JAYEE UNIVERSITY COLLEGE

FACULTY ETHICS POLICY

SECTION A: ETHICAL GUIDELINES

These guidelines describe a set of expectations for ethical behaviour in the teacher-student learning environment at the Jayee University College. The guidelines are described under three general principles, and are illustrated by specific examples of ethical behaviour. The three general principles and the classifications of expectations within these general principles are as follows:

Principle I: Learning and Growth; Student Development; Subject Matter Competence; and Pedagogical Competence

Principle II: Honesty and Integrity; Academic Honesty; Fair and Valid Assessment; and Managing Interactions and Relationships

Principle III: Respect for the Dignity of Others; Confidentiality; Dealing with Sensitive Topics; Respect for Others; and Respect for the Institution

Each section identifies the relevant roles and responsibilities of each of the three partners actively engaged in the learning environment; namely, students, faculty, and the institution as represented by the organizational units within it.

These guidelines are primarily meant to be an educational tool, intended to motivate the members of the university community to engage in thoughtful, ethical behaviour in all of their interactions in the learning environment. This document is intended to serve as a guide and inspiration to those who will craft future versions of the relevant rules, regulations and agreements that formally define everyone's roles and responsibilities at the University.

Ethical behaviour is defined by the ideals and values shared by a community. The ethical principles and expectations in this document advance the key objective of the University College Mission, which is "Lay on academic programmes that make JUC a citadel for top quality education in Management and Journalism to meet the demands of a competitive local and global job market".

These guidelines should aid in the aspiration of the Jayee University College to become "…a model of scholarly inquiry, a place where all who contribute to its achievements – students, faculty, and staff – can take pride in their commitment to this centre of communication excellence.

This guide is applicable to other, more general university units that service and support the learning environment. For example, it does not address other faculty responsibilities such as research, public service, nor the administration of matters unrelated to teaching, nor does it cover students in the role of research assistants. It does not cover relationships between faculty and staff beyond the teaching context.

For those who seek advice on ethical behaviour in these other contexts, it is hoped that this document may assist in helping formulate some general principles for conduct. It is anticipated, for example, that administrators, staff and students may wish to treat each other with the same dignity and respect that students and teachers are expected to show to each other, and that any interaction between administrators, staff and teachers may generally adhere to the spirit of the standards described here.

This document recognizes and promotes the right to academic freedom within the framework of its corresponding duties and responsibilities.

PRINCIPLE ONE: LEARNING AND GROWTH

The Jayee University College's Vision is to "become the best tertiary institution in management and journalism in Ghana recognised internationally", and that requires teachers to continue their own growth and development throughout their careers, aided by the institution.

Student Development

One overriding responsibility of teachers is to contribute to the intellectual development of students. Teachers have a duty to design instruction that facilitates learning and encourages independent thinking, to treat students with respect and dignity, and to avoid actions that inhibit student development. Students are responsible for actively participating in the learning opportunities that the institution creates for them.

Student development: the teacher's role

The teacher is responsible for contributing to student development, both individually and through working co-operatively with members of the academic community and the community at large. A teacher is expected to encourage and promote the free pursuit of learning. A teacher can encourage student development by:

- designing instruction that facilities learning
- encouraging class participation
- promoting critical thinking rather than mere fact memorization
- stimulating autonomy and independent thinking in students
- serving as an intellectual guide and counsellor
- properly supervising student projects, research and theses
- being available to students outside of class
- When a student performs any of the roles of a teacher (for example, as a teaching assistant), then the supervising teacher has a duty to provide proper guidance and supervision to the student.

Collective responsibilities for student development

Organizational units are responsible for developing and implementing policies that promote student development. These policies should cover;

- student access to regular educational programmes
- provision of counselling concerning program planning, class selection and program decision-making
- provision of internal scholarly forums for students such as lecture series, academic or professional conferences, and expositions
- creation of practical or applied learning opportunities (for example, internships, professional opportunities etc.)
- provision, where feasible, of opportunities for students to attend external events such as conferences, exchange programmes etc.

Subject Matter Competence

Students are entitled to be taught by teachers who are competent in the subject, and whose course content is current, accurate and relevant to course goals and objectives.

Maintaining subject matter competence: the teacher's role

Achieving competence requires a teacher to take active steps to maintain an up-to-date knowledge base sufficient to teach any course that may reasonably be assigned as a normal duty. To accomplish this, a teacher should keep abreast of any scholarly developments that may affect course content.

- conform to the calendar description of the course
- be current and accurate
- be appropriate to the course level and adequately represent important topics within the subject area

For a course that is part of a structured, sequenced series of courses for students following a particular educational stream, a teacher should know the content of prerequisite courses and of courses for which the teacher's course may be prerequisite.

In this context the teacher must teach those materials that are designed to be covered in the particular course, e.g. to avoid needless duplication of material taught in a prior course, and to cover course material that prepares students for subsequent courses in the stream.

For courses which faculty have decided should be theoretically identical (most typically separate sections of the same course taught in any one year), an individual teacher has the responsibility to teach material that does not substantially deviate from the faculty defined objectives and content of the course.

While it is to be expected that a teacher should, if appropriate, incorporate their own scholarly efforts into the instructional content of a course, care must be taken to ensure that these materials are presented at a level that matches the competence of the students, and that there is a balanced presentation of other non-personal research in the topic area.

Collective responsibilities regarding subject matter competence

Each faculty/departmental unit has a duty to ensure that every teacher in the unit is appropriately qualified, and that the unit has the breadth of expertise required to deliver scheduled courses and to meet its commitments to student research supervision. Organizational units should review and update programmes, courses and calendar course descriptions on a regular basis, and ensure that significant content changes are vetted and discussed with other affected academic units.

Pedagogical Competence

Teachers and the institution share a responsibility to create an environment that is conducive to learning. Teachers must not only know their subject matter, but also must practice effective instruction and stimulate learning.

Pedagogical Competence: the Teacher's Role

Maintaining general pedagogical competence requires a teacher to be conversant with the current range of alternative teaching strategies that could be used to teach any course that may reasonably be assigned as a normal duty. To accomplish this, a teacher is expected to:

- keep abreast of pedagogical research developments, and to actively seek effective methods to integrate research and scholarship into teaching
- be prepared to participate in instructional development initiatives
- actively seek and constructively respond to feedback on instructional performance from students and peers

A teacher should plan the general pedagogy and the particular instructional delivery of a course in advance and communicate these plans to the students at the start of the course via a course outline. A course outline serves as the primary contract between a teacher and the students and at a minimum will contain descriptions of the following:

- course objectives derived from the course calendar description
- instructional methods that will be used in the course
- planned general content of the course, and the sequencing of topic coverage in the delivery of this course content
- any activities (e.g. reading, lab work, and practical experience) required of students during the course
- any additional requirements of students which may be assessed, for example attendance regulations or class participation
- various component measures of assessment, including any minimum performance requirements, the contribution of these component measures to the final grade, and their timing and sequence in the course
- specific dates of activities which are critical for student learning or evaluation

A teacher should select course content and materials related to course objectives in advance, and then deliver this content and materials in accord with the instructional plans described in the course outline. The instructional method and the assessment method must be congruent with the stated course objectives (e.g. a fact-memorization exam is not appropriate for a course designed to teach problem-solving skills). A teacher should be fully prepared for class, keep office hours, and attend every class for the full class period where appropriate.

For planned absences (e.g. when a teacher is out of town at a conference) alternative arrangements such as replacement must be made and the Department Head or Dean informed in advance. For sudden absences (e.g. illness) every reasonable effort should be made to inform students.

Some examples of unacceptable pedagogical practices are:

- arbitrary denial of access to instruction
- significant intrusion of material unrelated to the course
- holding examinations outside of scheduled times without the agreement of all students and the consent of the department Head or Dean
- teaching while under the influence of alcohol or recreational drugs
- teaching when incapacity or personal circumstances render the teacher unfit or unable to teach

A teacher should have the pedagogical flexibility to be able to:

- manage and balance the time devoted to components of course content
- adopt reasonable means to maintain a productive and orderly learning environment
- openly acknowledge any personal bias related to course content
- collaborate where appropriate with colleagues teaching other section of the same course, pre-requisite courses, or courses for which the current course is a pre-requisite
- collaborate where appropriate with colleagues involved in team teaching

Collective responsibilities regarding pedagogical competence

Organizational units are responsible for stimulating effective instruction by:

- encouraging teachers to learn about instructional methods
- encouraging mentorship and other forms of mutual support among teachers

- providing in-service and other training opportunities to teachers, and access to instructional development programmes including those concerning new technology

Organizational units should:

- design the unit's class schedules and assign teaching duties as early as possible
- establish a process for collecting reliable data on student and peer evaluation of teaching
- evaluate a teacher's pedagogical competence
- inform teachers of the results of their teaching evaluations
- recognize and reward teachers who exhibit superior pedagogical performance
- offer assistance to those teachers whose pedagogical performance has been identified as a problem through formal evaluation (e.g. assistance via mentorship)

Organizational units should maintain and foster the social, physical and technological climate in which the instructional duties of faculty may be effectively carried out, including the provision of clinics, laboratories, studios and other physical facilities, information technologies and library resources.

To assist students in making informed choices about their selection of courses in any one year, organizational units should provide students with timely details of the names of those teachers who have already been assigned to teach particular courses or sections.

PRINCIPLE TWO: HONESTY AND INTEGRITY

All members of the academic community are expected to engage in scholarly activities with honesty and integrity, and to avoid bias or conflict of interest. Trust depends on academic honesty, and honesty is fundamental to the integrity of the learning environment at the University College.

Academic Honesty

Teachers must encourage an environment of academic honesty and be models of academic integrity. Students are expected to be assessed on the basis of their independent work, and should acknowledge the contributions of others when submitting work that is not fully their own.

Academic honesty and integrity: the teacher's role

A teacher should foster honest academic conduct and discourage all forms of academic dishonesty. In the learning environment a teacher must acknowledge academic debts to colleagues and students if teaching materials that originate from these sources are used. Plagiarism of teaching materials is unacceptable. A teacher must be aware of and observe copyright laws regarding teaching materials. A teacher must acknowledge student contributions to other scholarly activities, for example in the creation of artistic works, or in the publication of research papers.

When pertinent, a teacher should remind students of the need for independent work on assignments, of the need to acknowledge the work of others, and of the definition of plagiarism and its implications. Assisting in or covering up any academic dishonesty is itself misconduct. Faculty should report academic misconduct to the appropriate authority.

Collective responsibilities: academic honesty and integrity

Organizational units must foster honest academic conduct, and are responsible for the management of policies that protect and ensure academic honesty. Units must inform students about policies regarding academic dishonesty, and in particular ensure that students know how the university defines plagiarism and its consequences.

Organizational units that require medical excuse notes to reschedule lab and assignment dates may wish to consider the use of signed student affidavits as a general policy for handling student claims of incapacitation by temporary ailments that have since ceased and which no longer evident to medical personnel.

Fair & Valid Assessment

Assessment in the learning environment should adhere to the principles of honesty and integrity; i.e. it should be valid, open, fair, and consistent with the objectives of the course.

