



UNIVERSITY OF CAPE TOWN

Faculty of Humanities

*Guide to
Research Ethics*

Research with Human Participants

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INTRODUCTION

Dear Researcher, Supervisor, Teacher, Academic Unit head:

UCT's Faculty of Humanities, along with many other bodies engaged in research in South Africa and more widely, is cognisant of the importance and relevance of well-defined and properly supported codes, protocols and standards to govern the ethics of research on human participants. The Faculty is committed to ensuring that all research is subject to appropriate ethics review, whether including clearance or deliberation, as well as deepening awareness of ethics matters in the Faculty.

A great deal of research on human participants is going on in this Faculty, at every level – undergraduate, graduate and among academic staff. The Guidebook is for use by all departments, research institutes, other academic units, research teams or groups, or individual researchers within the Faculty. It assists members of the Faculty in understanding why the ethics of research on human participants is of concern to all of us and in managing the way we oversee such research. The Guidebook seeks to explain ethics review procedures to both researchers (whether they are undergraduate or postgraduate students, staff or visitors) and the staff who are responsible for the administration of review procedures (either through departmental committees or as individual supervisors).

The Guidebook does not deal with the ethics of research on or with animals, for which separate university procedures exist.

A comprehensive statement on why it is important to apply proper and appropriate standards for research involving human participants may be found in the Faculty Policy on Research on Human Participants (Appendix A). The Guidebook should be read in conjunction with UCT policies for responsible research. These are available on the UCT website: <http://www.uct.ac.za/about/policies#research>

Along with Faculty-specific policies and processes, we have also included some case studies that demonstrate ethical judgments and deliberation processes. These are intended as a guide.

We thank the Faculty Ethics Committees of 2005 and 2012 for their support in generating the Guidebook, and in particular, Monique Whitaker and Andrew Hartnack.

Humanities Faculty Research Ethics Committee (2005 and 2013)

WHAT DOES THE RESEARCH ETHICS POLICY MEAN FOR ME AS A RESEARCHER?

Researchers in the Humanities Faculty conduct considerable and diverse research that involves human participants. Such research is conducted by students (usually postgraduate but sometimes undergraduate) as well as staff members and external researchers affiliated with or linked to UCT in some way. All research involving human participants must be subjected to some kind of ethics review according to faculty guidelines, and in accordance with both with UCT's Code for Research involving Human Participants and its Statement of Values, as well as with the University's various statutes and policies. These are available at:

<http://www.uct.ac.za/about/policies#research>.

This might sound restrictive. Don't worry: The purpose of the ethics review procedures in the Humanities Faculty is to assist researchers in conducting research responsibly. The purpose is not to prevent responsible research nor to impose onerous obligations on researchers. The procedures in the Humanities Faculty are designed to promote responsible research with the minimum bureaucratic costs.

The basis of the Humanities Faculty's approach is the recognition that the requirements of "ethics review" differ according to the nature of the research. Some research projects will require clearance prior to commencement. In these cases, the project proposal will need to be reviewed and approved by an appropriate individual or committee. Other research will require ongoing deliberation, meaning that ethical issues will be discussed at appropriate stages of the research. Research might require both clearance and deliberation.

How does an individual know what is required of him or her? The simplest answer is that the researcher should consult with his or her lecturer or supervisor (in the case of student researchers) or with the appropriate departmental research ethics committee or convenor. In the Humanities Faculty, ethics review – including both the clearance of projects and deliberation – is usually devolved to departments or research institutes. If you are unsure of who to contact at the departmental level, or if at any stage there is any dispute or disagreement within the department over your proposed research, then you should contact the Faculty of Humanities REC. You can contact the committee through its servicing officer whose details are available on the Faculty's ethics website (<http://www.humanities.uct.ac.za/hum/research/ethics>).

A more complex answer requires us to consider the kind of research that is being proposed. Ethics review procedures at most universities were originally designed primarily to regulate medical research. The stereotypical medical research project has certain characteristics:

- It is *planned*;
- It involves a clear *intervention* (most often, the administration of a drug or other medical treatment);
- There is often a clear *asymmetry of power* between the researcher and the subject in that the subject is participating because he or she has a health condition such that he or she hopes to benefit from health treatment; in other words, the subject often feels that he or she is dependent (at least in part) on the medical researcher;
- The intervention entails real possibilities of *harm* to participants through negative effects on health (including through the denial of health-improving alternatives);
- There is also a real possibility of harm through the *disclosure of confidential information* about subjects' health and treatment;
- Some participants in the research process may be motivated or influenced by the possibility of *private financial gain* (through the development of new and profitable treatments) such that they have strong incentives to ignore ethical considerations.

Disputes over medical research have given rise to both harm and litigation, and the consequence has been the development of what is sometimes called a “medico-legal” model of ethical review. In this model, research projects must be approved – or cleared – prior to commencement.

Some research in the Humanities Faculty has some or all of these characteristics. Such research must be cleared by a responsible research ethics committee. For example, a team of social scientists (including students) might collaborate on a survey that covers sensitive topics – whether sexual behavior, political preferences or simply earnings – with a large sample of people across Cape Town. Or a researcher might propose experimental research on human participants. These kinds of research projects require prior ethics approval.

Other research in the Humanities Faculty does not share all or even any of these characteristics. For example, a researcher in Political Studies might propose to interview government ministers, or a student at Michaelis proposes to take photographs in public places in Cape Town. In these cases, it is often more appropriate for ethics review to focus on the individual researcher rather than the specific research project, and to entail ongoing deliberation over ethical challenges rather than a once-off, prior clearance. Deliberation might entail ongoing discussions between a student and his or her supervisor, or ongoing discussions in departmental seminars about research ethics

issues. Departments are expected to ensure that all researchers – whether staff or students – participate in appropriate deliberations over research ethics.

Table 1 sets out some of the differences between different kinds of research. It should be noted that much research entails elements of each approach, i.e. it falls on a continuum somewhere between these two poles.

Table 1

	Ends of the continuum of research	
	Medico-legal approach	Deliberative approach
Characteristics of the research design	Research is minutely <i>pre-planned</i>	Research evolves and moves in unexpected directions
	It involves a clear, often biomedical <i>intervention</i>	Interventions by the researcher are social rather than biomedical
	Research often entails a <i>team</i> of researchers	Research often entails a single researcher
	Research usually over short period of time	Research sometimes over extended period of time
Relationship between researcher(s) and research subject(s) or participant(s)	Pronounced <i>asymmetry of power</i> between the researcher(s) and the subject(s) (because of the dependence of the latter on the former)	the relationship between researcher and participant(s) is <i>more egalitarian</i> , and can even entail a <i>partnership</i>
	Researchers may be motivated by <i>private financial gain</i>	Limited possibilities for private financial gain
	Research subjects are always <i>private individuals</i>	Research participants may be <i>public figures</i>
Risks of harm	Possibilities of harm are largely anticipated, and arise through design	Possibilities of harm are difficult to anticipate, and arise through human interactions in the research process
	Major possibilities of <i>harm</i> to individuals through negative health effects	
	Major possibilities of harm to individuals through the disclosure of confidential information	Some possibility of harm through the disclosure of confidential information
	Little or no risk of direct harm to groups of people	More risk of harm to groups of people

	Direct harm to individuals is unacceptable	Harm may be warranted
Appropriate procedures	Review of research proposals	Deliberation over ethical challenges
Objective	Regulation	Facilitation / education
Appropriate record-keeping	Register of cases and decisions	Register of organized deliberation

Individual researchers should not themselves decide whether review should take the form of clearance (of a project) or ongoing participation (by the researcher) in deliberation. In the cases of students, supervisors or lecturers are usually responsible for making the decision. In the cases of staff members, the decision should rest with a member of the department's ethics review committee or Head of Department.

Postgraduate students, their supervisors and the Head of Department must attest in the annual MOU that the student is compliant with whatever ethics review is appropriate. Heads of Department are responsible for reporting annually to the Faculty Research Ethics Committee on the research ethics review practiced in the department. This annual report should list all projects that were reviewed for clearance as well as deliberative practices involving researchers.

WHAT DOES THE RESEARCH ETHICS POLICY MEAN FOR A DEPARTMENT OR RESEARCH INSTITUTE?

The Humanities Faculty requires that all departments and research institutes that conduct research involving human participants appoint a Research Ethics Convener. This might be the Head of Department him- or herself. The Convener might be assisted by a Research Ethics Committee. The functions of the Convener/Committee are:

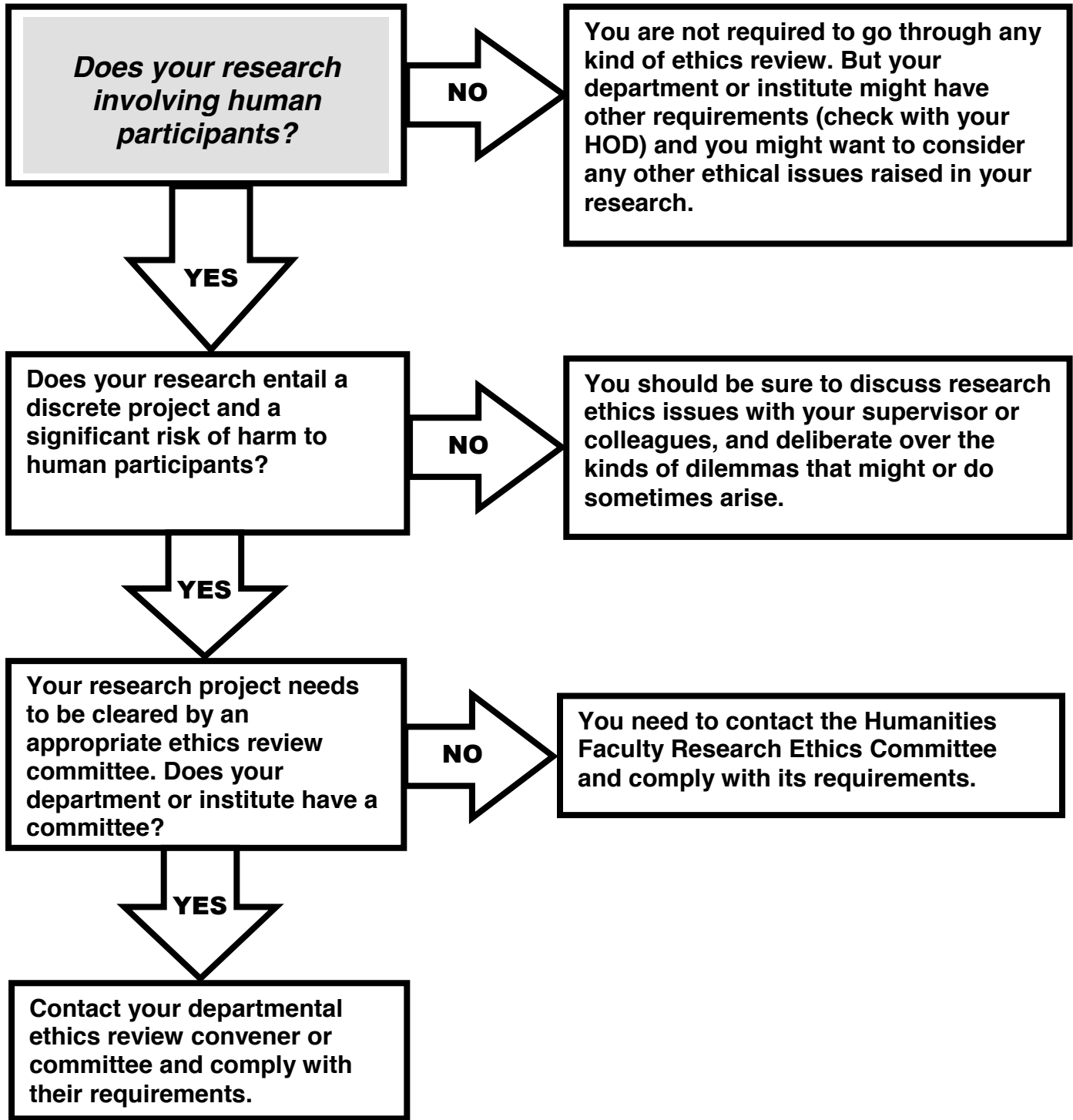
- to advise researchers in the department as to the appropriate review procedures for research involving human participants;
- to facilitate deliberation over research ethics issues as appropriate, and promote participation by researchers in such deliberation;
- to ensure that projects that require clearance are reviewed by an appropriate committee;
- to ensure that the department has user-friendly and accessible protocols and processes for ethics clearance, if necessary;
- to report annually, through the Head of Department, to the Faculty Research Ethics Committee on the research ethics review practiced in the department; this annual report should list all projects that were reviewed for clearance (indicating the outcome of the review) as well as deliberative practices involving researchers.

