

When to pass a student ethics review up to the UCL Institute of Education Research Ethics Committee

Generally, ethics reviews for student research are done by the student's supervisor and another member of the student's advisory panel (PhD/MPhil/MRes/EdD) or by the tutor and another member of the course team for all other students.

This though, is on the understanding that applications that are ethically problematic, or where the supervisor and reviewer disagree, should be passed up to the Research Ethics Committee for consideration. It is also important to note that the REC Chair/s, REC representatives in your department, and Research Ethics and Governance Coordinator can all advise you informally, either (a) to support your review process, or (b) to help you decide whether an application should be referred to the REC.

Important note: There are a number of contexts in which your students may need to get ethics approval from a committee external to the IOE. These include:

- Research involving NHS patients, service uses (those using NHS services) and NHS premises must be ethically approved by the NHS **National Research Ethics Service (NRES)** <http://www.nres.nhs.uk/>. Please note the following exceptions: Research involving NHS or social care staff recruited as research participants by virtue of their professional role does not usually require NHS ethical approval and so should be submitted through the Institute's processes. Research activities defined by NRES as not requiring ethics review within the NRES processes include **audit and service evaluation**.
- Under the **Mental Capacity Act 2005 (MCA 2005)** any research that proposes to involve the recruitment of participants aged 16 and above who lack capacity ¹to consent to take part in the research or who later lose capacity during the research must have ethical approval by a recognised appropriate body such as the Social Care Research Ethics Committee or certain National Research Ethics Service RECs.

Further guidance can be found here - <http://ethicsguidebook.ac.uk/Mental-Capacity-Act-118> for more information.

- Social research funded by the **Department of Health** and therefore requiring review by the **Social Care Research Ethics Committee (SCREC)** <http://www.scie.org.uk/research/ethics-committee/>.
- Research which involves human participants, and which is funded or sponsored by the **Ministry of Defence (MOD)** must secure approval from the MOD Research Ethics Committee (MODREC) <https://www.gov.uk/government/groups/ministry-of-defence-research-ethics-committees>.

See <http://ethicsguidebook.ac.uk/Members-of-the-armed-forces-or-funding-from-the-Ministry-of-Defence-193> for further guidance.

¹ Part 1 s2 and 3, Mental capacity Act 2005 (<http://www.legislation.gov.uk/ukpga/2005/9>)

- Research that involves prisons, youth offending or probation services requires approval through the **National Offender Management Service (NOMS)** <https://www.gov.uk/government/organisations/national-offender-management-service> or NHS committee.
- If they are working in a local authority context, in which case they will need to liaise with the local authority in order to establish what their requirements are.

Please contact the Research Ethics Administrator for advice on these cases.

Applications to be referred to the REC should be e-mailed to ioe.researchethics@ucl.ac.uk with details on why the application has been referred.

Cases where you might consider passing a review to the UCL Institute of Education REC:

- 1) A good test is whether or not a member of the public (or a member of a QAA inspection team) might question whether the ethics of the research has been adequately considered. Examples are:
 - Work conducted with potentially vulnerable groups, or where participants might be taken advantage of. This would not inevitably include research with children, although the potential vulnerability of child participants should be taken into account when reviewing the research.
 - Work in contexts where participants' ability to consent may be compromised, either because the participants are unlikely to have an adequate understanding of what the research involves or because of power structures in the context. For example:
 - Research where subjects/participants are incarcerated or in an environment where there are other significant power inequalities.
 - Research in cultural contexts where participants may not understand concepts of consent or of research, or may not be accustomed to being able to say 'no' to perceived authority figures.
 - Work in relation to programmes or interventions which involve some element of coercion.
 - Research where subjects are being asked to participate by someone with institutional authority over them.
 - Work where it is reasonably likely that there will be issues around disclosure, e.g. in relation to child protection issues.
 - Work where deception is required, or where there may be challenges in gaining informed consent.

- Work on a particularly sensitive or controversial topic.
- Situations where you are concerned that a student may not act on your advice in relation to ethics issues, for example, because they disagree with your assessment of ethics risks.

If someone (such as a participant, a gatekeeper, or an external examiner) raises an issue with a piece of student research, you have a higher level of institutional support and the Institute has a stronger basis for responding to the issue if the research went through the Research Ethics Committee.

