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Challenges associated with ethics review of educational research at a South African university

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This article analyses the decisions and feedback from reviewers of a decentralised ethics committee to applicants in a two-year period. Results indicate that the review of research protocols by an ethics committee are complicated by challenges related to factors such as the formal requirements for review, process of informed consent, research design, how power relationships are addressed, and sample selection. These challenges are put into perspective by discussing organisational factors that lead to ethical divide rather than ethical synergy between ethics committee members and applicants.

Uitdagings verbonde aan etiekevaluasie van opvoedkundige navorsing by 'n Suid-Afrikaanse universiteit

Hierdie artikel bestudeer die etiekevaluasieproses deur die besluite en terugvoer van evalueerders verbonde aan 'n gedesentraliseerde etiekkomitee te analiseer oor 'n periode van twee jaar. Resultate dui aan dat die evaluasie van navorsingsprotokolle deur 'n etiekkomitee gekompliseer word deur uitdagings met betrekking tot faktore soos formele vereistes van evaluasie, ingeligde toestemmingsproses, navorsingsontwerp, hoe magsverhoudinge aangespreek word, en steekproefneming. Hierdie uitdagings word in perspektief geplaas deur organisatoriese faktore te beskryf wat lei tot 'n etiese gaping, eerder as etiese sinergie, tussen etiekkomiteelede en aansoekers.

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Institutional ethics review is a contentious topic, with some academics supporting the practice (*cf* Bruhn 2008) and others condemning it as a practice with many flaws (*cf* Haggerty 2004). Supporters of ethics review argue that the conduct of academics and students at higher education institutions is not always ideal (*cf* Callahan 1982, Kelley & Chang 2007, Bruhn 2008). Others argue for greater awareness of the importance of ethics on the part of a faculty, while some believe that the ethics of academics are suspect, given that "taking the most ethical and professional path can be inconvenient, financially disadvantageous, time-consuming, frustrating, or complicated" (Dingle & Stuber 2008: 188). Additional complications include the cumbersome and costly process of ethics review (Fitzgerald & Phillips 2006: 47) and the pressure exerted on academics to publish their research. Many researchers may not welcome the perceived additional pressure created by ethics committees. It is argued that such strain creates the need to examine the challenges associated with ethics review from an insider perspective. It is hoped, on the one hand, that understanding such challenges might help researchers to appreciate the complexity of ethics review and, on the other, that it can assist ethics committees to appreciate the challenges of academics in conducting ethical research. There is a need to find ways of educating researchers about ethical issues, although education alone may be complicated (Dingle & Stuber 2008: 188).

1. Ethics review of academic research

Researchers have demonstrated that the review of research protocols at academic institutions can complicate research participation considerably (Grayson & Myles 2004: 297). Critics of ethics review processes argue that stringent reviews by ethics committees frequently interfere with research and complicate the process by confounding ethics review and administrative review (Fitzgerald & Phillips 2006: 66). Some authors accuse ethics committees of "ethics creep" by overregulating researcher behaviour (Haggerty 2004: 391) in educational and social research contexts, in particular, where medical research standards are often

inappropriate for evaluating ethnographic or action research studies. This is the case when ethics reviews are modelled on the requirements of clinical trials (Bosk & De Vries 2004: 249). Others question the competence of an ethics committee to review a vast array of research protocols and methodologies when all members are not necessarily conversant in the methodologies they have to review (Borenstein 2008: 190). This is especially difficult with centralised ethics review systems where one committee reviews a multitude of protocols with varying methodologies, often involving more than one site and located across disciplines (Fitzgerald & Phillips 2006: 63). Others believe that the main advantages of such a system may be greater consistency and fewer administrative procedures (Fitzgerald & Phillips 2006: 72).

Despite such criticism, it is argued that ethics review is a necessary social practice that serves to encourage researchers and institutions to be accountable to the society they serve. In addition, ethics review can act as a key safety net for all academic researchers, in particular those who plan to involve vulnerable participant groups such as children, impoverished communities and students in their research (Ferguson *et al* 2004: 8). In many respects, higher education institutions act as factories of civilised society, ensuring scientific knowledge production and societal progress, the development of society's human resources as well as stimulation and growth of the economy. Universities rely on academic scholars to pursue these goals by offering them the opportunity and the resources to conduct research to a large extent unhampered, to socialise and develop the next generation of scholars and researchers, and to push the boundaries of science. Academic freedom demands that the academic community regulate its own practices and its own members internally (Bruhn *et al* 2002: 462). Both Bruhn *et al* (2002: 461) and Wolpe (2006: 1023) highlight the responsibility of academic researchers and their universities towards society, in general, and the communities and students they serve, in particular. An understanding of the perceived obstacles related to ethics review at a research-intensive higher education institution can thus provide important insights into the possible ways in which ethics committees can streamline

their review processes and generally contribute to a more efficient review of research protocols.

