



**Massey University**

Te Kunenga ki Pūrehuroa

**CODE OF ETHICAL CONDUCT  
FOR RESEARCH, TEACHING AND EVALUATIONS  
INVOLVING HUMAN PARTICIPANTS**



## CODE OF ETHICAL CONDUCT FOR RESEARCH, TEACHING AND EVALUATIONS INVOLVING HUMAN PARTICIPANTS

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## PREAMBLE

The Code of Ethical Conduct for Research, Teaching and Evaluations involving Human Participants has been developed to ensure that research, teaching and evaluation activities undertaken by staff and students of Massey University are consistent with Section 161 of the Education Act 1989. This Section guarantees the freedom of academic staff to engage in research and to teach and assess students in the manner, which they consider best promotes learning. However, it also requires that institutions maintain the highest ethical standards and permit public scrutiny of the maintenance of those standards.

The following activities must comply with the Code of Ethical Conduct for Research, Teaching and Evaluations involving Human Participants<sup>1, 2</sup>.

- a) All research involving either the participation of humans or where the research impacts on individuals, groups or communities. This includes consultancies, contract research, staff research and supervised student research.
- b) Any teaching which involves the participation of students for the demonstration of procedures or phenomena, which have a potential for harm.
- c) Any evaluation of university services, organisational practices or teaching programmes where information of a personal nature may be collected, where participants may be identified, or where the performance of staff may be commented on. This does not include routine organisational quality improvement activities, e.g. academic programme evaluations or service delivery projects but does include activities which have a research component and may lead to publications.

The Code is endorsed by the Massey University Council and administered by the Director, Research Ethics through the Massey University Human Ethics Committees at Albany (HEC: Northern) and Palmerston North (HEC: Southern A and B). These Committees have received accreditation from the Health Research Council.

The intention of the Code is to provide protection for all participants in research and certain teaching and evaluation programmes as well as to protect researchers and institutions.

The Code is an expression of the basic human rights of respect for persons, autonomy, privacy and justice.

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<sup>1</sup> Unless specified otherwise 'Code' refers to the Code of Ethical Conduct for Research, Teaching and Evaluations involving Human Participants.

<sup>2</sup> A human participant is any person participating in a research, teaching or evaluation situation as:

- an experimental participant,
- as an example of some human characteristic or condition,
- as a recipient of any physical, psychological, behavioural or social intervention or manipulation, or
- as a provider of information.

Though recognising the variety of descriptions of such persons in different research areas and disciplines, e.g. subjects, clients, patients, informants, the Code uses the term 'participants'.

Participant status may also be accorded to organisations and institutions depending upon whether or not the nature of the research gives rise to substantial human participation.

## SECTION 1: PRINCIPLES

### 1 Introduction

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. Massey University staff are part of a changing social system. They are, therefore, required not only to abide by ethical principles such as justice, truthfulness, confidentiality and respect for persons, but also to attend to the evolving understanding of how these principles are expressed in society at a particular time. Staff must, for example, be aware of the Treaty of Waitangi as well as cultural sensitivities, and gender and socio-economic differences. In particular, staff must recognise the power relationships involved in their work particularly where there are age, ethnicity, cultural, religious, class or gender disparities between researchers/teachers and participants or where the persons involved belong to vulnerable groups in research (e.g. the mentally ill, the socially disadvantaged, young children).

Research procedures should be appropriate to the participants involved in the project. Researchers have a responsibility to recognise their own cultural location and to inform themselves of and take steps necessary to respect the social and cultural sensitivity of all participants. Meeting language preferences of participants in the provision of information is particularly important.

### 2 Principles

Ethical principles are not to be confused with ethical rules. Rules are specific and prescribe or forbid certain actions. Principles, on the other hand, are very general and need to be interpreted before being applied in a context.

