

# ANIMAL ETHICS COMMITTEE TERMS OF REFERENCE



## Contents

1	ESTABLISHMENT .....	1
2	FUNCTIONS AND RESPONSIBILITIES .....	1
3	DELEGATED AUTHORITIES .....	2
4	REFERRAL OF MATTERS.....	2
5	MEMBERSHIP AND TERMS OF OFFICE .....	2
6	RIGHTS OF AUDIENCE AND DEBATE.....	3
7	CHAIR.....	3
8	SECRETARY .....	4
9	EXECUTIVE COMMITTEE .....	4
10	QUORUM.....	5
11	CONFLICT OF INTEREST .....	5
12	MEETINGS .....	5
13	ACCESS TO RESOURCES.....	6
14	OBSERVERS.....	6
15	AGENDAS AND MINUTES.....	6
16	EVALUATION AND REVIEW.....	6
17	RELATED DOCUMENTS .....	7
18	FEEDBACK.....	7
19	APPROVAL AND REVIEW DETAILS.....	7

## 1 ESTABLISHMENT

The Animal Ethics Committee (AEC) is a sub-committee of the Research Committee, and will provide reports and/or advice to the Research Committee and advice to the Deputy Vice-Chancellor (Research).

The annual report should advise on:

- a) numbers and types of projects assessed and approved or rejected
- b) the physical facilities for the care and use of animals by the University
- c) actions that have supported the educational needs of the Committee members, and people involved in the care and use of animals
- d) administrative or other difficulties experienced, and
- e) any matters that may affect the institution's ability to maintain compliance with the Code and if appropriate, suitable recommendations.

## 2 FUNCTIONS AND RESPONSIBILITIES

The Committee's functions and responsibilities, as determined under the [Australian Code for the Care and Use of Animals for Scientific Purposes 2013](#) (hereafter the Code), are to:

- 2.1 Review applications for projects and approve only those projects that are ethically acceptable [Code 1.3] and conform to the requirements of the Code.
- 2.2 Review applications or activities associated with the care and management of animals in facilities, including procedures applicable to breeding programs integral to the maintenance of an animal line, and approve only those activities that are ethically acceptable and conform to the requirements of the Code.

- 2.3 Conduct follow-up review of approved projects and activities [Code 2.2.32(ii)] and allow the continuation of approval for only those projects and activities that are ethically acceptable and conform to the requirements of the Code.
- 2.4 Monitor the care and use of animals, including housing conditions, practices and procedures involved in the care of animals in facilities.
- 2.5 Take appropriate actions regarding unexpected adverse events.
- 2.6 Take appropriate actions regarding non-compliance.
- 2.7 Approve guidelines for the care and use of animals on behalf of the University.
- 2.8 Provide advice and recommendations to the University.
- 2.9 Report on its operations to the University.
- 2.10 Ensure, on behalf of the University, that all care and use of animals at the University, or by persons acting as employees or students of the University, is conducted in compliance with the latest edition of the Code and the [Animal Care and Protection Act 2001](#) (QLD), the [Animal Research Act 1985](#) (NSW), the [Animal Welfare Act 2002](#) (WA), the [Animal Welfare Act 1993](#) (TAS), the [Animal Welfare Act 1985](#) (SA) and the [Prevention of Cruelty to Animals Act 1986](#) (VIC).
- 2.11 Apply the principles contained in the Code that govern the ethical conduct of people whose work involves the use of animals for scientific purposes or their use in teaching or learning.
- 2.12 Ensure the use of animals is justified, the welfare of those animals is considered, and the principles of replacement, reduction and refinement are incorporated.

### **3 DELEGATED AUTHORITIES**

Delegated powers for dealing with proposals:

- The Chair, and at least one member from category C or D (as an Executive of the Committee), will have delegated power to approve minor modifications, such as short extensions of time, to approved projects and to deal with emergencies, and
- Any decisions made by the Executive in relation to minor modifications to approved projects must be reported to and reviewed by the Committee at its next meeting and the Committee must be provided with:
  - a) a copy of the documentation related to each proposal considered, and
  - b) any resolutions requiring formal ratification by the Committee.

