HRSO
Human Research Standards Organization

CAN/HRSO – 200.01 – 2021

ETHICAL REVIEW AND OVERSIGHT OF HUMAN RESEARCH

SCC CCN

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Foreword

Human Research Standards Organization (HRSO) is a Canadian, not-for-profit, standards development organization accredited by the Standards Council of Canada (SCC).

HRSO's mandate is to unite progressive, insightful Canadian visionaries to collectively interpret, reform, and frame the national human research landscape through the development of National Standards of Canada (NSCs).

HRSO develops NSCs of relevance to Canadians conducting, overseeing and participating in human research. The adoption of NSCs ensures harmonization, partnership, and economic growth of this activity within Canada and internationally.

HRSO's NSCs are developed in accordance with the *Requirements & Guidance - Accreditation Standards Development Organizations, 2019* established by the SCC.

The timeline for development of NSC CAN/HRSO-200.01-2021 "Ethical Review and Oversight of Human Research" was as follows:

Notice of Intent Publication: 2020/02/25
First Meeting of Technical Committee: 2020/09/16
Public Consultation Period: 2021/03/15 – 2021/05/14
Final Meeting of Technical Committee: 2021/06/02

HRSO will ensure that this NSC remains current and relevant by maintaining it on a continual basis through ongoing Technical Committee review.

A NSC is a standard developed by a Standards Council of Canada (SCC) accredited Standards Development Organization, in compliance with requirements and guidance set out by SCC. More information on NSCs can be found at www.scc.ca.

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Introduction

One of the primary ethical justifications for conducting human research is to benefit society. Because human research seeks to understand something not yet known, participation in human research is not without risks. Given the fundamental importance of human research, society must ensure that research is conducted ethically, rigorously, safely, and in a manner that safeguards the rights and welfare of research participants.

The ethical review and oversight of human research in Canada lies with research ethics boards (REBs). A REB is also known as an independent or institutional review board (IRB), independent ethics committee (IEC), a research ethics committee (REC), research ethics review committee (RERC), or ethical review board (ERB).

A REB is an appropriately constituted group that applies ethical principles in its review and ongoing evaluation of research involving humans. In safeguarding the rights and welfare of research participants, REBs apply fair and impartial judgment, on an ongoing basis, in assessing whether the potential benefits of research participation outweigh the risks.

Adherence to this NSC ensures that REBs have the necessary structure and procedural documents in place to oversee research conducted under their auspices. Consistent application of this NSC will ensure that the ethical review and oversight of human research by REBs is conducted uniformly from one organization to another, and from one province to another, enabling harmonization and collaboration of REBs within Canada and internationally.

It is the responsibility of the user of this NSC to judge its suitability for the user's intended purpose. This NSC may be used for conformity assessment.

CETTE NORME NATIONALE DU CANADA EST DISPONIBLE EN VERSIONS FRANÇAISE ET ANGLAISE.

ICS Codes 03.100.02, 03.100.40

1. Scope

This NSC applies to all individuals, as well as all for-profit and not-for-profit, public and private organizations, engaged in the ethical review and oversight of human research, such as:

- those involved in establishing, administering, and ensuring effective REB operations
- regulatory authorities and other organizations that evaluate REBs.

By reducing the variability of interpretation of regulations, policies, and guidelines, this NSC provides a basis for the establishment of unambiguous procedural documents that are informed by Canadian and other commonly used normative references.

Human research is defined as a systematic, rigorous investigation involving human beings. Human research includes, but is not limited to, the following disciplines: health research, social sciences and humanities research, creative and arts-based research, and engineering research. Human research includes, but is not limited to, the following methodologies: interventional research, observational research, qualitative research, social and behavioural research, health services research, public health research, educational research, research involving existing human data, research with deceased individuals, and research involving human biological materials and their derivatives.

“Shall” vs “Should”

In this NSC, “shall” indicates that the requirement is mandatory and is supported by normative references, whereas “should” indicates that the requirement is recommended, or a best practice statement.

2. Normative References

This NSC was developed in accordance with the normative documents listed below, all of which are publicly available. The user of this NSC should refer to the latest edition or revision of the normative documents.

Canadian Legislation

Health Canada Food and Drugs Act
https://laws-lois.justice.gc.ca/eng/acts/F-27/page-1.html

Personal Information Protection and Electronic Documents Act (PIPEDA)
https://laws-lois.justice.gc.ca/ENG/ACTS/P-8.6/page-1.html

Canadian Regulations

Health Canada Food and Drugs Regulations, Part C, Division 5
https://laws-lois.justice.gc.ca/eng/regulations/C.R.C.,_c._870/page-133.html#h-577812

Health Canada Natural Health Products Regulations, Part 4
https://laws-lois.justice.gc.ca/eng/regulations/SOR-2003-196/page-7.html

Health Canada Medical Device Regulations, Part 3
https://laws-lois.justice.gc.ca/eng/regulations/sor-98-282/page-9.html#h-1021976

Policies and Guidelines

Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans - TCPS 2 (2018) https://ethics.gc.ca/eng/policy-politique_tcps2-eptc2_2018.html

Interpretations - Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans - TCPS 2 (2018) Interpretations https://ethics.gc.ca/eng/policy-politique_interpretations.html

Material Incidental Findings - Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans - TCPS 2 (2018) https://ethics.gc.ca/eng/incidental_findings.html

Tri-Agency Framework: Responsible Conduct of Research (2016) https://rcr.ethics.gc.ca/eng/framework-cadre.html

International Council for Harmonization (ICH) of Technical Requirements for Pharmaceuticals for Human Use Good Clinical Practice Guideline https://www.ich.org/page/efficacy-guidelines

Other Regulations

US Code of Federal Regulations Title 21, namely, Parts 50, 56 https://www.accessdata.fda.gov/scripts/cdrh/cfdocs/cfcfr/cfrsearch.cfm

US Code of Federal Regulations Title 45, namely, Part 46 https://www.ecfr.gov/cgi-bin/text-idx?tpl=/ecfrbrowse/Title45/45tab_02.tpl

3. Terms and Definitions

Alternate or Substitute REB Members: REB members appointed to serve in place of a regular REB member in order to ensure that the REB has the appropriate expertise to review research.

