
Proposed Revision of
Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans
- Main Text -

There are no changes suggested for chapters 8 or 13.
Chapter 11 has been substantially revised and is provided under separate cover.
New text is underlined. Text to be removed is ~~struck through~~.
Comments will be accepted until January 31, 2017.

1 **CHAPTER 1**

2 **Section B, Justice, 2nd paragraph**

3 Treating people fairly and equitably does not always mean treating people in the same way. Differences in
4 treatment or distribution are justified when failures to take differences into account may result in the
5 creation or reinforcement of inequities. One important difference that must be considered for fairness and
6 equity is vulnerability. Vulnerability is often caused by limited decision-making capacity, or limited
7 access to social goods, such as rights, opportunities and power. Individuals or groups ~~whose in-vulnerable~~
8 circumstances may make them vulnerable in the context of research have historically included children,
9 the elderly, women, prisoners, those with mental health issues and those with diminished capacity for
10 self-determination. Ethnocultural minorities and those who are institutionalized are other examples of
11 groups who have, at times, been treated unfairly and inequitably in research, or have been excluded from
12 research opportunities. People or groups whose circumstances cause them to be vulnerable or
13 marginalized may need to be afforded special attention in order to be treated justly in research.

15 **CHAPTER 2**

16 **Article 2.1**

18 The following requires ethics review and approval by an REB before the research commences:

- 19 (a) research involving living human participants;
20 (b) research involving human biological materials, as well as human embryos, fetuses, fetal tissue,
21 reproductive materials and stem cells. This applies to materials derived from living and deceased
22 individuals.
23 (c) pilot studies involving (a) and/or (b) conducted for the purpose of assessing the feasibility and/or
24 informing the design of a larger, main study.
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26 **CHAPTER 2**

27 **Article 2.1 Application, last paragraph**

28 The scope of this Policy includes pilot studies. For the purposes of this Policy pilot studies do not include
29 the pre-testing of a particular research instrument such as a questionnaire. Pilot studies are normally
30 smaller versions of the primary study (e.g., fewer participants, shorter duration). As with the primary
31 study, REBs shall adopt a proportionate approach to research ethics review such that the level of review
32 of pilot studies is determined by the level of risk presented by the research. The purpose of a pilot study is

35 to assess the feasibility and/or inform the design of a subsequent study intended to address a research
36 question. They are not intended to produce definitive results with regard to the research question but they
37 can facilitate the successful conduct of the primary study. For example, pilot studies can help identify
38 recruitment issues, safety issues, the need to calibrate measures, adjust equipment, or improve procedures.
39 The information provided may assist the researcher to decide whether and how to conduct the primary
40 study. The design of pilot studies and the criteria used to determine feasibility may vary by discipline.
41 Researchers should clearly identify the purpose of pilot studies in their application for research ethics
42 review (see Article 6.11).

44 45 **CHAPTER 2**

46 **Article 2.2 Application, 6th paragraph**

47 There are publicly accessible digital sites where there is a reasonable expectation of privacy. When
48 accessing identifiable information in publicly accessible digital sites, such as online support groups
49 ~~Internet chat rooms~~, and self-help groups with restricted membership, the privacy expectation of
50 contributors of these sites is much higher. Researchers shall submit their proposal for REB review
51 (see Article 10.3).

53 54 **CHAPTER 2**

55 **Article 2.3 Application**

56 ~~For the purposes of this article, observational research is used to study acts or behaviour in a natural~~
57 ~~environment. It does not refer to observational methods used in epidemiological studies. For the purposes~~
58 of this article, observational research is used to mean a study involving humans that does not involve an
59 intervention by the researcher. Naturalistic or non-participant observational research is the study of human
60 acts or behaviours in a natural environment in which people involved in their normal activities are
61 observed with or without their knowledge by researchers who do not participate in the activity. Participant
62 observational research is the study of human acts or behaviours in a natural environment in which people
63 involved in their normal activities are observed with or without their knowledge by researchers who
64 engage in the activity. Participant observational research generally does not meet condition (a) of Article
65 2.3 as there is interaction with the individuals or group being studied. Epidemiological observational
66 research is an epidemiological study that does not involve any intervention by the researcher.
67 Epidemiological observational research that involves personal health information (e.g., review of medical
68 charts) generally does not meet condition (b) of Article 2.3 as health information is considered to be
69 private.

70 When designing their research, researchers shall pay attention to the environment in which observation
71 takes place, the expectation of privacy that individuals in public places might have, and the means of
72 recording observations. Researchers shall also determine whether the use of this information in the
73 dissemination of research results (e.g., through publications, photographs, audio recordings, or video
74 footage of groups or particular individuals) will allow the identification of individuals observed in public
75 places. When in doubt, researchers should consult the REB prior to the conduct of such research. Article
76 10.3 addresses naturalistic (or non-participant) and participant observational studies in qualitative
77 research.

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79

80 **CHAPTER 2**
81 **Section A, Activities Not Requiring REB Review**

82 The following distinguishes research requiring REB review from non-research activities that have
83 traditionally employed methods and techniques similar to those employed in research. Such activities are
84 not considered “research” as defined in this Policy, and do not require REB review. Activities outside the
85 scope of research subject to REB review (see Articles 2.5, 2.5A and 2.6), as defined in this Policy, may
86 still raise ethical issues that would benefit from careful consideration by an individual or a body capable
87 of providing some independent guidance, other than an REB. These ethics resources may be based in
88 professional or disciplinary associations, particularly where those associations have established best
89 practices guidelines for such activities in their discipline.

90 When in doubt about the applicability of the articles to their studies, researchers should consult their
91 REBs.

92
93
94 **CHAPTER 2**
95 **Article 2.5A**

96 Course-based research activities intended solely for pedagogical purposes do not constitute research for
97 the purposes of this Policy, and are not subject to REB review.

98 **Application**

99 Course-based research activities may be required of students (at all levels) with the objective of providing
100 them with exposure to research methods in their field of study. Such activities are assigned to students for
101 the purpose of teaching them how to conduct research in a structured educational context. This includes,
102 for example, asking students to interview fellow students, family members, or members of the general
103 public for the purpose of collecting data to be used in a course assignment. To the extent that the sole
104 purpose of the activity is pedagogical with no expectation to disseminate outside the requirements of the
105 course or for any subsequent use of data, REB review is not required. Such pedagogical research activities
106 may raise ethical issues. Institutions may decide to review such activities through mechanisms other than
107 the REB, for example, at the department or faculty level.

108 If these activities are used for the purposes of research (e.g., as part of a researcher’s own research
109 program), they should be reviewed following the regular institutional REB procedures. Theses or
110 equivalent research projects involving human participants typically meet this Policy’s definition of
111 research (Application of Article 2.1), and should be reviewed by the REB following a proportionate
112 approach (Article 6.12).

113 If data collected for the purpose of course-based research activities are later proposed to be used for
114 research purposes, it would be considered secondary use of information. At that time it may require REB
115 review in accordance with this Policy (Chapter 5, Section D).