Due to a paucity in formal studies of review systems (Fitzgerald & Phillips 2006: 48), it is argued that a systematic empirical analysis of ethics committee documentation can play a significant role in highlighting the challenges associated with the review of academic research at a higher education institution. There is an acknowledged lack of empirical research evidence on types of ethical lapses at universities in general (Kelley & Chang 2007: 404, Bruhn *et al* 2002: 476). The problems facing ethics review committees at academic institutions as well as the prevalence of and some reasons for ethical failure in the academe have been well documented (Tilley 2008: 93-6, Bruhn 2008: 24-7). There is also literature on academic and research behaviours most likely to be regarded as unethical (Gao *et al* 2008: 137), and on strategies for enhancing a culture of research ethics on university campuses (Ferguson *et al* 2007: 195).

This article approaches the issue differently by examining the challenges associated with ethics review at a higher education institution from an insider perspective. It examines the research protocols (submitted by students and staff) for ethics review and analyses the feedback of the ethics committee (also called Institutional Review Boards – IRBs; Research Ethics Boards – REBs) to the applicants on their research protocols. The higher education institution at which the present study took place makes use of a decentralised ethics review system. In other words, review of protocols and decision-making are located at faculty level, with each faculty reviewing its own proposals and providing annual reports to a centralised committee on decision-making (Fitzgerald & Phillips 2006: 63).

Permission was obtained from the dean of the faculty where the research took place and the first draft of the analysis was distributed for comment and feedback to all reviewers who served on the ethics committee at the time. The study examines ethical issues that typically arise in the context of ethics review of educational research at an institution of higher education where all research is subjected to ethics review. As all feedback to applicants is in written format

and filed with an application, it was a relatively simple process to collect all formal feedback relating to a particular protocol via letter and email. This strategy enabled the authors to study how researchers approach ethical issues related to their research. This can yield important insights related to the review of educational research in an academic context. In addition, it highlights typical issues facing educational researchers who seek ethical approval. This may contribute towards educating researchers about what should be avoided. As students and supervisors work jointly on applications for ethics review at the institution where this study took place, it is argued that ethical issues arising in the context of ethics review applications will permit some limited conclusions concerning the supervisory responsibilities of academics (students and staff) in relation to ethics.

2. The study

2.1 Research design

2.1.1 Data source

Institutional approval was secured to analyse research protocols submitted to the faculty ethics committee for ethics review over a two-year period (2007-2008). A total of 189 masters, doctoral and faculty members' protocols with a final decision[1] from the ethics committee were included in the analysis. The ethics committee in question can be categorised as a decentralised committee (Fitzgerald & Phillips 2006: 63) because it is a faculty committee that only reviews protocols of the relevant faculty. The reviewers are all faculty members with an academic background in various disciplines of education, psychology or educational psychology and with the expertise to review the protocols submitted to them.

1 Protocols with a final decision include those for which reviews were concluded and which had been approved. It does not include protocols that were under review at the time of the analysis.

2.1.2 Data analysis

Data analysis consisted of a descriptive and thematic analysis of submitted protocols from applicants. The descriptive analysis comprised a frequency analysis of ethics protocols submitted to the ethics committee over a two-year period (2007 and 2008). The aim of the descriptive analysis was to examine the typical contexts in which educational research in the faculty is conducted and to determine which protocols to select for an in-depth thematic analysis.

The following question guided the thematic analysis of reviewers' reports on protocols: What are the ethical issues most likely to be highlighted in the feedback of the ethics committee review to the applicant? Reviewers' reports on submitted protocols over a two-year period were subsequently analysed to determine the ethical issues most likely to be highlighted in ethics review of educational research at this specific institution. Individual statements about an application made by the committee reviewers in relation to a protocol were counted as instances. For example, the same statement could be made more than once in relation to different protocols and would also then be counted more than once. It is argued that more instances of a statement across protocols may reflect the extent of the issue highlighted by the reviewers. The statements were grouped into five broad categories or themes, and agreement was achieved by consensus.

3. Results

3.1 Descriptive analysis

On their applications, researchers indicated the primary research setting and their main participant groups for the research project. These data are provided in Table 1.

