

**Overarching Principle and Intent**

Western Sydney University complies with the Australian Code for the Care and Use of Animals for Scientific Purposes (2013) and the New South Wales Animal Research Act (1985) and its regulations. Other policies, guidelines and codes that are complied with include those published by the Animal Research Review Panel (ARRP), NHMRC and the Office of the Gene Technology Regulator (OGTR).

**Animal Ethics Complaints Procedure**

**Purpose**

To provide clear guidelines for the handling of complaints related to the use of animals for scientific purposes at Western Sydney University. The complaints process is based on the *Australian Code of Practice for the Care and Use of Animals for Scientific Purposes* (8th Edition, 2013).

**Scope**

The Western Sydney University Animal Care and Ethics Committee (ACEC) is responsible for investigating complaints involving activities that normally require ACEC approval, in conjunction with the University Complaints Resolution Unit.

Where complaints are outside the scope described (for instance, potential research misconduct), the matter will be referred to the University Complaints Resolution Unit for review and investigation.

A complaint may be lodged by a member of the public, a student, a member of staff or individuals from other institutions or organisations.

**Background**

The *Australian Code of Practice for the Care and Use of Animals for Scientific Purposes* (Section 5.1) specifies that institutions must have procedures in place for dealing with:

* Complaints concerning the care and use of animals by the institution.
* Complaints concerning the ACEC process of review of an application or report, including resolution of disagreements between ACEC members, between the committee and investigators, and between the committee and the institution.
* Non-compliance with the Code by any party or person involved in the care and use of animals including investigators, animal carers, the ACEC, governance officials and external parties.

**Lodging a Complaint**

1. A complaint may be verbal or written (preferred) to a nominated officer of the Western Sydney University Animal Care and Ethics Committee (Animal Ethics Officer or Chairperson). The Complaints Resolution Unit will be informed by the nominated officer to indicate the receipt of a complaint. No action will be undertaken by the Complaints Resolution Unit, unless specifically requested by either party.

2. If a complaint is received directly to the Complaints Resolution Unit and it is related to animal ethics or animal welfare, the complaint will be referred to the Animal Ethics Officer to initiate the investigation process.

3. All complaints will be acknowledged.

4. At the resolution of the complaint process, the outcome will be recorded by the Complaints Resolution Unit and the case closed.

**Dealing with Complaints**

**1. Members of the student cohort with complaints about the treatment of animals**

a) Students who have a complaint about a teaching activity are required to submit their concerns in writing or verbally to the Animal Ethics Officer who will initiate the investigation process.

b) Any student who submits a complaint will have confidentiality maintained and will not be disadvantaged.

c) The ACEC Chair, Animal Welfare Officer and/or the Animal Ethics Officer will consider the matter and based on their findings, attempt to resolve the issue.

d) The ACEC and the student are to be informed of the outcome.

e) If the student is not satisfied with the outcome, the appeal process should be initiated by forwarding to the Complaints Resolution Unit.

**2. Members of staff with complaints about the treatment of animals**

a) Written or verbal complaints are to be submitted to the Animal Ethics Officer who will initiate the investigation process.

b) Any member of staff who submits a complaint will have confidentiality maintained and will not be disadvantaged.

c) The ACEC Chair, Animal Welfare Officer and/or the Animal Ethics Officer will consider the matter and based on their findings, attempt to resolve the issue.

d) The ACEC Chair, based on advice from the Animal Welfare Officer, is responsible for determining whether the alleged incident or complaint should be investigated for non-compliance, as per the Animal Ethics Non-Compliance Procedure, and whether immediate action is required to alleviate any animal suffering or distress. If immediate action is taken the ACEC Chair is to advise the Investigator(s) in writing.

e) The ACEC Chair in conjunction with the ACEC and other key stakeholders will consider the matter and based on their findings, attempt to resolve the issue.

f) The ACEC and the staff member who made the complaint will be informed of the outcome.

g) If the staff member is not satisfied with the outcome, the appeal process should be initiated by forwarding to the Complaints Resolution Unit.

**3. Applicants with complaints about the ACEC committee process or outcomes.**

a) Applicants should contact the Animal Ethics Officer within one month of receiving the decision of the Committee to discuss their complaint.

b) If the applicant is not satisfied, their written compliant will be tabled at the next ACEC meeting.

c) Irreconcilable differences between the ACEC and an applicant must be referred to the DVC (R&D) for review of due process and conciliation. This may involve referring the complaint to the University Complaints Resolution Unit. The ultimate decision of the ACEC review must not be over-ridden (see Code 5.6).

**4. Complaints between committee members**

It is acknowledged that decisions should be based on a thorough, fair and inclusive process of discussion and deliberation by ACEC members and made on the basis of consensus. However, if a committee member is not satisfied, their complaint should be directed to the Complaints Resolution Unit.

**5. Complaints between the committee and the University**

Complaints between the committee and the University will be handled by an appointed, independent agency as determined by the DVC R&D.

**6. Complaints involving projects where more than one institution and/or Animal Ethics Committee (AEC) is involved**

Where a complaint involves a project where more than one institution and/or AEC is involved, it should be referred to the Animal Ethics Officer. The ACEC Chair, Complaints Resolution Unit and the Executive Director, REDI are to be informed.

**Related documents:**

[UWS Policy DDS – Complaint Handling and Resolution Policy](http://policies.uws.edu.au/view.current.php?id=00098)

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[Australian Code for the Care and Use of Animals for Scientific Purposes (2013)](http://www.nhmrc.gov.au/guidelines-publications/ea28)

[Animal Research Act 1985](http://www.legislation.nsw.gov.au/#/view/act/1985/123)

[Animal Research Regulation 2010](http://www.legislation.nsw.gov.au/#/view/regulation/2010/425)

**Animal research ethics guidance documents available from REDI**

* ACEC Frequently Asked Questions
* ACEC Amendment Guidelines
* ACEC Species, Purpose and Procedure Descriptions
* Alternatives to Using Animals
* Tips for Improving the Quality of Your ACEC Application
* Animal Ethics Non-Compliance Procedure
* Animal Ethics Complaints Procedure

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**Guidance on Data Storage and Retention Questions in the NEAF**