MACHAKOS UNIVERSITY

RESEARCH ETHICS POLICY

2019

MACHAKOS UNIVERSITY RESEARCH ETHICS POLICY APPROVAL

Policy Title POLICY	: MACHAKOS UNIVERSITY RESEARCH ETHICS
Policy Contact Linkages)	: Deputy Vice Chancellor (Research, Innovation and
Approval Authority	: The University Council
Responsible Office/ Category	: Division of Research, Innovation and Linkages
Reference No.	: MksU/P/05
Effective date.	: Date of Signing
Review period	: Two years from date of approval

Approved by the University council:

PROF GIDEON HANJARI, Ph.D.

CHAIRMAN MACHAKOS UNIVERSITY COUNCIL

Sign: .... Date: ...22.8.19......

PROF. LUCY W. IRUNGU, Ph.D.

VICE-CHANCELLOR & SECRETARY TO THE COUNCIL

Sign: .... Date: 6th Sept 2019

FOREWORD

The University Research Ethics Policy provides a general framework for ethical practices for all the research activities being undertaken by members of Machakos University (inclusive of undergraduates, postgraduates and staff). The University is committed to best practice in relation to research ethics as it ensures research is conducted in a manner that respects the dignity, rights and welfare of participants.

Research ethics is upheld by the University to minimize risk to participants, researchers, third parties and the University itself. The Policy conforms to all related legislation at global, regional and national levels such as the UNESCO ethical requirements, Chapter 4 of the Constitution of Kenya 2010 on Human Rights, Data Protection Act 1998, Human Tissues Act 2004, Equality Act 2010, Animals (Scientific Procedures) Act 1986, Genetically Modified Organisms Regulations 2014 among others. The Policy is consistent with research ethics procedures and systems of key external and internal institutions related to professional associations (Engineers, teachers, Doctors and Pharmacists, research and other councils/ commissions (Commission for University Education, National Commission for Science Technology and Innovation, National Environmental and Management Authority), and County authorities.

The Policy will:

i) Provide a framework for the researcher responsibility and ethical conduct and procedures and systems for the University ethical committee.

ii) Set out core principles that inform the duty the researcher owes to the research participants, and the duty that the University owes to both participants and researchers.

The Policy should be read in conjunction with the NACOSTI Ethics Policy, MksU Statutes, MksU Research Policy, Staff Disciplinary Policy, and Student Discipline Policy and Procedures.

PROF. LUCY W. IRUNGU, Ph.D.

VICE-CHANCELLOR & SECRETARY TO THE COUNCIL

ACKNOWLEDGEMENT

The development of ethics policy has been made possible through professional and technical support of Machakos University Council and University Management. The Division of Research, Innovation and Linkages is greatly indebted to Prof Gideon Hanjari the Chairman, Machakos University Council and Prof. Lucy Irungu, the Vice-Chancellor.

I am grateful to the technical team that worked on this policy: The Registrar (RIL) Dr.Wycliffe Amukowa Director, Research, Innovation and Technology Prof. Fredrick Ogola, and all the members of the ethics committee namely; Prof. Geoffrey Maroko, Dr. David Wekesa, Dr. Larry Ndivo, Dr. Patricia Muendo and Dr. Elizabeth Ndunda who made contributions to the development of this research policy. I also appreciate inputs received from all the Deans of Schools, Chairpersons of Departments and Heads of sections.

Thank you.

Prof. Peter N. Mwita, Ph.D

Deputy Vice-Chancellor (Research, Innovation and Linkages)

Chairman of the MKSU ERC

UNIVERSITY FUNDAMENTAL STATEMENTS
Vision

A preferred University of excellence in Scholarship and service delivery.

Mission

Provide scholarly education through training, research and Innovation for industrial and socio-economic transformation of our communities.

Machakos University Identity Statement

Machakos University is an academic institution committed in generating and transmitting knowledge, skills and attitude through Science, Technology, Research and Innovation for the benefit of humanity.

