



## Human Ethics Committees Formal Complaints Procedures

Before adopting the following procedures, steps should be taken to reach an informal resolution.

**1. Complaint received from Individuals other than the Applicant or Research Funders about the decision-making process used by the Human Ethics Committee in reaching a particular decision:**

- a) Complaint made to the Human Ethics Committee in writing.
- b) Human Ethics Committee Secretary sends complaint to the researcher for comment.
- c) Human Ethics Committee gives written explanation about how the original decision in question was reached.
- d) Complainant given the opportunity to respond and attend the next meeting of the Human Ethics Committee for further discussion.
- e) Complainant informed in writing of the decision, and the right to have the complaint referred to the HRC Ethics Committee, if the complaint has not been resolved to the Complainant's satisfaction.
- f) Report prepared by the Chairperson, Human Ethics Committee and forwarded to the Ethics Administrator.
- g) Report reviewed by the Human Ethics Chairs Committee.

**2. Complaint received from Participants that research/teaching/evaluation is not progressing according to the terms agreed by the Human Ethics Committee:**

- a) Complaint made to the Human Ethics Committee in writing.
- b) Human Ethics Committee Secretary acknowledges receipt of complaint and forwards complaint to the researcher for comment.
- c) Human Ethics Committee warns researcher that if the complaint is upheld following an investigation and an application has been altered without approval, he/she may no longer have protection from legal redress.
- d) Complainant kept informed.
- e) Researcher produces response/makes presentation to the Human Ethics Committee (complainant may attend).
- f) Human Ethics Committee withdraws or confirms approval, with or without amendments to the procedures.
- g) Complainant informed in writing of the decision.

- h) Report prepared by the Chairperson, Human Ethics Committee and forwarded to the relevant Human Ethics Committee Secretary.
  - i) Report reviewed by the Human Ethics Committee and a decision made as to whether the complaint is upheld.
  - j) If upheld, the complaint is referred to the Assistant Vice-Chancellor (Research and Enterprise).
- 3. Complaint received from non-participants that research/teaching/evaluation is not progressing according to the Code of Ethical Conduct for Teaching, Research and Evaluations involving Human Participants:**
- a) Complaint forwarded to the Assistant Vice-Chancellor (Research and Enterprise) in writing.
  - b) Receipt of complaint acknowledged.
  - c) Assistant Vice-Chancellor (Research and Enterprise) forwards complaint to staff members concerned and the Director, Research Ethics for comment. Assistant Vice-Chancellor (Research and Enterprise) warns staff members that if the complaint is upheld following an investigation and an application has been altered without approval, he/she may no longer have protection from legal redress.
  - d) Assistant Vice-Chancellor (Research and Enterprise) responds to Complainant.
- 4. Complaints about the performance of the Human Ethics Committee\*:**
- a) Complaint made to the Director, Research Ethics in writing.
  - b) Ethics Administrator acknowledges receipt of complaint and forwards complaint to the Human Ethics Committee for comment.
  - c) Complaint and Human Ethics Committee comments referred to the Human Ethics Chairs Committee.
  - d) Complainant and Human Ethics Committee Chair given the opportunity to speak with the Human Ethics Chairs Committee in regards to the complaint.
  - e) Report prepared by the Human Ethics Chairs Committee and referred to the Assistant Vice-Chancellor (Research and Enterprise).
  - f) Complainant and all Committee Members kept informed.
  - g) The Assistant Vice-Chancellor (Research and Enterprise) sends the report to the Complainant and the Human Ethics Committee for comment.
  - h) On receipt of the response from the Complainant and the Human Ethics Committee, the Assistant Vice-Chancellor (Research and Enterprise) will inform both parties and the Human Ethics Chairs Committee in writing of the decision.

All complaints will be recorded and included in (i) the annual report of the Human Ethics Chairs Committee (which is sent to the Massey University Academic Board); and (ii) the Annual Report Form, which is sent each year to the Health Research Council (HRC) Ethics Committee.

\*Note: The Chair of the Human Ethics Committee involved in the complaint must stand down from discussion and deliberation during the consideration of the complaint by the Human Ethics Chairs Committee.