



TERMS OF REFERENCE

Economic and Management Sciences Research Ethics Committee (EMS-REC)

1 Purpose of the committee

The EMS-REC of the Faculty of Economic and Management Sciences (the Faculty) at the North-West University focuses on the evaluation and confirmation of ethical compliance of research within a commerce context, as well as acting in an ethical research advisory and training capacity. All research approved by the scientific committees of the Faculty of Economic and Management Sciences is processed by the EMS-REC, as well as research projects that are directly linked to the Faculty and can lead to a form of disclosure (e.g. journal articles, books and chapters, and official research reports). Research that is mainly associated with fields outside of the Faculty (e.g. health-related research) will not be handled by the EMS-REC and should be referred to the applicable research ethics committee by the applicant.

2 Responsibilities of the committee

As a registered faculty research ethics committee, the EMS-REC operates independently within the guidelines approved by the Research Ethics Regulatory Committee (RERC) and the Faculty Board. The EMS-REC is tasked with the consideration of all ethical clearance applications within the faculty, except where the research field of the application falls outside of the Faculty (e.g. health-related research¹). As such, the EMS-REC's overarching purpose is to ensure that all scientifically approved research projects also adhere to acceptable ethical standards. Furthermore, and if applicable, the EMS-REC can also consider ethical clearance applications in phases, such as in mixed-method research, which is dependent on the completion of certain phases in the research project. The authority of the EMS-REC, under the framework for management of research ethics at the North-West University, allows this committee to consider all applications within the scope of the EMS-REC on low-risk levels. Medium- to high-risk research applications under the scope of the Faculty need to be evaluated through the cross-faculty nationally registered non-health research ethics committee (EMELTEN-REC).

3 Authority

The Economic and Management Sciences Research Ethics Committee (EMS-REC) is registered as a faculty research ethics committee at the North-West University's Research Ethics Regulatory Committee (RERC) and complies with the Policy Statement, Code of Conduct for Researchers at the NWU, and Rules for the Management of Research Ethics at the North-West University (<http://services.nwu.ac.za/research-support/ethics>).

The committee reports jointly to the North-West University's Research Ethics Regulatory Committee (RERC) and to the Faculty Board, through meeting minutes and annual progress reports.

Applications can only be sent for ethical approval after a scientific committee approved a final research proposal. At such a faculty scientific committee, the meeting will make a recommendation as to the relevance of the study to the scope of the EMS-REC and the risk level thereof, as well as propose a relevant ethical committee for the proposal. Nevertheless, the EMS-REC will determine the relevance of the research to the scope of the committee, where research outside of this scope would be referred to the relevant NWU research ethics committee (REC). Research ethics risks for adult participants will be determined and classified in the following four risk-level descriptors:

¹ The Terms of Reference for the management of research ethics at the North-West University defines health-related research as follow: Health-related research is defined as any research conducted by disciplines other than health disciplines about topics or participants within the field of health or investigating or striving to improve the bio-psycho-social wellbeing of human participants.

1. **No risk:** There is no possible risk that the research may lead to any undesirable effects or unexpected negative consequences, as no participants are directly involved.
 2. **Minimal, low or negligible risk:** The probability, magnitude or seriousness of unexpected negative consequences, harm or discomfort anticipated in the research is negligible and not greater than that ordinarily encountered in daily life ('daily life' as a benchmark should be that of daily life experienced by the average person living in a stable society). It suggests research in which the only foreseeable risk is one of minimal unexpected negative consequences, discomfort or inconvenience.
 3. **Medium risk:** Research in which there is a potential risk of unexpected negative consequences, harm or discomfort, but where appropriate steps can be taken to mitigate or reduce the overall risk. Remedial interventions can be undertaken should harm occur.
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| 4. High risk: Research in which there is a real and foreseeable risk of unexpected negative consequences, harm and discomfort, and which may lead to serious adverse consequences if not managed in a responsible manner. |
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The EMS-REC can approve relevant research applications up to medium risk, and issue an ethics number and ethics clearance certificate. Incomplete or ambiguous applications can be referred back to the applicant with a written report identifying the ethical concerns or clarity that need to be provided to be able to identify the risk levels of the application. The improved and clarified ethical clearance applications must be resubmitted to the EMS-REC for approval with a letter indicating how the concerns of the EMS-REC were addressed or why they were misinterpreted. The EMS-REC must provide feedback to the applicant within 10 working days of a sitting.

Note: In the case of master's and doctorate studies, the research title registration process can only be finalised after an ethics clearance certificate and ethics number have been issued.

