**ANIMAL CARE AND ETHICS COMMITTEE**

**Terms of Reference**

1. **Introduction**

In accordance with the requirements of the *“Australian Code of Practice for the Care and Use of Animals for Scientific Purposes (2013)”*, Western Sydney University has established ‘The Western Sydney University Animal Care and Ethics Committee’ (ACEC), that has responsibility for all staff/students whose work involves the use of animals for scientific and/or educational purposes.

* 1. The ACEC at Western Sydney University is an Executive Committee of the Vice-Chancellor. The ACEC reports through the Deputy Vice-Chancellor (Research and Innovation), as a representative of the institution, on all matters affecting animal research at Western Sydney University.
  2. The title “Animal Care and Ethics Committee” is equivalent to “Animal Ethics Committee” as defined in the NSW legislation.
  3. The ACEC also acts as the nominated Animal Ethics Committee for other institutions that are accredited as research establishments under the Animal Research Act (1985), or external researchers, on a basis of a formal agreement between Western Sydney University and that accredited research establishment or that researcher.

1.4 Western Sydney University will comply with the relevant parts of Section 2 of the *Australian code for the care and use of animals for scientific purposes* (The Code): *Responsibilities*, at all times.

1. **General Principles**

2.1 The primary responsibility of the ACEC is to ensure, on behalf of the University, that all care and use of animals is conducted in compliance with the Code. The ACEC applies a set of principles, outlined in the Code, that govern the ethical conduct of people whose work involves the use of animals for scientific purposes (research and teaching). The role of the ACEC is to facilitate animal research and educational and teaching activities at WSU and to ensure that the use of animals for these activities is justified. The ACEC also ensures that the provision of welfare of those animals is guaranteed, that procedures are in line with current best practice, and that the principles of Replacement, Reduction and Refinement are incorporated.

The ACEC aims to provide a balanced and objective assessment of applications and discussion of animal welfare issues and ensures a consistent and transparent assessment process across applications and consecutive meetings.

1. **Membership of the Western Sydney University ACEC**

3.1 According to clause 2.2.4 of the Code, the ACEC must comprise at least one person from each of the four categories of membership:

(i) **Category A** – a person with qualifications in veterinary science that are recognised for registration as a veterinary surgeon in Australia, and with experience relevant to the institution’s activities or the ability to acquire relevant knowledge.

(ii) **Category B** – a suitably qualified person with a substantial and recent experience in the use of animals for scientific purposes relevant to the institution and the business of the AEC. This must include possession of a higher degree in research or equivalent experience.

(iii) **Category C** – a person with demonstrable commitment to, and established experience in, furthering the welfare of animals, who is not employed by or otherwise associated with the institution, and who is not currently involved in the care and use of animals for scientific purposes.

(iv) **Category D** – a person not employed by or otherwise associated with the institution and who has never been involved in the use of animals in scientific or teaching activities, either in their employment or beyond their undergraduate education. Category D members should be viewed by the wider community as bringing a completely independent view to the ACEC and must not fit the requirements of any other category.

3.2 **Composition of the Committee**

Members appointed in Categories C and D are to represent no less than one-third of the members.

3.3 **Additional Members**

Additional members may be appointed to the ACEC for it to function effectively. This may include a person responsible for the routine care of animals within the institution (Code 2.2.5) or additional members with skills and background of value to the Committee (Code 2.2.6).

3.4 **Position of Chair**

The Chair will hold a senior position within the University. The position of Chair can usually be held for one consecutive 3-year term and can then be renewed on an annual basis.

3.5 **Position of Deputy Chair**

A Deputy Chair (from within its membership) must be appointed to cover short-term absences by the Chair and to deal with any conflicts of interests the Chair might have. Deputy Chair positions can be changed on an annual basis if necessary.

3.6 **Responsibilities of the Chair / Deputy Chair**

The Chair is responsible for impartially guiding the operation of the ACEC, resolving conflicts of interest related to the business of the ACEC, and representing the ACEC in any negotiations with the University’s management. The Chair is also responsible for guaranteeing a balanced, inclusive, and evidence-based assessment of applications and discussion of animal welfare issues as well as ensuring a consistent and transparent assessment process across applications and consecutive meetings. The Deputy Chair will assist the Chair in these activities and take over responsibilities in case the Chair is absent or has declared a Conflict of Interest with any submission or matter related to the committee’s work.