The major ethical principles are:

- a) respect for persons;
- b) minimisation of harm to participants, researchers, institutions and groups;
- c) informed and voluntary consent;
- d) respect for privacy and confidentiality;
- e) the avoidance of unnecessary deception;
- f) avoidance of conflict of interest;
- g) social and cultural sensitivity to the age, gender, culture, religion, social class of the participants;
- h) justice.

## SECTION 2: TREATY OF WAITANGI

- 3 The Treaty of Waitangi with its embedded concepts of protection, participation and partnership require that researchers consider carefully their research protocol where Maori are involved as participants, or where the project is relevant to Maori.
  - a) The concept of partnership requires that researchers work together with iwi, hapu, whanau and Maori communities to ensure Maori individual and collective rights are respected and protected.
  - b) The concept of participation requires that Maori are involved in the design, governance, management, implementation and analysis of research, especially research involving Maori.
  - c) The concept of protection requires that researchers actively protect Maori individual and collective rights, Maori data, Maori culture, cultural concepts, values, norms, practices and language in the research process.
- 4 In particular:
  - a) the principle of respect of persons requires respect for Maori collectives - whanau, hapu and iwi;
  - b) the principle of informed consent requires gaining consent of collectives;
  - c) the principle of privacy and confidentiality requires acknowledgement of the collective ownership of information;
  - d) the principle of research adequacy requires that kaupapa Maori and Maori-focused methodologies be acknowledged;
  - e) the principle of social and cultural sensitivity requires an acknowledgement of cultural diversity.
- 5 All parties involved in activities covered by this Code should respect the principles implicit in the Treaty of Waitangi.
- 6 Research, teaching and evaluations covered by this Code must be undertaken in a culturally sensitive and appropriate manner in full discussion and partnership with participants. The results of any research must be appropriately disseminated in a full and frank manner. The rights of participants with regard to person data must be respected.
- 7 Te reo Maori is an official language of New Zealand and is highly valued by many research respondents. Research respondents should be offered the choice of responding in either Maori or English (or, alternatively, if participants volunteer to respond in Maori, they should not be excluded for wanting to do so). If researchers are not fluent, appropriate alternative arrangements should be made to enable respondents to communicate in Maori.

- 8 Broad Maori cultural concepts should be respected and supported through ethical review. Such concepts include Maori perspectives of health and well-being such as te taha tinana (the physical element), te taha wairua (the spiritual element), te taha hinengaro (the emotional and psychological elements) and te taha whanau (the family and community elements). Other important concepts are hauora, kaupapa Maori, and tikanga Maori.

Research on Maori should be considered on a case by case basis to assess whether or not the research project requires explicit inclusion of Maori ethical perspectives in ethical approval documentation. Maori ethical perspectives not only operate to ensure high quality research on Maori or Maori health, but also to ensure Maori participants, tikanga, and cultural concepts are protected. In most cases a decision about inclusion of Maori ethical perspectives will not be known until the research project is presented for approval.

Maori ethical perspectives will be important when the situation in question would normally require observance of tikanga Maori, such as research that involves working with whanau of Maori who have recently died and/or the body of the deceased. Another example is when a research project seeks knowledge which may be considered tapu by the respondents and therefore not usually available to outsiders. Such knowledge can be held by living respondents or contained in personal documentation that has not been made public.

In cases where non-Maori researchers are proposing research about Maori or Maori health, researchers should consider carefully their proposal in light of the principle of participation and the need to protect Maori participants.

*Applicants are referred to the Guidelines for Researchers on Health Research involving Maori from the Health Research Council website: <http://www.hrc.govt.nz>*

## **SECTION 3: APPLICATION OF THE PRINCIPLES**

### **9 Respect for Persons**

Respect for persons involves recognition of the personal dignity, beliefs (including cultural and religious beliefs), privacy and autonomy of individuals and the provision of special protection of those persons with diminished competence.

Individuals have the right to decide whether or not they wish to receive clinical treatment<sup>3</sup> or participate in research. They need not give reasons for refusing to receive clinical treatment or to participate in research.