Community: A group of people with a shared identity or interest that has the capacity to act or express itself as a collective. A community may be territorial, organizational, or a community of interest. A community may have governance processes that affect human research such as leadership engagement, recruitment, consent, and dissemination and ownership of research results.

Compensation: Something given or received as an equivalent for services, debt, loss, injury, suffering, lack, etc.; an indemnity.

Concluding Review of Research: A review conducted by the REB that occurs when research activities have concluded, in order to ensure that ethical oversight is no longer required.

Continuing Review of Research: A review conducted by the REB of the ethical acceptability of research that occurs while the research is ongoing, but prior to the expiration of ethical oversight set at the Initial Review of research.

Delegated Review of Research: The level of REB review assigned to minimal risk research and conducted by one or more members of the REB.

Full-Board Review of Research: The level of REB review assigned to above minimal risk research, and conducted by the full membership of the REB, or quorum.

Human Research: A systematic, rigorous investigation involving human beings that includes, but is not limited to, the following disciplines: health research, social sciences and humanities research, creative and arts-based research, and engineering research, and includes, but is not limited to, the following methodologies: interventional research, observational research, qualitative research, social and behavioural research, health services research, public health research, educational research, research involving existing human data, deceased individuals, and human biological materials and their derivatives.

Human Research Protection Program (HRPP): An organization-wide program composed of a network of interdependent entities that share the responsibility for research participant protection and interact in a system that promotes a culture of research integrity, quality, efficiency, accountability and evidenced-based practices. An HRPP can exist in any for-profit or not-for-profit, public or private organization where human research is conducted and/or overseen.

Independence: The ability to make a decision free of inappropriate influence, including situations of real, potential or perceived conflicts of interest or obligation.

Initial Review of Research: A review conducted by the REB of the ethical acceptability of research that occurs prior to the initiation of any research activities.

Investigator/Researcher: An individual who carries out human research.

Minimal Risk Research: Research in which the probability and magnitude of possible harms implied by participation in the research are no greater than those encountered by research participants in those aspects of their everyday life that relate to the research.

National Standard of Canada (NSC): A standard developed by a Standards Council of Canada (SCC) accredited Standards Development Organization, in compliance with requirements and guidance set out by SCC.

Negative Impact: Any event, whether anticipated or not, that does or could adversely affect research data integrity, the health, welfare, interests or rights of research participants, Investigators/Researchers, and third parties such as families and communities, or the conduct of the research. Examples include, but are not limited to, breaches of privacy, adverse events, serious adverse events, incidental findings, and unanticipated problems.

Ongoing Review of Research: A review conducted by the REB of the ethical acceptability of research that occurs on a continuous basis following the Initial Review of research until the Concluding Review of research.

Organization: An entity, such as an institution or corporation, that, as part or all of its activities, conducts and/or oversees human research.

Procedural Documents: A collective term used to describe policies, procedures (such as standard operating procedures), and guidelines.

Proportionate Approach: The assessment of foreseeable risk to determine the level of scrutiny research will undergo by the REB (eg, Delegated Review for minimal risk research, Full-Board review for research above minimal risk), as well as the consideration of the foreseeable risks and potential benefits.

Research Data: Information used for research purposes, including human biological materials.

Research Ethics Board (REB): An appropriately constituted group that applies ethical principles in its review and ongoing evaluation of research involving humans. A REB is also known as an independent or institutional review board (IRB), independent ethics committee (IEC), a research ethics committee (REC), research ethics review committee (RERC), or ethical review board (ERB).

Research Ethics Board (REB) Applicant: An individual who makes an application to the REB for the ethical review and oversight of research.

Research Participant: An individual whose data, biological materials, or responses to interventions, stimuli, or questions may be used to answer the research question(s).

Secondary Use: The use in research of information or human biological materials originally collected for a purpose other than the current research purpose.

4. Technical Requirements

4.1 Mandate and Constitution of the REB

4.1.1 Scope of REB Review and Oversight

The REB shall function in accordance with procedural documents to determine the types of research that it is mandated to review and oversee.

Procedural documents shall:

4.1.1.1 list the specific policies, guidelines, and/or regulations upon which the determination is made.

4.1.1.2 outline the process and criteria for making the determination.

4.1.1.3 consider the types of human research and non-research activities that may be exempt from REB review and oversight. (Annex A describes relevant policies and regulations to aid understanding of the types of human research and non-research activities that may be exempt from REB review and oversight.)

4.1.1.4 outline the process for reporting the results of the determination.

4.1.1.5 outline the process for making the determination report available for audit and oversight purposes.

4.1.1.6 include a provision that the final determination resides with the REB members.

4.1.1.7 include a provision that no one associated with the human research can make the final determination.

4.1.2 REB Membership and Composition

The REB shall function in accordance with procedural documents that establish and maintain its composition and ensure that its members have the expertise, independence and multidisciplinary background essential for a competent ethical review and ongoing evaluation of the research under its auspices.