Fair and valid assessment: the teacher's role

A teacher is responsible for selecting a method of assessment of student academic performance that is congruent with course objectives and content, is valid reflects true merit, is fair and impartial, and that provides a consistent and balanced evaluation.

A teacher should inform students at the onset of the marking system to be used. Where feasible and appropriate, the same marking system should be used for all duplicate sections of a particular course. A teacher should evaluate student work by use of the university's grading system and criteria, such as the current set of literal descriptors, and should evaluate student performance only with criteria directly reflecting course objectives. Examples of inappropriate criteria include the awarding of unwarranted high marks to garner positive student evaluations (or suppress negative evaluations), and the imposition of artificially low marks to shock students with the threat of failure, and hence stimulate increased study effort.

A teacher should have appropriate expectations regarding the workload of students in any one course, recognizing that they will have commitments in all of the other courses in which they are enrolled. Teachers should avoid the excessive proliferation of assignments whose individual contributions to a final grade are small.

Student assignments and examinations should be graded diligently and promptly, and anonymously if feasible. Students should receive advice about their work regularly throughout a course, including counsel on how to improve performance when possible. Teachers must keep a record of the means used to allocate marks to individual students so that in the event of any appeal an audit of the mark assignment can take place. When the relevant organizational unit formally requests a teacher to accommodate a reasonable special assessment need of a student with an impairment, the teacher should comply.

Teachers who do not wish their exam materials to enter the public domain are expected to make an announcement in the examination room prohibiting their removal and/or publish in the exam paper a clear prohibition against removal, copying and distribution.

Collective responsibilities: fair and valid assessment

Organizational units should participate in the development and operation of evaluation and examination regulations and appeal procedures. Policies for the management of student assessment should include:

- early setting of dates for final examinations
- accommodating the special needs of individuals with impairments
- choosing particular methods of assessment
- the design and operation of anonymous evaluation and examination systems, where feasible
- treating students equitably
- equity of workload expectations and standards across courses

- monitoring student academic workloads (in individual courses, and overall for any one semester) where feasible, and reviewing assignments/mid-semester exam dates to avoid overload
- assessing the consistency and fairness of evaluation across sections, including consideration of grade patterns for identical assignments and of attendance regulations (if any) across separate sections of the same course
- ensuring that grades assigned to students are based on academic performance related to the course objectives, and are not distorted by non-academic issues
- providing guidance to teachers in the distribution of marks, for example, by providing literal descriptors of benchmark levels of academic performance
- appeal of grades assigned to students

Organizational units must ensure that data collected from students and faculty peers on the performance of teachers is legitimate and representative.

Evaluation Strategy

As part of valid and fair assessment, students' satisfaction survey is paramount in determining the direction and quality of courses and programmes being run. The Institute's own institutional survey; students exit survey; staff satisfaction survey; and graduate experience survey are some of the key strategies to gain further insight into quality assurance and adherence to ethical principles.

Managing Interactions & Relationships

Establishing a good rapport with students can be pedagogically productive, but in rare circumstances the development of a close personal contact can lead to the misuse of the power differential between teachers and students. At the extreme there are serious risks of exploitation, compromise of academic standards, harm to student development, and damage to reputations. While a teacher bears most of the responsibility for managing student-teacher interactions, and for avoiding any actual or perceived conflicts of interest that relationships can produce, students are also expected to behave in such a manner as to maintain an appropriate relationship. It is acknowledged that non-exploitative dual relationships can evolve, however, and thus there is need to specify guidelines for the practical management of such relationships to avoid even the perception of a conflict of interest

Managing interactions and relationships: the teacher's role

A teacher should respect students, treat them with dignity, and recognize the power differential between students and teachers. A teacher should always avoid the perception of favouritism or nepotism regarding matters such as grading or employing research assistants. Teachers must not exploit students, discriminate unfairly between students, or allow conflicts of interest with students to arise. The teacher is responsible for keeping relationships with students focused on academic matters, and for creating an appropriate social environment that fosters the educational objectives of the program or course. The teacher must ensure that faculty-student personal relationships do not detract from student development.

A teacher may encounter several types of dual relationships. Accepting an instructional role (e.g. grading) over a member of one's immediate family, or over a close friend, client, patient or business partner will place the teacher in a conflict of interest. A teacher who cannot avoid such relationships should disclose them to a supervisor, and arrange to adopt a method of assessment (e.g. anonymous grading, use of an independent assessor) that precludes actual or perceived nepotism.

Teachers must recognize that any form of sexual or close personal relationship with a current student will not only produce a conflict of interest, but may also expose the teacher or the student to accusations of sexual harassment, exploitation and manipulation if the relationship deteriorates. If a close personal relationship does develop, then for the protection of all parties the teacher is advised to report the relationship to a supervisor as soon as possible. The supervisor should then make alternative arrangements for the supervision or evaluation of the student.

There are a variety of interactions with students that risk producing accusations of favouritism or exploitation. These include excessive socializing with students outside class, either individually, or as a group; lending money to or borrowing from students; giving or receiving non-trivial gifts (i.e. money); or requiring students to participate in a political or social movement advocated by the teacher. Such behaviour is best avoided. A simple sign that a particular form of relationship is unacceptable is any effort by the teacher to conceal it.

Collective responsibilities for managing interactions and relationships

Organizational units are responsible for ensuring a fair and equitable environment for students and faculty, and for managing matters such as hiring practices, equity, harassment, grading and dual-relationships. Units should have policies that thwart the abuse of the power differential between teachers and students.

Units should create an environment in which concerns may be raised without fear of retribution, in which the power differential between teachers and students is recognized, and in which complaints are dealt with promptly and with due process.

PRINCIPLE THREE: RESPECT FOR THE DIGNITY OF OTHERS

All members of the University community are expected to contribute to the development of a learning environment where ideas, values and beliefs can be discussed and received with respect and dignity.

Confidentiality

It is expected that students, teachers and other members of the institution will value and practice a level of confidentiality that is appropriate for professionals involved in a mentoring relationship. Upholding this standard serves to maintain and nurture academic trust and motivation in the teacher-student relationship.

Maintaining confidentiality: the teacher's role

Details about the professional relationship between an individual student and the teacher shall remain confidential except in cases of formal discipline procedures or of overriding concern for individual or collective welfare or where it is appropriate to monitor and discuss student academic progress within an organizational unit. Examples of information about students that would normally be confidential include:

- non-academic personal information such as age, address, and marital status
- student number
- academic, classroom and lab performance, attendance, general behaviour, level of contribution, quality and quantity of assignments
- personal opinions and political viewpoints expressed by students in a formal educational setting
- any materials submitted or produced by a student in an educational setting

Examples of behaviour that would normally violate the norm of confidentiality include:

- providing student records to any third party without student consent

- discussing without consent a student's grades or academic problems outside of the normal institutional mentoring context, e.g. with student peers, or with a relative or colleague of the student
- using confidential information about an individual student to prejudice another teacher's expectation of that student's performance
- using privately communicated materials as teaching or research materials without consent
- posting of grades or distributing student papers or exams without attempting to minimize the public identification of the performance of individual students

Any faculty member who receives confidential information about another individual in the university environment (for example other faculty, administrators, staff or researchers) has a responsibility to respect that person's right to confidentiality. When the teacher reasonably suspects major misconduct, the disclosure of otherwise confidential information to the appropriate authority is warranted, and the teacher has a duty to take appropriate action.

Collective responsibilities regarding confidentiality

Organizational units have a duty to participate in the development, implementation and monitoring of policies and procedures that protect confidentiality. Within an organizational unit it is preferable that there be uniform policies to:

- restrict disclosure of confidential personal and academic information
- ensure and protect the anonymity of grading whenever possible
- inform students of all rules and protocols regarding confidentiality and their importance in the academic setting

Dealing with Sensitive Topics

Members of the academic community must work together to create an atmosphere where sensitive issues are addressed in a fair and dignified manner. The critical inquiry that is essential to the life of the university will often necessitate the discussion of sensitive issues. The sensitivity or unpopularity of an issue is no reason for its discussion to be suppressed.

Dealing with sensitive topics: the teacher's role

A teacher should realize that some necessary elements of course content may evoke discomfort among some students. If this reaction can be anticipated, a teacher should take particular care in introducing that particular topic. If it is thought necessary not to have a dispassionate, neutral position on the issue, the teacher may identify his or her view on the topic, but should compare this to an alternative approach or interpretation, thereby providing students with an understanding of the complexity of the issue, and the difficulty of achieving a single "objective" conclusion.

A teacher who expresses a firm view on a sensitive issue should be alert to the distinction between indoctrination and education. It is considered an abuse of power for a teacher to force his or her own views on students. Whether personal views are expressed or not, it is unacceptable for a teacher to assign marks based solely on student conformity to the teacher's viewpoint.

A teacher should respect differing views and have the pedagogical flexibility to be able to allow for the expression of alternative views in the classroom. It is unacceptable for a teacher to slander, belittle or ridicule a student or to act in any way as to cause a student embarrassment about personal beliefs or attitudes.

Collective responsibilities for dealing with sensitive topics

Organizational units are expected to enable the teaching of sensitive topics, and to support teachers whose classes contain sensitive content.

Respect for Others

Members of the academic community are expected to respect the dignity of colleagues, and to work cooperatively in the interest of fostering a learning environment conducive to the development and growth of all members.

Respect for others: the teacher's role

A teacher must be aware of the ethical responsibilities that attach to the role of university teacher, and show tolerance and respect for students and colleagues. A teacher who participates in any professional practice as a student or practitioner must adhere to the relevant ethical code of that professional discipline.

A teacher has a responsibility to interact with students, colleagues and the institution in a professionally dignified manner. Many student complaints stem from a lack of respect from faculty. Examples of disrespect for students by a teacher include; writing demeaning comments on papers and assignments; dismissing student questions or answers as silly or stupid; singling out individuals in class to make a general point; telling students that a teacher is too busy to see them and not offering an appointment for a later date; and making threats of failure instead of offering words of encouragement for students in difficulty.

The teacher is responsible for creating a learning environment that fosters respect for all student views and the human rights of all students, avoids stereotyping of individuals or groups of students and encourages the development of student self-esteem and confidence.

A teacher must be fair and objective when presenting a professional judgement of a colleague, and not allow personal feelings or bias to influence such judgment. A teacher should defend the rights of their colleagues to exercise academic freedom, and prevent unjust discrimination and exploitation of other employees. A teacher has a duty to respect the confidentiality of information about a colleague gained during committee work dealing with personnel matters (e.g. tenure, promotion and discipline).

It is unethical for a teacher to observe misconduct and fail to respond appropriately. An appropriate response will depend on the situation and could range from talking directly to the individual about the situation to a formal complaint.

In the case of serious misconduct by a colleague or student, then the teacher must initiate a formal and confidential complaint as the first step in handling the matter. For cases of minor unethical conduct by a colleague or student, a teacher may first attempt to resolve the issue informally before considering a formal process. The inappropriate use of formal means of complaint applied to minor misconduct could risk irreparable damage to professional reputations.

