

Research Ethics Policy

Policy statement

1. The British Institute of International and Comparative Law (BIICL) endorses the commitments set out in the Universities UK concordat to support research integrity¹, by:
 - Maintaining the highest standards of rigour and integrity in all aspects of research;
 - Ensuring that research is conducted according to appropriate ethical, legal and professional frameworks, obligations and standards;
 - Supporting a research environment that is underpinned by a culture of integrity and based on good governance, best practice and support for the development of researchers;
 - Using transparent, robust and fair processes to deal with allegations of research misconduct should they arise.
2. BIICL ensures that all research proposals undergo an ethics review at an appropriate level, depending on the type of research to be undertaken. A Research Ethics Committee has been established to assist in this process, with the following constitution:
 - Chair: BIICL Trustee (or other person appointed by the Board of Trustees)
 - 1 other BIICL Trustee
 - 2 lay members²:
 - BIICL Director
 - 3 Senior Research Fellows (at least one of whom will be from the Bingham Centre for the Rule of Law).
3. In developing this policy and related processes, we have followed the ESRC's Framework for Research Ethics and have also considered some helpful examples of policies from UK universities.

Key principles of ethical research

4. BIICL fully supports the following key principles of ethical research, taken from the ESRC Framework for Research Ethics³:
 - Research should be designed, reviewed and undertaken to ensure integrity, quality and transparency;
 - Research staff and participants (e.g. interviewees, survey respondents, stakeholder organisations etc.) must normally be informed fully about the

¹ Available at:

<http://www.universitiesuk.ac.uk/highereducation/Documents/2012/TheConcordatToSupportResearchIntegrity.pdf>

² A lay member should have no affiliation to the research organisation apart from membership of the Research Ethics Committee.

³ Available at: <http://www.esrc.ac.uk/about-esrc/information/research-ethics.aspx>

purpose, methods and intended possible uses of the research, what their participation in the research entails and what risks, if any, are involved⁴;

- Those engaged in pursuing and participating in research should have opportunities to provide input into the methodology and process;
- The confidentiality of information supplied by research participants and the anonymity of respondents must be respected;
- Research participants must take part voluntarily, free from any coercion, and may withdraw at any stage of the process;
- Harm to research participants and researchers must be avoided in all instances;
- The independence of research must be clear, and the funding sources explained, and any conflicts of interest or partiality must be explicit;
- All data will be held securely in line with the Data Protection Act.

Key responsibilities

5. The responsibility for ethical conduct of research in line with the above principles rests with the principal researcher and BIICL as the employing organisation.
6. BIICL is responsible for ensuring that clear, appropriate and effective procedures are in place for ethics review, approval and governance. Ethics review should always be proportionate to the potential risk, with each project being considered on a case by case basis.
7. BIICL is responsible for ensuring that all relevant staff receive appropriate training and development in relation to research ethics, as and when needed. This may include training for: research supervisors; research directors; and members of the Research Ethics Committee, including lay members⁵.
8. Research should be designed to ensure that the dignity and autonomy of research participants is protected and respected at all times. Risks should be minimised, as far as possible.
9. Research involving primary data collection (through interviews or survey questionnaires, for example) will always raise issues of ethics that must be addressed. Whilst the use of secondary data may be relatively uncontroversial and require only expedited review, it may raise some ethical issues if the research is using these data in new ways or linking them to other data, for example.
10. In relation to the types of research normally carried out by BIICL, staff may particularly wish to consider the follow key points relating to ethics and research management:
 - Does the research use or gather data relating to identifiable living people?
 - Does the research use or gather data that are not in the public domain?
 - Who will have access to data?

⁴ Some variation is allowed in very specific research contexts for which detailed guidance is provided by the ESRC in Section 2 of its Framework document.

⁵ A lay member should have no affiliation to the research organisation apart from membership of the Research Ethics Committee.

- How will sensitive, confidential or personal data be stored? What is the appropriately secure level (encrypted if necessary, not left on laptops or memory sticks that can be stolen or lost)?
 - How will interns and any other staff be briefed about any confidentiality issues? Do they need express briefing over and above the general internship / employment conditions?
 - Might publication of research findings have an adverse effect on any individuals or groups? This may be especially relevant in countries where human rights are not always respected.
 - Has any significant information been withheld from participants, partners or funders?
 - Might there be participants, partners or funders involved whose involvement may give rise to any reputational risk for BIICL or others?
11. In addition, to encourage good practice in the development, conduct and monitoring of research, staff are advised to use the checklist developed by the UK Research Integrity Office⁶ in its *Code of Practice for Research: Promoting good practice and preventing misconduct*.

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⁶ <http://www.ukrio.org/publications/checklist-for-researchers/>