



# CONDUCTING ETHICAL RESEARCH POLICY

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## 1 INTRODUCTION

The Da Vinci Institute is an accredited private higher distance education provider offering qualifications on NQF levels five to ten, which are registered on the Higher Education Qualifications Sub-Framework (HEQSF). This policy forms part of the institutional Integrated Quality Management System and details the principles for ensuring that programme offerings adhere to academic standards and empower students to contribute to the transformation of their communities, society, and the economy of the future. This approach is underpinned by the Business- and Community-based Action Learning discourse on the co-creation and distribution of relevant knowledge.

Da Vinci offers outcomes based, distance education opportunities. The policies and procedures detail the principles and processes that will ensure that learning programme offerings are aligned to the principles of a Mode 2 higher education institution, whilst adhering to the required academic standards and empowering students with the knowledge, skills and values to contribute to their communities, society and economy of the future.

- a) Da Vinci is committed to:
  - I. Undertake and promote research that will benefit all the of South African communities at large
  - II. Being guided by integrity, accountability and rigour in research
  - III. Promoting an institutional ethos that is conducive to critical discourse, intellectual curiosity, tolerance and a diversity of views
  - IV. Maintaining an environment for researchers in which they may be autonomous and ethical in their work.
- b) Da Vinci strives for excellence in research that can withstand public scrutiny
- c) Da Vinci espouses the constitutional values of human dignity, equality, social justice and fairness.
- d) Da Vinci affirms the constitutional principles of academic freedom and freedom of scientific and social research.

## 2 DEFINITIONS

Term	Definition
Ethics	The moral principles that govern the Institution's behaviour; the moral correctness of specified conduct
Ethics code	Behaviour conducted according to this policy
Researcher	Any systematic examination aimed at the development of, or contribution to knowledge that can be generalised. Activities complying with these requirements are regarded as research, regardless of whether they are normally

Term	Definition
	described as development, demonstration, or tuition or by another term

### 3 REGULATORY FRAMEWORK

This policy is benchmarked against, and should be read in the context of the relevant legislation underpinning the principles against which institutional policies, processes and standard operational procedures are developed, implemented and maintained. These include:

#### A. Regulatory legislation:

- I. Constitution of the Republic of South Africa (No. 108 of 1996)
- II. Criteria for Programme Accreditation (CHE, 2004)
- III. Distance Higher Education Programmes in a Digital Era: Good Practice Guide (CHE, 2014)
- IV. Higher Education Act 101 of 1997 as amended Act No. 39 of 2008
- V. National Policy and Criteria for Designing and Implementing Assessment for NQF Qualifications and Part Qualifications and Professional Designations in South Africa (SAQA, 2017)

#### B. Applicable Da Vinci documents:

- I. D1: Nomination and Appointment of Examiners
- II. D6: Appointment, Management and Development of Faculty
- III. D12: Students-Supervisor Relationships
- IV. D10: Appointment of Research Supervisors
- V. D15: Conducting Ethical Research
- VI. Research Policy Guidelines: External examiners of dissertations and theses
- VII. Research Policy Guidelines: Supervisor and student roles and responsibilities.

### 4 Scope

The Da Vinci Ethical Research policy aims to ensure that:

- a) An ethical and scientific intellectual culture prevails among its employees and students
- b) The rights and interests of human participants are protected. This is particularly important where information gathered has the potential to invade the privacy and dignity of participants, and where participants are vulnerable owing to their youth, age, poverty, disease, ignorance or powerlessness
- c) Research is ethical in increasingly diverse research areas. Examples are qualitative, quantitative and mixed method research, and collaborative research between international researchers and host country institutions. Such collaboration raises particular ethical issues, which include the possible exploitation of vulnerable

populations, intellectual property rights of indigenous people and benefit for the host country

- d) Ethical and scientific soundness of research is not compromised where lack of funding limits opportunities for research and force cost-saving procedures.

