# ETHICS POLICY

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## 1. Scope

1.1 The Leeds Arts University Ethics Policy applies to staff and students who are undertaking teaching and learning, research or scholarly activity. Visiting and emeritus researchers should also be guided by this policy if they are affiliated to the University. It is intended as a framework to guide staff and students in dealing with ethical issues in their work. Both the nature of research to be carried out and its conduct (i.e. the performance of projects) must be ethical. The policy should be read in conjunction with the Code of Practice on the Freedom of Speech.

## 2. Principles which guide Ethics at the University

2.1 The policy has three guiding principles:

- **Maximise benefits and minimise harm** (e.g. in relation to living subjects, institutions, communities, the environment)

- **Respect for the person, living or deceased** (e.g. in relation to researchers, colleagues, managers, students, participants, general public)

- **Academic and research integrity** (e.g. in relation to acknowledging the work of others and being honest when reporting research findings)

2.2 In addition to these principles staff should be mindful of legal responsibilities which exist such as those found in the Equality Act 2010, and Management of Health and Safety at Work Regulations, 1999 (amended 2003). Consideration should be taken into account for themselves, other staff or students as well any participants.

## 3. Ethics in teaching and learning

3.1 Ethics should be a part of the curriculum and explicitly included in teaching and in course materials wherever ethical questions and decisions are relevant to an area's activity. Course Leaders should report on this in their annual course evaluations. Every student in a course should have opportunities for reflection and debate on relevant ethical issues.

3.2 Ethical choices and issues may arise in relation to the learning, teaching and assessment methods adopted, including students' experiences on placements and in work-based learning contexts. Staff need to consider their own pedagogic practice to ensure they treat students ethically. They should also support and encourage students to work with other people in an ethical way.

3.3 Ethical issues that may be relevant in teaching courses include:

- the impact of subject matter on individuals or identifiable groups including but not necessarily limited to those groups directly specified in the Equality Act 2010.

- the understanding and analysis of contexts, theories and practices.

- the impact of practices on the environment.

- the impact of the practices on creativity, freedom and autonomy.

- the understanding of historical and cross-cultural differences in ethical consideration and standards.

3.4 Teaching on all courses should encourage open debate on how ethical issues might be resolved or considered within the discipline.

3.5 All students involved in research projects are required to consider the ethical dimensions of their work and to follow the sections of this Policy relating to research ethics and Research integrity. Staff who supervise this work are responsible for considering whether this has been properly considered, and have a duty of care to ensure that students are not putting themselves at risk by pursuing a line of enquiry. Students should be aware that the Academic Misconduct Procedure will be followed if any academic misconduct in relation to their research comes to light.

## 4. Identifying and managing research-related risk

4.1 It is important that risks are identified at the earliest possible opportunity.

## 5. Research at Leeds Arts University

5.1 **Scholarship** is understood to be the surveying of existing developments in *your* field, these developments may be practice-based or technical as well as academic or theoretical; acquiring knowledge in order to keep up to date with developments in a specific area and to situate any research within a particular context.

5.2 Research is defined as being about investigating; rediscovering or making a new contribution to knowledge in a chosen specialist field of study/practice.

5.3 **'Research'** does embraces work, or a series of work, that has an appropriate context or a relationship to the work of others in the field. It can cover any aspect of practice; making; the gathering of data and representing information, as long as there is an acknowledgement of context, awareness of the work of others and an aspect of peer review and public scrutiny.

5.4 **Conflicts of interest** may arise when staff are planning and conducting their research projects. For example, staff using students as participants on a research project and at the same time assessing the students' academic work would be subject to a conflict of interest. Staff should reflect on their proposals to ensure no conflicts of interest are going to arise. If a conflict of interest becomes apparent over time then the research project must be stopped and then re-designed to ensure everyone is treated fairly and the results of the work have integrity.

## 6. Ethics in research

Research activities undertaken by staff and students of the University and by others in collaboration with us require ethical review. The significant guiding values in research ethics are respect for all, the pursuit of knowledge and the integrity of the researcher. Living subjects, communities and the environment should not be harmed by

the research activity undertaken by the University; nor should the activities of the University cause public offence or misrepresent people from particular social and ethnic groups.

6.1     Participants

6.1.1     Research with humans and animals must protect their dignity, rights, safety and wellbeing.

6.1.2     Participants must be informed about the purposes, methods and intended uses of the research. They must be informed about what participation will involve and the risks and potential benefits explained.