Individuals have the right to discontinue treatment or to withdraw from participating in research at any time. A decision to withdraw from research or innovative practice shall not affect an individual's standard entitlements (for example, entitlements to health and disability care).

### **10 Minimisation of Risk of Harm**

#### **10.1 Risk of Harm to Participants**

It is not acceptable to expose participants to unnecessary harm. Harm includes such things as pain, stress, fatigue, emotional distress, embarrassment, cultural dissonance and exploitation. Researchers should make every attempt to identify and minimise such harm - physical, psychological, social and economic - attendant on participation by individuals or groups in a research project.

For Maori, minimisation of harm includes these categories as well as minimising harm to whanau (family and community), hinengaro (emotional well-being and state of mind), wairua (spirit), and tinana (the body or physical self). Harm may include such things as pain, stress, fatigue, emotional distress, embarrassment, cultural dissonance and exploitation.

Minimisation of harm to Maori research participants will also be achieved by the inclusion of Maori as partners and participants in the design, implementation, management and analysis of research about Maori or Maori health.

In some research projects, it may be necessary to screen potential participants for pre-existing conditions to determine whether it is safe for them to take part. In this situation, researchers will need to request potential participants to complete a health checklist.

Normally, transcripts of interviews should be provided to participants for editing. If the researcher considers that the right of the participant to edit is inappropriate, a justification would need to be made in the application.

Many procedures are potentially hazardous in terms of the equipment used (e.g. electrical) or the environment in which the project is conducted. Many chemical substances, including medicines (drugs) are hazardous or potentially so. Applicants should take account of the safety or otherwise of proposed studies. A Massey

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<sup>3</sup> It should be noted that in certain circumstances set out under the Mental Health (Compulsory Assessment and Treatment) Act 1992, compulsory treatment orders can be issued by a judge in the District Court. Under such circumstances patients do not have the right to refuse treatment. It should, however, be noted that compulsory treatment orders do not give investigators the right to automatically include patients in a research project or innovative practice.

University Human Ethics Committee may refer proposals to appropriate safety experts, including the relevant safety committee as it deems necessary. For advice on safety matters the Massey University Safety Officer should be consulted.

Unavoidable risk of harm, including inconvenience and discomfort to participants, will be balanced against possible benefit to the participants and the community. In judging the ethical acceptability of research, an element of risk in research may be acceptable where:

- a) participants have given informed consent;
- b) benefits to the public good outweigh the harm;
- c) the risks are necessary for the research to succeed and they are minimised.

### **10.2 Risk of Harm to Researchers**

In some research projects, there is a possibility of harm to the researcher. This should be recognised and minimised. Publication of home addresses and telephone numbers in Information Sheets may be unwise. Consideration should be given to safety factors when interviewing alone.

### **10.3 Risk of Harm to Groups/Communities/Institutions**

Publication of research results has the potential to harm groups, communities and institutions. Researchers must be aware of this in writing up results.

### **10.4 Risk of Harm to Massey University**

While Massey University is committed to the concept of academic freedom in research, the risks involved in research must be assessed and managed appropriately in order to protect the reputation of the institution.

## **11 Informed and Voluntary Consent**

Participation in any research project, teaching or evaluation programme must be voluntary and based on understanding of adequate and appropriate information about what such participation will involve. Researchers have a responsibility to provide prospective participants with all information relevant to their decision to participate, in a manner comprehensible to prospective participants. Such information, and participant's consent to participate, should normally be in written form and provided in a style appropriate to the participant. This may include translation into the participant's first tongue.

Consent may be obtained orally, particularly where this is culturally appropriate or where a participant is unable to provide written consent because of a disability. In such instances, the research process must include a procedure for obtaining consent and recording that consent has been actively obtained. A spoken statement on a tape or a list of participants at a hui would be appropriate in such circumstances. An appropriate third party should also be used as a witness in these circumstances. If an anonymous questionnaire is used, a statement stating that the return of the questionnaire implies consent should be included.

