
Human Research Ethics Committee

Terms of Reference

September 2020

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A. BACKGROUND

1. The Human Research Ethics Committee operates under the authority of the Monash Health Research Council, in exercise of its commitment to the conduct of human research according to the highest scientific and ethical standards.
2. The Human Research Ethic Committee operates in accordance with the *National Statement on Ethical Conduct in Human Research* (NHMRC, 2007 – updated 2018) (National Statement) and other relevant national codes of human research ethics as amended from time to time and also with the ethical standards to which Monash Health is committed.

B. PURPOSE AND ROLE

3. The purpose of the Human Research Ethics Committee is to conduct scientific and ethical reviews of:
 - proposals for human research to be undertaken at or under the auspices of Monash Health; and
 - proposals for human research received by the Human Research Ethics Committee in the exercise of its function as an accredited Human Research Ethics Committee within the National Mutual Acceptance of multi-site research programme; and
 - proposals for human research received by the Human Research Ethics Committee in the exercise of review processes accepted, accredited or certified for the purposes of any other system designed to eliminate unnecessary duplication of ethics review of human research.
4. The role of the Human Research Ethics Committee is to:
 - (a) Ensure that the design and conduct of any human research that it reviews is within the scope of its responsibilities conforms with the *National Statement on Ethical Conduct in Human Research* (NHMRC, 2007 – updated 2018) (National Statement) and other relevant national codes of human research ethics as amended from time to time and also with the ethical standards to which Monash Health is committed.
 - (b) Ensure that participants in any human research that the Human Research Ethics Committee reviews and approves are accorded the respect and protection that is due to them.
 - (c) Facilitate and foster human research that is of benefit to Australian communities.
 - (d) Ensure that any decision it makes complies with relevant Victorian and Australian laws.

C. SPECIFIC RESPONSIBILITIES

5. The Human Research Ethics Committee are responsible for:
 - (a) Conducting ethical and scientific review of research projects involving human participants in a timely fashion and to ensure that the proposed research project strikes an appropriate balance between protecting the rights and wellbeing of research participants and facilitating research.
 - (b) Operate and act at all times in accordance with the National Statement and other relevant NHMRC guidelines and legislation as amended from time to time.

- (c) Decide whether participants in all reviewed and approved human research projects will be accorded the protection and respect that is due to them.
- (d) Advise Monash Health and researcher applicants whether or not reviewed research proposals meet relevant ethical standards and have or have not been approved and provide reasons, linked to the National Statement, for those decisions.
- (e) Determine, in relation to each reviewed and approved research project, that there will be mechanisms to monitor the conduct of the research and that the frequency and type of those mechanisms reflect the degree of risk to participants.
- (f) Ensure that they are sufficiently informed on all aspects of a research proposal, including its scientific and statistical validity, before deciding whether a proposal is both acceptable on ethical grounds and conforms with the National Statement.
- (g) Receive advice and reports including from Independent Expert reviewers to assist in determining if a research project is acceptable on ethical grounds and meets all necessary scientific, legal, insurance and regulatory requirements from organisational committees with relevant expertise eg seeking Therapeutics Review and/or the Monash Health Technology Clinical Practice Committee with respect to research proposals as deemed appropriate by the HREC Chair.
- (h) Offer relevant advice and a HREC Review Only Service to other institutions upon request.
- (i) Implement systems to promote the efficient ethical review of research projects including mutual acceptance in the case of multi-centre research or acceptance of single ethical review processes for approval of multi-site clinical trials in order to minimise any unnecessary duplication in the review of that research.
- (j) Implement and oversee systems that support expedited review of low risk research and post-approval amendments, without the necessity for review by the full Committee in accordance with the National Statement.
- (k) Consider issues referred by the Chief Medical Officer of the Monash Health and, where appropriate, provide advice to the Chief Medical Officer especially on policy issues with ethical implications.
- (l) Provide a forum in which staff, consumer, carer, student concerns regarding ethical issues in research can be considered and investigated.
- (m) Promote a deeper understanding of ethical issues related to research within Monash Health through educational activities.
- (n) Upon becoming aware that there may be a conflict of interest involving the institution for which it is providing HREC Review for, notify the institution.

D. AUTHORITY AND RELATIONSHIPS

6. The Monash Health Research Council authorises the Human Research Ethics Committee to perform activities within these Terms of Reference.

7. The Human Research Ethics Committee may seek information internally and externally and, where necessary, obtain external legal and professional advice to assist in undertaking its responsibilities.
8. The Human Research Ethics Committee may refer items to other committees as required.
9. The Human Research Ethics Committee may oversee a Low Risk Ethics Review Panel as a sub-committee.

