



UNIVERSITY of the
WESTERN CAPE

UNIVERSITY OF WESTERN CAPE (UWC)

POLICY: RESEARCH IN HUMANITIES AND SOCIAL SCIENCES RESEARCH ETHICS COMMITTEE (HSSREC) POLICY

TERMS OF REFERENCE AND STANDARD OPERATING PROCEDURES

APPROVED: C2014/06

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UNIVERSITY OF THE WESTERN CAPE

**HUMANITIES AND SOCIAL SCIENCE RESEARCH
ETHICS COMMITTEE
(HSSREC)**

**TERMS OF REFERENCE
AND
STANDARD OPERATING PROCEDURES**

UNIVERSITY OF THE WESTERN CAPE

HUMANITIES AND SOCIAL SCIENCE RESEARCH ETHICS COMMITTEE

TERMS OF REFERENCE

The Humanities and Social Sciences Research Ethics committee will:

1. Ensure that the ethics policies of the University as approved by Senate on the recommendation of the Senate Research Committee (SR) are carried out in respect of research within the field of humanities and social sciences;
2. Ensure that the ethics policies and other requirements of any relevant outside bodies are carried out in respect of research within the field of humanities and social sciences;
3. Make recommendations to the SR on new policies and procedures for ethical research in the humanities and social sciences;
4. Regularly consider the Standard Operating Procedures of the Humanities and Social Sciences Research Ethics Committee and make recommendations for changes to the SR;
5. Consider research proposals (within its area of jurisdiction) on behalf of Senate, for ethical compliance and scientific validity in accordance with approved Standard Operating Procedures;
6. Ensure that researchers and supervisors are suitably qualified to undertake the proposed research;
7. Monitor the progress, ethics and safety of research in the field of humanities and social sciences and ensure that ethical standards are maintained. Ethical clearance for a project will expire after a year unless a satisfactory progress

report (on the approved template) is submitted via the supervisor or Head of Department/School/Unit in the case of non-degree projects. This progress report must be submitted on a ten-monthly basis from the date of the approval letter;

8. Recertify ethical approval for research in cases where substantive changes are made to the project (e.g. methodology and sample size);
9. Issue certificates of ethical approval to Principal Investigators;
10. Arrange for the ongoing training of members of the Humanities and Social Sciences Research Ethics Committee;
11. The quorum shall be 50% plus 1 of the membership; and
12. The committee shall meet once in every four weeks.

UNIVERSITY OF THE WESTERN CAPE

HUMANITIES AND SOCIAL SCIENCE RESEARCH ETHICS COMMITTEE (HSSREC)

STANDARD OPERATING PROCEDURES

1. HSSREC MEETINGS

- Meetings will be held once every month, excluding January. Members will be notified annually of the scheduled dates no later than the second week of January.
- The minutes of meetings and the agenda will be circulated to members at least 7 days prior to the meeting.
- A special meeting may be called at any time by the Chairperson.

2. COMPOSITION

- Members of HSSREC should collectively have the qualifications, experience and expertise to review and evaluate the scientific, legal, psychosocial and ethical aspects of research proposals.
- Appointment to the Committee will be by nomination and co-option. The total number of Committee members must be no less than 10.
- Any unanticipated problems involving risks to participants or others or any serious or continuing non-compliance with this document or the requirements or determinations of HSSREC and any suspensions of HSSREC approval will be reported to the Deputy Vice Chancellor (for Research) by the HSSREC Chairperson.

2.1 Membership

- (i) Nomination of members will take place in consultation with the Deans and will also include external members.