Table 1: Primary research setting – ethics protocols: 2007-2008 (n = 189)

Research setting	2007	2008	Total	CumTot	%	Cum%
School	65	61	126	126	66.7	66.7
Higher education	10	19	29	155	15.3	82.0
Individual	5	6	11	166	5.8	87.8
Community	5	2	7	173	3.7	91.5
Family	3	2	5	178	2.6	94.2
Pre-school	3	1	4	182	2.1	96.3
Private organisation	1	1	2	184	1.1	97.4
Other	0	2	2	186	1.1	98.4
Document analysis	1	1	2	188	1.1	99.5
Clinic/ Hospital	1	0	1	189	0.5	100
n	94	95	189	189	100	100

The data in Table 1 show that 20% of the research settings (schools and higher education) in which educational research is conducted, generated approximately 82% of the applications for ethical clearance. On the basis of this analysis, it is concluded that any ethical issues and lapses in educational research at the faculty in which the study is conducted are most likely to arise in the context of school and higher education research. The school and higher education protocols were therefore selected for further analysis to determine who would be the most likely participants in these settings. The results are indicated in Table 2.

Table 2: Participant groups in the primary settings: 2006-2008 (n = 155)

Setting	Participant group	n	Cum n	%	Cum%
School (n = 126)	Systemic	39	39	31.0	31.0
	Teachers	28	67	22.2	53.2
	Learners	24	91	19.0	72.2
	Management	22	113	17.5	89.7
	Teaching/Learning	13	126	10.3	100.0
Higher education (n = 29)	Students	16	16	55.2	55.2
	Embedded	7	23	24.1	79.3
	Learning/Teaching	6	29	20.7	100
	Lecturer	0	0	0	100
	Management	0	0	0	100

From Table 2 it is evident that educational research in schools is widely distributed among the various participant groups in comparison to research conducted in higher education settings. Protocols involving multiple participant groups include principals, teachers, learners and management structures simultaneously, and form the highest proportion of the research, as do studies focusing exclusively on teachers and learners.

In a higher education setting (and this is not entirely surprising), it appears that the most popular participant group are students. The remainder of the participant groups comprise embedded participants who include protocols whereby academics who supervise the training of students conduct research in schools by involving their students as research assistants in order to gain access to schools and communities where data are collected. The learning/teaching research studies in higher education also involve students as participants when, as part of the module requirements, students are required to submit and collect data about their own teaching and learning practices in the schools where they teach.

The authors also wanted to establish how researchers assess risk in school and higher education settings with the defined participant groups because ethical review often involves an assessment of the

balance between risk and benefit (Barke 2009: 341). Researchers have the option to assess their protocol as high risk, defined as protocols where participation requires intrusive and sensitive information about the participants' mental or psychological health and/or their relationship with a person/institution with power over them, or as low risk, defined as protocols where participation requires information about policies/modules/courses/institutional processes with a view to analyse, assess and evaluate them as human artefacts.

The researchers then compared whether protocols whereby the researchers assess the risk of their research were likely to be approved or referred back for amendments by ethics reviewers.

Table 3: Analysis of risk assessment

		High risk		Low risk	
		Approved	Referred	Approved	Referred
School	Teachers	1	0	2	10
	Learners	2	3	3	6
	Learning/ Teaching	0	0	1	5
	Management	0	1	5	5
	Multiple	0	4	8	9
	n = 65	3	8	19	35
Higher education	Lecturers	0	0	0	0
	Students	0	3	1	4
	Learning/ Teaching	0	0	2	1
	Management	0	0	0	0
	Embedded	0	0	2	0
	n = 13	0	3	5	5

An analysis of the protocols indicates that researchers mostly assess their research studies in school and higher education settings as low risk. Researchers regard none of the research studies in higher education settings as high risk. Of the 54 protocols in school settings that researchers assessed as low, the ethics committee referred protocols back for amendments 65% of the time. For higher

education settings low-risk protocols were referred back 50% of the time. A thematic analysis of ethics committee feedback over a period of 12 months for 2008 was conducted to determine the reasons for the disagreements between applicants and reviewers. A total of 79 feedback documents (formal letters and emails from the ethics committee to the applicant based on a completed review by at least two reviewers) were analysed for recurring themes and the findings are presented below.

3.2 Thematic analysis

In terms of reviewer feedback, the 79 feedback documents yielded a total of 245 instances of meaningful feedback that was counted and categorised into five broad categories. This implies that feedback typically included comments on more than one issue related to a particular protocol. An instance is defined as a feedback statement about an ethical aspect related to the application. Table 4 shows the breakdown of instances.

