'Animal Ethics Committee' - Membership and Terms of Reference

Section 1 - Establishment

Background

(1) The Animal Ethics Committee is established in accordance with the provisions of the Animal Research Act 1985, Animal Research Regulation 2021 and the Australian Code for the Care and Use of Animals for Scientific Purposes 8th Edition 2013 (Updated 2021) (the Code).

(2) The Animal Ethics Committee (the committee) reports to the Deputy Vice-Chancellor and Vice-President (Research) and, through the Deputy Vice-Chancellor and Vice-President (Research) to the Audit and Risk Committee of the University Council.

Purpose

(3) The committee is established to ensure the respectful use of animals in teaching and research and to ensure compliance with the relevant legislative instruments.

Scope

(4) The committee has oversight of the University's use of animals for scientific purposes, including:

a. animals used in the teaching activities of Charles Sturt University (the University)
b. animals used in the research activities of a University researcher including where the researcher is in partnership with collaborators at other institutions, agencies or organisations
c. animals kept by the University for the sole purpose of research or teaching, including but not limited to:
    i. livestock animals owned by faculty
    ii. birds used for diagnostic laboratory testing.

(5) For clarity, the committee does not have oversight of animal care and welfare matters at the University's commercial farming operations or within the University's clinical veterinary areas, except to the extent those animals are involved in any form of scientific use as contemplated by the Code. Nothing in this clarification excludes the Animal Welfare Officer from providing advice through line management in relation to animal welfare issues in these areas.

(6) In accordance with the Code, the committee gives approval, in advance, for the immediate use of animals, if required, for the diagnosis of unexplained and severe disease outbreaks, or morbidity/mortality, in animals or people.

Section 2 - Membership

Composition

(7) The membership of the committee shall be:

a. Presiding officer as nominated by the Deputy Vice-Chancellor and Vice-President (Research)
b. Up to three members from Category A
c. Up to three members from Category B
d. Up to three members from Category C
e. Up to three members from Category D

Category A

(8) A person with qualifications in veterinary science that are recognised for registration as a veterinary surgeon in Australia, and with experience relevant to the University's activities or the ability to acquire knowledge.

Category B

(9) A suitably qualified person with substantial recent experience in the use of animals for scientific purposes relevant to the University and the business of the committee. This must include possession of a higher degree in research or equivalent experience.

Category C

(10) A person with demonstrable commitment to, and established experience in, furthering the welfare of animals, who is not employed by or otherwise associated with the University, and who is not involved in the care and use of animals for scientific purposes. Veterinarians with specific animal welfare interest and experience may meet the requirements of this category.

(11) While not representing an animal welfare organisation, the person should where possible be selected on the basis of active membership of, and nomination by, such an organisation.

Category D

(12) A person not employed by or otherwise associated with the University and who has never been involved in the use of animals in scientific or teaching activities, either in their employment or beyond their undergraduate education.

(13) Category D members should be viewed by the wider community as bringing a completely independent view to the committee, and must not fit the requirements of any other category.

Term of office

(14) The term of appointment for members of the committee shall be three years.

(15) Members of the committee are encouraged to provide three months' notice of their intention to resign.

(16) The appointment of a committee member who has a research portfolio funded workload allocation (usually the presiding officer) can only be terminated by the Deputy Vice-Chancellor and Vice-President (Research) following advice from the Pro Vice-Chancellor Research (Performance and Governance).

(17) An unfunded member's appointment to the committee may be terminated by the Deputy Vice-Chancellor and Vice-President (Research) following advice from the presiding officer.

(18) Members may be appointed to consecutive terms.

Appointment of members

(19) Appointments to the committee will be administered by the Research Integrity Unit.

(20) Initial appointments will be presented to the committee by the presiding officer for endorsement before being formally proposed for appointment to the Deputy Vice-Chancellor and Vice-President (Research).

(21) All committee members are appointed by the Deputy Vice-Chancellor and Vice-President (Research):

a. Initial appointment shall be via a merit based recruitment process.
b. Reappointment shall be on the recommendation of the presiding officer, or in the case of the presiding officer, on the recommendation of the Pro Vice-Chancellor Research (Performance and Governance).

(22) The Code requires, at cl 2.2.11 that '[b]efore appointment, all members of the AEC must acknowledge in writing their acceptance of the terms of reference of the AEC and any requirements for confidentiality required by the institution.'

