

RESEARCH ETHICS, School of Education, UCT

This is based on a document drafted by Lillian Artz, Institute of Criminology (UCT) and used with her permission

“RESEARCHING HUMAN SUBJECTS IS NOT A RIGHT, IT IS A PRIVILEGE”

1. GENERAL

Research should always be carried out --

- (a) with social sensitivity and responsibility; and
- (b) with respect for the dignity and self-esteem of the individual and for basic human rights.

2. THE PRACTICE OF GOOD RESEARCH

In conducting research, researchers should --

- (a) plan, and if appropriate implement, research in consultation with those with expertise concerning any special population under investigation or likely to be affected by the research;
- (b) ensure that they are equipped and qualified to work with special population groups;
- (c) plan research in such a way that the findings have a high degree of validity (for instance, does “data” really address, answer or speak to the problem?);
- (d) report their findings, and their limitations, so that these may be subject to peer review and public scrutiny;
- (e) point, where relevant, to the possibility of alternative interpretations;
- (f) respect the decision of fellow researchers to research from a variety of paradigms, and to use a range of methods and techniques;
- (g) in the communication of their findings, adhere to the principles of honesty, clarity, comprehensiveness and accountability;
- (h) honour and recognise the authority of professional codes relating to their specific disciplines; and
- (i) not misuse their positions as researchers for personal gain.

3. CONSENT

Informed consent is a basic ethical tenet of research on human populations. Researchers must not involve a human being as a subject in research without the informed consent of the research participant or the participant's legally authorised representative. Researchers must fully recognise the possibility of undue influence or subtle pressures on participants that may derive from researchers' expertise or authority, and they take this into account in designing informed consent procedures. As such:

- (a) Participation in research requires the informed, un-coerced, consent of participants.
- (b) The researcher must obtain informed consent (either written or orally) by the research participant.
- (c) Consent by research participants is considered “informed” when, in a language that is understood by participants, researchers explain:
 - the nature of the research;
 - that participants are free to participate or to decline to participate or to withdraw from the research at any time;

- factors that may be expected to influence their willingness to participate (such as risks, discomfort, adverse effects, emotional trauma or recall, limitations on confidentiality and so on); and
 - any other aspects about the research which prospective participants inquire about, at any point during the research process.
- (d) The research participant, therefore, must have a complete understanding of the aims and processes of the research, its intended outcome as well as any consequences that may follow from its publication in the public domain. In the case of children, their parents, guardians or caretakers should have this understanding and the children should have as much information as they can understand.
- (e) Researchers must also explain that refusal to participate or withdrawal from participation in the research involves no penalty or consequence.
- (f) Informed consent may not be obtained *by proxy*.
- (g) Any deviation from a 'consent form' or verbal agreement must be agreed to by both parties, and signed to.
- (h) In undertaking research with vulnerable populations (e.g., youth, recent immigrant populations, the mentally ill), researchers must take special care to ensure that the voluntary nature of the research is understood and that consent is not coerced.
- (i) Payment is considered coercion under most circumstances. However, minimum payment to cover costs of attending interviews may be considered.
- (j) The research results must not be used for any other purpose other than those originally intended and consented to by both parties.
- (k) ***If, under such circumstances, researchers have any doubt whatsoever about the need for informed consent, they must consult with their institutions, faculties, organisations, supervisors or lecturers or with any another authoritative body with expertise on the ethics of research before proceeding with such research.***

4. FORSEEABLE CONSEQUENCES

- (a) In the planning of research, researchers must consider the ethical acceptability and the foreseeable consequences of their research.
- (b) Researchers must protect participants against foreseeable physical, psychological or social harm or suffering which might be experienced in the course of the research or as a result of the research.
- (c) Researchers should be especially sensitive in their protection of the rights and interests of more vulnerable participants, such as children and the aged. When there is risk of harm, discussion of this with participants or their guardians must precede the research and be included in the informed consent procedure.
- (d) No research should be undertaken on such vulnerable subjects if the required information can be obtained by other means.

PARTICIPATION

- (a) Research participants must not be forced, threatened or bribed into research in any way.
- (b) Researchers must respect the right of individuals to refuse to participate in research and to withdraw their participation without prejudice to them at any stage of the research.
- (c) If conflict arises between the interests of researchers and those of research participants, the principle holds that the interests of the research participants take precedence.
- (d) The researcher must insure that participants are informed of the degree of confidentiality with which the material that they provide will be handled, prior to participation in the research.

