

## **Introduction**

The University Ethics Committee (UEC) is committed to upholding the responsibilities of the University and the research community with respect to the conduct of research, including principles of good practice, ethical approval, competence, responsibility, integrity, rights and dignity of research participants, data management and dissemination. By having an appeals procedure, the UEC is not expecting or soliciting appeals and this procedure should only be invoked when all avenues with the relevant UEC ethics sub-committee through its chair, have been exhausted. The procedure applies to any researcher / research team, who wishes to appeal the decision made by a UCC research ethics sub-committee. A Supervisor / Principal Investigator may bring forward an appeal on a student's /students' behalf in accordance with the procedures set out below.

## **Grounds for Appeal**

The grounds for appeal areas are as follows:

- A. There were procedural irregularities in the review process where the committee may not have reached the same conclusion had these not occurred
- B. There is evidence or grounds for allegation of inadequate review in the review conducted.

## **The Appeals Procedure**

The researcher / PI wishing to appeal a decision of UCC's Constituent Research Ethics Sub-Committees (AEEC / CREC / SREC) should notify the UEC secretary (ethics@ucc.ie) in writing within 15 working days of the notification of the decision made by the ethics committee, which is the subject of the appeal. The following information should be included:

- (1) The title of the proposed research topic and the name of the lead researcher or supervisor as appropriate
- (2) The reference number if one was assigned to the application, which is the subject of the appeal

- (3) The date of the decision made and the name of the committee, which is the subject of the appeal
- (4) The grounds for appeal (specified with reference to those identified above)
- (5) Any supporting documentary evidence to support the appeal.

### **Composition of the Appeal Panel**

The Chair of UEC will decide whether they are the most appropriate person to chair the appeal panel. In the case of a conflict of interest, the Chair of UEC will refer the appeal to the Vice President for Research and Innovation / UCC Research Integrity Officer, and unless there is a conflict of interest on their part also, one of them will chair the panel.

Where the appeal is based on a valid ground of appeal, a suitable panel to consider the appeal (the appeal panel) will be assembled by the chair based on the subject area of the project and drawn from the UEC and/or other disciplinary or other experts (internal / external to the university), as deemed necessary/appropriate. Appeal panel members will be required to have no previous involvement with an application, which is the subject of an appeal.

The appeal panel will be supported by the UEC Secretary who will request and supply all the relevant information from the local ethics sub-committee that made original decision, as well as any additional information that may be deemed relevant.

### **The Appeal Procedure**

The appeal procedure will consist of four steps: a discussion of the decision appealed, a review of the evidence, a considered decision, and a communication of this decision. The appeal panel will consider an appeal in such manner as it deems appropriate to the circumstances of the case, having regard to fairness, due process, the UCC Code of Research Conduct and other related university policy and guidance. The appeal panel shall, subject to above, process appeals as quickly as is reasonably possible.

The appeal panel shall determine the appeal and make whatever decision it considers appropriate in the circumstances. The appeal panel shall have power to revoke or amend the decision of the local committee (AEEC/CREC/SREC) that made the original decision in full or

part or make such other direction as it sees fit (e.g., direct the relevant committee to reconsider the position further).

Both the researcher who submitted the appeal and the chair of the relevant ethics sub-committee will be notified of the decision of the appeal panel in writing.

The appeal panel chair will ensure that any institutional obligations and/or relevant contractual obligations to research funding bodies and partner institutions are met, which may include notifying them of the appeal and its finding / recommendation.

The decision of the appeal panel is final.