116
117
118 **CHAPTER 2**
119 **Section B, Concepts of Risks and Potential Benefits**

120 *Assessing risks and potential benefits of research involving communities*
121

122 In research involving communities, risks and benefits must be considered from the perspective of the
123 participant, the community and the individual members of the community (who may or may not be
124 research participants). For example, research about the prevalence of sexually transmitted infection (STI)
125 in a specific neighbourhood may present risks to these three groups. Risks may differ among them.
126 Research participants may experience the emotional distress of discovering they have a sexually
127 transmitted infection. The neighbourhood may be stigmatized should the findings show a high prevalence
128 of STI in that neighbourhood's community. And finally, the residents of that neighbourhood may be
129 stigmatized as individuals because of their association with the stigmatized neighbourhood. The same
130 study may present similar or different benefits to all three groups. Research participants identified as
131 having a sexually transmitted disease can seek treatment. The community may benefit from the
132 identification of the local determinants associated with STI, allowing it to take steps to minimize the risks
133 of infection. Individual members of the community may have access to additional health resources during
134 the study and/or as a result of the study.

135

136 As with individual participant risk, community risk may be social, behavioural, psychological, physical or
137 economic. Consideration must be given to the magnitude or seriousness of the harm and the probability
138 that it will occur. Risks should be assessed from the perspective of the community in consideration of the
139 social, economic and cultural context. Research involving communities may introduce special risks
140 associated with the relationships between individuals and their communities. For example, the
141 implementation of a research project may reveal to a community that its leaders do not speak for its
142 members and this may introduce conflict within the community. The onus is on the researcher to engage
143 the community and to minimize the risks of research to participants, the community and to individual
144 members of the community. Research involving communities should be designed to benefit the
145 community as well as the individuals within the community (Article 9.13).

146

147

148 **CHAPTER 2**

149 **Article 2.10**

150 Research-Attributable Risk

151

152 **Article 2.10**

153

154 When describing the foreseeable risks and potential benefits of research involving participants who are
155 also exposed to other risks, researchers should clearly distinguish between the risks that are attributable to
156 the research (including cumulative risks), and the risks to which participants would normally be exposed.

157

158 In their evaluation of risk, REBs should ensure that they are evaluating only those risks that are
159 attributable to the research (including cumulative risks) and not compounding them with the other risks to
160 which the participants are exposed (e.g., serious illness, volatile environment, impoverished conditions).

161

162 **Application**

163 The evaluation of foreseeable risks to participants can be complicated if the prospective participants are
164 already exposed to risks in the course of their daily lives. The REB must take into consideration the
165 ethical implications of recruiting people in high risk circumstances (e.g., receiving high-risk clinical care,
166 living in war torn regions) into studies that may offer additional risk. In accordance with Articles 4.1 and
167 4.7 on vulnerability and inclusion/exclusion criteria, prospective participants who are in high risk
168 circumstances should not be inappropriately included in, or excluded from, participating in research.

169 The REB may approve research involving participants who are exposed to risk in their daily lives, where
170 the REB finds a favourable balance between the foreseeable risks attributable to the research and the
171 potential benefits.

172

173 In addition to describing any other alternatives to the study (where relevant), researchers must ensure that
174 prospective participants are informed of the foreseeable risks and potential benefits attributable to the
175 research, as distinct from those arising from their circumstances. REBs should ensure that all consent
176 materials reflect this distinction.

177

178

179 **CHAPTER 2**

180 **Article 2.11**

181

182 Research Benefit Misconception

183

184 Although involvement in a study may provide benefits to some participants, the purpose of research is to
185 address a research question. Research benefit misconception occurs when participants do not understand
186 that research is aimed primarily at producing knowledge and may not provide any direct benefit to them.
187 It also occurs when participants enter studies without understanding the ways in which elements of a
188 study design may not meet their own objectives. These misconceptions are more likely when the
189 researcher is also viewed by participants as a person of authority (e.g., a teacher, a doctor, a counselor)
190 (Article 3.1).

191

192 In clinical trials, research benefit attribution is better known as therapeutic misconception. With the
193 exception of some phase I trials, clinical trials usually involve individuals in need of treatment, for whom
194 the experimental therapy is hoped to be effective. Even when foreseeable risks, potential benefits and
195 treatment alternatives are explained to them, it is common for clinical trial participants to not fully
196 appreciate the differences between clinical care and research participation. As a result, some participants
197 may assume that there must be therapeutic value in the research procedures they are undergoing, or that
198 they have been invited to participate because their clinician believes it would contribute to their health.

199

200 **Article 2.11**

201

202 REBs and researchers should be conscious of the phenomenon of research benefit misconception (known
203 in clinical trials as therapeutic misconception), and how it can be exacerbated by researchers who have
204 dual roles. Researchers should ensure that procedures for recruitment and consent clearly address possible
205 misconceptions of the extent of research benefits. In studies involving people receiving some form of
206 intervention, it is important to emphasize the differences between experimental interventions and the
207 standard of care or services individuals might otherwise receive.

208

209 **Application**

210

211 To help participants make an informed consent decision, it is important to ensure that participants clearly
212 understand whether the research may provide direct benefits to them, indirect benefits to the group they
213 belong to and/or to society (e.g., the advancement of knowledge). When researchers who have dual roles
214 conduct research with their students, patients or employees, special efforts may be required, as part of the
215 consent process, to distinguish between their dual roles. In some cases researchers may have multiple
216 roles.

217 Researchers in dual roles must take care not to overplay the benefits of research participation or
218 understate foreseeable risks to prospective participants as they may then enter studies with unrealistic
219 expectations. Research has shown that researchers in dual roles, particularly those in a position of
220 authority, can affect how well their participants appreciate the uncertainty of research, the seriousness and
221 magnitude of risks, and the possibility that participation may not result in any direct benefits (see Article
222 3.1). Providing a clear description of those elements of participation that are experimental in nature and
223 those not primarily intended to benefit the participant directly can help participants avoid unrealistic
224 expectations (see Article 3.2).

225 To preserve the trust on which their professional relationships with participants reside, researchers should
226 take all necessary measures to separate their role as researcher from other roles. It is important that REBs
227 appreciate the potential conflicts between these roles and the possible impact on the welfare of
228 prospective participants.

229
230 In general, research benefit misconception can be minimized by ensuring that researchers who interact
231 with participants in other roles (e.g., clinicians who provide the patient’s regular care, student supervisors
232 and instructors) are involved as little as possible in the recruitment and the consent process. Ideally, the
233 functions of each role should be performed by different people. However, there may be instances in which
234 participants’ best interests are served by having the researcher with a dual role involved in recruitment
235 and consent. In these cases, the research proposal shall indicate what other measures will be taken to
236 minimize research benefit misconception.

237

238

239 **CHAPTER 2**

240 **End of Chapter**

241 *Research Involving Communities*

242

243 **Article 2.12**

244

245 Where researchers intend to conduct research involving humans based on their membership in specific
246 communities, researchers shall consider relevant guidance in Chapter 9 on research involving First
247 Nations, Inuit and Métis peoples of Canada, when appropriate.

248

249 **Application**

250 While Chapter 9 is designed to guide research involving First Nations, Inuit and Métis peoples of Canada,
251 its discussion of respectful relationships, collaboration and engagement between researchers and
252 participants may also be an important source of guidance for research involving other distinct
253 communities. For example, research involving the Deaf community, which is a distinct and unique
254 visually-based culture within the larger mainstream hearing culture, may benefit from engaging with this
255 community by including a Deaf community member on the research team and connecting with members
256 of this community directly in order to understand how best to reach and support prospective participants.
257 Consideration should also be given to presenting research materials and findings in a culturally relevant
258 format (e.g., in a signed language).