## **5 Purpose**

The Ethical Research policy is not intended to restrict or discourage research at Da Vinci, however, this policy aims to:

5.1 Enable researchers to:

- I. Enhance their capability to undertake ethical research
- II. Maintain their independence, especially when confronted with undue influence or pressure which may compromise their integrity or that of their research.
- III. Discourage unethical research practice
- IV. Serve as a basis for policymakers to provide an enabling environment for the practice of ethical research
- V. Provide an additional resource for the teaching and training of students in research
- VI. Make ethics an integral part of the planning and methodology of research
- VII. Preserve and promote the autonomy, quality, legitimacy and credibility of research
- VIII. Protect and promote the rights of research participants and honour their trust in researchers and research
- IX. Strengthen the research ethics review system in The Institute where research involves human participants.

## **6 Application of the policy**

The policy covers all activities through which research information is gathered, interpreted, processed and disseminated, for example surveys, interviews, data processing and the reporting of research findings.

The policy applies to all parties in research, including Da Vinci staff, researchers, students, research participants, peer reviewers, consultants, clients, funders and sponsors.

The policy does not apply retrospectively. However, researchers carrying out research involving human participants, animals, or other living or genetically modified organisms should report to the Research Committee on the extent to which their current research complies with the policy.

## **7 Rights and responsibilities of Da Vinci**

- a) Da Vinci should respect the autonomy and academic freedom of researchers.
- b) Da Vinci should create and maintain an enabling environment in which researchers may conduct ethical research.

- c) Da Vinci should promote the observance of the Research policy and take appropriate steps for protection against pressures inimical to the observance of the policy.
- d) As a general rule, all intellectual property resulting from research which was conducted with Da Vinci funds, or use of its facilities, vests in Da Vinci. However, agreements may be entered into according to which the outcomes and benefits of research are shared with the researchers, funders and/or participants or communities involved. These include intellectual property ownership, data, technologies and instruments developed in the research, such as questionnaires and analytic designs or methods.

## **8 Rights and responsibilities of researchers at Da Vinci**

- a) Researchers have the fundamental right to academic freedom and freedom of scientific research.
- b) Integrity in research.
- c) Researchers should be competent and accountable. They should act in a responsible manner and strive to achieve the highest possible level of excellence, integrity and scientific quality in their research.
- d) Researchers have a right, as well as a duty, to refrain from undertaking or continuing any research that contravenes the Ethics Research policy, violates the integrity and/or validity of research and/or compromises their autonomy in research. If they feel that the policy or ethical principles are being violated, or that the study is unethical, they should make all possible efforts to make corrections.
- e) These would include reporting to the Research Committee. In the event of failure of remedial measures they should terminate the study or end their involvement in it.
- f) Researchers should undertake only such research as, according to their understanding, will benefit society and contribute to knowledge on the subject.
- g) They are advised to use resources judiciously and to avoid the unnecessary duplication of research.
- h) Researchers have a right and a duty to make all necessary efforts to bring the research and its findings to the public domain in an appropriate manner and at an appropriate time. The publishing of research findings should be done in a manner which will not harm research participants or their communities.
- i) Researchers should not undertake secret or classified research, any secret assignment under the guise of research or research whose findings are to remain confidential. They should endeavour to convince their client(s)/sponsor(s)/funder(s) of the importance of publishing research findings in scientific journals.
- j) Researchers have a responsibility towards those involved in or affected by their work. They should make reasonable efforts to anticipate and to guard against the possible undesirable or harmful consequences of research. They should take

reasonable corrective steps when they come across misuse or misrepresentation of their work.