Table 4: Number of instances in different categories of feedback

Categories	Instances	%	Cum%
Formal/Institutional requirements (Product)	80	32.7	32.7
Informed consent (Presentation)	61	24.9	57.6
Research design (Process)	48	19.6	77.1
Relationships (Power)	32	13.1	90.2
Sample selection (Participation)	24	9.8	100
Total *n*	245	100	100

Over a third of ethics committee feedback on research protocols concerned relatively minor issues related to formal and institutional guidelines which do not, in and of themselves, form sufficient reason to reject a research protocol. When feedback about obtaining informed consent is added, the figure rises to nearly two thirds. Together with issues regarding the research design, it is evident that when protocols are referred back, the principal reasons are related to the way in which the researcher plans to gain informed consent

and factors related to the ethical implications of the research design 77.1% of the time.

In order to answer the question as to which ethical issues are most likely to be highlighted in the feedback of the ethics committee review to the applicant, the article examines some of the specific points raised by the ethics committee following a review. Table 5 presents a summary of themes.

Table 5: Categories of themes

Categories	Main themes
Product (Formal/ Institutional requirements: *n* = 80)	• Adherence to institutional policies, for example data storage • Variance in international ethical requirements • Completeness and quality of application • Typing and spelling errors • Technical jargon • Lack of required forms, for example consent forms or permission for the research, data collection instruments
Presentation (Informed consent: *n* = 61)	• Inadequate disclosure of research activities • Misrepresentation of risk and benefits to the participants • Describing who has access to sensitive research data • Inadequate description of how data will be recorded • Research design threatens confidentiality and voluntary participation • Coercion by authority figure to participate
Process (Research design: *n* = 48)	• Insufficient or not clearly argued rationale for the research • Poor quality and inappropriateness of data collection instruments • Discontinuity in the planning, action and dissemination phases of the study • Insufficient protection to captive audiences
Power (Relationships: *n* = 32)	• Convenience sampling that includes fellow students • Lecturers doing research on their own students whom they have to grade
Participation (Sample selection: *n* = 24)	• Lack of information provided about the sampling strategy • Unfair inclusion and exclusion criteria for certain participant groups • Biased and subjective sampling strategies

4. Findings and discussion

4.1 Theme 1: Formal/Institutional requirements (n = 80)

The formal/institutional requirements category forms the largest proportion of the ethics committee's feedback (32.7%) and forms part of what Fitzgerald & Phillips (2006: 65) call the administration component of the ethics review. In the present study, this category typically deals with the ethics protocol as the product of the joint effort between the student-researcher and the advisor. Institutional requirements are generally not found to be a sufficiently substantial reason to deny ethical clearance except when the quality was so poor that reviewers were unable to judge the ethical aspects of the study.

Some formal requirements that are generally addressed in feedback relate to the adherence to institutional policies such as data storage, as well as differences in the requirements of different countries in the case of international research. Other feedback focuses on the completeness and quality of the application, and includes typing and spelling errors, using terms interchangeably or assuming technical knowledge on the part of the reviewer. Reviewers often find it difficult to make sound and informed judgments on a protocol. Another salient point in the feedback concerns incomplete application forms, unsigned applications and letters, lack of required forms such as informed consent letters, copies of research instruments, or formal letters of permission to conduct research. The issues highlighted in this category are consistent with Fitzgerald & Philips' (2006: 66) analysis that a great deal of frustration about ethics committee processes is due to administrative issues rather than the actual ethical review. Haggerty's (2004: 393) interpretation of such difficulties is to accuse ethics committees of enforcing inflexible rules that create the conditions for people to rebel. While both sides of the argument have merit, incomplete and inaccurate protocols do make it difficult, if not impossible, for reviewers to thoroughly assess a protocol.

4.2 Theme 2: Informed consent (n = 61)

Issues of informed consent are the topic of feedback 24.9% of the time and focus on what the researchers call the presentation of the research to the participants. The necessity for informed consent in research is widely acknowledged (Jefford & Moore 2008: 485, Wolpe 2006: 1024) although researchers may disagree as to the best way of obtaining informed consent (Haggerty 2004: 405). From a modernist perspective, informed consent is viewed as a contract or a requirement that is dispensed with at the start of the study. Postmodernist researchers, in general, experience problems with informed consent because it can be viewed as a quality of the emerging relationship between the researcher and the participant.