259

260

261 **CHAPTER 3**
262 **End of Article 3.1 Application**

263 Recruitment

264
265 Consent is a process that typically starts with recruitment. Recruitment is the seeking out of individuals,
266 groups or communities that meet the inclusion criteria of a study.

267
268 A fair and equitable recruitment process is based on inclusion and exclusion criteria that are justified by
269 the research question (Article 4.1). It allows individuals, groups and communities to indicate their interest
270 in participating without risk to their privacy (Article 5.1). For example, handing out the researcher's
271 contact information at a gathering of prospective participants is more respectful of privacy than asking
272 those interested to provide their contact information on a publicly visible sign-up sheet. Consideration
273 should be given to ensuring recruitment is voluntary (Article 3.1), informed (Article 3.2) and respects
274 cultural protocols, customs and circumstances of the participant community (Article 9.8).

275
276 Recruitment may involve several stages of contact and screening that precede the seeking of consent to
277 participate in research. Researchers may need the collaboration of third parties to access specific
278 populations or information. It is up to the third party to decide whether or not to collaborate with the
279 researcher or to grant access to information relevant to recruitment (subject to privacy legislation). For
280 example, if a study requires the participation of people undergoing medical treatment, the researcher may
281 need the cooperation of clinicians delivering that treatment to make their patients aware of the study. Or, a
282 researcher may request access to a database for the purpose of identifying people who meet the inclusion
283 criteria of the study.

285
286 **CHAPTER 3**
287 **Article 3.7A Application, 8th paragraph**

288 *Participants' Vulnerability ~~in Vulnerable Circumstances~~*

289 In considering the need for an alteration to consent requirements, researchers and REBs should also
290 consider whether the prospective participants (as individuals, groups, or populations) are in ~~vulnerable~~
291 circumstances that may make them vulnerable in the context of research (see Article 4.7). The existence
292 of such ~~vulnerable~~ circumstances may require greater effort to minimize risks to participants and/or
293 maximize potential benefits (see Chapter 2, Section B).

295 **CHAPTER 3**
296 **Article 3.7A Application, last paragraph**

297
298 Community-level interventions controlled by researchers that have been approved to proceed without
299 consent or a community engagement process may inadvertently expose people who do not meet the
300 study's inclusion criteria to the intervention. Researchers and REBs should assess whether there are any
301 risks to individuals posed by this exposure, and if so, consider ways to narrow the focus of the
302 intervention. For example, the use of observational methods, census data, or a source informed about the
303 community could help researchers identify community members who should be excluded (e.g., don't
304 knock on their doors; don't send flyers to that address). In the case of interventions that cannot help but be

305 visible to, or affect, the entire community (e.g., billboard ads, radio broadcasts, sky-writing), there would
306 be no way to exclude non-target population community members or visitors to the community.
307 Accordingly, the REB should be satisfied that any risks of inadvertent exposure to the intervention are
308 minimal.

309

310

CHAPTER 3**Article 3.7B Application, 2nd paragraph**

313 Researchers must explain why participants were temporarily led to believe that the research, or some
314 aspect of it, had a different purpose, or why participants received less than full disclosure. In cases where
315 participants were not asked for their consent prior to collection of data and/or human biological materials,
316 researchers must explain why this exception to consent requirements was necessary. Researchers must
317 give details about the importance of the research, the necessity of having to use alterations to consent
318 requirements, and address any concerns raised by participants. In order to address any misconceptions that
319 may have arisen, researchers must explain why these research procedures were necessary to obtain
320 scientifically valid findings. When debriefing, researchers should be alert and sensitive to participants'
321 needs, feelings, reactions and concerns. REBs should assess the risks and benefits of the debriefing itself
322 and whether the proposed plan is appropriate for participants – particularly those whose are in vulnerable
323 circumstances may make them vulnerable in the context of research and/or who lack the capacity to make
324 a consent decision.

325

326

CHAPTER 3**Article 3.8 Application, 5th paragraph**

329 Because their incapacity to make decisions puts them in ~~vulnerable~~ circumstances that may make them
330 vulnerable in the context of research, prospective participants for emergency research are owed special
331 ethical obligations and protection commensurate with the risks involved. Their welfare should be
332 protected by additional safeguards, where feasible and appropriate. These might include: additional
333 scientific, medical or REB consultation; procedures to identify prospective participants in advance so that
334 consent may be sought prior to the occurrence of the emergency situation; consultation with former and
335 prospective participants; and special monitoring procedures to be followed by data safety and monitoring
336 boards.

337

CHAPTER 3**Section C., 4th paragraph**

340 As indicated in Chapter 1, Respect for Persons and Concern for Welfare entails particular ethical
341 obligations to individuals whose in vulnerable circumstances may make them vulnerable in the context of
342 research. Such obligations often translate into special procedures to promote and protect their interests.
343 This may include the development of consent materials that are appropriate to the cognitive and
344 communication abilities of prospective participants. Articles 3.9, 3.10 and 3.11 describe special
345 procedures for research involving individuals who lack decision-making capacity.

346

347 CHAPTER 4**348 Article 4.1 Application, 1st and 2nd paragraphs**

349 Article 4.1 is based on the principle of Justice. It imposes a duty on researchers not to exclude individuals
350 or groups from participation for reasons that are unrelated to the research. This duty is explicitly stated
351 because groups have been inappropriately excluded from participation in research on the basis of
352 attributes such as gender, race, ethnicity, age and disability. Similarly, some groups have been unfairly
353 included in research because they are convenient populations for research (e.g., prisoners, people with
354 limited financial resources or those in other circumstances of vulnerability).

355
356 The determination of inclusion and exclusion criteria affects the fair and equitable distribution of the
357 burdens and benefits of research. The focus, objective, nature of research and context in which the
358 research is conducted inform the inclusion and exclusion criteria for a specific research project. Some
359 research may be focused on a certain individual (such as in a biography), or a group of individuals who
360 share a specific characteristic (e.g., an identifiable group of painters who happen to be all of one sex; a
361 religious order that is restricted to one sex). Other examples include research that is focused on specific
362 cultural traditions or languages, or on one age group (e.g., a biomechanical modeling study of posture
363 corrections in adolescents). Such research should not be precluded so long as the selection criteria for
364 those to be included in the research are germane to answering the research question. Researchers who
365 plan to actively exclude particular groups should clarify to their REBs the grounds for the exclusion.
366

367 CHAPTER 4**368 End of Chapter****369 Dissemination of Research Results**

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371
372
373 Any prohibition or undue limitation on the publication or dissemination of findings from research is
374 ethically unacceptable. Providing a summary of research results to participants is as important as
375 dissemination to the research community (Equitable Distribution of Research Benefits, Chapter 4).

376 Article 4.8

377
378 Researchers shall disseminate, through publication or otherwise, the analysis of data and interpretation of
379 research results including those that do not support the research hypotheses. The dissemination shall take
380 place in a timely manner without undue restriction.