Machakos University Philosophy Statement

Education for Industrial and Economic Transformation.

Core Values

Integrity	- To honestly deliver on our promises to our stakeholders
Accountability	- To always be accountable in the assigned duties
Professionalism	- To be committed to high standards of training and service delivery
Inclusivity	-Respect for diversity
Creativity	- Determination to continually improve
Teamwork	- To actively work together to achieve common goals
Equity	- To strive to be an equal university where meritocracy is practiced in all Areas

ABBREVIATIONS AND ACRONYMS

CUE	Commission for University Education,
CV	Curriculum Vitae
ERC	Ethics Review Committee
IERC	Institutional Ethics Review Committee
M&E	Monitoring and Evaluation
MksU	Machakos University
MksU ERC	Machakos University Ethics Review Committee
NACOSTI	National Commission for Science Technology and Innovation
SOP	Standard Operating Procedure
ST&I	Science, Technology and Innovation
UNESCO	United Nations Educational, Scientific and Cultural Organization
UREC	University Research Ethics Committee

DEFINITIONS

Accreditation - Means giving approval and delegated authority to an IERC to conduct ethics review on behalf of National Commission for Science Technology and Innovation (NACOSTI).

Host Institution - Means an institution which takes responsibility and administers the assets and liabilities of a certain research.

Institutional Ethics Review Committee (IERC) means a committee accredited by NACOSTI and is responsible for ethical review of research proposal in an institution.

Lay member - Means a member of an MksU ERC who is not:

a. Currently, or has recently been, a registered health practitioner or researcher (for example, a doctor, nurse, midwife, dentist or pharmacist);

b. An officer of, or someone otherwise employed by, any health board, health authority, the Ministry of Health or medical school;

c. Involved in conducting health research or employed by a health research agency or a sector that undertakes health research; or

d. Construed by virtue of his/her employment, profession or relationship, to have a potential conflict of interest or professional bias in a majority of research proposals reviewed.

Participant   - A person who serves as a source of data for research.

Principal Investigator - Means the individual who is answerable / in-charge over a certain research.

Protected adult   - Adult aged 18 and over who: is unable to safeguard her/his own well-being, property, rights or other interests and may therefore be or is at risk of harm or; because she/he is affected by disability, mental disorder, illness or physical or mental infirmity, is more vulnerable to being harmed than adults who are not so affected.

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1.0 INTRODUCTION

1.1 Legal Framework of Machakos University Research Ethics Policy

Machakos University Research Ethics policy is informed by the global, regional and national ethical requirements as envisaged by UNESCO, WHO, The Constitution of Kenya 2010, NACOSTI Ethics Policy, CUE, MksU Statutes, MksU Research Policy and Handbook for Postgraduate Students among others, shown in appendix 1

This Policy sets out the general principles that underpin the University's approach to research ethics. Nothing in this Policy shall be interpreted in a way that is contrary to MksU Statutes, and Research Policy. The Statutes and NACOSTI Ethics Policy shall have supremacy should this Policy be found to be in any respect contrary to the Research Policy.

This Policy informs the general principles to be followed by Academic Staff, Students and the University in relation to research ethics. For further help and advice, please contact the Chair of the University Research Ethics Committee.

1.2 Purpose of Machakos University Research Ethics Policy

The purpose of the Machakos University Research Ethics Policy is:

To develop procedures among others, to guide research as required by law and other set standards.

1.3 Objectives of Machakos University Research Ethics Policy

The main objective of Machakos University Research Ethics Policy is to;

Streamline research, safeguard dignity and rights of research participants, facilitate correction and registration of research protocols. Specific objectives of MksU ERC policy are;

i) To set out the University's overall position on research ethics;

ii) To provide a framework to help inform faculties/schools and departmental ethics committees of the good research ethics practice;

iii) To harmonize research ethic procedures and systems across the University;

iv) To help to embed a culture based on best practice principles, therefore strengthening commitment to high-quality, transparent and accountable research practices;

v) To reinforce how research ethics link closely with the University's Strategic Plan, in that shared best practices in this aspect of research contributes to the vision of the University of becoming a "preferred University of excellence in Scholarship and service delivery".

vi) To undertake ethical review of research proposal at MksU.

vii) To propose membership of the Ethics Research committee

1.5 Scope of Machakos University Research Ethics Policy

The Machakos University Research Ethics Policy shall be applicable to;

i) MksU Staff responsible for, or are members of ethics committees;

ii) Academic Staff and Students seeking ethical approval for proposed research projects;

iii) External organizations who support or engage with MksU on research related activities;

iv) The general public.