2) Whenever you feel unsure. The REC is there to support you, so if you have doubts, refer the application to the REC. Cases which may give rise to concern might include:

- Work which takes place in contexts or cultures with which you are unfamiliar.
- Uses methodologies you are not familiar with.
- Where you feel that there are (or may be) ethical subtleties that you have not encountered before.
- Work in contexts that may raise particular ethics concerns – e.g. research in the student workplace (which can raise issues around consent, access to data, and objectivity).
- Work in contexts where ability to consent may be compromised (as noted above), or with potentially vulnerable groups.
- Work that involves matching data sets in a way which might enable individuals to be identified.
- Areas where the ethics issues are known to be contested.
- Where a student's safety is a concern.

Questions to ask

The ESRC Framework for Research Ethics (FRE) provides a check list, which is designed to identify whether a piece of research is likely to involve 'more than minimal risk'. This list is presented below, in its entirety, as a resource for decision-making about when student ethics applications should be referred to the REC.

Note: It is not an IOE requirement that all student research involving more than minimal risk (as defined below) should be referred to the REC. However, in such cases, the reviewers must pay

particular attention to the question of whether a further review is necessary, either by the REC, or, where appropriate, by a committee external to IOE (such as an NRES committee).

ESRC Framework for Research Ethics definition of research that would normally be considered as involving more than minimal risk (ESRC, 2009: 9-10):

Research involving potentially vulnerable groups – for example, with children and young people, those with a learning disability or cognitive impairment, or individuals in a dependent or unequal relationship. Some RECs have facilitated ethics approval by establishing ethics protocols for commonly occurring situations, such as research undertaken with normally developing children in mainstream school settings. Ethics approval may involve light touch review if the researcher can confirm that they are abiding by the established protocol and that this is appropriate for their research.

Research involving those who lack capacity – All research involving those who lack capacity, or who come during the research project to lack capacity, must be approved by an “appropriate body” operating under the Mental Capacity Act, 2005. Apart from a few exceptions to this (see Frequently Asked Questions), all such research is deemed ‘intrusive’. It is illegal to conduct such research without approval of the ‘appropriate body’. In most cases this is the NRES.

Research involving sensitive topics – for example participants’ sexual behaviour, their illegal or political behaviour, their experience of violence, their abuse or exploitation, their mental health, or their gender or ethnic status. Elite Interviews may fall into this category.

Research involving deceased persons, body parts or other human elements.

Research using administrative data or secure data. Researchers/research centres using these data sets will need to be approved by the body supplying the data and keep data in secure areas (see Appendix D for website details). In most cases it will be appropriate for them to confirm in a light touch review that they have met these requirements. Issues however may arise when data are linked and where it may be possible to identify participants.

Research involving groups where permission of a gatekeeper is normally required for initial access to members. This includes research involving gatekeepers such as adult professionals (eg those working with children or the elderly), or research in communities (in the UK or overseas) where access to research participants is not possible without the permission of another adult, such as another family member (eg the parent or husband of the participant) or a community leader.

Research involving deception or which is conducted without participants' full and informed consent at the time the study is carried out. It is recognised that there are occasions when the use of covert research methods is necessary and justifiable.

Research involving access to records of personal or sensitive confidential information, including genetic or other biological information, concerning identifiable individuals.

Research which would or might induce psychological stress, anxiety or humiliation, or cause more than minimal pain.

Research involving intrusive interventions or data collection methods – for example, the administration of substances, vigorous physical exercise, or techniques such as hypnotism. In

particular, where participants are persuaded to reveal information which they would not otherwise disclose in the course of everyday life.

Research where the safety of the researcher may be in question, in particular those working in the field and locally employed research assistants working outside the UK.

Research involving members of the public in a research capacity in research data collection eg participatory research.

Research undertaken outside of the UK where there may be issues of local practice and political sensitivities. In some cases partnership with a research organisation in the area involved may prove helpful. It is also necessary to check the requirements for ethics review in the countries included in the research.

Research involving respondents through the internet, in particular where visual images are used, and where sensitive issues are discussed.

Other research involving visual / vocal methods particularly where participants or other individuals may be identifiable in the visual images used or generated.

Research which may involve data sharing of confidential information beyond the initial consent given - for example where the research topic or data gathering involves a risk of information being disclosed that would require the researchers to breach confidentiality conditions agreed with participants.