

Ethics Policy

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Ethics Policy

Summary

What is this document about?

This document provides a general framework for professional practice and decision-making on ethical issues as they arise in the work of the University. The Policy is an integral part of the governance framework of the University of Portsmouth.

Who is this for?

This document will be of interest to staff, research students and all others conducting research and innovation, or teaching and learning activities, under the auspices of the University. It will also be of interest to external organisations who provide funding to support these activities. It may also be of interest to the wider public.

How does the University check this is followed?

The University Ethics Committee (UEC), chaired by the Pro Vice-Chancellor with responsibility for Research and Innovation, will monitor, review and develop this Policy. The Chair is also the Research Integrity lead for the University. Faculty Ethics Committees report ethical issues and concerns via the Ethics Subcommittee to UEC which reports directly to University Research and Innovation Committee. The Ethical Framework of the University is subject to internal audit.

The Procedure for the Investigation of Allegations of Misconduct in Research:

<http://policies.docstore.port.ac.uk/policy-023.pdf> and Whistleblowing Policy:

<http://policies.docstore.port.ac.uk/policy-067.pdf> exist to report breaches of this Policy.

Who can you contact if you have any queries about this Policy?

If you have any questions about this Policy, please contact the University Ethics Adviser or Research Manager (REF and Governance) in the University's Research and Innovation Services at ris@port.ac.uk.

1. Purpose

This Policy provides a framework for professional practice and decision-making on ethical issues as they arise in the work of the University.

2. Scope

This policy relates specifically to the academic activities of i) research and innovation and ii) learning and teaching. It does not apply to ethical issues relating to the wider strategic interests of the University including business partnerships and matters of procurement or investment. This business is the responsibility of the University Executive Board and/or governors, is normally negotiated at institutional level, and can be contrasted with innovation projects that are typically managed at faculty or departmental levels.

Most ethical judgments result from a process of values-informed debate in which various principles and considerations contribute to the final outcome. Some of these values stem from the University whilst others originate outside the University; for example those relating to subject disciplines that draw their self-identity from their own professional ethical codes as promulgated by their professional associations or accrediting bodies. Some ethical judgments are guided or constrained by legislation such as management of personal data, or research involving vulnerable groups such as adults lacking mental capacity.

This policy relates to engagement with people, the environment and data. The University has a separate Working with Animals Policy that defines the terms of reference for our Animal Welfare and Ethical Review Body (AWERB). It intends to continue to work closely with the National Centre for the Replacement, Refinement and Reduction of Animals in Research (NC3RS).

This Policy applies equally to research and innovation work carried out through any University subsidiary company, any teaching delivered by partner organisations, and any teaching accredited by the University.

Specific advice and guidance for adhering to this policy can be found on the ethics page of the University website.

3. Ethical Values

Values are the shared, fundamental beliefs held by the University as a community of learning; they should be seen as a reflection of the culture of the institution. Values comprise the normative foundation upon which all of the University's policies and practices should be built.

The University's Strategy 2015/16–2020/21 describes the University as ambitious, responsible and open.

The University's Strategy 2015/16–2020/21 includes a commitment to “act with integrity for the greater good” and to “insist on upholding the highest academic and professional standards”. As matter of social responsibility the University reserves the right to refuse funding from organisations that do not share its values, and requires members of its community to exercise due diligence when entering into agreements with such organisations. These commitments are also reflected in our **Research and Innovation Strategy**.

Our commitment to acting with integrity for the greater good and upholding the highest academic and professional standards requires that all members of the University treat one another appropriately and fairly, and that communications of all kinds are not offensive. Issues relating to harassment and bullying are covered in the **Dignity and Respect Policy** and policies on communication are embodied in **Staff's** and **Students' Email Policies**.

Innovation, creativity and freedom of academic enquiry and expression are enshrined both by law and the need to ensure openness and respect in relations within our community. Provided that these requirements are met, the University will support staff and students seeking to publicise the results of research and scholarship that has been carried out as a part of their roles within the University. The University expects staff and students to share its values and requires that they do not associate the University, or other members of it, in matters which reflect their own opinions on topics that are not the outcome of work carried out as part of their roles in the University (see the **External Speaker Policy**).

