

HUMAN RESEARCH ETHICS COMMITTEE - TERMS OF REFERENCE

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Role

The Human Research Ethics Subcommittee (HRES) is established by the Academic Board to oversee ethical review processes for research involving human participants conducted under EIT's authority. The subcommittee ensures that all such research complies with the *National Statement on Ethical Conduct in Human Research (2025)* and EIT's internal policies and procedures. The HRES operates as a specialist ethics review body appropriate to the scale and nature of research conducted at EIT.

The HRES is authorised to review and approve low- and negligible-risk research involving human participants, as defined in Appendix 2: EIT Ethics Risk Guideline.

Research classified as greater than low risk will be:

- Referred to an appropriately constituted external Human Research Ethics Committee (HREC) under an approved written referral arrangement, or
- Managed through another ethics review pathway approved by Academic Board and documented in EIT's approved ethics pathways

The HRES reports to the Research Committee on all research matters under its authority and any other matters referred to it by the Academic Board or Research Committee from time to time.

Functions and Responsibilities

The HRES is responsible for:

- Reviewing and determining ethics applications involving human participants, including, but not limited to, interviews, surveys, questionnaires, and educational research involving students, teaching methods or learning outcomes.

- Ensuring that research requiring ethics approval does not commence before approval is granted, and that researchers receive written evidence of approval for publication and reporting purposes.
 - Ensuring compliance with:
 - The *National Statement on Ethical Conduct in Human Research (2025)*, as amended or replaced from time to time.
 - The *Australian Code for the Responsible Conduct of Research (2018)*, as amended or replaced from time to time.
 - EIT's Research Code of Conduct and Ethics Approval Procedure.
 - The *AIATSIS Code of Ethics for Aboriginal and Torres Strait Islander Research*, where applicable
 - For research conducted outside Australia, any applicable ethical frameworks, protocols, codes, or regulatory requirements relevant to the country or jurisdiction in which the research is undertaken
 - Assessing risk levels and applying proportionate review processes in accordance with Appendix 2: EIT Ethics Risk Guideline.
 - Providing guidance to researchers and the Research Committee on ethical matters, including informed consent, privacy, and data management.
 - Monitoring approved projects, including, but not limited to:
 - amendments
 - adverse events
 - final reports
 - Maintaining accurate records of applications, decisions and approvals and advising the Research Committee of the application decisions.
 - Escalating significant ethical concerns to the Academic Board.
 - Undertaking additional responsibilities as delegated by the Academic Board.

Membership

The members of the HRES shall be appointed by the Academic Board and will include:

- Chairperson: Dean (or nominee).
- Internal Members (Voting):
 - Academic staff with experience in research involving human participants (minimum 2).
 - Research Coordinator (1).

- External Members (Voting):
 - At least two external members with relevant expertise in research ethics, social science, or human research governance.
 - At least one member must be independent of EIT and not otherwise affiliated
 - At least one member should represent a community or lay perspective
- Invited Members (Non-voting):
 - Subject Matter Experts (SMEs) or Course Coordinators may be invited to provide advice on specific applications where additional expertise is required.
- Optional Members (as required):
 - Legal or privacy expert
- Secretariat

The term of office for standing members is usually for the duration of the member's employment in the ex-officio position listed. Other members may be appointed by the Academic Board from time to time or may be invited by the Chair of the HRES.

External voting members will usually serve terms of three (3) years, and new members may be appointed for one year in the first instance. Members may seek re-appointment at the end of each term, and their expression of interest for further appointment will be considered by the Academic Board, taking into account membership requirements, adherence to the HRES' code of conduct, attendance records, and overall contribution of the member to the work of the HRES.

Membership Principles

- Membership will, as far as practicable, reflect diversity in gender, cultural background, and disciplinary expertise
- External members should, where practicable, constitute at least one-third of the voting membership

Training

Members must undertake appropriate training in human research ethics and remain familiar with the *National Statement on Ethical Conduct in Human Research (2025)*.

Meetings

The HRES will meet as required, typically monthly during peak periods or within 4 weeks of receiving an ethics application.

Reporting

The HRES shall provide a report to the Research Committee after each meeting in the form of meeting minutes and summary reports of decisions and approvals.

The Research Committee will provide oversight and escalate key matters to the Academic Board as required.

Review

These terms of reference will be reviewed every three years, with the effectiveness of the HRES considered as part of EIT's periodic reviews of academic governance.