6.1.3     Participants must consent to participate in the research having been fully informed about what participation will involve. Consent can be verbal, through email and in the case of vulnerable people or minors a consent form must be signed be the participants and their carers or guardians. Participation must be voluntary. The use of incentives to encourage participation is acceptable but these must be appropriate and not lead to coercion.

6.2     Informed consent

6.2.1     Clear and full information relating to the scope of the project and their role in it should be provided to the participants and where appropriate guardians/parents or carers. It is important to fully inform the participant, giving them enough time to digest the information about the project. Withholding information and deliberately misleading participants is unethical. If informed consent is not given then the activity cannot take place with that participant.

6.2.2     The participant and where appropriate third parties such as guardians/parents or carers must be told through appropriate means about:

- the nature and purpose of the project.

- the research methods to be employed by the project.

- full explanation of any technical terms used.

- the conditions under which the project will be conducted.

- who is undertaking and who is sponsoring the project.
- the project has received ethical approval from the University

- the potential risks and inconveniences that may arise.
- the potential benefits that may result.

- what participation in the research will require in practice.

- how participant confidentiality will be safeguarded.

- what will happen to the data and how it will be stored.

- how to raise concerns, or to complain, about the research, and to whom.

- participants are able to withdraw at any time during the project, until the research is disseminated.

6.2.3 Researchers (staff and students) should be mindful of the possibility of indirect participation e.g. members of the public indirectly being included in research situations.

6.2.4 After the project has been completed time must be given to debriefing the participants about the research, it would be good practice to share/confirm findings and seek agreement, where appropriate, on the project's recommendations.

6.2.5 Consent should also be sought where people who, despite not being direct participants in a research project, may be named or otherwise referred to, in publications arising from research. There is a consequence of legal action to the University if personal information or data relating to these individuals is published without consent (please refer to 6.4.4). If there is doubt over issues of consent the researchers need to consult with the Head of Research who will suggest strategies for gaining informed consent. Any results published should be anonymised and will not be used to make decisions about the individual participants, in the absence of consent.

6.3 Participant and researcher safety and well-being

6.3.1 The researcher must protect the dignity, rights, safety and well-being of themselves, other research workers and participants who should understand the risks and potential benefits of the research. The researcher must assess any possible risks to themselves, participants or others and continue to monitor potential risks throughout the project. Any possible dangers must be managed so they are minimised or where possible eradicated. Strategies should be put in place to minimise risk to all concerned. Researchers and other research workers much desist in any actions that cause unreasonable offence, physical or emotional harm to colleagues, managers, students, participants or the general public.

6.4 Principles of anonymity, confidentiality and data protection

6.4.1 Confidentiality is key to ensuring that the University can derive all the key benefits from the research and achieve maximum commercialisation and exploitation, if appropriate. If confidentiality procedures and obligations are not followed, important information may be disclosed which could result in commercial and/or financial loss for the University , or significant personal data may be disclosed, resulting in a breach of privacy and data laws and adverse action being taken against the University.

6.4.2 The common law duty of confidence applies to research, and individuals therefore have a reasonable expectation that their information will be kept private, and any use which may exceed what an ordinary person may reasonably expect will constitute a breach of confidence.

6.4.3 To act ethically and protect the rights of individuals, information and data obtained about participants must be confidential. Anonymity should be maintained wherever possible. Identities should be protected by the use of pseudonyms. All information held about the participants must be processed,

retained, stored, and disposed of in accordance with the law. Any dissemination of research outcomes must protect the identities of participants and institutions. In certain circumstances where the research uses data from a person named in the dissemination (e.g. a living artist, craftsperson or designer) then their permission to be included must be gained by the researcher.

6.4.4 In the case of any unlawful or accidental disclosure of confidential information immediate steps should be taken by the researcher to withdraw any materials or research outputs relating to this breach of trust and the University's compliance officer should be informed. The compliance officer may be required to inform the Information Commissioner's Office (ICO) and where there is a high risk to the individual which cannot be managed; the individual concerned will be notified. This is required by the UK General Data Protection Regulation (UK GDPR).

6.5 Storage of personal data

6.5.1 The collection and storage of data which identifies individuals should be avoided, confidentiality and anonymization should be undertaken to protect participants' identities. If storing personal data becomes, unavoidably, a necessary part of the research process then the management of that data should comply with the Data Protection Act (2018); UK General Data Protection Regulation (UK GDPR) (together, Data Protection Legislation) and the University's Data Protection Policy.

6.5.2 There may be significant consequences if legal provisions are breached. Consequences of breach of data protection laws may include fines being awarded against the University by the Information Commissioner's Office. Any breach of data protection or other legal provision could result in a loss for the University and damage to its reputation. Sensitive Personal Data for the purposes of Data Protection Legislation may require additional measures relating to processing, to ensure its security.