- k) Researchers should be honest in respect of their own actions in research and in their responses to the actions of other researchers. This applies to the whole range of research, including generating and analysing data, publishing results, and acknowledging the direct and indirect contributions of colleagues, collaborators and others.
- l) Researchers may not commit plagiarism, piracy, falsification or the fabrication of results at any stage of the research. The findings of research should be reported accurately and truthfully, and historical records and study material should be preserved and protected.
- m) Plagiarism, falsification, the fabrication of results, and scientific misconduct in general are regarded as serious disciplinary offences. These will be investigated by the Research Committee and the findings reported to Da Vinci or the research sponsor.
- n) Relationship among researchers:
  - I. Principal researchers are responsible for the ethical conduct of research by juniors, assistants, students and trainees under their supervision. At the same time juniors, assistants, students and trainees have a responsibility to act ethically and to observe the Research policy.
  - II. Juniors, assistants, students and trainees have a right to receive, and principal researchers have a responsibility to provide, proper training and guidance on all aspects of research, including ethical conduct. The principal researchers should delegate to juniors, assistants, students and trainees only those responsibilities that they are reasonably capable of performing on the basis of their education, training or experience, either independently or under supervision
  - III. Researchers should not engage in discriminatory, harmful or exploitative practices or harassment. They should not impose their views or beliefs on or try to seek personal, sexual or economic gain from anybody, including other researchers, juniors, assistants, trainees or students
  - IV. Researchers should not deceive or coerce other researchers, including juniors, assistants, trainees and students into serving as research participants. Students, either as research participants or as research assistants, have the right to end involvement in the research without having to face adverse consequences
  - V. Students working on research as a tuition requirement should not be exploited by advisors or mentors, nor used as cheap labour
  - VI. In addition to researchers and students, other individuals such as administrative employees of Da Vinci who may have access to data or identifying information, should be briefed on ethical issues and the Research policy, including the participants' right to confidentiality.
- o) Data sharing:

- I. Researchers should ensure the protection of the interests of co-researchers and participants, including participants' right to confidentiality, when sharing or making public available data in any form.
  - II. Data which do not identify participants and which are in the form of anonymous or abstracted facts may be commonly shared, if necessary even before publication of the study, among researchers and peer reviewers, and may be made available to the public.
  - III. As far as possible, researchers should ensure that relevant findings of the research are taken back to the research participants or communities in a form and manner that they can understand, and which will not cause them harm.
- p) Reporting and publication of research
- I. Reporting of research findings advances scientific knowledge. Researchers who conducted the study have the right and the duty to publish research findings in scientific journals, books or other media. When they agree to delegate this responsibility to other individual(s) or organisation(s) they should do so only if they have received a mutually agreed commitment to publish or disseminate the results within an agreed period, with an agreed content and in an agreed manner
  - II. Where there is a conflict between the advance of scientific knowledge and the protection of intellectual property (e.g. by way of patents) researchers should endeavour to convince the patent holder of the importance of publishing research findings
  - III. The results should be reported irrespective of whether they support or contradict the expected outcome(s)
  - IV. Researchers should disclose in their publications the source(s) of funding and sponsors, if any, unless there is a compelling reason not to do so
  - V. Researchers should in their publications explain the methodology used, as well as how ethical dilemmas encountered were resolved
  - VI. The following guidelines should be followed for giving authorship credit while reporting the research in any form:
 

Authorship, and its sequence in case of more than one author, should be based on the quantum of contribution made in terms of ideas, conceptualisation, and actual performance of the research, analysis and writing of the report or any publication based on the research. Authorship and its sequence should not be based on the status of the individual in the institution or elsewhere.
- q) All other individuals not satisfying the criteria for authorship but whose contribution made the conduct and completion of research or publication possible should be properly acknowledged
- r) A student should be listed as principal or first author on any multiple-authored publication that substantially derives from the student's dissertation or thesis.

- s) When data or information from other studies or publications is quoted or included, appropriate credit should be given:
- t) When results are disseminated through the popular media, researchers
  - I. Should endeavour to ensure that media people comprehend the limitations and implications of research results, and that distortions and misrepresentations in media reporting are minimised.
  - II. Peer review:
    - Researchers should be encouraged to subject their own work to such a process
    - Researchers should be encouraged to make themselves available as peer reviewers for research in the fields in which they have adequate knowledge and expertise
    - Peer reviewers should be aware of the ethical aspects of research and publication. They have to act objectively, impartially and constructively
    - If peer reviewers have any actual or potential conflicts of personal or professional interest with the work under review which could jeopardise their ability to undertake the review in a scientific and ethical manner, they should either disclose the same or decline to review the work concerned. In such situations, their role should be decided on the basis of the type and severity of the conflict of interest.