### **4 REFERRAL OF MATTERS**

The Committee may refer any item to the Deputy Vice-Chancellor (Research) or the Research Committee for discussion, consideration and/or action, and may refer relevant matters for action or noting to other Committees or officers as appropriate.

### **5 MEMBERSHIP AND TERMS OF OFFICE**

#### **Appointment, reappointment and retirement of members**

Prior to the expiry of the current term of office, members will be invited in writing, to serve an additional term of office. On written acceptance, members will be deemed to have been re-appointed. Where members decline this invitation, a vacancy will be declared.

On declaration of a vacancy, an advertisement will be placed in the local press (or internally in the case of Category B members) inviting expressions of interest from persons who meet the eligibility criteria for the vacancy. These expressions of interest will be assessed by the Chair, ineligible candidates will be advised, and interviews of eligible candidates will be conducted where required.

Members may be retired:

- by written self-nomination, or
- as requested in writing by the Deputy Vice-Chancellor (Research), where a breach of the code of conduct has been established, on the advice of the Chair.

The membership of this Committee shall be:

**Appointed members:**

- Chairperson: The Chair should hold a senior academic position in the University and shall be appointed by the Deputy Vice-Chancellor (Research)
- Other Members: All other members will be appointed, reappointed or retired by the Deputy Vice-Chancellor (Research) on the recommendation of the Animal Ethics Committee Chair
- Additional members: Section 2.2.5 of the Code recommends that a person responsible for the routine care of animals be included on the Committee. The Animal Welfare Officer of the University will also be offered attendance at the meetings under section 2.2.6 of the Code
- Elected members: None

Each appointment shall normally be for a term of three years. It is recognised that in some circumstances, the availability of suitably qualified potential members will require some members to serve for longer periods.

The Committee shall be appointed by the Deputy Vice-Chancellor (Research) and is not limited to but should consist of at least:

- a Chair who holds a senior academic position in the University
- Category A - a person with qualifications in veterinary science that are recognised for registration as a veterinary surgeon in Australia, and with experience relevant to the University's activities or the ability to acquire relevant knowledge
- Category B - a suitably qualified person with substantial and recent experience in the use of animals in scientific or teaching activities relevant to the University and the business of the Committee. This must include possession of a higher degree in research or equivalent experience. If the business of the Committee relates to the use of animals for teaching only, a teacher with substantial and recent experience may be appointed
- Category C - a person with demonstrable commitment to, and established experience in, furthering the welfare of animals, who is not employed by, or otherwise associated with the University, and who is not currently involved in the care and use of animals for scientific purposes. Veterinarians with specific animal welfare interest and experience may meet the requirements of this category. While not representing an animal welfare organisation, the person should, where possible, be selected on the basis of active membership of, and endorsement by, such an organisation
- Category D - a person not employed by or otherwise associated with the institution and who has never been involved in the use of animals in scientific or teaching activities, either in their employment or beyond their undergraduate education. Category D members in this category must be viewed by the wider community as bringing a completely independent view to the Committee, and must not fit the requirements of any other category, and
- a person responsible for the routine care of animals within the University.

The Committee members must sign a Confidentiality Agreement upon the acceptance of the appointment.

## **6 RIGHTS OF AUDIENCE AND DEBATE**

The Committee may extend rights of audience and debate on a standing or ad hoc basis.

## **7 CHAIR**

The Chair shall be appointed by the Deputy Vice-Chancellor (Research) and hold a senior academic position in the University.

The Chair shall serve for a term of office of three years.