In any ongoing dispute or disagreement, the participants should behave in a professional way. Parties to a dispute have a duty of confidentiality and respect towards an adversarial party. It is unprofessional for a teacher to make derogatory personal remarks about another individual or fail to acknowledge academic debts to colleagues or students based on personal grounds. It is inappropriate to provide academic advice based on personal bias about an individual teacher.

Collective responsibilities regarding respect for others

Organizational units must have formal policies and procedure for the investigation of alleged inappropriate behaviour that allow for due process and protect the reputation of teacher, students and the institution until the investigation is complete.

Organizational units should accommodate informal mechanisms for the resolution of allegations of minor misconduct, with the aim of forestalling any unnecessary escalation to the level of formal investigation.

Organizations within the university must not allow their self-interest or bias to influence decisions regarding course approval or program planning.

Respecting the institution: the teacher's role

A teacher has a responsibility to work for the good of the university as a whole and to abide by university policies, regulations and ethical standards pertaining to the education of students.

A teacher should cherish and protect the right to free expression, and uphold the educational goals and standards of the university. The dialogue involved in striving for the best goals and standards for the university may require criticism of current or planned organizational policies; criticism and dissent are essential and inevitable elements of university life. Faculty should ensure that criticism is based on accurate information, and addresses the issue and not the individual involved.

A teacher should represent the university appropriately when off campus, for example during conferences, internships, exchanges, or work/study programs. A teacher has a duty to avoid behaviour that damages the reputation of the institution and to avoid misconduct against the institution; for example:

- misrepresenting oneself as speaking for the institution when this is not the case
- misrepresenting the institution's view point
- subverting, or aiding and abetting the subversion of properly constituted discipline procedures of the institution, or the outcome of any particular discipline process
- significant use of university property for non-academic purposes or personal gain, including the misuse of university stationery, letterhead, phones, fax machines or computers
- defacing, damaging or vandalizing university property

SECTION B: PEER REVIEW AND PROFESSIONAL ASSESSMENT

Introduction

Jayee University College (JUC) is committed to high quality teaching that supports and encourages student learning. Student rating scores and evaluative narrative comments are important components of this evaluation process. In addition, peer review of teaching provides a valuable professional assessment of a colleague's teaching effectiveness. Faculty colleagues are uniquely qualified to assess a faculty member's knowledge of course content; the appropriateness of course objectives, assignments, examinations, learning environments, and teaching strategies; and the assessment of student achievement.

Evaluation is only one component of a comprehensive teacher growth and development system. The Institute policy on teachers peer review and professional assessment is also aimed at enhancing quality teaching, research and professional development of both the teacher and skills impartment to students. We need to recognize two essential points: Initially, preparation and hiring are the most critical ways to assure teacher effectiveness.

It is essential for every teacher to demonstrate subject-area knowledge, pedagogical knowledge, and professional teaching ability. Efforts to develop performance assessments for teachers is aimed in part to ensuring that teachers enter the profession with the necessary qualifications, regardless of their preparation route to the classroom. In addition, hiring practices support teaching effectiveness when the criteria used for hiring are aligned with the criteria used for evaluating teachers. High quality professional development must be available to every teacher. Professional development programs should be based on Ghana Tertiary Education Commission (GTEC) standards, the Institute and Faculty goals, and the identified needs of students and teachers.

The guidelines that follow focus on the role faculty colleagues should play in the peer review process. They address two primary methods used by faculty colleagues when undertaking peer review:

(1) Course material review; and

(2) Direct observation of instruction

In evaluating teaching contributions and effectiveness, peer evaluators may want to consider the range of courses taught, courses and programs developed, students advised, undergraduate research projects supervised, statement of teaching philosophy, and descriptions of teaching innovations. Faculties and Departments are encouraged to adjust their peer evaluation process to reflect the varying nature of course delivery systems (such as laboratory sessions, seminars etc.).

1. **Course Material Review**

In reviewing course materials, teaching materials and resources such as the following are essential: Syllabus; textbooks; handouts; reading and reference lists; on-line materials; other supporting resources such as videotapes, computer software, and multimedia materials.

Equally important is how the course content answers the following questions:

- Are learning objectives clear and appropriate?
- Are grading criteria clear and appropriate?
- Are course materials current and appropriate for meeting the learning objectives?
- Are course materials at an appropriate level of difficulty?
- Is the course well designed to meet the learning objectives?
- Assignments, Projects, and Examinations
- Are they appropriate for the learning objectives and course level?
- Do they co-ordinate with other course materials?
- Is there evidence that students gained an understanding of course content?
- Do the examinations assess an appropriate range of skills and knowledge?
- If electronic communication is used, is its use appropriate for the learning objectives and course level?

Observation of Instruction: Samples of Student Work

- Does student work reflect a clear understanding of the assignments and course content?
- Is there evidence that students attained the desired learning objectives?
- Is instructor feedback clear and instructive?

Policy for Peer Classroom Evaluation of Probationary Faculty

Each probationary faculty member (hereafter called "candidate") shall be evaluated in the area of teaching effectiveness at least once a year. Materials related to teaching effectiveness should be collected in both consultation and decision years. At least two faculty members shall evaluate a candidate's teaching during each two-year review period. Each department will develop a policy and procedure, specifying the frequency of evaluation and the process for selecting and assigning the evaluator.

Observation Visits on Instruction

Faculties and Departments will determine the policy for setting observation visits which should be scheduled to assure that the visits occur on days where substantive teaching will occur not exams or review sessions. Evaluations should take place during the 7th week or later in a semester to assure that the candidate has had an opportunity to establish rapport and that his/her students have had an adequate opportunity to become familiar with the candidates' standards and expectations, teaching style, etc.

Prior to each visitation, the candidate and the evaluator shall meet to;

(a) Inform the evaluator of the candidate's objective(s) for the day and provide a copy of the syllabus and other relevant materials

(b) Provide the candidate with a copy of the Peer Observation Form to be used. During the initial period of review, candidates are permitted to request that the first visit be a "dry run"- i.e. that it be done for practice and not reported back to the Department.

Evaluators are encouraged to compile descriptions of both content and process (i.e. pedagogy) related to the stated objectives and to provide constructive suggestions. Evaluations should not infringe on the candidate's academic freedom or imply that there may be only one best way to teach.

Following each evaluation, the evaluator and the candidate shall meet for a debriefing and informal feedback session. At this time, the candidate may decide that the class visited was atypical and wish it to be ignored, in which case s/he and the evaluator should mutually agree upon another visit. The follow-up visit must be documented and reported to the faculty/department. The evaluator shall prepare a draft evaluation in narrative form. The narrative should include:

(a) A review of course material;

(b) An evaluation of how well the candidate achieved the objectives for the class; and

(c) Specific observations of effective classroom performance as outlined on the Peer Observation Form. In addition, the evaluator should provide constructive suggestions for improvement, if the evaluator thinks improvement is needed.

The evaluator shall provide the candidate with the draft so the candidate may react to it. The evaluator may, but need not, decide to revise the draft and review it again with the candidate. The final draft shall be signed by both evaluator and candidate, attesting that the latter has been provided with the evaluation and understands it. In addition, if the candidate disagrees with the evaluation s/he must indicate why s/he disagrees.

The signed evaluation shall be submitted to the Faculty/Department for placement in the candidate's personnel file and for use in reappointment, promotion, and tenure decisions. The Peer Observation Form will be returned to the candidate who has the option of including it as part of the formal record.

Possibilities to consider:

i. Prior to the classroom observation, the evaluator may wish to ask the candidate whether he or she would be open to the possibility of having the evaluator meet with the students in the class without the candidate present to gather additional feedback.

ii. Departments may wish to ask a colleague from another department to participate in the classroom observation.

iii. The candidate may wish to videotape classes and include the videotapes as part of the teaching portfolio. Integrated systems must link evaluation procedures with curricular standards, professional development activities, targeted support, and human capital decisions. Validated evaluation measures are essential. Measures of teacher effectiveness need to be based on widely accepted standards of teaching that attempt to capture a range of teaching behaviours, use multiple evaluation methods. Teachers' input in determining performance and learning outcomes should be part of the evaluation process. While standards for teaching practice and student learning are essential, each teacher should also help to define a set of practices and student learning objectives to be assessed. Teacher input can provide vital learning goals for the unique, contextualized circumstances of each particular classroom.

Before becoming a teacher-of-record, every teacher must demonstrate subject-area knowledge, pedagogical knowledge, and professional teaching ability. The following steps are essential in teacher assessment:

i. Provide high-quality professional development for every teacher based on learning goals and identified needs of students and teachers. Assess outcomes of professional development through teachers' new knowledge and skills.
ii. Conduct ongoing, formative assessments of teachers' skills, knowledge, and practices. The assessments should inform teacher growth and development. Assessments may be conducted by administrators, mentors, coaches, teachers themselves, or teachers' peers. Criteria should include evidence of student learning and feedback peers and students.
iii. Provide individual and school wide professional education based on formative assessment results. If results of formative assessments are positive, then professional education should include self-directed learning and professional development. Ideally, it should be offered as part of a professional learning community or other supportive system. If results of formative assessments identify significant shortcomings, then professional development and intensive intervention should focus on areas in need of improvement and should be sustained for a significant period of time.
iv. Conduct summative evaluation of each teacher. This should be done at relatively frequent intervals. Summative assessments of a particular teacher may become optional if formative assessments of that teacher remain positive over a reasonable period. Teachers who need to improve to meet quality standards should receive intensive intervention, support, and individualized professional development.
v. Implementation of evaluation results. Inform teachers of evaluation results and the impact on continued employment status, tenure, and career ladder opportunities for high performers.
vi. Conduct a comprehensive internal and external assessment of the teacher evaluation and development process. A comprehensive teacher assessment and evaluation system should have two distinct components: 1) ongoing, consistent, formative assessments of performance for the sole purpose of fostering professional growth and improved practice; and 2) periodic summative evaluations of teacher performance for the purpose of approving continued

employment and promotion. These two assessment components should share the same standards for growth and performance. However, they must remain distinctly separate from one another. Teachers' engagement in formative, ongoing assessment to improve their practice should involve neither threat of punishment nor promise of reward. Assessments should occur on a regular basis.

vii. Formative assessments should also facilitate interaction and feedback among colleagues. They should allow peers, mentors, and professional coaches to provide teachers with feedback about their practice and engage teachers in learning processes that are free from employment-related decisions. Formative assessments may also use student learning measures to inform teachers of student progress and thereby help to improve student learning. They must employ a rubric of criterion-referenced assessments, in which teachers either do or do not meet acceptable standards of practice. Teachers who fail to meet acceptable standards should be offered professional development, remediation plans, and opportunities to observe peers. They should also be given sufficient time, support, and assistance toward meeting the standards.