Written and recorded consent should be stored securely, in the control of the researcher, or supervisor where the researcher is a student (also refer Section 4, Item 24, page 17).

For research projects involving different stages and/or follow up interviews separate consents for each stage or follow up should be obtained. Thus, for example, if participation in an experiment is to be followed by a request to participate in an interview, a separate consent is required for each activity. In action research, consent should be obtained initially to enable exploration of the possible research work. This should then be followed by further consent as agreement is reached about specific research tasks.

Researchers should keep in mind four elements required for informed consent:

- a) information on which to make the decision;
- b) comprehension of the information;
- c) competence to make a decision and give formal consent;
- d) absence of pressure or coercion.

Pressure or manipulation of any sort to secure someone's participation as a participant in a research, teaching or evaluation situation is unacceptable. Researchers whose prospective participants may perceive themselves to be in any sort of dependent relationship with them (e.g. their students, patients or clients) need to be particularly careful. The right of individuals to decline to participate or to withdraw from participation without penalty of any kind and without having to provide reasons, must be recognised and respected. Individuals also have the right to withdraw identifiable information they have provided at any time prior to the completion of data collection.

Persons in a power relationship with the researcher (students, patients, employees) must be reassured that non-participation will in no way affect their studies, treatment, employment etc.

### **11.1 Collective Ownership of Information**

A significant point of difference between Maori and western views of information, and data, is the role and rights of collectives versus individuals. The more usual western view is that aggregate, non-individual identifying statistics are able to be promulgated publicly. In contrast, many Maori would consider that collectives, such as whanau, hapu and iwi, should be treated in the same way as individuals, and that explicit approval should be sought and received from appropriate representatives in the same way that individuals give permission for their personal data to be used.

## **12 Respect for Privacy and Confidentiality**

Privacy and confidentiality of individuals, communities, institutions, ethnic groups and other minorities must be respected. No participant can be identified without the consent of that participant.

The confidentiality of information obtained incidentally during research must also be respected except where disclosure is necessary to avoid grave harm. This possibility needs to be addressed in the information provided to potential participants.

Recent court decisions have raised issues concerning the assurances that researchers give to participants regarding the protection of their identity and the confidentiality of data. If

potential participants cannot be guaranteed confidentiality of the information provided by them, this should be drawn to their attention in the Information Sheet.

Researcher(s) should now:

- a) recognise that it is not possible to give an **absolute** guarantee of confidentiality where information is being recorded. The researcher should make it absolutely clear that he/she can only give an assurance of confidentiality to the extent allowed by law, and ensure that subjects taking part in the research are informed that this is not an absolute protection;
- b) recognise that in any event there is a risk of inadvertent disclosure whenever information is needed;
- c) note that where an assurance of confidentiality has been given as a condition for participating in the research, the researcher must be pro-active in protecting that confidentiality.

Note that Principle 3(4) of the Privacy Act 1993 for the specific circumstances in which it is acceptable for personal information to be collected from an individual without that individual either being made aware of the fact that it is being collected, or of the purpose for which the information is being collected.

Applicants should be aware that privacy law is not confined to the Privacy Act 1993. In particular, there have been recent judicial decisions, which have supported legal action for 'invasion of privacy'. In essence this action requires the 'public disclosure of private facts' and that those private facts would be 'highly offensive and objectionable to a reasonable person of ordinary sensibilities'.

*Applicants are referred to the Privacy Act from the Office of the Privacy Commissioner website: <http://www.privacy.org.nz/>*

A confidentiality agreement must be obtained from any person transcribing tapes or any person other than the researcher/supervisor who has access to the data.

Researchers are responsible for keeping information (including the identity of participants) confidential and secure from interception or appropriation by unauthorised persons or for purposes other than the approved research. This will often require coding of data and removal and destruction of identificatory material from questionnaires and other documents. Identification codes must be stored separately from the data. Researchers are also responsible for the safekeeping and confidentiality of signed Consent Forms and health checklists where used.

