

## Terms of Reference

Name:	Swinburne University Human Research Ethics Committee (SUHREC)
Approved by:	Deputy Vice-Chancellor (Research and Enterprise)
Contact:	Executive Director, Swinburne Research
Last reviewed:	June 2020

### PURPOSE

The Swinburne University Human Research Ethics Committee (SUHREC) is a source of expertise on human research ethical matters and is the review body for proposals for human research to be undertaken under the auspices of Swinburne University of Technology in conformance with the National Statement on Ethical Conduct in Human Research (NHMRC, ARC, AVCC 2007(updated 2018)) and other relevant codes and community standards and expectations. It assists the University in its commitment to meeting the highest standards of ethical and professional behaviour with respect to human research, such as to protect the interests of research participants, investigators and the University.

### GOVERNING BODY

SUHREC is the direct responsibility of the Deputy Vice Chancellor (Research and Enterprise) (DVCR&E) and reports to the DVC (Research and Enterprise).

### RESPONSIBILITY

It is the responsibility of SUHREC to:

1. Review proposals for research involving humans, their data or their tissues to be undertaken by staff, students or honoraries of the University, or by staff of any organisation which has contracted Swinburne to undertake HRE reviews on its behalf, to: determine whether they are ethically acceptable and in accordance with relevant paragraphs or chapters of the National Statement on Ethical Conduct in Human Research including sections relating to academic merit and integrity and any other relevant standards and guidelines and: grant approval; withhold approval; or withdraw approval as appropriate
2. Review requests for the University HREC to recognise the ethical approval of a research proposal granted by another NHMRC registered HREC and: grant approval; withhold approval; or withdraw approval as appropriate

3. Provide advice to the University as appropriate with respect to the ethical conduct of human research, having due regard to national, international and professional codes of conduct and community standards and expectations
4. Establish regular or *ad hoc* sub-committees or working parties and/or the appointment of regular or *ad hoc* committee delegates with reviews and approvals reported to/ratified at subsequent SUHREC meetings
5. Monitor the conduct of approved research protocols through the receipt of annual and completion reports
6. Provide reports on its activities to senior management as requested and to external regulatory bodies as required
7. Support the development and extension of university-wide education in human research
8. Advise on, revise and approve guidelines and procedures to assist in the performance of its role
9. Review its operation on an annual basis.

## COMPOSITION

### Membership

Membership should meet the standards outlined in the National Statement.. There should be equal numbers of men and women, and at least one third of the members should be from outside the institution. No member may fulfil more than one of the categories at the same time but may move into another appropriate category as required to remain quorate. The term of office is defined in the table below but individual appointments remain at the discretion of the DVC (R&E). Non-Swinburne members are offered indemnity but are not remunerated.

Name	Type of Appointment	Term of Office
Chairperson with suitable experience and whose other responsibilities will not impair SUHREC's capacity to carry out its obligations	Chair	Two years with option to renew in two-year periods; maximum term of 6 years
At least one layman with no affiliation with Swinburne University and does not currently engage in medical, scientific, legal or academic work	Member	Two years with option to renew in two-year periods; maximum term of 6 years
At least one laywoman with no affiliation with Swinburne University and does not currently engage in medical, scientific, legal or academic work	Member	Two years with option to renew in two-year periods; maximum term of 6 years
Person(s) with knowledge of and current experience in the professional care, counselling or treatment of people	Member	Two years with option to renew in two-year periods; maximum term of 6 years

Person(s) who performs a pastoral care role in a community	Member	Two years with option to renew in two-year periods; maximum term of 6 years;
Lawyer(s) who is preferably not engaged to advise the University	Member	Two years with option to renew in two-year periods; maximum term of 6 years
Persons (at least two) with current research experience relevant to the research proposals to be considered	Member	Two years with option to renew in two-year periods; maximum term of 6 years
Pool of inducted members may be appointed to any of the categories above as required and provided that they meet the category requirements	Member	Two years with option to renew in two-year periods; maximum term of 6 years
Additional members may be appointed as required	Member	As required

### **Method of Appointment - Chair**

The Chair is appointed by the Vice Chancellor. In the event of an emergent vacancy, an Acting Chair may be appointed by the Deputy Vice Chancellor (R&E). Where the Chair is absent from a meeting, a member present will be selected to chair the meeting. The Acting Chair will be appointed from a pool of available present and past SHESC Chairs.

### **Method of Appointment – Deputy Chair**

A Deputy Chair is appointed by the Chair from the members as required. If the Chair is unable to do so, the appointment of the Deputy Chair will be made by a Swinburne Research representative

### **Method of Appointment – Members**

1. Members, including those in the pool, will be appointed by the DVC(R&E) through a process involving consultation with the Chair and other parties as appropriate to ensure membership accords with the National Statement.
2. The DVC(R&E) may terminate in writing the appointment of any member if the DVC(R&E) is of the opinion that:
  - a. It is necessary for the proper and effective functioning of SUHREC;
  - b. The person is no longer qualified or fit to serve on SUHREC; or
  - c. The person has failed to carry out their duties as a SUHREC member.
3. If a member is to be reappointed, there must be at least two years between appointments.

