**Guidance Notes for Ethics Applications**

**Staff, PGR, JD & MPhil**

**Note 1:** This includes all funded research whether from a charitable foundation or a research council. PGR and MPhil students should also indicate if their research is funded and from what source.

**Note 2:** This section of the form is asking you to provide a summary overview of your research. Please note that this form may be sent to the School of Law’s external lay reviewers so please try use plain English and describe your project as comprehensively as you can. You should include a short summary, your research questions, your proposed methodology and the types of data you are proposing to collect. This section must be completed whether you are conducting research involving human subjects or research that may involve the analysis of personal data obtained from the Internet or other source. Please note that even if you do not plan to interview human subjects but do intend to analyse data that may contain personal information then you will still need to apply for ethics approval.

**Note 3:** Please list what the duties and responsibilities of yourself, academic partners and other research staff will be in relation to the project, but particularly in regard to aspects of data collection. If any of these positions (e.g. contract researchers) have yet to be appointed please indicate what their duties and responsibilities will be prospectively.

**Note 4:** If you are not the principal investigator for the entire project, please bear in mind that this application is only for those aspects of the research that you are personally responsible for i.e. for those aspects of the research that QUB is directly putting its name to. Approval for this element of the research should under no circumstances be construed that ethics approval has been granted for the project as a whole. Generally, you should not apply for School of Law ethics approval until the project has been approved at the lead researcher’s home institution and you should indicate whether this has occurred in your answer.

**Note 5:** Please explain who will oversee the day-to-day management of research staff but particularly those contract researchers who may be working overseas (i.e. who are researchers responsible to managerially in the study sites?). Please do not include protocols to deal with any emergencies that arise since this will be dealt with in a later section of the questionnaire.

**Note 6:** Section 1.5 of QUB’s [Policy on the Ethical Approval of Research](https://www.qub.ac.uk/Research/Governance-ethics-and-integrity/FileStore/Filetoupload%2C1021071%2Cen.pdf) notes that if data are to be collected internationally then the research will normally be expected to have received the appropriate ethical consideration in the country concerned. In the next question you will be asked to explain how and whether this has / or will be done in your answer.

**Note 7:** QUB like other HEIs does not impose a blanket ban on covert research or research that involves some level of deception. Such research is assessed on a case-by-case basis and whether the research is in the public interest and contributes significantly to the field of study. It is recognised that deception or withholding information about a project may be necessary, particularly if a respondent’s behavioural response is likely to change once they know certain information. Nevertheless, covert research or research involving deception raises significant ethical issues but in particular the psychological impact of someone finding out that they were part of a research study. The University advises that the use of deception should be considered only in situations where it can be demonstrated that other approaches would prove to be ineffective. In addition, the University advises that participants should be told about the deception as soon as possible after they have participated in the study and be given the earliest opportunity to withdraw their data without question.

**Note 8:** Please explain in detail how participants are going to be recruited into your project. Will this be done via an advertisement online or via a ‘gate keeper’ or a third-party organisation? Please demonstrate in your answer that such participation is voluntary and that a person may withdraw from the study at any time.

**Note 9:** Please consult QUB’s ‘[Policy on the Ethical Approval of Research’](https://www.qub.ac.uk/Research/Governance-ethics-and-integrity/FileStore/Filetoupload%2C1021071%2Cen.pdf) before answering this question. This question is asking you to consider whether your research subjects can be considered vulnerable in some way. The QUB document (above) provides a summary of how vulnerability might be conceived in the research context. While this is not exclusive it may for example, include children, elderly people, people with various disabilities, prisoners, sex workers, members of migrant communities, and other individuals who are socially or culturally marginalised in some way. However, vulnerability may also be context specific and even professional respondents may be placed in a position of vulnerability depending on their role within a particular organisation. For example, female, minority ethnic or LGBTQ+ officers within the police service might be considered vulnerable in the broader organisational context. Please consider the characteristics of the populations you are recruiting to your study clearly noting in what ways they may be defined as vulnerable and how they could be affected by the research. In later questions you will be asked to explain how you propose to mitigate the risks of harm to participants and minimise any possibly of them being traumatised or indeed stigmatised by participating in the research.

**Note 10:** As far as possible participants should be given full information about the project i.e. its aims and rationale, what it is intending to do and what benefits (if any) it may bring. All of this should be clearly summarised in the Participant Information Sheet (PIS) using non-technical and jargon free language. It may be the case however, that there are sound methodological reasons for withholding certain information about the project, at least until the data has been collected. This may relate to those situations whereby the possession of certain information may influence responses and hence the validity of the study. Withholding certain information is permitted by the University so long as it can be justified methodologically and that participants are not put at risk by doing so. However, QUB’s policy is that withholding information is **not** justified if it is likely to cause severe emotional distress to someone once the true nature of the study has been explained. Please consult QUB’s ‘[Regulations for Research Involving Human Participants’](https://www.qub.ac.uk/Research/Governance-ethics-and-integrity/FileStore/Filetoupload%2C1020679%2Cen.pdf) and ‘[Policy on the Ethical Approval of Research’](https://www.qub.ac.uk/Research/Governance-ethics-and-integrity/FileStore/Filetoupload%2C1021071%2Cen.pdf) when you answer this question.

