this case, the community being researched is UCT. Therefore, the researcher is required to submit details of any publication emanating from this research to the UCT REC which approved the project, along with this form.

PROJECT INFORMATION

Date	
Project Reference Number	
Project Title	
Researcher Full Name	
Email address	

DISSEMINATION OF PROJECT FINDINGS

Please list any outcomes, in press or under review, that have been generated by this project.

PROJECT DATA

Please outline how, and for how long the data collected for this project will be stored and protected.

SIGNATURE

Signature		Date	
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⁹ Adapted from FHS010: Study Closure Report (March 2020)