

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 ethical review at a proportionate 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.
4. A separate document provides the details of our ethical review process and the checklist template used for assessing proposals.

Key principles of ethical research

5. BIICL is committed to the ethical conduct of research. We generate research in line with our mission to advance the understanding of international and comparative law and to promote the rule of law in national, international and transnational affairs. This includes blue-skies research as well as more practical and applied work. We generate research for public benefit and are sensitive to the implications of our work.
6. BIICL fully supports the ESRC's core principles of ethical research, as set out in its Framework for Research Ethics (see box A).

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.

Box A: ESRC core principles of ethical research

- Research should aim to maximise benefit for individuals and minimise risk and harm;
- The rights and dignities of individuals and groups should be respected;
- Wherever possible, participation should be voluntary and appropriately informed;
- Research should be conducted with integrity and transparency;
- Lines of responsibility and accountability should be clearly defined;
- Independence of research should be maintained and, where conflicts of interest cannot be avoided, they should be made explicit.

Key responsibilities

7. The responsibility for ethical conduct of research in line with the above principles rests with the principal researcher and BIICL as the employing or host organisation.
8. 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.
9. BIICL is responsible for ensuring that all relevant researchers 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 members³.
10. 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.
11. 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 light touch 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.
12. In relation to the types of research normally carried out by BIICL, researchers 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?
 - 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)? Are our procedures compliant

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- with the current Data Protection Act and the new General Data Protection Regulation?
- 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?
13. In addition, to encourage good practice in the development, conduct and monitoring of research, researchers are advised to use the checklist developed by the UK Research Integrity Office⁴ in its *Code of Practice for Research: Promoting good practice and preventing misconduct*.

Approved by Board of Trustees on 13 November 2017

⁴ <http://www.ukrio.org/publications/checklist-for-researchers/>