**Note 11:** This question is asking you to describe how you plan to deal with sensitive topics and how you propose to minimise any emotional or psychological distress that participation in the project may entail. It might be useful here to elaborate on some of the support structures that participants can be referred to.

**Note 12:** One of the most important principles in human participant research is that of freely given informed consent. Obviously, individuals need to provide their consent to participate in the research but those conducting the research have a responsibility to ensure that this consent is not only freely given but also *informed* by an assessment of the potential risks (and sometimes rewards) that participation in the research may entail. Informed consent ensures that participants are fully aware of the consequences for them of participation. In line with this, participants should be made fully aware of what their participation entails and what their rights to withdraw from the research are. There may of course be situations whereby it is too late for a participant to request withdrawal (after submission of a thesis, or publication of a journal article) but the limitations on participant withdrawal should be clearly articulated at the outset. Please see QUB’s [‘Policy on the Ethical Approval of Research’](https://www.qub.ac.uk/Research/Governance-ethics-and-integrity/FileStore/Filetoupload%2C1021071%2Cen.pdf) for further guidance. In situations where the research subject cannot consent to participation by virtue of age or some other reason the University advises that the research team should carefully decide on the merits of including this group in the research. Involving research subjects who lack the capacity to consent must abide by jurisdictional legislation and fully adhere to the requirements set down in the University’s [Regulations for Research Involving Human Participants](https://www.qub.ac.uk/Research/Governance-ethics-and-integrity/FileStore/Filetoupload%2C1020679%2Cen.pdf).

**Note 13:** The University’s position is that for most projects both individual and organisational consent should be sought. The University does not impose a blanket ban on projects that do not have organisational approval, but these will be considered on a case-by-case basis and whether the research is in the public interest. In such cases the applicant should provide a robust rationale as to why this approach is necessary and how it can be justified methodologically and conceptually. For example, the applicant should demonstrate how this approach will generate insights that are not possible by any other means and address the potential risks to participants, both in terms of their potential dismissal from the organisation and possible legal action in relation to confidentiality breaches. As such, the risks to individuals about participating in research without the express permission of their employing organisation must clearly be spelled out and noted on the consent form. Likewise, the ramifications of this approach on subsequent University engagement with the organisation in question must also be considered. The University does recognise that there is a difference between not seeking organisational permission and an individual taking on a role in an organisation for the purposes of research and not disclosing this as their intention. *Please note that if you are not going to seek organisational consent for your research the University’s Research Governance, Ethics and Integrity Committee may be consulted about your application and this will likely result in a delay in reaching a decision.*

**Note 14:** The University’s position is that your guarantee of confidentiality to a respondent is limited and may be breached in certain circumstances. The University’s [Policy on the Ethical Approval of Research](https://www.qub.ac.uk/Research/Governance-ethics-and-integrity/FileStore/Filetoupload%2C915687%2Cen.pdf) provides information on disclosure and the situations when confidentiality may be breached by the researcher.

When seeking consent from potential participants, researchers should inform them of measures taken to ensure their confidentiality and to protect their anonymity. They should also make clear any potential limits associated with these measures in the consent form that is issued to respondents***.*** In particular:

*(i) In research involving children, should the researcher have any concerns regarding the safety or well-being of a child participant, they have a duty under the Children Order (NI) 1995 to report their concerns to a relevant authority.*

*(ii)  Where there is sufficient evidence for the researcher to have serious concerns about the safety of a participant (adult or child) or about others who may be at significant risk because of the behaviour of that participant, then they have a moral obligation to inform an appropriate third party.*

*(iii) Information provided in confidence to a researcher does not enjoy legal privilege, and may be liable to legal subpoena in court, under section 5 of the Criminal Law Act (NI) 1967. The possibility of such disclosure should be explained to the participants.*

