

Submission to NZARE Council
on a proposed
Ethical Guidelines Working Party
From the meeting of *ad hoc* working group
Wellington 16th February 2009

Background

Following the NZARE/NZCER ethics national workshop held in October 2008, several volunteers met as an ad hoc working group on 16th February 2009 in Wellington to discuss options for NZARE work in the general area of research ethics.

It was agreed that leadership was being requested by New Zealand educational researchers in this area and that NZARE should take up this challenge.

It was noted that NZARE is an incorporated organisation of members, not a professional body. As such, NZARE has three roles in this area: providing advice; building capability; and contributing to the ongoing development of thinking about ethics.

Because of likely implications for (i) liability and indemnity insurance and (ii) ongoing monitoring of researcher behaviour, the view of the ad hoc working group was that the review of the NZARE ethical guidelines should specifically **exclude** consideration of a service to non-institutionally based members for formal ethical review.

A strongly held view of the ad hoc working group was that thinking about ethics needed to be integral to the whole research process (from conception to dissemination), something more than the ethical review or approval process alone, which can be regarded as a bureaucratic exercise.

NZARE's contribution in this area would also need to interface with existing institutional ethics requirements in a way that complements these and does not create conflicts for members.

Given the increasingly diverse nature of NZARE membership, NZARE's leadership role would necessarily include ongoing education for members. The NZARE website was viewed as a key resource in this regard.

The ad hoc working group's assessment of the scope of the necessary work suggested that NZARE Council should formally establish a working party (or sub-committee) for this purpose, with an appropriate level of resourcing.

Proposed Working Party Terms of Reference

It was agreed that the following steps would need to be undertaken by the Working Party.

1. Establish a broadly representative working party membership to undertake the first phase of this work (March-December 2009).
2. Develop a work plan, undertake the work, and report to the NZARE AGM in December 2009.
3. Review the NZARE constitution to identify how the constitution currently signals the Association's intent within regard to ethical behaviour in educational research;
4. Make the case for a review of the current ethical guidelines based on changes in NZARE membership and research practice since 1998;
5. Develop a process for consultation with NZARE caucuses, SIGs and members and seek the Council's approval for this (OR propose a consultation process for which the Council would take responsibility).
6. Identify how, in a subsequent work plan, the revised ethical guidelines may be supplemented using the NZARE website to build capacity, provide education and practical advice, and contribute to ongoing thinking in the general area of research ethics in education.

Other Working Party Issues

The ad hoc working group was of the view that the Working Party should include at least two NZARE Council members, but that other members should be co-opted to ensure the Working Party has both the collective expertise to undertake the work and that it represents the general membership of NZARE.

Members of the Working Party would be expected to volunteer their time (or the time of their employing organisation), but other expenses (e.g. travel) would be paid by NZARE. Much of the work might be conducted via email. Overall travel costs were estimated to be similar to those of the ad hoc working group meeting in February.

It was suggested that the Working Party might develop a brief and contract an ethicist to undertake the initial drafting of the new ethical guidelines. Overall costs for this were estimated at up to \$5K.

Possible resources to be developed in a second phase of work could include: use of the NZARE website to link members to a range of supporting papers and other ethical statements; possibly offering online discussions; developing scenarios that illustrate a range of ethical dilemmas; conference workshops and seminars; a list of frequently asked questions; etc.

Links between NZARE Constitution and Working Party Terms of Reference

The ad hoc working group looked for possible links between the NZARE Constitution and the proposed terms of reference for a Working Party on research ethics.

According to the Constitution, the aims and objectives of NZARE are:

“To foster a high standard in the practice of educational research in New Zealand”
(emphasis added)

The ad hoc working group wanted to emphasise NZARE’s educational/mentoring/advocacy function, not accountability concerns which are not within the Constitution.

In considering each section of the NZARE Constitution, the following links with the proposed terms of reference were identified.

Aims And Objectives

In line with the principles of the Treaty of Waitangi the Working Party would form a partnership with caucus groups, in particular M_ori and Pasifica caucus [2(i)]

The working party would consider how national conferences could promote research ethics e.g. workshops, seminars [2(ii)];

Part of the brief would entail looking at the educational resources that might sit alongside the code e.g. scenarios, articles, papers, transparency of what we do at meetings [2(iii)];

The working group would consider the needs of all members, from those who are least ‘ethics educated’ to those who are most ‘ethics educated’ [2(iv)];

A broad consultation process around the ethical guidelines would be required [2(v)];

Working Party membership would incorporate diverse membership groups such as private contractors, students, ITP and Private providers [2(ix)];

Ethics is not specifically mentioned in the constitution but it clearly has links to research in education [2(x)].

Treaty Of Waitangi

Revised ethical guidelines would need to include the emergence of kaupapa M_ori research and facilitate the training and development of educational researchers (refer also Constitution: 3 (ii)). Similar issues relate to those involved in research with Pasifika communities [3(iii)]

Membership

It is relevant to the Working Party that there is a wide range of people involved in the conduct of educational research including PTE, Private contractors, ITPs [4(i)],

Organisation Of The Association

Council should formally establish a sub committee/working party to authorise the revision of NZARE ethics guidelines and resource as necessary [5(vii)];

The Working party needs to be able to co-opt members to represent the full range of members' interests e.g. ECE, M_ori, Pasifika [5(ii)];

The Council should consider the benefits of having an 'Ethics' or 'Research Integrity' portfolio on Council [5(i: e)].

Meetings Of Council

Progress in meeting the aims and objectives of the association should include reporting and reviewing the progress of the codes of ethics on a regular basis [6(i)].

Issues to consider in the review the NZARE Ethical Guidelines (1998)

The ethical guidelines currently provide researchers in education and, more specifically, members of NZARE with guidance on the ethical conduct of their research.

In order to meet this purpose these guidelines need to be reviewed regularly. We recommend that this work is carried out according to a brief established by the Working Party, perhaps under contract by an ethicist.

We propose that in developing a brief, the Working Party focuses on and considers:

- what ‘research’ currently *means* in the education context
- how other disciplines are managing their ethical considerations
- changes in the educational research environment since the guidelines were written, such as the increasing diversity in people commissioning, undertaking and using research and the implications of this (e.g. private companies, individuals, levels of capability, different agenda, different conceptions of research, potential conflicts of interest, funding sources)
- cultural diversity as it exists within Aotearoa New Zealand
- the developing emphases in ethical theory and practice over the last ten years
- issues raised by the increasing use of ICTs in research/data gathering.

More specifically, in terms of the guidelines document itself, both overall organisation individual clauses need to be reviewed. In particular, attention is needed to:

- structure and language
- clarification of the document’s higher order principles and where principles are foregrounded and backgrounded.
- representation of the Treaty of Waitangi
- capacity to be inclusive of Kaupapa Maori research (reflecting Maori epistemologies and values)
- capacity to be inclusive of Pasifika approaches to research (reflecting Pasifika epistemologies and values)
- the status of children - as this is underdeveloped in the current guidelines

Members of ad hoc working party

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3. Jane Gilbert (NZCER)
4. John O’Neill (Massey University)
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