6.5.3 Data should not identify the identity of the participants and should be stored in a secure format which can only be accessed by the researcher(s). If the identities of the participants are relevant to the research project, the data should be stored pseudonymously, provided that identity codes are accessible only to relevant researchers. Otherwise, it should be anonymised.

6.5.4 Data collected by the research should not be shared with a third party and should only be used for the purpose that the participant consented to otherwise than in anonymised form.

6.5.5 Advice should be sought from the University's compliance officer who can then advise on the appropriate higher authority before any disclosure of confidential information to a third party is considered by a researcher.

6.5.6 In addition to the requirements of Data Protection Legislation researchers should, as an aspect of on-going negotiation of consent, recognise and attend to the sensitivity of data that relate to any personal matter that research participants may find painful or difficult.

6.5.7 It is important that information specifically relating to personal data is kept secure at all times and the level of security should be proportionate to the

risks inherent in the nature of the data.

6.5.8    It is paramount that confidentiality obligations are maintained in order to achieve protection of any intellectual property developed/created during research projects.

6.6    Research involving vulnerable people

6.6.1    There is a significant risk in relation to research projects which use and/or obtain information in relation to vulnerable groups. 'Vulnerability' describes the condition of being capable of being injured physically or emotionally; difficult to defend; open to moral or ideological attack. Within *Prevent Duty Guidance*, the word describes factors and characteristics associated with being susceptible to radicalisation.

6.6.2    Practice-based or evidence-based research may entail working with vulnerable people or vulnerable groups may be considered as part of the research project from the outset. All human participants have the potential to become vulnerable at some time in the research project. For example, a participant may become bereaved in the middle of a project or may suffer unexpected emotional trauma due to the issues the project brings up. So, researchers must be perpetually reflective about their research actions and research decisions. In particular:

- be aware that the particular characteristics of a research project can affect the nature and degree of participant vulnerability.

- in designing the research seek to minimise the potential risks to prospective participants.

- be aware of the possible need to support participants on completion of the research, and prepare for this accordingly (not least with respect to an exit strategy).

- where appropriate offer prospective participants as many choices and options as possible.

- be aware of the risks to researchers themselves, as well as to participants, and minimise the potential risks in the research design.

- show respect for the potential diversity of prospective participants in designing and undertaking the research.

- pay attention to issues of communication and prepare to meet support requirements in this respect, if necessary.

- consider consent as an on-going issue; researchers need to be sure of the research participants' continuing consent. This can be determined in an unobtrusive way, particularly if the participant is properly informed when consent is obtained at the outset.

- be aware of power relationships in research.

- listen to participants and do not make assumptions about what

participants want.

6.7    Research involving children/minors and persons where capacity to consent may be impaired

As a general principle, where a child, young person under the age of eighteen or vulnerable person participates in research, researchers should, obtain the informed consent of a parent(s), carer or legal guardian *and* the participant). It must be ascertained that the participant (e.g. very young child) is able to give to give consent.
Consent should be given by signing a consent form by both guardian and participant. In the case of research in educational settings, any special school policies or procedures should be followed. Researchers will need to find out if they need to undertake a *Disclosure and Barring Service* (DBS) check (previously CRB check) and make provision for this is the research plan. Researchers should not conduct research with children/minors/vulnerable people in one-to-one situations that may compromise themselves or their participants.

6.8    The context of research

If the research is undertaken in the premises of an institution other than the University for example a prison, hospital or school then researchers must ensure they comply with the requirements of the external institution's codes and procedures. The ethics policy of the University must be referred to in all research contexts.

6.9    Research with members of the family

One of the aims of ethical research is to ensure that the relationships and roles between researcher and participant are as predictable and objective as possible and clearly distinguished from other roles and relationships. This is  not the case  with  researchers enrolling their own children and or vulnerable family members into their research and/or practice. There  are  preceding relationships and  emotional  ties  that  will  continue  into  the  future.  These relationships jeopardise objectivity  and  the  predictability  of  the  research  relationships. The  researcher  needs  to carefully consider these issues. Paramount  should  be the  interests  and  welfare  of  the  child or vulnerable family member - is it in their best interest  to participate in the research?

6.9.1  Children enrolled in a parent's or close family member's research are a particularly vulnerable group requiring protection.

6.9.2  Every child has the right to privacy. A child's private, family and home life should always be protected. They should also be protected from any conduct which may harm their reputation (Article 16 of the United Nations Convention on the Rights of the Child).