- (e) The research should be done at a time and place at the convenience of the research participants so that their income and work is not affected in any way.
- (f) Research participants must be comfortable with and consent to the method(s) in which the research is undertaken (i.e. video, tape-recording, scribing etc.).
- (g) Researchers must always be aware of over-exhausting respondents. Researchers must be sensitive to research participants' levels of fatigue. As a general rule, interviews should be limited in time.

5. CONFIDENTIALITY

Researchers have an obligation to ensure that confidential information is protected. They do so to ensure the integrity of the research, the privacy of research participants, and to protect sensitive information obtained in research, teaching, practice, and service. When gathering confidential information, researchers should take into account the long-term uses of the information, including its potential placement in public archives or the examination of the information by other researchers or practitioners.

- (a) Confidential information provided by research participants, employees, clients, or others must be treated as such even if there is no legal protection or privilege to do so.
- (b) Information obtained in the course of research, which may reveal the identity of a participant, is confidential unless the participant agrees to its release.
- (c) The obligation to maintain confidentiality extends to members of research or training teams and collaborating organisations who have access to the information. To ensure that access to confidential information is restricted, it is the responsibility of researchers, administrators, and principal investigators to instruct staff and colleagues to take the steps necessary to protect confidentiality.
- (d) Guarantees of confidentiality and/or anonymity given to research participants must be honoured, unless there are clearly *exceptional reasons* to do otherwise. Note: need to define **exceptional reasons** (such as, "if it prevents harm to another person").
- (e) Researchers must not use research as evidence for the arrest or exposure of a research participant or client.
- (f) If the participant is involved in other activities that are endangering themselves or others, e.g. participation in murder, serious assault, kidnapping or blackmail, a different set of ethics apply and the researcher may then have to make a report on those activities. It is advised that the researcher seek legal advice before doing so.
- (g) If the 'raw data' is to be made available in any form (i.e. for submission of a higher degree) the researcher must remove *any* information that would identify the research participants in any way (even basic demographic data: "the maths teacher at the high school in such-and-such suburb" ; medical status: HIV").
- (h) The research should not expose the specific identity or location of a research participant in any way, unless consent has been given to do so.

6. ANONYMITY

- (a) Researchers must not disclose in their writings, lectures, or other public media confidential, personally identifiable information concerning their research participants obtained during the course of their work, unless consent from individuals or their legal representatives has been obtained.
- (b) When confidential information is used in scientific and professional presentations, researchers must disguise the identity of research participants.

7. PRIVACY

- (a) Researchers must respect the privacy and dignity of the research participant on the participant's terms.

- (b) The researcher shall, at the design stage of any project, thoroughly explore the degree of invasion of privacy and the risks of breach of confidentiality that are involved in the project, weigh them against potential benefits, and make therefrom a recommendation as to whether the project should be executed, and under what conditions.
- (c) Interviews (whether focus groups or one-on-one) must be conducted in private.
- (d) Researchers must take reasonable steps to ensure that records, data, or information are preserved in a confidential manner consistent with the requirements of this Code of Ethics.
- (e) When researchers transfer confidential records, data, or information to other persons or organisations, they obtain assurances that the recipients of the records, data, or information will employ measures to protect confidentiality at least equal to those originally pledged.

8. INFORMED CONSENT IN RESEARCH FILMING OR RECORDING

- (a) Researchers must obtain informed consent from research participants prior to filming or recording them in any form, unless the research involves simply naturalistic observations in public places and it is not anticipated that the recording will be used in a manner that could cause personal identification or harm.
- (b) Researchers must never deceive research participants about significant aspects that would affect their willingness to participate, such as physical risks, discomfort, or unpleasant emotional experiences.
- (c) Researchers must provide a prompt opportunity for participants to obtain appropriate information about the nature, results, and conclusions of the research, and attempt to correct any misconceptions that participants may have.
- (d) Researchers must take reasonable measures to honour all commitments they have made to research participants.

9. INTERVENTION AND SUPPORT

- (a) Researchers and assistants are permitted to perform only those tasks for which they are appropriately trained and prepared.
- (b) The design of the study must include strategies to reduce any possible distress that may be caused to the participants by the research.
- (c) The researcher must not provide advice on any medical, psychological or legal matter, unless professionally trained to do so. If medical, psychological or legal issues or questions are raised by the research participant, the researcher must make the appropriate referrals.

10. SCHOOL-BASED RESEARCH

Written permission must be obtained in advance from the Department of Education for all school-based research. Written permission must also be obtained in advance from the Principal of the school for the Research to be undertaken.

Parental consent does not need to be obtained from children's parents if the research does not include a substantial departure from normal classroom routine.

