

Terms of Reference

Low and Negligible Risk (LNR) Committee

Western Sydney University is a research-led University with regional, national and global impact. For all research at Western Sydney involving human participants the University has an obligation to ensure the research design and conduct is in accordance with the [Australian Code for the Responsible Conduct of Research](#) and has undergone ethical review in accordance with the [National Statement on Ethical Conduct in Human Research \(2007, updated 2018\)](#) (National Statement) which is a series of guidelines issued by the National Health and Medical Research Council (NHMRC) in accordance with the [National Health and Medical Research Council Act 1992](#) (Cth).

The Low and Negligible Risk (LNR) Committee operates under the requirements of the National Statement – see Section 5.1.18 to 5.1.21.

These Terms of Reference should be read in conjunction with:

- Section 5 of the National Statement; and
- Additional terms and conditions as outlined in the member's Appointment Letter.

The LNR has jurisdiction over the research conducted by all Western Sydney University staff (paid and honorary) and students, and all visiting staff, including those using Western Sydney University facilities conducting low or negligible risk research.

Summary of LNR Committee responsibilities

The Western Sydney University LNR Committee is delegated by the Human Research Ethics Committee (HREC) to:

- Review proposals for low and negligible risk research to be undertaken by staff and students of the University, including adjunct staff, to determine whether they are ethically acceptable and in accordance with relevant standards and guidelines.
- Conduct research merit and integrity review unless the research has been awarded research funding by an external Category 1 funding body or where a higher degree research student has successfully completed a Confirmation of Candidature or a Masters of Research Proposal of Project.
- Seek expert review elsewhere if the Committee does not have the relevant expertise to conduct the research merit and integrity review of a project.
- Grant approval for low and negligible risk research proposals and amendments to those proposals where review has determined that they are ethically acceptable and in accordance with relevant standards and guidelines.
- Withhold ethical approval for low and negligible risk research proposals where review has determined that they are not ethically acceptable and/or are not in accordance with relevant standards and guidelines.
- Recommend withdrawal of ethical approval for low and negligible risk research proposals where review has determined that they are not ethically acceptable and/or are not in accordance with relevant standards and guidelines.

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- Refer to the Human Research Ethics Committee (HREC) any proposals it considers involves more than low risk.
- Monitor the conduct of approved research through the receipt of annual and completion reports.
- Abide by the Values and Principles of Ethical Conduct outlined in the *National Statement on Ethical Conduct in Human Research (2007, updated 2018)* issued by the National Health and Medical Research Council (NHMRC) in accordance with the NHMRC Act, 1992 (Cth.) and all other relevant Acts and legislative requirements including the [Guidelines Under Section 95 of the Federal Privacy Act 1988](#) and the NSW Privacy and Personal Information Protection Act, 1998.
- Report its reviews and approvals to the HREC.
- Refer to, and defer to, the decision of the Chair of the LNR or HREC, if it cannot agree that a proposal is ethically acceptable and/or not in accordance with the relevant standards and guidelines.

Objectives of the LNR

The Committee is concerned in particular with ensuring that a participant's inclusion in a research study complies with the Principles of Ethical Conduct set down in the *National Statement on Ethical Conduct in Human Research (2007, updated 2018)*.

The objectives of the LNR Committee are to:

- a) protect the mental and physical welfare, rights, dignity and safety of participants of research;
- b) promote ethical principles in human research;
- c) Review research in accordance with the *National Statement on Ethical Conduct in Human Research (2007, updated 2018)*; and
- d) facilitate ethical research through efficient and effective review processes.

Membership of the Committee

Members are appointed by the Deputy Vice-Chancellor (Research, Enterprise and International).

Membership of the Committee shall be as follows:

- the Chairperson of the LNR
- up to 13 members with current research experience. At least two members must have current research experience that is relevant to a research proposal to be considered at a meeting by the Low and Negligible Risk Committee, and
- additional members may be appointed from time to time.