1.6 Machakos University Research Ethics Policy Principles

The Policy recognizes and advocates the use of the following ethical principles:

1) *Prevention of harm:* Academic Staff and Students (henceforth 'researchers') must seek to protect participants from physical and psychological harm during the research process.

i) Researchers should not make frivolous use of participants.

ii) Researchers must also take steps to protect their own physical and psychological well-being during the research process.

iii) The risk of harm must reflect a balance of impact on participants and the benefits of the research.

2) *Informed consent:* Informed consent helps to minimize harm to participants.

i. Without informed consent, participants may feel manipulated, humiliated or mistreated by researchers.

ii. It is necessary to attain full participant consent unless there is a strong rationale for no or partial consent.

iii. Consent should be attained by researchers informing participants in advance of all necessary information expected to influence willingness to take part in the study.

iv. Participants should be given the opportunity to ask questions about their involvement in the study before securing consent.

v. Where the study involves more than a one-off research interaction, such as the case in the use of longitudinal research methods, it may be necessary to seek approval from participants/actors.

3) *Rights of participants*

i. In giving consent, participants retain the right to withdraw this consent.

ii. If applicable, researchers should indicate at what point in the study participants can withdraw consent or request data destruction.

4) *Minimizing risk with vulnerable participants*

i. Some participants should automatically be considered vulnerable because of a limited ability to provide consent to take part in a research project, e.g. young children, people who are ill or bereaved.

ii. Other groups may be considered vulnerable because of the context, e.g. unemployed, migrants, refugees.

iii. Extra safeguards and consent procedures must be designed and followed when recruiting vulnerable participants to research projects.

5) *Respect for participants*

Researchers should aim to conduct research that is respectful of: national and international law, gender differences, all groups in society, and, marginalized/disadvantaged groups.

6) *Confidentiality*

i. Unless agreed otherwise, the findings from research should be communicated in a manner that protects the confidentiality of the participants.

ii. Researchers are expected to protect the confidentiality of the participant's identity and data throughout the fullness of the research project.

iii. Where it is not possible or fitting to provide all information necessary for informed consent, it should be provided at an appropriate juncture once the participant has made the contribution to the study.

7) *Appropriate use of rewards and incentives*

Incentivizing participation in research projects should only be on the basis of making people want to take part, rather than only taking part because of the reward, or they cannot refuse such rewards.

8) *Anti-discriminatory*

Researchers should act in a manner that complies with the Kenya Equality Act 2010.

2.0 MEMBERSHIP, FUNCTIONS AND REQUIREMENTS FOR MKSU ERC

2.1 Membership

MksU ERC shall consist of the following members:

i. A Chairperson, who must have a training and/or experience in research ethics and leadership;

ii. At least seven members and if more, the total membership must be an odd number;

iii. At least one member who possesses knowledge and understanding of the Kenyan Law.

2.2 Appointment and Terms of Appointment for Members

The appointing authority of MksU ERC is the Vice- Chancellor. A member of MksU ERC shall serve for a maximum of two consecutive terms of four (4) years where each term lasts for two (2) years. A member may resign by writing to the Vice-Chancellor through the office of DVC (RIL).

