

Research Ethics Panel

Appeals Policy

Fersiwn: Version:	Paratowyd gan: Prepared by	Dyddiad: Date:	Cymeradwywyd gan: Approved by:	Dyddiad adolygiad: Review Date
Version 2.0	Lisa Fisher	5 th February 2020	UREC > Senate > Council – January / February 2015 Reviewed by UREC February 2020	February 2022

Applicants are encouraged to contact ethics@aber.ac.uk in the first instance.

1. The Appeals Panel shall hear appeals on any decisions made by the Research Ethics Panels that show:

a) That there is demonstrable evidence of bias, prejudice or insufficient review OR

b) That substantial procedural irregularities have affected the decision made by the Panel and have caused doubt as to whether the Panel would have reached the same decision had these irregularities not occurred.

Appeals Procedure

- Any proposal that receives an unfavourable ethical opinion will normally be referred back to the applicant with the deficiencies of the proposal identified, giving the applicant the opportunity of a further submission (known as a level 3 rejection).
- This appeals process only applies to AU staff (Inc. contracted researchers) and students who have received an unfavourable ethical opinion, which requires a new application to be submitted at the next Research Ethics Panel (known as a level 4 rejection).
- Appeals should be made by the applicant in writing within 20 working days of the date of the letter confirming the unfavourable opinion of the application that you wish to appeal. The Pro Vice-Chancellor with responsibility for Research, Knowledge Exchange and Innovation (or delegated nominee, the Head of RB&I) shall receive the evidence and determine whether grounds for appeal exist, if so:
 - The Panel shall be convened by the PVC for Research, Knowledge Exchange and Innovation or where delegated, the Head of RB&I.
 - The appeal will be heard by a member of UREC, who will act as Chair along with 3 appropriate persons, as decided by the PVC or delegated nominee. The Panel must include a Lay Member and Student Representative (if the person making the appeal is a student).

Any Panel members from the same department as the applicant may not take part in the appeals process. The Chair of the Research Ethics Panel may not chair the Appeal Pane, to ensure the fairness of proceedings.

- It is normal procedure for the appeal to be heard prior to the next Research Ethics Panel meeting. However if urgent, the PVC or delegated nominee, at their discretion and taking into account the nature and urgency of the proposal, may organise for the appeal to be heard at a sooner date.

- The letter of appeal must state the reason(s) for the appeal and include a supporting statement indicating the grounds on which the appeal is to be based.
- Unless the applicant arrives at the specified time and date agreed, the appeal will be held in absentia. The Appeals Panel will fulfil its responsibility and provide sufficient notice of the appeal date, any exceptional reason for being unable to attend must be provided in advance of the appeal. The applicant may bring a suitable person with them to the appeal (e.g. supervisor or manager) for support; however the applicant should be the core speaker in the appeal proceedings.
- The Chair can action one of the following against the appeal, the decision should be by consensus:
 - I. Allow the appeal
 - II. Uphold the original decision and dismiss the appeal

It is not sufficient for mere dissatisfaction to cause claim for appeal. Furthermore the Committee has no remit over external ethics decisions. Whilst the right to appeal is subject to the published Research Ethics Panel Appeals policy and procedure, it does not affect any applicant's right to existing AU policies and procedures.

- Any decision made is final. The REP's will report annually to UREC on any appeals that have taken place, for both auditing and monitoring purposes.