

HUMAN RESEARCH ETHICS COMMITTEE GRIEVANCE

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1 PURPOSE

The purpose of these procedures is to provide a clear guide to the handling of enquiries and complaints regarding the use of humans for scientific purposes at CQUniversity.

2 SCOPE

These processes apply to all staff and students of the University involved in research.

3 EFFECTIVE DATE 22 June 2016

4 LEGISLATIVE AUTHORITY

Central Queensland University Act 1998 Qld

5 PARENT POLICY

There is no parent policy.

6 PROCEDURE

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Overview

6.1 Chapter 5.6 of the [National Statement on Ethical Conduct in Human Research, National Health and Medical Research Council, 2007](#) requires that 'to handle complaints about researchers or the conduct of research, institutions should:

- identify a person accessible to participants, to receive these complaints ; and
- establish procedures for receiving, handling and seeking to resolve such complaints' (clause 5.6.1);

and further:

- 'Institutions should also establish procedures for receiving, handling and seeking to resolve complaints about the conduct of review bodies in reviewing research proposals' (clause 5.6.4).

6.2 Enquiries and complaints will be treated confidentially by CQUniversity unless CQUniversity is under an obligation to disclose the complaint. In such cases, the complainant will be advised if the University is to disclose the enquiry or complaint. No student or staff member shall have their academic progress or employment jeopardised by raising a concern.

- 6.3 Investigations of a complaint or dispute may include:
- interviews with the complainant, the subject of the complaint, or witnesses;
 - unannounced inspection of research sites, data and signed consent forms and or/ interview with the prior consent of research participants;
 - seeking expert advice on technical matters from outside the institution.
- 6.4 In general the approach taken will be to attempt to resolve the problem by counselling and advice.
- 6.5 The Human Research Ethics Committee, hereafter the Committee, decisions are not open to amendment if due process has been followed.

Enquiries and Complaints by the General Public to the Queensland Government

- 6.6 In the event that complaints about CQUniversity's human research activities are received by the Queensland government, these will initially be referred to the Committee for investigation.
- 6.7 The Committee will report to the Vice-Chancellor, through the Deputy Vice-Chancellor (Research) in writing within ten working days of receipt of such advice.
- 6.8 In the event that serious problems arise which cannot be resolved by the Committee the matter will be referred to the Deputy Vice-Chancellor (Research).

Disagreements between the Human Research Ethics Committee and CQUniversity Management

- 6.9 In the event that any disagreements arise between the Committee and CQUniversity the matter shall be referred to the independent conciliator/arbitrator, the Queensland State Ombudsman.

Enquiries and Complaints by Students

- 6.10 In the event that a student is dissatisfied with the involvement of humans in a particular project or teaching exercise the following procedures are to be followed.
- 6.11 A written submission in plain English of no more than four A4 pages, detailing the reasons for dissatisfaction of the involvement of humans in a particular project or teaching exercise is to be submitted by the aggrieved person to the Committee within 10 working days of the project or teaching exercise.
- 6.12 The Committee must consider the matters raised in the submission and respond to those matters. The Committee may confirm or alter any decision previously made in relation to the relevant research proposal.
- 6.13 Within 10 working days of the meeting at which the submission is considered, the Committee shall provide to the person making the submission a written statement addressing each of the matters raised and advice of any confirmation of, or change of decision or procedure.
- 6.14 If the aggrieved person is not satisfied with the Committee's written response, he/she may advise the Deputy Vice-Chancellor (Research) in writing that he/she has an irreconcilable difference with the Committee and must append a copy of both the submission forwarded to the Committee and the written response from the Committee within ten working days of the Committee's response.

Enquiries, Complaints and Disputes between Researchers, Supervisors, Staff, Research Candidates and the Human Research Ethics Committee

- 6.15 In the event that a researcher, supervisor, staff or research candidate is dissatisfied with either the Committee's procedures or any decision regarding research or teaching involving humans the following procedures are to be followed.
- 6.16 A written submission in plain English of no more than four A4 pages, detailing the reasons for dissatisfaction with the Committee's procedures or decision is to be submitted by the aggrieved person to the Committee within ten working days after receipt of advice of the Committee's decision.

- 6.17 If a written grievance is received more than 15 working days before the next scheduled meeting of the Committee, the grievance must be considered at that next scheduled meeting. If a written grievance is received within 15 working days or fewer of the next scheduled meeting it will be held over and must be considered at the following meeting.
- 6.18 The Committee must consider the matters raised in the submission and respond to those matters. The Committee may confirm or alter any decision previously made in relation to the relevant research or teaching proposal or proposed research or teaching involving humans.
- 6.19 Within 10 working days of the meeting at which the submission is considered, the Committee shall provide to the person making the submission a written statement addressing each of the matters raised and advice of any confirmation of, or change of decision or procedure.
- 6.20 If the aggrieved person is not satisfied with the Committee's written response, he/she may advise the Deputy Vice-Chancellor (Research) in writing that he/she has an irreconcilable difference with the Committee and must append a copy of both the submission forwarded to the Committee and the written response from the Committee within ten working days of the Committee's response.
- 6.21 In reviewing the matter referred, the Deputy Vice-Chancellor (Research) may invite the participation of an ethicist or member of an ethics committee external to the University or any other persons to assist it in its deliberations.
- 6.22 The Deputy Vice-Chancellor (Research) will provide written advice to both the relevant Ethics Committee and the aggrieved person regarding its review of the matter. The Deputy Vice-Chancellor (Research) may require the Committee to reconsider its decision or procedures in the light of its advice or may endorse the decision or procedures of the Committee.
- 6.23 In the event that the Committee is required to reconsider its decision or procedures, the Committee must consider any advice given to it by the Deputy Vice-Chancellor (Research).
- 6.24 Any advice by the Deputy Vice-Chancellor (Research) on the matter referred will be deemed to be the final advice of the Deputy Vice-Chancellor (Research) on the matter.
- 6.25 Having considered any advice given to it by the Deputy Vice-Chancellor (Research) the Committee concerned has ultimate authority for making a final decision on the matter referred.