4.1.2.1 Procedural documents shall outline the process for the appointment of REB members including:

(a) the individual(s) or entity(ies) within the organization responsible for the appointment of REB members;

(b) the identification of the roles and associated responsibilities of REB members;

(c) the expectations of REB members in fulfilling their roles, and the consequences of not meeting these expectations, (examples of expectations of REB members can be found in Annex B);

(d) the qualifications of REB members;

(e) the term of each REB member's appointment and reappointment;

(f) the training and evaluation of REB members, (if the REB exists as an entity within an HRPP, the relevant requirements of NSC CAN/HRSO – 100.01 – 2020 shall be recognized and followed); and

(g) details concerning REB members' compensation, whether monetary or otherwise.

4.1.2.2 Procedural documents shall outline the process for ensuring that the REB is properly constituted to conduct ethical reviews and ongoing evaluations of the research under its auspices. To be properly constituted, the REB shall be composed of the following:

(a) at least five voting members;

(b) a majority of members who are Canadian citizens or permanent residents of Canada;

(c) at least one member whose primary role is to reflect the perspective of the research participant, and who is not affiliated with the organization either directly or indirectly (this category of member shall be represented in proportion to the size of the REB, for example, one member per five voting members);

(d) at least one member who has relevant expertise evidenced through experience and/or training in the Canadian law relevant to human research;

(e) at least one member who has relevant expertise evidenced through experience and/or training in the ethics relevant to human research; and

(f) at least two members whose primary expertise evidenced through experience and/or training is in the relevant research discipline.

4.1.2.3 Procedural documents shall outline the process for ensuring that the REB is properly constituted to conduct specialized ethical reviews and ongoing

evaluations of the research under its auspices, if applicable. For example, to be properly constituted for specialized reviews, the REB shall be composed of at least one member who has relevant expertise evidenced through experience and/or training in:

(a) research with Indigenous Peoples, if the research involves Indigenous Peoples;

(b) research with populations that are marginalized or in situations of vulnerability, if the research involves these populations;

(c) complementary or alternative health care, if the research involves a natural health product;

(d) pediatric health, if the research involves the health of minors;

(e) medicine or dentistry and is a member in good standing with his/her respective provincial/territorial Order, if the research involves a Canadian regulated therapeutic product.

Furthermore, procedural documents shall:

4.1.2.4 outline the process for ensuring diversity within the REB with respect to ethnicity, gender, cultural background, geographical location, disability and sensitivity to community attitudes, and perspectives.

4.1.2.5 outline the process for including alternate or substitute REB members, where applicable.

4.1.2.6 outline the process for including *ad hoc* advisors to the REB. *Ad hoc* advisors are non-voting, expert reviewers who contribute to the REB when such expertise is required for the competent review of human research.

4.1.3 REB Administration and Resources

The REB shall function in accordance with procedural documents that ensure that it has sufficient administrative and other resources commensurate with the volume and complexity of the research reviewed. If the REB exists as an entity within an HRPP, the relevant requirements of NSC CAN/HRSO – 100.01 – 2020 shall be recognized and followed.

Procedural documents shall:

4.1.3.1 outline the process for ensuring that the REB has administrative and other resources necessary for effective and efficient operations.

4.1.3.2 describe the roles, responsibilities, qualifications, training, and evaluation of administrative personnel necessary for the effective and efficient operation of the REB.

4.1.4 REB Review of Human Research Conducted in Other Jurisdictions

The REB shall have procedural documents to ensure that the requirements of this NSC will be applied to the review and oversight of all human research under its auspices, regardless of where the human research is conducted.

4.2 REB Submissions

4.2.1 Preparations and Requirements for REB Review

The REB shall have procedural documents to ensure that all of the necessary information has been collected, verified, and that the REB has the competency and time commensurate with the volume and complexity of the research to be reviewed.

Procedural documents shall:

4.2.1.1 describe the information, such as forms and documents, that are required by the REB in its review of research at all stages in the lifecycle of the research (eg, Initial Review, Ongoing Review, Continuing Review, and Concluding Review of research).

(Examples of criteria and processes that may be used to develop forms and other documents can be found in Annex C.)

4.2.1.2 outline the process for verifying that the information submitted by the REB Applicant is compliant with 4.2.1.1 prior to submitting it to the REB for review.

4.2.1.3 outline the process for scheduling REB meetings including deadlines for receipt of an application, timelines for review, a provision for unscheduled meetings, and a provision for exceptions to the schedule such as disruptive events and publicly declared emergencies.

4.2.1.4 outline the process for ensuring that a research application has been assigned to the appropriate level of REB review (see section 4.3).

4.2.1.5 outline the process for coordinating the REB review with other entities, internal or external to the organization, if applicable.

4.2.1.6 outline the process for determining the applicable REB of record for the ethical review of research involving multiple institutions and/or multiple REBs.

4.2.1.7 outline the process for ensuring that REB members receive the research information within a timeframe that allows sufficient review.

4.2.1.8 for Full-Board meetings of the REB, outline the process for convening REB members, and, if required, for convening non-REB members.

4.2.2 Communicating Requirements for REB Submissions

The REB shall have procedural documents that delineate the requirements for the submission of applications for the ethical review of research.

Procedural documents shall:

4.2.2.1 outline the process for disseminating information to REB Applicants, including, but not limited to, the following:

(a) required submission forms and documents;

(b) application procedures;

(c) REB meeting schedule;

(d) submission deadlines;

(e) review timelines;

(f) provision for unscheduled meetings; and

(g) schedule of REB fees, where applicable.

4.2.2.2 outline the process through which REB Applicants submit the required information.

4.3 Level of Review of Research Applications by the REB

4.3.1 Determination of the Level of Review of Research Applications

The REB shall have procedural documents to ensure that it adopts a proportionate approach to determine the level of review of research.

Procedural documents shall:

4.3.1.1 outline the process and criteria for determining the level of review of research applications, including Full-Board Review and Delegated Review.