381 Application

382 To justify the involvement of participants, and the risks and other burdens they are asked to bear, research
383 must be valuable. That is, it must have a reasonable likelihood of promoting social good. If research
384 findings are not disseminated (e.g., published in a peer-reviewed journal, added to a publicly available
385 database, posted on a website, a public presentation) within a reasonable time, their value may be
386 diminished or lost, betraying the contributions and sacrifices of participants. For this reason, and based on
387 respect for participant expectations and protection of the public good, researchers, REBs and institutions
388 have an ethical responsibility to make reasonable efforts to publicly disseminate research findings in a
389 timely manner and without undue restriction.¹

390

391 Researchers should also endeavour to publish the results of pilot studies that provide useful information
392 about the feasibility of research designs. Disseminating this knowledge can help other researchers and
393 participants avoid wasting their time and efforts on study designs that have been determined to be
394 unsuccessful. Researchers can instead focus on developing more useful studies.

395
396 Although it is beyond the scope of the Policy to provide guidance for journal editors and publishers, both
397 have ethical obligations with regard to the publication of the findings of research. Sources of funding, any
398 restrictions regarding public disclosure of study data, institutional affiliations, and conflicts of interest
399 should be declared in publications. All findings should be published. The following risks may result from
400 failing to publish all research findings, including those that do not support the research hypotheses:

- 401 • making misinformed decisions based on incomplete or skewed data;
- 402 • developing inappropriate and potentially harmful policy, educational or clinical practices;
- 403 • negatively affecting participant welfare;
- 404 • needlessly duplicating research with associated risks to participants and waste of resources;
- 405 • introducing fraud or deception in the research process;
- 406 • eroding participant and/or public trust and accountability in research.

407 Data Availability

409 Researchers are encouraged to make their data available for further analysis or verification by their peers.
410 When sharing participant data with peers, researchers must be mindful of their responsibility to safeguard
411 participant privacy (see Articles 3.2, 5.1 and 5.5A) and may have to code or anonymize the data to do so.
412

413 **CHAPTER 4**

414 **References**

415
416 United Nations Declaration of the Rights of the Child, 1959

417 **CHAPTER 5**

418 **Article 5.1 Application, 3rd and 4th paragraphs**

421
422 The ethical duty of confidentiality must, at times, be balanced against competing ethical considerations or
423 legal or professional requirements that call for disclosure of information obtained or created in a research
424 context. For example, in exceptional and compelling circumstances, researchers may be subject to
425 obligations to report information to authorities to protect the health, life or safety of a participant, ~~or~~
426 third party, a community or the general population. Researchers are expected to be aware of ethical codes
427 (such as professional codes of conduct) or laws (e.g., those requiring the reporting of children in need of
428 protection or the presence of reportable communicable diseases) that may require disclosure of
429 information they obtain in a research context. In other situations, a third party may seek access to
430 information obtained and/or created in confidence in a research context. In other situations, a third party
431 may seek access to information obtained and/or created in confidence in a research context. An access
432 request may seek voluntary disclosure of information, or may seek to compel disclosure through force of
433 law (e.g., by subpoena). Chapter 1, Section C, elaborates on the relationship between research ethics and
434 law.

435

436 Certain areas of research (such as research involving children at risk of abuse, studies of criminal
437 behaviour or research about reportable communicable diseases) are more likely to put researchers in
438 positions where they may experience tension between the ethical duty of confidentiality and disclosure to
439 third parties (Article 5.24, Application). Where possible, practicable and appropriate, researchers should
440 design their research to avoid or mitigate foreseeable conflicts, e.g., by collecting the minimal identifiable
441 information that is necessary to answer the research question. Researchers shall maintain their promise of
442 confidentiality to participants within the extent permitted by ethical principles and/or law. This may
443 involve resisting requests for access, such as opposing court applications seeking disclosure. Researchers'
444 conduct in such situations should be assessed on a case-by-case basis and guided by consultation with
445 colleagues, any relevant professional body, the REB and/or legal counsel. Public health researchers
446 should consult with someone knowledgeable about public health laws and regulations in the relevant
447 jurisdictions.
448

449 CHAPTER 5

450 Article 5.1 Application, last paragraphs

451 Researchers, REBs and institutions share the responsibility for protecting participant confidentiality. In
452 granting its approval for a study, the REB engages the responsibility of the institution to support
453 researchers in their commitment to protect participant confidentiality (see Articles 6.1 and 6.2).
454 Institutions are responsible for creating and maintaining a supportive research environment, establishing
455 appropriate institutional security safeguards, training researchers and REBs regarding best privacy
456 practices and implementing processes and policies that guide and support researchers and REBs in
457 protecting participant confidentiality (see Articles 5.4, 6.2, 6.7 and the Agreement on the Administration
458 of Agency Grants and Awards by Research Institutions).

459 In situations where there is an attempt by legal means (e.g., warrant, subpoena) to compel disclosure of
460 confidential participant information, institutions are required to provide researchers with financial and
461 other support to obtain independent legal advice or to ensure that such support is provided. For the
462 purposes of this Policy, "legal advice" includes all legal services that a researcher in this situation may
463 require, including representation. The purpose of independent legal advice is to permit the researcher to
464 make an informed decision as to whether to disclose or to resist disclosure of confidential participant
465 information. Researchers who are considering resisting disclosure must be aware of the personal
466 consequences of choosing to respect ethical principles rather than legal obligations where the two cannot
467 be reconciled. Such advice should be independent of any advice to the institution.

468 Institutions should consider whether research being conducted under its auspices or within its jurisdiction
469 is likely to put researchers in positions where they may experience tension between the ethical duty of
470 participant confidentiality and the legal obligation of disclosure of confidential participant information or
471 attempts to compel disclosure of confidential participant information to third parties. Where that
472 likelihood exists, the institution should establish a policy that explains how it will fulfill its
473 responsibilities to support its researchers. The policy should include an explanation of the nature and the
474 scope of the support, a mechanism to determine the level of support in individual cases, the source of
475 funding (e.g., dedicated fund, insurance, agreement with professional association) and any other relevant
476 criteria. The institution should establish such a policy in collaboration with its researchers.
477

478 **CHAPTER 5**
479 **Article 5.2 Application, 1st, 2nd and 3rd paragraphs**

480 This article recognizes that some research projects and some areas of research are more likely to put
481 researchers in a position where they may have a requirement to disclose information to third parties. The
482 reasonable foreseeability of disclosure requirements can be assessed by considering the nature and
483 objectives of the research inquiry. For example, research that involves interviewing high-risk families
484 about intergenerational violence raises a reasonably foreseeable prospect that researchers may acquire
485 information that a child is being abused. Another example is community health research where
486 researchers may be required to notify public health authorities of participants who have contracted a
487 reportable communicable disease. Researchers who reasonably foresee that their inquiries may give rise to
488 an ethical or legal obligation ~~reason~~ to disclose information obtained in the research context shall advise
489 the REB and prospective participants about the possibility of compelled disclosure. Advising participants
490 of reasonably foreseeable disclosure requirements is an important aspect of the consent process.

491
492 Situations may arise where researchers unexpectedly acquire information that gives rise to a reason for
493 disclosure to a third party, or researchers may receive a disclosure demand from a third party. In such
494 cases, advising a participant about the disclosure may be important to respect the trust relationship with
495 the participant, and to ensure the validity of the participant's ongoing consent. Decisions about whether,
496 how and when to advise a participant of disclosure should be guided by any applicable disciplinary
497 standards and consultation with colleagues, any relevant professional body, the REB, ~~colleagues, relevant~~
498 ~~professional body~~ and/or legal counsel. Public health researchers should consult with someone
499 knowledgeable about public health laws and regulations in the relevant jurisdiction(s).