## **9 INTERNATIONAL COLLABORATIVE RESEARCH**

Before submission of a collaborative research proposal to the Research Committee, agreement should be reached between the host research institution and the collaborating institution on all aspects of the research. These include sharing of intellectual property rights, management of the research process, data management, the fate of data and research specimens, division of responsibilities, finances, research output, publication strategy, sharing of benefits and burdens, development of infrastructure and research capacity in the host country, and an ombudsman to settle disputes.

- a) Intellectual property rights of parties should be respected and acknowledged as agreed on before the research commenced.
- b) Research may not be carried out in a host country without local research collaboration in the design and conduct of that research.

## **10 RIGHTS AND RESPONSIBILITIES OF FUNDERS, CLIENTS AND SPONSORS**

- a) Researchers should ensure that they have an explicit written research mandate from the client/sponsor/funders in which the conditions and terms of the research are set out clearly (e.g. research problem, expected deliverables, financial commitments and time frames).

- b) The acceptance of a mandate should be sealed by a legally binding, written contract between the parties. This contract should specify the terms agreed on, including the rights and obligations of the parties involved, and the sharing of intellectual property rights and benefits.
- c) The position with regard to the dissemination and publication of findings from the research study should be clarified.
- d) Researchers should recognise the right of the client/sponsor/funder to request information from them at any stage in the course of the research. However, interference that may jeopardise the scientific integrity of the study or the interests of the research participants may oblige Da Vinci to cancel the cooperation.
- e) Clients/funders/sponsors should be made aware of the Da Vinci Research Ethics policy. They have the right to receive a copy of the policy and to expect that the research proposal submitted for funding or sponsorship by researchers and Da Vinci contains the necessary information on ethical issues and complies with the policy.
- f) Clients/funders/sponsors should respect the Da Vinci Research Ethics policy and should not expect researchers or Da Vinci to undertake research or conduct which is in any way contrary to the policy.
- g) Where clients/sponsors/funders act, directly or indirectly, as gatekeepers and control access to the participants, researchers should not devolve onto the gatekeepers their responsibility to obtain separate and informed consent from participants and to protect their rights.

## **11 BASIC PRINCIPLES OF RESEARCH**

### a) Moral principles

Da Vinci promotes the following four internationally established and accepted moral principles of ethics as bases for research:

- I. Autonomy (research should respect the autonomy, rights and dignity of research participants)
- II. Beneficence (research should make a positive contribution towards the welfare of people)
- III. Non-maleficence (research should not cause harm to the research participant(s) in particular or to people in general)
- IV. Justice (the benefits and risks of research should be fairly distributed among people).

These principles are not ranked in any order of preference. In disputes a balance between the four principles should be pursued.

### b) General ethics principles:

In addition to, and expanding on, the above moral principles, the following ten general ethics principles should be adhered to by researchers. Again, the ethical

principles may not, by themselves, resolve all ethical problems and dilemmas which confront researchers. Researchers may be required to balance the demands made by moral principles of research and to privilege one principle over another, depending on the context and circumstances of the research involved:

- I. **Essentiality and relevance**  
Before undertaking research adequate consideration should be given to existing literature on the subject or issue under study, and to alternatives available. In view of the scarcity of resources in South Africa, it should be clearly demonstrated that the research is essential to the pursuit of knowledge and/or the public good.
- II. **Maximisation of public/client interest and of social justice**  
Research should be carried out for the benefit of society, and with the motive of maximising public/client interest and social justice. All efforts should be made to make public (where applicable) in an appropriate manner and form, and at an appropriate time, information on the research undertaken, as well as the results and implications of the completed research.
- III. **Competence, ability and commitment to research**  
Researchers should be professionally and personally qualified for the research. Commitment to research in general and to the relevant subject in particular is an essential prerequisite for good and ethical research.
- IV. **Respect for and protection of participants' rights**  
Researchers should respect and protect the dignity, privacy and confidentiality of participants and should never expose them to procedures or risks not directly attached to the research project or its methodology. Research and the pursuit of knowledge should not be regarded as the supreme goal at the expense of participants' rights.
- V. **Informed and non-coerced consent**  
Autonomy requires that individuals' participation should be freely given, specific and based on informed consent. Direct or indirect coercion, as well as undue inducement of people in the name of research should be avoided. These act as barriers to autonomous decision making and may result in people consenting against their better judgment to participate in studies involving risks.
- VI. **Respect for cultural differences**  
Researchers should treat research participants as unique human beings within the context of their community systems, and should respect what is sacred and secret by tradition. Research should preferably be undertaken with, and not merely on, an identified community. In some situations the consent of "gatekeepers" may have to be obtained in addition to that of research

participants.

VII. Justice, fairness and objectivity

Criteria for the selection of participants of research should be fair, besides being scientific. Easily accessible individuals or groups should not be inordinately burdened with research being carried out repeatedly on them.

VIII. Integrity, transparency and accountability

The conduct of research should be honest, fair and transparent. Researchers should be honest about their own limitations, competence, belief systems, values and needs. The contribution of other researchers or members of the research team should be properly acknowledged. Researchers should not abuse their positions or knowledge for personal power or gain.

IX. Risk minimisation

Researchers should ensure that the actual benefits to be derived by the participants or society from the research clearly outweigh possible risks, and that participants are subjected to only those risks that are clearly necessary for the conduct of the research. Researchers should ensure that the risks are assessed and that adequate precautions are taken to minimise and mitigate risks.

X. Non-exploitation

There may be no exploitation of research participants, researchers (including student and junior members), communities, institutions or vulnerable people. There should be benefit to a community in which research is conducted. As far as possible, communities should receive feed-back on research carried out on them.

## **12 RELATIONSHIP BETWEEN RESEARCHERS AND PARTICIPANTS**

- a) Participants should be seen as indispensable and worthy partners in research.
- b) Researchers should respect and protect the rights and interests of participants at every stage and level of research.
- c) The risks and benefits of the research to the prospective participants should be fully weighed. Research that could lead to unnecessary physical, social and/or psychological harm should not be undertaken. Researchers should identify potential risks to participants and make provision for their avoidance. When risks form part of the conduct of the study, efforts should be made for mitigation or protection.
- d) In case harm, injury or loss of opportunity is incurred by participants, provision should be made for compensation or payment for treatment with clear guidelines on how to obtain this. In the event of significant harm, participants should be

entitled to claim compensation regardless of whether or not there was negligence or legal liability on any other basis.

- e) The criteria for selecting research participants should be fair. Repeat studies should not be done on the same group because of their easy accessibility, as this will make them bear an unfair share of the burden of participation. At the same time, it should be borne in mind that no particular group(s) should be unfairly excluded from research, as this could result in their unfair exclusion from the direct, indirect or potential benefits of research.
- f) Unless consent on a mutually beneficial arrangement is obtained, Da Vinci and its students should not use a community or research setting as a constant and long-term resource for data collection for curricular research or training.
- g) The relevant social, cultural and historical background of participants should be taken into consideration in the planning and conduct of research.
- h) Researchers should not infringe the autonomy of participants by resorting to coercion, undue influence or the promise of unrealistic benefits. Coercion may include taking undue advantage of individuals or abusing the authority and influence of research. Inducement may include a promise of material or financial rewards, services or opportunities. No financial or other inducement should be offered to participants, whether children or adults, parents or guardians of children taking part in research. Reimbursement of expenses (e.g. transport costs, meals) or compensation for time or effort expended or opportunity lost is allowed, on condition that all participants are offered similar rewards and that such rewards are aimed at recompensing only.
- i) Researchers should ensure that reimbursements or compensation to participants does not cause conflict in the group or community.
- j) Research should not unreasonably burden or exploit participants or communities, and should not unnecessarily consume their time or make them incur loss of resources, opportunities or income.
- k) Participants are autonomous agents who have the right to choose whether or not to be part of the research.
- l) Participants should be informed of the existence of the Da Vinci Research Ethics policy. The policy should be made available to them if it can help them make an informed decision regarding their participation.