4.3.1.2 include a provision that the proportionate approach shall be applied to all reviews of research applications including the Initial Review, Ongoing Review, Continuing Review and Concluding Review of research.

4.3.1.3 include a provision that only REB members have the authority to make the final determination of the level of review of research applications.

4.3.1.4 describe the qualifications of the REB members involved in making the determination of the level of review of research applications.

Procedural documents should:

4.3.1.5 outline the process for engaging Investigators/Researchers and/or research participants, when applicable, in discussions concerning the REB's determination of the level of review of research applications.

4.3.2 Full-Board Review of Research Applications

The REB shall have procedural documents for the Full-Board review of research applications.

Procedural documents shall:

4.3.2.1 outline how Full-Board meetings of the REB will take place, whether in person or otherwise.

4.3.2.2 describe the quorum requirements and processes for achieving, maintaining, and documenting quorum at Full-Board meetings of the REB.

4.3.2.3 describe the deliberations and voting process for members of the Full-Board meeting, and how decision-making will be conducted, such as by consensus agreement or majority vote.

4.3.2.4 outline the process for recording details of the voting process, voting results, deliberations, decisions, and rationale for the decisions in the meeting minutes for each review of research at a Full-Board meeting.

4.3.2.5 describe the process for approving the meeting minutes of Full-Board meetings of the REB.

4.3.2.6 outline the process for the participation of REB Applicants in Full-Board meetings of the REB.

4.3.2.7 outline the process for including individuals to observe Full-Board meetings of the REB for educational or other purposes.

4.3.3 Delegated Review of Research Applications

The REB shall have procedural documents for the Delegated Review of research applications.

Procedural documents shall:

4.3.3.1 outline the process for reporting the rationale and decision to conduct a Delegated Review to all members of the REB.

4.3.3.2 outline the process for conducting a Delegated Review, including, but not limited to:

(a) the criteria for assignment of the review to specific member(s) of the REB;

(b) the opportunity for the delegated reviewer(s) to include other REB members in the review, if needed;

(c) the opportunity for the delegated reviewer(s) to refer the review to the Full-Board REB, if needed; and

(d) the documenting of results of the Delegated Review.

4.3.3.3 include a provision that the report and all decisions resulting from the Delegated Review process are communicated to and documented by the REB.

4.3.3.4 include a provision that all negative decisions resulting from the Delegated Review process are referred to the Full-Board REB for review and consideration prior to communicating the decision to the REB Applicant.

4.4 Ethical Review and Oversight of Research

4.4.1 Elements Involved in the Ethical Review of Research

The REB shall have procedural documents that outline the criteria and processes involved in the ethical review of research including the Initial Review, Ongoing Review, Continuing Review and Concluding Review of research.

Procedural documents shall:

4.4.1.1 outline the criteria and process for evaluating research, including, but not limited to:

(a) the rationale, evidence for the value and scientific validity of the research, and the research design and methodologies employed to support it;

(b) a description of how research participants will be involved in the research including their role in providing research data directly and indirectly;

(c) the selection and recruitment of research participants;

(d) the potential benefits and risks to research participants, during and following research participation, including, but not limited to:

- the likelihood of the research's benefits and risks
- how the benefits of research for research participants will be weighed against the risks for research participants;

(e) the potential impact of the research on the community;

(f) the methods for mitigating risk of harm, and safeguarding and monitoring research participant safety and welfare;

(g) the process for obtaining and maintaining the free and informed consent, and when applicable assent, of research participants and/or their legally-authorized representatives throughout the research;

(h) the justification for alterations or departures from the general requirements or generally-acceptable procedures for obtaining free and informed consent;

(i) the impact of withdrawal of informed consent on the research participant, on the research, and on the research data;

(j) the methods for safeguarding and monitoring the privacy interests of research participants and maintaining confidentiality of their personal information and data;

(k) the methods for promoting the integrity and security of research data collection, transfer, storage, and destruction;

(l) the methods for managing new information and incidental findings that may arise during the research;

(m) research participant compensation and schedule of payments, if applicable;

(n) information pertaining to any and all previous opinions and/or decisions concerning the research, such as from another REB, from internal or external committees, or from a regulatory authority;

(o) the registration of the research, if applicable; and

(p) the dissemination of research results, including dissemination to Investigators/Researchers, research participants, and the public.

The REB may employ memory aids, checklists, or other tools in the review of research in compliance with section 4.4.1.1. A list of criteria and processes that may be used to develop such tools can be found in Annex C.

4.4.1.2 outline the criteria and process for reviewing the conduct of the research, including, but not limited to, the:

(a) credentials and qualifications of Investigators/Researchers;

(b) real, potential or perceived conflicts of interest of Investigators/ Researchers that may impact the research;

(c) suitability of the research location with respect to site and setting, including necessary permissions to conduct the research;

(d) remuneration of Investigators/Researchers by sponsors, if applicable;

(e) adequate level of resources required to complete the research; and

(f) compensation for injury of research participants.

The REB may employ memory aids, checklists, or other tools in the review of research in compliance with section 4.4.1.2. A list of criteria and processes that may be used to develop such tools can be found in Annex C.

4.4.1.3 outline the process for ensuring that the criteria outlined in sections 4.4.1.1 and 4.4.1.2 are supported by requisite materials and information that are:

(a) submitted to the REB by the REB Applicant according to section 4.2;

(b) identified, for example, by name/title, version date, and/or version number; and

(c) distributed to REB members involved in the review of the research.

Examples of requisite materials and information can be found in Annex D.

4.4.2 Elements Involved in the Ethical Oversight of Research throughout its Lifecycle

The REB shall have procedural documents for the ethical oversight of research throughout its lifecycle.

