

# ANIMAL ETHICS COMMITTEE COMPLAINTS POLICY AND PROCEDURE



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## 1 PURPOSE

- 1.1. CQUniversity's Animal Ethics Committee is responsible for assessing, providing clearance and monitoring the use and care of animals for any research or teaching projects undertaken at CQUniversity.
- 1.2. This policy and procedure outlines how the Committee will manage complaints and enquiries regarding the use of animals for scientific purposes, to ensure compliance with the [Australian code for the care and use of animals for scientific purposes](#), hereafter the Code.

## 2 SCOPE

- 2.1. This policy and procedure applies to Committee members, employees, and students conducting research and teaching using animals at CQUniversity.

## 3 POLICY STATEMENT

- 3.1. CQUniversity is required under the Code [Clause 5.1] to have procedures for addressing complaints and non-compliance relating to the care and use of animals for scientific purposes, including:
  - complaints concerning the care and use of animals by the institution, including conscientious objection in the case of teaching activities
  - complaints concerning the Committee process of review of an application or report, including resolution of disagreements between Committee members and the Committee and investigators
  - complaints concerning the process for independent external review, and
  - non-compliance with the Code by any party or person involved in the care and use of animals including investigators, animal carers, the Committee, governance officials, and external parties subject to agreements [Code 2.6.3-2.6.7]. Non-compliance may also involve breaches of relevant state or territory legislation [Code 5.12].

## 4 PROCEDURE

- 4.1 Where complaints relate to activities that have the potential to adversely affect animal wellbeing, the activities will cease immediately.
- 4.2 Enquiries and complaints will be treated confidentially by CQUniversity unless the University is under an obligation to disclose the complaint. In such case, the complainant will be advised if the University is to disclose the enquiry or complaint. No student or employee shall have their academic progress or employment put in jeopardy by raising a concern.
- 4.3 Investigations of a complaint or dispute may include:
- interviews with the complainant
  - the subject of the complaint, or witnesses
  - unannounced inspection of the facility or animal/s in question, and
  - seeking expert advice on technical matters from outside the institution.
- 4.4 In general, the approach taken will be to attempt to resolve the problem by counselling and advice.
- 4.5 Committee decisions are not open to amendment if due process has been followed.

### Enquiries, complaints and disputes

#### General public

- 4.6 Complaints about the University's animal research activities received by the Queensland Government will be referred to the Committee for investigation.
- 4.7 The Committee will convene a special meeting to consider the complaint, and will provide its recommendation to the Vice-Chancellor and President in writing within 10 working days of receipt of such advice.
- 4.8 Where serious problems arise which cannot be resolved by the Committee the matter will be referred to the Deputy Vice-Chancellor (Research).

#### Student

- 4.9 Where a student is dissatisfied with the use of animals in a research activity or teaching exercise, the following procedures will be followed:
- A written submission in plain English of no more than four A4 pages, detailing the reasons for dissatisfaction will be submitted to the Committee within 10 working days of the research activity or teaching exercise.
  - The Committee will convene a special meeting to consider the matters raised in the submission and respond to those matters within 10 working days. The Committee may confirm or alter any decision previously made in relation to the relevant research proposal or proposed use of animals in research or teaching.
  - Within 10 working days of the special meeting at which the submission is considered, the Committee will provide the student a written statement addressing each of the matters raised, and confirm, or change, the decision or procedure.
  - If the student 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. The student must send a copy of both the submission forwarded to the Committee and the written response from the Committee within 10 days of the Committee's response.
  - In reviewing the matter referred, the Deputy Vice-Chancellor (Research) may invite the participation of an ethicist, animal welfare officer or member of an ethics committee external to the University or any other persons to assist in its deliberations.

- The Deputy Vice-Chancellor (Research) will provide written advice to both the Committee and the student regarding their 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.
- 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).
- 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.
- Having considered any advice given to it by the Deputy Vice-Chancellor (Research), the Committee has ultimate authority for making a final decision on the matter referred.

