Code of Practice for the School of Education Research Ethics Committee, Trinity College Dublin

1. Requirements for ethical approval

All research in the School of Education should be conducted in a manner that respects the rights of all participants (including to privacy, confidentiality and anonymity as appropriate), causes no harm to participants or researchers, and requires the active, informed consent of all participants and where appropriate their parents, guardians or relevant responsible others. See TCD Good Research Practice Guide for full account of guidelines and legislation that govern research in the College.

The University requires **all** research activity to be subjected to ethical scrutiny. Ethical approval is not granted until a formal response has been issued to the researcher by the School of Education Research Ethics Committee. Data collection on the project can only proceed following receipt of this formal response (see section 3 below).

Ethical approval can be sought at Level 0, Level 1 or Level 2. This must be clearly indicated on the ethical approval application form.

Level 0 ethical approval

Research activity is classified as Level 0 if the research does not involve human (or animal) participants. Here are some examples:

Level 0 approval requires the applicant to complete the short checklist on the ethics website.

1. Quality assurance studies (e.g. assessment of teaching practice records)
2. Audits of standard practice (not involving identifiable records)
3. Research on publicly available information, documents or data sets
4. Systematic Literature reviews

Level 1 ethical approval

This is no risk to relatively low risk research – i.e. research carrying little or no risks or discomfort greater than usually encountered during normal daily life, for example:

1. Anonymous surveys of a non-intrusive personal nature.
2. Unrecorded and anonymous observation of individuals in public areas.
3. Analysis of irrevocably anonymised and appropriately collected data.
4. Interviews (consensual) with non-vulnerable adults.
5. Action research (Research initiated to solve an immediate problem or a reflective process of progressive problem solving by individuals on their own practice or by individuals working in teams or as part of a "community of practice" *to improve the way they address issues and solve problems [participatory* action research]).
6. Surveys where respondents can be identified and where respondents have given appropriate consent.

Level 2 ethical approval

Moderate to high-risk research (i.e. risk or discomfort is greater than that usually encountered during normal daily life). This includes ALL RESEARCH WITH CHILDREN (i.e. under 18 years of age) and VULNERABLE ADULTS (e.g. participants with an intellectual disability) and ALL RESEARCH CONDUCTED OUTSIDE IRELAND.

MODERATE RISK

1. Surveys asking questions of a sensitive or private nature.
2. Questionnaires or observational studies involving children or vulnerable adults.
3. Research where there is a risk of a participant feeling undue pressure to participate by virtue of his/her relationship with the researcher (e.g. student/supervisor; teacher/student).
4. Projects involving a justifiable degree of deception.

HIGH RISK

5. Research involving children and vulnerable adults.
6. Research where identifiable information obtained may have legal, economic or social consequences for research subjects.
7. Research that may identify illegal activity.
8. Projects where each subject is paid (over and above token gestures).
9. Research that may potentially endanger the subjects, and/or researchers, and/or 3rd parties, and/or the environment.
10. Research that may have a direct military role.
11. Research conducted outside Ireland.
12. Research involving psychological intervention.
13. Research where a potentially beneficial or harmful treatment, information or learning method may be withheld from some participants.

2. Submission

All applications must be typed.

All applications must be submitted as a single PDF file containing the application form and all application materials.

For all new and continuing students on all taught and research programmes: Applications must be submitted via the Research Ethics module on Blackboard. Student applications must be signed by the supervisor and the student applicant.

For staff, applications must be submitted by email to phdrsrch@tcd.ie. Staff applications must be signed by the main applicant.

Electronic signatures are accepted on all applications. Typed names are not accepted in place of signatures. Unsigned applications will be returned without review.

Applications must name all researchers involved in the project and must be signed by the study lead researcher or Principal Investigator.

The Research Ethics Committee will not process applications for ethical approval from other faculties unless requested by that faculty ethics committee. Such applications should go to the school or faculty ethics committee with which the PI is linked.

For applications from administrative units such as CAPSL or the Library, they should be submitted to the AHSS Faculty Ethics Committee.

The School of Education Research Ethics Committee may process applications for ethical approval from research centres or units which are shared between the School of Education and another School, e.g. CRITE and the Walton Club.

In the case of collaborative projects involving researchers from outside the School, where ethical approval has been obtained from an external research ethics body, the project must still come before the REC for review. Such projects may be fast-tracked for approval.

3. Review and approval process

Ethical approval is not granted until a formal response has been issued to the researcher by the School of Education Research Ethics Committee. Data collection on the project can only proceed following receipt of this formal response.

For student applications, the REC response will be issued through Blackboard. The final thesis must note that the study received ethical approval from the School of Education Research Ethics Committee and indicate the year of approval.