In the case of access to records for participant recruitment, the researchers should arrange for the holders of those records to identify potential research participants and, in the first instance, approach them directly on behalf of the researcher.

Confidentiality of information emerging in focus groups must be protected. This should be drawn to the attention of focus group participants in the Information Sheet and included in the Consent Form.

Particular care is needed when using sound or image recordings in which participants are easily recognisable.

Researchers must also be alert to the possibility of breaking confidentiality through request slips for summaries of research findings.

### **13 Avoidance of Unnecessary Deception**

Deception of participants conflicts with the principle of informed consent, but in some areas of research the withholding of information about the purposes and/or procedures of the research may be justified.

Researchers must make clear to a Massey University Human Ethics Committee the precise nature and extent of any deception, and why it is thought necessary. Emphasis on the need for consent does not mean that covert research can never be approved. Any departure from the standard of properly informed consent must be acceptable when measured against possible benefit to the participants and the importance of the knowledge to be gained as a result of the project or teaching session.

Researchers have a responsibility also to ensure that participants of covert or deceptive procedures are provided as soon as possible with a sufficient explanation of the true purposes and nature of the research and reasons for the deception.

### **14 Avoidance of Conflict of Role/Interest**

Generally, applicants must avoid any project that puts them in a position where their activities as a researcher or teacher might come in conflict with their interests as a professional or private individual. Applicants must explain the nature of any potential conflict, and what actions they propose to take to minimise, avoid or resolve the conflict.

In particular:

- a) any sponsorship of a project must not compromise its research adequacy, ethical acceptability or the freedom of the researcher to publish the research findings.

*Applicants are referred to the Policy on Grounds for Embargoing of Theses which is administered by the AVC (Research & Enterprise).*

- b) where possible, researchers should avoid recruiting participants who perceive themselves to be in a dependent relationship with the researcher (e.g. clients, patients, students, employees). If this situation is unavoidable the researcher must state in the Information Sheet that non-participation will not affect studies/treatment/employment etc;
- c) researchers must declare any financial interest in the outcome of the project;
- d) in the evaluation of teaching, course content or procedures, tutors/lecturers/teachers need to make every attempt to collect data in ways in which anonymity is likely to be sustained.

### **15 Social and Cultural Sensitivity**

When conducting research in communities, researchers have responsibilities to two constituencies; the academic community which is governed by commitment to academic excellence which is subject to peer review, 'the community' in which the research is being conducted, the community may operate according to a different set of measures,

accountabilities, reliabilities or validities. Research requires that certain conventions need to be followed:

- a) Cultural diversity for Maori. Researchers will need to be aware of the diversity of Maori and how this is reflected in research approaches and the range of Maori respondents who may participate in research.
- b) Where a Maori population is the focus of a particular research proposal, respect must be given to the principles of participation, partnership, and protection that are implicit in the Treaty of Waitangi.

*Applicants are referred to the Guidelines for Researchers on Health Research involving Maori from the Health Research Council website: <http://www.hrc.govt.nz>*

