University Research Ethics Committee: Guidance for security sensitive research

The purpose of this document is to provide guidance for staff and student researchers who are planning on undertaking research that may be considered security sensitive. It is intended to be read in conjunction with the *Research Ethics Committees: Policy and Procedures for Research Ethics Approval.* All researchers are expected to carry out research in accordance with the *UWE Code of Good Research Conduct (2015)* and to conduct their research in accordance with the terms of the Concordat.

This guidance is for all University of the West of England (UWE) researchers including (but not restricted to) staff, postgraduate research students and taught students at all levels of study. It relates to research that may be deemed to be security sensitive and thus fall under the provisions of the Counter Terrorism and Security Act 2015 (the Act). Under the Act, relevant higher education bodies must have due regard to the need to prevent people from being drawn into terrorism (known as the 'Prevent Duty'). Compliance with the duty is monitored by the Higher Education Funding Council for England (HEFCE). UWE complies with the Duty under the provisions of its Safeguarding Policy within which context this guidance is placed.

The University Research Ethics Committee (UREC) recognises the importance of timely research concerning the threat of terrorism and understands that without research into the threat of terrorism solutions cannot be found. The objective of this guidance is not to enable UREC to block security sensitive research, but to consider such projects in the context of the Prevent Duty, which applies to a number of specified authorities, including all UK universities. It will do so by ensuring that projects coming to the attention of the Faculty Research Ethics Committees (FRECs) or UREC will receive timely risk assessment on their safety and will be entered onto a register of such projects. UWE's Prevent Lead will be made aware of them.

Summary of specific provisions for security sensitive research projects

- At all times, researchers and UREC members should inform themselves and be mindful of relevant legal obligations under the 2015 Counter Terrorism and Security Act (known as "the Prevent Duty") when planning, approving and conducting security sensitive research;
- UREC will maintain a register of all applications for ethical approval considered by the Committee to amount to security sensitive research;
- Applicants making an application for ethical approval should indicate on their application forms that their project may amount to security sensitive research;
- Where a project involves security sensitive research the application will be referred to UREC from the FRECs;

- That once so identified the Chair of UREC will notify UWE's Prevent Lead of the project. If provided, comment from the Prevent Lead will be taken into account by UREC before Chair's Action is taken;
- All staff and students involved in security sensitive research, and who make an application for ethical approval, must complete the e-training module *The Prevent Duty in Higher Education: An Introduction* prior to approval being awarded for the project. A link to this module is available at the end of this document;
- UREC will require all security sensitive projects to adhere to stringent data storage, security and destruction protocols and will treat all data relating to such projects collected from primary, secondary or any other source as particularly sensitive.

The scope of security sensitive research

I.   It is impossible to provide an exhaustive list of research activities that may be deemed security sensitive. However the following is an indicative list of what might be considered security sensitive research:

- Projects concerning extremist religious groups, including their activities and beliefs that could breach counter-terrorism legislation under the Terrorism Act (2006);
- Projects concerning organisations that could potentially be involved in acts that could breach counter-terrorism legislation under the Terrorism Act (2006), for instance extremist animal rights or Far Right groups;
- Projects concerning cyber-terrorism;
- Projects undertaken for government departments concerning or including sensitive topics, for instance military procurement or weapons technology;
- Online projects which use social media and involve researching potentially sensitive extremist websites;
- Projects concerning making direct contact with extremist groups or individuals;
- Research which has the potential to be used for purposes unintended by the researchers in ways which threaten security despite this not being the intention of the researchers. An example of this type of research may be projects concerning IT encryption design.

How does UREC manage security sensitive research applications and act to protect researchers?

II. Researchers making an application for ethical approval in relation to projects that may be considered security sensitive research should apply for project approval in the usual manner using UWE's existing *Policy and Procedures for Research Ethics Approval* relating to ethical review. If the applicant (the project lead) is aware their project is security sensitive this should be mentioned on the application form. The relevant information about UWE's research ethics application procedure is available at:
http://www1.uwe.ac.uk/research/researchethics.

III. If the project lead is unaware of, or fails to mention, a potentially security sensitive aspect to their project, the scrutineers will use their best endeavours to identify such projects

during the scrutiny process insofar as it is evident from the project protocol. All applications to FRECs so identified as involving security sensitive research will be referred to UREC, either by self-notification by the applicant or by identification during the scrutiny process. Once referred to UREC the application will be scrutinised in the usual way and a decision will be made by UREC Chair's Action. If approved, the UREC Committee will be asked to ratify the decision at the next quarterly UREC meeting following the Chair's Action decision.

IV.   In the case of a project identified as involving security sensitive research the UREC Chair will inform UWE's Prevent Lead of the project and if necessary discuss with the Prevent Lead aspects of the project that require risk assessment over and above that usually undertaken as part of UREC's ethical review process to the extent that such discussion enables UWE's Prevent Lead to discharge UWE's duties pursuant to the provisions of the Act.

V.   As part of UREC's ethical approval process, all proposed research projects are risk assessed in terms of the safety of research participants, the researcher and UWE. This risk assessment includes (but is not restricted to) identifying projects that may be security sensitive and to consider associated risks. This, together with the notification to UWE's Prevent Lead ensures UREC does not exceed its ethical review remit whilst facilitating UWE's compliance with its statutory Prevent Duty.   This process enables UWE's Prevent Lead to consider:

i)   The application in terms of the counter-terrorism risks known to UWE;
ii)   What support might be offered; and
iii)   How UWE might ensure that its usual safeguarding arrangements are followed taking into account the details of the proposed research.