For staff applications, a letter of approval will be issued by email.

There will be a monthly deadline for ethics submission and resubmissions through the academic year.

Staff applications and applications from research students can be dealt with as a matter of priority upon request.

All applications at Level 2, from all applicants, will be fully reviewed by two members of the Research Ethics Committee.

All applications from members of the School of Education Research Ethics Committee will be fully reviewed by 2 other members of the Committee, no matter the Level at which approval is sought.

Applications from students being supervised by a member of the School of Education

Research Ethics Committee will be reviewed by another member (or members) of the Committee.

Where two members of the Committee are reviewing an application, one primary assessor will collate the outcome and feedback from both reviewers.

If the Committee cannot reach a consensus in relation to a decision on an application, the application will be referred to the Faculty Research Ethics Committee.

If an application is unsuccessful, required changes will be outlined for the applicant in a timely manner. For students feedback will be communicated to the applicant via Blackboard. For staff, feedback will be communicated by email.

Resubmissions should address all points outlined in the feedback provided by the reviewer(s). The feedback and the changes made to the application should be listed at the start of the resubmission. All changes to the original submission must be clearly tracked using track changes or highlighting. If changes are not clearly indicated, the resubmission will be returned without review.

Resubmissions will be reviewed by 1 member of the ethics committee unless the reviewer requests a second reviewer.

4. Referrals and Appeals Process

Referral to FREC (Faculty of Arts Humanities And Social Sciences Research Ethics Committee)

Some Level 2 ethical approval applications may need to be referred to the FREC or the Trinity Research Ethics Policy Committee (REPC) where proposals:

- have the potential to cause harm to participants or researchers, directly physical or psychological;
- may give rise to situations in which the researchers have to make statutory disclosure of illegal activity, whether on the part of participants or others;
- seek to deceive participants for any reason;
- may give rise to situations that may put the participants or researchers in any form of jeopardy.

Referral to Data Protection Officer (Research)

The Research Ethics Committee may refer applications for review to the Research Data Protection Officer.

The REC may require the applicant to contact researchDPO@tcd.ie to complete a Data Protection Impact Assessment (DPIA) in instances where there are questions in relation to data protection or processing.

The purpose of a DPIA is to assess and demonstrate compliance with data protection legislation. The DPIA also provides evidence that the risks to individuals have been considered and sufficient measures have been taken to protect those individuals. The DPIA should assess the activity to be carried out against all the principles of data protection and determine whether the processing of personal data is both necessary and proportionate or whether changes to the process or additional controls are required.

Where applicants have changed data protection aspects of the TCD consent substantial, the Research Ethics Committee may refer the application to be reviewed by Deputy DPO for Research.

Appeals Process

Applicants whose projects are rejected will receive feedback from the School REC. An amended project may be submitted to the REC for the next or subsequent deadlines. Where a dispute cannot be resolved, the input of another REC or the FREC will be sought.

5. Changes to Research Projects

For the purpose of this document a "study" may be understood to involve a potentially staged series of different experiments to be conducted over a period of time. Any changes to a study require approval before data collection can proceed.

Non-Substantive Changes

Researcher submits addendum to original application (a copy of the original application and any supplementary materials such as consent forms with any changes clearly noted) for:

i. Changes to project personnel (e.g new Research Assistant or collaborator who will have access to the data)

ii. Changes to data collection methods (e.g. additional data collection instrument, audio to video recording)

iii. Another phase of data collection from the same participants (e.g. collecting data in year 2 from the same students as year 1)

iv. Same data collection methods from a new set of participants (e.g. the next student year cohort)

v. Changes to data collection instruments and new participant groups (e.g. data collection with parents of a student cohort) where the ethics risk level of the study has not increased

Substantive Changes

Researcher submits a new application:

a. Change of ethics risk level (e.g. Level 1 to Level 2)

6. Informed Consent: Information sheets and consent forms

Best and common ethical practice involves ensuring informed consent is obtained from the research participants. All research ethics applications with human participants require participant information sheets and consent forms for each group of research participants to be included as appendices, whether approval is sought at Level 1 or at Level 2. The TCD consent templates should be used and only stylistic modifications should be made to these (link in the ethics application form).

