

# ANIMAL ETHICS COMMITTEE COMPLAINTS AND GRIEVANCES POLICY AND PROCEDURE



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## 1 PURPOSE

- 1.1 The purpose of this policy and procedure is to identify requirements of the Code and how they affect our response to complaints or enquiries regarding the use of animals for scientific purposes within the University.
- 1.2 Provide a clear guide to the handling of enquiries and complaints regarding the use of animals for scientific purposes at CQUniversity. The references next to text in this procedure (e.g. [Code 2.2.1]) relate to the relevant sections of the [Australian code for the care and use of animals for scientific purposes, 8<sup>th</sup> Edition 2013](#), hereafter the Code. Where complaints relate to activities that have the potential to adversely affect animal wellbeing, the activities will cease immediately.
- 1.3 Clause 5.1 of the Code requires that Institutions must have procedures for addressing complaints and non-compliance relating to the care and use of animals for scientific purposes, including:
  - complaints concerning the care and use of animals by the institution, including conscientious objection in the case of teaching activities;
  - complaints concerning the AEC process of review of an application or report, including resolution of disagreements between AEC members, between the AEC and investigators, and between the AEC and the institution;
  - complaints concerning the process for independent external review; and
  - non-compliance with the Code by any party or person involved in the care and use of animals including investigators, animal carers, the AEC, governance officials, and external parties subject to agreements described in [Clauses 2.6.3](#) to 2.6.7. Non-compliance may also involve breaches of relevant state or territory legislation, and institutions should have procedures for advising regulatory authorities. (see [Clause 5.12](#))
- 1.4 Enquiries and complaints will be treated confidentially by CQUniversity Australia unless CQUniversity Australia is under an obligation to disclose the complaint. In such case, the complainant will be advised if the

University is to disclose the enquiry or complaint. No student or staff member shall have their academic progress or employment put in jeopardy by raising a concern.

- 1.5 Investigations of a complaint or dispute may include:
- interviews with the complainant,
  - the subject of the complaint, or witnesses;
  - unannounced inspection of the facility or animal(s) in question;
  - and seeking expert advice on technical matters from outside the institution.
- 1.6 In general the approach taken will be to attempt to resolve the problem by counselling and advice.
- 1.7 Committee decisions are not open to amendment if due process has been followed.

## **2 SCOPE**

- 2.1 This Policy applies to all CQUniversity Staff, Students and Clients.

## **3 POLICY STATEMENT**

- 3.1 This policy relates to the relevant sections of the [Australian code for the care and use of animals for scientific purposes, 8<sup>th</sup> edition 2013](#), hereafter the Code. The Code requires that research proposals and teaching activities involving the use of animals be subject to ethical review and approval by an appropriate ethics committee.

## **4 PROCEDURE**

### **Enquiries and Complaints by the General Public to Qld Government, or directly to CQUniversity**

- 4.1 In the event that complaints about CQUniversity Australia's animal research activities are received by the Queensland Government, these will initially be referred to the Committee for investigation.
- 4.2 The Committee will convene a special meeting to consider the complaint and will report to the Vice-Chancellor in writing within ten working days of receipt of such advice.
- 4.3 In the event that serious problems arise which cannot be resolved by the Committee the matter will be referred to the Deputy Vice-Chancellor (Research).

### **Disagreements between the Animal Ethics Committee and CQUniversity Australia Management**

- 4.4 In the event that any disagreements arise between the Committee and CQUniversity Australia the matter shall be referred to the independent conciliator/arbitrator, the Queensland State Ombudsman.

### **Enquiries and Complaints by Students**

- 4.5 In the event that a student is dissatisfied with use of animals in a particular experiment or teaching exercise the following procedures are to be followed:
- A written submission in plain English of no more than four A4 pages, detailing the reasons for dissatisfaction with use of animals in a particular experiment or teaching exercise is to be submitted by the aggrieved person to the Committee within ten working days of the experiment or teaching exercise.
  - The Committee must consider the matters raised in the submission and respond to those matters within ten working days. The Committee may confirm or alter any decision previously made in relation to the relevant research proposal or proposed use of animals in research or teaching by special meeting.

- Within ten working days of the meeting at which the submission is considered, the Committee shall provide to the person making the submission a written statement addressing each of the matters raised and advice of any confirmation of, or change of decision or procedure.
- If the aggrieved person is not satisfied with the Committee's written response, he/she may advise the Vice-Chancellor (Research) in writing that he/she has an irreconcilable difference with the Committee and must append a copy of both the submission forwarded to the Committee and the written response from the Committee within ten days of the Committee's response.
- In reviewing the matter referred, the Deputy Vice-Chancellor (Research) may invite the participation of an ethicist or member of an ethics committee external to the University or any other persons to assist in its deliberations.
- The Deputy Vice-Chancellor (Research) will provide written advice to both the Committee and the aggrieved person regarding its review of the matter. The Deputy Vice-Chancellor (Research) may require the Committee to reconsider its decision or procedures in the light of its advice or may endorse the decision or procedures of the Committee.
- In the event that the Committee is required to reconsider its decision or procedures, the Committee must consider any advice given to it by the Deputy Vice-Chancellor (Research).
- Any advice by the Deputy Vice-Chancellor (Research) on the matter referred will be deemed to be the final advice of the Deputy Vice-Chancellor (Research) on the matter.
- Having considered any advice given to it by the Deputy Vice-Chancellor (Research), the Committee has ultimate authority for making a final decision on the matter referred