- c) Approval and/or active support by the indigenous or ethnic group(s) involved in the study should be sought before fieldwork begins. Cultural sensitivity in research practice means respecting the decision of any ethnic population not to participate, or to discontinue participation at any time.
- d) Cultural sensitivity in research assumes an appreciation of those attitudes, values, articles and actions, which constitute the cultural property, and traditions of ethnic groups. In order to work with such groups, researchers must have an appreciation of these factors, as well as the appropriate cultural protocols to be followed in negotiating any research contract.
- e) Culturally sensitive research should be based on collaboration between researchers and their participants. To establish this form of partnership means involving the appropriate population or group in the refinement of the research topic, the project design and clarifying issues such as accountability, ownership, and impact.
- f) Researchers are under an obligation to anticipate the consequences of any study on ethnic populations or cultural groups. Where research involves the acquisition of material and information transferred on the assumption of trust between persons, the rights, interests, cultural and intellectual property of the research participants must be safeguarded.
- g) When undertaking research outside the researcher's cultural location, researchers should be cognizant of the various forms and methods of accountability. Such populations or groups usually have their own forms of accountability which often involve extended family and tribal systems. These accountability systems need to be acknowledged in negotiating any research contract and in reporting back the results of the research. The primary audience for any study is the participating population or group.
- h) The ownership of research should be clarified at the outset of the research project. Ideally, research should have mutual benefits for the research participants and the wider community. In order to maximise any potential benefits, the researcher conducting the research must give priority to the needs and conventions of the participating population, including restrictions arising from the protection of intellectual property rights. There should be no exploitation of the research participants for personal gain or financial remuneration. The full contribution of participating population(s) should be recognised in the publication of results.

## 16 Justice

The ethical principle of distributive justice requires the fair distribution of the benefits and burdens of research within a given population. Distributive justice also imposes duties to neither neglect nor discriminate against individuals or groups who may benefit from advances in research. Research is only justified if there is a reasonable likelihood that the populations from which research participants are drawn stand to benefit from the results of the research.

Research must therefore:

- i. avoid imposing on particular groups, who are likely to be subject to over-researching, an unfair burden of participation in research;
- ii. not discriminate in the selection and recruitment, whether by inclusion or exclusion, of actual and future participants except where the exclusion or inclusion of particular groups is essential to the purpose of the research (discrimination can be focused on ethnicity, age, disability, religious affiliation, gender, sexual orientation, marital status, employment status, family status, language or spiritual/ethical/political beliefs);
- iii. respect the principles of the Treaty of Waitangi, particularly the principles of participation, partnership, and protection, where research involves Maori.

Individuals who are vulnerable and unable to protect their own interests must not be exploited for the advancement of knowledge. Research participants should not be selected simply because they are readily available in settings where research is conducted, or because they are easy to manipulate as a result of their illnesses or socio-economic conditions.

Care should be taken to avoid overburdening persons (for example, those who are institutionalised or with rare diseases) who are already burdened in many ways by their infirmities and environments. Research that involves risk should use other, less burdened populations, unless the research directly relates to the specific condition(s) of the individuals involved.

## SECTION 4: OTHER ISSUES

### 17 Research Adequacy

Research is not considered ethical if it does not meet appropriate standards of adequacy. While different research paradigms may inform the conception and design of projects, the following minimal criteria of adequacy must be present:

- a) the project must have clear research goals;
- b) its design must make it possible to meet these goals;
- c) it should not be trivial, but should potentially contribute to the advancement of knowledge to an extent that warrants the cost to participants; however, in the case of student research, it is recognised that research is undertaken for training purposes and may not always advance knowledge;
- d) the researcher/supervisor must have appropriate qualifications and/or experience to conduct the research;
- e) there has been discussion with colleagues, preferably independent of the research/teaching about the ethical issues associated with the research. In the case of student research, students must have discussed the ethical issues associated with the research with their supervisor(s).
- f) kaupapa Maori and Maori-focused methodologies. Like most innovative approaches, these methodologies require validation and must demonstrate adherence to a set of standards set by professional peers. Researchers must demonstrate to ethics committees that they have consulted with appropriately skilled experts to determine the validity of approaches. Where methodological development is a component of the research, such development must be accompanied by mechanisms for respondent protection.