2.3 Functions of Machakos University Research Ethics Committee

The functions of MksU ERC are to provide guidelines and ensure adherence to ethical research practices under the auspices of the University. The specific functions are;

a.   Ethical approval of research projects;

b.   Oversee that research and disposal of research materials are carried out in   accordance to the standard guidelines;

c.   Monitoring of ethical practice in research on behalf of the Board of Research, Innovation and Technology;

d.   Determine and review ethical review application fees;

e.   Address any ethical issues brought up by the government from time to time.

f.   Submit quarterly reports on activities of the committee to Board of Research, Innovation and Technology and annual report to NACOSTI.

2.4 Requirements for Appointment

The following requirements shall apply in the appointment of the members of MksU ERC:

i. Appointments to an ERC shall be the responsibility of the Vice-Chancellor;

ii. At least one third of the members of the committee shall be of either gender;

iii. At least one of the members shall be from outside the institution;

iv. At least two members shall have research expertise and experience;

v. At least one member shall be a lay person;

vi. The Director responsible for research at MksU shall be the secretary; and

vii. The composition of the MksU ERC shall reflect the regional and ethnic diversity of the people of Kenya.

2.5 Quorum for MksU Ethics Research Committee
The quorum for MksU ethics research committee meetings shall be as follows:

i. At least 50 per cent of the membership shall form the quorum;

ii. A lay person must be present in all meetings; and

iii. For ethics committees reviewing clinical research, at least two members

shall be clinicians, one of whom is currently in active practice or clinical

research.

2.6 Documentation, Record Keeping and Archiving
The minutes, documents, record and archives directly related to the ERC shall be kept both in soft and hard copies and shall serve as point of reference for MksU ethics research committee activities.

3.0 RESPONSIBILITIES AND ETHICAL CONDUCT OF RESEARCHERS
3.1 Researcher Responsibility
i) It is the responsibility of the researchers to familiarize themselves and comply with this Policy, its associated procedures and applicable School research ethics-related policies and practices.

ii) It is the responsibility of Principal Researcher, Academic staff or student to ensure compliance with the Policy.

iii) In the case of Student-led research, it is the responsibility of programme and/or course leaders, research project supervisors, to make students aware of the Policy.

iv) Student researchers should follow School research guidelines and declare where necessary conformance to codes of ethical conduct.

3.2 Researcher Ethical Conduct
The Policy recognizes and advocates the use of the following principles on matters of research;

i) *Reciprocity*: Research should be based on the creation of outcomes for the common good.

ii) *Accessibility*: Researcher should aim wherever possible to disseminate the findings in the public domain and through learning and teaching roles at the University.

iii) *Independence*: Researcher should not distort research design and/or findings to suit funder requirements.

iv) *Specified use of research funding*: Researchers must not use funding for purposes other than that specified in their proposal and/or grant award.

v) *Safe and secure data management*: Steps must be taken to retain all research materials gathered (including physical and visual data), in a safe and confidential space, for a minimum period of ten years. Where it is necessary to keep data for long periods of time, data should be stored wherever possible in an electronic format and kept password protected on a University server. Through the informed consent process, participants should be informed about how study data will be managed and how long it will be retained.

v) *Ethical bio prospecting*: Researching the commercial use of natural resources must be respectful of indigenous territories and cultures, and take account of relevant international agreements (e.g. Nagoya Protocol).

vi) *Conform to the Universal Declaration of Bioethics and Human Rights*: Researchers should subscribe to universal guidelines covering all issues in the field of bioethics.

3.3 Cross Institutional and International Research

Researchers should ensure that a copy of the research ethics approval is obtained and stored for future reference. Approval on this kind should be on the basis that the ethical approval procedures of collaborating institutions meets that of MksU ERC. That is, collaborative research must be subjected to ethical approval of MksU.

3.4 High Risk and Security-Sensitive Research

Where research involves the gathering of High risk or Security-sensitive research materials, for example, materials related to terrorism activities, should in no circumstances be kept on personal computer equipment. Instead, such materials should be kept on specially designated University servers to allow ease of access to authorized researchers, yet not in a manner that would allow such materials to be transmitted or exchanged to non-authorized parties.