6.9.3  As the researcher has power and control over the child (emotionally, morally and physically) the gaining of informed consent is problematic. Any research project needs to establish if the child is able to give informed consent before it can proceed.

6.9.4  It is not appropriate for the researcher to give consent on behalf of their child or vulnerable family member.

6.9.5  Researchers wishing to enrol their children onto their research projects need to

justify why this is necessary and explain how they can gain informed consent. They should read the guidance on researching on and with their own children and/or vulnerable family members.

6.9.6    Ethical approval should be gained from the Research and Ethics Committee before such projects are undertaken.

6.9.7    Researchers enrolling vulnerable adult family members onto their research projects for whom they have a caring role need to justify why this is necessary and explain how they will be protected.

6.9.8    If a researcher has emotional and/or physical power over a vulnerable adult then gaining informed consent is problematic.

6.9.9    Researchers wishing to enrol their vulnerable family members should seek ethical approval from the Research and Ethics Committee before such projects are undertaken.

## 7.   Animal welfare

7.1    The term "animal" refers to all living creatures other than humans in this context.

7.2    Individuals that are involved in/intend to be involved in experimentation on animals are required under the Animals (Scientific Procedures) Act 1986 to be licenced by the government to do so (as per section 58 of the Animal Welfare Act 2006). Animal experimentation practices are prohibited at Leeds Arts University.

7.3    On occasion there may be instances where research is undertaken to improve animal welfare provided the following are adhered to:

7.3.1    No living creature should be harmed in any research done under the auspices of Leeds Arts University. Living creatures should be treated and represented with dignity and respect.

7.3.2    The highest standards of animal welfare should take priority in any project design.

7.4    Anyone at Leeds Arts University seeking to do research which involves animals needs to:-

7.4.1    Sufficiently justify why it is necessary and demonstrate how animal well-being will be protected.

7.4.2    Sufficiently demonstrate how the research (with dead or alive creatures) will be conducted safely and will not spread disease to other animals and humans.

7.4.3    This must all be supported by qualified veterinarian expertise and then approved by the Leeds Arts University Research and Ethics committee before any work is initiated.

7.4.4    The Risk Management policy/procedure must be followed.

## 8.   Research Integrity

The five facets of Research Integrity noted in the UK Concordat are addressed in this section along with the University's approach to Research Malpractice. Research Integrity is

concerned with the conduct of researchers and those whose work is related to research.

8.1  Transparency and open communication

8.1.1  Research should be openly and responsibly shared with peers and the public in a transparent manner.  Outputs should be shared openly and responsibly with peers and the public.

8.1.2  Researchers should communicate the findings of their research even when they are unsuccessful, negative or null results.

8.2  Accountability

8.2.1  Researchers should make transparent and open declarations of potential competing interests in their work.

8.2.2  Researchers should take responsibility for their own research process.

8.2.3  Organisations and individuals should take accountability when their behaviour falls short of the standards described in this Policy.

8.2.4  Researchers should be accountable and responsible for the resources they use to conduct their research.

8.3  Honesty

8.3.1  Researchers should be honest and open in the reporting of their data collection methods and subsequent analysis and interpretation.

8.3.2  They should make justifiable claims based on reasonable interpretations based on the research findings.

8.3.3  Research findings and conclusions should be reported honestly and openly based on rigorous analysis of data or reflection on practice.

8.3.4  They should communicate to present their research goals and results appropriately and accurately.

8.4  Rigour

8.4.1  Research should be designed, reviewed and undertaken according to the highest possible standards. It should comply with University Governance, professional codes of practice and the law.

8.4.2  Researchers should follow the norms, standards and protocols and methods appropriate to their own discipline.

8.5  Care and respect

8.5.1  Research should be undertaken with care and respect for all the participants, the other subjects, the users and the beneficiaries of the research.

8.5.2  The research should not harm the reputation or interests of Leeds Arts University or any sponsors of the research. The University should understand the risks and potential benefits of the research.

8.5.3 Researchers should acknowledge the work of others appropriately. Field workers who collect data or provide substantial technical support should be acknowledged for their work in any research outcomes prepared for public dissemination. Any sponsors of the research should also be appropriately acknowledged. Any person who is substantially active in the project design, analysis/coding of data or collaborates in research-as-practice should be given joint authorship rights of any research outcomes.

8.5.4 Researchers should take great care and respect for the integrity of the research record.

8.6 Research Malpractice

8.6.1 Research should be carried out with integrity and staff should not act in a way that could be described as research malpractice. Research and dissemination should be carried out in line with the University's Code of Practice on Freedom of Speech and Expression. A non-exhaustive list of examples of research malpractice includes:

- misappropriation of another's intellectual property by plagiarism or breach of confidence as a reviewer.