SECTION C: RESEARCH ETHICS

Chapter 1

A. Importance of Research and Research Ethics

The search for knowledge about ourselves and the world around us is a fundamental human endeavour. Research is a natural extension of this desire to understand and to improve the world in which we live. The scope of research is vast. On the purely physical side, it ranges from seeking to understand the origins of the universe down to the fundamental nature of matter. At the analytic level, it covers mathematics, logic and metaphysics. Research involving humans ranges widely, including attempts to understand the broad sweep of history, the workings of the human body and the body politic, the nature of human interactions and the impact of nature on humans – the list is as boundless as the human imagination. For the purposes of this Policy, research is defined as an undertaking intended to extend knowledge through a disciplined inquiry or systematic investigation.

There can be no doubt that research has greatly enriched and improved our lives. Significant advances in human understanding in the social sciences, humanities, natural sciences, engineering and health sciences have been made as a result of research involving humans. A fundamental premise of this Policy is that research can benefit human society. In order to maximize the benefits of research, researchers must have academic freedom. Academic freedom includes freedom of inquiry, the right to disseminate the results of that inquiry, freedom to challenge conventional thought, freedom to express one's opinion about the institution, its administration or the system in which one works, and freedom from institutional censorship. With academic freedom comes responsibility, including the responsibility to ensure that research involving humans meets high scientific and ethical standards that respect and protect the participants.

Thus, researchers' commitment to the advancement of knowledge also implies duties of honest and thoughtful inquiry, rigorous analysis, commitment to the dissemination of research results, and adherence to the use of professional standards. There is a corresponding responsibility on the part of institutions to defend researchers in their efforts to uphold academic freedom and high ethical, scientific and professional standards. Research is a step into the unknown. Because it seeks to understand something not yet revealed, research often entails risks to participants and others. These risks can be trivial or profound, physical or psychological, individual or social. History offers unfortunate examples where research participants have been needlessly, and at times profoundly, harmed by research, sometimes even dying as a result.

Ethical principles and guidelines play an important role in advancing the pursuit of knowledge while protecting and respecting research participants in order to try to prevent such occurrences. People have also been gratified and have had their lives enriched by their participation in research, either because they may have benefited directly or because their participation has contributed to the expansion of knowledge. Given the fundamental importance of research and of human participation in research, we must do all that we can as a society to ensure that research is conducted in an ethical manner so as to build public confidence and trust. By promoting and guiding the ethical conduct of research involving humans, this Policy seeks to contribute tangibly to these goals.

No single document can provide definitive answers to all ethical issues that may arise in an undertaking as complex as research involving humans. This Policy aims to assist those who use it – researchers, sponsors, members of research ethics boards (REBs), participants, and the public– to identify ethical issues in the design, conduct and oversight of research and to point the way to arriving at reasoned and ethical responses to these issues.

B. Core Principles

Respect for human dignity requires that research involving humans be conducted in a manner that is sensitive to the inherent worth of all human beings and the respect and consideration that they are due. In this Policy, respect for human dignity is expressed through three core principles – Respect for Persons, Concern for Welfare, and Justice. These core principles transcend disciplinary boundaries and, therefore, are relevant to the full range of research covered by this Policy.

Article 1.1. The guidelines in this Policy are based on the following three core principles:

• Respect for Persons

• Concern for Welfare

• Justice

These principles are complementary and interdependent. How they apply and the weight accorded to each will depend on the nature and context of the research being undertaken. Specific applications are addressed as follows:

Respect for Persons

Respect for Persons recognizes the intrinsic value of human beings and the respect and consideration that they are due. It encompasses the treatment of persons involved in research directly as participants and those who are participants because their data or human biological materials, which for the purposes of this Policy include materials related to human reproduction, are used in research.

Respect for Persons incorporates the dual moral obligations to respect autonomy and to protect those with developing, impaired or diminished autonomy. Autonomy includes the ability to deliberate about a decision and to act based on that deliberation. Respecting autonomy means giving due deference to a person's judgment and ensuring that the person is free to choose without interference. Autonomy is not exercised in isolation but is influenced by a person's various connections to family, to community, and to cultural, social, linguistic, religious and other groups. Likewise, a person's decisions can have an impact on any of these connections.

An important mechanism for respecting participants' autonomy in research is the requirement to seek their free, informed and ongoing consent. This requirement reflects the commitment that participation in research, including participation through the use of one's data or biological materials, should be a matter of choice and that, to be meaningful, the choice must be informed. An informed choice is one that is based on as complete an understanding as is reasonably possible of the purpose of the research, what it entails, and its foreseeable risks and potential benefits, both to the participant and to others. Respect for Persons also includes a commitment to accountability and transparency in the ethical conduct of research.

Certain factors may diminish a person's ability to exercise their autonomy, such as inadequate information or understanding for deliberation, or a lack of freedom to act due to controlling influences or coercion. Such constraints may include the fear of alienating those in positions of authority, such as professional or personal caregivers, researchers, leaders, larger groups, or a community to which one belongs. Other constraints may consist of barriers to accessing resources or knowledge outside the research context. These factors and constraints should be addressed prior to any research being carried out, so as to ensure participants are sufficiently protected.

Some people may be incapable of exercising autonomy because of youth, cognitive impairment, other mental health issues or illness. While autonomy may be considered a necessary condition for participation in research, involving those who lack capacity to make their own decisions to participate can be valuable, just and even necessary. For those prospective participants, additional measures are needed to protect their interests and to ensure that their wishes (to the extent that these are known) are respected. These measures will generally include seeking consent from an authorized third party who is entrusted to make decisions on behalf of the prospective participant, based on knowledge of that person and that person's wishes or, if such wishes are unknown, on consideration of that person's welfare. Even when the requirements of free, informed and ongoing consent cannot be met, Respect for Persons requires involving individuals in circumstances of vulnerability in decision making where possible. This may include asking about their feelings regarding participation and/or for their assent.

Where it is foreseeable that a participant may lose capacity during a research project, for example in studies of cognitive impairment, it may be appropriate to ask participants to express their preferences and ensure that they have authorized a trusted person to make decisions on their behalf should they lose the capacity to provide ongoing consent.

Concern for Welfare

The welfare of a person is the quality of that person's experience of life in all its aspects. Welfare consists of the impact on individuals of factors such as their physical, mental and spiritual health, as well as their physical, economic and social circumstances. Thus, determinants of welfare can include housing, employment, security, family life, community membership, and social participation, among other aspects of life. Other contributing factors to welfare are privacy and the control of information about the person, and the treatment of human biological materials according to the free, informed and ongoing consent of the person who was the source of the information or materials. A person's or group's welfare is also affected by the welfare of those who are important to them.

Concern for Welfare means that researchers and REBs should aim to protect the welfare of participants, and, in some circumstances, to promote that welfare in view of any foreseeable risks associated with the research. They are to provide participants with enough information to be able to adequately assess risks and potential benefits associated with their participation in the research. To do so, researchers and REBs must ensure that participants are not exposed to unnecessary risks. Researchers and REBs must attempt to minimize the risks associated with answering any given research question. They should attempt to achieve the most favourable balance of risks and potential benefits in a research proposal. Then, in keeping with the principle of Respect for Persons, participants or authorized third parties, make the final judgment about the acceptability of this balance to them.

The welfare of groups can also be affected by research. Groups may benefit from the knowledge gained from the research, but they may also suffer from stigmatization, discrimination or damage to reputation. Engagement during the design process with groups whose welfare may be affected by the research can help to clarify the potential impact of the research and indicate where any negative impact on welfare can be minimized. Researchers must also consider the risks and potential benefits of their research and the knowledge it might generate for the welfare of society as a whole. Where research on individuals may affect the welfare of a group(s), the weight given to the group's welfare will depend on the nature of the research being undertaken, and the individuals or group in question. This consideration does not imply, however, that the welfare of a group should be given priority over the welfare of individuals.

Justice

Justice refers to the obligation to treat people fairly and equitably. Fairness entails treating all people with equal respect and concern. Equity requires distributing the benefits and burdens of research participation in such a way that no segment of the population is unduly burdened by the harms of research or denied the benefits of the knowledge generated from it. Treating people fairly and equitably does not always mean treating people in the same way. Differences in treatment or distribution are justified when failures to take differences into account may result in the creation or reinforcement of inequities. One important difference that must be considered for fairness and equity is vulnerability. Vulnerability is often caused by limited capacity, or limited access to social goods, such as rights, opportunities and power. Individuals or groups in vulnerable circumstances have historically included children, the elderly, women, prisoners, those with mental health issues and those with diminished capacity for self-determination.

Ethnocultural

Minorities and those who are institutionalized are other examples of groups who have, at times, been treated unfairly and inequitably in research, or have been excluded from research opportunities. People or groups whose circumstances cause them to be vulnerable or marginalized may need to be afforded special attention in order to be treated justly in research. The recruitment process, both of participants who may become directly involved in research and those who participate as the source of information or biological materials to be used in research, is an important component of the fair and equitable conduct of research.

Participation should be based on inclusion criteria that are justified by the research question. Inequity is created when particular groups fail to receive fair benefits of research or when groups, or their data or their biological materials, are excluded from research arbitrarily or for reasons unrelated to the research question. An important threat to Justice is the imbalance of power that may exist in the relationship between researcher and participant. Participants will generally not understand the research in the same way and in the same depth as does the researcher. Historically, there have been instances in which this power imbalance has been abused, with resulting harm to participants.

The Core Principles – Conclusion

The importance of research and the need to ensure the ethical conduct of research requires both researchers and REB members to navigate a sometimes difficult course between the two main goals of providing the necessary protection of participants and serving the legitimate requirements of research. The three core principles that express the value of human dignity provide the compass for that journey. Their application will help ensure that a balance between these two goals is maintained. Applying the core principles will also maintain free, informed and ongoing consent throughout the research process and lead to sharing the benefits of the research. These results will help to build and maintain the trust of participants and the public in the research process.

C. How to Apply This Policy

This Policy aims to strike an appropriate balance between recognition of the potential benefits of research, and protection of participants from research-related harms, including injustices and breaches of Respect for Persons. Given that research involving humans spans the full spectrum of risk, from minimal to significant, a crucial element of REB review is to ensure that the level of scrutiny of a research project is determined by the level of risk it poses to participants. A reduced level of scrutiny applied to a research project assessed as minimal risk does not imply a lower level of adherence to the core principles. Rather, the intention is to ensure adequate protection of participants is maintained while reducing unnecessary impediments to, and facilitating the progress of, ethical research. This approach is in keeping with the need to respect academic freedom and not to place unwarranted constraints upon it. In the context of both initial and continuing research ethics review, the REB assesses the ethical acceptability of a research project through consideration of the foreseeable risks, the potential benefits and the ethical implications of the project. These two steps constitute the proportionate approach to REB review that is recommended throughout the Policy.

Research Ethics and Law

In addition to the principles and guidelines in this Policy, researchers are responsible for ascertaining and complying with all applicable legal and regulatory requirements with respect to consent and the protection of privacy of participants. These legal and regulatory requirements may vary depending on the jurisdiction in which the research is being conducted, and who is funding and/or conducting the research, and they may comprise constitutional, statutory, regulatory, common law, and/or international or legal requirements of jurisdictions outside of Ghana. Where the research is considered to be a governmental activity, for example, standards for protecting privacy flowing from the Constitution of Ghana under Fundamental Human Rights and Freedoms, legislation and regulatory requirements would apply.