Ongoing Review

Procedural documents shall:

4.4.2.1 itemize the information that the REB reviews on an ongoing basis throughout the lifecycle of the research. (Examples of information reviewed by the REB during the lifecycle of the research can be found in Annex E.)

4.4.2.2 outline the process for informing REB Applicants of the following:

(a) what and when to report to the REB while the research is ongoing;

(b) what constitutes a change to research that requires further review by the REB prior to implementing such changes; and

(c) what exceptional circumstances allow changes to research to be implemented prior to being reviewed by the REB, such as when changes to research are necessary in order to prevent or alleviate immediate and serious negative impacts on research participants.

4.4.2.3 outline the process, including terms and conditions, for the REB or its delegate to independently monitor compliance of the REB-approved research.

Continuing Review

Procedural documents shall:

4.4.2.4 outline the process for the Continuing Review of research, including the following:

(a) the determination of the frequency of the Continuing Review;

(b) the alteration of the frequency of the Continuing Review; and

(c) the management of expired approvals of research.

4.4.2.5 itemize the information required by the REB to assess the Continuing Review of research, including, but not limited to, the following:

(a) all approved research documents at the time of the Continuing Review;

(b) research participant recruitment, enrollment, and withdrawals;

(c) research participant views and complaints, if applicable;

(d) deviations from approved research;

(e) negative impacts of approved research; and

(f) any other information that could affect the REB's decision on the ethical acceptability of the research.

Concluding Review

Procedural documents shall:

4.4.2.6 outline the process for the Concluding Review of research.

4.4.2.7 outline the criteria and process employed by the REB to determine when research activities have concluded and ethical oversight by the REB is no longer required. (Examples of criteria included in this determination can be found in Annex F.)

4.4.2.8 describe the circumstances under which ethical approval of research would be terminated by the REB, and the consequences of termination including, but not limited to, the following:

(a) ensuring that all research activities are promptly terminated, except those that directly affect the welfare of research participants; and

(b) documentation and reporting of the termination of the ethical approval.

4.4.3 Communicating Decisions of the REB

The REB shall have procedural documents for the communication of its decisions regarding the ethical review and oversight of research including the Initial Review, Ongoing Review, Continuing Review, and Concluding Review of research.

Procedural documents shall describe:

4.4.3.1 the process for communicating decisions regarding the ethical acceptability of research to REB Applicants. Decisions regarding the ethical acceptability of research include, but are not limited to:

(a) approval;

(b) request for further information and/or modification;

(c) disapproval;

(d) deferral to another convened meeting of the REB; and

(e) conclusion or early termination of ongoing research.

4.4.3.2 the information included in the communication of the REB's decision on the ethical acceptability of human research, including, but not limited to:

(a) the type of review conducted, including Full-Board Review and Delegated Review;

(b) if the review was conducted at a Full-Board meeting of the REB:

- the date of the meeting

- the REB roster in effect at the time of the meeting as per sections 4.1.2.2 and 4.1.2.3 (or available at the request of the REB Applicant)

- a statement confirming that quorum was met throughout the deliberations and final decision (or available at the request of the REB Applicant);

(c) the date and version number of each document reviewed;

(d) the decisions reached by the REB for each document reviewed and the rationale for each decision;

(e) a statement that the documents reviewed for which a favourable decision has been granted by the REB cannot be altered until amended versions of the documents have been approved by the REB;

(f) a statement that no changes to research may be implemented prior to being reviewed and approved by the REB;

(g) a statement that, under exceptional circumstances, changes to research may be implemented prior to being reviewed by the REB, such as when changes to research are necessary in order to prevent or alleviate immediate and serious negative impacts to research participants;

(h) the expiry date of REB approval and requirement for Continuing Review of research, including the consequences of non-compliance with this requirement; and

(i) a statement regarding the normative documents that the REB follows in making its decisions, including this NSC.

4.4.4 Requests for Reconsideration and Appeals of REB Decisions

The REB shall have procedural documents for the REB Applicant to request reconsideration of REB decisions, as well as appeals of REB decisions.

Procedural documents shall describe the process for:

4.4.4.1 managing requests from REB Applicants for reconsideration of REB decisions.

4.4.4.2 managing appeals from REB Applicants of REB decisions.

4.4.4.3 communicating to REB Applicants the procedure for exercising their rights to request reconsideration and/or appeal of the REB decisions.

4.5 Maintaining and Storing REB Documents

The REB shall have procedural documents for the confidential and secure maintenance, storage, and destruction of REB documents.

Procedural documents shall outline:

4.5.1 the documents that will be maintained and stored by the REB.

4.5.2 the process for maintenance and storage, including the storage period and location of the stored REB documents.

4.5.3 the process for destruction of REB documents at the end of the storage period.

Annex A: Relevant Policies and Regulations Describing Human Research and Non-Research Activities that may be Exempt from REB Review and Oversight (Informative)

In Canada, the relevant policy regarding human research and non-research activities that may be exempt from REB review and oversight is the Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans (TCPS 2). The TCPS 2 contemplates that some human research is exempt from REB review and oversight where protections are available by other means.

The TCPS 2 also states that activities that are considered human research require REB review and oversight. However, some activities employ methods and techniques similar to those used in human research, but do not qualify as human research for the purposes of the TCPS 2, and may be exempt from REB review and oversight.

REBs should refer to the following sections of the TCPS 2 for a better understanding of the types of human research and non-research activities that may be exempt from REB review and oversight:

- Research Exempt from Research Ethics Board Review: Articles 2.2, 2.3, 2.4
- Activities Not Requiring Research Ethics Board Review: Articles 2.5, 2.6
- TCPS 2 Interpretations

REBs can request an interpretation of the policy in order to establish procedural documents for the determination of exempt status by contacting the office of the Secretariat on Responsible Conduct of Research: secretariat@srcr-scrr.gc.ca.