4 Membership

4.1 Composition

4.1.1 Standing members (at least 15):

	Standing members	Term
(1)	Chairperson	Per appointment by Faculty Board
(2)	Vice chairperson(s)	Per appointment by EMS-REC
(3)	Community representative (who is not a NWU staff member)	Per appointment by Faculty Board
(4)	Statistician, if applicable	Per appointment by Faculty Board
(5)	Committee members; each scientific committee of the Faculty is represented by a specialists in each field (16 members)	Per appointment by Faculty Board

4.2 Appointment of members

The EMS-REC will consist of at least 16 committee members from the various campuses, representing the approved scientific committees of the Faculty. An additional committee member must be nominated as a non-staff member of the North-West University (a community representative) by the office of the Faculty Dean, which can nominate a secretariat for the committee. The office of the Faculty Dean will appoint a chairperson, who can be part of the 16 faculty representatives, and the EMS-REC appoints vice-chairperson(s) from the EMS-REC members. The EMS-REC will have a minimum of 16 members, excluding the secretariat. A statistician, if such a faculty member is available, should form part of the committee. All members of the EMS-REC must be in possession of a current ethics training certificate that meets the requirements of the NWU. The members of the EMS-REC will be nominated for a three-year cycle.

Frequency	At least 10 annual meetings (normally the last Friday of the month, excluding December). The EMS-REC will rotate between the three campuses, where all of the Faculty's research ethics applications will be handled at the meeting. The EMS-REC members from the hosting campus need to be at the meeting, as well as the chairperson, with the option of a, or more, vice-chairperson(s), the secretariat, faculty statistician (where applicable) and the community representative, who will be at all meetings to keep consistency in the procedures.
Extraordinary meetings	If and when necessary.
Quorum	The quorum of the meeting will be 33% of committee members, excluding vacant positions.
Notice of the meeting	An annual schedule of meetings will be compiled for distribution in the last quarter of the preceding year. Changes to the schedule and additional meetings will be communicated at least five working days in advance through the secretariat. The secretariat electronically notifies the time and place where the meeting is to be held. The minutes of the previous meeting will be enclosed and members are requested to provide the secretariat with input by the closing date for the agenda.
Agenda	The secretariat provides the complete agenda pack electronically to all members, including research ethics applications at least two days prior to the meeting,
Attendance register	An attendance register will be circulated by the secretariat at the beginning of each meeting. Every member present must sign the attendance register. The attendance register is proof of attendance for purposes of the minutes.
Confirmation of minutes	An ordinary meeting, after being constituted and opened, commences with confirmation of the minutes of the previous meeting(s). Any objection to the minutes is raised and disposed of before the minutes are confirmed. The secretariat has to make the corrections for the chairperson to sign after the meeting. The minutes may be regarded as read if a copy of the draft minutes was provided to members prior to the meeting. Minutes will be a true reflection of the previous meeting, and will contain all views expressed under the heading 'Noted'. Decisions made by the committee will reflect under the heading 'Resolved'.
Review of applications	A minimum of two members will review an application. All members selected to provide a review must complete a review form and send it to the secretary of the EMS-REC at least two days before the meeting for inclusion in the agenda. If a reviewer cannot provide a review it must be communicated to the secretary once the appointment list is distributed so that another reviewer can be selected. The anonymised review form of the reviewers will be provided to the applicant with the communication of the decision of the committee.
Decision-making process	General matters are resolved by means of consensus. The chairperson might, however, decide when a decision should be taken by means of a voting procedure, as indicated in point 4.4. In the case of research ethics application, a minimum of two reviewers from the committee are nominated to evaluate an application and present the finding to the committee. If a decision is not forthcoming a third reviewer will be appointed to present a review at the next meeting.