## Researchers

- 4.10 Where a researcher, including an employee, supervisor or research candidate, is dissatisfied with either the Committee's procedures or any decision regarding research or teaching involving animals, the following procedures will be followed:
- 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 will be submitted by the researcher to the Committee within 10 working days after receipt of advice of the Committee's decision.
  - If a written complaint is received more than 15 working days before the next scheduled meeting of the Committee, the complaint will be considered at that next scheduled meeting. If a written complaint is received within 15 days of the next scheduled meeting it may be tabled (with the approval of the Chair) or held over to be considered at the following meeting or at a special meeting.
  - 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 or proposed use of animals in research or teaching.
  - Within 10 working days of the meeting at which the submission is considered, the Committee will provide the researcher a written statement addressing each of the matters raised, and confirm, or change, the decision or procedure.
  - If the researcher 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. The researcher must send a copy of both the submission forwarded to the Committee and the written response from the Committee within 10 days of the Committee's response.
  - 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.
  - The Deputy Vice-Chancellor (Research) will provide written advice to both the Committee and the researcher 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.
  - 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).
  - 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.
  - Having considered any advice given to it by the Deputy Vice-Chancellor (Research), the Committee has the ultimate authority for making a final decision on the matter referred.

## Addressing non-compliance

- 4.11 Where complaints identify instances of non-compliance or breaches of the code, the Chair will formally advise the Chief Investigators that ethical approval for the project has been suspended. The non-compliance will be referred to the Deputy Vice-Chancellor (Research) by the Chair for resolution under the provisions of the [Code of Conduct for Research](#).

- 4.12 Records of non-compliance and the subsequent actions taken will be kept by the Ethics Coordinator for reporting to the respective State Governments.

### **Multi-institutional projects**

- 4.13 For projects involving more than one institution and/or AEC, procedures should include mechanisms for reporting between the relevant institutions and AECs on complaints and non-compliance.

## **5 RESPONSIBILITIES**

- 5.1 The Committee, supported by the Research Division, is responsible for implementing, monitoring, reviewing and ensuring compliance with this policy and procedure.
- 5.2 The Ethics Coordinator is responsible for ensuring that this policy and procedure is followed.

### **Compliance, Monitoring and Review**

- 5.3 Evidence of compliance is demonstrated by the Committee's Annual reports to:
- [Department of Agriculture and Fisheries](#) (QLD)
  - [Department of Primary Industries](#) (NSW)
  - [Department of Primary Industries and Regional Development](#) (WA)
  - [Department of Environment and Water](#) (SA)
  - [Department of Primary Industries, Parks, Water and Environment](#) (TAS)
  - [Department of Economic Development, Jobs, Transport and Resources](#) (VIC), and
  - Research Committee.

### **Reporting**

- 5.4 No additional reporting is required.

### **Records Management**

- 5.5 Employees must manage records in accordance with the [Records Management Policy and Procedure](#). This includes retaining these records in a recognised University recordkeeping information system.
- 5.6 University records must be retained for the minimum periods specified in the University Sector Retention and Disposal Schedule on the [Queensland State Archives website](#). Before disposing of any records, approval must be sought through the Records Management Office (email [records@cqu.edu.au](mailto:records@cqu.edu.au)).

## **6 DEFINITIONS**

- 6.1 Terms not defined in this document may be in the University's [glossary](#).

## **7 RELATED LEGISLATION AND DOCUMENTS**

- [Animal Care and Protection Act 2001](#) (QLD)
- [Animal Ethics Committee Application Guideline](#)
- [Animal Ethics Committee Monitoring Policy and Procedure](#)
- [Animal Ethics Committee Operating Policy and Procedure](#)
- [Animal Ethics Committee Terms of Reference](#)
- [Animal Research Act 1985](#) (NSW)
- [Animal Welfare Act 2002](#) (WA)
- [Animal Welfare Act 1993](#) (TAS)

[Animal Welfare Act 1985 \(SA\)](#)

[Australian Code for the Care and Use of Animals for Scientific Purposes 2013](#)

[Code of Conduct for Research](#)

[Prevention of Cruelty to Animals Act 1986 \(VIC\)](#)

## 8 FEEDBACK

Feedback about this document can be emailed to [policy@cqu.edu.au](mailto:policy@cqu.edu.au).

## 9 APPROVAL AND REVIEW DETAILS

Approval and Review	Details
Approval Authority	Research Committee
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Administrator	Deputy Vice-Chancellor (Research)
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Notes	This document consolidated and replaced Animal Ethics Committee Complaints and Grievance Policy and the Animal Ethics Committee Complaints and Grievance Procedure (16/11/2016).