In the United States, the relevant regulations pertaining to human research and non-research activities that may be exempt from REB review and oversight are:

- US Food and Drug Administration 21 CFR 56.104
- US Department of Health and Human Services 45 CFR 46.104.

Annex B: Examples of Expectations of REB Members (Informative)

- meeting attendance
- meeting preparation
- meeting participation and decorum
- disclosing conflict of interest
- maintaining of confidentiality
- developing knowledge/continuing education
- exhibiting inclusive and respectful behaviour

Annex C: Criteria and Processes that may be Employed by the REB to Aid in the Review and Evaluation of Research (Informative)

The lists below are provided as examples of the criteria and processes that the REB may employ in developing forms and evaluation tools for various areas of research. The extent to which these examples apply depends on the types of research under review.

Research Rationale, Design, Methods Employed
• there is a clearly defined research question • there is rationale/justification to conduct the research on humans • the research objectives are clearly outlined • the methods employed are appropriate to achieve the research objectives • the methods employed include measures to minimize bias • the population selected and its sampling is appropriate and can achieve meaningful results • there is justification for the choice of comparator or control arms • there is justification for the use of a placebo control arm • there is justification to withhold or withdraw standard therapies or treatment protocols for research purposes • the procedures used to collect, manage, and analyze the research data are clearly outlined and appropriate for the research • a community consultation on research design will take place prior initiation of the research • methodologies employing deception provide a plan for research participant debriefing • a description of the roles of research participants is provided when they play a role in the conduct of research such as research design, research participant recruitment, and dissemination of results

Involvement of Research Participants in the Research
• the nature of research participation is described • the number of contact points with research participants (eg, study visits) during the research is described • the level of engagement of research participants is described • research participant responsibilities are clearly outlined, including the time commitment required for completing: - Study visits - Research Participant Diaries - Questionnaires or Research Participant Reported Outcomes - Research Participant Satisfaction Surveys - Overall research participation

Selection and Recruitment of Research Participants
• the selection of research participants is scientifically, ethically and socially appropriate for the research and research setting • the inclusion of research participants is equitable, and the exclusion of individuals is justified by the requirements of the research • there is justification, in the context of the research, for the inclusion of individuals in vulnerable situations • there are appropriate protections for individuals in vulnerable situations • the recruitment methods employed safeguard against therapeutic misconception and undue influence • the recruitment materials including advertisements do not overstate the potential benefits of research participation • the research population is not subject to over-solicitation • the research population is not over-represented, and other relevant populations are not under-

represented, without justification
- no finder's or referral fees are paid to third parties for identifying potential research participants
- the anticipated retention strategy for research participants in longer-term studies is clearly outlined and justified

Anticipated Benefits and Harms (Risks) to Research Participants

- all benefits and potential harms to research participants and non-participants (eg, families and communities) are clearly described
- harms to research participants are minimized and managed by using procedures and protocols that demonstrate concern for the welfare of the research participants
- harms to research participants are minimized by using procedures already being performed for other purposes (eg, diagnostic or treatment)
- harms to research participants are minimized by using procedures consistent with sound research design
- an assessment that the benefits of the research outweigh the risks
- potential harms to research participants are reasonable in relation to anticipated benefits of the research
- the potential risks to research participants are reasonable in relation to the importance of the knowledge that may be gleaned from the research
- a process is described to provide research participants with post-research information (eg, debriefing)
- research participants' perceptions of benefits and harms has been assessed and there is evidence supporting the described benefits and harms

Impact of Research on the Community

- if research is recruiting individuals based on their membership in specific communities or groups, then the researcher has provided evidence, from the communities or groups involved, that:
  - the research may generate knowledge that could reasonably lead to improvements to the community or group (eg, improvements in health or well-being)
  - the population that will bear the risks of participating in the research is likely to benefit from the knowledge derived from the research
  - the details of the discussion with community or group members, and/or their leaders is clearly outlined
  - the details of the proposed methods used to engage in discussion with the community or group members, and/or their leaders is clearly outlined
  - the details of how the research results, whether positive or negative, will be shared with the affected community or group are clearly outlined
  - community-researcher agreements include details for ownership of and access to data, and include arrangements for co-authorship, in situations where community members are collaborators or partners in the research, where applicable
  - the potential negative impacts of research fatigue have been considered when a specific community is targeted

Safety Monitoring of Research Participants

- procedures for monitoring and reporting negative impacts of research are included
- the circumstances that would lead to the premature termination of the research are clearly outlined
- premature stopping rules are clearly defined

Obtaining the Free and Informed Consent of Research Participants
• the individual providing consent to participate in the research is clearly identified (eg, research participant, representative, parent, guardian) • the justification for obtaining consent directly from the research participant without the need for alterations to the consent process is clearly outlined (eg, obtaining consent directly from a minor without parental consent) • the consent of the research participant is documented, and the choice of consent model is clearly described (eg, written, verbal, e-consent, remote consent with the use of technology, audio, audio-visual) • the process of obtaining informed consent: - is held in a language understandable to the research participant (or representative, parent, guardian) - is conducted by an individual with full knowledge of the research, but not by an individual who is in a fiduciary relationship with the research participant - allows ample time for discussion and addressing questions - allows ample time for seeking external opinions and making a free and informed decision - minimizes the possibility of coercion or undue influence in the decision making - minimizes the possibility of excessive motivating factors to participate in the research - addresses and manages issues regarding the capacity of the research participant to make a decision - is re-solicited when new information arises that may impact the research participant's consent to participate - is assessed at pre-determined intervals throughout the research to ensure that the research participant continues to consent to his/her participation - takes into consideration situations where capacity to consent may be shifting during the conduct of the research - does not place the research participant at risk of any harm (eg, incarceration)