Some of the implications of these values are the subject of other policies. These include those in the area of Equality and Diversity, such as **The Equality and Diversity Policy Statement** that details the University's commitment to the strategic plan and includes values of being ‘serious about inclusivity’ and being ‘committed to improving social mobility’.

The Board of Governors is responsible for ensuring that the University retains the highest levels of academic and professional integrity and that we deliver our obligations in relation to corporate social responsibility.

4. Ethical Principles

Principles are the products of ethical reasoning, taking account of the institution's values and providing practical, general guidance that must be observed in all relevant situations. They can be used as points of reference when evaluating the ethics of practices in the areas of research and innovation and learning and teaching.

4.1 Research & Innovation

The University embraces the following general principles, governing research and innovation activities that involves human participants (Adapted from ESRC, 2016 and AcSS, 2015):

Activities should aim to maximise benefit for individuals and society whilst minimising risk and harm to participants;

Staff/students should act with due regard to their social responsibilities in conducting and disseminating their research;

Activities should respect the privacy, autonomy, diversity, values, and dignity of individuals, groups and communities. They should not be discriminatory and should take account of the needs, experiences and beliefs of different groups within society where appropriate;

Wherever possible, participation should be voluntary and appropriately informed; consent must be provided by the participant or, in the case of a minor, a person with parental responsibility. In the case of adults lacking capacity, researchers must act in accordance with the Mental Capacity Act 2005;

Activities should be conducted with integrity and transparency, employing the most appropriate methods for the purpose;

Lines of responsibility and accountability should be clearly defined;

Independence of research & innovation should be maintained, and where conflicts of interest cannot be avoided they should be made explicit;

Confidentiality when it is assured, must be respected, and due regard must be paid to the security and ethical use of personal and sensitive information, adhering to the requirements of the Data Protection Act 1998. Those undertaking research, innovation and teaching activities must ensure that they comply with the requirements of the University's Data Protection Policy.

All Research & Innovation, including work that does not involve human subjects, should take account of the following general principles:

- a. Acting with due respect for the environment, taking account of sustainability and its continuing integrity
- b. Ensuring sensitive data is managed with care and due regard to legal constraints
- c. Ensuring Technological innovation aims to improve the quality of life for mankind
- d. Abiding by legal, institutional and accepted practices, procedures and protocols in the treatment of animals

4.2 Learning and Teaching

The University embraces the following general principles governing its learning and teaching activities, aiming to maximise students' potential, and encourage democratic participation in civil society:

- a. Teaching methods and styles should be adapted to be inclusive, taking full account of the diversity of students
- b. Learning and assessment requiring public engagement must be ethically reviewed
- c. Students should be encouraged to develop informed opinions
- d. When teaching involves the use of material that might be reasonably expected to cause offence or distress, students should be informed in advance and given the opportunity to opt out

5. Ethical Review

All research and innovation activities undertaken by staff and students of the University (and by others in collaboration with us) requires ethical review. Ethical review should be proportionate by taking into account work having no material ethical concerns, and projects intended to provide a learning experience rather than advancing knowledge.

5.1 Research

Any research involving NHS patients and/or their relatives or carers requires the submission of the project to the appropriate NHS Research Ethics Committee (REC). There are other circumstances where ethical review by a NHS REC is legally required such as in relation to the human tissue act or mental capacity act. Further details can be found in Governance arrangements for Research Ethics Committees (DH 2012). Some other studies might need to be reviewed by other external bodies including the Ministry of Defence REC (for research relating to military personnel), the National Offenders Management Service (for research involving prisoners), and the National Social Care Ethics Committee. Faculty Ethics Committees should be notified of successful applications to external committees and receive copies of the application documents and favourable opinion letter, but need not formally review these studies. As a matter of good practice, faculty ethics committees should offer advice and support to researchers seeking external reviews.