The committee shall:

- (ii) Be representative of the communities it serves and, increasingly, reflect the demographic profile of the population of South Africa;
- (iii) Include members of both genders, although not more than 70% should be either male or female;
- (iv) Have at least 10 members, with a simple majority constituting a quorum;
- (v) Have a Chairperson;
- (vi) Elect a Vice-Chairperson (or persons) from the members of the committee, who shall be a member of the staff of the University;
- (vii) Include, wherever possible, at least two lay persons who have no affiliation to the institution and are not currently involved in medical, scientific or legal work;
- (viii) Include a co-opted member who may be from the community in which the research is taking place;
- (ix) Include at least one member with knowledge of, and current experience in, areas of research that are likely to be regularly considered by the HSSREC;
- (x) Include at least one member who has professional training in both qualitative and quantitative research methodologies;
- (xi) Include at least one member who is legally trained.
- (xii) Ensure that the membership is equipped to address all relevant considerations arising from the categories of research likely to be submitted to it.
- (xiii) Ensure that it is adequately informed on all aspects of a research protocol, including its scientific and statistical validity, that are relevant to deciding whether the protocol is both acceptable on ethical grounds and conforms to the principles of this document.
- (xiv) Members not attending 2 consecutive meetings without a valid written reason, and without submitting their reviews, risk termination of their membership of HSSREC.
- (xv) HSSREC members will serve for a term of 3 years, renewable.
- (xvi) HSSREC members will be required to have continuous personal development

in research ethics. HSSREC may co-opt expert members and other representatives as voting members as required by particular protocols. Voting status is to be confirmed by HSSREC in advance on a case by case basis.

(xvii) On invitation or request, HSSREC meetings may be attended by bona fide students, researchers and other interested parties as non-voting observers, subject to the signing of a confidentiality undertaking and subject also to being excluded from certain agenda items as determined by the Chairperson.

2.2 Chairperson, Quorum, Meetings and Voting

- (i) The Chairperson of HSSREC is appointed by the Deputy Vice Chancellor (for Research), in consultation with the Senate Research Committee (SR), for a renewable term of three years.
- (ii) The Chairperson of HSSREC reports to the Senate Research Committee.
- (iii) The Committee will make its decisions at scheduled or extraordinary meetings at which a quorum of members is present. Meetings will only be conducted when a quorum, namely, one half plus one of the members of the Committee, is present.
- (iv) Decisions will be determined by consensus (general agreement). Where general agreement does not exist, consensus will be undermined and the decision will be arrived at by vote.
- (v) Minutes taken at HSSREC meetings will be of sufficient detail to show attendance at the meetings; actions taken by HSSREC; if applicable, the vote on these actions including the number of members voting for, against, and abstaining; the basis for requiring changes in or disapproving research; and a written summary of the discussion of disputed issues and their resolution.

3. REVIEW PROCESS

3.1 The Committee will obtain the following documents from the researcher:

- A fully completed Research Ethics Application Form, dated and signed by the principal researcher, other researchers, supervisor (where appropriate) and Departmental Chairperson.
- An approved research proposal, signed and dated, with all supporting documents.

- A description of the research project, setting out the purpose and process of the research.
- A description of the ethical considerations involved in the research, and the measures proposed to minimize ethical risks that may arise in the research.
- Written informed consent form(s);
- Participant recruitment procedures;
- Written information to be provided to participants;
- Information about payments to participants;
- Research team's current curriculum vitae and, if relevant, other documentation evidencing qualifications; and
- Any other documents that HSSREC may need to fulfill its responsibilities.

3.2 The Committee will review all applications within a reasonable time. All protocols for review must be submitted to the HSSREC offices during the first 10 days of each month and will be discussed at a full HSSREC meeting which will be held on the first Tuesday of the following month.

3.3 The full review process will be as follows:

- 1 week for the administrative process.
- 2 weeks for committee review.
- Each protocol will be discussed at a convened quorate HSSREC meeting at which a majority of the members of HSSREC are present.
- All committee members will receive copies of the HSSREC application form and the protocol.
- Each non-expedited application and protocol will be reviewed in advance of a convened HSSREC meeting by all HSSREC members. A primary and secondary reviewer, and where necessary, an expert reviewer will be allocated to review each such application.
- The primary reviewer will, at the HSSREC meeting give a synopsis of the study together with the positive and negative aspects of the proposed research.
- The secondary reviewer will also report on their evaluation of the proposed research.

- A protocol that is ethically and scientifically sound will have a review time of 30 days.
- Where a protocol is not approved at a convened HSSREC meeting and the revisions or modifications required are substantive, HSSREC may require that the modifications and investigator responses are deferred to a further convened meeting of HSSREC.