(23) For members of staff seeking appointment to the committee, the recruitment process shall include confirmation of the support of the member's line management to take up, or continue, the member's participation on the committee.

(24) Changes to committee membership (including resignations) are to be advised to regulatory bodies as required (at time of writing this requirement applies to the NSW, Tasmania, Victoria and Western Australia regulators).

Induction program

(25) All members of the committee are provided with a formal notice of appointment and may not participate in the decision making of the committee until they have completed an initial induction program.

(26) The initial induction program includes:

a. for University members of staff, completion within the last three years of the University's eLearning modules for Research Integrity and Animal Care and Ethics
b. an induction session with the presiding officer or their delegate. In the case of a new presiding officer, not previously a committee member, an induction session with a suitably experienced committee member
c. provision of and an opportunity for familiarisation with:
    i. the Code, and
    ii. these terms of reference.

(27) Within three months of appointment, all members appointed after March 2023 must complete the:

a. ANZCCART Australia ComPass Animal Welfare Training Course, and
b. Animal Welfare Victoria approved course for animal ethics committee (AEC) members.

Presiding officer and deputy presiding officer

(28) The presiding officer would normally hold a senior position in the University, normally at academic level D or E. Notwithstanding this requirement, the University will appoint a presiding officer who possesses the relevant attributes to bring impartiality to the consideration of applications submitted to the committee, skills to manage the business of an AEC, to communicate, negotiate and resolve conflict with an understanding of the relevant ethical and animal welfare issues.

(29) The presiding officer is an additional appointment to Category A to D members.

(30) The presiding officer shall be appointed by the Deputy Vice-Chancellor and Vice-President (Research) of the University for a term of three years. An appointment from the ranks of the committee shall extend that member's term by the full three-year period.

(31) The presiding officer shall have a negotiable workload allocation assigned to their position to ensure that their other responsibilities do not impair the committee's capacity to perform its obligations under the Code.

(32) The presiding officer shall understand the ethical and animal welfare issues involved in the use of animals for scientific purposes. It is desirable that the presiding officer shall also have a background in research.

(33) Deputy presiding officer(s)shall be nominated by the committee for a period of three years.

(34) The deputy presiding officer is to act in the role of presiding officer in the absence of the presiding officer.

Animal Ethics Committee executive

(35) The executive must include the presiding officer and at least one member from Category C or D.

(36) The executive of the committee shall be nominated by the committee in July of each year.

(37) Where required the selection of executive members will be based on simple majority of voting committee members in attendance. Nominees for executive positions will withdraw from the meeting in the event a vote is required.

Non-voting attendees

(38) Non-voting attendees may attend meetings to assist the committee to function effectively.

(39) Examples of non-voting attendees include, but are not limited to:

a. research portfolio leaders (right of audience and debate)
b. Research Integrity Unit team members (right of audience and debate)
c. animal welfare advisers, including the Animal Welfare Officer
d. laboratory staff and animal services staff.

(40) The role of the animal welfare advisers, including the Animal Welfare Officer, with respect to the committee is to:

a. provide assurance to the committee that activities proceed in compliance with the Code and the decisions of the committee
b. provide advice to the committee on the suitability of animal facilities
c. monitor the conduct of activities approved by the committee to ensure animal welfare objectives are achieved
d. provide advice to the committee on animal welfare issues
e. provide advice to applicants in the development of proposals for consideration by the committee.
f. in consultation with the presiding officer, support the committee in the discharge of the committee's responsibilities under the Code, particularly section 2.3 and section 5.

(41) The role of the laboratory and animal services staff with respect to the committee is to:

a. provide advice to the committee
b. report on the operations of their respective areas as they relate to matters considered by the committee

c. provide status reports on the condition of animal use facilities as requested by the committee.

(42) The presiding officer can authorise the attendance of any other person at a meeting of the committee noting that the s2.2.4 of the Code provides 'The AEC may invite people with specific expertise to provide advice, as required'.

(43) Non-voting attendees have no decision-making authority in relation to the business of the committee and for regulatory reporting purposes are not considered formal members of the committee.

(44) Non-voting attendees are not required to be inducted to the committee but are bound by the conflict of interest and confidentially provisions that apply to all members.

