

**CURRENT REGULATION 28**  
**APPEALING A DECISION MADE BY SENATE RESEARCH ETHICS COMMITTEE**

City defines an appeal as a request from an applicant for a review of a decision, in relation to significant amendments requested to or rejection of a research ethics application by Senate Research Ethics Committee.

**A. Stage 1: Senate Research Ethics Committee Appeal**

1. Grounds for appeal

- a) An applicant may appeal against a decision concerning his/her application, including:
  - Significant requested amendments/changes to the protocol
  - Rejection of the application
- b) Note that dissatisfaction with the decision of Senate Research Ethics Committee (SREC) is not alone a ground for an appeal. An explanation of the impact of the decision must be also provided.
- c) The appellant is required to state the grounds for the appeal in writing at the time of requesting a hearing. The complaint should be submitted to the Secretary to Senate Research Ethics Committee within 20 working days of receiving the Committee's decision.

2. Initial scrutiny

- a) The receipt of an appeal will normally be acknowledged within five working days.
- b) The appeal will be scrutinised independently of each other by at least two members of SREC, who will have been nominated by the Secretary. They will not be members of the School of the appellant. The scrutiny will be done over email with comments sent to the Secretary to SREC within five working days of receipt of the Committee members.
- c) The purpose of the initial scrutiny is to reach a view on whether valid grounds have been provided to merit consideration of an appeal. If it is deemed that there are no valid grounds the appeal will be rejected.
- d) The outcome of the initial scrutiny will be reported to the Chair of Senate Research Ethics Committee and the Secretary to the Committee. The appellant will be informed of the outcome of the initial scrutiny, normally within 21 working days of the acknowledgement being sent. Where an appeal is rejected reasons will be provided. If the reviewers agree at this stage that there is a strong case for upholding the appeal, the Chair may agree to do so without requiring an Appeal Panel hearing. In cases where the reviewers determine that the appeal merits further consideration, a hearing will be arranged.
- e) The Secretary to the Committee will confirm the time and place for the hearing at the time of informing the appellant of the outcome of the initial review.

- f) The appellant is responsible for providing the panel with all documentation at least seven working days before the hearing. This includes the unaltered application, comments provided from the Committee in response to the application, correspondence regarding the application/appeal held with the Secretary or member/s of the Committee and the grounds for the appeal. The documentation should be collated and have page numbers. The documentation should be submitted to the Secretary in hard copy (five sets).

### 3. Senate Research Ethics Committee Appeal Panel

- a) The Appeal Panel will normally be convened within ten working days of the outcome of the initial review. It will comprise three members of Senate Research Ethics Committee, including the Chair or Deputy Chair who will chair proceedings, with the Secretary to the Committee in attendance.
- b) The Appeal Panel will discuss the issues raised with the appellant. The outcome of the hearing can include one of the following:
- Agreement on required changes; OR
  - Upholding the application; OR
  - Rejecting the appeal, accompanied by clear reasons that will be provided to the appellant.
- c) The outcome of the appeal panel hearing will be provided in writing, normally within five working days of the hearing.
- d) The outcome of the Stage 1 review will be reported to Senate Research Ethics Committee.

## **B. Stage 2: Institutional -Level Review**

### 1. Grounds for Review

- a) An applicant may request a review of Senate Research Ethics Committee decision on one or both of the following grounds:
- Procedural error
  - Academically flawed judgement
- b) Note that dissatisfaction with the decision and outcome of the Senate Research Ethics Committee hearing is not alone a valid ground for a stage review.
- c) The appellant is required to state the grounds for the review in writing at the time of requesting a Institutional -level review. The grounds should be submitted to the Secretary to Senate Research Ethics Committee within ten working days of receipt of written confirmation of Senate Research Ethics Committee's decision.

### 2. Initial scrutiny

- a) The receipt of the request for an Institutional -level review will normally be acknowledged within five working days.
- b) The review will be scrutinised by the Vice-President (Research & Enterprise).

- c) The purpose of the scrutiny is to reach a view on whether sufficient grounds have been provided to merit consideration of a review. If there are insufficient grounds to merit consideration of the review, the review will be rejected.
- d) The outcome of the initial scrutiny will be reported to the Secretary to the Committee. The appellant will be informed of the outcome of the initial scrutiny, normally within 21 working days of the acknowledgement being sent. Where a review is rejected reasons will be provided.
- e) The Secretary to the Committee will confirm the time and place for the review hearing at the time of informing the appellant of the outcome of the initial scrutiny.
- f) The appellant is responsible for providing the review panel with all documentation at least seven working days before the hearing. This includes the unaltered application, comments provided from the Committee in response to the application, correspondence regarding the application/appeal held with the Secretary or member/s of the Committee, the grounds for the appeal and the correspondence/documentation from/with the appeal panel. The documentation should be collated and have page numbers. The documentation should be submitted to the Secretary in hard copy (five sets).

### 3. Institutional -level review

- a) The review panel will normally be convened within 15 working days of the outcome of the initial Institutional -level scrutiny. It will comprise Vice-President (Research & Enterprise) who will Chair proceedings, an academic member of staff with domain expertise not on the original research ethics committee or involved in the appeal, and a senior member of staff without domain expertise, with the Secretary to Senate Research Ethics Committee in attendance.
- b) The appeal panel will discuss the issues raised with the appellant. The outcome of the hearing can include one of the following:
  - Agreement on required changes; OR
  - Upholding the application; OR
  - Rejecting the appeal, accompanied by clear reasons that will be provided to the appellant.
- c) The outcome of the appeal panel hearing will be provided in writing, normally within 5 working days of the hearing.
- d) The outcome of the Institutional review panel hearing will be reported to Senate Research Ethics Committee and a record will be retained.

Approved by Chair's Action (Senate) 24.08.16