The Chair is responsible for impartially guiding the operations of the Committee, resolving conflicts of interest related to the business of the Committee and representing the Committee in any negotiations with the University's management. This includes:

- ensuring that the Committee operates in accordance with the principles and requirements of the Code, the relevant policies of the University, and the agreed Committee procedures
- ensuring that proposals are considered by the Committee and the outcomes conveyed to investigators in a timely manner
- advising University management regarding the level of resourcing required by the Committee
- representing the Committee in any negotiations with management
- overseeing all requirements of the Committee to report and review its operation, as outlined in the Code [Section 2.2.13], and
- ensuring Committee records are maintained and made available for review by the University and authorised external reviewers.

The Chair shall have delegated authority to consult with any other members of the Committee and any other parties to seek advice and assistance in addressing matters arising from any report of adverse occurrence or unforeseen event. Any delegated authority decisions made by the Chair must be reviewed at the next quorate meeting of the Committee.

In the absence of the Chair, the members present will elect one of their number as Chair of that meeting.

## **8 SECRETARY**

The Ethics Coordinator shall be Secretary to the Committee and shall provide support and advice to the Chair.

The Secretary shall serve for the duration of their appointment to the Committee.

## **9 EXECUTIVE COMMITTEE**

The Committee shall have an Executive Committee, empowered to act between meetings where urgent business arises, and to form ad hoc sub-committees if required. Executive Committee decisions will be reported to this Committee at its next scheduled meeting.

As outlined in the Code, specifically:

- the Committee may delegate powers to an Executive
- operating procedures must be established covering the powers that the Committee is prepared to delegate to an Executive
- any Executive must include at least one external member from Category C (animal welfare person) or D (independent person)
- an Executive may approve minor modifications to projects
- an Executive cannot approve new proposals, and
- any decisions made by an Executive must be reviewed by the Committee at its next meeting.

The Executive Committee shall comprise:

- The Chair of the Committee (Chair of Executive)
- One external member from Category C (animal welfare person) or one external member from Category D (independent person).

## 10 QUORUM

The Committee shall have a quorum which must include at least one member from each Category A, B, C and D at all times throughout the duration of the meeting, including after the withdrawal of any members with a conflict of interest.

If the Committee has more than four members, Categories C plus D must represent no less than one third of the members.

## 11 CONFLICT OF INTEREST

Committee members are required to declare to the Chair any real, perceived or potential conflict of interest they may have with any item on the Committee's agenda.

If the Chair or Committee deems a member to have a conflict of interest in a matter before the Committee, the member must not be present when the Committee considers that matter.

The Committee will require that all members, and any experts approached to provide advice to the Committee, declare any interests with respect to Committee business and its operation:

- prior to their appointment - by making a signed declaration of all real or potential conflicts of interest as part of the member application process
- as matters arise - by declaring all real or potential conflicts of interest and the nature of that interest to either the Chair or Secretary of the Committee as soon as is reasonable after they become aware of the conflict, or
- at each meeting - by declaring as an early item of the meeting agenda all real or potential conflicts of interest and the nature of that interest. This must include all real or potential conflicts with any items on the meeting agenda or any other matter relating to membership of the Committee.

All declarations of real or potential conflicts of interest (as part of the appointment process, between or at meetings) will be recorded in the relevant meeting minutes.

*Note: A conflict of interest is defined within the Code as 'a situation in which a person's individual interests or responsibilities have the potential to influence the carrying out of his or her institutional role or professional obligations, or where an institution's interests or responsibilities have the potential to influence the carrying out of its obligations'*

The Committee will deal with situations in which a conflict of interest arises, including any situation where a Committee member has an interest that may be seen to influence the objectivity of a decision by:

- requiring the member whose objectivity may be influenced by an interest (including consideration of a proposal submitted by that member) to leave the room prior to any discussion of the identified item, returning only at the invitation of the remaining members to provide clarification on issues raised (after which the member will again be requested to leave) or returning only when a decision has been finalised
- recording the method of dealing with any conflict in the relevant meeting minutes (e.g. recording that the member left and returned to the room)
- considering and responding to any concern or claim raised by an activity leader or other party that the Committee member has a conflict of interest that may have influenced the objectivity of a Committee decision, and
- advising complainants, in writing, of the Committee's response to any concern or claim relating to a conflict of interest. If the complainant is not satisfied with the Committee's response, a grievance may be lodged.