500
501 Researchers shall also inform participants and seek their consent if their personal information may be
502 shared with mandated government departments or agencies (such as local public health authorities),
503 community partners in the research, ~~personnel from an agency that monitors the research,~~ a research
504 sponsor (such as a pharmaceutical company), the REB or a regulatory agency.

505
506

507
508 **CHAPTER 5**
509 **Article 5.6**

510
511 When secondary use of identifiable information without the requirement to seek consent has been
512 approved under Article 5.5A, researchers who propose to contact individuals for additional information or
513 for reasons related to the welfare of the participant shall, prior to contact, seek REB approval of the plan
514 for making contact.

515
516 **Application**

517
518 In certain cases, a research goal may be achieved only through follow up contact with individuals to
519 collect additional information. In rare cases, during the course of analysis, a researcher may discover a
520 finding that has a potential impact on an individual's welfare. If the researcher suspects that welfare
521 implications to the participant may be significant, the researcher and REB should refer to the guidance in
522 Article 3.4 which addresses material incidental findings. Under Article 5.5A, the REB may have approved
523 secondary use without the requirement to seek consent, based, in part, on the impossibility or
524 impracticability of seeking consent from all individuals whose information is proposed for use in
525 research. Where contact with a sub-group is feasible, researchers may subsequently wish to attempt to

526 make contact with some individuals to obtain additional information. Contact with individuals whose
527 previously collected information has been approved for secondary use in research raises privacy concerns.
528 Individuals might not want to be contacted by researchers or might be upset that identifiable information
529 was disclosed to researchers without their consent. The potential benefits of follow-up contact must
530 clearly outweigh the risks to individuals of follow-up contact, and the REB must be satisfied that the
531 proposed manner of follow-up contact minimizes risks to individuals. The proposed plan shall explain
532 who will contact individuals to invite their participation in the research (e.g., a representative of the
533 organization that holds the individual's information) and the nature of their relationship with those
534 individuals. Researchers shall also ensure that a plan for follow-up contact complies with applicable
535 privacy legislation. For example, some privacy laws prohibit researchers from contacting individuals
536 unless the custodian of the information has first obtained individuals' consent to be contacted. Whenever
537 possible, it is preferable that re-contact with participants be carried out by the organization or the
538 custodian holding the biological materials. Researchers will need to seek consent from individual
539 participants for any new collection of data or biological materials. Article 3.1 provides further guidance
540 on consent and approaches to recruitment.
541

542 **CHAPTER 6**

543 **Article 6.4 Application, 4th paragraph**

544 **Relevant Expertise in Research Content and Methodology**

547 At least two members should have the relevant knowledge and expertise to understand the content area
548 and methodology of the proposed or ongoing research, and to assess the risks and potential benefits that
549 may be associated with the research (Article 6.4[a]). For example, REBs reviewing oncology research,
550 population and public health research, research ~~education or topics~~ involving Aboriginal First Nations,
551 Inuit or Métis peoples, or research using qualitative methodologies, should have members that are
552 knowledgeable and competent to address those fields of research, disciplines and methodologies.
553

554 **CHAPTER 6**

555 **Article 6.11**

557
558 Researchers shall submit their research proposals, including proposals for pilot studies, for REB review
559 and approval of its ethical acceptability prior to the start of recruitment of participants, data collection,
560 access to data, or collection of human biological materials. REB review is not required for the initial
561 exploratory phase, which may involve contact with individuals or communities intended to establish
562 research partnerships or to inform the design of a research proposal.
563

564 **CHAPTER 6**

565 **Article 6.11, Application 1st paragraph**

567
568 REB review and approval of the ethical acceptability of research is required before recruitment, formal data
569 collection involving participants, access to data, or collection of human biological materials. ~~Similarly, as an~~
570 ~~integral component of their research design, researchers may undertake pilot studies involving participants.~~ For the
571 ~~conduct of pilot studies, researchers shall seek consent from prospective participants and obtain REB approval~~
572 ~~before recruitment or the formal data collection involving participants, or access to data, or collection of human~~
573 ~~biological materials in accordance with the provisions in this Policy.~~
574

575 **CHAPTER 6**576 **Article 6.11, Application 3rd paragraph**

577

578 Some types of research using quantitative or qualitative research methods, or a combination of ~~these~~
579 methods as well as collaborative or community-based research (see Chapters 9 and 10), may entail prior
580 contact and dialogue with individuals or communities ~~as a normal and integral component~~ to establish
581 research collaborations or partnerships prior to the actual design of the research. Other research may not
582 involve humans at their in the initial stages, ~~not involve humans~~, but may require engaging the research
583 ~~team, setting up equipment and other preparatory work stages, e.g., observing a research setting, taking~~
584 notes, setting up equipment. These exploratory activities may precede REB review. If, however, the
585 researcher wishes to use any information gathered from individuals or communities during the
586 exploratory phase, this intention must be made clear in the research proposal, along with any provisions
587 for seeking the consent of those who contributed the information.

588

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591 **CHAPTER 6**592 **Article 6.11, Application last paragraph**

593

594 *Pilot Studies*

595

596 As an integral component of their research design, researchers may undertake pilot studies involving
597 participants. The level of ethics review for pilot studies depends on the level of risk.

598

599 A pilot study is intended to assess the feasibility and/or inform the design of a larger, main study. Pilot
600 studies do not typically yield definitive findings with respect to the research question(s). Typical
601 outcomes for pilot studies include:

602

- 602 • do not continue – main study is not feasible;
- 603 • continue with modifications to the study design (e.g., a change to the study instrument); and
- 604 • continue without modifications – main study is feasible.

605

606 Some of the ethical issues to consider in the review of pilot studies concern recruitment and sample size.
607 Although pilot studies may offer indirect benefits to groups and to society by informing the design of the
608 main study (and other similar studies) they often provide no direct benefits to participants. Researchers
609 have an ethical responsibility to fully disclose the nature and likelihood of benefits to participants during
610 recruitment and when seeking consent. When reviewing pilot studies, REBs should ensure that
611 recruitment and consent materials provide this information and describe how the findings of the pilot
612 study will be used to determine the feasibility of conducting a larger study (see also Article 3.2). The
613 design of pilot studies and the criteria used to determine feasibility may vary by discipline. REB Chairs
614 should ensure that REB members with the relevant expertise are involved in primary review (see Articles
615 6.4 and 6.5).

616

617 When considering the ethical acceptability of pilot studies, REBs should keep in mind that the primary
618 purpose of a pilot study is not to provide a definitive answer to the research question(s). Accordingly, the
619 number of participants specified may not equal the sample size that would be required in the main study.
620 The researcher should provide justification for the sample size based on the focus of the pilot study: to test
621 feasibility and/or to inform study design.

622

623

624 **CHAPTER 6**
625 **Article 6.12 Application, 3rd and 4th paragraphs**

626 2. Delegated REB review of minimal risk research

627 The REB delegates research ethics review to an individual or individuals. Delegates shall be selected from
628 among the REB membership. ~~with the exception of the ethics review of student course based research.~~
629 ~~This can be delegated to the department, faculty or equivalent level as indicated below.~~

630 Where it is determined that the research is of minimal risk (defined in Chapter 2 of this Policy), an REB
631 may authorize a delegated research ethics review in accordance with its institutional policies and written
632 procedures. Delegated reviewer(s) shall be selected from the REB membership: the REB Chair or another
633 member (see Article 6.4 on the appointment of research ethics administration staff to the REB as non-
634 voting members). ~~Research ethics review may also be undertaken by non-REB members for student~~
635 ~~course based research as outlined below.~~ Delegated reviewers who are ~~non-members or non-voting~~
636 members of the REB must have experience, expertise and knowledge comparable to what is expected of
637 an REB member.