Section 3 - Functions and Responsibilities

(45) The committee is responsible for ensuring that all activities relating to the care and use of animals for teaching and research at the University or involving the University's staff or students are conducted in compliance with relevant legislation and the Code.

(46) The committee shall, either directly or by delegation, perform the responsibilities assigned to it in the Code, including:

a. review applications for projects and approve only those projects that are ethically acceptable and conform to the requirements of the Code
b. review applications for activities associated with the care and management of animals in facilities, including procedures applicable to breeding programs integral to the maintenance of an animal line, and approve only those activities that are ethically acceptable and conform to the requirements of the Code
c. conduct follow-up review of approved projects and activities, and allow the continuation of approval for only those projects and activities that are ethically acceptable and conform to the requirements of the Code
d. monitor the care and use of animals, including housing conditions, practices and procedures involved in the care of animals in facilities
e. take appropriate actions regarding unexpected adverse events
f. take appropriate actions regarding non-compliance
g. approve guidelines and standard operating procedures for the care and use of animals on behalf of the institution
h. provide advice and recommendations to the institution, and
i. report on its operations to the institution.

(47) It is noted that the Code (chapter 2.3) provides additional information in relation to each of the specific responsibilities identified above.

(48) The committee is required to report to the University annually on its activities and comply with the reporting requirements of the University and the Code, as follows:

a. Submit a written report on its activities at least annually to the Audit and Risk Committee (ARC) of the University Council via the Deputy Vice-Chancellor and Vice-President (Research) and Vice-Chancellor, including details required by the NSW regulator which include:
    i. the numbers and type of projects submitted for review, and approved or rejected
    ii. the University's facilities provided for the housing, care and use of animals
    iii. training and education for the committee and others involved in the care and use of animals
    iv. administrative and other difficulties encountered, and

v. matters which may affect the University's ability to comply with the Code, and suitable recommendations for mitigation where appropriate.

b. Submit a written report at least quarterly on issues relevant to compliance in the area of animal care and ethical use for scientific purposes to the ARC via the Deputy Vice-Chancellor and Vice-President (Research) and Vice-Chancellor.

(49) The committee has a broad range of responsibilities to discharge on behalf of the University, for this reason the committee is to be mindful of taking on any responsibilities that are additional to the scope of activities set out in the Code.

Executive responsibilities

(50) The executive of the committee may approve minor modifications to projects for ratification at the next committee meeting.

Member responsibilities

(51) Members of the committee shall:

a. thoroughly prepare for meetings by reading applications, reports and documentation provided in meeting agendas
b. attend scheduled meetings to deliberate on the ethical acceptability of agenda items for approval
c. actively engage in informed and thorough discussion of matters before the committee
d. in a timely manner complete actions assigned to them arising from matters before the committee, and
e. complete training appropriate to the member's position.

Presiding officer responsibilities

(52) The presiding officer shall impartially guide the operation of the committee, resolve conflicts of interest related to the business of the committee and represent the committee in any negotiations with the management of the University.

(53) Responsibilities of the presiding officer include, but are not limited to:

a. ensuring that the committee operates in accordance with the principles and requirements of the Code, the relevant policies of the University and the agreed committee procedures
b. overseeing all requirements of committee reporting and reviewing
c. advising the Pro Vice-Chancellor Research (Performance and Governance) regarding the level of resourcing required by the committee, and
d. meeting with the Pro Vice-Chancellor Research (Performance and Governance) or other senior management representatives as required to report on the operations of the committee and raise any issues.

Non-attendance

(54) All members must attend 75% of scheduled meetings on an annual basis, subject to mitigating circumstances. Where members cannot attend meetings, apologies must be made in advance to the Research Integrity Unit.

(55) Members who have continued absences from scheduled meetings may be approached by the presiding officer, or nominee, to discuss continuation of membership. If the member opts to remain on the committee but continues to be absent from the meetings, they may be asked to end their term.

Committee support

(56) The Research Integrity Unit will provide administrative and secretariat support so that the committee can discharge its obligations. The Research Integrity Unit can also be called upon for protocol and procedural advice.

(57) It is the responsibility of the Research Integrity Manager to allocate committee tasks to the team members of the Research Integrity Unit. This activity will be undertaken in consultation with the presiding officer.