## 12 MEETINGS

The Code requires that Committee meetings must be held face-to face where practical, with video or web conferencing, as a first preference used where necessary to establish quorum. In exceptional circumstances the use of teleconferencing is permissible. Committee meetings shall be held at least six times per year.

Decisions should be based on a thorough, fair and inclusive process of discussion and deliberation by Committee members, and should be made only by those present throughout the discussion. Decisions should be made on the basis of consensus. Where consensus cannot be reached after reasonable effort to resolve differences, the Committee will explore with the applicant/s ways of modifying the project or activity that may lead to consensus. If consensus is still not achieved, the Committee should only proceed to a majority decision after members have been allowed a period of time to review their position followed by further discussion [Code 2.3.10 and 2.3.11].

Committee members are required to fully prepare for each meeting, read the documentation in advance, and make every reasonable effort to attend each meeting.

### **13 ACCESS TO RESOURCES**

External Committee members will be provided with access to any resources they reasonably require to fulfil their duties as a Committee member.

### **14 OBSERVERS**

Observers are welcome with the Chair's prior permission and provided they advise the Secretary in advance.

Observers are entitled to see and hear the proceedings of the meeting but have no voting rights and no right to speak at meetings, unless invited to do so by the Chair. Observers must leave the meeting when requested by the Chair, or if any matters are to be considered in closed session.

### **15 AGENDAS AND MINUTES**

Agendas and associated documentation will be distributed 10 calendar days before the meeting. Members will be notified by email of the location and availability of material. Members are encouraged to bring laptops, iPads or similar to the meetings and view the agenda online during the meeting.

Only with the Chair's permission will late papers or the tabling of papers be accepted. All papers must be submitted to the Secretary by the specified submission deadline.

Committee records are subject to the Queensland [Public Records Act 2002](#) and must be retained by the Secretary in accordance with the University's [Records Management Policy and Procedure](#).

Minutes are to be prepared from each meeting. The Chair will review the draft minutes and action sheet of each meeting, after which the Secretary will circulate the documents to all Committee members and include them in the agenda papers for the next meeting.

### **16 EVALUATION AND REVIEW**

In accordance with the Code, the University must conduct an annual review of the Committee to ensure that it is effective and consistent with the Code and institutional policies. This must include an assessment of the Committee's annual report [Code 2.1.9 and 2.3.28-29] and a meeting with the Committee Chairperson.

The Code also requires that institutions ensure that an independent external review is conducted at least every four years to assess the institution's compliance with the Code, and to ensure the continued suitability, adequacy and effectiveness of its procedures to meet its responsibilities under the Code [Code Section 6].

To ensure the Committee is fulfilling its duties, it will undertake an annual self-assessment of its performance against these terms of reference and provide that information to the Research Committee, along with any information the Deputy Vice-Chancellor (Research) requests to facilitate its review of the Committee's performance and its membership.

The Administrator shall review these terms of reference every two years, in conjunction with the Committee, and provide a report, including any recommendations, to Research Committee.

## 17 RELATED DOCUMENTS

- [Animal Care and Protection Act 2001](#) (QLD)
- [Animal Ethics Committee Application Guideline](#)
- [Animal Ethics Committee Complaints and Grievances Policy and Procedure](#)
- [Animal Ethics Committee Monitoring Policy and Procedure](#)
- [Animal Ethics Committee Operating Policy and Procedure](#)
- [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)

## 18 FEEDBACK

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

## 19 APPROVAL AND REVIEW DETAILS

Approval and Review	Details
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Administrator	Deputy Vice-Chancellor (Research)
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Notes	