All research and innovation activity not subject, as a matter of law or policy to external ethical review, must be subject to internal review. It should be noted that review must be proportionate to the risks and burdens associated with the research. Normally, formal review by a faculty committee is only necessary for staff research and innovation, and work undertaken by research students, involving human participation. Ethical review of undergraduate and taught postgraduate research can be undertaken by a departmental ethics committee following procedures and guidance promulgated by the relevant faculty ethics committee. Where a team conducts research, the leader of the team or principal investigator is responsible for ensuring that the project is subject to independent ethical review. All other research activities must be reviewed using the online review system.

For the purposes of research governance and ethics, the supervisors of undergraduate and taught postgraduate students take the responsibility of principal investigator.

5.2 Innovation

Many innovation projects do not include significant ethical issues as they centre on work such as product development and evaluation, and do not involve human participants. Projects of this nature need not be reviewed by full committee, but staff undertaking them should use the online review system.

Some innovation projects require ethical review by full committee as a result of significant ethical issues. It is not possible to produce a definitive list of what comprises significant ethical issues but obvious examples would include activities involving sensitive issues, work for organisations which might be regarded as ethically contentious, where our reputation might be jeopardised, and any activity which might be regarded (perhaps covertly) as seeking UoP endorsement of a product or service.

5.3 Learning and teaching

Ethics should be a part of the curriculum and explicitly included in teaching and in course materials wherever ethical questions and decisions are relevant to a subject's activity. Heads of Department should report on this issue in their annual reviews. Every student in a programme should have opportunities for reflection and debate on relevant ethical issues. The Higher Education Academy has published further guidance regarding partnerships with students in learning and teaching regarding ethics.

Ethical choices and issues may arise in relation to the learning, teaching and assessment methods adopted, including students' experiences on placements and in work-based learning contexts. Members of staff need to be alert to any potential for pedagogic practice to treat students, or ask students to treat others, in ways that are unethical.

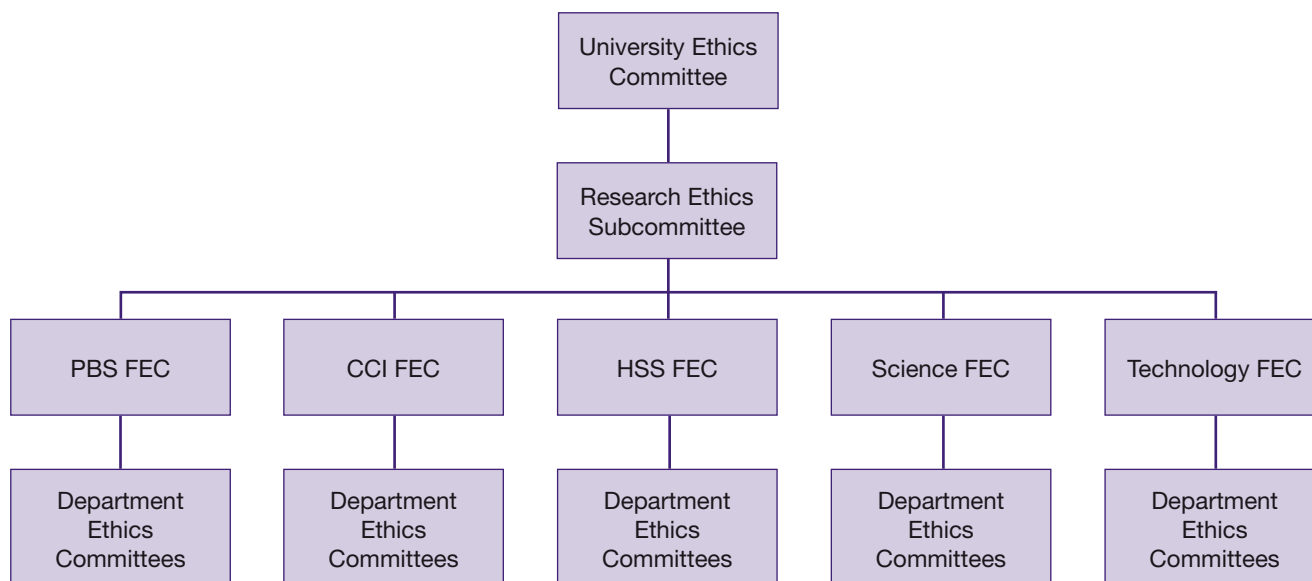
Ethical issues that may be relevant in teaching programmes include:

- a. The ethical design, conduct and dissemination of research
- b. The impact of subject matter on individuals or identifiable groups including but not necessarily limited to those groups directly specified in legislation on equality and diversity
- c. The understanding and analysis of the context and mechanisms of choice between alternative policies or practices
- d. The impact of applications of the subject matter on the environment
- e. The impact of the subject matter on creativity, freedom and autonomy
- f. The understanding of historical and cross-cultural differences in ethical consideration and standards

Teaching programmes should encourage open debate on how ethical issues might be identified and resolved.

All undergraduate and postgraduate students involved in research projects are required to consider the ethical dimensions of their work and to follow the sections of this Policy relating to research ethics and research integrity. General advice can be obtained from their supervisor, departmental ethics representative, Chairs of the relevant Faculty Ethics Committees, or from the University Ethics Advisor.

6. Roles and Responsibilities for Ethical Review



6.1 University Ethics Committee

The University Ethics Committee takes a broad overview of the ethical issues relating to the academic activities of the University, recognising that some funding, such as those relating to the University's wider strategic interests (business relationships, partnerships, trading, investment and procurement) will need to be considered by the executive board. The University Ethics Committee reports to the University Research and Innovation Committee and Academic Council. It is chaired by the Pro Vice-Chancellor, Research and Innovation. There is representation on the Committee from the Board of Governors in recognition of the ethical responsibilities of the Board. Membership and terms of reference are available online. The University Ethics Committee is responsible for ensuring that values and principles referred to above are applied in all parts of the University.

6.2 Research Ethics Subcommittee

Recognising that ethical review of research and innovation requires specific procedures and expertise, the University Ethics Committee delegates responsibility for these aspects to a subcommittee. The subcommittee directly supervises the Faculty Ethics Committees and takes responsibility for proposing and managing operational aspects of research and innovation ethical review. It also reviews appeals of opinions provided by Faculty Ethics Committee. The research ethics subcommittee is chaired by the University Ethics Advisor and is composed of the chair (or nominated representative) from each Faculty Ethics Committee along with other co-opted members where necessary and a representative from Research and Innovation Services. Terms of reference are available online.

6.3 Faculty Ethics Committees

There are Local Ethics Committees in all five Faculties whose primary role is to provide a review of research and innovation projects in their faculty:

- Portsmouth Business School
- Creative and Cultural Industries
- Humanities and Social Sciences
- Technology
- Science

Any research activity carried out by staff in central departments should be referred to the University Ethics Advisor who will recommend a suitable pathway for review.

Faculty Ethics Committees have the same terms of reference and constitution, available online. Every Academic Department is represented in the relevant Faculty Ethics Committee. Faculty committees must meet at regular intervals and have a mechanism for review of urgent or short-notice cases. They consider the principles outlined in this document and primarily review research and innovation project protocols. The University Research Ethics subcommittee and University Ethics Adviser ensure that faculty committees operate equitably and follow similar procedures.

Clear guidance regarding necessary documentation and the process of ethical review can be found on the University's website. Application forms for ethical review by a Faculty Ethics Committee can be found on this website. There are also links to templates and guidance documents.

If an applicant is sure that their research poses no ethical issues, for example it does not

- a. involve human participants
- b. impact on the integrity of the environment
- c. impact on our cultural heritage
- d. include any sensitive issues

the online reviewing system should be accessed.

The favourable opinion of the Faculty Ethics Committee provides assurance that if the research is conducted in line with the documents reviewed by the Committee, it will be deemed as ethical. The Committee is not empowered to give permission to conduct research; other governance permissions will need to be obtained within the normal line management structures. If there are any substantial changes to the research protocol or documents submitted for ethical review these must be reported to the committee and further review sought.

Researchers may appeal the decision of a Faculty Ethics Committee to the Research Ethics Subcommittee who will implement a formal appeals process. The decision of the Research Ethics Subcommittee is final.