### **13 INFORMED CONSENT**

- a) Personal information (i.e. information about an identifiable, natural person) may only be collected and processed with the specific informed consent of the individual(s) involved. Only information that is relevant and necessary (i.e. not excessive) may be collected.
- b) Consent need not be obtained where personal information is involved which has been de-identified to the extent that it cannot be re-identified again, if it is about

a natural person who has been dead for more than 20 years, or if it is in the public domain or contained in a public record.

- c) The participation of individuals should be based on their freely given, specific and informed consent. Researchers should respect their right to refuse to participate in research and to change their decision or withdraw their informed consent given earlier, at any stage of the research without giving any reason and without any penalty.
- d) Participants should give their consent in writing. They, in turn, should be given written information containing adequate details of the research.
- e) Consent for participation in research is freely given and informed if:
  - I. It is given without any direct/indirect coercion or inducement
  - II. Prospective participants have been informed on the details of the intended research
  - III. Prospective participants have understood this information
  - IV. The researcher has answered any question(s) about the research and their participation
  - V. It is given before research commences.
- f) The information in (ii) and (iii) should include the following:
  - I. Purpose of research: The aims, implications (including commercial ones) and possible outcomes of the intended research should be stated in understandable language
  - II. Risks and benefits: The possible, anticipated and potential benefits and the potential risks (direct/indirect, immediate/long term) of the research should be explained. These include discomfort and unpleasant emotional experiences. Where questionnaires or interviews are involved, participants should be informed of the nature of questions posed, for example that they are sensitive or emotionally disturbing, or that they cover personal issues such as health, sex life or criminal behaviour. Where research may affect communities (e.g. when genetically modified organisms are studied) they should be informed and consulted on possible long-term effects for them
  - III. Methods of study and participants' actual role in research
  - IV. Where questionnaires or interviews are involved, participants should be informed of the estimated time these will take
  - V. Identity of the researchers: The name, address and telephone number of researcher(s), the institution(s) and the chairperson of the Research Committee who may be contacted, should be provided
  - VI. Identity of others associated with the research:
    - a. The name(s), address and telephone number of chief consultant(s), funder(s) or sponsor(s) if any, should be provided
    - b. Why selected: The reasons or method for selecting the particular locality, community, group and/or individual for participation in the study should be explained.

- VII. Privacy, anonymity and confidentiality: Measures to ensure privacy, anonymity and confidentiality of participants, as well as any risk of breach of confidentiality and anonymity should be explained. If data and identity provided by participants in group discussions cannot be kept anonymous and confidential, this should also be disclosed
- VIII. Future use of information: Participants should be informed of any possible future use of the information obtained, including publication of research findings, use as a database, archival research, recordings for educational purposes, and use as secondary data (i.e. anonymous or abstracted information which does not violate the privacy, anonymity and confidentiality of participants)
- IX. Right not to participate and to withdraw: Participants should be informed that they have the right to decline their consent outright, or to withdraw their given consent at any time without any penalty or prejudice. They are free to refuse to answer certain questions which form part of an interview or questionnaire, and to object to the use of data gathering devices, such as camera, tape recorder, and so forth
- g) Right to get help: Researchers should help participant(s) in cases of adverse consequence resulting from their participation in research. These include psychological trauma, distress, and loss of job, social hostility or retaliation against the participant(s). When, in the course of the research, researchers come to know of a need of participants that is not connected to the research but which may improve their lives (e.g. medical treatment), they should endeavour to get the help needed
- h) Additional information should be given to which a reasonable person in the prospective participant's position is likely to attach significance in his/her decision whether to participate
- i) If the data collection from the participant(s) is done in more than one sitting and there is a long time period between the sittings/contacts, informed consent should be sought each time
- j) Non-disclosure of all information: In some situations the methodology or practicalities of a research project may necessitate the concealment of information. This may be due to the possibility that behaviour changes may result or responses may be affected when such details are revealed to participants. In such a case the researcher should, before conducting the study, determine whether the use of such a methodology is justified by the scientific, educational or applied benefits, whether alternative procedures which do not require the concealment of information could be used instead
- k) If the use of such methodology is deemed justified by the researcher, the following should be done:
  - l) A detailed justification for not revealing all necessary information and obtaining informed consent should be provided in the research proposal and methodology and it should be subject to scientific and ethical reviews. Only after approval in