11. WORKING WITH NON-GOVERNMENTAL ORGANISATIONS AND THE DEPARTMENT OF EDUCATION

- (a) The aims, objectives, operational definitions and terms of reference for the research must be reviewed and approved by the NGO or any other relevant party (such as the board of trustees), prior to the commencement of the research.
- (b) The nature, purpose and the intent of the research must be explicit and in writing.
- (c) If the NGO agrees to the research, the NGO has the right to review and comment on the research prior to publication.

- (d) The NGO will ensure that the clients they introduce to the research understand the implications of being photographed, audiotaped, appearing on TV/video or giving their real names.
- (e) In cases where clients do not want to be identifiable, the NGO will inform them of their right to speak to the researcher using pseudonyms.
- (f) The NGO will also encourage journalists to practise responsible journalism by respecting the confidentiality of clients and obtaining written permission from the participants in the event of the publication of any visual materials featuring their clients.
- (g) The NGO's relationship with their clients must be treated with respect and confidentiality at all times.
- (h) The NGO will not be responsible for any costs or injuries incurred by the researcher or his/her organisation during the course of the research.

12. STUDENTS

(This section details additional obligations on students who would like to conduct research within NGO structures)

- (a) Students must obtain appropriate approval from host institutions or organisations prior to conducting research and must provide detailed and accurate information about their research proposals.
- (b) NGO's may prescribe to prospective researchers, what areas of research need to be undertaken.
- (c) Research proposals submitted to NGO's must be approved by the student's faculty (the professor, supervisor or lecturer).
- (d) The faculty (the professor, supervisor or lecturer) should have the primary responsibility for ensuring that human subjects used in social research are protected adequately by the application of the appropriate code of ethics to every project involving human subjects in their faculty. The NGO must agree to and add to this code of ethics.
- (e) The faculty should ensure the documentation relating to consent and intent of the research is complete.
- (f) The student/researcher should make every attempt to fully understand the mission, vision and operational definitions of the host organisation.
- (g) As a general rule, student researchers should always consider methods other than interviewing human subjects to acquire research information.
- (h) The student must submit a copy of the full research to the NGO (including interviews and other "raw data"). Refusal or negligence to submit research work will be considered a breach of the agreement with the NGO.
- (i) Failure to forward the research should be considered a limitation of the research methodology.
- (j) The NGO has a right to archive the research and to utilise the results for advocacy purposes.
- (k) The NGO has the right to withdraw from the research at any time.

13. WORKING WITH GOVERNMENT AND GOVERNMENT RECORDS

- (a) Researchers are not "entitled" to government records. Ethical access must be negotiated and all principles within this Code of Ethics apply to working with government.
- (b) The researcher should make a reasonable effort to ascertain whether other organisations are working with the state (in a similar field) to avoid compromising both parties' research.
- (c) The aims, objectives, operational definitions and terms of reference for the research must be reviewed and approved by the state department, prior to the commencement of the research.
- (d) The nature, purpose and the intent of the research must be explicit and in writing.

14. PUBLICATION OF FINDINGS

- (a) Copies of reports/documentaries should be forwarded to the NGO who participated in the research, prior to publication. Feedback sessions should also be considered as a way of sharing research findings with participants and any other relevant parties.
- (b) If the language of the report is very technical or academic some attempt should be made to translate the content of the report for the benefit of any NGO or NGO client that is unable to understand it (i.e. in an executive summary format).
- (c) If appropriate, the NGO should have the right to check the analysis and nature of the reporting to avoid sensationalism.
- (d) If reasonably possible to do so, the research participant(s) should be allowed to check whether the report accurately reflects their contribution to the project.
- (e) The research report must avoid using language that directly or indirectly discriminates against anyone on the basis of race, gender, sex, ethnic or social origin, colour, sexual orientation, age, disability, religion, conscience, belief, culture or language.
- (f) The researcher shall make efforts to anticipate and prevent misunderstandings and misuse of reports within the institution by careful presentation and documentation in original reports, and follow-up contact with institutional users of those reports.
- (g) If a research report has been altered, intentionally or inadvertently, to the degree that its meaning has been substantially distorted, the researcher shall make reasonable attempts to correct such distortions.
- (h) When research requires maintaining "personal identifiers" in databases or systems of records, researchers must delete such identifiers before the information is made publicly available.
- (i) The NGO (or host organisation) is entitled to pursue independent arbitration against the researcher or research organisation if the research findings are in any way falsified, sensationalised or breach any conditions of the working agreement between the host organisation and the researcher.

15. CONFRONTING ETHICAL ISSUES

If, under such circumstances, researchers have any doubt whatsoever about the ethical implications of their research, they must consult with the Research Ethics Committee of the School of Ed. before proceeding with such research.