- theft or damage of another's research-related property.

- misrepresentation by deception or lying.

- obstruction, including withholding, destroying or falsifying evidence.

- unfairly influencing participants, witnesses or interviewees.

- breach of confidentiality.

- the deliberate exploitation of others' ideas without acknowledgement.

- failing to comply with statutory or institutional regulations.

8.6.2 Researchers should continue to act in a way that does not adversely affect the reputation of the University post ethics-approval and through to the dissemination stage of the project.

8.6.3 Where research findings refer to the University explicitly through text or images then approval by the Vice-Chancellor or those acting upon their behalf should be sought before any outputs are published.


9. **Leeds Arts University Research and Ethics Committee**

9.1 The Committee has an important role in maintaining the Ethical Standards of the University outlined in this policy. It exists to maintain high ethical standards in the conduct of teaching and learning activity, it is pro-active and responsive to the needs of research or professional practice undertaken either at, or under the auspices of, Leeds Arts University.

9.2 The Committee aims to ensure the well-being of those involved in both teaching and research and to safeguard the standards and reputation of the institution in matters of academic and professional practice.

9.3 The Committee should alert the Chair of the Academic Board where matters have the potential to endanger the reputation of the institution, but has delegated authority for individual ethical matters.

9.4 The Committee has a responsibility to keep the University's Ethical guidelines under review, responding in particular to Research Council and Government frameworks/ guidelines, and to make recommendations to Academic Board for their development. In addition, it also has a responsibility to keep the University's procedures for ethical review of staff/ student research projects under review, responding in particular to Research Council and Government framework/ guidelines, and to make recommendations to Academic Board for their development.

9.5 The Committee may also undertake reviews of ethical considerations in both staff and student research projects when such projects are referred to the Committee by course teams as well as to consider any other matter relating to ethics as directed by the Academic Board. If ethical concerns are raised by the senior management team, staff or students then these can be dealt with through additional meetings when the need arises. All research that involves participants should seek ethical approval from the Committee, or the chair. In the case of students, ethical consent should be gained from the tutor or Course Leader in the first instance who will follow the Ethics in Learning and Teaching procedure at the University.

## 10. Representation and appropriation

10.1 The University engages with the representation of others through its research, teaching and learning activity. Representation of others (living or deceased) should be carefully considered in relation to the policy's guiding principles (that it should cause no harm and respect the dignity of the person). Causing unreasonable offence to the public or a particular social group can be considered as causing harm so careful thought about how to mediate this should be undertaken; for example, advising people about potentially disturbing or offensive material so they can choose whether or not to see or hear it. If young children are able to see material it should be appropriate for their age group.

10.2 The meaning of sounds/ images/objects changes in relation to the context they are shown, care must be taken when re-presenting sounds/images/objects in a new context that they are also re-considered ethically.

10.3 Staff and students should seek the informed consent of people they wish to record, film or photograph outside the University's premises. There are particular guidelines for staff and students to follow when recording, filming and photographing on the University's premises which can be found on the University's Virtual Learning Environment.

10.4 There may be occasion where a member of staff or student of Leeds Arts University intends to appropriate part or the whole of another's work (sound recordings, musical scores, poetry, prose, moving images, digital objects, artefacts, sketchbooks, paintings designs, images, photographs, by-products and outputs from a creative process etc.) for public exhibition or dissemination. Where the work being appropriated is within the term of copyright (currently within the life of the artist/originator plus 70 years), there is a risk that the 'appropriation' of

the work (or even a part of the work) will infringe third party rights (including, copyright, performer's rights and moral rights). Permission must be gained from the relevant third-party rights holder (such as the originator and or the copyright holder of the work) before the appropriation takes place. It cannot be made public without permission.

10.5 Staff and students performing live music or playing recorded music should also ensure that any public venues are covered by the appropriate licenses (this can include playing a CD, radio, or a music channel). These are PRS (Performing Rights Society) for Music license and PPL (Phonographic Performance Ltd) license. PRS for Music and PPL collect and distribute money for the use of the musical composition and lyrics on behalf of authors, songwriters, composers and publishers.

## 11. Failure to comply with the Ethics Policy

11.1 Where the Research and Ethics Committee has identified research malpractice or non-compliance with the Ethics Policy it will recommend to the Head of Human Resources that the situation be investigated. This will be done in accordance with the current version of the University's Disciplinary Policies and Procedures for either staff or students.