The information sheets and consent forms should:

- be intelligible in language that is accessible to the target audience (e.g. children, young people, etc);
- describe the nature and duration of participation in the study;

- describe the research instrument(s)/methodology with indicative questions where appropriate;
- clearly state the purpose(s) or phases of processing and request explicit consent for each;
- explain how participant data in all its forms (e.g. paper forms, recordings, etc) will be protected, including how it will be stored and for how long and how it will be ultimately destroyed
- state the planned avenues for dissemination of results of the study;
- clearly inform possible participants that participation is voluntary, that the participant has the right to cease participation at any time without giving a reason and without prejudice;
- clearly state up to what point a participant can withdraw their data from a study, e.g. up until the data is irrevocably anonymised or until analysis or publication of the data findings.

Who is required to provide consent and how?

As per College's Policy on Good Research Practice, consent forms should be designed on an opt-in basis where consent is freely given and affirmative. Participants should be given sufficient time (e.g. 2-7 days) to consider the participant information sheet prior to providing consent to participate in the study.

Opt-out designs are not acceptable for research participants of any kind, for their parents/guardians, or for school management.

As per College's Policy on Good Research Practice, consent is usually indicated by participants with an original signature.

Online questionnaires must require active consent, i.e. participants must tick consent in order to proceed to the questionnaire. The first page of the questionnaire must repeat the content of the information sheet, followed by the consent form. If the participant does not agree to the consent, they must automatically be exited from the questionnaire. Participants must be asked to indicate that they are over 18 unless prior parental consent has been sought.

For the distribution of questionnaires for anonymous return, as long as the circumstances guarantee anonymity, return of the questionnaire itself implies consent and no separate form needs to be used.

If using a paper-based questionnaire, the following opt-out clause should be included on the top of each page of the questionnaire: "Each question is optional. Feel free to omit a response to any question; however the researcher would be grateful if all questions are responded to."

For an on-line questionnaire, each question must be optional. The participant must have the option to 'exit without submitting' at the final submission point on the questionnaire.

For research to take place in pre-school, primary school, secondary school, or equivalents, the application must include the letter requesting consent from the principal and/or board of management. This must be sought on an opt-in basis.

Research with minors requires signed parental/guardian consent. It is accepted by the Irish courts and international guidelines that minors have independent rights. All minors regardless of age should therefore be informed as fully as is practicable about the research and agree to

be involved. If they do not wish to do so, then this must take precedence over any consent given by a responsible adult. For older children, they should provide signed consent. For research with very young children the researcher must seek assent from the children by discussing clearly with them what the participation in the research involved and explaining that they can absent themselves at anytime without giving a reason.

Unless otherwise noted, research involving adults assumes adults have the capacity to consent. The Assisted Decision Making (Capacity) Act 2015 sets out for all people to be assumed to have capacity until proven otherwise and that assessment of capacity will no longer be a blanket functional assessment, in that, capacity can shift and change depending on the context. Therefore, research with adults may require signed parental/guardian consent in the event that an assessment of capacity indicates reduced capacity to provide consent in the context, e.g. through cognitive impairment. This will be assessed on a case by case basis.

Participants must be informed at the point of data collection at the latest regarding disclosing illicit activity: “In the extremely unlikely event that illicit activity is reported I will be obliged to report it to appropriate authorities.”

Consent options

1. A paper signed consent form
2. A scanned copy of a signed consent form by email
3. A digitally signed consent form (image of signature) by email
4. A completed consent form with typed name from a verified email address (without signature)
5. Consent provided via a Qualtrics survey or MS Forms assuming a link is sent to a verified email account
6. A signature could also be captured using the file upload feature: https://www.qualtrics.com/support/survey-platform/survey-module/editing-questions/question-types-guide/advanced/file-upload/
7. In very exceptional circumstances where written consent is not possible, verbal consent is also acceptable, once a record is provided, written or video recorded, of when and how consent was taken, and any questions posed etc. The application for ethical approval must provide a clear justification for why only verbal consent is possible in these circumstances

7. Research instruments

The research instruments/methodology employed by the applicant should be described in precise detail in Section 1 of the application form.

It is the policy of the School of Education Research Ethics Committee that applicants are not ordinarily required to submit research instruments for review.

It should be noted in light of this, however, that the description of the research instruments and/or the methodological approach in the application form should be highly detailed.

In certain circumstances (e.g., level two applications that involve research of a sensitive nature, conducted with children or vulnerable adults), the Research Ethics Committee may request that (at least advanced draft) copies of research instruments (e.g., questionnaires, interview schedules, introductory and debriefing materials) be submitted for consideration as part of the application for approval.

8. Participants and location of data collection

Where known, application forms for ethical approval should name the locations at which data will be collected (i.e. name the school, or the youth centre, or the area). This information will be dealt with in strictest confidence.

The approximate number of participants, their ages, year group etc. should be described in the application form as well as the sampling method adopted in the study.