## **Method of Appointment – Secretary**

The Secretary or Ethics Administration Officer(s) will be appointed by Swinburne Research.

## **OPERATING PROCEDURES**

### **Meetings**

1. Meeting dates and agenda closing dates will be published on the Swinburne Ethics website.
2. Meeting documents will only be provided electronically.
3. SUHREC shall meet in an ordinarily deliberative capacity at least ten times a year.
4. SUHREC may convene 'by circulation'.
5. The DVC(R&E) or delegate can attend any meeting of SUHREC or any of its sub-committees and can raise items for discussion or deliberation regarding the management of human research activity.
6. SUHREC can consult expert opinion or participant advocates from outside its membership as appropriate.

SUHREC appoints a number of University researchers in an advisory capacity that are expert in review of indigenous research. The advisers are allocated to review applications to SUHREC that involve indigenous research. The advisers provide their written comments to SUHREC and these are incorporated in any Committee feedback to applicants.

7. The Chair has the right to invite attendance at meetings as appropriate.
8. SUHREC will maintain due confidentiality in all deliberation.
9. SUHREC members may be invited to participate in a Swinburne Human Ethics Sub Committee (SHESC) meeting or Negligible Risk Review (NRR).
10. No committee or sub-committee member or delegate shall adjudicate on any item of business in which they may personally be involved and other aspects of the University's policy on conflict of interest shall be maintained.

### **Quorum**

Unless otherwise prescribed by external regulatory requirements, the quorum for meetings will be 8 members, including the Chair or Deputy Chair. The time of cancellation of the meeting due to lack of sufficient numbers is at the discretion of the Chair.

When a member of each category of membership as designated in the National Statement cannot be present, members may provide written comments for consideration at the meeting. Members allocated as primary reviewers who cannot attend a meeting must provide written comments for consideration at the meeting.

### **Standards and Duties of Membership**

Proper attention is required to issues of due process and diligence, confidentiality, vested and conflict of interest; and facilitation of ethically sound human research activity. More particularly, members of SUHREC are expected to:

- Have (or gain) familiarity with the *National Statement on Ethical Conduct in Human Research*
- act honestly in good faith and with integrity
- exercise due care, skill and diligence in undertaking their duties
- not misuse the position or information provided and act at all times in the interests of the University as a whole and SUHREC
- attend meetings on a regular basis (or as appropriate for an alternate member)
- attend formal human research ethics training as required, in compliance with National Statement section 5.2. 23 (c)
- seek information and understanding about the role and function of SUHREC and its subcommittees
- make an informed assessment of proposals submitted to SUHREC or SHESC as part of due deliberation
- contribute to the advancement of ethically sound research proceeding under Swinburne University's auspices
- disclose, in accordance with Swinburne University's procedures, related interests where those interests could potentially lead to a conflict of interest and, where a potential conflict may arise, abstain from deliberation on the matter concerned
- maintain confidentiality.

### **Method of deliberation**

Decisions should be reached by general agreement, which need not involve unanimity.

### **Accountability**

1. SUHREC will provide copies of its meeting minutes to the office of the DVC(R&E) as requested.
2. SUHREC will provide an annual report to the DVC(R&E) containing a summary of:
  - a. The number of research ethics proposals received, reviewed, approved and rejected by SUHREC and its sub-committees
  - b. Any complaints received either from researchers concerning the conduct of SUHREC and its sub-committees, or from participants and others concerning the conduct of research approved by SUHREC
  - c. Any changes in membership of SUHREC and its sub-committees

- d. Any changes in procedures used for the performance of its functions; and any changes in staffing levels and personnel providing administrative support to SUHREC.
3. The Chair of SUHREC will review any reports of activities of SUHREC, whether to Swinburne or to the NHMRC, or other external bodies.
4. SUHREC, through the Chair, may at any time bring to the attention of the DVC(R&E) any issues of significant concern which merit prompt consideration and attention.

## RESPONSIBILITY

<b>Policy Owner</b>	DVC(R&E)
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## VERSION CONTROL AND CHANGE HISTORY

<b>Version Number</b>	<b>Approval Date</b>	<b>Approved by</b>	<b>Amendment</b>
8	13 April 2021	DVC(R&E)	Minor editorial changes and checked for ongoing consistency with the National Statement
7	24 August 2018	DVC(R&D)	Revision of SUHREC Terms of Reference, particularly regarding member terms of office and electronic review
6	04 July 2016	DVC(R&D)	Revision of SUHREC Terms of Reference, following a review of human research ethics processes at Swinburne in early 2016.
5	11 December 2015.	DVC(R&D)	Revision of SUHREC Terms of Reference concerning Committee review of its role and operation, including membership and reporting arrangements.
4	8 February 2010	Council	Limited review of SUHREC Terms of Reference for better effect in light of recent regulatory changes and experience.
3	5 June 2009	Director Governance and Policy Unit	Put into new template. Content not reviewed.
2	22 August 2005	Council	Name changed from Human Research Ethics Committee to Swinburne University Human Research Ethics Committee.
1	10 August 1998	Pro Vice-Chancellor, Research	