6.4 Departments

All academic schools and departments must have a member of staff on the relevant Faculty Ethics Committee who can also act as an initial point of contact regarding ethical issues arising within their school or department. Departmental representatives must liaise with their Faculty Ethics Committee and the University Ethics Advisor where appropriate. Some departments may need to expand this role into a departmental ethics committee. These committees are sub-committees of the relevant faculty ethics committee and may ethically review studies at undergraduate and taught postgraduate level only. Terms of reference are available online.

Many subject areas within the University will have available requirements, guidelines or a code of practice on ethical issues that have been developed by regulatory authorities, professional bodies, learned societies or subject associations. Where such external documents are available, the department may make an explicit resolution to adopt the guidelines or code for the discipline or profession, either in whole or in part, and should communicate this decision for ratification, together with a copy of the relevant documents, to the University Ethics Committee. Members of staff are encouraged to consult published guidance, produced by regulatory authorities, such as the Human Tissue Authority. However, the University would not expect individual members of staff to make direct contact with these authorities; if specific advice is required it should be sought in consultation with the University Ethics Advisor.

6.5 Supervisors

Supervisors of undergraduate and taught postgraduate students are responsible for providing appropriate ethical guidance and taking all reasonable precautions in ensuring that students' research is conducted ethically. They must take the role of principal investigator, supporting the student who should be regarded as a co-investigator. Supervisors should not normally provide an independent ethical review of their students' work unless agreed in advance by the University Ethics Committee.

Supervisors of postgraduate research students should provide guidance and assistance to ensure ethical design, conduct and dissemination of their student's research. Supervisors are required to 'sign off' their students' applications to ethics committees, but cannot provide an independent ethical review. Postgraduate research students should be regarded as principal investigators.

All supervisors, leaders and managers of research projects are responsible for:

- a. Managing risks and ensuring the safety of those involved
- b. Ensuring the probity of the financial management of the project
- c. Seeking to provide optimum value for funds invested
- d. Ensuring clarity in all contractual arrangements including those relating to intellectual property and disclosure
- e. Effective management of the project including the timely provision of tangible outcomes scheduled to be delivered as a part of a research project contract
- f. Comply with University governance arrangements

6.6 Researchers

All staff and students involved in research owe a duty of accountability to society, to the University, and where relevant, to their profession, funders of the research and any research volunteers. The principles include:

- a. Pursuing research that is designed to contribute to knowledge
- b. The pursuit and protection of truth
- c. The adoption of ethically approved research methods that are appropriate to the discipline
- d. Honesty and transparency in communication and publication
- e. Cooperation and compliance with University governance procedures

7. Training and Research Integrity

Research ethics training for staff and undergraduate and postgraduate research students will include discussions of research integrity and the relevant codes of practice of the University and external bodies. Members of research ethics committees will receive additional training appropriate for their roles.

The University has adopted the **UKRIO Code of Practice for Research** and it requires staff and students to adhere to the key principles of integrity contained therein. Any member of the University who believes that there may have been a breach of research integrity should refer to the **Procedure for the Investigation of Allegations of Misconduct in Research (2013)** and seek advice from the Director of Corporate Governance. The University will invoke its staff or student disciplinary procedures in relation to breaches of research integrity.

In July 2012, Universities UK launched the Concordat to support research integrity that sets out a national framework for good research conduct and its governance. The University supports the principles of the Concordat and of other agencies that seek to promote the highest standards of research conduct, such as those embodied in the RCUK Policy and Guidelines on the Governance of Good Research Conduct, and has appropriate procedures in place to investigate allegations of breaches of research integrity. The University directs the attention of those involved in research to these documents, to the UKRIO Code of Practice for Research and Procedure for the Investigation of Allegations of Misconduct in Research.