Research with vulnerable participants

Special consideration must be given to protecting the welfare of potentially vulnerable research participants. Vulnerable groups/persons are described as:

- individuals who face excessive risk through involvement in research, including those with limitations in their ability to provide informed consent to research because of factors such as immaturity or cognitive impairment.
- vulnerability can also stem from individuals' relationships with others, and it is imperative that coercive situations are avoided. Such cases may occur when an employee/student/dependent is asked to participate in research being conducted by a supervisor/mentor.

Additional social factors, such as poverty and lack of access to health care, can also make individuals vulnerable to coercion, exploitation or other risks and need to be considered in reviewing applications.

Vulnerable participants include participants such as children, prisoners, terminally ill individuals, victims of trauma, cognitively impaired persons, or economically or educationally disadvantaged persons.

See the section on research with vulnerable participants in the TCD Good Research Practice Guide.

For research involving children, use the guidelines produced by the Department of Children and Youth Affairs: http://www.dcya.gov.ie/documents/Publications/Ethics_Guidance.pdf.

9. Garda Vetting

Where the participants include children or vulnerable adults, research cannot proceed unless **all** researchers involved have obtained Garda vetting or equivalent.

10. Research outside of the Republic of Ireland

Educational research undertaken outside Ireland must adhere to the same ethical standards as research in Ireland. Any additional regulations (e.g. police clearance or equivalent, mandatory disclosure regulations) and cultural sensitivities of the host country must also be observed. The requirement for a project to obtain ethical approval in the host country also will be assessed on a case by case basis with reference to the risk level of the project to participants and researchers.

11. Data storage, retention and destruction

Data storage and access

In line with College's Policy on Good Research Practice and policy for retention and with Irish Data Protection Legislation and the General Data Protection Regulation (GDPR) applicants should describe in detail the process for data storage (including encryption, if applicable) and destruction.

All data must be stored securely on encrypted devices or drives. All data must be stored in compliance with GDPR. That is, it should be stored within the EEA or it can be stored outside the EEA if specific legal conditions are in place e.g. a contract with the third party containing the EU standard contractual clauses or an adequacy ruling and once you advise individuals that their data will be stored outside the EEA

Any cloud storage solutions used must state full compliance with GDPR in their contract or terms and conditions. Currently free versions of DropBox, iCloud, etc may not be compliant. Any breach of data protection must be notified to the College within 72 hours of occurrence. See http://www.tcd.ie/ITSecurity/gdpr/checklist.php for storage requirements under GDPR.

The application should indicate who will have access to the data e.g. the members of the research team and, potentially, the examiners.

Application forms, and the information sheets, should detail what plans there are for dissemination of the research, if any.

Data Retention and Destruction

As per Irish Data Protection Legislation, the General Data Protection Regulation (GDPR) and College's Policy on Good Research Practice, a timeframe for when data will be destroyed must be provided. This refers to all copies, electronic and 'hard' copies alike, including signed consent forms.

Data shall not be kept for longer than is necessary for the purpose(s) stated. Current legislation does not specify any minimum or maximum retention periods. It is the responsibility of the researcher to determine the retention period for their research data. (See https://www.dataprotection.ie/docs/Data-Protection-Rule-7/31.htm)

For examination purposes, this duration must be at a minimum 13 months after examination publication.

For as long as **personal data** are held, Data Protection requirements hold. It may be sufficient in some cases to retain only de-identified (i.e. anonymised) data. After the retention period, the data must be destroyed as appropriate to the medium of storage.

A description of how data, in both electronic and 'hard' copies, will be destroyed should be provided in the application form.

The following line may be inserted in the participant information leaflet to specify this:

"Data will be retained for no longer than is necessary. All records where you can be identified (e.g. recordings, etc) will be destroyed after all phases of data collection are complete and the data have been fully anonymised. At this point, your data can no longer be withdrawn from the study as it is no longer identifiable. "

Data Protection Impact Assessment (DPIA)

A DPIA aims to ensure that privacy and data protection is embedded in project by design. This is a requirement for projects that may have high risk for participants or require high volume processing of personal data.

If you are unsure whether you need a DPIA you can contact dataprotection@tcd.ie.

For more information see https://www.tcd.ie/info_compliance/data-protection/dpias/

12.Recording, Monitoring and Archiving

The ethics administrator maintains the list of all staff ethics applications and application status on an online spreadsheet on Microsoft Office Teams (office.tcd.ie.) at the location TCD365-SoE-Ethics, Records, Files. The Records folder is accessible to the Director of Research and Administrator only. There are two spreadsheets to be completed by the ethics administrator – the active file - Staff Ethics Applications Log from 27.11.19 and the archive file for approved forms entitled ARCHIVE Staff Ethics Applications – Approved – from Dec 19. Upon approval, staff ethics forms should be moved from the 'Active' to 'Archive' file. The application data will be maintained in line with the requirements of GDPR.