 A QUB researcher may become concerned about the welfare of a child/children within the child’s home/community environment, within the University setting, or within an external research setting.  If a QUB researcher has any such concerns they should in the first instance, contact the University’s Designated Safeguarding Officer (DSO) or Deputy Safeguarding Officer who can be reached through QUB’s Legal Services department at legalservices@qub.ac.uk.  Alternatively, the researcher can contact the Chair of the Law School’s Research Ethics Committee, Professor Graham Ellison (g.ellison@qub.ac.uk) for further guidance.  The researcher will be asked to provide any information they have on the University’s [form for reporting concerns](https://eur02.safelinks.protection.outlook.com/ap/w-59584e83/?url=https%3A%2F%2Fqubstudentcloud.sharepoint.com%2F%3Aw%3A%2Fr%2Fsites%2Fint-peopleandculture%2F_layouts%2F15%2FDoc.aspx%3Fsourcedoc%3D%257BFC27A0CA-EF87-48E7-8595-1C93BE358A47%257D%26file%3DForm-for-Reporting-Safeguarding-Concerns.docx%26action%3Ddefault%26mobileredirect%3Dtrue&data=04%7C01%7Cg.ellison%40qub.ac.uk%7C0b2344b9bd9943f0d1ef08d989a3ea79%7Ceaab77eab4a549e3a1e8d6dd23a1f286%7C0%7C0%7C637692159364814194%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C1000&sdata=%2FaWuO0o3WZ7C6QJh%2Fv1IFsnVikMNcL%2FbYN%2FOfhotMZs%3D&reserved=0).   The researcher must not conduct any investigation themselves and should only populate the reporting form with information that is available to them.  The DSO will liaise with statutory authorities who will determine whether any further investigation is required.  Further information on the University’s response to concerns is available on the [Safeguarding Children and Adults at Risk](https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fqubstudentcloud.sharepoint.com%2Fsites%2Fint-peopleandculture%2FSitePages%2FSafeguarding-Concerns.aspx&data=04%7C01%7Cg.ellison%40qub.ac.uk%7C0b2344b9bd9943f0d1ef08d989a3ea79%7Ceaab77eab4a549e3a1e8d6dd23a1f286%7C0%7C0%7C637692159364824148%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C1000&sdata=L8iR5MsQZtN3UlLDaxg2Jg%2Fl%2F50qnmvohb7uVRp6hj4%3D&reserved=0) SharePoint pages.

The University advises that it can be difficult to raise concerns, especially if you suspect there is an issue, but are not certain, or have no evidence.  Uncertainty can prevent people from coming forward as they worry that they are wrong.  However, be assured that it is for professionals to consider the information available to determine whether further investigations are required, or not.  The best thing to do is share the information you have, or your concerns, so the appropriate action can be taken by relevant people*.*

In addition, it may be the case that respondents admit to criminal or illegal activity for which they have never been tried at court but which they may become liable under (iii) above. Similarly, under the Terrorism Act (2000) a mandatory duty applies to all citizens to report information on the preparations and activities of those engaged in terrorist related activity based on information received in the course of their business or employment [Section 19].

**Note 15:** Please check what each country’s laws are in relation to disclosure of criminal offending or illegal / deviant behaviour. If such laws are in place, then a warning should form part of the Participant Information Sheet (PIS). Even if specific laws are not in place, then you should exercise caution about research participants making admissions that could result in their arrest or detention if this came to the attention of the authorities (e.g. around homosexuality, abortion, the expressed approval of prohibited organisations etc.). Please explain whether there are any potential issues that you should be aware of in your research.

**Note 16:** If you feel that you may be storing or analysing personal data in your research you can complete he screening questionnaire at the Information Compliance Unit to determine whether you need to undergo a full Data Impact Privacy Assessment. The questionnaire can be accessed [here](https://eur02.safelinks.protection.outlook.com/?url=https%3A%2F%2Fforms.office.com%2FPages%2FResponsePage.aspx%3Fid%3D6ner6qW040mh6NbdI6Hyhi7X-qUKP1tLohkkFVfd5jlUNVJIWk44VkRYSDYxVUpBWVBGMDhGUVUySCQlQCN0PWcu&data=04%7C01%7Cg.ellison%40qub.ac.uk%7C2249d04727c741c7b2d308d9746509c1%7Ceaab77eab4a549e3a1e8d6dd23a1f286%7C0%7C0%7C637668799564076191%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C1000&sdata=x3JpbHSt1lgVpiFAZc1eoPWGdhVQsoqsssSApJLEZcs%3D&reserved=0). If you have any questions about the implications of the Data Protection Act (2018) for researchers, please contact Sandra McDonald who is the Information Compliance Manager at the University (S.McDonald@qub.ac.uk). Please see QUB’s advice on [General Data Protection and Research Ethics](https://www.qub.ac.uk/schools/happ/subject-area/history/research/ethics/GDPRandResearchEthics/) that provides an overview of what might classify as personal data under the legislation.

**Note 17:** Please see the Information Commissioner’s Office Code of Practice [Anonymisation: Managing Data Protection Risk](https://ico.org.uk/media/1061/anonymisation-code.pdf) for information on the ways that personal data may be anonymised. However, it may be the case that the data cannot be fully anonymised particularly if the research is conducted within a small organisation or a group of people who know each other well. In such cases data may be pseudonymised to make it difficult to distinguish a particular individual without additional information. If you are unclear on this please email QUB’s Information Compliance Manager, Sandra McDonald (S.McDonald@qub.ac.uk).

**Note 18:** Please consult QUB’s [Policy and Guidance on Fieldwork](https://www.qub.ac.uk/directorates/EstatesDirectorate/UniversitySafetyService/HealthandSafetyPoliciesandGuidance/PoliciesandProceduresLibrary/Fieldwork/) for information before you answer this question.

**Note 19:** The University has provided specific guidance for research undertaken in areas of conflict / social and political instability and this should be consulted before answering this question. Please see the following link: [QUB Policy on Fieldwork in Conflict Zones](https://www.qub.ac.uk/Research/Governance-ethics-and-integrity/FileStore/Filetoupload%2C961273%2Cen.pdf). Taking notice of this guidance please explain what steps you will take to ensure your own or the safety of any member of the research team.