While it is difficult to predict or capture the complexities of the ultimate interchanges between researcher and participant that constitute informed consent, it is argued that the information researchers provide to the ethics committee about their strategies to obtain or negotiate informed consent is unavoidable. Demonstrating what will be considered in obtaining informed consent is the only information reviewers have at their disposal to judge the extent to which researchers are ethically aware, and whether they have applied sound reasoning in terms of the decisions they will make in respect of their potential participants, as well as assessing potential risk to participants. The signing of informed consent is recognised as a symbolic act that does not necessarily indicate understanding on the part of the participant (Jefford & Moore 2008: 486). Ethics committees need to know how the applicant proposes to obtain informed consent. Jefford & Moore (2008: 486) point out that participants place a great deal of trust in the researcher and would consent to more risky research although less risky options are also presented to them. This could be an indication of their trust that the researcher would not unnecessarily place them in harm's way. Thus, as Varnhagen *et al* (2005: 38) discuss, participants do not to a large extent provide informed consent at all because very few peruse the letter of informed consent. For this reason, ethics review of research protocols can act as a protective mechanism for participants

by raising issues which participants may, for some reason, not raise themselves.

Against this background, feedback from the ethics committee reviewers at times indicated that the participants' trust in researchers obligated the latter to disclose the nature of the research to the participants, but that such disclosure did not necessarily take place. Non-disclosure on the part of applicants included the omission of research activities in which participants would be required to engage; time investments that would be required from the participant, and the nature and occurrence of activities that could reasonably affect prospective participants' decision and preparation to participate. Jefford & Moore (2008: 489) note that disclosure requires not only a statement of the facts, but also that the researcher promotes the participants' understanding of the research project and the voluntary nature of their participation. For example, ethics reviewers' feedback pointed out that researchers did not disclose sufficiently who would have access to sensitive and personal data, or the formats in which data would ultimately be published. Reviewers considered that these factors reasonably influence participants' decision to participate. Reviewers regarded disclosure as especially important when the gathering of visual data could compromise participants' privacy. In some instances, access to information became a critical point of reviewer feedback in systemic educational research. Examples include instances where a researcher would propose to gather data from the principal, the teachers and the learners in a school setting. In some of these instances, research instruments required learners to evaluate their teachers or teachers to evaluate their principals. These instances were considered significant and problematic because the principal nominated the teachers to participate and the teachers nominated the learners who would participate. To aggravate matters, such studies were often qualitative case studies with a limited number of participants, making it easy for any participant to establish the identity of other participants in the study. In such instances, reviewers stressed the importance of alerting participants to the fact that the identity of data sources may be compromised in an effort to allow participants the freedom to choose to decline participation or

at least to choose what they wanted to disclose, especially as children will rarely refuse a teacher's request to participate in research.

In the majority of the protocols they analysed, reviewers regarded it as a problem that researchers did not make formal statements about the possible benefits to the participant or alternatively, nature of risk, even if negligible, as a result of participation. Providing information about risk and benefit is a key aspect of informed consent (Jefford & Moore 2008: 486), although it is acknowledged not to be as straightforward in ethnographic research (Bosk & De Vries 2004: 253), but none of the protocols in the study were described as ethnographic in nature. The researcher's conceptualisation of risk frequently lacked sufficient recognition of the extent to which dual boundaries between researcher and participants or among participants themselves could lead to conflict of interest. In addition, limits or threats to privacy and confidentiality as a result of the particular type of sampling strategy employed were not acknowledged. In terms of benefit, the majority of researchers stated in their applications to the committee that the research did not provide any direct benefit to the participants at all, but neglected to state this in the letter of informed consent, presumably because it may adversely affect participation. It can be argued that researchers can still behave unethically despite an acceptable letter of informed consent and ethics review. Ethics committees cannot be expected to regulate the personal integrity of applicants. However, the letter of informed consent remains an important document indicating the extent to which applicants considered the ethical dimensions of their proposed study.

Nearly all the researchers in the present study routinely offered absolute confidentiality and voluntary participation to their participants. However, these topics became the focus of feedback from reviewers when the research design or sample selection strategy contradicted statements in the letters provided to participants and clearly compromised the researchers' ability to offer voluntary participation and confidentiality. Classic examples in the protocols that were analysed include offering anonymity to participants in focus group interviews without discussing the limits on confidentiality; offering learners in classroom action research the option to withdraw

from the research and by implication, teaching. Educational action research falls within an ethical grey area (Shi 2006: 208), and some of these examples appear to confirm the fact that researchers seem ill-equipped to reflect on the complexities of meeting ethical standards in action research. Other examples that complicate voluntary participation include requesting the principal of the school as a figure of authority to seek learners' voluntary participation, or supervisors who require students to collect data for them as part of the student's course requirements without considering the extent to which students may feel forced to participate because their work (which becomes research documents) will be assessed. In these instances, researchers were encouraged to approach students for informed consent to submit their work for research purposes only after all assessment by the researcher has been concluded.