	The committee then seeks decision-making through consensus. Voting will be used where consensus was not reached, where the majority vote will be the committee's decision. In such decisions, the voting cannot be anonymous, due to the legal responsibility that the committee has for such a decision. The chairperson can make a declaration of non-agreement, where his/her vote was against the majority vote. The chairperson has an additional casting vote in the event of an equality of votes on any matter. The detail of votes in favour of or against any proposal is recorded in the minutes.
Letters of response to ethics applications	A response letter will be compiled for each application by the committee and signed by the chairperson/acting chairperson, indicating the outcome of the application. This letter for accepted applications will include ethics numbers, provided by the NWU Research Support office.
Referral to other ethics committees	EMS-REC processes application received from scientific committees of the Faculty. If the committee on evaluation of an application becomes aware of the medium or high risk of a study it will be referred to the EMELTEN-REC or another committee commissioned to process such applications.
Conflict of interest	A member may not take part in the discussion of or vote on any matter in which the member has a direct financial or other interest, unless the member first discloses the nature and extent of the interest and obtains the leave of the meeting to take part in the discussion or to vote. All committee members must indicate any conflict of interest at the agenda point allocated for that, and must also indicate a conflict of interest on the attendance register by indicating the agenda item where the conflict arises in writing next to his/her name.
Point of order	A point of order, clarification or information may be raised against any member. Should the above point of order, clarification or information be immediately challenged by a member, the ruling is put to the meeting for determination, without it being discussed, and the decision of the meeting is final. The ruling of the chairperson is binding and cannot be challenged.
Disrespectful / disorderly conduct	Anyone attending a meeting who, after having been requested to refrain from disrespectful or disorderly conduct, continues to disobey a ruling from the chairperson, must be requested to leave the meeting. If that person does not leave the meeting immediately, such a person could be removed from the meeting with the assistance of Protection Services.
Apology	An apology will be noted when a member electronically submits it to the secretariat and/or the chairperson, at least one day prior to the meeting. Members absent from the meeting without the above-mentioned apology are noted as 'without apology'. The views of a member who is unable to attend a meeting may be submitted in writing, but may not count as a vote of such member.
Recording of meeting	At the opening of the meeting, the chairperson can indicate that a recording will be made for the purposes of the minutes. The audio file is deleted after signed confirmation of the minutes at the next meeting.

Round-robin process	The chairperson may submit urgent matters electronically in between scheduled meetings. The secretariat will assist in this process. At least two thirds of the members have to confirm their involvement in the process electronically by giving feedback, approval or non-approval. When a majority of members reaches agreement, it is taken as a resolution. Such resolution is equivalent to a resolution of the committee and must be recorded in the minutes of the next meeting.
Resources and budget	As determined by the office of the Faculty Dean.
Records management	All records of the committee (terms of reference, membership list, agendas, minutes, attendance register, correspondence, etc.) will be kept electronically (e.g. <i>Share</i>) and in hard copy, and the hard copy will be sent to the Archives and Museum Services for permanent preservation. Committee members have automatic access to all records of the committee. All other interested parties must complete a request form in terms of the Promotion of Access to Information Act, which will be assessed in terms of the prescriptions contained in the Act.

Appointment of chairperson and acting chairperson/vice-chairperson

The chairperson is appointed by the office of the Dean and can also represent one of the 16 committee members as representatives of the campuses. At least one vice-chairperson will be appointed by the EMS-REC, with preference to representation on each campus. In the absence of the chairperson, or where conflict of interest is noted, a vice-chairperson serves as acting chairperson.

4.3 Co-opted members, observers and visitors

Independent, special expertise can be co-opted as required (on an *ad-hoc* basis) and, with permission from the committee, observers and visitors can be allowed.

4.4 Voting rights of members

The EMS-REC strives for consensus in decisions, but can use voting where consensus has not been reached. Votes will be allocated to the attending members, excluding co-opted members, observers, visitors and EMS-REC members with a conflict of interest (e.g. supervisor of the research project).

Voting will be used where consensus was not reached, where the majority vote will be the committee's decision. In such decisions, the voting cannot be anonymous, due to the legal responsibility that the committee has for such a decision. The chairperson can make a declaration of non-agreement, where his/her vote was against the majority vote. The chairperson has an additional casting vote in the event of an equality of votes on any matter. The detail of votes in favour of or against any proposal is recorded in the minutes.

4.5 Review of committee decision and appeals

An applicant that is not in agreement with the decision of the committee can request clarification and/or provide a rebuttal to the chairperson of the ethics committee within **five days** of receiving feedback. The chairperson will consider the request and/or rebuttal with the relevant reviewers and report to the next meeting of the committee ("Feedback from applicants" on the agenda). Such correspondence should be sent to the secretary of the committee who will inform the chair and relevant reviewers.

Should the clarification and/or rebuttal process could not resolve the applicant's complaint the ethics appeals committee of the faculty (consisting of the three chairs of the higher degree committee) can be approached to advise the EMS-REC.

4.6 Secretariat

Secretariat services are provided by Corporate Information and Governance Services.

5 Reporting

The chairperson reports to the RERC quarterly and with an annual report, which will also be provided to the Faculty Board. After each meeting of the committee, the chairperson shall also submit the minutes of the meeting to the next ordinary meeting of the Faculty Board.

6 Approval and review

The following documents guide the operations of this committee: (if applicable)

Document	Status	Authority	Date
Rules for the Research Ethics Regulatory Committee (RERC) and Research Ethics Committees (RECs)	<i>To be reviewed</i>	DVC:RI	<i>Due date: 6 August 2018</i>
EMS-REC application form	<i>To be reviewed</i>	Faculty Board	<i>Due date: 1 August 2018</i>

7 Review

The terms of reference for the Faculty Board and sub-committees will be reviewed on a three-year cycle.