Conditions of Appointment

Selection of members follows an open and accountable procedure. Members are appointed as individuals for their knowledge, qualities and experience and not as representatives of any organisation, group or opinion. Members are expected to conduct their own research in ways that display their commitment to conducting research with integrity and the principles and values in the

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National Statement.

Members will receive a formal notice of appointment (Appointment Letter) and a guarantee that the institution accepts legal responsibility for decisions and advice from the Committee and indemnifies its members accordingly. Members are bound by the University's Conflict of Interest policy – see <https://policies.westernsydney.edu.au/document/view.current.php?id=93>.

Members will be appointed for a designated term as outlined in the Appointment Letter. The Chair of the Committee will monitor performance to ensure the goals and objectives of the Committee are being met. Membership will lapse if a member;

- Is unable to make themselves available for reviews for more than 10 meetings per calendar year;
- Consistently does not provide adequate notice of unavailability to review or is unavailable without apology or reasonable excuse;
- Fails to conduct appropriate reviews in line with the principles and values of the National Statement;
- Does not provide reviews which are 'actionable' by the applicant
- Does not provide 'timely' reviews in line with the advertised schedule of LNR meeting dates.

New members will undergo an induction process. All members will be eligible to attend training arranged through the ethics secretariat.

Members are not offered remuneration. The University has agreed to 5% workload for LNR committee members. Researchers wanting to claim the workload allocation should discuss this with their Supervisor/Manager or Dean/Institute Director.

Members of the LNR Committee shall maintain the confidence of applicants and their proposals, ensuring that they do not discuss or disclose details of submissions apart from discussion undertaken with another member of the LNR or HREC, the Chair or the Ethics Officers. If the committee 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.

Conduct of Business

The LNR committee is a designated Committee of the Human Research Ethics Committee (HREC).

The LNR Committee undertakes weekly reviews electronically. Projects will be reviewed and approved by a minimum of two reviewers and approved by circulation between meetings.

The LNR will also meet face to face up to five (5) times per annum to discuss general issues relating to the ethical review of low and negligible risk research and/or for training. A quorum for such meetings will be five members, including the Chair. A member who does not attend the meeting but sends written reviews will be considered as part of the quorum.

The conduct of the business of the committee will enable all members' reasonable opportunity to express relevant views on matters on any project.

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Records and Reporting

Meeting Minutes

The LNR reports its reviews and approvals to the HREC via the meeting Minutes.

- Discussions/comments of significant issues and decisions are recorded in the Minutes.
- To emphasise the collegiate character of the LNR Committee, particular views are not attributed to particular individuals in the Minutes, except in circumstances where a member seeks to have their opinions or objections recorded.
- Where members wish, a record of their formal dissent from the decision of the Chair is recorded in the Minutes.

Research Services will maintain a register of research projects involving human participants and communicate information on request to the Vice Chancellor and appropriate national bodies, including the NHMRC.

Complaints and Review

Human Research Ethics Committee is an independent decision making body and its decisions are not subject to ratification by Western Sydney University.

The Human Research Ethics Officers act as the ethics complaints officers. Members of the public, students and staff may contact the Human Research Ethics Committee regarding concerns about the conduct of research. If the Chair of the Committee is unable to resolve the concern, the matter will be referred to the Director, Research Impact and Integrity. If the Director, Research Impact and Integrity is unable to resolve the matter it will be referred to the Pro Vice Chancellor, Research. At any stage of the process a decision may be made to refer the matter to the University's Complaints Resolution Unit. It is also acknowledged that any member of the public, member of staff or student of the university may contact the Complaints Resolution Unit at any time.

These Terms of Reference can be amended by the Deputy Vice Chancellor (Research, Enterprise and International) on the recommendation of the Chair of the Human Research Ethics Committee. Members will be notified when the Terms of Reference are updated, and continuing membership of the committee will be subject to the newly updated Terms of Reference.

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