

## **Ethics Appeals Procedure approved at UEC 30<sup>th</sup> October 2019**

### **Background**

The UWS Code of Ethics establishes the University's approach to raising the ethical awareness of staff and students, and ensuring that all that we do is underpinned by global and future-focussed principles of fairness and opportunity.<sup>1</sup> We have responsibilities as a University to maintain the highest ethical standards in research and scholarship: we are committed to ensuring a culture of honesty, rigour, transparency and respect.<sup>2</sup> As part of this commitment, UWS has established a procedure to allow appeals against the decisions of the School Ethics Committees.

### **Grounds for Appeal**

An applicant may appeal the decision of any School Ethics Committee. Appeal of a decision of Approval with Conditions or Not Approved may be made on the following grounds:

A key component of our Ethics framework is that the review of an application is proportionate to the "risk" the project poses. If an applicant believes this is not the case an appeal of a decision may be made on the grounds that evidence was not fully and properly considered.

Dissatisfaction with the decision of a School Ethics Committee *alone* is not sufficient grounds for appeal.

The applicant would be expected to have discussed the decision with the Chair of the Ethics Committee that reviewed the original application before proceeding with an appeal.

### **Appeal Procedure**

The Appeal should be submitted via the ERM within 10 working days of receiving the Committee's decision. The grounds for the appeal should be clearly stated.

### **Initial Scrutiny**

The Chair of the University Ethics Committee will nominate two members of the University Ethics Committee, who are not members of the School of the appellant and did not participate as reviewers of the original application, to undertake an initial scrutiny of the appeal (determine if there is a prima facie case). This will normally take place within 5 working days. The outcome of this scrutiny will be communicated to the Chair of the University Ethics Committee in the form of a short report. This report will form part of the evidence for the appeal panel.

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<sup>1</sup> UWS Code of Ethics

<sup>2</sup> Guidelines for Ethical Practice in Research and Scholarship

If, after initial scrutiny, it is unanimously deemed that there are no valid grounds to appeal, then the appellant will be informed that the appeal has been rejected and the reasons for the rejection. If one opinion is that there is a case for upholding the appeal, the applicant will be informed of the outcome and the outcome will be reported to the Chair of the University Ethics Committee and an Appeal Panel will be convened to consider the application further.

The Chair of UEC will appoint a chair of the Appeal panel supported by the Secretary to UEC, the Appeal Panel will consist of two members of academic staff who have experience in ethics review but were not involved in the original review process or the initial scrutiny. The Chair may request other members of staff, including the Chair of the original initial scrutiny panel to provide context, depending on the circumstances and required expertise. The appellant will be invited to present information to the Appeal Panel.

### **Appeal Outcome**

The outcome of the hearing of the Appeal Panel can include one of the following:

**Appeal upheld:** the project is referred back to the School Ethics Committee with recommendations for further review and decision; or

**Appeal not upheld:** the original decision of the School Ethics Committee stands.

The appellant will be informed of the outcome of Appeal Panel by the Chair of the University Ethics Committee within five working days of the hearing.

The outcome will be reported to the School Ethics Committee and the UEC.

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