3.7 **Conditions of Appointment**

ACEC members are required to provide a signed acknowledgement of the Terms of Reference and the Confidentiality & Conflict of Interest Declaration Form before their appointment.

Members are not offered remuneration. However, non-staff members will be paid a sitting fee of $200 per meeting attended and also reimbursed for legitimate expenses incurred in attending Animal Care and Ethics Committee meetings or in otherwise carrying out the business of the Animal Care and Ethics Committee. Academic members will be allocated a percentage of their workload to undertake ACEC’s governance responsibilities. The University has agreed to the following workload allocation for ACEC committee members.

|  |  |  |
| --- | --- | --- |
| Chair – 15% | Deputy Chair – 10% | Committee Member – 5% |

(Refer [University Work Plan Policy](https://uwssharepoint.uws.edu.au/sites/MaC/Web/Shared%20Documents/OPC/2017%20University%20Work%20Plan%20Policy%20v1.2.pdf))

Members of the committee wishing to claim the workload allocation should discuss this with the Dean of School/Institute Director.

Members shall receive a formal notice of appointment and a guarantee that the institution accepts legal responsibility for decisions and advice from the Committee and indemnifies its members accordingly.

New members will undergo an induction process as provided by the ACEC Chair, the Animal Ethics Officer and Animal Welfare Officer.

Members of the Committee must maintain confidentiality of applicants and their proposals and at all times ensure that they do not discuss or disclose any details of submissions outside of ACEC meetings, apart from discussion undertaken with the ACEC Chair/members or the Animal Ethics Officer. If the ACEC seeks advice from experts in considering a proposal, these experts are bound by the same confidentiality requirements. All general discussions within the forum of the meetings must remain in confidence.

Members who intend to provide any material potentially relevant to an agenda item to the remaining committee must first seek approval from the Chair to ensure that the correct procedures are followed and that the material provided is relevant to the application or agenda item and accessible to members. The Chair will consult with the Animal Ethics Officer, the Deputy Chair, and the Animal Welfare Officer on all material submitted.

Membership may lapse if a member fails to conduct appropriate and/or unbiased reviews, fails to attend the majority of meetings held within one calendar year, or does not adhere to the principle of using a respectful and collegial tone in discussions. This decision will be made by the Deputy Vice-Chancellor (Research and Innovation) after notification from the ACEC Chair.

3.8 **Duration of Membership**

Membership of the ACEC shall be for a 12-months term; the membership can be extended for additional 12-months terms in line with 3.9.

3.9 **Re-appointment**

A member can be re-appointed for additional terms upon approval by the Deputy Vice-Chancellor Research and Innovation after notification from the ACEC Chair.

3.10 **Resignation**

Members may resign from the ACEC at any time by advising the Chair in writing with a minimum two-month notification period. The Chair will advise the Deputy Vice-Chancellor (Research and Innovation) of the resignation.

On the recommendation of the ACEC Chair, the Deputy Vice-Chancellor (Research and Innovation) may request a member of the ACEC to resign from the ACEC (e.g. in case of unprofessional conduct, breach of WSU policies, or the ACEC Terms of Reference including confidentiality and Conflict of Interest agreements).

3.11 **Membership Changes**

All changes to the membership will be reported within 30 days to the *“Animal Research Review Panel.”*

1. **Operation of the ACEC**
   1. **Frequency of meetings**

The AEC will determine its meeting frequency and will hold a minimum of ten (10) meetings per year.

* 1. **Quorum**

Each meeting must be quorate in order to ensure decision making. At least one member for each of the membership categories, A, B, C and D must be present at meetings to establish a quorum for the conduct of the meeting and must be present throughout the meeting. Categories C and D together must represent at least one-third of those members present.

4.3  **Decision Making**

Decisions by the ACEC with regard to approval, modification or rejection of a proposal, or withdrawal of approval for a project, should be made on the basis of consensus. Where consensus cannot be reached, the ACEC will explore with the applicant(s) ways of modifying the project that may lead to consensus. If consensus is still unachievable after that, the AEC should only proceed to a majority decision after members have been allowed a period of time to review their positions, followed by further discussion.