Essential Elements of the Informed Consent Document
• the informed consent document reflects the research proposed and includes the following: - an introduction to the research - the objective(s) of the research - the research procedures and methods including all tests to be performed - the details of research participant responsibilities including expected duration of participation - the details of research participation, withdrawal, and early termination - the risks and benefits associated with research participation - any reasonably anticipated benefits - the compensation for participation and payment schedule - any anticipated expenses associated with participation - any alternatives to participation - the methods used to safeguard research participant privacy interests - who will be granted direct access to research participants' information and for what purpose - how new information that may impact a research participant's willingness to continue participation in the research will be made available - the methods used to safeguard research participant privacy and confidentiality - the contact details for information regarding the research, research participants rights, and whom to contact in the event of research-related injury - appropriate allowance for signatures and signature dates

Justification for Alterations of General Principles of Informed Consent
• the circumstances and conditions that justify waiving any or all of the requirements of obtaining free and informed consent are clearly outlined • the procedures for obtaining ongoing consent after regained capacity are clearly outlined (if

applicable)
- procedures for obtaining consent for research participants who lack capacity, and corresponding assent procedures, are clearly outlined

Impact of Withdrawal of Informed Consent

- procedures for premature withdrawal of research participants are clearly outlined
- procedures for the safety monitoring of research participants who withdraw are clearly outlined
- procedures for withdrawing data and biological materials are clearly outlined

Methods for Safeguarding and Monitoring the Privacy Interests of Research Participants and Maintaining Confidentiality of their Personal Information

- the methods used to identify and contact potential research participants are consistent with applicable privacy laws
- the settings in which potential research participants and research participants interact with researchers safeguard research participant privacy interests
- the recruitment methods employed in the research safeguard the privacy interests of research participants
- the research methods employed safeguard the privacy interests of research participants
- the procedures for managing a privacy breach are clearly outlined
- the limits on protecting research data due to professional or regulatory requirements are clearly identified
- the method of and rationale for determining whether or when an individual chooses to be identifiable in publications are clearly outlined
- provisions for ownership of and access to creative works (eg, digital stories, artwork) where the identity of author/s may be revealed are clearly outlined
- the method of ensuring that third parties are not inadvertently identified, or the process for obtaining consent of third parties (eg, in digital stories, photo-voice research, autoethnographic research), if applicable, are clearly outlined

Methods for Promoting the Confidentiality, Integrity and Security of Research Data Collection, Transfer, Storage, and Destruction

- the methods that will be used to collect research data are appropriate and clearly outlined
- the nature of the research data to be collected is appropriate and clearly outlined
- how the research data will be used is appropriate and clearly outlined
- for what purposes the research data will be collected and used are appropriate and clearly outlined
- the methods that will be used to protect the identity of research participants are appropriate and clearly outlined
- the methods that will be used to secure stored research data and data sets, including paper, digital, or any other medium, are clearly outlined
- the individuals authorized to access the research data are clearly identified
- the process for granting and removing authorized access to research data and data sets, and how this access will be tested and removed is appropriate and clearly outlined
- the process for ensuring that agreements are in place for sharing research data internally and externally is appropriate and clearly outlined
- the process for the secure transmission of research data internally and externally is appropriate and clearly outlined
- the timeline and process for the destruction of research data is appropriate and clearly outlined
- the process for ensuring safe access to research data in the case where data is owned by a community (eg, Indigenous community), but stored with a researcher, or owned and stored in community but accessible by researcher, is clearly described

Procedures for Managing Human Biological Materials
• procedures for managing human biological materials include: - the roles and responsibilities regarding custodianship of the data and the human biological materials - any future use of these human biological materials and associated data, including material transfer agreements to third parties, and any subsequent requirements for community engagement - how data or biological materials will be obtained and the purposes for which they will be used - whether, when, and how information on biological materials will be de-identified - where and for how long data or biological materials will be stored and secured - whether the biological materials or data may be used for secondary purposes or by individuals other than those of the approved investigation for secondary use - what measures are in place to ensure that secondary uses of data and biological materials respect the privacy interests and consent provisions of the research participants - the process for research participants to withdraw their materials and associated data

Methods for Managing Material Incidental Findings
• the management of material incidental findings that are actionable for the contributor, their relations, or community

Research Participant Compensation and Schedule of Payments
• the compensation is commensurate with participation in the research • the compensation does not represent undue influence • the compensation amount, conditions, and payment schedule are clearly presented to the research participants • a research participant who withdraws or is withdrawn from the research for any reason is paid in proportion to the duration of their participation • the compensation accrues as the research progresses • the compensation is provided at regular intervals throughout the research, and is not contingent upon the research participant completing the research • the potential for financial consequences resulting from the research participant receiving compensation for research participation are clearly outlined (eg, if they have expenses that will not be compensated, such as travel expenses or if compensation is subject to taxation) • the process used to pay research participants does not cause harm (eg, by identifying them)

Previous Opinions and/or Decisions Concerning the Research
• prior scientific reviews of the research are made available • previous opinions and/or decisions concerning the research, such as from internal or external committees, or from a regulatory authority, are made available • previous decisions from another REB are made available, if applicable • if the research will be conducted in another jurisdiction, information relevant to human research and the requirements of ethical review in that jurisdiction, are made available

Credentials and Qualifications of Investigators/Researchers
• the Investigators/Researchers have relevant credentials, education, training and experience required to conduct the research • the Investigators/Researchers have documented training in the protection of research participants • the Investigators/Researchers have not been barred from conducting research by a regulatory agency