3.4 HSSREC's review of a protocol will lead to written confirmation to the applicant of either:

- final approval;
- provisional approval conditional to modifications required by the Committee; or
- rejection.

Reasons for provisional approval and rejection are to be furnished to the researcher in writing.

3.5 HSSREC must document its views in writing, clearly identifying the study, the documents reviewed, and the dates for:

- approval;
- modifications required prior to resubmission for approval;
- rejection; and
- termination or suspension of any prior approval.

The Chairperson will inform the researcher in writing of the HSSREC decision.

4. INFORMED CONSENT PROCEDURES AND DOCUMENTATION

4.1 General requirements for informed consent:

No investigator may involve a human being as a participant in research covered by this policy unless the investigator has obtained the legally effective informed consent of the participant or the participant's legally authorized representative. An investigator shall seek such consent only under circumstances that provide the prospective participant or their representative with sufficient opportunity to consider whether or not to

participate and that minimise the possibility of undue influence or coercion. The information that is given to the participant or the representative shall be in language understandable to the participant or the representative.

- 4.2 Researchers must consult the *HSSREC Guidelines for Drawing up an Informed Consent Document*.

5. COMPENSATION / FINANCIAL BENEFITS

HSSREC must review the amount and method of payment to participants to ensure that neither presents a problem of undue influence for the study participants.

- 5.1 HSSREC must ensure that information regarding payment to participants, including the methods, amounts and schedule of payment to study participants, is included in the written informed consent form and any other written information that is provided to participants.
- 5.2 HSSREC must satisfy itself that, where substantial expenditure of public funds will be incurred, the importance and potential benefit of the research will be proportionate.

6. CONFIDENTIALITY

HSSREC must ensure that confidentiality regarding the identity of participants of research is maintained at all stages of the research, particularly in regard to published results of research. In some cases the identity of communities or institutions may also need to be protected to prevent stigmatisation or discrimination

7. RESEARCH INVOLVING CHILDREN

- 7.1 A “Child” is defined as someone younger than 18 years in the Bill of Rights of the Constitution of South Africa.

- 7.2 Research with children should be undertaken only when the research cannot be carried out equally well with adults, and the research question will not be answered using adult participants. The purpose of the research must be to obtain knowledge relevant to the lives of children.
- 7.3 Research involving children must be in conformity with ethical guidelines and the law.
- 7.4 Adequate provision should be made for obtaining assent of the children and consent from their parents or legal guardians.

8. COMMUNITY / PRISON BASED STUDIES

The Committee must ensure that, particularly with regard to research involving communities, those communities' traditions and values are respected, particularly with regard to obtaining consent to participate in the research. However, permission given by a community's leaders does not absolve the researcher from also obtaining the fully informed consent of each individual participant.

- 8.1 When reviewing studies involving prisoners, HSSREC must ensure that:
- At least one member of HSSREC shall be a prisoners' representative (e.g., prisoner, ex prisoner, prisoner or ex-prisoner service provider or member of an NGO representing prisoners) with appropriate background or experience and a voting member of HSSREC, unless the study has also been reviewed by another accredited REC on which a prisoner representative was present;
 - The majority of HSSREC members, other than the member described above, shall have no association with the prison(s) involved, apart from their membership of HSSREC; and
 - Studies on prisoners should only be conducted on prisoners if the researcher satisfies HSSREC that the research cannot be carried out equally well on non-prisoners and the research question cannot be answered with non-prisoners.

9. **TRANSLATIONS OF INFORMATION/CONSENT DOCUMENTS**

- The investigator must ensure that such documents are translated into the relevant languages on receipt of provisional approval from HSSREC.
 - Translations may be required to be verified and certification to this effect produced where required, with the translated and back-translated documents submitted for HSSREC approval where requested.
10. A researcher may be requested to attend a convened HSSREC or subcommittee meeting to provide information on any aspect of the study but may not participate in the vote or decision making of the Committee.
 11. HSSREC may consult with and/or invite non-members with expertise in special areas to convened HSSREC or subcommittee meetings.
 12. HSSREC reserves the right to develop policy documents to provide for any complexity in research-related ethical issues as they develop.
 13. HSSREC will perform its functions according to these HSSREC Terms of Reference and Standard Operating Procedures (SOPs) and will maintain written records of its activities and minutes of its meetings.
 14. This document will be reviewed and updated annually or as required.