8. Management and communication

The implementation of this Policy requires that:

Managers in all areas of the University are responsible for considering the ethical dimensions of the research and innovation and learning and teaching activities in their area, and are accountable for the ethical consequences of their choices and actions;

Heads of Department and Deans are responsible for ensuring that necessary committees are in place, that they report to the University Ethics Committee, and that staff and students are informed of ethical issues in their subject areas;

All members of the University community (governors, staff and students) have the right to raise ethical considerations, seeking advice if necessary from their Departmental ethics representative, Chair of the relevant Faculty Ethics Committee, University Ethics Adviser or the Director of Corporate Governance;

Any member of the University community who has concerns about any aspect of ethical conduct and practices should seek the advice of the Director of Corporate Governance. Members of the community are reminded that the University has a **Whistle Blowing Policy** that protects members of staff who wish to report some danger, fraud, or other illegal or unethical conduct in the workplace from any detriment;

All researchers and research groups must include consideration of ethical matters in their work;

Ethical issues, for instance relating to probity, security confidentiality and adherence to external professional codes should be discussed as a part of staff development and regularly included in general communications by managers;

Heads of Department and Deans are responsible for ensuring that local codes, guidelines and procedures are communicated effectively and are supported by appropriate administrative arrangements and documentation.

The University will employ an Ethics Adviser whose job is to manage and scrutinise the University's ethics processes to:

- a. Establish best practice in ethical standards relating to research & innovation and learning & teaching, across the University.
- b. Meet the requirements of the UUK Concordat, RCUK and other external funding bodies regarding ethical matters
- c. Advise the University Executive Board where appropriate on ethical issues
- d. Chair the research ethics-subcommittee
- e. Develop, implement and oversee new policies, procedures and practices relating to research ethics, integrity and governance
- f. Provide strategic guidance, general advice and support concerning ethics to those undertaking research and innovation activities
- g. Coordinate training of staff and students in relation to this policy
- h. Ensure the University ethics procedures are broadly consistent with external national and international standards and procedures

References

- UK Research Integrity Office (UKRIO) Code of Practice for Research (October 2009), adopted by the University of Portsmouth, May 2014:
<http://www.ukrio.org/publications/code-of-practice-for-research/>
- UKRIO Recommended Checklist for Researchers:
<http://www.ukrio.org/wp-content/uploads/UKRIO-Recommended-Checklist-for-Researchers.pdf>
- Equality and Diversity Policy Statement, University of Portsmouth: <http://policies.docstore.port.ac.uk/policy-027.pdf>
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<http://policies.docstore.port.ac.uk/policy-007.pdf>
- External Speaker Policy: <http://policies.docstore.port.ac.uk/policy-181.pdf>
- Governance Arrangements for Research Ethics Committees. Department of Health 2011
http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/documents/digitalasset/dh_126614.pdf
- Procedure for the investigation of Allegations of Misconduct in Research, University of Portsmouth:
<http://policies.docstore.port.ac.uk/policy-023.pdf>
- Declaration of Interests Policy, University of Portsmouth: <http://policies.docstore.port.ac.uk/policy-104.pdf>
- RCUK Policy and Guidelines on the Governance of Good Research Conduct:
<http://www.rcuk.ac.uk/RCUK-prod/assets/documents/reviews/grc/RCUKPolicyandGuidelinesonGovernanceofGoodResearchPracticeFebruary2013.pdf>
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- Universities UK Concordat to support research integrity, July 2012: <http://www.universitiesuk.ac.uk/highereducation/Pages/Theconcordattosupportresearchintegrity.aspx#.UgTW2KzJbRg>
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- Working with Animals Policy, University of Portsmouth: <http://policies.docstore.port.ac.uk/policy-080.pdf>
- Research and Innovation Strategy:
<http://www.port.ac.uk/realising-the-vision/strategy/>
- Data Protection Act 1998:
<http://www.legislation.gov.uk/ukpga/1998/29/contents>

- Mental Capacity Act:
www.legislation.gov.uk/ukpga/2005/9/contents
- University Ethics Committee intranet:
<http://www.port.ac.uk/intranet/registry/academiccommittees/UEC/>
- Research and Innovation Services – ethics and governance website:
www.port.ac.uk/research/ethics
<http://www.port.ac.uk/research/our-research/research-governance/>
- NHS Ethics Review:
<http://www.nres.nhs.uk>

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