Standing Orders

Meetings are in accordance with the Standing Orders outlined in Appendix 1.

Notes

This Subcommittee is designed to reflect a proportionate, risk-based approach to ethics review appropriate for a private higher education provider and does not constitute a full NHMRC-registered Human Research Ethics Committee (HREC).

Appendix 1: Standing Orders

Convening of meetings

1. The HRES shall meet:
 - As required, typically monthly during peak periods, or within 4 weeks of receiving an ethics application
 - When specially called, at the direction of the Academic Board or the Chair of the HRES.
 - When specially called, upon receipt of a written request from fifty percent of the voting membership of the HRES, containing a description of the business to be discussed.
2. The notice of meeting and a copy of the business papers shall be circulated to each member normally at least five clear working days before the meeting. The Chair may permit additional business to be tabled at the meeting.
3. Where urgent action is required between scheduled meetings of the HRES, the Chair of the Committee may act on behalf of the Committee but will report all such actions to the next scheduled meeting of the Committee. Non-urgent items between scheduled meetings may also be dealt with by signed resolution by all voting members of the HRES (or a quorum where all members are not available).
4. Any notice of motion, report or other business must be submitted in writing seven (7) clear working days before the meeting. Matters submitted after this time may be accepted at the discretion of the Chair.
5. If the Chair is of the opinion that there is insufficient business to warrant holding a normal meeting, the Chair may cancel the meeting and inform members normally at least three (3) days before the scheduled date of the meeting.
6. If after fifteen minutes of the scheduled starting time, a quorum is not present, the Chair may exercise discretion and allow the meeting to proceed, but any decisions from that meeting shall be confirmed by signed resolution by all voting members of the Committee (or a quorum where all members aren't available).

Meeting Conduct

Unless ruled otherwise by the Chair or resolved by the HRES, the HRES will conduct its business as follows:

- The Chair shall conduct the meeting according to the standing orders; ensure order is maintained; and give members an opportunity to speak and vote on matters tabled at the meeting.
- The order of business shall follow the agenda unless agreed otherwise.
- Matters for debate or to move a motion must be on the agenda and seconded, unless otherwise approved.
- Voting shall be by the Chair seeking a mover and seconder (2 separate members) for the matter under consideration unless a secret ballot is requested.
- Members may indicate their preference for approval/non-approval of a matter in advance if they are unable to attend.

- Members may speak more than once at the discretion of the Chair.
- A motion may be amended or withdrawn with the consent of the members.
- When an amendment is before the Chair, discussion shall be confined to that amendment.
- No further amendments can be made if they are the same, or if the amendment is a direct negative.

The Chair

The Chair shall:

- Conduct meetings of the HRES in the manner indicated by the Standing Orders and give all members present an opportunity to speak and vote on the business of the meeting
- Take care that the sense of the meeting is properly followed in regard to the business before the meeting
- Put motions and amendments to the vote and report the result of the vote
- Maintain order in the discussions and debate of motions and amendments
- Refuse to accept motions and amendments which are not expressed clearly
- Not refuse any amendments that are presented in proper form and relate to the motion under discussion
- Not adjourn a meeting to prevent it from coming to a decision
- Exercise discretion in all matters not elsewhere covered in these standing orders.

Quorum

A quorum will be a minimum of half the voting members plus one, including at least one external member and the Chair (or delegated nominee). In the case of a tied vote, the Chair has the casting vote. See point 6 above in the 'Convening of Meetings' section re non-quorate meeting procedure.

Circulating resolution

A resolution in writing signed by all the members of a Committee, in either case being at least a quorum, is as valid and effectual as if it had been passed at a meeting of the members duly called and constituted at the time the resolution was last signed and may consist of several documents in like form each signed by one or more of the members.

The Minutes

The Minutes of all meetings will be recorded accurately and confirmed at a subsequent meeting. The Minutes will normally record the following details from each meeting:

- The date, time, and place of the meeting
- The nature of the meeting – ordinary, adjourned, or special meeting

- The names of the Chair, members present, apologies and any persons invited to the meeting
- A summary of the business conducted, including motions and amendments put, together with the result of each vote
- The date, time, and place for the next meeting.

The Minutes of each meeting shall be submitted to the following meeting for confirmation in terms of their accuracy. Any corrections must be agreed upon by the meeting before the Minutes are confirmed.

The confirmed Minutes shall be signed by the Chair as a true record of the proceedings of the previous meeting.

