

HREC APPROVED RESEARCH PROJECTS COMPLAINTS AND APPEALS PROCEDURE

Document Name	ACAP_1_A_POL_HREC_Complaints_181012	
Date of Next Review	15 December 2018	
Approved by	Academic Board	15 December 2015
Responsible Person	Dean	
Related Documents	External: National Statement on Ethical Conduct in Human Research (2007); Australian Code for the Responsible Conduct of Research College: Research Introductory Guide; Human Research Approval and Conduct Guide; Grievances, Complaints and Appeals Policy and Procedure; Navitas Disciplinary Policy for operations based in Australia GHR-02-08P; Navitas Grievance Management Policy - GHR-18-01P.	
References and Legislation	Tertiary Education Quality and Standards (TEQSA) Act 2011 (Cth); Higher Education Standards Framework (Threshold Standards) 2015; Education Services for Overseas Students Act 2000 (Cth); Education Services for Overseas Students Regulations 2001; National Vocational Education and Training Regulator Act 2011; Migration Act 1958 (Cth); National Code of Practice for Providers of Education and Training to Overseas Students 2018; the Higher Education Support Act 2003 (Cth); Privacy Act 1988 (Cth)	

1. Purpose:

The *National Statement on Ethical Conduct in Human research (2007) Chapter 5.6 Handling Complaints* provides guidelines for the handling of complaints about researchers of the conduct of research or about the conduct of the Human Research Ethics Committee (HREC).

The National Statement indicates that an institution or organisation with an HREC will establish mechanisms for receiving and promptly handling complaints or concerns about the conduct of an approved research project (Chapter 5.1, paragraph 5.1.4 (c), Chapter 5.1.37 (p), Chapter 5.6 paragraphs 5.6.1 to 5.6.7).

This document sets out the procedures for receiving, handling and responding to concerns or complaints about the conduct of a project approved by the Australian College of Applied Psychology’s Human Research Ethics Committee (ACAP HREC).

2. Scope:

These procedures apply to all research projects approved by the ACAP HREC.

All ACAP HREC research Participant Information Sheet and/or Consent Form for each ACAP HREC project must make reference to these procedures.

The procedures are consistent with the College’s Research Introductory Guide and Human Research Approval and Conduct Guide, the National Statement on Ethical Conduct in Human research (2007), and the Australian Code for the Responsible Conduct of Research.

The ACAP HREC Secretariat is responsible for ensuring these procedures remain consistent with the College’s Research Introductory Guide and Human Research Approval and Conduct Guide,

the National Statement on Ethical Conduct in Human research (2007), and the Australian Code for the Responsible Conduct of Research.

3. Definitions:

Term	Definition
<i>Academic staff / teaching staff</i>	Permanent and casual employees engaged in teaching and assessment of courses at the institution.
<i>College (the)</i>	The Australian College of Applied Psychology
<i>International student/ Overseas student</i>	A student required to hold a student visa for study in Australia.
<i>Unit</i>	A unit of study in a higher education course or a unit of study, subject, module and/or unit of competency in a vocational education and training course.

4. Procedure:

- 4.1 The ACAP HREC Secretariat is the location to which all initial concerns/complaints from research participants, researchers, or other interested persons are to be directed.
- 4.2 The contact details of the person nominated by the ACAP HREC to receive concerns/complaints must be included in the Participant Information Sheet and/or Consent Form for each project.
- 4.3 Any concern or complaint received by the ACAP HREC Secretariat relating to a research project will be initially referred promptly by the ACAP HREC Secretariat to the ACAP HREC Chair for consideration, determining of the appropriate mechanism for handling the concern or complaint consistent with College policy and rules, including the College Principles of Procedural Fairness.

Appropriate mechanisms may include (but are not limited to) co-opting one or more members from the ACAP HREC and/or the institution to investigate and recommend a resolution of the concern/complaint to the ACAP HREC Chair or ACAP HREC.
- 4.4 The ACAP HREC Chair and/or ACAP HREC may resolve any concern or complaint if not designated as potentially serious concern or complaint.
- 4.5 The Chair, ACAP HREC will undertake to promptly refer any concern/complaint designated as potentially serious to the Dean Academic for investigation and resolution. Potentially serious complaints include, but are not restricted to, those associated with: significant injury or other personal harm to a research participant, researcher or an associated third party; fraud; and/or significant damage to property.
- 4.6 The ACAP HREC Secretary or nominee is responsible for :
 - a) recording the details of all received formalised concerns/complaints in the Research Complaints Log;
 - b) obtaining from the complainant, either verbally or in writing, the grounds of the concern/complaint.

If the complainant provides consent, their contact details are to be recorded in the Research Complaints Log so that the outcome of the investigation can be reported to the complainant.
- 4.7 The ACAP HREC Chair may take no longer than 20 working days from the time of notification of the concern/complaint to determine an outcome, unless exceptional circumstances exist.

4.8 The Chair, ACAP HREC (or nominee) will undertake to ensure the ACAP HREC are informed of the receipt of a concern or complaint and any course of action taken in relation to the concern/complaint.

If the concern/complaint is substantiated, the ensuing actions may include (but are not limited to):

- a) a requirement for amendments to the project, including changes to the Participant Information Statement or increased monitoring by the ACAP HREC;
- b) temporary suspension of the project, pending resolution of the concerns/complaints;
- c) termination of the conduct of the project;
- d) implementation of the appropriate College disciplinary policy and procedure;
- e) referral to the Dean Academic for further investigation and resolution in accordance with College policy and rules, and/or
- f) other appropriate action consistent with College policy and rules.

4.9 The complainant will be informed in writing of the outcome of the review of their concern/complaint. This communication will be recorded in the Research Complaints Log.

4.10 If the complainant is not satisfied with the outcome of the review, then he/she can lodge an appeal in accordance with the applicable College policy or code, this normally being: for students - the College Academic Grievances, Complaints and Appeals Policy and Procedures or Non-Academic Grievances, Complaints and Appeals Policy and Procedures or for staff and agents – the relevant human resources policy including (but not limited to) the Navitas Grievance Management Policy - GHR-18-01P.

5. Responsibilities

- The Chair, ACAP HREC and Dean Academic are accountable for the ongoing development, approval, implementation, awareness and effectiveness of this Procedure.
- The ACAP HREC Secretariat is responsible for being aware of and complying with this procedure.
- Members of the ACAP HREC are responsible for being aware of and complying with this procedure.
- Students and Academic Staff and other agents of the College engaged in human research projects are responsible for being aware of and complying with this procedure.

6. Document Manager Control

Date	Summary of Changes	Author
15/12/2015	Establishment of Procedure	Dean
25/01/2016	Minor template technical amendments	Dean
12/10/2018	Change of template	VET Compliance Manager