E. MEMBERSHIP

E.1 Composition

10. The Human Research Ethics Committee shall be constituted as prescribed by the National Statement and will include at least eight (8) members, both men and women, namely:
 - a chairperson, with suitable experience, whose other responsibilities will not impair the HREC's capacity to carry out its obligations under the National Statement;
 - at least two (2) members who are lay members one (1) man and one (1) woman who have no affiliation with the institution or organisation, are not currently involved in medical, scientific, legal or academic work, and who are preferably from the community in which the institution or organisation is located;
 - at least two (2) members with knowledge of, and current experience in, the areas of research that are regularly considered by the HREC (eg. health, medical, social, psychological, epidemiological, as appropriate);
 - at least one (1) member with knowledge of, and current experience in, the professional care, counselling or treatment of people (eg medical practitioner, clinical psychologist, social worker, nurse, as appropriate);
 - at least one (1) member who performs a pastoral care role in a community eg is a minister of religion or an Aboriginal elder;
 - at least one (1) member who is a lawyer, who, where possible, is not engaged to advise Monash Health;
 - additional members as required from time to time to assist in ethical decision-making.
11. Monash Health may recruit members for the Human Research Ethics Committee in such manner and shall appoint them for such a period and on such terms and conditions as it determines, however in ordinary circumstances:
 - Monash Health will adopt open and transparent processes including advertising for applications for membership and making appointments of members;
 - members are appointed for a term of one year, with continuity of membership from year to year to be encouraged;

- members are assessed by the Director Clinical Research at the end of each calendar year against the Monash Health Key Performance Indicators for HREC members as amended from time to time;
 - all members be provided with a copy of the “Key Selection & Performance Criteria for Members of the Monash Health Human Research Ethics Committees” as amended from time to time;
 - members will receive a formal notice of appointment that will include an assurance by the institution of legal protection for any liability that may arise in the course of the bona fide conduct of their duties;
 - where a member has suggested an alternate member (‘the alternate member’) to attend those Committee meetings that the principal member is unable to attend, it is the responsibility of the principal member to:
 - (i) advise the alternate member accordingly;
 - (ii) forward the documentation to the alternate member;
 - (iii) advise the Manager, Research Support Services and Human Research Ethics Committee that the alternate member will be in attendance;
12. It is the responsibility of the Chair to appoint alternate members in consultation with the absent member.
13. All nominations to the Human Research Ethics Committee will be made to and ratified by the Chief Executive on the recommendation of the Director, Clinical Research and Chief Medical Officer.
14. Monash Health shall appoint Human Research Ethics Committee members personally, for their expertise and not in a representative capacity.
15. Monash Health may add to the membership such other persons as is necessary to ensure that the Human Research Ethics Committee has access to the expertise necessary to enable it to address the ethical issues arising from the categories of research it is likely to consider.
16. Members who are absent from three successive meetings of the Human Research Ethics Committee without the approval of the Chair will undergo a review of membership status.
17. Members may resign their membership by written notice to the Director, Clinical Research.
18. The appointment of any member may be terminated if the Chief Medical Officer of Monash Health is of the opinion that:
- it is necessary for the proper and effective functioning of the Human Research Ethics Committee; or
 - the person is not a fit and proper person to serve on a Human Research Ethics Committee.

E.2 Members Responsibilities and Entitlements

19. Each member is responsible for deciding whether, in his or her judgment, a proposal submitted to the HREC meets the requirements of the National Statement and is ethically acceptable.
20. Each member will be provided with an induction and orientation to the functions of the HREC and be offered the opportunity of being assisted by a current HREC member as a mentor.
21. Each member is responsible to:
 - disclose to the HREC any conflicts of interest that may affect the HREC's review of a research proposal;
 - protect the confidentiality of information received in the exercise of his or her duties;
 - become familiar with the National Statement and other relevant guidelines;
 - prepare for and attend HREC meetings or, if unavailable, provide opinions on ethical acceptability of research proposals;
 - undertake continuing education in human research ethics once every three years.
22. Members who are not staff members of Monash Health may be offered an honorarium for each attendance at a committee meeting. The value of the honorarium will be determined from time to time by the Chief Medical Officer of Monash Health.

E.3 Chair

23. The Chief Medical Officer of Monash Health will also appoint from the appointed members one member to serve as Chair and another member to serve as Deputy Chairperson on such terms and conditions and for such a period as the Chief Medical Officer determines.
24. In addition to the responsibilities and entitlement as members, the Chair and Deputy Chair will have the following responsibilities.
25. The Chair must not have other responsibilities that will impair the HREC's capacity to fulfil the obligations under the National Statement and fulfil roles and carry out the functions set out in these Terms of Reference.
26. The Chair is responsible to ensure that Human Research Ethics Committee decisions are informed by an exchange of views from those members who comprise the minimum membership, whether in full attendance or through the receipt and consideration from some of those members who cannot be present.
27. As the Human Research Ethics Committee endeavours to reach decisions by general agreement, which need not involve unanimity, the Chair will need to facilitate the expression of opinion from all members, identify points of agreement and of disagreement and judge when a sufficient degree of general agreement has been reached.
28. The Chair is responsible for guiding the manner in which the HREC communicates with investigators and the decisions about inviting investigators to attend HREC meetings.