In some departments or institutes, the focus may be primarily on deliberation. For example, students and researchers at Michaelis should participate in deliberations over ethical issues in their research, such as over the representation of human participants. But they may never need to apply for clearance for a specific project. Similarly, researchers in Political Studies who occasionally interview government ministers or other figures in public life should participate in deliberations over ethical issues in their research, but are unlikely to need to apply for clearance prior to any particular interviews.

In other departments or institutes, more attention may be paid to ensuring that specific projects are cleared prior to the commencement of the research. Clearance may require review by a committee of researchers, or by a single researcher who is not involved in the research. In the case of student research, the supervisor may provide clearance, although departments and institutes are encouraged strongly to ensure that all student researchers are involved actively in ongoing deliberation also. In the case of research conducted by students as part of a course, for example a course in research methods, the research would need to be cleared by someone other than the course lecturer. In

such cases there is unlikely to be any need to review individual students' research; students' research may be reviewed collectively.

HOW DO I ENSURE THAT MY RESEARCH UNDERGOES THE REQUIRED ETHICAL REVIEW?

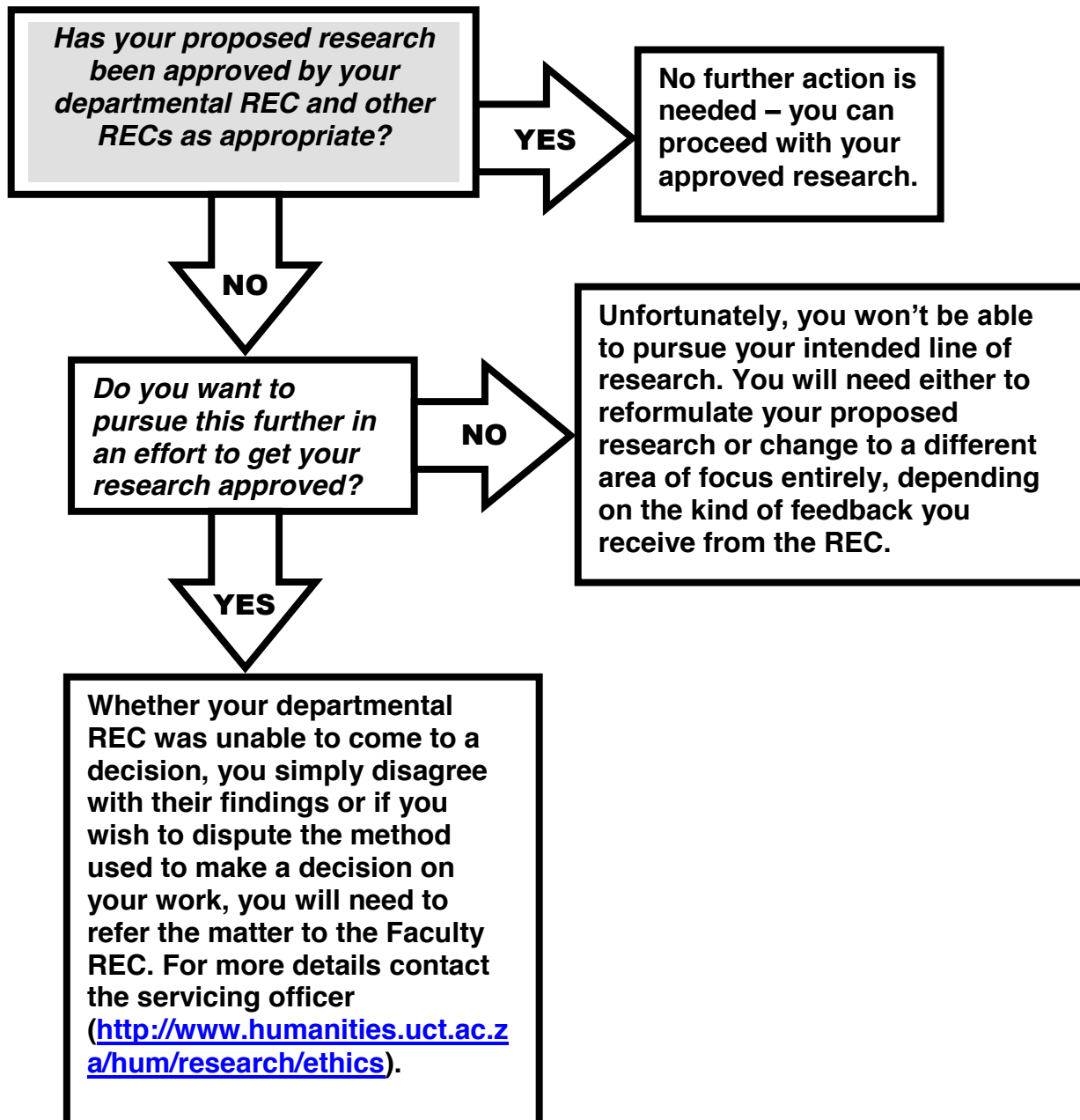


What's needed for submission of a research proposal for ethical clearance?

If your research project requires ethical clearance, then you will need to complete whatever forms are required by your departmental research ethics convener or committee. The convener/committee will have a protocol and process for ethics clearances. You may need to fill in a standard ethics clearance form (see page 36 for an example), as well as whichever of the following are applicable to your Department/unit's needs and your particular research project:

- **Proposal**
- **Information sheet**
- **Consent form or description of how consent will be obtained and a record kept if participants are illiterate or where written consent is inappropriate**
- **Copy of the questionnaire to be used (if appropriate)**
- **Details of methods to be applied**
- **Statement explaining how data or sensitive documents will be safely secured**
- **Statement of how you will obtain consent from participants and, where appropriate, how you will protect confidentiality and anonymity**
- **Covering letter(s) from relevant institution(s) commissioning the research (as appropriate)**

What if there's a problem with ethics clearance?



CONTACTS

If you need to know what you need to submit to your department or research grouping's research ethics committee:

Speak to your departmental secretary or HOD to find out what your department's particular requirements are.

If your academic unit (department, institute, etc.) does not have an appropriate committee, or you are not attached to any particular academic unit, and you need to get clearance for research involving human participants from the Faculty of the Humanities Research Ethics Committee, please contact the committee directly. Full details are available on the Humanities Research website:

<http://www.humanities.uct.ac.za/hum/research/ethics>.

Research Misconduct procedures are described below and in the University Policy. An independent Advisor is available to assist and guide. Those requiring assistance are asked to contact the Deputy Dean of Research in the Faculty who may draw on the expertise of the Research Committee, the Research Ethics Committee and the Director of Postgraduate Studies in appointing an Advisor.

AUTHORSHIP GUIDELINES

These guidelines offer researchers some indication of how to handle the sometimes complex questions around authorship.

The Faculty's guidelines for authorship are stronger than those of the University and are binding on Humanities Faculty researchers. Students should keep a record of matters relating to authorship, intellectual property and data sets in their Memoranda of Understanding. Staff and others are requested to keep a written record of discussions of authorship on file.

1: Definition of a publication:

A *publication* is any document produced by a member of staff or student in the Faculty of Humanities, including project reports (and interim project reports), monographs, peer-reviewed articles and electronic media.

2: Authorship and co-authorship:

The Faculty of Humanities defines authorship as *substantial* participation in a publication. Substantial participation shall mean:

- (a) conception and design of the project; or
- (b) analysis *and* interpretation of data; and
- (c) drafting or revising the article critically for important intellectual content; and,
- (d) final approval of the version to be published.

Where substantial contributions (as defined above) are made by several persons to a common project, they will be *joint authors of the product*. Each author should have participated sufficiently in the work to take responsibility for appropriate portions of the content. One or more authors should take responsibility for the integrity of the work from inception to published article.

Authors should be able to provide a description of what each contributed. All others who contributed to the work who are not authors should be named in the Acknowledgements, and what they did should be described.

Order of author names on a jointly authored document:

- (a) Different levels of contribution: The person who has made the greatest contribution to the paper (often the project leader) is to be listed first with the remaining authors listed in order of their contribution.

- (b) The same level of contribution: Normally the person who led the production of the document is listed first. Remaining authors will be listed alphabetically. Where there is no principal author, all names are to be listed alphabetically, and where all authors are regarded as having made an equivalent contribution, this should be noted in the author credits.

Authorship agreement:

Authorship is a matter that should be discussed between colleagues at an early stage in a project, and reviewed whenever there are changes in participation. The project leader must initiate this discussion. The agreement may be altered by mutual agreement during the course of the project. Please keep a record of the agreement.

3: Student-staff-supervisor co-publication:

The conditions listed in (a) to (d) in clause 2 above apply in the first instance. In the case of a co-authored publication by a student and her/his research supervisor that is substantially based on the student's dissertation or thesis the student will normally be the first author. This condition may be waived if the student plays little or no role in the preparation of the work for publication. In such an instance, the student will be the second author.

4: Exclusions

- (a) Participation solely in the acquisition of funding or the collection of data does not justify authorship.
- (b) General supervision or leadership of a research group is not by itself sufficient for authorship.
- (c) Mere possession of an institutional position, such as Department Chair, does not justify authorship credit. Minor contributions to the research or to the writing for publications are appropriately acknowledged.

5: Acknowledgements of contribution to a research project:

It is good practice to acknowledge those who contribute to a publication. The Faculty should follow an inclusive principle of acknowledgement as far as possible. The significance of the contribution of those who are acknowledged should be signaled.

6: Disputes

Disputes concerning any aspects of authorship described above should in the first instance be resolved between the researchers concerned. Where this is not possible, the head of the department or research centre within which the principal researcher or student is based is responsible for arbitration. If this mechanism fails and the departmental research ethics committee is also unable to resolve the dispute, the matter may be referred to the Research Committee of the Faculty of Humanities for arbitration. If the matter cannot be resolved at this level, it is escalated upwards.

BREACHES OF ETHICS CODES AND ALLEGATIONS OF RESEARCH MISCONDUCT

Breaches of Ethics Codes and Research Misconduct are serious matters. In the event of an allegation or instance of breach or misconduct you are advised first to address it within your Department/Unit. The Faculty has an independent Advisor who may be approached in confidence to advise, guide and assist. The Advisor is located in the Faculty's Research Committee and may be accessed through the Faculty's Deputy Dean of Research. If the Department/Unit is not the appropriate place to address the issue (e.g. because of conflicts of interest), the matter is reported to the Dean who reports it to the Deputy Vice Chancellor for Research. The latter will institute an inquiry. Full definitions of research misconduct and details of the process of dealing with it are provided in UCT's research policies available [here](#).

CASE STUDIES AND EXAMPLES OF DELIBERATION

Decisions on ethical issues are often difficult because of the variety of factors bearing on them. Consequently, it is not unusual for reasonable people to disagree about certain ethical matters. In the following pages, we offer some examples of ethical issues, ranging from those where coming to a well-reasoned ethical judgement is relatively straightforward to those that are more complex. We offer a case study in which the proposed action is clearly unethical and then offer some more complex cases. The intention is to illustrate the kinds of questions and issues that arise in relation to research and to demonstrate the process of deliberation.

Case 1: Unnecessary cruelty and deception¹

A Masters student in Psychology wishes to investigate people's differing reactions to animal cruelty. She means to select 100 research subjects who constitute a representative sample of the national population and record with a video camera their reactions to the killing of animals.