The law affects and regulates the standards and conduct of research involving humans in a variety of areas, including, but not limited to privacy, confidentiality, intellectual property and the capacity of participants. In addition, human rights legislation and most documents on research ethics prohibit discrimination on a variety of grounds and recognize equal treatment as fundamental. Researchers should also respect the spirit of the Ghana Constitution particularly the sections dealing with life, liberty and security of the person, as well as those involving equality and discrimination.

Researchers may face situations where they experience a tension between the requirements of the law and the guidance of the ethical principles in this Policy. In such situations, researchers should strive to comply with the law in the application of ethical principles. Researchers should consult with colleagues, or any relevant professional body, and if necessary, seek independent legal advice to help resolve any conflicts between law and ethics, and guide an appropriate course of action.

This legal context for research involving humans is constantly evolving and varies from jurisdiction to jurisdiction. For this reason, REBs and researchers should be aware of applicable laws so they can identify legal issues that may occur in the conduct of research.

REBs may satisfy this obligation through expertise among their members or through wider consultation. The researcher may seek independent legal advice when necessary.

The Perspective of the Participant

In designing and conducting research or reviewing the ethics of research, researchers and REBs must be mindful of the perspective of the participant. It may be necessary to consider the various contexts (e.g., social, economic, cultural) that shape the participant's life, to properly evaluate the implications of the research in terms of the core principles.

Appropriate Expertise for Review

It is also important that research ethics review be appropriate to the disciplines, fields of research, and methods of the research being reviewed. This means that REBs must understand the discipline and method under review and be able to assess the research on its own terms. This Policy provides more direction concerning appropriate expertise.

Interpreting This Policy

This Policy contains both guidance for the interpretation of the principles of research ethics, as well as a number of mandatory requirements for researchers, institutions and members of REBs. Mandatory provisions are signalled by the use of the term "shall." Guidance for the interpretation of the core principles is generally indicated by use of the term "should." Evaluating the ethics of research involving humans is not, and cannot be, an exact science. The interpretation and application of the articles and principles to particular circumstances will always be a part of the exercise. The articles in this Policy are intended to provide guidance, and in some cases, to set out certain requirements. The application sections are intended to supplement the articles with further explanation and examples. Although they cannot guarantee identical decisions across REBs, they can ensure that researchers and REBs employing this Policy are operating within the same parameters and taking into account the same considerations as they design and evaluate research involving humans.

This Policy will continue to evolve in response to the emerging needs and suggestions of all those whom this Policy is intended to serve, including the research community, participants and the public.

CHAPTER 2

SCOPE AND APPROACH

Introduction

The purpose of this Policy, as set out in Chapter 1, is to establish principles to guide the design, ethical conduct and ethics review process of research involving humans. This chapter outlines the scope of application of the Policy and the approach to research ethics review that flows from the core principles – Respect for Persons, Concern for Welfare, and Justice. The preferred approach to research ethics review is a proportionate approach. The research ethics board (REB) tailors the level of scrutiny by an REB to the level of risk presented by the research, and assesses the ethical acceptability of the research through consideration of the foreseeable risks, the potential benefits and the ethical implications of the research, both at the stage of the initial REB review and throughout the life of the project.

Research Requiring REB Review

The following requires ethics review and approval by an REB before the research commences:

(a) Research involving living human participants; (b) Research involving human biological materials, as well as human embryos, fetal tissue, reproductive materials and stem cells. This applies to materials derived from living and deceased individuals. Application The scope of this Policy is restricted to the review of the ethical conduct of research involving humans. The scope of REB review is limited to those activities defined in this Policy as “research” involving “human participants.” For the purposes of this Policy, “research” is defined as an undertaking intended to extend knowledge through a disciplined inquiry or systematic investigation. A determination that research is the intended purpose of the undertaking is key for differentiating activities that require ethics review by an REB and those that do not.

For the purposes of this Policy, “human participants” (referred to as “participants”) are those individuals whose data, or responses to interventions, stimuli or questions by the researcher, are relevant to answering the research question. Human participants are unique among the many parties involved in research, because they bear the primary risks of the research. These individuals are often referred to as “research subjects.” This Policy prefers the term “participant” because it better reflects the spirit behind the core principles: that individuals who choose to participate in research play a more active role than the term “subject” conveys.

As well, it reflects the range of research covered by this Policy, and the varied degree of involvement by participants – including the use of their data or human biological materials – that different types of research offer. The core principles of this Policy – Respect for Persons, Concern for Welfare, and Justice – help to shape the relationship between researchers and participants.

Where researchers seek to collect, use, share and access different types of information or data about participants, they are expected to determine whether the information or data proposed in research may reasonably be expected to identify an individual. For the purposes of this Policy, researchers and REBs shall consider whether information is identifiable or non-identifiable. Information is identifiable if it, alone or when combined with other available information, may reasonably be expected to identify an individual. The term "personal information" generally denotes identifiable information about an individual.

In some cases, research may involve interaction with individuals who are not themselves the focus of the research in order to obtain information. For example, one may collect information from authorized personnel to release information or data in the ordinary course of their employment about organizations, policies, procedures, professional practices or statistical reports. Such individuals are not considered participants for the purposes of this Policy. This is distinct from situations where individuals are considered participants because they are themselves the focus of the research. For example, individuals who are asked for their personal opinions about organizations, or who are observed in their work setting for the purposes of research, are considered participants.

For the purposes of this Policy, human biological materials include tissues, organs, blood, plasma, serum, DNA, RNA, proteins, cells, skin, hair, nail clippings, urine, saliva and other body fluids. Materials related to human reproduction include embryos, fetuses, fetal tissues and human reproductive materials. Embryo means a human organism during the first 56 days of its development following fertilization or creation, excluding any time during which its development has been suspended, and includes any cell derived from such an organism that is used for the purpose of creating a human being. Fetus means a human organism during the period of its development beginning on the 57th day following fertilization or creation, excluding any time during which its development has been suspended, and ending at birth. Foetal tissue includes membranes, placenta, umbilical cord, amniotic fluid and other tissue that contains genetic information about the fetus. Human reproductive materials mean a sperm, ovum or other human cell, or a human gene, as well as a part of any of them. The term “human biological materials” may be considered, for the purposes of this Policy, to include materials related to human reproduction.

Research that relies exclusively on information that is publicly available, or made accessible through legislation or regulation, does not require REB review. Exemption from REB review for research involving information that is legally accessible to the public is based on the presence of a legally designated custodian/steward who protects its privacy and proprietary interests (e.g., an access to information and privacy coordinator or a guardian of Canadian census data). REB review is also not required where research uses exclusively publicly available information that may contain identifiable information, and for which there is no reasonable expectation of privacy. For example, identifiable information may be disseminated in the public domain through print or electronic publications; film, audio or digital recordings; press accounts; official publications of private or public institutions; artistic installations, exhibitions or literary events freely open to the public; or publications accessible in public libraries. Research that is non-intrusive, and does not involve direct interaction between the researcher and individuals through the Internet, also does not require REB review. Cyber-material such as documents, records, performances, online archival materials or published third party interviews to which the public is given uncontrolled access on the Internet for which there is no expectation of privacy is considered to be publicly available information.

Chapter 3

THE CONSENT PROCESS

Introduction

This chapter sets out the ethical requirements for consent in research involving humans. Throughout this Policy, the term “consent” means “free, informed and ongoing consent.” For the purpose of this Policy, “free” and “voluntary” are used interchangeably. Respect for Persons implies that individuals who participate in research should do so voluntarily, understanding the purpose of the research, and its risks and potential benefits, as fully as reasonably possible. Where a person has the capacity to understand this information, and the ability to act on it voluntarily, the decision to participate is generally seen as an expression of autonomy. The Policy refers to the process of seeking consent from prospective participants, which may result in either agreement or refusal to participate. This process is meant to emphasize Respect for Persons. Under no circumstances may researchers proceed to conduct research with anyone who has refused to participate. Subject to exceptions set out in this Policy, consent must be obtained from participants prior to the conduct of research.

Equally, Respect for Persons implies that those who lack the capacity to decide for themselves should nevertheless have the opportunity to participate in research that may be of benefit to themselves or others. Authorized third parties acting on behalf of these individuals decide whether participation would be appropriate. For the purposes of this Policy, the term “authorized third party” (also known as “authorized third party decision makers”) refers to any person with the necessary legal authority to make decisions on behalf of an individual who lacks the capacity to consent to participate or to continue to participate in a particular research project. These decisions involve considerations of Concern for Welfare and Justice.

Certain types of research require alternate processes for seeking consent. These are also described in this chapter. Where elements of the consent process may need to be adapted to the requirements of a particular research project, the research ethics board (REB) can play an educational and consultative role in determining the appropriate process for seeking and maintaining consent. The head of the research team, also known as the principal investigator, is responsible for ensuring that the consent process is followed. This person is also responsible for the actions of any member of the research team involved in the consent process.

In addition to this Policy, researchers are responsible for ensuring that all applicable legal and regulatory requirements with respect to consent are met. In some circumstances, researchers may have further legal obligations that may be determined in part by the nature of the research and the jurisdiction in which the research is being conducted.

A. General Principles

(a) Consent shall be given voluntarily.

(b) Consent can be withdrawn at any time.

(c) If a participant withdraws consent, the participant can also request the withdrawal of their data or human biological materials.

The voluntariness of consent is important because it respects human dignity and means that individuals have chosen to participate in research according to their own values, preferences and wishes. The approach to recruitment is an important element in assuring voluntariness. In particular, how, when and where participants are approached, and who recruits them are important elements in assuring (or undermining) voluntariness. In considering the voluntariness of consent, REBs and researchers should be cognizant of situations where undue influence, coercion or the offer of incentives may undermine the voluntariness of a participant's consent to participate in research.

Undue Influence

Undue influence and manipulation may arise when prospective participants are recruited by individuals in a position of authority. The influence of power relationships (e.g., employers and employees, teachers and students, commanding officers and members of the military or correctional officers and prisoners) on the voluntariness of consent should be judged from the perspective of prospective participants, since the individuals being recruited may feel constrained to follow the wishes of those who have some form of control over them. This control may be physical, psychological, financial or professional, for example, and may involve offering some form of inducement or threatening some form of deprivation. In such situations, the control exerted in a power relationship may place undue pressure on the prospective participants. At the extreme, there can be no voluntariness if consent is secured by the order of authorities.

REBs and researchers should also pay particular attention to elements of trust and dependency in relationships (e.g., between physician and patient or between professor and student). These relationships can impose undue influence on the individual in the position of dependence to participate in research projects. Any relationship of dependency, even a nurturing one, may give rise to undue influence even if it is not applied overtly. There may be a greater risk of undue influence in situations of ongoing or significant dependency.

Pre-existing entitlements to care, education and other services should not be prejudiced by the decision of whether or not to participate in, or to withdraw from, a research project. Accordingly, for example, a physician should ensure that continued clinical care is not linked to research participation. Similarly, where students do not wish to participate in research studies for course credits, they should be offered a comparable alternative.