638 _____
639 **CHAPTER 6**
640 **Article 6.12 Application, 6th and 7th paragraphs**

642 ~~An institution may decide that ethics review of course based research activities intended solely for~~
643 ~~pedagogical purposes can be delegated to non-REB members at the institution's department, faculty or~~
644 ~~equivalent level. Such pedagogical activities are normally required of students (at all levels) with the~~
645 ~~objective of providing them with exposure to research methods in their field of study (e.g., interviewing~~
646 ~~techniques). If these activities are used for the purposes of research (e.g., as part of a researcher's own~~
647 ~~research program), they should be reviewed by the regular institutional REB procedures. Theses or~~
648 ~~equivalent research projects involving human participants typically meet this Policy's definition of~~
649 ~~research (see Application of Article 2.1), and should be reviewed by the REB following a proportionate~~
650 ~~approach (see Article 6.12). The REB should establish written procedures and set out criteria for~~
651 ~~determining which categories of research proposal may be eligible for this type of review, and specify~~
652 ~~who is responsible for implementing and overseeing the approval mechanisms.~~

654 In delegating research ethics review, the REB should carefully select delegated reviewer(s) and ensure
655 that all delegated reviewers who are ~~not non-voting~~ members of the REB have the appropriate experience,
656 expertise, training and resources required to review the ethical acceptability of all aspects of the proposal
657 in accordance with this Policy. In the selection of delegated reviewers, special attention should be given to
658 the assessment of real, potential or perceived conflicts of interest (see Article 7.3).

660 **CHAPTER 6**
661 **End of Chapter**

662 **Section E. Review of Sponsor-Researcher Contracts**

663 The rights of sponsors with respect to the analysis of data, interpretation of results and publication of
664 findings, and ownership thereof, are typically described in sponsor-researcher contracts. In the context of

667 clinical trials they are often referred to as clinical trial agreements. These contracts may seek to place
668 restrictions on access to data, the publication of findings, either directly or through provisions that seek to
669 protect their intellectual property rights to research procedures, data, or other information.

670 Institutions and REBs should ensure that sponsors' legitimate interests are reasonably balanced against
671 researchers' ethical and legal obligations to participants and their duty to disseminate data and research
672 findings.

673 **Article 6.24**

674

675 Institutions shall develop policies regarding acceptable and unacceptable clauses in sponsor-researcher
676 contracts relating to confidentiality, publication, and access to data. The policies should:

677

678 (a) require that sponsor-researcher contracts be submitted to a responsible authority for a
679 determination of their consistency with institutional policies and this Policy;

680

681 (b) require that any ethical concerns arising in the review be referred to the REB as an integral part of
682 the research ethics review process;

683

684 (c) provide that all confidentiality and publication clauses:

685

- are consistent with the researchers' duties to share new information from research with
686 REBs and study participants and to report study findings in a timely manner without undue
687 restriction;

688

- stipulate that the researchers, especially the principal investigator, will assume the primary
689 role and responsibility for the analysis, interpretation, and preparation of the findings for
690 publication;

691

- permit principal investigators to access all study data;

692

- permit researchers to access all study data collected at their respective sites; and

693

- permit all researchers to access all study data in cases where no principal investigator is
694 named.

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Application

Institutions are responsible for the ethical acceptability of any research conducted under their auspices
(see Article 6.1). Normally, review of the ethical aspects of researcher-sponsor contract clauses related to
confidentiality, publication and access to data is the responsibility of the REB. This review may be
delegated to an individual or group with the appropriate expertise. In institutions where contracts are
reviewed by an authority other than the REB, the review must conform to the mandate and purposes of
REB review and involve consultation with the REB.

Institutions and REBs should require the satisfactory amendment or removal of any confidentiality
clauses or publication restrictions in sponsor-researcher contracts that unduly limit either the content of
the scientific information that may be disseminated or the timing of dissemination.

710 In its review of sponsor-researcher contracts, the REB must be satisfied that none of the clauses will
711 prevent researchers from reporting new information relevant to participants' consent and/or welfare.
712 Further, the REB must be assured that new information will be reported in time to allow them to address
713 any risks to participants.

714 Contracts should ensure that principal investigators have the necessary access to original study data, and
715 the opportunity to analyze them, to ensure that they can report study findings fairly and accurately,
716 particularly with respect to efficacy and safety. Normally, it is the responsibility of the named PI to
717 examine the entire data set and to ensure that data are not inappropriately excluded from analyses and
718 disseminations of findings.

719 The onus to justify restrictions on dissemination or access to data should lie with the one seeking any such
720 restriction, usually the researcher or sponsor. The reasonableness of restrictions on either the content or
721 timing of dissemination should be measured against institutional policies. For example, some existing
722 institutional policies deem unacceptable any publication restrictions that exceed a time limit of three to six
723 months after the close of the study. Such policies should also address restrictions on the dissemination of
724 particular kinds of information, such as information that may be considered proprietary or trade secrets.
725 Restrictions on information that participants would reasonably consider relevant to their welfare or that
726 are required to give appropriate context to a manuscript or other publication, are seldom, if ever, justified
727 (see Articles 11.7 and 11.8).

728

729

730

731 **CHAPTER 7**

732 **Article 7.4 Application, Financial Conflicts of Interest, 2nd paragraph**

733

734 Financial incentives have the potential to distort researchers' judgment in ensuring the design and conduct
735 of research is ethical. When researchers partner with organizations whose primary motive is profit, they
736 must be aware of the potential for conflicts of interest. Consideration for the profitability of the research
737 may threaten the ethical integrity of research design and conduct. Not all research sponsored by for-profit
738 organizations gives rise to financial conflicts of interest. However, REBs should shall consider the
739 potential for this type of conflict because its ability to undermine the ethical conduct of research has been
740 empirically established.

741

742

743 **CHAPTER 7**

744 **Article 7.4 Application, Financial Conflicts of Interest, 4th paragraph**

745

746 If there is no appropriate institutional body or advisor to identify potential conflicts of interest in study
747 documents such as budgets and contracts and then inform the REB, then it is the responsibility of the REB
748 to so do. REBs should ensure that relevant documents are reviewed in order to identify conflicts of
749 interest and develop strategies for minimizing and managing them. ~~The REB should examine budgets to~~
750 ensure that there are no Reviewers should look for issues such as inappropriate payments ~~to be made~~ or
751 other unexplained expenses that may raise questions about conflict of interest. ~~Further,~~ Payment
752 provisions should be scrutinized to ensure they do not create ethically inappropriate incentives to recruit
753 quickly, at the expense of a careful review of the suitability of prospective participants. Unreasonable
754 payments or undue inducements may place the researcher, and sometimes the institution, in a conflict
755 between maximizing financial remuneration on the one hand and protecting participants and meeting the

756 scientific requirements of the project on the other. Disclosure of the kinds and amounts of payments and
757 other budgetary details encourages the researcher to identify and appropriately manage potential conflicts
758 of interest and helps the REB to assess them. Management by institutions and/or REBs may include
759 prohibiting certain forms of payment.
760