Enquiries, Complaints and Disputes by a Committee Member

- 6.26 In the event that an individual committee member is dissatisfied with either the Committee's procedures or any decision regarding research or teaching involving humans the following procedures are to be followed.
- 6.27 A written submission in plain English of no more than four A4 pages, detailing the reasons for dissatisfaction with the Committee's procedures or decision is to be submitted by the aggrieved person to the Committee Chair within 15 working days after receipt of advice of the Committee's decision.
- 6.28 The Committee Chair must consider the matters raised in the submission and respond to those matters.
- 6.29 Within 15 working days of the receipt of the submission, the Committee Chair shall provide to the person making the submission a written statement addressing each of the matters raised and advice of any confirmation of, or change of decision or procedure.
- 6.30 If the aggrieved person is not satisfied with the Committee Chair's written response, he/she may advise the Deputy Vice-Chancellor (Research) in writing that he/she has an irreconcilable difference with the Committee and must append a copy of both the submission forwarded to the Committee and the written response from the Committee within 15 working days of the Committee's response.
- 6.31 In reviewing the matter referred, the Deputy Vice-Chancellor (Research) may invite the participation of an ethicist or member of an ethics committee external to the University or any other persons to assist it in its deliberations.

- 6.32 The Deputy Vice-Chancellor (Research) will provide written advice to both the Committee and the aggrieved Committee member regarding its review of the matter. The Deputy Vice-Chancellor (Research) may require the Committee to reconsider its decision or procedures in the light of its advice or may endorse the decision or procedures of the Committee.
- 6.33 In the event that the Committee is required to reconsider its decision or procedures, the Committee must consider any advice given to it by the Deputy Vice-Chancellor (Research).
- 6.34 Any advice by the Deputy Vice-Chancellor (Research) on the matter referred will be deemed to be the final advice of the Deputy Vice-Chancellor (Research) on the matter.
- 6.35 Having considered any advice given to it by the Deputy Vice-Chancellor (Research) the Committee concerned has ultimate authority for making a final decision on the matter referred.

Enquiries, Complaints and Disputes by the Human Research Ethics Committee

- 6.36 In the event that the Committee is dissatisfied with either the Committee's procedures or any decision regarding research or teaching involving humans the following procedures are to be followed.
- 6.37 A written submission in plain English of no more than four A4 pages, detailing the reasons for dissatisfaction with the Committee's procedures or decision is to be submitted by the committee to the Deputy Vice-Chancellor (Research) within 15 working days after receipt of advice of the Committee's decision.
- 6.38 The Deputy Vice-Chancellor (Research) must consider the matters raised in the submission and respond to those matters.
- 6.39 Within 15 working days of the receipt of the submission, the Deputy Vice-Chancellor (Research) shall provide to the committee a written statement addressing each of the matters raised and advice of any confirmation of, or change of decision or procedure.
- 6.40 If the committee is not satisfied with the written response of the Deputy Vice-Chancellor (Research), the committee may advise the Provost. This advice must be in writing, state the reasons for dissatisfaction and must append a copy of both the submission forwarded to the Deputy Vice-Chancellor (Research) and the written response from the Deputy Vice-Chancellor (Research). This process must be completed within 15 working days of the response from the Deputy Vice-Chancellor (Research).
- 6.41 In reviewing the matter referred, the Provost may invite the participation of an ethicist or member of an ethics committee external to the University or any other persons to assist it in its deliberations.
- 6.42 The Provost will provide written advice to both the Deputy Vice-Chancellor (Research) and the Committee regarding its review of the matter. The Provost may require the Deputy Vice-Chancellor (Research) or the Committee to reconsider its decision or procedures in the light of its advice or may endorse the decision or procedures of the Committee.
- 6.43 In the event that the Deputy Vice-Chancellor (Research) and the Committee is required to reconsider its decision or procedures, the Committee must consider any advice given to it by the Deputy Vice-Chancellor (Research).
- 6.44 Any advice by the Provost) on the matter referred will be deemed to be the final advice of the Deputy Vice-Chancellor (Research) on the matter.

7 RESPONSIBILITIES

Compliance, Monitoring and Review

- 7.1 The Ethics Officer in the Research Division is responsible for ensuring compliance with these procedures.

Reporting

- 7.2 Grievances or complaints including resolutions will be included in the Human Research Ethics Committee annual report to the Research Committee of Academic Board, and also included in the annual report to the National Health and Medical Research Council.

Records Management

- 7.3 All records relevant to this document are to be maintained in a recognised University recordkeeping system, overseen by the Research Division.

8 DEFINITIONS

Refer to the University [glossary](#) for the definition of terms used in this policy and procedure.

9 RELATED LEGISLATION AND DOCUMENTS

Related Legislation and Supporting Documents

[National Statement on Ethical Conduct in Human Research, National Health and Medical Research Council, 2007](#)

Approval and Review	Details
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