4.4 **Final approval of conditionally approved projects or amendments**

When the ACEC has conditionally approved a new project or amendment at a quorate meeting, pending a satisfactory response from the research team and/or investigator regarding certain issues, the ACEC may delegate the Chair, or Executive Officer or other ACEC members, including observers on the committee (i.e. ad-hoc Executive) with relevant expertise/interest to confirm final approval. The approval is given by confirming that the requirements, concerns or modifications requested by the ACEC have been met. Any approvals given out-of-session (i.e. between ACEC meetings) will be ratified at the next available meeting.

4.5 **Standing** **ACEC Executive**

The ACEC may establish and maintain a Standing ACEC Executive to approve minor amendments to approved projects or activities prior to the monthly ACEC meetings. These decisions are then ratified at the next ACEC meeting in line with the Code (2.2.23).

The ACEC Executive will consist of one member from each category and retains the right to defer decisions to the next ACEC meeting.

The types of amendments considered to be minor in nature are:

1. Research team/Staff amendments
2. Change in locations or rooms approved for research and teaching activities involving animals.
3. Procedural changes required to improve animal welfare or scientific validity as recommended by the Animal Welfare Officer and/or ACEC.

4.6 **Additional Expertise**

The ACEC or the Chair may invite people with specific expertise to provide advice as required or seek written advice from external experts where necessary. This must be done without breaching the existing confidentiality clauses.

4.7 **Conflict of Interest (CoI)**

Members of the ACEC are required to declare general potential conflict of interest at the commencement of each meeting. Should a member identify a conflict of interest at any time during a meeting, this must be declared at that time. A CoI exists where there is a divergence between the individual interests of an ACEC member and their professional responsibilities such that an independent observer might reasonably conclude that the professional actions of that person member are unduly influenced by their own interests.

Conflicts of interest may include but are not limited to:

* Being a member of the research team or being named on the application
* Being a collaborator of the research team in question
* Involvement in competing research
* Involvement in organisations / groups / companies, which stand in contrast to the purpose and role of the ACEC
* Financial or other interests or affiliation

Further information can be found in the Conflict of Interest Policy ([Policy DDS](https://www.westernsydney.edu.au/policy/policy_dds)). Members of the ACEC whose objectivity may be influenced by a CoI are required to leave the meeting during the decision-making process.

**5. Responsibilities of the ACEC**

5.1 The primary responsibility of the ACEC is to ensure, on behalf of Western Sydney University, that all activities relating to the care and use of animals are conducted in compliance with the Code (2.3.1).

5.2 According to the Code (2.3.2), the ACEC is responsible for:

1. Reviewing applications for projects and approve only those projects that are ethically acceptable (see Clause 1.3) and conform to the requirements of the Code.
2. Reviewing applications for activities associated with the care and management of animals in facilities, including procedures applicable to breeding programs integral to the maintenance of an animal line, and approve only those activities that are ethically acceptable and conform to the requirements of the Code.
3. Conducting follow-up review of approved projects and activities (see Clause 2.2.32 [ii] of the Code) and allow the continuation of approval for those projects and activities that are ethically acceptable and conform to the requirements of the Code.
4. Monitoring the care and use of animals, including housing conditions, and practices and procedures involved in the care of animals in facilities.
5. Taking appropriate actions regarding unexpected adverse events.
6. Taking appropriate actions regarding non-compliance.
7. Approving guidelines for the care and use of animals on behalf of the institution.
8. Providing advice and recommendations to the institution, and
9. Reporting on its operations to the institution.

5.3 The ACEC will ensure balanced and objective assessments of applications and discussion of animal welfare issues as well as procedural consistency and a transparent assessment process across applications and consecutive meetings whenever possible.

5.4 The ACEC will maintain institutional accountability (as per the Code, 2.2.18) and reports directly to the Office of the Pro-Vice Chancellor, Research

**6 Sub-Committees**

6.1 The Animal Care and Ethics Committee may establish and maintain sub-committees as it deems necessary to effectively complete its business.

6.2 Each sub-committee established by the Committee is to be chaired by a member of the Committee.

6.3 A sub-committee shall only exercise the functions delegated by the Committee.

6.4 A sub-committee shall report as required, to the Committee.