

## **Synopsis of the Ethical Review for Practice-based Research** **A report of a joint RCVS / BVA working party**

The report relates to UK Law but the principles relating to the requirements and process of Ethical review are globally relevant.

### **General considerations about clinical research and ethical review**

Clinical research can arise from a continuum of activities that range from observational studies using data collected during routine veterinary practice to interventional studies where the treatment of patients is determined by their allocation to a particular intervention group.

***Any collection of clinical data where the intention is to communicate information about clinical practice may be described as clinical research.***

All clinical research should be subject to some degree of ethical review, and many peer reviewed journals now make such review a condition of publication. The extent and nature of any ethical review should be proportionate to the scale of any ethical risks that may be involved. Thus ethical review is a sequential or incremental process and should take the following steps:

Investigator should review any potential ethical issues that may arise from the planned research in order to make a judgement on the need for further formal ethical review.

If the investigator is relatively inexperienced, advice should be sought from more experienced colleagues who are familiar with clinical research and ethical review.

If the process above indicates that formal ethical review might be needed the investigator should submit an outline of the proposed research to an official representative of an institutional ethical review committee for an opinion on the need to submit the proposed research for full ethical review by that committee.

If the advice obtained is that full ethical review is needed the investigator should submit a detailed protocol of the proposed research to an institutional ethical review committee for a formal ethical review.

### **What features of clinical research raise ethical issues?**

The following sections indicate areas that should be considered (not exhaustive):

- Ethical issues may arise from many unanticipated areas:
- Any potential to cause harm or distress to a patient that may occur as a result of the animal's participation in the research.
- Any potential to cause harm or distress to an owner or keeper of a research subject.
- Breaching the confidentiality of the owner/client/keeper of an animal during the conduct of the research or its publication.
- Ownership of data or clinical material.
- Obtaining informed consent.
- Research involving children, or adults unable to provide full and informed consent.

## **The purpose of ethical review**

- Overarching principle of ethical review is to ensure that the potential risks are balanced by the likely outcome of the research.
- Formal ethical review considers the extent to which any hypothesis being tested or the aims of the research are credible and that the methodology is appropriate.
- Ethical review may identify issues that have not been recognised by the investigators.
- Feedback from an ethical review committee may suggest modifications to the research.
- Veterinary ethical review can be expected to consider the possibility that the proposed research may require a Home Office licence under the ASPA. While this is not an ethical issue *per se* it is an important legal consideration.
- A process of external ethical scrutiny provides assurance to the participants and publishers of research that ethical issues have been carefully assessed, and the design and conduct of the research meets agreed standards.
- Formal ethical review is normally an iterative process and often improves the quality of the proposed clinical research.

## **At what stage should clinical researchers seek external formal ethical review?**

- Formal ethical review can only be effectively carried out prior to research being conducted or published.
- Retrospective studies using data that have been collected in the normal course of veterinary clinical practice are less likely to raise ethical concerns. However, there are ethical issues relating to assimilation and storage of data. In addition, even the publication of a simple case report may cause a problem if the patient or its owner may be identified as a result of publication.

## **When does research fall within the Animals Scientific Procedures Act 1986 (ASPA) and when does it not?**

Any research involving animals that has the potential to cause "pain, suffering, distress or lasting harm" falls under ASPA. The threshold of pain that is used is that of introducing a hypodermic needle through the skin. All research under ASPA requires ethical review.

For clinical research NOT to fall under ASPA it must either not cause pain, suffering, distress or lasting harm OR any potential to cause pain, suffering or lasting harm AND must result from an act of veterinary surgery as part of recognised veterinary practice

## **Research not involving clinical interventions**

An important area where, at first glance, it may be thought that ethical review is unnecessary but there may be many consequences of such research which raise ethical issues.