To start with, each research subject will watch videos of ten different animals being shot at point-blank range with firearms, and their responses will be recorded. Subsequently, each research subject will be invited into a separate room, presented with a sharp knife and instructed to stab what they are told is a small beanbag covered with a layer of tinfoil. When the tinfoil is removed, they discover they have in fact stabbed a sleeping kitten to death. The subject's response is recorded.

* ~ * ~ *

This proposed research is unethical for two principal reasons.

First, the research subjects are being deceived, because they are told it is a beanbag they will be stabbing. Deception of research subjects is sometimes ethically justifiable, but only when it can reasonably be thought to be necessary for the research project. However, in a case like the present one, even if the Masters student's proposed course of investigation was the only way to study exactly the responses she was interested in, the deception she is proposing would be unjustifiable. This is because she is proposing to trick people into carrying out an action which they may well regard as horrific, meaning they experience a feeling of regret and a sense of irremediable pollution for the rest of their life.

¹ The first two cases were devised by Dr George Hull, UCT Philosophy.

Second, it is legitimate to question whether the killing of 100 kittens (as well as the video-recordings of animals being shot with firearms, if these are to be prepared specially for the subject observations) is justified by this research project. It is clear that we do not operate under the same ethical constraints when interacting with animals as we do when interacting with humans. However, cruel treatment of any living creature is regrettable to a certain extent, so it should be avoided when straightforward work-arounds are reasonably ready to hand. An ethics committee would at least ask the Masters student to explain why she thinks killing 100 kittens really is necessary for her research.

Case 2: Covert rationale for research

A third-year Sociology student proposes, as part of the research for her dissertation, to approach and interview a selection of female students at the university cafeteria. She will present them with twenty-five photographs of different men wearing swimming trunks and ask them to rate each man's attractiveness from 0 to 10. Should they ask what exactly she is investigating, she means to say something like: "I'm just researching what types of men university students are attracted to."

However, the real point of her research is to test a hypothesis of hers: that inhabitants of the country in which she resides generally do not look people of other ethnicities in the eye. On certain of the photographs she has replaced the man's eyes with the eyes of a rat, a toad or a snake. She has reason to believe this will only affect the attractiveness score the man in question receives if the person giving the score looks at his eyes. Along with the scores awarded she means covertly to note the research subjects' ethnicity, as this is necessary to test her hypothesis.

* ~ * ~ *

There is no ethical problem with this proposed research.

It is true that the Sociology student will not brief her research subjects on the ultimate purpose of her research. However, this will not amount to any kind of deception except when they press her to tell them this. If they do press her, she will deceive them as to her ultimate research interest. However, it is clear that the research exercise she has planned requires such an omission, because otherwise the research subjects would self-

consciously direct their gaze to each of the men's eyes. So it is not a gratuitous deception. In addition it is not a deception with grave consequences for the research subjects (as in *Case 1: Killing Kittens*). Rather, it is a "white lie".

Assuming that the men in the photographs and the female students interviewed remain anonymous, there is no good argument for requiring either the consent of the men to have rat-, toad- or snake-eyes substituted for their own, or that of the female students to have their ethnicity appraised and recorded by the Sociology student.

At the most, an ethics committee might gently suggest the student point out to each research subject the alteration made to some of the photographs after the end of the interview. However, it would not insist on this, especially if the student felt there was a risk of word getting out.

Case 3: Deception of research participants²

Attitude change:

Lebogang Makgabo is a social psychologist who wants to study attitude change. She submits a proposal to her institution outlining details of a study that will examine the attitude change of participants following a workshop on environmental issues. Makgabo plans to identify attitude change by administering a pre-test and a post-test.

She is worried, however, that the participants will recognise that she is looking for changes in their attitudes and that this knowledge will influence their answers on the post-test. To address this problem, she plans to disguise the issues she is most interested in; when she administers the tests, she will give a very broad explanation that does not fully disclose the nature of the study. Her proposal includes these procedures and an explanation of why she believes they are necessary; she also includes a plan to debrief the participants – fully explaining to them the real purpose of the study – after they finish taking the second test.

Conformity:

For a study on conformity to group norms, Brett McCall constructs a survey designed to measure attitudes toward a controversial topic. The research proposal he submits

² The following three examples are taken from the Online Ethics Center for Engineering and Science at Case Western Reserve University, *Do the Ends Justify the Means? The Ethics of Deception in Social Science Research*, <http://www.onlineethics.org/Resources/Cases.aspx>, with minor adaptations.

describes his study procedures: He will use as participants students in a large introductory psychology course he teaches. He includes the following paragraph in his syllabus: "One of the requirements of this course is your participation in a psychology experiment, through which you will be introduced to the methods of psychological research. If you prefer not to participate in the experiment, you may instead complete a 50-page research paper on a psychology topic of your choosing."

He will bring two groups into the laboratory, ostensibly to obtain their attitudes on the survey. One group will be encouraged to discuss their responses freely amongst themselves; the other group, acting as controls, will take the survey independently. In the first group, McCall will 'plant' several confederates instructed to advocate loudly one side of the issue in question. From the results of similar studies, McCall believes that the majority of responses given by this experimental group will conform to the position advocated by the confederates, indicating the powerful influence of the group norm. Following the experiment, all participants will be debriefed as to the true purpose of the experiment.

Altruistic behaviour:

In a research proposal modelling a familiar experimental manipulation to study people's altruistic behaviour, Renée Leeman plans to place one subject in a room with several experimental confederates. She will assign the group a task, supposedly the purpose of the experiment, then arrange for an 'emergency' to occur in the vicinity of the laboratory – the group will hear a loud thud from an adjacent room and then a piercing cry for help.

She will instruct confederates to look up on hearing the cry, then return to their task. In a pilot test, the single subject looked around uncomfortably, then returned to the assigned task, as the confederates did. Following the experiment, participants will be debriefed about the true purpose of the research.

Issues to consider in the case of deception:

- *Would the participants be likely to refuse if they knew beforehand what was being tested for, and, if so, should this mitigate against the research being carried out?*
- *What risks and harm to participants might arise from each piece of research?*
- *What are the potential benefits of this research?*
- *How could the harms and benefits of the research be weighed up against each other?*
- *Will the proposed debriefings be sufficient to deal with any potential harm to participants?*
- *Is coercion, suggested by the case on Conformity, acceptable?*

Case 4: Going against research participants' wishes³

To publish or not:

In his research on the language of a small group living in the United States, Kenneth Mkhize obtained a good deal of ethnographic information as windfall from his intensive linguistic study. Only one ethnography had previously been written about this group; a 1930s master's thesis, and this work is both difficult to access and incomplete. Because no other major ethnographic work has been done on the group, their culture is generally assumed in the literature to be identical to that of a larger group with whom they were associated in the 18th century. Mkhize found out that this is not so, and that they have (or had, as their culture is rapidly westernising) a distinctive culture, especially in the areas of religion, ritual, and the supernatural.

The dilemma is this: The group does not object to descriptions of their former material culture, but they are strongly opposed to any discussion of their nonmaterial culture. Mkhize was told outright that these beliefs and practices were not the property of outsiders, and that he had been told about them only because he had found out about certain aspects of them, and they did not want him to be in error. He was told that these things should not be published.

Because of the opposition of his research participants, he did little with his ethnographic notes. At one point Mkhize began to write an article on their culture, but abandoned it because he felt moral qualms about going against the expressed desires of his consultants.

Issues to consider in the case of research participants' opposition to publication:

- *Do the wishes of research participants override the value or need for an ethnographic description of a little-known culture that is becoming westernized?*
- *Would it be ethical to produce a work that would appear only after all of the research participants are dead – or does the right to privacy, which they on, have to be observed as long as the group maintain their independent existence?*
- *Would it be acceptable instead to provide only very limited access to the research, when the researcher deemed it important that they be given the correct information?*
- *Are there other potential ways of reaching an accommodation between the group concerned and the researcher that would satisfy both their wishes?*

³ The following example is from the American Anthropological Association, *Handbook on Ethical issues in Anthropology*, <http://www.aaanet.org/committees/ethics/case22.htm>, taken from a reader's letter to the *Anthropology Newsletter*, with minor adaptations. This is a genuine case, but with a fictional name given to the researcher.

- *Should one's responsibility to one's discipline always trump one's personal responsibility to the people one works with, or vice versa?*

Case 5: Reporting on research participants' illegal or unethical behaviour

*What's in the bottle?*⁴

The dilemma faced by archaeologist Alexis Andrews was that of alcohol abuse and culturally sanctioned intoxication. She was working in the south west of the United States, and had always refused under all circumstances to make liquor runs for locals, and never brought liquor into an area in which she was working.

While visiting friends in one of the Pueblo villages, however, she frequently saw bootleg deals, drinking, and consumption of substances that are against the law. Andrews was unsure as to whether to report these illegal activities

*The harmed baby*⁵:

Halfway through a research project in a new-born Intensive Care Unit, Sarah Michotte, an anthropologist, learned that a premature infant had not been given the state-required test for phenylketonuria (PKU), a pathological condition that can be reversed by diet and medication. Without immediate therapy, cretinism develops.

The ten-week premature infant weighed only 700 grams and had to be fed intravenously; this may have confused the staff, since the test must be given to a baby who has had approximately six oral feedings. The error was not discovered until two months after the test should have been given and in the meantime the infant had suffered permanent damage. The unit staff as a group "felt bad" about the mistake, but had no-one specific to blame. The house officer in charge of the case initially had finished his training in paediatric intensive care and had been transferred to another department; the nurse in charge had left her job.

In communicating with the parents, the staff did not make any mention of an error. Instead, the working-class parents, still in their late teens, were told that their baby had

⁴ This example is based on a genuine case, from the American Anthropological Association, *Handbook on Ethical issues in Anthropology*, <http://www.aaanet.org/committees/ethics/case16.htm>, taken from a reader's letter to the *Anthropology Newsletter*, with some adaptations.

⁵ This example is from the American Anthropological Association, *Handbook on Ethical issues in Anthropology*, <http://www.aaanet.org/committees/ethics/case17.htm>, with minor adaptations. The researcher's real name has been used.

a long-term incurable problem. The young parents were enthusiastic about their infant and told the staff, “We’ll love her anyway – God made her.”

Issues to consider when research participants’ is illegal or unethical:

- *Is it more important for researchers to protect a relationship of trust with their research participants (particularly in cases of long-term research) or to deal with illegal or unethical behaviour?*
- *Would it be acceptable to report the behaviour anonymously to safeguard the trust between researcher and research subject, while not overlooking illegal or unethical activities?*
- *In what way exactly are things that are learnt by virtue of a research relationship privileged?*
- *Certainly there is the appearance of wrongdoing, but has anything illegal or unethical in fact taken place in these cases? Was the trade in alcohol really illegal? Is the baby in as bad a situation as it seems or is the damage actually less serious, or even reversible? To what extent is a researcher obligated to investigate apparently dubious activities in order to establish the true situation?*

Case 6: The limits of informed consent

The Stanford prison experiment⁶:

In 1971, a team of psychologists designed and executed an experiment that used a mock prison setting, with college students role-playing prisoners and guards – which of the two roles they would take on was determined at random – to test the power of the social situation to determine behaviour.

So extreme, swift and unexpected were the transformations of character in many of the participants in this experiment that the study (which had been planned to last two-weeks) had to be terminated by the sixth day. By this time many of those volunteers playing both the prisoners and the guards appeared to have taken on their roles as genuine, for instance with some guards exhibiting unnecessary and striking cruelty towards those playing the prisoners and some prisoners accepting this treatment. In fact, many of the participants began to show signs of emotional disturbances.⁷

Issues to consider around the limits of informed consent:

⁶ This description is taken from the American Psychological Association Online: Psychology Matters, *Demonstrating the Power of Social Situations via a Simulated Prison Experiment*, <http://www.psychologymatters.org/spe.html>, with some adaptations.

⁷ Wikipedia entry, *Stanford prison experiment*, http://en.wikipedia.org/wiki/Stanford_Prison_Experiment.

