

# Deakin University Animal Ethics Committees (AECs)

## TERMS OF REFERENCE

### PURPOSE

The AEC is responsible to the Deputy Vice-Chancellor (Research) and the Licence Nominee for the ethical review of animal research projects under the terms of the Prevention of Cruelty to Animals Act 1986 (POCTA) and Regulations 2008 and the Australian Code of Practice for the Care and Use of Animals for Scientific Purposes 8<sup>th</sup> Edition 2013 (the Code). The primary responsibility of the AEC is to ensure, on behalf of the institution, that all activities relating to the care and use of animals are conducted in compliance with the Code (section 2.3.1 Code).

There are two AECs at the University with different core areas of responsibility:

- Deakin Animal Ethics Committee Laboratory (Geelong) – AECL-G
- Deakin Animal Ethics Committee Wildlife (Burwood) – AECW-B

Each AECs conduct business separately and in accordance with the responsibilities under section 2.2 and 2.3 of the Code.

### COMPOSITION

*Chair:* The Chair is appointed by the Deputy Vice-Chancellor (Research). Institutions should consider appointing a chairperson who is independent of the care and use of animals for scientific purposes. The chairperson is responsible for impartially guiding the operation of the AEC, resolving conflicts of interest related to the business of the AEC, and representing the AEC in any negotiations with the institution's management.

*Members:* As defined in section 2.2.4 of the Code, membership of the AEC comprises at least one person from each of the following four categories of membership:

- **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 activities of the institution. Veterinarians who lack this experience must familiarise themselves with the biology and clinical characteristics of the species of animals used.
- **Category B:** a suitably qualified person with substantial and recent experience in the use of animals in 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.
- **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. Veterinarians with specific animal welfare interest and experience may meet the requirements of this Category. While not representing an animal welfare organisation, the person

should, where possible be selected on the basis of active membership of, and endorsement by, such an organisation.

- **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 AEC, and must not fit the requirements of any other Category.

*Additional members:* A person responsible for the routine care of animals within the institution may be appointed as an additional member to assist the AEC (ex-officio).

Additional members may be appointed with skills and background of value to the AEC for particular purposes and specified periods.

*Access to expertise:* The Animal Welfare Officer shall attend each AEC meeting in an advisory capacity.

The AEC may invite people with specific expertise to provide advice, as required.

#### *Appointment:*

Members are appointed by the Deputy Vice-Chancellor (Research), and should be interviewed by the Manager, Research Integrity, AEC Chair and AEC Executive Officer. Positions will be advertised within and outside of Deakin. Category B positions should be nominated by the relevant Head of School. Notwithstanding this, recommendations to the Deputy Vice-Chancellor (Research) can be made without advertisement when deemed necessary.

#### *Term of membership:*

The usual term of appointment is two years; members are eligible for reappointment with the understanding that in the normal course of events, no member should serve more than three consecutive terms. Re-appointment will be made by the Deputy Vice-Chancellor (Research) on recommendation by the Pro Vice-Chancellor Researcher Development and Integrity, and Chair of the relevant AEC.

#### *Resignation:*

Members may resign from the AEC by notifying the Animal Ethics Office in writing. The Deputy Vice-Chancellor (Research) has discretionary right to terminate the appointment of any AEC members.

#### *Confidentiality:*

Before appointment, all members of the AEC must acknowledge in writing their acceptance of the terms of reference of the AEC and the Deed of Confidentiality.

#### *Conflict of interest:*

Members must declare any perceived, potential or actual conflicts of interest at the start of the meeting. For AEC decision making, members with a conflict of interest must withdraw from the meeting on matters that relate to that conflict of interest. Once such members have withdrawn, the remaining members must constitute a quorum (section 2.3.12, the Code). If a quorum is not available, the matter will be referred to the next quorate meeting with the remaining members.