Conduct of Members

A member shall:

- Keep their comments to matters before the Committee
- Attend meetings and be punctual
- Undertake review of documents prior to meetings, within timeframes requested
- Act in the best interests of the Institute and not bring the Institute into disrepute
- Exercise appropriate care and diligence
- Not make false statements or falsify records
- Act appropriately to not gain advantage for themselves or others
- Not make offensive statements or comments or behave improperly
- Shall cease speaking when called to order by the Chair
- Declare any potential conflicts of interest and stand aside from discussions and voting on such matters deemed to be a conflict of interest
- Keep all matters in confidence and not disclose any matters of business to the general public, members of staff or other associates of EIT

Dismissal of Members

The dismissal of a member for misconduct is based on the following three-step procedure which includes:

- First formal notice in writing
- Second formal notice in writing
- Notice of dismissal from duties.

For issues that are considered minor a conversation with the member may be appropriate; however, this will not be considered part of the formal disciplinary action (although it may be referred to in a later action).

Written notice will include details of the issue and, where feasible, evidence. In a case where the disciplinary measure has been instigated by a complaint, it may be appropriate to include a copy (with identification removed) or extract of this complaint.

Further disciplinary actions, such as a suspension of duties for a period of time, may also be appropriate. In such cases these actions will be included with the formal notice in writing. Every effort will be taken to ensure that notice of a disciplinary measure, whether formal or informal, will be given at an appropriate time. Notice of a disciplinary measure will be given by a designated Governance Board member.

The member will be provided with an opportunity to lodge an appeal against the action. This may take the form of a meeting with the appropriate Governance Board member or a representation in person and/or in writing to the Board. The member may bring a representative to any such meeting.

Should an appeal result in a change of the disciplinary action, or removal of it, this will be confirmed in writing to the member. Conduct which may lead to disciplinary action includes, but is not limited to:

- Failing to follow the existing rules of conduct
- Rudeness or hostility towards other members
- Poor timekeeping and unreliability
- Publicly bringing the name of the EIT into disrepute
- Falsifications of any of the EIT's records for personal gain
- Having a criminal record
- Commercial misrepresentation of EIT.

Amendment of Standing Orders

These Standing Orders may be amended by a motion which has been presented with due notice to all members. An absolute majority of members is required for a proposal of these orders to be changed and submitted to the Academic Board for approval.

APPENDIX 2: EIT ETHICS RISK GUIDELINE

Purpose

This guideline supports the Human Research Ethics Subcommittee (HRES) in assessing the level of risk associated with research involving human participants and applying proportionate review processes.

It aligns with the *National Statement on Ethical Conduct in Human Research (2025)*.

This guideline should be read in conjunction with the HRES Terms of Reference.

Risk Categories

1 Negligible Risk

Research is considered a negligible risk where there is no foreseeable risk of harm or discomfort to participants.

Examples include:

- Anonymous surveys on non-sensitive topics
- Analysis of de-identified data
- Routine educational feedback activities used for research purposes

2 Low Risk

Research is considered low risk where the only foreseeable risk is one of minor discomfort.

Examples include:

- Interviews about professional or educational experiences
- Non-sensitive questionnaires where participants can withdraw freely
- Observational studies in public settings

3 Greater Than Low Risk

Research is greater than low risk where there is a possibility of harm, including psychological, social, legal, educational, or economic harm.

Examples include:

- Research involving sensitive topics (e.g. trauma, mental health, discrimination)
- Collection of identifiable personal or sensitive data
- Research involving vulnerable participants (e.g. minors, dependent relationships)
- Situations where participation may affect employment, academic standing, or wellbeing

Key Principles

- If there is any foreseeable risk of harm, the research is not low risk
- Risk assessment must consider both likelihood and severity
- Participant vulnerability must be taken into account
- Privacy and confidentiality risks must be explicitly assessed

Review Pathways

- Negligible risk research may be eligible for expedited review
- Low risk research requires HRES review and approval
- Greater than low risk research must be referred to an external Human Research Ethics Committee (HREC)

Data and Privacy Considerations

All research must:

- Comply with applicable privacy legislation and EIT data governance requirements
- Ensure secure storage of data
- Limit access to authorised personnel only
- Use de-identification where appropriate

Ongoing Risk Monitoring

- The HRES will monitor ethics approvals and seek updates every six months.
- Researchers must report to the HRES:
 - Any adverse events
 - Changes to research design that may affect risk level
 - Final outcomes of the research
- The HRES may reassess risk classification at any stage of the research lifecycle.