- *Given that all the participants knew that they were participating in a prison simulation research project in which they would play the part of either a prisoner or a guard, and consented to this, does this absolve the researchers of any ethic responsibility for the consequences participants may have suffered as a result of their participation?*
- *What duty do researchers have to anticipate the possible outcomes of their research and/or the potential consequences for their research participants, and how far should this extend?*
- *What constitutes genuine informed consent?*
- *It is important to note that 'informed consent' forms do not cede intellectual copyright and therefore restrict the potential archiving of research materials.*

Case 7: Illegal behaviour by researchers, research subjects and ethics committees⁸

An emeritus professor of Sociology proposes to shadow the members of a criminal gang for six months in order to gather material for the first-ever study of criminal *moeurs* and the underworld economy in a notorious urban area.

It has taken ten years for him to acquire adequate contacts and attain the relationships of trust necessary for this level of immersion in gangster life. He anticipates being present as a scientific observer during murders, rapes, arson, the preparation and sale of proscribed drugs, conspiracies to corrupt and kill police officers, and other acts of grave criminality.

* ~ * ~ *

The decision as to whether this proposed research is ethical would not be easy to take. Normally it is assumed that individuals have a duty to intervene to prevent, or at least to report to the relevant law-enforcement authorities, acts of criminality and their planning when these take place in their close proximity. However there are cases in which it is morally permissible not to prevent or report such acts, and some cases in which one is morally obliged not to do so. For example, in some circumstances it would be ethically abhorrent to report a crime committed by a family-member or other person to whom one is bound by long-standing ties of loyalty and affection.

⁸ This case and the one that follows were devised by Dr George Hull, UCT Philosophy.

In this case the emeritus professor might justly point out that the information he will gather during his six months of research will probably aid law enforcement in the area infinitely more than his reporting a couple of isolated crimes ever could.

An ethics committee would also have to bear in mind that the emeritus professor himself will probably break the law several times in the course of his research. This is not a knockdown ethical objection to the project, though, since breaking the law is often morally permissible (as when a taxi-driver with a pregnant woman in his vehicle goes through a red light) and sometimes morally obligatory (as when a law is seriously unjust). In addition, members of the ethics committee might need to be aware that they themselves would, from a legal point of view, be complicit in crime should they give the project the go-ahead. However, they perhaps ought not to let a punctilious preoccupation with their own integrity loom too large in their deliberations.

Finally, the fact the researcher in question is emeritus reduces the authority a university ethics committee has over him. If the university in question is not funding the research project, and if the emeritus professor agrees not to use the university's name in any publications pursuant upon his immersion with the criminal gang, it is hard to see how the ethics committee would have any authority over him whatsoever.

Case 8: Using off-the-record information

Here, we demonstrate the process of ethical deliberation and the making of an informed and reason judgement.

An historian is gathering material for a book on twentieth-century African liberation movements. She has secured permission to conduct a tape-recorded interview with an important veteran of one such movement.

After three hours of questions and answers the historian checks her tape recorder to make sure it is still recording. The veteran, misunderstanding the historian's action, says: "Now you've switched that thing off, I'm going to tell you something you would never believe—this is not for your book, though..." And she reveals that her father, an even more important figure in the liberation movement, conducted a long and passionate affair with a female general from a rival liberation movement in the same African country. The historian is gob-smacked, but unsure whether this can be true. Sensing her doubts, the veteran fetches private love letters and photographs which substantiate her claim, before locking them away again.

In the coming weeks this piece of information preoccupies the historian. She comes to see it as the key to explaining certain decisions taken by the leadership of the two liberation movements which otherwise make little sense. Both her interviewee's father and his former lover are still alive, but both flatly refuse to talk to the historian.

In her mind, this unlikely romance already runs like a red thread through the central chapter of the book she is about to write. So it is with reluctance that she brings the matter before her departmental ethics committee:

COLLEAGUE 1: To me it seems clear-cut. Veteran consented to an interview, but what she said about the affair was not part of the interview. At that moment she was thinking of you as a private individual, and one with a modicum of tact and discretion, not as a researcher. Plus she made it clear you would be going against her wishes if you wrote it into your book.

HISTORIAN: Sure. It will be going against her wishes. But I'm not writing this book to make people happy. Pretty much everyone in the index who is still alive is going to be upset about some of what I say. But that's not a good reason to change it!

COLLEAGUE 2: I'm not saying I agree with Colleague 1 that it is clear-cut. But you're misunderstanding his point. The ethical issue is not about the claims you make in your book *per se*, but about the manner in which you have got hold of evidence to back those claims up. You're not going to write about the alleged affair without referring to a source. The question is whether it is ethical to use what this particular source said.

COLLEAGUE 1: Thanks, Colleague 2, that's exactly right. What we're weighing here is: on the one side, an individual's right to privacy regarding information she told you in confidence about a family member who is still alive; and, on the other side, Historian's desire to write a best-selling history book and make professor... It's a no-brainer!

HISTORIAN: I resent that, Colleague 1. I'm not using the information Veteran told me to spread gossip in my own self-interest. I'm using it because it is key to understanding this historical period.

COLLEAGUE 3: If I may weigh in here, I tend to agree with Historian. We mustn't lose sight of the fact we have duties as academic historians. At the risk of sounding highfalutin, in my opinion the first duty of a historian is to tell the truth about the past. His duties as a "private individual" —as Colleague 1 put it—must take second place to that.

COLLEAGUE 2: Hang on a minute. Don't overstate your case. Arriving at the best historical interpretation of events is certainly something which has great value. But you can't seriously think it overrides everything else. It would not be justified to commit murder to discover the truth about the past, for example!

COLLEAGUE 3: Well, obviously...

COLLEAGUE 2: Yes, but that shows there are two things we need to weigh here—going back to Colleague 1's metaphor. On the one side is the value of putting the best understanding of historical events into the public domain (not, as Colleague 1 uncharitably suggested, Historian's career advancement!). On the other side is the value of respecting an interviewee's wishes.

HISTORIAN: Actually, there is far more to weigh than just those things. Don't think this hasn't given me sleepless nights already! There is also the reputation of Veteran's father and his former lover to think of. What preoccupies me most is how this revelation might affect their lives. And those of their families. Then—and I know it seems like I'm arguing against myself now—there's the reputation of the historiographical profession too. What I mean is: if people came to expect that what was told to historians in confidence would end up in print, they might start being as cagey with us as they are with tabloid journalists.

COLLEAGUE 3: Very true. Good point. We have to think long-term.

HISTORIAN: There are so many values to weigh here that I can hardly see how to take a rational decision.

COLLEAGUE 1: Actually I am beginning to regret introducing that "weighing" metaphor into the discussion in the first place, and I don't think we should talk about this in terms of "values"...

COLLEAGUE 2: Obviously I didn't mean "value" in the financial sense. It is a way of expressing the ethical importance of various different...

COLLEAGUE 1: Yes, yes, I know. That's not the issue I had in mind. There are some things, like health, family life, intellectual satisfaction, and so on, which can be weighed and balanced and traded off against one another. We do it all the time. But not all ethical demands are like that—or that's how it seems to me. If someone has a right, that

is not the kind of thing that one can weigh or trade at all. That's why I said originally Historian's interviewee has a right to privacy.

COLLEAGUE 3: Ah, so when on one side of the scales is a right, there is no chance of it budging. It has infinite weight, so to speak?

COLLEAGUE 1: That would be a way of visualising it, I suppose.

COLLEAGUE 2: Colleague 1, now you are opening yourself to the manoeuvre I used on Colleague 3 a moment ago. Let us imagine Historian will be able to prevent a serious crime, a mass murder, if she divulges to the police what her source has told her in confidence. Would you seriously maintain this benefit could never outweigh the source's right to privacy?

COLLEAGUE 1: Ha! It's quite easy for me to dodge that "manoeuvre", esteemed Colleague 2. Someone who is plotting a murder *ipso facto* waives any right to privacy they might otherwise have, just as they waive their right to freedom of movement—and many other rights besides.

COLLEAGUE 2: Who said in this scenario it was the source herself who was plotting the murder? She might even have had no idea that what she was saying to Historian had any bearing on a crime.

COLLEAGUE 1: Very clever. But what's the point of thinking about such far-fetched hypothetical "scenarios"?

COLLEAGUE 2: This is the point: that even a right can be outweighed or overridden. Though, perhaps, only in quite unusual circumstances.

HISTORIAN: So the question for me is whether the benefits in terms of historical understanding are extraordinary enough to justify overriding Veteran's right to privacy—a right which in normal circumstances would mean I was obliged to keep what she told me to myself.

COLLEAGUE 2: That seems to me the right way to frame the question. Yes.

HISTORIAN: You know, I feel like whatever I choose I will be doing the wrong thing. Either I will be failing Veteran as an individual, or I will be failing my profession as a historian. There's no right thing to do in this situation. I'm starting to regret applying for sabbatical!

COLLEAGUE 3: Ah yes, a tragic choice! But, like Agamemnon at Aulis, you must “put on the yoke of necessity” and...

COLLEAGUE 2: Historian, even if there is some truth in what you say, this is not going to be your last interaction with either Veteran or the historiographical profession. If you decide it is right to include the love affair in your book, you may be able to make some amends to Veteran. Also, you might be able to mitigate the effects on her by writing to her father yourself to explain the circumstances in which this information came to light. If you decide not to include the affair this time—well, there’s always the possibility of a second edition once Veteran’s father has passed away.

HISTORIAN: True.

COLLEAGUE 1: This conversation is becoming a little too melodramatic for my taste. Now that we’ve identified the ethical dilemma, instead of reveling in the “tragedy” of it, wouldn’t it be more practical to think of work-arounds which would allow Historian to avoid it altogether?

COLLEAGUE 2: What did you have in mind, Colleague 1?

COLLEAGUE 1: Well, now that you are pretty sure the love affair took place, why not dedicate the next month to unearthing further evidence of it? Veteran can’t be the only person alive with knowledge of it.

HISTORIAN: Impossible. No one would talk about it on the record. I feel sure of that.

COLLEAGUE 1: Well, if no one will talk, perhaps there is some way of unearthing documents. Are all the letters in Veteran’s hands? That seems unlikely. All I’m saying is: research becomes a lot easier when you know what you’re looking for.

COLLEAGUE 3: If the worst comes to the worst, you could always mention rumours which you haven’t been able to substantiate, and outline why, if they were true, this would explain various confusing events.

COLLEAGUE 2: I feel the Ethics Committee is going beyond its remit now! After all, it’s not our role to tell Historian how to do historical research. Though—of course—if she wanted to throw around some ideas with us informally in the corridor afterwards, we’d be more than happy to lend an ear.

HISTORIAN: So, where does that leave me? I should do some more work to see if I can substantiate the love affair by some other means, because that would allow me to tiptoe around this whole ethical vipers' nest.

COLLEAGUE 1: Yes.

COLLEAGUE 2: That is the ideal outcome.

HISTORIAN: And if I can't, then I need to think some more about whether the value of this revelation for historical analysis is so extraordinary that it could override a source's right to confidentiality.

COLLEAGUE 1: Yes.

COLLEAGUE 3: And also whether it outweighs any other potential undesirable consequences—such as a pervasive lack of trust in historical researchers, which you yourself mentioned.

COLLEAGUE 2: Then, whichever way you decide in the end, remember that the world doesn't end the day after your decision. There will be things you can do to make up for at least some of the regrettable consequences of your action—whether for Veteran and her family, or for the state of historical knowledge. Remember that second edition after Veteran's father's death!

COLLEAGUE 4: May I interrupt at this point?

COLLEAGUE 2: Of course.

COLLEAGUE 4: I arrived late, so I have not followed the full discussion. But one issue did strike me. What difference does it make whether Veteran's father is alive or dead? Surely, just because someone is dead, that doesn't mean you can write what you like about them? Actually, you might say: quite the reverse. If they are dead they are no longer there to defend themselves, so one should be more careful about making damaging claims.