ACKNOWLEDGEMENT

This document has been adapted, with permission, from the set of research ethics policies and documents of the University of KwaZulu-Natal (October 2013).

CONFIDENTIALITY AGREEMENT

FOR MEMBERS OF THE

UWC HUMANITIES AND SOCIAL SCIENCES RESEARCH ETHICS COMMITTEE (HSSREC)

I, the undersigned _____ (hereinafter referred to as
“the HSSREC Member”) with physical address at _____

HEREBY AGREE TO THE FOLLOWING:

- A. The UWC HSSREC is a body constituted by appropriately qualified professionals tasked with the reviewing of novel proposals for research which is to be conducted with human participants.
- B. The work of the UWC HSSREC is the scientific evaluation and systematic review of the ethical status of the research related actions of researchers within the humanities and social sciences.
- C. The Members of the UWC HSSREC, supporting Administrative staff and ad hoc attendees hereby agree to be bound by the provisions of this Agreement for the duration of their service to and on the Senate Research Committee.

1. INTERPRETATION

Unless the context indicates the contrary:

- 1.1 “Confidential Information” shall mean certain proprietary or confidential information which the UWC HSSREC member acknowledges to be confidential. Such information relates to research on human participants, and

associated documentation. The Confidential Information may be conveyed in written, graphic, oral or physical form including (but not limited to) scientific knowledge, know-how, processes, inventions, techniques, products, business operations, designs, sketches, photographs, drawings, specifications, reports, studies, findings, data, plans or other records and/or software.

- 1.2 "Results" shall mean all results obtained and conclusions reached during the contingency of the Project and the Main Agreement.

2. CONFIDENTIALITY

- 2.1 The HSSREC Member undertakes in favour of the others that he/she will treat as confidential all information labelled as confidential information including all results generated from any proposal and/or project, including any and all information whether of a technical or scientific nature or otherwise relating to all research proposals reviewed by the UWC HSSREC as a whole or communicated to him/her hereunder or otherwise in connection with the HSSREC Member's role on the UWC HSSREC. The HSSREC member agrees that he/she will not disclose such information to any person, any legal entity, or to the media, and will not use such information other than for the purposes of this Agreement, subject to any prior specific written authorization by the other members to such disclosure or use.

- 2.2 Confidential information shall not include:

- (a) Information which at the time of disclosure is published or otherwise generally available to the public, or later becomes generally available to the public otherwise than through any act or omission on the part of the HSSREC Member; or
- (b) Information which the HSSREC Member can show by written records and to the satisfaction of the Disclosing Party, was in his/her possession at the time of disclosure and which was not acquired directly or indirectly from the Disclosing Party; or

- (c) Information rightfully acquired from a bona fide third party who did not obtain it under pledge of secrecy to the disclosing Party; or
- (d) Information which is or has been independently generated or developed by the HSSREC which can be shown by written records and to the satisfaction of the Disclosing Party; or
- (e) Information which is required to be disclosed by law or a valid order of a court of competent jurisdiction or the request of any governmental or other regulatory authority, in which event the parties hereto shall use their best endeavours to seek confidential treatment of such information.
- (f) Information released to specified parties by or after consultation with the Chair of HSSREC and any other relevant parties (e.g. DVC (for Research)).

2.3 The confidentiality obligations contained in this Agreement shall endure beyond the confines of the HSSREC Member's obligations to the UWC HSSREC and without limit in time.

3. GOVERNING LAW

3.1 This Agreement shall be governed by the law of the Republic of South Africa. Any disputes under this Agreement shall be resolved in a court of competent jurisdiction in the Western Cape, South Africa.

Thus read, signed and agreed:

Signed at _____ on the day of _____ 201_____

Full names: _____

Signed: UWC HSSREC Member

Witnesses:

(1) _____ _____
 (Print name of Witness) Signature

(2) _____ _____
 (Print name of Witness) Signature