Conflict of Interest of Investigators/Researchers
• Investigators/Researchers are required to disclose any conflicts of interest related directly or indirectly to the research • procedures for identifying, documenting, managing and reporting conflicts of interests are clearly outlined

Suitability, Including Necessary Permissions, of the Research Location with Respect to Site and Setting
• the research site(s) has the potential to recruit the required number of research participants within the recruitment period • the research site(s) has sufficient time and resources (research staff, space, materials) to conduct and complete the research • members of the research team have relevant credentials, education, training and experience required to conduct the research • members of the research staff understand their roles in the research and have been fully trained on the research • members of the research team have documented training in the protection of human research participants

Dissemination of Research Results, and Registration of the Research
• the research is pre-registered on a publicly accessible website • information in the registry will be updated in timely manner to include any new information that could affect research participant welfare or consent to participate in the research, and to include reports of research findings and information about where to access the research findings • research results are responsibly disseminated: - in a timely manner, without undue restrictions - in compliance with funding and public registry requirements - for outcomes that are either positive or negative

Remuneration of Investigators/Researchers by Sponsors
• the nature and sources of funding for the research are clearly outlined • Investigators/Researchers are appropriately reimbursed for the costs associated with conducting the research based on anticipated expenses and overhead • Investigators/Researchers are not receiving finder's fees or bonuses for enrolling a specific number of research participants or for successfully meeting research milestones

Funding of the Research
• there is sufficient funding for the duration of the research and any follow-up procedures

Compensation for Injury of Research Participants
• the research site is insured for injuries to research participants arising from participation in the research • research participants are aware of the compensation available in the event of a research related injury and of any limitations to compensation • research participants are aware of the possibility of injury arising from participation in the research and of the nature and extent of the compensation provided in case of an injury

For more information:

Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans - TCPS 2 (2018) https://ethics.gc.ca/eng/policy-politique_tcps2-eptc2_2018.html

International Council for Harmonization (ICH) of Technical Requirements for Pharmaceuticals for Human Use Good Clinical Practice Guideline https://www.ich.org/page/efficacy-guidelines

Annex D: Examples of Requisite Materials and Information Containing the Review Criteria Outlined in Section 4.4.1.3 (Informative)

- Research Protocol, including a justification for scientific merit
- Informed Consent documents and process, and if applicable, evidence of community consent
- Questionnaires and any other instruments intended for research participants, if applicable
- Research participant recruitment materials, such as advertisements, social media promotion
- Plan for monitoring research participant safety, if not in the Research Protocol
- Investigator's Brochure, Technical File, or Product Monograph, if applicable
- Investigator/Researchers' credentials and qualifications, such as *curricula vitae*
- Contract between the Investigator/Research and the research sponsor, if applicable
- Study budget, if applicable
- Engagement or partnership with the community (including community-researcher agreement document), if applicable
- Previous REB decisions, if applicable
- Decisions of relevant committees, regulatory authorities, etc., if applicable

Annex E: Examples of Information Reviewed by the REB During the Lifecycle of the Research (Informative)

- any deviation from the REB-approved research that may affect the research participants' safety, their rights and welfare, or the integrity of research data
- any event that may affect the research participants' safety, their rights and welfare, or the integrity of research data
- any changes or updates to:
    - the status of the research (eg, interruption, suspension)
    - the Research Protocol
    - the Informed Consent documents and process
    - Questionnaires and any other instruments intended for research participants
    - research participant recruitment materials, such as advertisements, social media promotion
    - safety information
    - the Investigator’s Brochure, Technical File, or Product Monograph, if applicable
    - Investigators/Researchers
    - participating research sites
    - the contract between the Investigator/Researcher and the research sponsor, if applicable
    - the engagement or partnership with the community (including the community-researcher agreement document), if applicable

Annex F: Examples of Criteria used by the REB to Determine when Research Activities have Concluded (Informative)

- all research participants have completed their participation in the research, including all research-related interventions and follow-up
- all queries related to the research have been resolved
- the research database has been locked
- all identifiable information related to research participants is no longer being collected and/or accessed
- the research sponsor has formally confirmed that the research has concluded, if applicable
- all Investigators/Researchers have been informed of their post-closure research obligations, such as:
    - safeguarding the privacy of research participants
    - disseminating the research results (eg, reports, presentation, publication), including any negative impacts of the research that are later revealed
    - storing the research materials in accordance with applicable regulations or guidelines

Annex G: Informative References

The following Informative documents are meant to help with the conceptual understanding of this NSC. The user of this NSC should refer to the latest edition or revision of these informative documents.

Institute of Medicine - Preserving Public Trust: Accreditation and Human Research Participant Protection Programs
https://www.nap.edu/catalog/10085/preserving-public-trust-accreditation-and-human-research-participant-protection-programs

Report on the Evaluation of Control Mechanisms in Clinical Research in Quebec (The Deschamps Report), authored by Pierre Deschamps, BCL, CM
http://www.frqs.gouv.qc.ca/documents/10191/186007/Rapport_évaluation_mécanismes_1996.pdf/4c600339-7c68-4e66-9664-01ea2b8d07b4

The Governance of Health Research Involving Human Subjects (HRIHS), authored by Michael McDonald, BA, MA, PhD
http://publications.gc.ca/site/eng/9.690651/publication.html

World Health Organization - Standards and Operational Guidance for Ethics Review of Health-Related Research with Human Participants
https://apps.who.int/iris/bitstream/handle/10665/44783/9789241502948_eng.pdf

World Medical Association - Declaration of Helsinki – Ethical Principles for Medical Research Involving Human Subjects
https://www.wma.net/policies-post/wma-declaration-of-helsinki-ethical-principles-for-medical-research-involving-human-subjects/