HISTORIAN: Oh, Colleague 4, I have enough ethical spaghetti on my plate as it is. Let's cross that bridge when we come to it!

COLLEAGUE 2: I agree! That's a fascinating discussion which we must unfortunately save for another day.

* ~ * ~ *

Very often in ethical deliberation one realises one needs further information before one can come to a final decision. In this case, the historian needs to know

- (a) whether there is an alternative source of evidence she could use to substantiate the claim about a love affair

and, if there is not, will need to marshal

- (b) all the information bearing on the question how important this love affair is for achieving historical understanding of a particular series of events

before she can decide what she ought to do.

But even though the discussion was in this sense inconclusive, there are a few significant concepts and ideas relevant to ethical decision-making across the board that we can draw from it:

- (1) **Value.** *From an ethical point of view, actions and states of affairs can be valuable in different ways, or they promote different kinds of value. For example, honesty is arguably valuable in itself, but it can also lead to trust in relationships, which is valuable in a different way. When different kinds of value are incompatible, we have to make trade-offs between them: for example professional success always requires sacrificing one's health and family life to some extent. In some cases we have to decide which is the more important of two values. For example, a government might have to decide whether to prioritise social justice or national security.*
- (2) **Duty.** *By taking on certain roles, e.g. deciding to become pregnant or accepting a job as a professional historian, one takes on certain duties. Someone who is a historian and a mother has different duties from someone who is neither. However, we also arguably have duties which arise just from our being competent, responsible human beings living in a society with other humans. For example, we generally have a duty not to treat others cruelly, and a duty to come to the aid of people in distress in our proximity who we can easily help. One's different duties sometimes conflict, giving rise to ethical dilemmas.*
- (3) **Right.** *If somebody has a right to something—for example, a right to freedom of speech—this is not a consideration which can simply be weighed along with the other pros and cons of an action. Instead, rights operate as side-constraints on our actions, placing limits upon the ways in which we can seek to promote value which arise from the respect due to other autonomous human subjects. It is only in abnormal circumstances that a right can be overridden.*

- (4) **Permissible.** *An action is morally permissible if it would not be morally wrong to perform that action.*
- (5) **Obligatory.** *An action is morally obligatory if it would be morally wrong not to perform that action.*
- (6) **Tragic choice.** *If, in some situation, whatever one chooses to do, one will end up doing something morally wrong or wronging someone in some way, then one is confronted with a tragic choice. The fact that a choice is tragic does not imply that it cannot be rationally determined what would be the right decision in this case (even if this is a case of “the lesser evil”). However, it does mean that, even if one chooses the least bad option, one may owe it to other parties to make amends to them subsequently.*

USEFUL FORMS

The following pages contain two useful forms for your use.

1. The first is the standard form from the Faculty of Humanities for **Ethical Clearance for Research Involving Human Participants**.

It is recommended that all researchers use this unless there are reasons for using another form or undergoing an approved different ethics deliberation process.

2. The second form is a **Sample Consent Form**.

This form cannot be photocopied as is, and it should be modified to meet the needs of the particular piece of research. This may take the form of creating two rather than one document (see below).

It is **important to note** that a Consent Form, on its own, is not enough. The information required under the labels *What's involved*, *Risks*, *Benefits*, *Costs*, and *Payment* has to do with providing the subject(s) of research with clear and unambiguous information about the research and all of its implications for the subject(s). In other words, as a general rule, consent has to be 'informed consent'. The Faculty strongly endorses this principle. However, there may be some instances where research requires legitimate deception (which must be carefully explained and justified in research protocols), an informed consent procedure may be inappropriate. Please discuss these matters with your academic unit's ethics committee to find out best practice under such circumstances, and keep a record of the decision. If there is uncertainty, the committee will seek advice from the Faculty Ethics Committee.

It is not unusual for researchers to generate *two* documents to cover these needs:

- an ***Information Sheet*** that outlines the nature of the research, what it involves (e.g. how long it will take, participants' roles and rights – including to withdraw without penalty), risks, benefits, costs and payments (even if there is none, this should be stated);
- and a simple ***Consent Form*** for signature, which includes an acknowledgement that one has seen the Information Sheet, read it, and understood it.

- See the Centre for Popular Memory's site for an example of a **Copyright Release Form**:
http://www.popularmemory.org.za/index.php?option=com_content&view=article&id=32&Itemid=22
- Not all research makes use of written consent forms. For example, where participants are illiterate, an informed consent form might not be the best way of recording consent. Here, other methods for obtaining consent must be sought and a record kept. *However please note that if the research is medical, the National Health Act requires written informed consent in all instances.*



University of Cape Town
Faculty of Humanities

Ethical Clearance for Research Involving Human Participants

Section A – Proposal & researcher details

1. Title of the proposal: <hr/> <hr/> <hr/>			
2. Has this protocol been submitted to any other Ethical Review Committee (REC)?		Yes	No
2.1 If so, list which institutions and any reference numbers	<hr/> <hr/> <hr/> <hr/>		
2.2 What was/were the outcome/s of these applications?	<hr/> <hr/> <hr/>		
3. Is this proposal is being submitted for ethical clearance for research related to or expanding on research previously approved by the Faculty of Humanities REC?		Yes	No
3.1 If so, what was the previous REC reference number?			

4. Researcher Details

4.1 Principal Researcher:

Title	Initials & Last Name	Department and Institution	
	Phone	Email	
	Signature		Date

4.2 UCT Principal Researcher (If different to 4.1 above)

Title	Initials & Last Name	Department and Institution	
	Phone	Email	
	Signature		Date

4.3 Co-researchers:

Title	Initials & Last Name	Department and Institution	
	Phone	Email	

Title	Initials & Last Name	Department and Institution	
	Phone	Email	

Title	Initials & Last Name	Department and Institution	
	Phone	Email	

5. Is the research being undertaken for a higher degree?	Yes		No
If yes,			
5.1 What degree?			
5.2 Student name:			
5.3 Supervisor name:			
5.4 In what department is the degree?			

Section B – Checklist

Tick

Detailed research proposal	3 hard copies + electronic copy	
Covering letter and all other relevant correspondence	3 hard copies + electronic copy	
Consent forms (include translations if indicated)	3 hard copies + electronic copy	
Subject/s information sheet (if separate from consent form)	3 hard copies + electronic copy	
Approval from Head of Department or Research Grouping (signature)	Departmental stamp	

Section C – Research information

15. Estimated number of participants:
16. Estimated duration of study:
17. Location of study:

Section D – Financial and Contractual Information

18. Is the study being sponsored or funded?	Yes	No
<i>If yes</i>		
19.1 Who is the sponsor/funder of the study?		

19.2 What is the total budget / sponsorship for the study?		

19.3 Into what fund is the sponsorship being paid?		

19.5 Are there any restrictions or conditions attached to publication and/or presentation of the study results?	Yes	No
19.6 Does the contract specifically recognise the independence of the researchers involved?	Yes	No
(Note that any such restrictions or conditions contained in funding contracts must be made available to the Committee along with the proposal.)		

Section E - Statement on Conflict of Interest

The researcher is expected to declare to the Committee the presence of any potential or existing conflict of interest that may potentially pose a threat to the scientific integrity and ethical conduct of any research in the Faculty. The committee will decide whether such conflicts are sufficient as to warrant consideration of their impact on the ethical conduct of the study.

Disclosure of conflict of interest does not imply that a study will be deemed unethical, as the mere existence of a conflict of interest does not mean that a study cannot be conducted ethically. However, failure to declare to the Committee a conflict of interest known to the researcher at the outset of the study will be deemed to be unethical conduct.

Researchers are therefore expected to sign *either* of the two declarations below.

a) As the Principal Researcher in this study (name: _____), I hereby declare that I am **not aware** of any potential conflict of interest which may influence my ethical conduct of this study.

Signature: _____ Date: _____

b) As the Principal Researcher in this study (name: _____), I hereby declare that I am **aware** of potential conflicts of interest which should be considered by the Committee:

Signature: _____ Date: _____

Below is a sample consent form⁹ that you can adapt to suit your particular research project.



University of Cape Town
Faculty of Humanities
Sample Consent Form

Title of research project:

Names of principal researchers:

Department/research group address:

Telephone:

Email:

Name of participant:

Nature of the research:

⁹ Based on the standard consent form of the British Patient database for research and training, www.patsy.ac.uk/www/Consent.doc.

Participant's involvement:

<p><i>What's involved:</i></p> <p><i>Risks:</i></p> <p><i>Benefits:</i></p> <p><i>Costs:</i></p> <p><i>Payment:</i></p>

- I agree to participate in this research project.
- I have read this consent form and the information it contains and had the opportunity to ask questions about them.
- I agree to my responses being used for education and research on condition my privacy is respected, subject to the following:
 - I understand that my personal details may be included in the research / will be used in aggregate form only, so that I will not be personally identifiable (*delete as applicable.*)
- I understand that I am under no obligation to take part in this project.
- I understand I have the right to withdraw from this project at any stage.
- I understand that this research might be published in a research journal or book. In the case of dissertation research, the document will be available to readers in a university library in printed form, and possibly in electronic form as well.

Signature of Participant / Guardian (if under 18): _____

Name of Participant / Guardian: _____

Signature of person who sought consent: _____

Name of person who sought consent: _____

Signatures of principal researchers: a) _____ (name)

b) _____ (name)

c) _____ (name)

Date: _____

ONLINE RESEARCH ETHICS RESOURCES

All UCT research projects are expected to abide by the UCT Code of Ethics Involving Human Participants as a minimum standard. The disciplinary codes listed here are guidelines to additional standards that are likely to be appropriate for departments' research, but depending on the nature of the research and methodology different codes of ethics may apply. It is up to the researcher to ascertain which codes of ethics ought to be consulted as primary guidelines.

African & Gender Studies, Anthropology & Linguistics

Please select the resources appropriate to your academic unit and project.

African Studies

- **African Studies Association**

Guidelines of the African Studies Association for Members' Ethical Conduct in Research and Other Professional Undertakings in Africa:

<http://www.africanstudies.org/about-asa/ethical-guidelines>

Linguistics

- **British Association for Applied Linguistics**

Recommendations on Good Practice in Applied Linguistics:

http://www.baal.org.uk/dox/goodpractice_full.pdf

- **Keren Rice, University of Toronto**

Ethical Issues in Linguistic Fieldwork – An Overview:

<http://www.chass.utoronto.ca/lingfieldwork/pdf/2.pdf>

Social Anthropology

- **Anthropology Southern Africa**

Ethical Guidelines and Principles of Conduct for Anthropologists:

<http://www.socanth.uct.ac.za/research/research-ethics>

- **American Anthropological Association**

Code of Ethics: <http://www.aaanet.org/profdev/ethics/>

- **American Society for Applied Anthropology**

Ethical and Professional Responsibilities: <http://www.sfaa.net/sfaaethic.html>

- **Association of Social Anthropologists of the UK and Commonwealth:**

<http://www.theasa.org/ethics.shtml>

Dance

- **Australian Dance Council**
Code of Ethics for Dance Teachers: <http://ausdance.org.au/articles/details/code-of-ethics-for-dance-teachers>
- **Royal Academy of Dance Canada**
Code of Professional Conduct for Teachers of Dance:
<http://www.radcanada.org/studiodirectory/codeofethics.htm>

Drama

- **Association for Theatre in Higher Education (American)**
A Code for Teachers of Theatre in Higher Education:
<http://www.athe.org/associations/12588/files/EthicsCode.pdf>

Education

- *Ethics form to be completed for any research involving human subjects:*
<http://web.uct.ac.za/depts/educate/download/ethicsform.rtf>
- **British Educational Research Association**
Research Guidelines: <http://www.bera.ac.uk/publications/Ethical%20Guidelines>
- **National Education Association (American)**
Code of Ethics of the Education Profession: www.nea.org/assets/docs/2013-NEA-Handbook-Code-of-Ethics.pdf
- **University of Cape Town School of Education**
Ethics resources for education students:
<http://web.uct.ac.za/depts/educate/download.php>

English Language & Literature

See general list on page 50

Film & Media Studies

CFMS are required to complete the departmental Ethics Form in consultation with their supervisor. The form is available on the CFMS Postgrad Vula site.