- both reviews, should such research be undertaken
- m) The participants' right to privacy, anonymity and confidentiality gains additional importance in such cases as they do not know the real purpose or objective for which they provide information
  - n) Even if both scientific and ethical reviews would allow that some of the information about the study need not be revealed, participants should be provided the rest of the information. In no case, however, should researchers withhold information regarding risks, discomfort, unpleasant emotional experiences, or any such aspect that would be material in making the decision to participate
  - o) Participants should be given the reasons for not providing full information as soon as is possible after completion of the research. Where needed, services such as counselling and referral should be offered.
  - p) Consent where gatekeepers are involved: In some situations there may be a need to obtain permission of the "gatekeeper" to access the participants for research. The following care should be taken in such a situation:
    - I. Permission obtained from the gatekeeper may not be substituted for the need to obtain separate and informed consent from the participants. The rights of participants in such a situation are the same as in all other cases
    - II. In obtaining the gatekeeper's permission, no precondition made by the gatekeeper for access to information or data obtained should be accepted without the consent of the participants
    - III. In the process of research or data collection, care should be taken to ensure that the relationship between the gatekeeper and the participants is not jeopardised.
  - q) Vulnerable participants: Researchers should be concerned particularly about the rights and interests of vulnerable participants, such as children (i.e. those individuals under the age of 18 years), the elderly, pregnant women, people with mental impairment, prisoners, students and persons in dependent relationships, the disabled, indigenous people and indigents.
  - r) Research results that can be obtained if carried out on adults should never be done with children. Children should participate only when their participation is indispensable to the research. The protection and best interests of children are of prime importance.
  - s) Therapeutic research or experimentation on a child under the age of 18 years may be conducted only if it is in the best interests of the child, and if the consent of both the child (if he or she is capable of understanding) and of his or her parent or guardian, has been obtained.
  - t) Non-therapeutic research or experimentation may only be conducted on a child under the age of 18 years with the consent of the following persons: the Minister responsible for social development, the parent or guardian of the child, and the child, if he or she is capable of understanding. The Minister may not give consent if the research or experimentation poses a significant risk to the health of the child.

## **14 Privacy, anonymity and confidentiality**

- a) All research participants have the right to privacy to the extent permitted by law (e.g. child abuse cases should be reported to the appropriate authorities in terms of the law).
- b) Privacy includes autonomy over personal information, anonymity and confidentiality, especially if the research deals with stigmatising, sensitive or potentially damaging issues or information. When deciding on what information should be regarded as private and confidential, the perspective of the participant(s) on the matter should be respected.
- c) All personal information and records provided by participants should remain confidential. When conducting interviews it should be made clear that confidentiality and anonymity will be safeguarded. Whenever it is methodologically feasible, participants should be allowed to respond anonymously or under a pseudonym to protect their privacy.
- d) All personal information obtained directly or indirectly on or about the participants (e.g. names obtained by researchers from hospital and school records), as well as information obtained in the course of research which may reveal the identity of participants, and should remain confidential and anonymous. This guarantee should also be given when researchers ask consent to use data which is not already available within the public domain (e.g. classified data on prisoners held by the Department of Correctional Services).
- e) In the case of covert observation (e.g. of a public scene) steps should be taken to ensure that the information will not be used or published in a form in which the individuals could be identified.
- f) Researchers should maintain privacy, anonymity, and confidentiality of information in collecting, creating, storing, accessing, transferring and disposing of personal records and data under their control, whether these are written, automated or recorded in any other medium, including computer equipment, graphs, drawings, photographs, films or other devices in which visual images are embodied.
- g) Researchers should make appropriate arrangements for the preservation and confidentiality of research records for one year after the submission of the report or the results.
- h) Risk minimisation should be applied to research records. The possibility of a breach of confidentiality and anonymity should be anticipated, addressed and explained to the participants as an attendant risk.
- i) Codes or other identifiers should be used to break obvious connections between data and individuals/organisations/institutions where possible. Where there is a mixture of information obtained from the public domain and information obtained with the participants' informed consent, no traceable link should be left between the two sets of information.
- j) Confidentiality and anonymity of participants and their localities should be maintained when reporting to clients/sponsors/funders. Participants should not be