4.0 APPLICATION FOR RESEARCH APPROVAL

4.1 Ethical Approval

i) Ethical approval is required for all proposed research, and further approval or re-approval may be required, should significant details change on commencement of the proposed research project.

ii) Pilot research is subject to ethical approval too.

iii) Departments and schools should ensure proposals developed in their domain adheres to ethical requirement.

iv) The general procedure for gaining ethical approval for a research project is detailed in the following sub-section.

4.2 Procedures for Approval

i)   The researcher shall make application for ethical clearance by submitting six (6) copies of the proposal to MksU ethical review committee for consideration for ethical clearance with a covering letter containing the brief of the project/or Terms of Reference (ToR).

ii)   The application shall be examined by MksU ethics research committee and decision will be made.

iii)   After ethical clearance, the researcher applies for a research permit online to undertake the study/project (Appendix 4).

iv)   The researcher receives the research permit and letter of authorization and proceeds to conduct his/her study/project.

v)   All the postgraduate research proposals requiring ethical clearance shall be submitted to MksU ethical review committee after the approval by the Graduate School Board. MksU ethical review committee shall issue approval for the cleared proposal.

vi)   There is a fee (which shall be reviewed from time to time) paid for ethical clearance as categorized below;

        a.   Master of Science and undergraduate students – 3000/=

        b.   PhD students – 10,000/=

        c.   Funded projects – 30,000/=

vii) The ethical clearance shall be processed within one month.

5.0 APPEAL PROCESS

i) The MksU ethical review committee shall have specific procedures and mechanisms for appealing against its decisions.

ii) Where the applicant is dissatisfied with the appeal decision of the MksU ethical review committee, he/she may appeal to NACOSTI.

iii) The appeal to NACOSTI should be made within one (1) month of the outcome of the decision by the same ERC.

6.0 ETHICAL TRAININGS

While MksU ERC maintains oversight of research ethics training, School research ethics committees are responsible for facilitating appropriate research ethics training within their domain.

7.0 MISCONDUCT

Research ethics-related misconduct by researchers is covered by the University's staff disciplinary policy and procedure or any other applicable law. The consequences of such misconduct could lead academic staff and student being subjected to the University's Disciplinary Process.

Examples (not exhaustive) of research ethics-related misconduct include:

i) Misappropriation of another's intellectual property by plagiarism or breach of confidence as a reviewer;

ii) Misrepresentation of research findings by deception or lying;

iii) Obstruction, including withholding, destroying or falsifying evidence;

iv) Unfairly influencing witnesses or interviewees;

v) Breach of confidentiality required by internal and external contracts;

vi) The deliberate commercial exploitation of ideas of others without acknowledgement and, where necessary, informed consent; and,

vii) Failing to comply with statutory or institutional regulations, including research ethical policy.

8.0 MONITORING AND EVALUATION OF THE POLICY

The MksU Council shall approve this Policy. The DVC (RIL) on behalf of the University Senate shall periodically review this Policy in terms of its currency and effectiveness and ensure that it is approved in accordance with the University procedures.

9.0 ANNUAL REPORTING

MksU ERC shall submit their annual reports by the 31st July each year to NACOSTI for review and monitoring.

The report should comprise the following:

1. A list of all research proposals reviewed during the year containing the following information:
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• Research title,

• Principal Investigator and his/her qualifications,

• Co-investigators and their qualifications,

• Institution where the research is to be/has been undertaken,

• Date of approval,

• Proposed/actual duration of the project

2. Any changes in the MksU ERC membership or guidelines for operation, or other substantive changes, which, in the opinion of the committee or its Chair, should be noted.

3. A summary of other activities of the committee including training, monitoring and evaluation of approved research projects.

4. Any areas of review, which caused difficulty for the committee in making a decision on any particular research proposal.

