

## **Guidance Note to Help Determine Whether or not Ethical Review is Required for a Project or Activity**

Expected Audience: Professional and Support Staff

The purpose of this guidance note is to help staff who are less familiar with research ethics processes to determine whether or not ethical review is required for their projects or activities. This guidance note is intended to be used primarily by professional and support staff, especially if they are working on projects in partnership with academic colleagues.

Ethical requirements arise from an evolving understanding of the rights and duties of human beings. Ethics are broader than law, though the law can both reflect and clarify ethical duties. Birkbeck staff and students are expected to exercise the ethical principles of honesty, rigour, transparency, openness, care and respect in relation to all their activities.

Research is not the only activity undertaken by members of the College which raises ethical questions and could benefit from a process of ethical review.

### **Background:**

Ethical review should be considered for any activity which includes:

- Human participants (whether participating actively or through observation) – from the perspective of their welfare and interests and duties of care for their personal data
- Where there are legitimate concerns for the welfare and interests of those carrying out the activity
- Animals – from the perspective of their welfare and interests and duties of care
- The potential to damage or change our cultural heritage
- Changes to the natural environment
- The potential for reputation of the individual, the department, the College and academia as a whole to be damaged. The welfare and interests of the wider community should also be considered.

There is also a common misconception that ethics approval should always be sought at the start of a project or activity. This is not true, and it is always possible that as the work unfolds you discover an ethical issue which it was not possible to anticipate at the start. In these cases, ethical approval should be sought as soon as is reasonably practical.

### **Research vs Service Evaluation**

As part of “business as usual” all HEIs look to evaluate and improve their service.

However, we are seeing an increasing number of projects where the College is using classical research methodologies to look to improve its service provision and resulting in an increasingly blurred line between service evaluation/improvement projects and research projects.

Research projects are projects which address clearly defined questions, aims and objectives and usually involve collecting data that are additional to those collected routinely (but may include data collected routinely).

Whereas, service evaluation projects:

- Are designed and conducted solely to define or judge current service or to produce information to inform the best delivery of the service
- May be designed to answer questions of the type “What standard does this service achieve?” or “Does this service reach a predetermined standard?”
- May measure current service with or without reference to a standard and may involve systematic, statistical methods.
- Usually involves analysis of existing data but may include administration of interview or questionnaire or collecting personal data and samples
- May be used to identify and understand risks/benefits associated with a given activity

Under normal circumstances, a service evaluation project would not need ethics approval whereas a research project would.

Examples of service evaluation projects would include statutory returns (e.g. HESA; access agreements etc.) or a cross-HEI project looking at factors influencing a specific group of students which will not be divulged outside the partner HEIs.

However, irrespective of whether the project is research or service evaluation, ethical review **must always be sought for**:

- any activity where there is a real risk of causing distress to participants
- any activity where there is a real risk that individuals who took part in the activity may be (or become) identifiable
- any student retention and/or success projects undertaken in partnership with academic researchers from the College

Similarly, ethical review should be considered for any service evaluation activity where the findings are going to be made public outside the College if the College will be identifiable as the participant institution. In this case, a judgement needs to be made about the potential risk from the activity to decide whether or not ethical review is appropriate. It may be helpful to consider this from different perspectives, for example:

- Could you happily justify your activity to your manager or a colleague or friend?
- What would your actions look like if publicised in the media?
- Is the potential benefit worth it?
- What could go wrong as a result of your activity for you, your colleagues (staff and students), other stakeholders or the wider College/community?
- Is it your decision to make?

As a rule of thumb, activities where these questions do not raise any concerns do not normally require ethical review; however, please note that the list above is not exhaustive and it is never wrong to seek further informal advice or request ethical review if you are unsure. Ethics is always a question of judgement and you may have a different view to your

colleagues but there is a shared responsibility to ensure any ethical questions are dealt with sensitively and appropriately.

You should initially discuss any concerns with your line manager or Director. If, after this discussion there are still some unanswered questions the please contact the Head of Research Strategy Support ([sarah.lee@bbk.ac.uk](mailto:sarah.lee@bbk.ac.uk)) further advice, including about whether/how ethical approval should be sought.

## **Common Areas where Ethical Questions Arise**

### **1) Academic Publication**

As noted above, there is an increasingly blurred line between research and some service evaluation projects and in these cases, the key discriminant is intent – i.e. the primary aim of research is to derive generalizable new knowledge, whereas the aim of service evaluation projects is to measure and improve standards of service or to assess whether what you are doing is working. Some projects may have more than one intent, in which case a judgement will need to be made about whether or not (and when) ethics approval should be sought.

If you are working with an academic researcher on either a research project or a service evaluation project then it is possible that the academic may wish to write up the findings as an academic paper for publication in a peer reviewed journal.

If the findings are going to be published in this way, then the project must be subject to ethical approval and all parties involved in the work should follow the expectations around research integrity laid down in the Colleges Research Integrity Code of Practice (<http://www.bbk.ac.uk/committees/research-integrity/Research%20Integrity%20Code%20of%20Practice%20final%202022%2011.pdf>) and adhere to appropriate conventions about attribution of authorship. If this work began as a service evaluation project, then the appropriate point to seek ethical review would be when the decision to publish had been taken.

The UK Research Integrity Office have produced a guidance note about authorship which can be accessed here: <http://ukrio.org/wp-content/uploads/UKRIO-Guidance-Note-Authorship-v1.0.pdf>

### **2) Using Personal Data Belonging to Birkbeck Staff or Students**

The College has a duty of care to protect the personal data it needs to collect from our staff and students; however, you may need to access this as part of your legitimate business activities.

College guidance about how you should handle and use personal data from our staff or student populations can be accessed here XXX (Staff) or here XXX (students). If how you want to use this data falls outside the advice given in these guidance notes then you should discuss the question with the relevant data controller and consider if ethical approval should be sought.

### **3) Fundraising**

As university funding models change and evolve, universities look to raise funds in different ways.

Some potential funders of university activities raise obvious ethical questions – such as the defence industry or the tobacco industry; in other areas the question is often less clear cut.

Crowd sourcing is an area of fundraising which has grown in prominence over recent years, but which can also raise significant ethical questions, and across the sector the use of crowdfunding websites would often be required to be subject to ethical approval (partly to consider questions around accepting money from potentially unidentifiable individuals for the activity and partly to allow consideration of the appropriateness of the chosen platform in the context of our charitable mission).

If you are considering raising funds from non-conventional sources you should initially talk to colleagues in our Development and Alumni Office and ethical approval can be requested if necessary.

### **Next Steps**

In producing this guidance note, the College is responding to a growing articulation of the role and importance of ethical considerations across the Colleges wider business interactions.

The College Ethics Committee will hold this area under review and will revisit (and where appropriate revise) this guidance note at least every two years. If interest in, and engagement with, this area continues to grow then the College Ethics Committee will bring in any additional governance structures it deems necessary.

If you are interested in learning more about how Ethics processes operate within the College, please see <http://www.bbk.ac.uk/committees/research-integrity/>

If you have any questions please contact the Head of Research Strategy Support  
[sarah.lee@bbk.ac.uk](mailto:sarah.lee@bbk.ac.uk)