761
762 **CHAPTER 7**
763 **End of Chapter**

764
765 **Section E. Community Conflicts of Interest**

766
767 Conflicts of interest may exist within the community (e.g., between the community leadership and its
768 members), between the community and the researcher or between the community and institutions.
769 Researchers must inform the community of any individual conflicts of interest as well as any institutional
770 conflicts of interest of which they are aware that might have an impact on the research. Any real, potential
771 or perceived conflict of interest should be avoided if possible. If a conflict of interest is unavoidable it
772 should be disclosed and, if necessary, managed (see Introduction).
773

774 **No changes to Chapter 8**

775
776 **CHAPTER 9**
777 **Article 9.8 Application, 4th paragraph**

778
779 In Aboriginal communities, custom may restrict the observation, recording, or reporting of ceremonies or
780 certain performances, and require approval of appropriate individuals. Article 10.3 addresses the
781 requirement for ethics review of research involving naturalistic and participant observational studies, and
782 associated ethical implications, which may include infringement on consent and privacy.
783

784
785 **CHAPTER 10**
786 **Section A, General Approach and Methodological Requirements and Practices, 5th paragraph**

787
788 Researchers sometimes engage in research that questions social structures and activities that create, or
789 result in, inequality and injustice. Studies may involve participants whose ~~are in highly vulnerable~~
790 circumstances make them highly vulnerable in the context of research because of the social and/or legal
791 stigmatization that is associated with their activity or identity, and who may have little trust in the law,
792 social agencies or institutional authorities. Regardless of the methodological approach, researchers who
793 question social structures, or deal with the disempowered, may face pressures from authority figures.
794 Research may also involve participants, such as business executives or government officials, who may be
795 more powerful than the researchers.
796

797 **CHAPTER 10**
798 **Section B, Introduction to Article 10.3, 1st, 2nd and 3rd paragraphs**

799
800 In qualitative research, observation is used to study acts or behaviours in a natural environment. It often
801 takes place in living, natural and complex communities or settings, in physical environments, or in virtual

802 settings. Observational studies may be undertaken in publicly accessible spaces (e.g., a stadium, library,
803 museum, planetarium, beach, park), in virtual settings (e.g., online support groups ~~Internet chat rooms~~), or
804 in private or controlled spaces (e.g., private clubs or organizations).

805

806 The observational research addressed in this article is of two kinds: “non-participant” where the
807 researcher observes, but is not a participant in, the activity ~~action~~ (also known as “naturalistic
808 observation”); and “participant” where the researcher engages in, and observes, the activity ~~action~~.

809

810 Participant observation is often identified with ethnographic research, in which the researcher’s role is to
811 gain a holistic overview of the studied context through engagement in, and observation of, the setting to
812 describe its social environments, processes and relationships. Participant observation may or may not
813 require permission to observe and participate in activities of the setting studied. In some situations,
814 researchers will identify themselves and seek consent from individuals in that setting; in others,
815 researchers will engage in covert ~~non-participant or participant~~ observation and not seek consent.

816

817

818 CHAPTER 10

819 Section B, Introduction to Article 10.3, 5th paragraph

820

821 Observational studies in public places where there is no expectation of privacy may be ~~are~~ exempt from
822 REB review (see Article 2.3).

823

824

825 CHAPTER 10

826 Article 10.3

827

828 In research involving observation of human acts or behaviours in natural environments or virtual settings
829 where people have a reasonable or limited expectation of privacy, the researcher shall explain the need for
830 an exception to the general requirement for consent. The REB may approve research without requiring
831 that the researcher obtain consent from individuals being observed on the basis of the justification
832 provided by the researcher and appropriate privacy protection.

833

834

835 CHAPTER 10

836 Article 10.3 Application, 2nd paragraph

837

838 Naturalistic or participant ~~Observational~~ research that does not allow for the identification of the
839 participants in the dissemination of results, that is not staged by the researcher, and is nonintrusive should
840 normally be regarded as being of minimal risk.

841

842

843 CHAPTER 10

844 Article 10.3 Application, 5th and 6th paragraphs

845

846 For naturalistic and participant observational research in which consent is not sought, researchers shall
847 demonstrate to the REB that necessary precautions and measures have been taken to address privacy and
848 confidentiality issues.

849

850 Because the knowledge that one is being observed can be expected to influence behaviour, research
851 involving non-participant or covert observation generally requires that the participants not know that they
852 are being observed for research purposes. Typically the researcher has no direct interaction with the
853 individuals being observed and therefore their consent is not sought. Covert observation of queuing
854 behaviours in shopping malls is one example of a study where the research could not be completed if
855 shoppers knew that they were being observed. Some forms of qualitative research seek to observe and
856 study criminal behaviours, violent groups, or groups with restricted membership or access using covert
857 participant observation. For example, some social science research that critically probes the inner
858 workings of criminal organizations might never be conducted if the participants know in advance that
859 they are being observed. Other observational studies may be anonymous but involve intervention by the
860 researcher (e.g., studying the propensity of bystanders to help in an emergency normally requires a staged
861 emergency). These methodological approaches may require the researcher to seek ~~seeking~~ an exception to
862 the requirement of to seek prior consent.

863

864

865 **CHAPTER 10**

866 **Article 10.3 Application, last paragraph**

867

868 This article applies to naturalistic and participant observational research. It does not generally apply to
869 epidemiological observational research. Certain types of epidemiological observational research may
870 qualify for an alteration to the general consent requirements (see Article 3.7A).

871

872

873 **Chapter 11 provided under separate cover**

874

875 **CHAPTER 12**

876 **Article 12.4**

877 When secondary use of identifiable human biological materials without the requirement to seek consent
878 has been approved under Article 12.3A, researchers who propose to contact individuals for additional
879 biological materials or information or for reasons related to the welfare of the participant shall, prior to
880 contact, seek REB approval of the plan for making contact.

881

882 **Application**

883

884 In certain cases, a research goal may be achieved only through follow-up contact with individuals to
885 collect additional biological materials or information. In rare cases, during the course of analysis, a
886 researcher may discover a finding that has a potential impact on an individual's welfare. If the researcher
887 suspects that welfare implications to the participant may be significant, the researcher and REB should
888 refer to the guidance in Article 3.4 which addresses material incidental findings. Under Article 12.3A, the
889 REB may have approved secondary use without the requirement to seek consent based, in part, on the
890 impossibility or impracticability of seeking consent from all individuals whose biological materials are
891 proposed for use in research. Where contact with a sub-group is feasible, researchers may subsequently
892 wish to attempt to make contact with some individuals to obtain additional information or biological
893 materials. Contact with individuals whose previously collected biological materials have been approved
894 for secondary use in research raises privacy concerns. Individuals might not want to be contacted by
895 researchers or might be upset that identifiable biological materials were disclosed to researchers without
896 their consent. The potential benefits of follow-up contact must clearly outweigh the risks to individuals of

897 follow-up contact, and the REB must be satisfied that the proposed manner of follow-up contact
898 minimizes risks to individuals. The proposed plan should explain who will contact individuals to invite
899 their participation in the research (e.g., a representative of the organization that holds the individual's
900 biological materials) and the nature of their relationship with those individuals. Researchers must also
901 ensure that a plan for follow-up contact complies with applicable privacy legislation; for example, some
902 privacy laws prohibit researchers from contacting individuals unless the custodian of the information has
903 first obtained individuals' consent to be contacted. Whenever possible, it is preferable that re-contact with
904 participants be carried out by the organization or the custodian holding the biological materials.
905 Researchers will need to seek consent from individual participants for any new collection of data or
906 biological materials. Article 3.1 provides further guidance on consent and approaches to recruitment.
907

908 **No changes to Chapter 13**

909 **GLOSSARY ENTRIES**

912 **Clinical trial** – any interventional study in which both the intervention(s) and the outcome(s) are health-
913 related. any investigation involving participants that evaluates the effects of one or more health-related
914 interventions on health outcomes.