Coercion

Coercion is a more extreme form of undue influence, involving a threat of harm or punishment for failure to participate. Coercion would negate the voluntariness of a decision to participate, or to remain, in a research project.

Incentives

Incentives are anything offered to participants, monetary or otherwise, for participation in research. Because incentives are used to encourage participation in a research project, they are an important consideration in assessing voluntariness. Where incentives are offered to participants, they should not be so large or attractive as to encourage reckless disregard of risks. This is a particular consideration in the case of healthy volunteers for the early phases of clinical trials. The offer of incentives in some contexts may be perceived by prospective participants as a way for them to gain favour or improve their situation. This may amount to undue inducement and thus negate the voluntariness of participants' consent.

This Policy neither recommends nor discourages the use of incentives. The onus is on the researcher to justify to the REB the use of a particular model and the level of incentives. In considering the possibility of undue influence in research involving financial or other incentives, researchers and REBs should be sensitive to issues such as the economic circumstances of those in the pool of prospective participants, the age and capacity of participants, the customs and practices of the community, and the magnitude and probability of harms. Guardians and authorized third parties should not receive incentives for arranging the involvement in research of the individual they represent. However, they may accept reasonable incentives or compensation on behalf of that individual, as long as these are suitable to the circumstances.

(a) To maintain the element of voluntariness, participants shall be free to withdraw their consent to participate in the research at any time, and need not offer any reason for doing so. In some cases, however, the physical practicalities of the project may prevent the actual withdrawal of the participant partway through, for example, if the project involves only a single intervention, or if the termination of a medical research procedure may compromise the safety of the participant. The participant should not suffer any disadvantage or reprisal for withdrawing nor should any payment due prior to the point of withdrawal be withheld. If the research project used a lump-sum incentive for participation, the participant is entitled to the entire amount. If a payment schedule is used, participants shall be paid in proportion to their participation.

(b) The consent form should set out any circumstances that do not allow withdrawal of data or human biological materials once collected. Where the terms of the research do not allow for withdrawal of their data or human biological materials, the identity of the participants shall be protected at all times during the project and after its completion. In some research projects, the withdrawal of data or human biological materials may not be feasible (e.g., when personal information has been anonymized and added to a data pool). Participants shall also be informed that it is difficult, if not impossible, to withdraw results once they have been published or otherwise disseminated.

© Researchers shall provide to prospective participants, or authorized third parties, full disclosure of all information necessary for making an informed decision to participate in a research project. Application At the commencement of any process of consent, researchers (or their qualified representatives) shall provide prospective participants with the information set out in the following list, as appropriate to the particular research project. Not all the listed elements are required for all research. However, additional information may be required in particular types of research or under particular circumstances.

If a researcher does not include some of the listed disclosure requirements, they should explain to the REB why these requirements do not apply to that particular project. It is also up to the REB to consider whether all elements listed, or additional elements, are necessary to the consent process of the research project.

The information generally required for informed consent includes:

(a) information that the individual is being invited to participate in a research project;

(b) a statement of the research purpose in plain language, the identity of the researcher, the identity of the funder or sponsor, the expected duration and nature of participation, a description of research procedures, and an explanation of the responsibilities of the participant;

(c) a plain language description of all reasonably foreseeable risks and potential benefits, both to the participants and in general, that may arise from research participation;

(d) an assurance that prospective participants:

- are under no obligation to participate; are free to withdraw at any time without prejudice to pre-existing entitlements;
- will be given, in a timely manner throughout the course of the research project, information that is relevant to their decision to continue or withdraw from participation; and
- will be given information on the participant’s right to request the withdrawal of data or human biological materials, including any limitations on the feasibility of that withdrawal;

(e) information concerning the possibility of commercialization of research findings, and the presence of any real, potential or perceived conflicts of interest on the part of the researchers, their institutions or the research sponsors;

(f) the measures to be undertaken for dissemination of research results and whether participants will be identified directly or indirectly;

(g) the identity and contact information of a qualified designated representative who can explain scientific or scholarly aspects of the research to participants;

(h) the identity and contact information of the appropriate individual(s) outside the research team whom participants may contact regarding possible ethical issues in the research;

(i) an indication of what information will be collected about participants and for what purposes; an indication of who will have access to information collected about the identity of participants, a description of how confidentiality will be protected, a description of the anticipated uses of data; and information indicating who may have a duty to disclose information collected, and to whom such disclosures could be made;

(j) information about any payments, including incentives for participants, reimbursement for participation-related expenses and compensation for injury;

(k) a statement to the effect that, by consenting, participants have not waived any rights to legal recourse in the event of research-related harm; and

(l) in clinical trials, information on stopping rules and when researchers may remove participants from trial.

For consent to be informed, prospective participants shall be given adequate time and opportunity to assimilate the information provided, pose any questions they may have, and discuss and consider whether they will participate. The time required for this initial phase of the consent process will depend on such factors as the magnitude and probability of harms, the complexity of the information conveyed, and the setting where the information is given. The key to informed consent is that prospective participants understand the information being conveyed to them by researchers. Researchers and REBs should consider how best to convey that information to facilitate understanding. For example, written documentation may be supplemented with audio and/or visual aids, or accompanied by video presentations.

When language barriers necessitate the assistance of an intermediary for communication between the research team and participants, the researcher should select an intermediary who has the necessary language skills to ensure effective communication. The involvement of such intermediaries may raise confidentiality issues.

Paragraphs (a) to (c) require researchers to clearly explain the nature and goals of the research, and other essential information, in a manner that best promotes understanding on the part of prospective participants. Paragraph (b) requires the disclosure of those who support a particular research project, through funding or sponsorship. It is unethical for researchers to engage in clandestine activities for intelligence, police or military purposes under the guise of research. Paragraph (c) requires researchers to consider all reasonably foreseeable risks that may result from participation. When research is conducted about an organization or a community, researchers should inform prospective participants within that organization or community of the extent to which the organization or community is collaborating with the research, as well as any risk this collaboration may pose to the participant.

Paragraph (d) helps to ensure the effectiveness that a prospective participant's choice to participate is voluntary. Paragraph (d) also supports the requirement that the consent process continue throughout the research. Paragraph (e) aims at managing real, potential or perceived conflicts of interests. Researchers should separate, to the greatest extent possible, their role as researcher from their other roles as therapists, caregivers, teachers, advisors, consultants, supervisors, employers or the like. If a researcher is acting in dual roles, this fact must always be disclosed to the participant. Paragraph (f) requires that researchers provide a reasonable explanation of the measures they will undertake to publish and otherwise disseminate the results of the research – to the extent that it is feasible, and in a manner that is appropriate.

Chapter 4

FAIRNESS AND EQUITY IN RESEARCH PARTICIPATION

Introduction

The principle of Justice holds that particular individuals, groups or communities should neither bear on unfair share of the direct burdens of participating in research nor should they be unfairly excluded from the potential benefits of research participation. Inclusiveness in research and fair distribution of benefits and burdens should be important considerations for researchers, research ethics boards (REBs), research institutions and sponsors. Issues of fair and equitable treatment arise in deciding whether and how to include individuals, groups or communities in research, and the basis for the exclusion of some.

This chapter addresses inclusion in research of individuals and groups that might be inappropriately excluded on the basis of attributes such as culture, language, gender, race, ethnicity, age and disability. It provides guidance relevant to inclusion in research of specific groups such as women, children, the elderly and those who lack capacity to consent to participate in research. Historically, these groups have often been inappropriately excluded from research.

This chapter also addresses the fair inclusion and equitable treatment of individuals, groups and communities whose situation or circumstances make them vulnerable in the context of a specific research project. These individuals run the risk of being included in research in ways that may be unfair and inequitable. This chapter provides guidance relevant to the equitable distribution of the risks and benefits of research.

Over-protectionist attitudes or practices of researchers or REBs, whether intentional or inadvertent, can exclude some members of society from participating in research. The exclusion of individuals, groups or communities may constitute a failure to treat them justly. For example, age has been used to exclude individuals from participation in research, particularly health research (e.g., studies that only accept participants between the ages of 18 to 35). As a result, sufficient research may not be done on groups that fall outside of narrow age criteria. The inclusion of the young and the elderly in research, for example, ensures that treatments frequently given to these populations are effective and safe.

Researchers, institutions and REBs all have important roles to play in advancing that societal commitment, and ensuring a fair distribution of the benefits and burdens of research. Researchers and REBs must navigate between the dangers of imposing unfair burdens on particular participants, groups and communities, and overprotecting them. In assessing fairness and equity issues in the research ethics process, REBs should not intervene in the choice of research topics.

Appropriate Inclusion

Taking into account the scope and objectives of their research, researchers should be inclusive in selecting participants. Researchers shall not exclude individuals from the opportunity to participate in research on the basis of attributes such as culture, language, religion, race, disability, sexual orientation, ethnicity, linguistic proficiency, gender or age, unless there is a valid reason for the exclusion.

This article is based on the principle of Justice. It imposes a duty on researchers not to exclude individuals or groups from participation for reasons that are unrelated to the research. This duty is explicitly stated because groups have been inappropriately excluded from participation in research on the basis of attributes such as gender, race, ethnicity, age and disability.

The focus, objective, nature of research and context in which the research is conducted inform the inclusion and exclusion criteria for a specific research project. Some research may be focused on a certain individual (such as in a biography), or a group of individuals who share a specific characteristic (e.g., an identifiable group of painters who happen to be all of one sex; a religious order that is restricted to one sex). Other examples include research that is focused on specific cultural traditions or languages, or on one age group (e.g., a biomechanical modelling study of posture corrections in adolescents). Such research should not be precluded so long as the selection criteria for those to be included in the research are germane to answering the research question. Researchers who plan to actively exclude particular groups should clarify to their REBs the grounds for the exclusion.

Where a language barrier exists between the researcher and the prospective participant, various measures may be used to ensure effective communication in recruitment and consent discussions. For example, an intermediary who may not be part of the research project or team, but who is competent in the language used by the researchers, as well as that preferred by the participant, may assist with communication between prospective participants and researchers. The selection of an intermediary and their activities will depend on the nature, context and risks of the research. But it is justifiable when the research objective cannot be achieved with adult participants only. When considering the inclusion of children in research, researchers and REBs shall consider a child's stage of physical, physiological, psychological, and social development to ensure adequate protections for the child's welfare. Where children have not yet attained the capacity to consent for themselves to participate in research, researchers shall seek consent from an authorized third party while ascertaining the child's assent or dissent, as outlined in Chapter 3.

Research Involving the Elderly

As the population ages, the proportion of elderly people is increasing, and so is their life expectancy. Research designed to improve our understanding of a wide range of aspects of aging and the lives of elderly people is important for ensuring that they stay fully integrated into society and maintain a continuing high quality of life. Medically, elderly patients are the highest consumers of drugs, yet many of these treatments have not been tested adequately on elderly patients. Research that takes into account the differential effects on the elderly and how best to accommodate their needs provides scientific evidence that can inform changes to policies and standards of care for the elderly.