VI.   UREC will maintain a register of all projects applying for ethical approval involving security sensitive research. If statutory enquiries relating to the Prevent Duty are made by external agencies information contained on the register may be made available to those agencies insofar as UWE is required by law to produce it. The research lead will normally be told of this action. By keeping a register UWE is able to monitor the prevalence and potential risk of identified projects.

Application procedure for security sensitive research projects

VII.   <u>For staff and Post-graduate research students:</u>

1. Applications for ethical approval for potentially security sensitive projects should be made by the usual processes;
2. If a researcher indicates that security sensitive research is being undertaken on the ethics application, then the application should be sent for approval to UREC, rather than the relevant FREC. The project will be reviewed in the usual way;
3. If a researcher does not indicate that the project involves security sensitive research the application will be forwarded by the FRECs to UREC for scrutiny and consideration;

4. The ethical principles underpinning UREC scrutiny and Chair's Action will be undertaken in the usual way;
5. The Chair of UREC will inform UWE's Prevent Lead of the project to enable a risk assessment to be undertaken in relation to UWE's Prevent Duty;
6. Details of the project will be kept on a register. The register is held by the research ethics administration team in RBI on their secure database.
7. All staff, PGR students and their supervisors who are conducting research that may be regarded as security sensitive are required to complete the aforementioned training module before ethical approval can be given.

VIII. <u>For taught students (PGT, M level and UG)</u>
1. As a general principle UREC does not encourage students on taught programmes to design and undertake any research involving human participants including projects falling into the category of 'high risk'. The definition of 'high risk' research is research that involves a risk over and above that which a supervisor can 'sign off' as 'low risk'. Such risks include human participant projects involving sensitive topics, access to personal and/or sensitive data and projects that create a risk to participants, the researcher or UWE including a reputational risk. This definition includes security sensitive research.
2. For students undertaking projects and/or equivalent, which might be considered security-sensitive in nature in the first instance the supervisors (or equivalent) <u>must make an early judgement regarding the appropriateness and methodology of the topic and advise students. An auditable record should be kept of such advice.</u> For instance, is the work relying solely on secondary academic sources or does the student intend to visit certain websites and/or speak to particular individuals? Is the topic itself likely to cause concern? Does the supervisor (or equivalent) have the relevant expertise to supervise the project?
3. The supervisor (or equivalent) at this stage can do two things: 1) make a decision (perhaps in consultation with colleagues) that the work should not go ahead, or 2) recommend that the work should proceed. It is envisaged by UREC that projects falling under category 2) will be extremely rare.
4. If the supervisor (or equivalent) decides the project falls under category 2) <u>the project must be regarded as 'high risk' and will require full ethics review by UREC.</u>
5. All supervisors (or equivalent) and students conducting research that may be regarded as security sensitive are required to complete the [Prevent training module](#) before ethical approval can be given.

Advice, support and training

- The Introduction to Prevent training module is available at:
  http://imp.uwe.ac.uk/imp_public/displayEntry.asp?URN=10791&rp=listCategory.asp&cat=1052

- In 2012 Universities UK published *Oversight of security-sensitive research material in UK universities: Guidance.* This document contains information about the storage and circulation of security sensitive research material. It is available at:
  http://www.universitiesuk.ac.uk/highereducation/Documents/2012/OversightOfSecuritySensitiveResearchMaterial.pdf.

- If you have any concerns about whether or not your research is security sensitive then, if you are a member of staff or supervisor, please speak to the Chair of your FREC in the first instance for further advice. You may also contact the Chair of UREC for advice via: research.ethics@uwe.ac.uk

- General advice about the Prevent Duty can be sought via: safeguard@uwe.ac.uk

- If you are a student please speak to your Director of Studies or Supervisor for advice. Both you and your Director of Studies and/or Supervisor or equivalent should keep a written record of this advice.

- UWE has several policies that will be helpful to researchers and committees when considering security sensitive research, in particular the:

  - UWE IT Acceptable Use Policy, available at: http://www1.uwe.ac.uk/its/itpolicies/itacceptableusepolicy.aspx

  - UWE Conditions of Use and Data Protection for the use of email, available at: http://www1.uwe.ac.uk/its/itpolicies/uweemaildataprotection.aspx

  - Further information about UWE's safeguarding arrangements is available at: http://www1.uwe.ac.uk/students/healthandwellbeing/safeguardingandprevent duty.aspx

  - Arrangements for approving external speakers is available at: http://www1.uwe.ac.uk/business/venuehireandevents/externalspeakers.aspx.

  - UWE's Research Governance policy is available at: http://www1.uwe.ac.uk/research/researchgovernance.aspx

  - UWE's Lone Working Policy is available at:
  - https://docs.uwe.ac.uk/sites/health-and-safety/_layouts/15/download.aspx?SourceUrl=https://docs.uwe.ac.uk/sites/health-and-safety/Documents/G017_Social_Researchers.docx

  - The Concordat to support research integrity is available at: http://www.universitiesuk.ac.uk/policy-and-analysis/reports/Documents/2012/the-concordat-to-support-research-integrity.pdf

End.

Final agreed version following comments by Academic Board – as presented to UREC on 1.11.17