identified or made identifiable in the report unless there are clear reasons for doing so. If the researcher or institution intends to identify participants or communities in the report, their informed consent allowing such disclosure should be obtained, preferably in writing.

- k) Research findings published in the public domain (e.g. theses and articles) which relate to specific participants (e.g. organisations or communities) should protect their privacy. Identifiers which could be traced back to the participants in the study should be removed. However, public interest may outweigh the right to privacy, and may require that participants be named in reports (e.g. when child labour is used by a firm).
- l) Participants' consent should be sought where data identifying them are to be
- m) shared with individuals or organisations not in the research team. They should be provided with information about such individuals or organisations (their names, addresses etc.).
- n) The obligation to maintain privacy, anonymity and confidentiality extends to the entire research team, other researchers at Da Vinci, Da Vinci administrative employees, and all those (from or outside Da Vinci) not directly associated with the research who may possibly have access to the information.

## **15 International collaborative research involving human participants**

- a) In international collaborative research the parties are host country institutions, collaborating country institutions, researchers from both, research participants and/or communities.
- b) There should be clear justification for collaborative research and why it needs to be carried out in a particular community. Unless there is clear justification, no research should be done in a host country that could just as easily be done in a collaborating country.
- c) There should be clear potential benefit to the community being researched (e.g. access to the best proven methods or treatment identified by the study).
- d) Research involving human participants may not commence without ethics approval by the Research Committee of all collaborating institutions.
- e) Research may not commence without informed consent from participants and/or communities.
- f) There may be no exploitation of institutions, researchers, research participants or communities.
- g) Funders, sponsors and clients may accept responsibility for payment of compensation for research injury, if agreed to in writing.
- h) Institutions and researchers should assist indigenous communities and traditional societies to protect their knowledge and resources, and should respect what is sacred and secret by tradition.
- i) Those involved in international collaborative research should have some understanding of, and be sensitive to, the social, economic and political conditions in which the research is carried out. This will alert them to the need to

protect research participants who are, for example, subject to deprivations through poverty.

## **16 ACKNOWLEDGEMENTS AND WORKS CONSULTED**

Access and benefit sharing: good practice for academic research on genetic resources website:

<http://abs.scnat.ch>

National Committee for Ethics in Social Science Research in Health (NCESSRH) (2003)

<http://www.hsph.harvard.edu/bioethics/guidelines/ethical1.html>

<http://www.gal.ac.uk/R-E/pub/policies/goodpractice>

South African Human Sciences Research Council *Draft Code of Research Ethics*.

<http://www.hsrc.ac.za/about/researchEthics/draftCode.html>

South African Medical Research Council *Guidelines on Ethics for Medical Research: General Principles (Book 1)* (2002)

## **17 REVIEW OF THIS POLICY**

Regular review and amendment of this policy will be done in line with the approved institutional policies and regulatory requirements. This will take place in consultation with the relevant quality assurance structures at departmental and institutional level, under the auspices of the official custodian of this policy, namely the Executive Dean.