### 18 Community Based Research

Students and staff wishing to carry out research within a community group must define their role in collaboration and consultation with that group. As a result of this process, the expectations of both the researchers and the community group with respect to the project process, outcomes and reporting should be clear before any research begins. However, some aspects of the research are **not** open to negotiation as they have been pre-defined by Massey University. It is important that a community group is aware of these and that the University's requirements are incorporated into any contract between the group and the researcher. These aspects are outlined below:

- a) all Consent Forms or recorded consents are to be stored in a safe and secure manner under the control of the researcher or the supervisor if student research. This facilitates future reference to these forms if necessary;
- b) all raw data with personal identifiers attached remain confidential to the researcher and supervisor (where research is conducted by a student);
- c) in the case of student researchers all written reports to the community group are to be submitted through the student's supervisor before going to any other party;

- d) as soon as the report is complete it must be presented to the community group concerned to allow the community group to comment;
- e) it would normally be expected that the researchers have the right to publish research reports freely and objectively once the community group has been given reasonable time for comment.

In addition to the above there may be other, more flexible points which a researcher and community group may wish to discuss.

These may include:

- i. whether the community group should be consulted about any questionnaire, interview schedule, research methodology etc used in the project;
- ii. how frequently the researchers should provide progress reports to the community group;
- iii. the manner in which the research should be presented to the community;
- iv. ownership of intellectual property.

## **19 Research involving Children**

Children are deemed to be those fifteen (15) years old or younger.

Where research involves children there should be a specific and demonstrable need to perform the research on children and no other reasonable route to the relevant knowledge is available.

A prime consideration in any research involving children is that it is not against the interest of any individual child participant. Non-therapeutic research procedures should not be carried out if they involve greater than minimal risk of harm to any individual child participant.

In undertaking research involving children the following requirements arise:

- a) the Information Sheet should be prepared at a level of language, which reflects the reading age of the participant;
- b) children must be able to give their own consent if they are competent to understand the nature of the project. This usually applies from around the age of seven (7), but it could be younger. The researcher must gauge the understanding of the child and act accordingly;
- c) if the participation of children fifteen (15) years old or younger is being sought, their parent/guardian/carer's consent should normally be obtained. Usually this will be necessary before the children are approached for their consent. In these instances, a separate Information Sheet will be needed for the parent/guardian/carer. Where the researcher believes that the gaining of parental consent would be of potential harm to the child, a case should be made in the application for not gaining parental consent;
- d) if research is undertaken in a Pre-School/School setting, the researcher may be required by these institutions to submit a Police Security Clearance;

- e) if children in a classroom or other group setting are being asked to participate in a research project, procedures must be put in place to protect the anonymity of those children who do not wish to participate, or whose parent/guardian/carers do not wish them to do so. The Information Sheet should indicate what disruption, if any, will happen to the child's education programme; disruption should be avoided if at all possible;
- f) because of the conflict of interest involved, parents/guardians/carers cannot give valid consent on behalf of their children if they are also the researchers. Either the consent of another parent/guardian/carer must be sought, or the child must be withdrawn from the project;
- g) no financial inducements should be offered to parents or guardians to persuade them to enter their children into a research project. Compensation for expenses incurred by reason of participation may, however, be offered. Small gifts for the child participants after completion will also be allowed.

## **20 Massey University Staff and Students as Participants**

Particular care must be taken to preserve the rights of staff and students who are participants in projects. Confidentiality is particularly important. Where possible, students should be recruited outside the lecture room. Time spent recruiting students in a class room should be kept to a minimum, normally no more than five (5) minutes.

## **21 Principles relating to the Treatment of Human Remains, Tissues and Body Fluids**

All human remains must be treated with respect, irrespective of age, condition, origin, ethnicity, religion, sex or nationality.

Research, teaching and evaluations involving human remains, tissues and body fluids should only take place if there are demonstrated legitimate, scientific or educational reasons. In addition, the wishes of the local community, ethnic groups, relatives, guardians and the dead persons, with respect to investigation, storage, and/or disposal should be complied with wherever possible and reasonable when they are known or can reasonably be inferred.

## **22 Respect for Property Rights**

Processes of research and publication must not violate or infringe personal, legal or culturally determined property rights. These may cover such things as land and goods, works of art and craft, spiritual treasures, information and works of the intellect.