Elderly people shall not be inappropriately excluded from research solely on the basis of their age. Application Researchers should not exclude elderly people from research unless there is a valid reason for doing so. When considering the inclusion of elderly people in research, researchers and REBs shall consider their physical and social needs to ensure adequate protections. Depending on their social circumstances, elderly people may require some reasonable accommodation for mobility, transportation support and other types of assistance to facilitate their participation in research. The principle of Justice requires that such accommodations for the natural processes of aging be considered by REBs and researchers. Exclusion of the elderly shall not be based on easily remediable issues that are not germane to the research question.

Equitable Distribution of Research Benefits

Researchers should consider ways to ensure the equitable distribution of any benefits of participation in research. Benefits of research participation may be direct, where, for example, an individual participant experiences amelioration of a health condition as a result of an experimental therapy, or learns new information about social issues as a result of participation in a research focus group. In a community hosting research, benefits may take the form of information sharing, training for local personnel, the establishment of health care or similar services. Benefits may be indirect, where the participation in research of an individual or group, or in a research project involving a community contributes to the advancement of knowledge that may lead to improved conditions for a group to which the participant belongs. Such knowledge may also inform other communities or society in general.

Researchers should also be sensitive to the expectations and opinions of participants regarding potential benefits of the research. Prior to the commencement of the research, researchers should formally or informally discuss these expectations with individuals and/or groups, and outline the scope and nature of potential benefits that may accrue to participants during and after the research. REBs should be vigilant to ensure that the proposed distribution of benefits is fair, without imposing undue burdens on the researcher that would make it too difficult or costly to complete research.

Researchers should normally provide copies of publications, or other research reports or products, arising from the research to the institution or organization – normally the host institution – that is best suited to act as a repository and disseminator of the results within the participating communities. This may not be necessary in jurisdictions where the results are readily available in print or electronically. In general, researchers should ensure that participating individuals, groups and communities are informed of how to access the results of the research. Results of the research should be made available to them in a culturally appropriate and meaningful format, such as reports in plain language in addition to technical reports.

Chapter 5

PRIVACY AND CONFIDENTIALITY

Introduction

There is widespread agreement about the interests of participants in protection of privacy, and the corresponding duties of researchers to treat personal information in a confidential manner. Indeed, the respect for privacy in research is an internationally recognized norm and ethical standard. Fundamental human rights and freedoms in the Ghana Constitution have been explicitly stated. The Jayee University College Statutes has broad provisions on codes of conduct.

Privacy risks in research relate to the identifiability of participants, and the potential harms to which they or groups to which they belong, may experience from the collection, use and disclosure of personal information. Privacy risks arise at all stages of the research life cycle, including initial collection of information, use and analysis to address research questions, dissemination of findings, storage and retention of information, and disposal of records or devices on which information is stored. This Policy is based on a proportionate approach to the assessment of the ethical acceptability of research. Researchers and research ethics boards (REBs) are expected to identify and minimize privacy risks, keeping in mind that a matter that is not sensitive or embarrassing for the researcher may be so for the participant.

In addition to following the guidance provided in this Policy, researchers are responsible for compliance with all applicable legal and regulatory requirements with respect to protection of privacy, and consent for the collection, use or disclosure of information about participants. These requirements may vary by jurisdiction and, depending on who is funding or conducting the research, may include obligations under the Ghana Constitution.

A. Key Concepts

Privacy

Privacy refers to an individual's right to be free from intrusion or interference by others. It is a fundamental right in a free and democratic society. Individuals have privacy interests in relation to their bodies, personal information, expressed thoughts and opinions, personal communications with others, and spaces they occupy. Research affects these various domains of privacy in different ways, depending on its objectives and methods. An important aspect of privacy is the right to control information about oneself. The concept of consent is related to the right to privacy. Privacy is respected if an individual has an opportunity to exercise control over personal information by consenting to, or withholding consent for, the collection, use and/or disclosure of information (see Chapter 3 for further discussion of consent).

Confidentiality

The ethical duty of confidentiality refers to the obligation of an individual or organization to safeguard entrusted information. The ethical duty of confidentiality includes obligations to protect information from unauthorized access, use, disclosure, modification, loss or theft. Fulfilling the ethical duty of confidentiality is essential to the trust relationship between researcher and participant, and to the integrity of the research project.

Security

Security refers to measures used to protect information. It includes physical, administrative and technical safeguards. An individual or organization fulfils its confidentiality duties, in part, by adopting and enforcing appropriate security measures. Physical safeguards include the use of locked filing cabinets, and the location of computers containing research data away from public areas. Administrative safeguards include the development and enforcement of organizational rules about who has access to personal information about participants. Technical safeguards include use of computer passwords, firewalls, anti-virus software, encryption and other measures that protect data from unauthorized access, loss or modification.

Identifiable Information

Information that may reasonably be expected to identify an individual, alone or in combination with other available information, is considered identifiable information (or information that is identifiable) for the purposes of this Policy. Where the term "personal information" appears in this Policy, it refers to identifiable information.

Types of Information

Researchers may seek to collect, use, share and access different types of information about participants. Such information may include personal characteristics or other information about which an individual has a reasonable expectation of privacy (e.g., age, ethnicity, educational background, employment history, health history, life experience, religion, social status). For the purposes of this Policy, researchers and REBs shall consider whether information proposed for use in research is identifiable. The following categories provide guidance for assessing the extent to which information could be used to identify an individual:

- Directly identifying information – the information identifies a specific individual through direct identifiers (e.g., name, social insurance number, personal health number).
- Indirectly identifying information – the information can reasonably be expected to identify an individual through a combination of indirect identifiers (e.g., date of birth, place of residence or unique personal characteristic).
- Coded information – direct identifiers are removed from the information and replaced with a code. Depending on access to the code, it may be possible to re-identify specific participants (e.g., the principal investigator retains a list that links the participants' code names with their actual name so data can be re-linked if necessary).
- Anonymized information – the information is irrevocably stripped of direct identifiers, a code is not kept to allow future re-linkage, and risk of re-identification of individuals from remaining indirect identifiers is low or very low.
- Anonymous information – the information never had identifiers associated with it (e.g., anonymous surveys) and risk of identification of individuals is low or very low.

Ethical concerns regarding privacy decrease as it becomes more difficult (or impossible) to associate information with a particular individual. These concerns also vary with the sensitivity of the information and the extent to which access, use or disclosure may harm an individual or group. The easiest way to protect participants is through the collection and use of anonymous or anonymized data, although this is not always possible or desirable. For example, after information is anonymized, it is not possible to link new information to individuals within a dataset, or to return results to participants. A "next best" alternative is to use de-identified data: the data are provided to the researcher in de-identified form and the existing key code is accessible only to a custodian or trusted third party who is independent of the researcher. The last alternative is for researchers to collect data in identifiable form and take measures to de-identify the data as soon as possible. Although these measures are effective ways to protect participants from identification, the use of indirectly identifying, coded or anonymized information for research may still present risks of re-identification

B. Ethical Duty of Confidentiality

Researchers shall safeguard information entrusted to them and not misuse or wrongfully disclose it. Institutions shall support their researchers in maintaining promises of confidentiality. When researchers obtain information with a promise of confidentiality, they assume an ethical duty that is central to respect for participants and the integrity of the research project. Breaches of confidentiality may harm the participant, the trust relationship between the researcher and the participant, other individuals or groups, and/or the reputation of the research community. Research that probes sensitive topics (e.g., illegal activities) generally depends on strong promises of confidentiality to establish trust with participants.

The ethical duty of confidentiality applies to information obtained directly from participants, or from other researchers or organizations that have legal, professional or other obligations to maintain confidentiality. The ethical duty of confidentiality must, at times, be balanced against competing ethical considerations or legal or professional requirements that call for disclosure of information obtained or created in a research context. For example, in exceptional and compelling circumstances, researchers may be subject to obligations to report information to authorities to protect the health, life or safety of a participant or a third party. Researchers are expected to be aware of ethical codes (such as professional codes of conduct) or laws (e.g., those requiring the reporting of children in need of protection) that may require disclosure of information they obtain in a research context. In other situations, a third party may seek access to information obtained and/or created in confidence in a research context. An access request may seek voluntary disclosure of information, or may seek to compel disclosure through force of law (e.g., by subpoena).

CHAPTER 6

CONFLICTS OF INTEREST

Introduction

This chapter addresses ethical issues that can arise when research activities and other activities conflict. A conflict of interest may arise when activities or situations place an individual or institution in a real, potential or perceived conflict between the duties or responsibilities related to research, and personal, institutional or other interests. These interests include, but are not limited to, business, commercial or financial interests pertaining to the institution and/or the individual, their family members, friends, or their former, current or prospective professional associates.

Conflicts of interest must be assessed when conducting research as they may jeopardize the integrity of the research and the protection offered to participants. Conflicts that create divided loyalties may distract researchers, research ethics boards (REBs), and institutions from concern for the welfare of participants and are contrary to the core principles on which this Policy is based.

Failure to disclose and manage conflicts may impede the informed and autonomous choices of individuals to participate in research. Prospective participants need to know about real, potential or perceived conflicts of interest in order to make an informed decision about whether or not to participate. Conflicts of interest may also undermine the respect for participants that is fundamental to the principle of Justice.

It is preferable to avoid or prevent being in a position of conflict of interest, if possible. When it is not possible to avoid a conflict of interest, then it shall be disclosed to the appropriate people and steps taken to minimize or manage the conflict. Researchers, their institutions and REBs should identify and address conflicts of interest – real, potential or perceived – to discharge professional and institutional obligations, maintain public confidence and trust, and ensure accountability. In some cases, the conflict cannot be managed and the institutions, the researcher or the REB member may need to abandon one of the interests in conflict. When necessary, researchers may have to manage a conflict of interest either by disclosing it to participants or by removing themselves from the research.

Key Concepts

Institutional Conflict of Interest

Institutions involved in research hold trust relationships with participants, research sponsors, researchers and society. These institutions may have financial or reputational interests including, but not limited to, the provision of education and the promotion of research that conflict with the institution's obligations to protect and respect human dignity as characterized by the core principles of this Policy. For example, institutions may experience pressures to attract particular research funding or certain types of research activities that are self-sustaining, which may compromise their independence and public trust.

Institutions have an obligation to ensure that the ethical conduct of research is not compromised by real, potential or perceived conflicts of interest. An institutional conflict of interest involves a conflict between at least two substantial institutional obligations that cannot be adequately fulfilled without compromising one or both obligations. Conflicts may occur when pursuing particular goals, for instance, the pursuit of two different "goods," such as an effort to obtain general infrastructure funding from a donor that conflicts with an effort to promote research that the donor does not wish to support.

Institutional conflicts of interest may compromise duties of loyalty and lead to biased judgments. Conflicts may also undermine public trust in the ability of the institution to carry out its missions, operations and ethical responsibilities in research. Institutions may be in conflict of interest, for example, when they (a) sponsor a research project; (b) manage the intellectual property that forms the basis of a research project or stand to benefit from intellectual property resulting from the research; (c) hold equity in companies and/or receive major donations; or (d) have conflicting roles carried out by one institutional official (e.g., a Dean who is responsible for the promotion of research activity and funding and also for oversight of research).