### **Use of tissues collected for clinical reasons**

Superfluous tissue left after its clinical purpose has been fulfilled can be a valuable research resource. The commonest example is the use of archived sera collected primarily for diagnostic purposes and when, at the time of collection research was not envisaged, nor was consent given. Providing samples can be securely anonymised, subsequent use may not pose ethical questions. However, this will depend on what the research tests seek to find. The tests may identify information of clinical relevance which should be disclosed to the

owner. Consequently, **it is advisable to include in consent forms the agreement to the use of superfluous tissue or serum**, and acknowledge that any information subsequently deemed to be of clinical relevance would be disclosed to the owner.

#### Environmental samples

The collection of samples from the environment may raise ethical issues. For example, if faecal samples of livestock and/or wild animals are being collected from farmland, the consequences of what may be found in those samples for the farmer or landowner need to be thought through. Maintaining anonymity will be a problem if, either findings require mandatory reporting, or for example, results are to be presented graphically at high resolution. Thus informed consent should be obtained for this type of sampling including the commitment to disclose any clinically relevant information to the owner.

#### Questionnaires

This is a popular type of research tool for student projects

There are also likely to be ethical issues involved with all questionnaires and advice should be sought.

Note that this is always required in NHS or medical research related to patients, students or human subjects.

Matters for consideration include anonymity, self incrimination, data protection and unanticipated distress or psychological harm.

### **Fulfilling requirements of funders and publishers**

Ethical review will almost certainly be required by both the funders and the publishers of the research.

They will require statements confirming that the research has undergone ethical review. For example, many journals have adopted into their Instruction for Authors the ARRIVE guidelines of the National Centre for the Replacement, Refinement and Reduction of Animals in Research

### **Informed Consent**

- The requirement for informed consent and the procedure through which informed consent is obtained is an important consideration in ethical review.
- Informed consent is an agreement to carry out specific actions, based on what those actions involve, and the likely consequences of those actions.
- Obtaining informed consent is a process and goes beyond obtaining a signature on a consent form. A signature on a consent form provides some evidence that the process was complied with, but may be invalid if it was obtained without adhering to that process.
- Requirements for an ethically acceptable informed consent process include:
  - Providing relevant information accurately and in a way that the person giving informed consent can comprehend it.
  - Any undesirable outcomes should be discussed, as well as any potential benefits. The relative likelihood of these events should be communicated as well as the degree of uncertainty involved, as far as is possible.
  - People being asked for informed consent must be made aware of the alternatives (i.e. that they do not have to agree to participate in the research) and that the veterinary care of a patient will not be prejudiced if they decline to participate.

- They must also be informed that they may withdraw at any stage during the research.
- Those being asked for informed consent must be given an opportunity to ask questions and seek clarification about any information they have been given but do not understand fully.
- They should be asked to confirm that they understand before signing a consent form and confirm that they have been given the opportunity to raise any points of uncertainty. It is important that during the informed consent process, a veterinary surgeon familiar with the proposed research (or other suitably qualified person) is available to answer any questions that may arise. It may be helpful if the consent form is countersigned by the person administering the form to confirm that these requirements were fulfilled.
- It is good practice to offer participants giving consent an independent person or body who they may contact if they are unhappy with the conduct of the study or the persons involved in it.
- All communications with owners/clients during the informed consent process should be impartial to avoid direct coercion or paternalistic intimidation.
- The competence of the person from whom the informed consent is being obtained should be established.
- It is important to take all reasonable steps to ensure the person giving consent is the owner, or is genuinely acting on their behalf. Anyone providing informed consent must be capable of understanding the nature of the decision. This would exclude children, adults with learning difficulties, or people not fluent in the English language (unless translations are available).
- It is good practice to offer subjects access to the research project's report and conclusions.

**What is required for the ethical review of the informed consent process?**

- In order to review the mechanism by which informed consent is obtained final copies of all documents (e.g. consent forms, client information sheets, questionnaires etc.) will be required.
- A protocol of the research clearly identifying the likely populations from which the research subjects (and their owners/keepers) will be recruited. This should state if any people likely to be less able to provide informed consent are likely to be approached, or how they are to be excluded.
- A description of the process by which informed consent will be obtained.