## **FUNCTIONS**

1. To provide advice and recommendations to the institution regarding the care and use of animals for scientific purposes conducted on behalf of the institution, and strategies required to ensure that the requirements of the Code are maintained and that matters affecting animal wellbeing are addressed (section 2.3.27).
2. To review applications for all proposed research and teaching activities involving the use of animals, and to approve only those which conform to the requirements of the Code.
3. To review 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.
4. To conduct follow-up review of approved projects and activities and allow continuation of approval for projects and activities that are ethically acceptable and conform to the requirements of the Code. The Committee may withdraw approval for any project that does not comply with the Code.
5. To monitor the care and use of animals, including housing conditions, practices and procedures involved in the care of animals in facilities and ensure that the standards of these facilities are maintained and guidelines for animal use and welfare are followed.
6. To take appropriate actions regarding unexpected adverse events.
7. To take appropriate actions regarding non-compliance with the Code and AEC approval.
8. To approve guidelines for the care and use of animals that are bred, held and used for scientific purposes on behalf of the University (including acquisition, transport, production, housing, care, use and disposal of animals).
9. To maintain records of all applications for approval and the decisions of the Committee, and to make appropriate information from these records available in response to requests from a duly constituted authority.
10. To examine and comment on all institutional plans and policies that may affect the welfare of animals used for scientific purposes.
11. To undertake any other duties required of an Animal Ethics Committee under the Code.
12. To report at least annually to the University on the activities and operation of the Committee.

## **OPERATION**

### *Quorum:*

13. To establish a quorate AEC for the conduct of a meeting, at least one member from each category A, B, C and D must be present at each meeting and must be present throughout the meeting. Categories C and D together must represent at least one-third of the AEC membership and meeting attendees. If a quorum is not available, the meeting will be postponed.
14. The conduct of quorate AEC meetings, should be face-to-face and if not possible, through the use of videoconferencing and web-conferencing or, in special circumstances, teleconferencing.

*AEC Decisions:*

15. Each member is responsible for deciding whether, in their own judgement, an application or other matter under consideration by the AEC is ethically acceptable and meets the requirements of the Code. This judgment must:
  - a. Be based on information provided by the applicant that demonstrates the application of the principals outlined in section 1 of the Code.
  - b. Balance whether the potential effects on the wellbeing of the animals involved is justified by the potential benefits.
16. Decisions should be made on the basis of consensus and based on a thorough, fair and inclusive process of discussion and deliberation by AEC members present at meeting. Where consensus cannot be reached after reasonable effort to resolve differences, the AEC should explore with the applicant(s) ways of modifying the project or activity that may lead to consensus. If consensus is still not achieved, the AEC should only proceed to majority decision after members have been allowed a period of five working days to review their positions, followed by further discussions.
17. Decisions of the AEC must be communicated to researchers as promptly as possible, and include reasons for its decisions and any conditions to an approval.
18. The AEC cannot approve:
  - a. A group of persons, for example 'all animal technicians' employed by the institution.
  - b. Projects or activities carried out under other licences, unless the AEC is nominated on the licence or in a formal agreement supporting a collaboration between multiple licences
  - c. Activities in another state or territory unless registered with the jurisdiction's relevant authority.
  - d. Activities specifically prohibited by the licence conditions, POCTA Act or Regulations.

*Records and Documentation:*

19. Discussions and decisions of AEC meetings will be minuted and recorded, and to be confirmed by the AEC at the following meeting.
20. Agenda and minutes of the AEC meeting will be made available for audit and review, as required.

*AEC Executive:*

21. The AEC may establish an Executive Committee that consists of at least one member from Category C or D and the AEC Chair.
22. Decisions of the AEC Executive Committee must be unanimous. Where a unanimous agreement is not reached, the matter will be referred to the next AEC meeting.
23. The AEC Executive Committee may be delegated to approve minor amendments to approved projects or activities, for ratification at the next AEC meeting:
  - a. The AEC should provide guidance on the type of activity that would be a minor amendment. A minor amendment may include a change to an approved project or activity where the proposed change is not likely to cause harm to the animals, including pain and distress.
24. All decisions of the AEC Executive Committee must be ratified at the next AEC meeting.

25. The AEC Executive Committee must not approve new applications.

**Effective Date: 4<sup>th</sup> December 2019**

*Approved by Deakin Animal Management Governance Committee*

*Acknowledged in writing by every Animal Ethics Committee member*