917 **Delegated research ethics board (REB) review** – The level of REB review assigned to minimal risk
918 research projects. Delegated reviewers are selected from among the REB membership. ~~with the exception~~
919 ~~of the ethics review of student course-based research which can be reviewed by delegates from the~~
920 ~~student's department, faculty, or an equivalent level.~~ Delegated reviewers who are ~~non-members or~~
921 ~~non-~~voting members of the REB must have experience, expertise and knowledge comparable to what is
922 expected of an REB member.
923

924 **Efficacy/Effectiveness:** One of the goals of interventional research is to find out if an intervention works.
925 Two measures that describe how well an intervention works are efficacy and effectiveness. A study
926 focused on **efficacy** tests the ability of an intervention to produce its specific beneficial effect under ideal
927 circumstances. This includes the measurement of focused outcomes after application of the intervention
928 by experts to study participants who meet strict inclusion and exclusion criteria and who fully receive the
929 intervention as it was designed. For example, a study of drug efficacy might involve measurement of a
930 specific outcome (e.g., blood pressure). The drug is prescribed by skilled specialists to carefully screened
931 participants who (a) are truly representative of the target population, and (b) fully comply with the
932 prescription instructions. Then the efficacy of the drug as a treatment for blood pressure is assessed.
933 Similarly, an educational study of the efficacy of an experimental curriculum might involve measurement
934 of a specific outcome (e.g., a test score). Expert teachers apply the curriculum to selected classes of highly
935 motivated students who will comply with the requirements. Then the efficacy of the curriculum as a
936 learning enhancement is assessed.
937

938 A study focused on **effectiveness** tests the ability of an intervention to provide overall benefit under real-
939 world circumstances. This includes application of the intervention by those who will ultimately apply it
940 and recruitment of all the types of people who will ultimately receive it. The study may also try to ensure
941 that participants receive the intervention the same way they would if it were adopted. In the example of
942 the drug study, effectiveness might involve measurement of overall quality of life. A broad selection of
943 physicians would be asked to prescribe the medication to appropriate patients in their practices. The
944 patients may or may not fully comply with the prescription instructions. Then the effectiveness of the
945

946 drug on quality of life would be assessed. In the example of the experimental curriculum study,
947 effectiveness might involve measurement of overall educational achievement. A broadly representative
948 sample of teachers who teach students with a wide range of abilities and motivation would be asked to
949 apply the experimental curriculum. Then the effectiveness of the curriculum on educational achievement
950 would be assessed.

951
952 It should be noted that efficacy and effectiveness lie at opposite ends of a continuum. The outcome
953 measures of many studies may fall anywhere along the continuum – employing a mix of efficacy and
954 effectiveness criteria.

955
956 **Epidemiological observational research** – An epidemiological study that does not involve any
957 intervention by the researcher. Such a study may be one in which nature is allowed to take its course, with
958 changes in one characteristic being studied in relation to changes in other characteristics. Analytic
959 epidemiological methods, such as case-control and cohort study designs, are considered to be
960 epidemiological observation because the investigator is observing without intervention other than to
961 record, classify, count, and statistically analyze results. For example, a cohort study that follows smokers
962 and non-smokers forward in time to determine if smokers have an elevated incidence of lung cancer is an
963 epidemiological observational study because the researchers do not assign the exposure, e.g. smoking vs.
964 not smoking, but rather it is a choice made by the participants.

965 **Epidemiology** – The study of the distribution and determinants of health-related states or events in
966 specified populations, and the application of this study to the control of health problems. Epidemiological
967 studies generally fall into two categories – observational and experimental. In observational studies the
968 researcher studies but does not alter what occurs. In experimental studies the researcher intervenes and
969 then observes what happens.

970
971 **Health-Related intervention** – the planned imposition of an intervention intended to affect participants’
972 health.

973
974 **Health-Related outcome** – any outcome that concerns the health status of an individual, group or
975 population.

976
977 **Intervention** – the planned imposition of a set of conditions (e.g., a task, an activity, a treatment,
978 exposure to stimuli, change to environment, etc.) on participants for the purposes of research (e.g., to
979 describe, measure, evaluate, explain, or observe participants’ reactions or responses to one or more of the
980 imposed conditions). Interventions may, or may not be, health-related and may, or may not, have a health-
981 related outcome.

982
983 **Interventional research / Interventional studies** – any study that prospectively assigns individuals or
984 groups, to receive, or not receive, one or more interventions and that may involve more than minimal risk
985 to participants. This definition includes pilot studies/trials, all phases of clinical trials and studies that may
986 affect health or other aspects of participant welfare (e.g., educational opportunities, socio-economic
987 status, access to services). Research that is focused on observing the effects of different conditions
988 experienced by people due to circumstances other than researcher-directed prospective assignment (e.g.,
989 clinician prescription, provincial legislation, employer direction, natural occurrence), does not meet this
990 definition of interventional research.

991
992 **Naturalistic observational research** – The study of human acts or behaviours in a natural environment
993 in which people involved in their normal activities are observed with or without their knowledge by

994 researchers who do not participate in the activity. Also known as non-participant observational research.

995

996 **Non-participant observational research** – The study of human acts or behaviours in a natural
997 environment in which people involved in their normal activities are observed with or without their
998 knowledge by researchers who do not participate in the activity. Also known as naturalistic observational
999 research.

1000 **Observational research** – research involving humans that does not involve an intervention by the
1001 researcher. The term is used differently in different research communities. For example, naturalistic
1002 observational research is the study of human behaviour in a natural environment in which where people
1003 involved in their normal activities are observed whether with or without their knowledge. This term does
1004 not include observational methods used in epidemiological research, and where there is no intervention by
1005 the researcher. Epidemiological observational research is the study of health events in a population; it
1006 does not involve any intervention by the researcher.

1007

1008 **Outcome** – a change (or absence of change) in the variable or attribute of interest and/or related variables
1009 or attributes affected by an intervention in the context of research.

1010

1011 **Participant observational research** – The study of human acts or behaviours in a natural environment in
1012 which people involved in their normal activities are observed with or without their knowledge by
1013 researchers who participate in the activity.

1014

1015 **Pilot study** – a smaller version of the main study intended to assess the feasibility and/or inform the
1016 design of the main study. For the purposes of this Policy “pilot study” does not include the pre-testing of a
1017 particular research instrument such as a questionnaire.

1018 **Principal investigator** – The leader of a research team who is responsible for the ethical conduct of the
1019 research, and for the actions of any member of the research team.

1020

1021 **Prospective assignment of participants** – the assignment of an intervention to participants in studies
1022 involving one or more interventions. Prospective assignment may be randomized or based on specific
1023 criteria relevant to the study conditions.

1024

1025 **Research findings** – the results of an investigation.

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