5. Any other information on policy or other matters which the committee may wish to bring to the attention of NACOSTI.

10.0 POLICY REVIEW
The Policy will be due for review three (3) years from the date signed by the Chairman of Council.

APPENDIX 1

RELATED POLICIES, PROCEDURES AND FURTHER REFERENCE

i.   NACOSTI Guidelines for Accreditation of Institutional Ethics Review Committees in Kenya

ii.   MksU Statutes

iii.   MksU Research Policy

iv.   MksU Anti-plagiarism policy

v.   Handbook for Postgraduate Students

vi.   Staff Disciplinary Policy

vii.   Student Discipline Policy and Procedure

viii.   The Nagoya Protocol on Access and Benefit-sharing

For more information on security-sensitive research see the following document:

Universities UK (2012). Oversight of Security-sensitive Research Material in UK Universities: Guidance.

Guidance on ethical issues associated with researching social media platforms can be viewed in the two following documents:

MRS (2014). MRS Guidelines for Online Research. London: MRS.

Townsend, L. and Wallace, C. (2016). Social Media Research: A Guide to Ethics. Glasgow: University of Glasgow.

Details of UNESCO's ethical policy on science and technology can be accessed from the UNESCO links.

UNESCO (2016). Universal Declaration on Bioethics and Human Rights. UNESCO.

APPENDIX 2

NACOSTI ACCREDITATION/ RE- ACCREDITATION APPLICATION REQUIREMENTS

i. Duly completed Application Form (Appendix 3).

ii. Copy of the Standard Operating Procedures (SOPs/ MksU Research Ethics policy).

iii. Copies of abridged CVs (Max 4 pages) for each member of the proposed/ current MKSU ERC (to include the training attended).

iv. Profile of MksU /Institution detailing the areas of competence (Max. 4 pages).

APPLICATION FORM FOR INSTITUTIONAL ETHICS REVIEW COMMITTEE ACCREDITATION
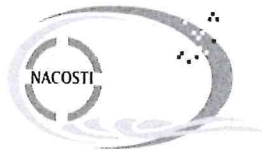
NATIONAL COMMISSION FOR SCIENCE, TECHNOLOGY AND INNOVATION

APPLICATION FORM FOR INSTITUTIONAL ETHICS REVIEW COMMITTEES IN KENYA

Application Form for Institutional Ethics Review Committee Accreditation/Renewal of Accreditation

1. Name of Institution

2. Name of Institutional Ethics Review Committee (IERC)

3. Institutional Ethics Review Committee Address

Physical:

E-mail:	
Website:	

4. IERC Contact Officer

Name:	
Position:	
E-mail:	
Phone:	

5. IERC Chairperson

Name:	
Position:	
E-mail:	
Phone:	

6. IERC Secretary

Name:	
Position:	
E-mail:	
Phone:	

Scope of Accreditation (eg Social, Biomedical, environmental)

7. List the organizations served by the IERC

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8. Please indicate how the membership of your proposed IERC is constituted

	Name	Gender	Category (eg Chair, lay)	Academic Qualifications	Membership to Professional body (Name)	Area of Specialization	Affiliation (Institution)	Ethics Training (Yes/No)

9. Gender Composition

Number of Males	Number of Females

10. Has the IERC developed Standard Operating Procedures?

Yes	No

11. (a) If yes to above, attach the Standard Operating Procedures
    (b) If no, explain

12. Has the IERC been accredited by the NACOSTI in the Past?

13. If yes in 12 above, indicate the date of notification and number (NACOSTI/

14. Declaration (to be signed by the Appointing Authority of the institution referred to in 1 above)
I hereby declare that the information given in this form and any attachments are correct;

Name of IERC:

Name of Institution:

Name and Designation

Signature:_____Date:_____

Official Stamp of Institution:

_____

For Official Use

Date Received: _____

Decision: _____

Notification Date: _____

APPENDIX 4
NACOSTI RESEARCH PERMIT APPLICATION FORM

Online

1. Access the site through the following link: https://oris.nacosti.go.ke/index.php

2. On the web page click create account.

3. Credential details are sent to email you used to create the account.

4. Activate your account on the link they provided in the email sent.

5. Access the Research Permit portal after logging in.