### **Enquiries, Complaints and Disputes between Researchers, Supervisors, Staff, Research Candidates and the Animal Ethics Committee**

- 4.6 In the event that a researcher, supervisor, staff or research candidate is dissatisfied with either the Committee's procedures or any decision regarding research or teaching involving animals relating to any research or teaching proposal the following procedures are to be followed:
- A written submission in plain English of no more than four A4 pages, detailing the reasons for dissatisfaction with the Committee's procedures or decision is to be submitted by the aggrieved person to the Committee within ten working days after receipt of advice of the Committee's decision.
  - If a written grievance is received more than 15 working days before the next scheduled meeting of the Committee, the grievance will be considered at that next scheduled meeting. If a written grievance is received within 15 days of the next scheduled meeting it may be tabled (with the approval of the Chair) or held over to be considered at the following meeting or at a special meeting.
  - The Committee must consider the matters raised in the submission and respond to those matters. The Committee may confirm or alter any decision previously made in relation to the relevant research proposal or proposed use of animals in research or teaching.
  - Within ten working days of the meeting at which the submission is considered, the Committee shall provide to the person making the submission a written statement addressing each of the matters raised and advice of any confirmation of, or change of decision or procedure.
  - If the aggrieved person is not satisfied with the Committee's written response, he/she may advise the Deputy Vice-Chancellor (Research) in writing that he/she has an irreconcilable difference with the Committee and must append a copy of both the submission forwarded to the Committee and the written response from the Committee within ten days of the Committee's response.
  - In reviewing the matter referred, the Deputy Vice-Chancellor (Research) may invite the participation of an ethicist or member of an ethics committee external to the University or any other persons to assist it in its deliberations.
  - The Deputy Vice-Chancellor (Research) will provide written advice to both the Committee and the aggrieved person regarding its review of the matter. The Deputy Vice-Chancellor (Research) may require the Committee to reconsider its decision or procedures in the light of its advice or may endorse the decision or procedures of the Committee.
  - In the event that the Committee is required to reconsider its decision or procedures, the Committee must consider any advice given to it by the Deputy Vice-Chancellor (Research).

- Any advice by the Deputy Vice-Chancellor (Research) on the matter referred will be deemed to be the final advice of the Deputy Vice-Chancellor (Research) on the matter.
- Having considered any advice given to it by the Deputy Vice-Chancellor (Research), the Committee has the ultimate authority for making a final decision on the matter referred.

### **Addressing non-compliance**

- 4.7 Where complaints or grievances identify instances of non-compliance or breaches of the code, the Chair of the Animal Ethics Committee will formally advise the Chief Investigators that ethical approval for the project has been suspended. The non-compliance will be referred to the Deputy Vice-Chancellor (Research) by the Chair of the Animal Ethics Committee for resolution under the provisions of the Code of Conduct for Research.
- 4.8 Records of non-compliance and the subsequent actions taken will be kept by the Senior Ethics Officer for reporting to the respective State Governments.

### **Multi-institutional projects**

- 4.9 For projects involving more than one institution and/or AEC, procedures should include mechanisms for reporting between the relevant institutions and AECs on complaints and non-compliance.

## **5 RESPONSIBILITIES**

- 5.1 The Animal Ethics Committee, supported by the Research Division, is responsible for ensuring that this policy and its corresponding procedures are implemented.

### **Compliance, Monitoring and Review**

- 5.2 Evidence of compliance is demonstrated by Animal Ethics Committee Annual reports to: Queensland Government Department of Agriculture and Fisheries, the New South Wales Department of Primary Industries, The Western Australian Department of Agriculture and Food and to Research Committee of Academic Board.

### **Reporting**

- 5.2 No additional reporting is required.

### **Records Management**

- 5.3 Staff must maintain all records relevant to administering this policy and procedure in a recognised University recordkeeping system.

## **6 DEFINITIONS**

- 6.1 Terms not defined in this document may be in the University's [glossary](#).

## **7 RELATED LEGISLATION AND DOCUMENTS**

[Animal Care and Protection Act 2001](#)

[Animal Research Act 1985](#)

[Animal Welfare Act 2002](#)

[Australian code for the care and use of animals for scientific purposes 8<sup>th</sup> edition, 2013](#)

## **8 FEEDBACK**

University staff and students may provide feedback about this document by emailing the policy office at [policy@cqu.edu.au](mailto:policy@cqu.edu.au).

## 9 APPROVAL AND REVIEW DETAILS

Approval and Review	Details
Approval Authority	Academic Board
Advisory Committee to Approval Authority	Research Committee of Academic Board
Administrator	Deputy Vice-Chancellor (Research)
Next Review Date	16/11/2019

Approval and Amendment History	Details
Original Approval Authority and Date	Academic Board 30/03/2005
Amendment Authority and Date	Academic Board 1/06/2011; Academic Board 13/11/2013; Academic Board 16/11/2016.
Notes	This document consolidates and replaces Animal Ethics Committee Complaints and Grievance Policy and the related Animal Ethics Committee Complaints and Grievance Procedure.