29. The Deputy Chair should support the Chair in the performance of, and be capable of fulfilling, the responsibilities of the Chair whenever the Chair cannot attend meetings or perform any other function.

E.4 Secretary

30. The Research Support Services Unit of Monash Health will provide Secretariat support to the Committee. The Manager of Research Support Services and Human Research Ethics Committee will be the Executive Officer to the Committee.

F. OPERATIONAL PROCEDURES

F.1 Meetings

31. Meetings will be held monthly with the exception of January. Additional meetings may be scheduled as determined by the Chair to meet urgent requests for Human Research Ethics Committee review.
32. If the Chair is absent from a meeting and no acting chair has been appointed, the members of the Human Research Ethics Committee present may choose one of them to act as chair for that meeting.
33. The quorum at the Monash Health Human Research Ethics Committee meetings is 8 members present either in person or via other electronic/technical means and is inclusive of all categories of membership.
34. Meetings of the Human Research Ethics Committee may be held or participated in by conference call or similar means, as determined by the Chair.
35. Any member or guest of the Human Research Ethics Committee who has a direct or indirect pecuniary interest in a matter being considered, or about to be considered, by the Human Research Ethics Committee at a meeting must, as soon as practicable after the relevant facts come to the person's knowledge, disclose the nature of that interest and, unless the Human Research Ethics Committee agrees otherwise, recuse themselves from that meeting and, where relevant, not vote on the matter. The disclosure of interest must be recorded in the minutes of the meeting.
36. The Human Research Ethics Committee will record decisions about approval, amendment or rejection of proposals in written or electronic form, with reasons for those decisions linked to the relevant sections, chapters or paragraphs of the National Statement.
37. Guidance for researchers, including submission requirements and application submission, which are an integral component of the Human Research Ethics review process will be available to researchers on the Monash Health website and revised no less than on a quarterly basis, to ensure accuracy and ease of accessible information for researchers.

F.2 Access and attendance

38. The Research Support Services and Human Research Ethics Committee Manager and Human Research Ethics & Site Authorisation Coordinator are required to attend meetings of the Human Research Ethics Committee but are not members of the Human Research Ethics Committee and do not have voting rights.

39. Other attendees at a meeting of the Human Research Ethics Committee may include staff of Research Support Services and such other persons as the Human Research Ethics Committee requests (including researchers who have a study under consideration) to attend. Any such attendees are not members of the Human Research Ethics Committee and do not have voting rights.

F.3 Decisions

40. The Human Research Ethics Committee will endeavour to reach decisions by consensus. In the absence of consensus, a resolution of the Human Research Ethics Committee must be supported by a simple majority of those Committee members present and voting. The Committee Chair does not have an additional casting vote. In the event of a tied vote, the matter will be referred to the Monash Health Research Council for resolution.
41. Decisions of the Human Research Ethics Committee may be made by circular or written resolution. A proposed circular resolution of the Human Research Ethics Committee is passed when a majority of those entitled to vote on the matter have voted in favour of the proposed resolution. The resolution is taken to be passed on the date, and at the time, when the last vote in favour to satisfy the majority threshold is passed.

F.4 Meeting documentation

42. Meeting documentation (including the agenda, minutes of the previous meeting and all other relevant documents) will be distributed to the members of the Human Research Ethics Committee and all attendees at least 10 days prior to each meeting.
43. The proceedings of each meeting must be minuted and the minutes must accurately reflect the work and resolutions of the Human Research Ethics Committee. A draft of the minutes of a meeting must be prepared and promptly provided to the Chair for review (within 2 working days of the meeting). The draft minutes of a meeting must be considered and approved by the Human Research Ethics Committee at the next meeting following and signed by the Committee Chair. Draft minutes (or final signed minutes if available) must be provided to the Monash Health Research Council for noting upon request.
44. Written advice on the review outcome is to be provided to the researcher via email, following approval of the draft minutes within 4 working days of the meeting.
45. Prior to September in a given year:
- (a) an annual workplan covering each area of responsibility of the Human Research Ethics Committee must be developed and, following endorsement by the Human Research Ethics Committee, submitted to Monash Health Research Council for approval; and
 - (b) an annual meeting schedule for the following year must be distributed to all members of the Human Research Ethics Committee and required attendees.

G. REVIEW OF TERMS OF REFERENCE AND COMMITTEE PERFORMANCE

46. The Human Research Ethics Committee will conduct an annual review of these Terms of Reference and of its performance and provide a report arising from each review to the Monash Health Research Council for its consideration no later than September each year.