For ethics applications prior to the academic year 2017-18, the spreadsheet of all student applications and application outcomes is maintained by the ethics administrator and stored at the same location as above with the excel file name ARCHIVE Ethic Forms Log 2017-2019 November.

For the academic year 2017-18, all M.Ed and PME applications and application status are on Blackboard. All PhD applications from 2017-18 are maintained on the ARCHIVE Ethic Forms Log 2017-2019 November file by toggling through the relevant tab.

Prior to 2017, ethics applications are stored in paper format (stored in the SoE Office - room 3088).

From the academic year 2018-19, all student ethics applications and status are logged on Blackboard.

At the end of each academic year, the relevant Blackboard ethics module(s) will be archived and stored in the ethics Teams directory (as per location above) within the folder entitled 'Records' managed by the ethics administrator.

Every staff application that is received by the Administrator will be logged on the spreadsheet database on Teams, showing the following as a minimum:

- Name of Lead Researcher
- TCD e-mail
- Project Title
- Estimated start date of survey/research
- Date received by Administrator
- Committee decision
- Date of Committee decision
- Amendments submitted
- Committee decision on amendments
- Date of Committee decision on amendments

7. Appendices

i) Appendix A: Trinity Policy on Good Research Practice: https://www.tcd.ie/research/dean/assets/pdf/FINAL_Good%20Research%20Practice%20policy_COUNCIL%20APPROVEDandminutedgg.pdf

ii) Appendix B: Data Protection Legislation: http://www.lawreform.ie/_fileupload/RevisedActs/WithAnnotations/EN_ACT_1988_0025.PDF

iii) Appendix C: GDPR Regulations: http://gdprandyou.ie/ and https://www.eugdpr.org

Document Review

Date of approval	***Reviewer***	***Notes***
24/1/2017	Dr Noel Ó Murchadha	*Draft document prepared by Dr Noel Ó Murchadha, and approved by the School of Education's Research Ethics Committee*
26/1/2017	Dr Stephen James Minton	*Revised following input from staff participants at School of Education research half-day on 26.1.17 by Dr Stephen James Minton*
19/9/2017	Dr Ann Devitt	*Revised following change to submission process for PME and M Ed and approved by the School of Education's Research Ethics Committee on 19/9/2017*
18/6/2018	Dr Ann Devitt	Revised following changes to submission process for students, GDPR and required updates and integration of notes from application form. Approved by REC (6/6/2018) and School Committee (18/6/2018). For noting at University Research Committee
20/9/2019	Dr Ann Devitt	Revised following consultation with REPC and DPO regarding required changes for GDPR.
10/12/2019	Caroline Morgan	Revised the point 12. Recording, Monitoring and Archiving.
31/03/2020	Caroline Morgan on behalf of Dr Ann Devitt	Appendix added related to 'Amending submissions for Ethical approval in light of the COVID-19 pandemic.
16/10/2020	Dr Ann Devitt	Zero level ethical approval – short checklist on ethics website.
16/10/2020	Dr Ann Devitt	Point 3. Review and approval process – resubmissions update.
27 Oct 2020	Caroline Morgan on behalf of Dr Ann Devitt	Consent options under section 6.

Appendix

School of Education Research Ethics Committee

Amending submissions for ethical approval in light of the COVID-19 pandemic

For School of Education students who already have ethical approval for their research but need to modify their ethics application due to the constraints imposed by COVID-19, per the notice circulated to students in late March 2020, this is being managed through the Blackboard ET7259-A-Y-201920 RESEARCH ETHICS module according to the process below.

1. **Changing to a Level 0 project where there will be NO data collection from humans**:

Please complete the very short checklist under the following tab in the ET7259-A-Y-201920 RESEARCH ETHICS: 'CHANGING TO LEVEL 0 SUBMISSIONS'

These changes are just recorded for noting and students do not need to await approval to begin their research work.

2. **Changes to non face-to-face data collection**

Changes to non face-to-face data collection **require approval** from the School Research Ethics Committee (REC) before students can begin/continue data collection. This submission area covers both questionnaire and interview/focus group data collection. Answer all the questions relevant to the method(s) that you need to modify. Enter N/A for all questions that refer to methods you will not use or do not need to modify.

The modification amendments will be processed by the Research Ethics Committee and approval released on a daily/weekly basis depending on the volume of applications submitted. The REC will try to facilitate a speedy return to research work for students.