- **Association of Internet Researchers Ethics Guide**
<http://aoir.org/documents/ethics-guide/>
- **Ethics in Film**
The Online Journal for Teaching Ethics with Film:
<http://www.colorado.edu/philosophy/eif/>
- **journalism.co.za**
Codes of ethics and guidelines: <http://www.journalism.co.za/index.php/codes-&-guidelines.html>
- **Press Code of Professional Practice (SA):**
<http://www.journalism.co.za/index.php/codes-&-guidelines.html>
- **Society of Professional Journalists (American)**
Media Ethics Online: <http://www.stlouisspj.org/ethics.htm>
- **South African National Editors' Forum**
SANEF Guidelines: <http://www.sanef.org.za/programmes/ethics/>

Fine Art

- **Association des illustrateurs et illustratrices du Québec** (site in English)
Code of Ethics: <http://www.illustrationquebec.com/sites/default/files/iq-code-of-ethics.pdf>
- **College Art Association (American)**
Professional Practices for Artists:
<http://www.collegeart.org/guidelines/practices.html>
A Code of Ethics for Art Historians and Guidelines for the Professional Practice of Art History: <http://www.collegeart.org/guidelines/histethics.html>
- **Curators' Committee (American)**
Curator's Code of Ethics: <http://www.curcom.org/ethics.php>
- **Forensic Art**
Code of Ethics for Forensic Artists: <http://www.forensicartist.com/IAI/ethics.html>

Historical Studies

- **American Association for State and Local History**
Statement of Professional Standards and Ethics: <http://www.aaslh.org/ethics.htm>
- **American Historical Association**
Statement on Standards of Professional Conduct:
<http://www.historians.org/pubs/Free/ProfessionalStandards.cfm>
- **Australian Council of Professional Historians Associations**
Code of Ethics and Professional Standards:
<http://www.historians.org.au/acpha/bm~doc/code-2.pdf>
- **Oral History Society (British)**
Ethical Guidelines for interviewers and custodians of oral history:
<http://www.oralhistory.org.uk/ethics.php>
- **Centre for Popular Memory**
Copyright and material release forms:
http://popularmemory.org.za/index.php?option=com_content&view=article&id=32&Itemid=22
- **National Council on Public History (American)**
http://ncph.org/cms/?page_id=40
- **Oral History Association (American)**
Evaluation Guidelines: <http://www.oralhistory.org/about/principles-and-practices/oral-history-evaluation-guidelines-revised-in-2000/>

Languages & Literatures

- **Modern Languages Association**
Statement of Professional Ethics:
http://www.mla.org/resources/documents/rep_profethics/repview_profethics

Library & Information Studies

- **American Library Association**
Code of Ethics: <http://www.ala.org/advocacy/proethics/codeofethics/codeethics>
- **Chartered Institute of Library and Information (CILIP)**
Code of Professional Practice for Library and Information Professionals
<http://www.cilip.org.uk/get-involved/policy/ethics/pages/code.aspx>

- **The International Federation of Library Associations and Institutions**
Code of Ethics, by Country: <http://www.ifla.org/faife/professional-codes-of-ethics-for-librarians#nationalcodes>

Music

- **Incorporated Society of Musicians (American)**
Performers & Composers Section Code of Ethics:
http://www.ism.org/advice/article/ism_code_of_practice_for_performers_and_composers
- **International Conference of Symphony and Opera Musicians**
Code of Ethical Audition Practices: <http://www.icsom.org/manual/docs/13D-audition-code-of-ethics.pdf>
- **The National Association for Music Education (American)**
The Music Code of Ethics: <http://musiced.nafme.org/about/position-statements/the-music-code-of-ethics/>

Philosophy

- **American Philosophical Association**
Statements on the Profession:
http://www.apaonline.org/APAOnline/About_APA/Statements/APAOnline/About_The_APA/Statements/Statements.aspx

Political Studies

- **American Political Science Association**
Ethics in Political Science: https://www.apsanet.org/section_513.cfm
- **British International Studies Association**
Code of Conduct:
http://www.bisa.ac.uk/index.php?option=com_content&view=article&id=62&Itemid=186

Psychology

- **American Psychological Association**
Ethical Principles of Psychologists and Code of Conduct:
<http://www.apa.org/ethics/code/index.aspx>
- **British Psychological Society**
Code of Ethics and Conduct: <http://www.bps.org.uk/what-we-do/ethics-standards/ethics-standards>
- **The Professional Board for Psychology, Health Professions Council of South Africa**
Ethical Rules of Conduct:
http://www.hpcsa.co.za/downloads/ethical_rules/ethical_rules_of_conduct_2011.pdf

Religious Studies

See general list on page 50

Social Development

- **American National Association of Social Workers**
Code of Ethics: <http://www.socialworkers.org/pubs/code/code.asp>
- **International Federation of Social Workers**
Ethics in Social Work – Statement of Principles: <http://ifsw.org/policies/statement-of-ethical-principles/>
National Codes of Ethics: <http://ifsw.org/resources/publications/national-codes-of-ethics/>
- **South African Council for Social Service Professions**
Code of Ethics: <http://www.sacssp.co.za/website/wp-content/uploads/2012/06/Code-of-Ethics.pdf>

Sociology

- **American Association of Public Opinion Research**
Ethics and Standards: http://www.aapor.org/Standards_and_Ethics/5102.htm
- **American Sociological Association**
Code of Ethics:

<http://www.asanet.org/page.wv?section=Ethics&name=Code+of+Ethics+Table+of+Contents>

- **Association of Applied and Clinical Sociology**
Code of Ethics: <http://www.asanet.org/about/ethics.cfm>
- **British Sociological Association**
Statement of Ethical Practice: <http://www.britsoc.co.uk/about/equality/statement-of-ethical-practice.aspx>
- **Human Sciences Research Council**
Code of Research Ethics: <http://www.hsrc.ac.za/en/about/research-ethics/code-of-research-ethics>
- **International Sociological Association**
Code of Ethics: http://www.isa-sociology.org/about/isa_code_of_ethics.htm
Statutes: http://www.isa-sociology.org/about/isa_statutes.htm

Research Groupings

- **African Cinema Unit**
see Film and Media Studies
- **African Gender Institute**
- **Centre for African Studies**
see African Studies
- **Centre for Contemporary Islam**
see Religious Studies
- **Centre for Creative Writing**
see English Language & Literature
- **Centre for Curating the Archive**
see Fine Art
- **Centre for Popular Memory**
see Historical Studies
- **Centre for Rhetoric Studies**
see Film and Media Studies
- **Centre for Social Science Research**
- **Gordon Institute for Performing AND Creative Arts (GIPCA)**
- **Institute for Comparative Religion in Southern Africa (ICRSA)**
see Religious Studies
- **Institute for Humanities in Africa (HUMA)**
- **Isaac and Jessie Kaplan Centre for Jewish Studies and Research**
see Religious Studies

- **Lucy Lloyd Archive Resource & Exhibition Centre (LLAREC)**
see Fine Art

General

- **American Association of University Professors**
Statement on Profession Ethics: <http://www.aaup.org/report/statement-professional-ethics>
- **American Statistical Association**
Ethics Guidelines for Statistical Practice:
<http://www.amstat.org/about/ethicalguidelines.cfm>
- **Association of American Universities**
Framework for Institutional Policies and Procedures to Deal With Fraud in Research:
<http://www.aau.edu/news/reports.aspx?id=7322>
- **Authorship Guidelines, University of Cape Town**
<http://www.uct.ac.za/about/policies#research>
- **The Belmont Report**
<http://www.hhs.gov/ohrp/humansubjects/guidance/belmont.html>
- **Canadian Interagency Advisory Panel on Research Ethics**
Ethical Conduct for Research Involving Humans: <http://ethics.gc.ca/eng/policy-politique/initiatives/tcps2-eptc2/Default/>
- **The Center for Academic Integrity**
<http://www.academicintegrity.org/>
- **EthicsWeb.ca**
Creating a Code of Ethics for Your Organisation: <http://www.ethicsweb.ca/codes/>
- **The Social Research Association**
Ethical Guidelines: http://the-sra.org.uk/sra_resources/research-ethics/ethics-guidelines/
- **Society for Teaching and Learning in Higher Education, University of British Columbia**
Ethical Principles in University Teaching:
http://cll.mcmaster.ca/programs/faculty_and_instructors/ethical_principles.html
- **Stanford Human Research Protection Program Policies and Procedures**
<http://humansubjects.stanford.edu/hrpp/manual.html>
- **United States Department of Health and Human Services**
Office for Human Research Protections: <http://www.hhs.gov/ohrp/>

APPENDIX A: POLICY ON RESEARCH ETHICS, FACULTY OF HUMANITIES

Overview and Introduction

Location:

The Research Ethics Committee (henceforth, REC) of the Faculty of Humanities is a sub-committee of the Faculty Research Committee. Its concerns are also represented in the Senate Ethics in Research Committee of the university.

Purpose:

The REC exists to support the efforts of the Faculty to meet appropriate international standards for ethics in research on human participants. It is tasked specifically to oversee the ethics of research on human participants carried out by anyone in the Faculty, wherever this occurs (staff, graduate, and undergraduate). Its aim is to assist all researchers in the Faculty to do their research confident in the knowledge that they are meeting best practices in researching human participants, with respect to methodology, substance, and accountability to those researched.

Activity:

The work of the REC includes:

- policy development and advice,
- responsibility for seeing that all research on human participants is ethically assessed and cleared prior to its commencement, and
- responsibility for building awareness of ethical issues in the Faculty through education, provision of information and identification of appropriate training programmes.

Mandate:

The mandate of the REC covers all research on human participants. It has the power to refuse ethical clearance for any particular piece of research, in which case such research should not be carried out until all relevant issues are resolved. It does not include dealing with issues of plagiarism, and it is not a court or tribunal. It does not deal with animal research ethics, for which the university has a separate committee.

Subsidiarity:

The method by which the REC addresses the ethics of research in the Faculty of Humanities is governed by the 'principle of subsidiarity', as explained below. This

places a significant part of the initial responsibility for ethical clearance of research on human participants in the hands of departments, units and institutes, where the greatest competence to assess research on human participants normally resides in a faculty with such highly diverse disciplines. Because competence cannot be assumed where research ethics protocols and procedures still remain relatively uneven or undeveloped, the principle of subsidiarity also means that such competence be established and enhanced appropriately as a general policy of the faculty.

What follows describes the context of the ethics of research on human participants, the current status of research ethics in the Faculty of Humanities, codes and standards, the principle of subsidiarity, proposed department, unit or institute responsibilities, and the constitution of the REC.

1. The Context of Research Ethics in the Faculty of Humanities

In the first instance, a concern for the ethics of research carried out on human participants forms a crucial part of the transformation of the university, as research as a whole takes form in relation to histories of domination, resistance, globalisation and markets. At the same time, following on the key shift that was part of the Nuremberg trials after the Second World War, a concern for research ethics is increasingly a part of the global picture, to the point where any research on human participants must now demonstrate responsible and accountable methods and procedures.

In addition, many agencies that oversee such research or provide funds for it, more and more require guarantees that all research on human participants has ethical clearance. Similarly, a growing number of nations are also beginning to regulate research on human participants, with South Africa likely to follow suit in the near future.

While some of this concern is fuelled by a fear of litigation (the negative ground for establishing proper ethical controls), by far the more significant issues have to do with the rights and well-being of the research participants themselves and the accompanying responsibilities of the researcher towards them (the positive reason for taking research ethics seriously).

A key issue is the relationship and balance between individual rights and the common good¹⁰ in assessing what is ethically acceptable and what is not. A further issue of

¹⁰ The notion of the common good, the basic presumption of European ethics prior to the Reformation and the rise of ethics based on the individual, with some resonance in classical African ethical positions that emphasize responsibilities to the community, is no longer self-evident, and we do not pretend to resolve the existing debates

importance is the relationship between procedural correctness and substantive concerns for beneficence, respect and justice, as laid out in the Belmont Report.¹¹

Finally, debate on research ethics ought to be a vibrant component of the UCT's self-reflection on its scholarly activities. Moreover, a Southern African voice on research ethics needs to find expression: While UCT's decisions on research ethics may be guided by foreign professional associations; they should take form in relation to local concerns and debates.