Acting in a professional role within the institution, individuals (e.g., President, Vice-President, Dean of a faculty or Head of department) are in a conflict of interest when they are subject to competing incentives or functions. These may significantly interfere with the impartial exercise of duties, including legal and ethical obligations within the institutional structure. The conflict may be chronic, relating to recurring situations resulting from the institutional structure, or it may be triggered by a unique situation that is not likely to recur.

REB Member Conflict of Interest

The REB, as an entity, or in the persons of the members who make up the board, also hold trust relationships with participants, research sponsors, researchers and society. REB members must also be aware of their own potential for real or perceived conflicts of interest. For example, REB members are in a conflict of interest when their own research projects are under review by their REB, when they are a co-investigator, or when they are in a supervisory or mentoring relationship with a graduate student applicant. REB members may also be in a conflict of interest situation when they have interpersonal or financial relationships with the researchers, or personal or financial interests in a company, labour union or not-for-profit organization that may be the sponsor of the research project, or that may be substantially affected by the research.

Conflicts of interest based on collaborations or disputes with colleagues, students or others may be ongoing or of limited duration. REBs have an obligation to ensure that the fairness and transparency of research ethics review is not compromised by real, potential or perceived conflicts of interest.

Researcher Conflict of Interest

Researchers and research students hold trust relationships, either directly or indirectly, with participants, research sponsors, institutions, their professional bodies and society. These trust relationships can be put at risk by conflicts of interest that may compromise independence, objectivity or ethical duties of loyalty. Although the potential for such conflicts has always existed, pressures on researchers (e.g., to delay or withhold dissemination of research outcomes or to use inappropriate recruitment strategies) heighten concerns that conflicts of interest may affect ethical behaviour.

Researchers' conflicts of interest may arise from interpersonal relationships (e.g., family or community relationships), financial partnerships, other economic interests, (e.g., spin-off companies in which researchers have stakes or private contract research outside of the academic realm), academic interests or any other incentives that may compromise integrity or respect for the core principles of this Policy. Conflicts may arise from an individual's involvement in dual and multiple roles within or outside an institution. While it may not be possible to eliminate all conflicts of interest, researchers are expected to identify, minimize or otherwise manage their individual conflicts in a manner that is satisfactory to the REB.

CHAPTER 7

QUALITATIVE RESEARCH

Introduction

Researchers in social sciences and humanities – such as anthropology, sociology, philosophy, psychology, criminology, business administration, political science, communications, education and history – have a common belief in the desirability of trying to understand human action through systematic study and analysis. Some researchers use quantitative research approaches, others opt for qualitative research methods, and some use a combination of both.

Qualitative research has a long history in many established disciplines in the social sciences and humanities, as well as many areas in the health sciences (e.g., nursing, occupational therapy). The use of qualitative approaches is increasing, whether in health research or in social sciences and humanities disciplines. Within specific disciplines, ethics guidelines have been created to address the issues inherent in the use of, for example, particular methods, technologies and settings.

Qualitative research approaches are inherently dynamic and may be grounded in different assumptions than those that shape quantitative research approaches. Many of the research practices and methodological requirements that characterize qualitative research approaches parallel those that characterize quantitative approaches such as concerns regarding research quality. However, as is the case with all research involving humans, the criteria are adapted to the specific subject matter, context and epistemological assumptions about the nature of knowledge in the specific area of research of the specific project.

This chapter seeks to provide specific guidance on some issues that are particularly germane to qualitative research, although such guidance may also be applicable to research using quantitative or mixed methods. In particular, it addresses issues of consent, privacy and confidentiality that may have unique manifestations in qualitative research. Some procedural issues related to the dynamics and characteristics of qualitative research that affect the timing and scope of the research ethics review process are detailed below. Note that subject to applicable laws, the articles in this Policy relating to consent, privacy and confidentiality equally apply in the context of qualitative research. Researchers and research ethics boards

(REBs) should also consult other relevant chapters of the Policy for additional guidance on principles, norms, and practices applicable to qualitative research.

A. Nature of Qualitative Research

Qualitative research aims to understand how people think about the world and how they act and behave in it. This approach requires researchers to understand phenomena based on discourse, actions and documents, and how and why individuals interpret and ascribe meaning to what they say and do, and to other aspects of the world (including other people) they encounter. Some qualitative studies extend beyond individuals' personal experiences to explore interactions and processes within organizations or other environments. Knowledge at both an individual and a cultural level is treated as socially constructed. This implies that all knowledge is, at least to some degree, interpretive, and hence, dependent on social context. It is also shaped by the personal perspective of the researcher as an observer and analyst. As a result, qualitative researchers devote a great deal of attention to demonstrating the trustworthiness of their findings using a range of methodological strategies.

The section below provides a summary description of the general approach, as well as methodological requirements and practices, of qualitative research, some of which may also apply to quantitative or other types of research involving humans.

General Approach and Methodological Requirements and Practices

(a) Inductive Understanding: Many forms of qualitative research entail gaining an inductive understanding of the world of participants to acquire an analytic understanding of how they view their actions and the world around them. In some projects, this approach also applies to the study of particular social settings, processes and experiences. To the extent that the methods involve direct interaction with participants, there is often an emphasis on gaining insights into participants' perceptions of themselves and others, and of the meanings that participants attach to their thoughts and behaviours.

(b) Diversity of Approaches: There is no single approach in qualitative research. Different fields or disciplines, and even individual scholars within a discipline, have different perspectives on, and approaches to, the use of qualitative methods. Qualitative research uses a variety of theoretical approaches, questions that guide the research, methodologies, epistemological approaches, and techniques that allow researchers to enter the participants' world or to engage with particular social environments. Methodological approaches include, but are not limited to, ethnography, participatory action research, oral history, phenomenology, narrative inquiry, grounded theory and discourse analysis. The term "qualitative research" covers a wide range of overlapping paradigms or perspectives.

(c) Dynamic, Reflective and Continuous Research Process: The emergence during the course of the research itself of questions, concepts, strategies, theories and ways to gather and engage with the data (e.g., emergent design research) requires a constant reflective approach and questioning by the researcher. Such flexibility, reflexivity and responsiveness contribute to the overall strength and rigour of data collection and analysis.

(d) Diverse, Multiple and Often Evolving Contexts: Qualitative research takes place in a variety of contexts, each of which presents unique ethical issues. As knowledge is considered to be context-contingent in qualitative research, these studies tend to focus on particular individuals, sites or concepts that are empirically derived from other social settings. The researcher's priority is to answer the research question stemming from the study of those individuals in a specific social setting at a specific time.

Researchers sometimes engage in research that questions social structures and activities that create, or result in, inequality and injustice. Studies may involve participants who are in highly vulnerable circumstances because of the social and/or legal stigmatization that is associated with their activity or identity, and who may have little trust in the law, social agencies or institutional authorities. Regardless of the methodological approach, researchers who question social structures, or deal with the disempowered, may face pressures from authority figures. Research may also involve participants, such as business executives or government officials, who may be more powerful than the researchers.

(e) Data Collection and Sample Size: There is generally a greater emphasis placed on depth of research than on breadth. Most qualitative researchers would emphasize gathering diverse but overlapping data on a limited number of cases or situations to the point of data saturation or thematic redundancy. Samples and research sites in these studies are chosen because they are viewed as particularly useful or rich sources of information for furthering one's understanding of phenomena of interest, and not because the results may prove statistically significant. Participants are selected for their potential to inform theory development, and often selection of participants is guided by emerging patterns over the course of the data collection.

A researcher may rely on multiple sources of information and data gathering strategies to enhance data quality. Researchers use a variety of methods for data gathering, including interviews, participant observation, focus groups and other techniques. In some cases, gathering of trustworthy data is best achieved by closeness and extended contact with participants. In other cases, researchers and participants may continue research exchanges through electronic or other means, after collection of data in the field. Qualitative studies of textual and image-based materials, such as published books, websites, interview transcripts, photographic images or video, use a variety of content analysis techniques.

Appropriate treatments of data after they are gathered may vary greatly. At the time of the initial consent discussion, researchers inform prospective participants about the confidentiality of the data and discuss the expectations of participants.

(f) Research Goals and Objectives: The aims of qualitative research are very diverse, both within and across disciplines. The intended goals of qualitative projects may include “giving voice” to a particular population, engaging in research that is critical of settings and systems, or the power of those being studied, affecting change in a particular social environment, or exploring previously understudied phenomena to develop new theoretical approaches to research.

(g) Dynamic, Negotiated and Ongoing Consent Process: Entry into a particular setting for research purposes sometimes requires negotiation with the population of interest; sometimes the researcher cannot ascertain the process in advance of the research, in part because the relevant contexts within which the research occurs evolve over time. In some cases, participants hold equal or greater power in the researcher-participant relationship, such as in community-based and/or organizational research when a collaborative process is used to define and design the research project and questions, or where participants are public figures or hold other positions of power (e.g., research involving economic, social, political or cultural elites). In other cases, researchers themselves may hold greater power when access to prospective participant populations is gained through gatekeepers with whom the researcher has established a relationship (e.g., when a researcher engages with the police to do research in relation to a problem population, or when researchers engage with prison authorities to do research with offenders).

(h) Research Partnerships: Access to particular settings and populations is sometimes developed over time, and the relationships that are formed may well exist outside the research setting per se, which sometimes makes it difficult to determine exactly where the "research" relationship begins and ends. In many cases, despite in-depth, advance preparation, a researcher may not know until the actual data collecting starts just where the search will lead. Indeed, the emergent nature of many qualitative studies makes the achievement of rapport with participants and feelings of interpersonal trust crucial to the generation of questions considered important or interesting by both parties, and to the collection of dependable data. Research often becomes a collaborative process negotiated between the participant(s) and the researcher, requiring considerable time spent initially simply figuring out the focus of the research. In certain cases, contacts between researchers and participants can extend over a lifetime, and these individuals may engage in a variety of relationships over and above their specific "research" relationship.

(i) Research Results: Generalizability of the results to other contexts and the representativeness of the sample may or may not be a concern in qualitative research. Transferability of results from one setting to another is often viewed as more of a theoretical issue than a procedural or a sampling issue.

B. Research Ethics Review of Qualitative Research

This section provides guidance on issues particularly germane to REB review of research employing qualitative methods. Qualitative research is also subject to the general guidelines that are applicable to research involving humans. The requirement for consent and the protection of privacy and confidentiality do not change with the nature of the research. Qualitative research may pose special ethical issues around gaining access, building rapport, using data and publishing results. Researchers and REBs should consider issues of consent, confidentiality and privacy, and relationships between researchers and participants in the design, review and conduct of the research. Some of these may be identified in the design phase. Others will arise during the research itself, which will require the exercise of discretion, sound judgment and flexibility commensurate with the level of risk and potential benefit arising from the research, and considering the welfare of the participants, individually or collectively.