(58) Research Integrity Unit team members will support the committee in the conduct of its business, including the following responsibilities:

a. being the first point of contact for applicants wishing to make application or liaise with the committee
b. providing advice to all stakeholders on governance and administrative matters, including confidentiality and conflicts of interest
c. ensuring that proposals are provided to the appropriate committee for consideration
d. ensuring that the decisions are conveyed in a timely manner
e. ensuring that records are maintained and made available for review by the University and authorised external reviewers
f. ensuring that the University submits the appropriate license or accreditation applications, renewals and reports as required
g. where requested, assist with arranging audits and inspections, and
h. retain research applications in the form in which they are approved and maintain a record of all proposed projects, so that the following items of information are readily available:
    i. application identification code or project protocol number
    ii. project title
    iii. name and contact details of primary contact, co-investigator(s) and supervisor(s) (if applicable)
    iv. ethical approval or non-approval with date, and
    v. date(s) designated for reporting.

Section 4 - Meetings

Quorum

(59) The committee shall require the presence of at least one member from Categories A, B, C and D to establish a quorum. If more than four members are present, Categories C plus D must constitute not less than one-third of the members present.

(60) Only a quorate meeting of the committee shall consider and approve new applications or consider the renewal of existing projects.

Meetings

(61) Committee meetings will be scheduled on the second Thursday of each month except January. A January meeting may be held at the discretion of the presiding officer.

(62) At least one meeting each year may be scheduled face to face.

(63) A schedule of meeting dates and agenda closing dates is posted on the Animal Ethics website by the beginning of each academic year.

(64) In exceptional circumstances, the schedule of meetings may be altered, including the addition of extraordinary meetings, by the presiding officer in consultation with the relevant staff in the Research Integrity Unit.

(65) Applications are allocated to an agenda based on their submission date and agenda closing dates.

(66) Meetings by flying minute are permissible at the discretion of the presiding officer. Meeting by flying minute would normally be reserved for urgent but uncomplicated decision making where it is not anticipated that extensive discussion and debate will be required. In these cases, proposals and other items of business will be circulated to the committee members who shall consider them asynchronously and, in writing, provide comments on applications or other matters of business.

Agendas and minutes

(67) The submission period for agenda items closes three weeks prior to the date of the scheduled meeting.

(68) The agenda should be circulated to all members at least two weeks prior to the scheduled meeting.

(69) Minutes of meetings are confirmed in draft by the presiding officer within five business days of the meeting.

(70) Outcomes of meeting decisions are advised within ten business days of the meeting.

(71) The minutes of the committee meeting are circulated to members within ten business days of the meeting.

Related expenses

(72) External members may claim a meeting allowance in accordance with the Research Integrity Committee – Meeting allowances Schedule.

Conflicts of interest

(73) Where a member has a perceived, potential or actual conflict of interest as described in the University's Conflict of Interest Procedure, they must declare this to the presiding officer and at the committee meeting prior to discussion to the item of business.

(74) Members with a conflict must remove themselves from the decision making on matters that relate to the conflict of interest. Once such members have withdrawn, the remaining members must still constitute a quorum.

Confidentiality

(75) Confidential matters relating to the committee include, but are not limited to:

a. the content and nature applications before the committee
b. the deliberations of members during consideration of meeting business
c. the private information of persons internal and external to the University contained within meeting papers
d. arrangements involving third parties, and
e. information relating to complaints, misconduct or investigations.

(76) Agenda items considered during a meeting and records of specific meeting discussions may be shared by the presiding officer, the Research Integrity Manager or the Animal Welfare Officer (or their delegates), with authorised officers of the University who can demonstrate a need to access the relevant information for the performance of their duties.

Variations

(77) Variations to the terms of reference and/or membership of the committee must be approved by the Deputy Vice-Chancellor and Vice-President (Research).

Section 5 - Glossary

(78) For the purpose of this document:

a. Minor Modification – has the same meaning as section 2.2.23 ii of the Code, being, a change to an approved project or activity where the proposed change is not likely to cause harm to the animals, including pain and distress
b. Scientific purposes – means, as set out in the Code, all activities conducted with the aim of acquiring, developing or demonstrating knowledge or techniques in all areas of science, including teaching, field trials, environmental studies, research (including the creation and breeding of a new animal line where the impact on animal wellbeing is unknown or uncertain), diagnosis, product testing and the production of biological products.

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