2. The Current Status of Research Ethics in the Faculty

The broad range of disciplines in the Faculty of Humanities, some of them linked to external professional bodies that have binding and established codes of ethics, some of them generally doing no research on human participants, means that a fixed common code of ethics is not possible or perhaps even desirable, except at the most general level of principles.

Yet some faculty wide policy on the ethics of research on human participants is necessary. While appropriate procedures and protocols have been improved over the last years, there is great unevenness across the faculty in their extent, use and quality. In part, this is also a reflection of considerable uncertainty among many staff and students about what is needed and why.

Thus, in 2005, while many Departments reported comprehensively on their research ethics activity and procedures and indicated that Research Ethics were a priority, almost a third of Departments within the faculty failed to report at all, and some Departments that did report offered vague and unhelpful accounts of their procedures and teaching on the subject.

Whatever the reasons for this – which likely include a combination of an overload of administrative tasks, a perception that this constitutes another extension of an audit culture within the University, and a failure to recognise the importance of research ethics – it weakens the credibility and scientific integrity of research within the Faculty, and has an impact on how research funding is viewed or allocated. Equally, it opens up

around just how to define or measure what counts as a common good except to note that it presumes that individual rights do not always trump other kinds of rights or responsibilities.

¹¹ These three latter criteria were established by the *Belmont Report: Ethical Principles and Guidelines for the Protection of Human Participants of Research* produced by a USA Congressional Commission in 1979, and since then they have become a widely used international framework for research ethics.

the possibility that those people who are the participants of research are being compromised.

It is worth noting that the faculty is not alone in this. We may refer to the recent HEQA's observations (item 14) that decisions on research ethics involving human participants are not currently pursued evenly across the University. During the interviews that led to this judgement, the Faculty of Humanities was complimented for the moves that have been made to deepen a culture of responsibility for research ethics within the Faculty, and similar appreciation has also come from our own Senate committee. But it was also identified as having some way to go to meet expected standards.

3. Codes and Standards

Codes for ethical research are a crucial part of a university's intellectual tools, and they are an important resource for guiding researchers in various disciplines and using various research methods. Codes represent the sum of current professional expertise around research ethics, and set standards that are incumbent on good researches.

At the same time, they can never substitute for ongoing personal professional experience, insight, judgement and decision, always required in complex, tricky or controversial instances, when the issues are grey, ambiguous, in need of consideration, requiring consultation, and perhaps in need of new judgements. Such an understanding should underlie any application or use of codes.

The *UCT Code of Ethics for Research Involving Human Participants* is a minimum standard that ought to be upheld across all Departments in all Faculties.¹² Over and above this, within the Faculty of Humanities, many disciplines – especially (but not only) those linked to professional associations – have existing ethical guidelines or codes of conduct to which researchers are accountable.

Each of these codes and/or guidelines requires interpretation in relation to specific contexts. For example, a decision on what constitutes ethical conduct in Film and Media may be grounded in an ethics of exposé, in which the notion of 'public interest' may outweigh other concerns. But an anthropologist, for whom potential harm to a research participant is paramount, might approach the issue differently.¹³

¹² See Appendix B or go to <http://www.uct.ac.za/about/policies#research>.

¹³ See Spiegel 2005, From exposé to care: Preliminary thoughts about shifting the ethical concerns of South African social anthropology. *Anthropology Southern Africa*, 28((3 & 4) 2005): 133-141.

This range of disciplinary and professional concerns presents a very different situation to that of a faculty such as the Health Sciences in which a single policy may be reasonably considered adequate across all of its departments. Moreover, determining which guidelines are appropriate for each research project is not as simple as determining in which department it is undertaken. Many pieces of research cut across disciplines: Ethnographic research may be undertaken in research within Linguistics or Education; researchers in Politics or Sociology may want to archive interviews; a researcher in Religious Studies may focus on material heritage.

The key issue is how the faculty should deal with this situation and context, what approach it should take to research ethics within the Faculty. This has to do with where responsibility resides for processing ethical clearance for research on human participants and maintaining credible records of what has been decided.

4. Subsidiarity: The Existing Policy Framework

One way of formulating the issue is to ask: Do Departments want to pass the responsibility for ethical clearance on to a central committee and be subject to that committee's decisions (if that is even a viable option logistically and operationally)? Or are Departments willing to take responsibility for decisions on research ethics, within the context of faculty-wide accountability?

The REC has since 2003 taken the view, generally speaking, that decisions on research ethics are most appropriately made at the level of the department, unit or institute concerned. Its policy, communicated to heads of departments, units and institutes, is based on the *principle of subsidiarity*. This principle presupposes:

- a. That decisions need to be made at the lowest appropriate level at which colleagues are able to make a competent decision, rather than by a centralised structure within a hierarchy; and
- b. that referrals upwards should occur only when
 - i. there is doubt about a case,
 - ii. the relevant decision-maker feels insufficiently competent to make a decision,
 - iii. a larger matter or principle is involved that needs wider discussion, or
 - iv. the issue is complex enough to require a wider discussion and decision.

The principle of subsidiarity has the further benefit of placing the issue of research ethics in the hands of those who must most directly apply ethical standards and procedures, and who best understand the relevant constraints and requirements of their field. It democratizes the process. Finally, in a faculty burdened by high costs and limited finances with multiple priorities to meet, it is the most cost-effective way of managing what are estimated to be hundreds of pieces of research being carried out on human participants across a large faculty in any one year.

In practice, this has meant that since 2004, Departments or other academic units have been held to be responsible for assessing the ethics pertaining to research conducted by staff and students, with difficult or complex cases being referred to the REC.

The latter has the advantage of stimulating debate on issues which are vital to effective research. However, if the latter route is chosen, there is a need to propose benchmarks for acceptable participation by Departments and other academic units, and a need for a mechanism for supporting those that need it.

There are important concerns attached to an effective implementation of the principle of subsidiarity:

- In particular, departments, units and institutes who have researchers at any level engaging in research on human participants need to have in place, or put in place, their own peer review mechanism for assessing the ethics of such research.
- Second, those who are carrying out such assessment need to be competent to understand what is required in clearing (or not) such research in respect of ethics.
- Third, because it is relatively common within the Faculty of Humanities that researchers are bridging disciplines, it may be necessary to have others from cognate disciplines be part of such assessment and decision-making.
- Finally, attention would have to be paid to the composition of any decision-making body at departmental, unit or institute level in respect of current international standards (which are likely soon to be nationally required standards in South Africa), such as the inclusion of an appropriate gender and racial balance and the presence of an informed lay person on any such body.

5. Subsidiary Departmental Responsibilities

In order for 'subsidiarity' to be recognised by the University as a valid, workable and externally defensible means by which the Faculty attends to ethics in its research, some benchmarks of acceptable voluntary participation by Departments and other academic units need to be identified and agreed upon. These include:

- 5.1 Every department or other academic unit, as appropriate, would be required to establish an internal structure for dealing with research ethics, a representative of which will be nominated as a respondent of the REC.
- 5.2 The appropriate composition of a committee would be:¹⁴
- A minimum of three academics who have an acquaintance with the ethical requirements of research on human participants;¹⁵
 - At least one of whom should be from a cognate discipline;¹⁶
 - Representative membership as far as possible (race, gender, etc.).¹⁷
 - The feasibility of including a lay member at levels below the Faculty REC will be assessed after one year of this policy coming into effect.
- 5.3 The tasks of the research ethics committee of the academic unit will include:
- perusal of every relevant new project;
 - advising on ethical considerations;
 - granting approval (ethical clearance) for projects to proceed;
 - communicating resultant decisions to the Faculty Research Ethics Committee.
- 5.4 Academic unit procedures should include:
- a clear statement on the professional codes of research ethics to which student and staff are expected to be accountable, over and above the UCT Code of Ethics on Research Involving Human Participants;
 - a statement of procedure for obtaining ethical clearance from the academic unit;
 - teaching on research ethics involving human participants at a graduate and an undergraduate level;
 - and at a graduate or academic unit level, a consideration of debates regarding the interpretation of codes of ethics.
- 5.5 Accountability to the Faculty for decisions made: Decisions and debates need to be reported on to the REC annually

¹⁴ What follows is drawn largely from guidelines for Institutional Review Boards that have emerged in recent years, based on widespread experience of identifying ways of dealing with the more difficult aspects of assessing research on human participants.

¹⁵ To allow for sufficient debate and insight and a reasonable consensus.

¹⁶ To allow for wider judgements and experience and to facilitate a growing level and depth of expertise within the faculty.

¹⁷ To allow for a more sensitive approach to ideological aspects of research on human participants.

- 5.6 Where it is not appropriate for a department or other academic unit to have its own research ethics sub-committee or structure – because of the nature of its work does not involve research on human participants; or because such research is too infrequent or unusual to warrant it – relevant research should be directed toward the Faculty REC for clearance.
- 5.7 Larger departments or academic unit (or cognate groupings of such if this is best), where considerable research on human participants takes place and solid expertise in research ethics exists, should nominate a competent person to be part of the Faculty Research Ethics Committee, in order to maximize the expertise in the REC and its competence to make relevant and fitting judgements.

6. Communication and education

A key issue in the successful implementation of this policy involves ongoing communication within Departments and other academic units on matters pertaining to research ethics, and within the Faculty REC as such.

- 6.1 Reporting on all decisions made in the course of each semester on all research projects may be made simpler by providing each Department or academic unit with a simple website template (perhaps set up with the assistance of CHED), accessible only to that unit and the REC.
- 6.2 Such a template could include:
- a list of current staff and student research projects;
 - a brief description of research goals and methods;
 - issues highlighted for ethical consideration,
 - the name of the person signing off on the decision to approve the project, and
 - notes (e.g. of problems arising, or other approval received from elsewhere¹⁸).
- 6.3 A website would also be a useful place to include resources on research ethics, and a forum for discussion within Departments or other academic units.
- 6.4 Discussion and comparison is needed within the Faculty of key cases and issues. In this regard, an annual interdepartmental and interfaculty seminar on research ethics is proposed (possible themes, for example, include: research involving

¹⁸ That researchers need ethical approval from more than one body is by no means unusual.

children; research on HIV/Aids; the protection of 'indigenous' or traditional knowledge; the complexities of research on businesses and livelihoods).

7. Constitution and functions of the REC

7.1 Authority

The REC is a sub-committee of the Faculty Research Committee; it reports in the first place, via the Chair, to the Deputy Dean for Research, who acts on behalf of the Dean.

7.2 Membership

7.2.1 The REC should consist of one committee member from every large department, other academic unit or cognate grouping, as identified in 5.1 above, together with a chair and deputy chair who shall be appointed by the Dean, either from such identified members or otherwise, with the Chair representing the REC ex officio on the Faculty Research Committee.

7.2.2 The members should represent the broad spread of disciplines or cognate disciplines within the Faculty.

7.2.3 The REC may, where necessary, co-opt additional members from time to time who would offer particular expertise in specific cases.

7.2.4 The REC should be as balanced as possible in terms of gender and racial criteria.

7.2.5 A competent lay person from outside the university should be a member of the REC, as an honorary appointment by the Dean.¹⁹

7.2.6 The REC should not exceed 12 (twelve) members, and not be less than 6 members.

7.3 Responsibilities of Members

Members of the REC should:

7.3.1 attend all standing and special meetings of the REC as a matter of course;²⁰

¹⁹ To allow for someone without vested interests in the university community to assist in making judgements.