*Applicants are referred to the Massey University Policy on Intellectual Property from the Massey University Policy Guide website: <http://policyguide.massey.ac.nz/>*

## **23 Compensation of Participants**

- a) Researchers undertaking clinical trials must complete the relevant forms included in the National Application Form concerning coverage of research participants for injury in a research study.
- b) If participants suffer physical injury as a result of participation in Massey University research, should ACC decline cover, participants are directed through a statement on the Information Sheet to contact the researcher who will then notify the Research Ethics Office to initiate discussions concerning cover under the Massey University insurance policy.

- c) Researchers may wish to reimburse participants for expenses incurred as a result of participation. These expenses may include opportunity costs (e.g. for time) or other costs (e.g. for travel). Reimbursement of reasonable travel costs is accepted as a legitimate practice. The case for payment of opportunity costs for participation in the research is less clear and some guidelines are detailed below.

The conditions are:

- i. the payment must in general apply to all participants and all participants must be fully informed of the terms and conditions of the payment;
  - ii. the level of, and reason for, the payments should be clearly spelt out in the application, the Information Sheet and any advertising or promotion of the research;
  - iii. the opportunity must be given for the participant to decline payment or seek recompense in an equivalent or alternative manner (e.g. Koha payment to an Iwi);
  - iv. at the onset of the project, researcher(s) should make clear to participants their absolute right to withdraw from research, irrespective of whether or not payment is involved;
  - v. payments to participants must not be used;  
either as an inducement to participate in research;  
or to encourage participants to undertake dangerous or harmful acts which they would not perform in their normal lifestyle;
  - vi. payments to children must not be made without prior approval by their parents or guardians.
- d) Traditionally, koha is an acknowledgement of the knowledge and/or hospitality extended by tangata whenua to manuhiri. Koha is presented as part of the powhiri onto a marae or other venue of the tangata whenua. Koha may be offered in line with the cultural norms of the researchers and/or participants in research.

## **24 Storage/Archiving/Disposal of Data**

Clear indication should be given to potential participants regarding procedures for the storage of data and their disposal at the completion of the project. Storage should be accessible by researcher/supervisor only. Data provided by participants is not owned as such by the researcher but rather is in the safe-keeping of the researcher (or supervisor where the project is conducted by a student). Where sound and image recording are involved, the option of the participant retaining the recording or agreeing to its storage in a research archive should be explored. In the case of the latter option a suitable release form should be negotiated with the interviewee clarifying condition of access. Advice on the nature of the release form can be found in the Code of Ethics devised by the National Oral History Association of New Zealand.

The Massey University Code of Responsible Research Conduct and Procedures for dealing with Misconduct in Research recommends that data generated by researchers should be recorded in an appropriately referenced and durable form having regard to any research or

ethical protocols under which the data have been obtained; the time such data may be held and the extent to which the data will be accessible.

*Applicants are referred to Part 2, section 2 of the Massey University Code of Responsible Research Conduct and Procedures for dealing with Misconduct in Research from the Massey University Policy Guide website: : <http://policyguide.massey.ac.nz/>*

Clear procedures must be established for the destruction of data at the end of the storage period. This will include determining who will be responsible for the destruction.

All researchers must be aware of the need for care with respect to computer-stored data. Do not trade-in or dispose of a computer without clearing the hard disk.

## **25 Re-Use of Samples/Data**

Samples and/or data cannot be re-used in a new research project without going back to the participants for their informed consent.

Where it is impossible to do this, approval for the use of de-identified samples or data will be undertaken by a Massey University Human Ethics Committee on a case-by-case basis.

## **26 Formulation and Publication of Results**

Researchers should be aware that there is an ethical dimension to the formulation and publication of results, an obligation to share research findings with participants in an appropriate form and inform participants how the findings will be disseminated. The researcher must remain sensitive to the uses to which less scrupulous people might put the research findings.

*Applicants are referred to the Policy on Grounds for Embargoing of Theses administered by the AVC (Research & Enterprise).*