- 7.3.2 contributing to its general work as required;
- 7.3.3 be tasked with ensuring full participation from the departments or groups they represent;
- 7.3.4 report on processes and decisions in that Department or other academic unit in order to increase the committee's general knowledge and understanding of what is happening in the Faculty in respect of research ethics;
- 7.3.5 report on the inclusion of teaching on research ethics, e.g. in graduate courses.
- 7.3.6 undertake to maintain confidentiality on all cases that it deals with

7.4 Executive Powers of the REC

- 7.4.1 Where control over ethics procedures and protocols appears inadequate, the REC may nominate a subcommittee of representatives to assist that Department or academic unit in developing a set of procedures. Such a subcommittee would comprise Faculty members whose areas of research are close to that of the academic unit in question.
- 7.4.2 Where decisions have been found to be inadequate, the REC would be responsible for review.
- 7.4.3 The Senate ethics committee could be a further resort for problems or difficulties that cannot be resolved internally (e.g. because there is dispute about what is required for a particular piece of research).
- 7.4.4 Should it become clear that approval has been given for research projects that seem clearly problematic and/or potentially harmful to research participants or the University, the REC may recommend appropriate action to the Dean, who may instruct the REC to act on the Dean's behalf (See section 7.5).
- 7.4.5 The REC will carry out an annual audit of research ethics procedures, practices and decisions in the Faculty, based on reports from departments or other

²⁰ Currently four standing meetings per annum (quarterly) are held, but this might need to increase as Faculty activity around research ethics grows.

academic units, such audit to be communicated to the Senate Ethics in Research Committee as well.

- 7.4.6 The REC is responsible for overseeing that relevant Faculty or University wide policies are communicated to all concerned, including providing accessible information on policies that have to do with the ethics of authorship, intellectual property, and inappropriate behaviour (e.g. sexual harassment, unprofessional conduct, in the process of conducting research).
- 7.4.7 The REC will attempt to assist all those who need it to develop their competence in handling the ethics of research in human participants, either by virtue of competence held within it, or by recommending other programmes or avenues. Normally this does not include students per se, who should be receiving this training as part of their degree studies.

7.5 What happens in the case of unethical behaviour?

- 7.5.1 Any dispute or allegation of misconduct with regard to ethics in research must be dealt with promptly.
- 7.5.2 An Advisor may be appointed by the Deputy Dean of Research in the Faculty. This person will offer unbiased support to the complainant and will assist with the appropriate processes for resolving the matter or escalating it. The complainant has the right to confidentiality if necessary. If the complainant is a student, the Deputy Dean of Research shall appoint the Graduate Director as the Advisor.
- 7.5.3 Attempts should be made to resolve the matter by reasonable discussion among those involved.
- 7.5.4 If not resolved, the REC shall act as mediators to investigate and attempt to resolve the matter.
- 7.5.5 If the matter involves a member of the REC, she or he shall recuse themselves.
- 7.5.6 If for any reason any party involved in the dispute should object to such mediation, the Deputy Dean for Research shall be informed and shall nominate a senior researcher, who is acceptable to all parties, to act as mediator.
- 7.5.7 If necessary, the Deans may take other steps to attempt to resolve the matter.

7.5.8 The University's policy on this may be found at <http://www.uct.ac.za/about/policies#research>.

7.6 Administrative Support

Administrative support is usually given by the Servicing Officer for the Faculty's Research Committee.

Administrative support for the most basic functions of the proposed policy of subsidiarity outlined here should include the following:²¹

- 7.6.1 Secretarial service to the REC for its operations, including meetings, seminars and educational events; as a first point of contact in relation to queries from departments, units, institutes and other bodies or persons (e.g. researchers from outside the university); and for document and record keeping.
- 7.6.2 Support for website management, in particular, updating records, protocols and procedures, and electronic publication of other relevant items.

²¹ Note, were the Faculty to process all ethical issues for research on human participants through a central committee such as the existing REC, as happens for example in the Faculty of Health Sciences, administrative support and cost implications would necessarily be very substantial.

APPENDIX B: UCT RESEARCH ETHICS CODE FOR RESEARCH INVOLVING HUMAN PARTICIPANTS

A PREAMBLE

UCT sets itself the aim of doing research

- with scholarly integrity and excellence
- with social sensitivity and responsibility
- with respect for the dignity and self-esteem of the individual and for basic human rights
- with reference to clearly specified standards of conduct and procedures that ensure proper accountability

In the pursuit of this ideal, UCT subscribes to the interdependent principles of scholarly responsibility, integrity and honesty, of human dignity and of academic freedom and openness. In the research context, these principles manifest in the relationships between the researcher and

- the research community and its ethos
- research participants
- society as a whole
- sponsors of research

UCT affirms the requirement that all research involving human participants be subject to prior ethics review, according to faculty guidelines. Review might entail either the approval of research proposals or appropriate deliberative procedures for researchers.

B RESEARCHERS AND THE RESEARCH COMMUNITY

- a. Research should be carried out in a scholarly and responsible manner. Researchers must recognize their responsibility for
 - The design, methodology and execution of their research;
 - Planning so that the findings have a high degree of validity;
 - Indicating where appropriate the possibility of alternative interpretations;
 - Reporting findings, and their limitations, to ensure accessibility and opportunities for peer-review.
- b. No single research paradigm is preferred. Researchers have the right to research from a variety of paradigms and to use a range of methods and techniques.
- c. In reporting findings, researchers should adhere to the principles of honesty, clarity, comprehensiveness, accountability and openness to public scrutiny.
- d. Discipline-specific codes of ethics should be acknowledged and honoured when conducting research in those disciplines.
- e. Ethics clearance is linked to a particular Principal Investigator and falls away when the Principal Investigator leaves the project before it is completed. Standard Operating Procedures must address this point and ensure that an application for an amendment to the proposal is made if a new Principal Investigator is to be appointed.

C THE RESEARCH PROCESS

- a. When planning research, researchers should consider and articulate the ethical acceptability and foreseeable consequences of their research in the research proposal.
- b. Researchers should keep in mind the requirement of prior research ethics review and clearance when planning the timeframes for their research.
- c. Research participants should not be harmed in the course of or as a consequence of research, except in those cases in which the research participants have no moral claim not to be harmed in the ways that the research may harm them. Researchers wishing undertake research that may harm participants must demonstrate that, according to faculty guidelines, the participants have no moral claim not to be harmed in the relevant ways.
- d. Research participants should give informed, voluntary consent, when appropriate, to participation in research. Researchers should provide information that explains the aims and implications of the research project, the nature of participation and any other considerations that might reasonably be expected to influence their willingness to participate. This information must be provided in language that is understandable to the potential participants. Note: this point does not preclude research that uses observation or deception as part of its methodology but such research must comply with best practice ethics codes within the specific discipline.
- e. Researchers should respect the right of individuals to refuse to participate or, having agreed to participate, to withdraw their consent at any stage without prejudice.
- f. Researchers must minimise or avoid exposure of participants to foreseeable legal, physical, psychological, or social harm or suffering that might be experienced in the course of research. The risk of harm and the likelihood of direct benefit to participants must be discussed as part of the consent process. Researchers should be especially sensitive to the interests and rights of vulnerable populations such as minors, elderly persons, very poor and/or illiterate persons.
- g. The privacy and confidentiality interests of participants must be taken into account in the research process. Subject to c. above, information that may identify individual persons should not be used in research findings unless the person has expressly agreed to its release, having had the opportunity to consider the implications of such release.

D CODES FOR RESEARCH ETHICS

UCT is committed to upholding this Code, but recognises that research is a human endeavour and, as such, is dependent also on discretionary decisions for which individual researchers must accept ethical and scholarly responsibility. The scholarly and ethical standards of researchers are central to the research endeavour and efforts to sustain and develop these standards are integral components of research at UCT. This Code and the more detailed discipline-specific versions aim to be educative rather than coercive in raising awareness of the standards and ethos that imbue research at UCT. However, researchers are expected to comply with the various codes and policies. Breaches or violations of the codes policies are dealt with in accordance with the Research Misconduct procedures.

Minimum procedural standards (or Standard Operating Procedures) are required in each discipline-specific code. Note: before research may be conducted using UCT students or staff members, both ethics clearance and permission to access contact details must be obtained: see *Ethics Clearance and Permission to Access: Standard Operating Procedure*.

Ethical reasoning requires thought, insight, sensitivity and familiarity with various research ethics codes. As with scholarly work, peer-review is important. Ethics peer-review includes the larger intellectual community, society at large, and research participants. Seeking ethics clearance should be seen as an opportunity for informed ethical reflection and discussion with peers who are familiar with the relevant ethics codes.

In this spirit, ethics review is required in terms of the principles of this Code, as supplemented by discipline-specific codes, for

- research undertaken by staff and students of the university that involve participation by humans;
- research undertaken by researchers external to the university that involve members of the university as participants.

Note: research that proposes to use current students and/or staff as participants must undergo ethics clearance procedures. In addition, as a separate process, permission to access contact details of students and/or staff members must be obtained. In the case of students, application should be made to the Executive Director (ED) of Student Affairs; for staff members, application should be made to the ED of Human Resources.

The Faculty-level Research Ethics Committees are charged with responsibility for processing ethics clearance and for reporting to the Senate-level Ethics in Research Committee.

Faculty-level committees may devolve this responsibility to department-level committees.

E RESEARCHERS AND SOCIETY AS A WHOLE

The university is committed to conducting research that will contribute to health and quality of life and that strives to serve humanity and South African society as a whole rather than any sectional interest, unless otherwise justified.

The University of Cape Town recognises society's right of timely access to research findings and to open debate on their implications. Consequently, UCT is committed to upholding the principle that research findings should be made responsibly and freely available to the public and not be unreasonably withheld.

F RESEARCHERS AND THE ENVIRONMENT

The University is committed to conducting ethical research while being mindful of its responsibilities towards the environment.

G CONTRACT RESEARCH

Contract research is subject to this policy, the codes for research ethics and UCT's contract research policies. Any remuneration for researchers must be specified in research contracts. All conflicts of interest must be declared.

[Last updated March 2012]

http://www.uct.ac.za/downloads/uct.ac.za/about/policies/humanresearch_ethics_policy.pdf

APPENDIX C: STATEMENT OF VALUES FOR THE UNIVERSITY OF CAPE TOWN AND ITS MEMBERS

<http://www.uct.ac.za/downloads/uct.ac.za/about/policies/uctvalues.pdf>

Put forward by Council (6 June 2001)

Endorsed by IF (26.9.2001)

The University is a community of scholars, teachers, students and staff. A community implies the shared acceptance by its members of common values. The concept of values implies not only rights but also obligations, for the community itself and for its individual members.

The Statement of Values provides a framework that informs and governs what is considered by the University community to be appropriate and acceptable behaviour. The Statement also serves as the foundation for a range of University policies and guides the management of particular aspects of University life.

As a community, the University commits itself, and aspects all its members, to exemplify and uphold these values and to reflect them not only in institutional and personal relationships, but also in all other aspects of University life, including work, sport, recreation, and cultural, intellectual, religious and other activities.

As a value-based community, we aspire to an encompassing ethos which:

- Promotes academic excellence and the attainment of the institutional goal of becoming a world-class African University.
- Preserves what is valuable in the history of the institution and of his country, and responds to the challenges posed by past injustices and unfair discrimination.
- Achieves social transformation, empowerment and participative governance.
- Affirms and protects the fundamental human rights enshrined in the Constitution.
- Encourages the institution and all its members to accept responsibility for the welfare of the community and for behaving in accordance with these community values.

Values

We commit ourselves to:

- Truth, fairness, consistency, and integrity in both academic and other work, and in all personal and institutional relationships.
- Compassion, generosity and concern for the needs and the aspirations of others, and in particular for the changes faced by less privileged in our society.
- Respect and tolerance for cultural, religious, political, and other differences and acknowledgement of the value of diversity in society.
- Respect for individual privacy, dignity, and the right to personal choice.
- Intellectual honesty, vigour in debate, openness to alternate ideas and respect for other views, beliefs and opinions.
- Commitment to high standards, personal fulfillment and the pursuit of excellence.
- The protection and responsible use of the University's assets and resources.
- Concern for the personal safety, health and welfare of all members of the community.
- The protection and conservation of the environment and natural resources.