4.3 Theme 3: Research design (n = 48)

Feedback on the research design of a protocol is the subject of ethics committee feedback in 19.6% of the cases. In terms of ethics review, the research design is the way in which the researcher conceptualises the research as an unfolding process. Assessing the ethical compliance of a research design is one of the most contested aspects of ethics review because comments about the appropriateness of the research design are generally not viewed as part of an ethics committee's task. Yet, problems related to the design of a study can have numerous ethical implications. Some research designs such as participatory action research (Khanlou & Peter 2005: 2333) and classroom action research (Shi 2006: 208) make ethics review particularly challenging and need flexibility on the part of both the researcher and the ethics committee.

The three issues most frequently addressed in the research design category included remarks about the researcher's rationale for a particular research design in light of the research question; the quality and appropriateness of the data collection instruments, and the continuity of the researcher's decisions in the planning, action and dissemination phases of the study. In terms of the rationale, ethics committee feedback ranged from requiring applicants to provide

proper justification for conducting the research and to justify the intrusion in the lives of participants, to requesting researchers to justify type and/or content of data collection instruments where it seemed that the appropriateness or intrusiveness of data collection procedures could not be justified in light of the research question. These comments address the need for research studies to have an acceptable risk-benefit ratio (Khanlou & Peter 2005: 2335) if they are to be viewed as ethically sound. This is, however, a complex issue as Barke (2009: 346) points out because ethics committees frequently believe that the research design is part of the purview of review, whereas applicants do not. The present analysis shows that researchers often do not justify in their protocol their reasons for collecting sensitive and private information (in particular, racial data or personal information) when the research question did not seem to merit it. Student-researchers, in particular, tend to submit ill-conceptualised and hastily designed observation schedules and questionnaires. Reviewers then usually require the researcher to justify how they will ensure the quality and integrity of the data and that the particular instrument can answer the research question sufficiently. On the other hand, researchers conducting research in an action research framework usually find it difficult to specify in advance what information they will collect and how intrusive such information could be. In the present analysis, the continuity of the research design frequently affected the researcher's ability to maintain participants' confidentiality or the requirement for voluntary participation. For example, a great deal of the systemic research in school settings often involves multiple participants known to one another in one school, making it difficult to guarantee confidentiality where the topic requires it. Researchers are generally not unaware of how their sampling and data collection choices impact on their ability to offer voluntary participation and confidentiality.

In addition, action research in schools and higher education contexts often concerns a lecturer-researcher involving students in multiple roles. Students are required to complete assignments as part of course credit and/or to submit their work in schools as part of their training, and such data are utilised by lecturers for their own

research purposes. Negotiating voluntary participation on the part of students and the participants in the school setting or community, and balancing the role conflicts that arise in these situations require careful thought and frequently becomes the topic of ethics committee feedback to researchers, in particular with respect to the relationship between researcher and participants.

3.4 Theme 4: Relationships (n = 32)

Feedback in the relationships category deals implicitly with the power differentials between researcher-practitioners and participants. Representing 13.1% of the ethics committee feedback to researchers, the main components of this feedback centred on the issues of role conflict and captive participants. Role conflict was evident in instances where a teacher would choose to include the learners in his/her own class in his/her research. When a teacher takes on the additional role of researcher, learners can find it difficult to know when they can voluntarily choose to participate in research activities as learners, or when they can decline as participants. In addition, they are captive participants because they cannot leave the class if they wish not to participate in the teacher's research.

From the perspective of ethics committee reviewers, the need to negotiate power differentials in the research design merits a high-risk assessment because participants have such a high level of unquestioned trust in researchers. Yet, researchers frequently appear to underestimate this aspect. Analysis of the feedback involved protocols where consistent themes included students who conveniently select fellow students as participants without considering the conflicts that may arise between the various roles that have to be negotiated; in a higher education setting, lecturers recruit students whom they are currently teaching in their classes for their own research projects; in school settings, teacher-researchers approach colleagues in their school for participation in a study, presumably because their colleagues are more likely to consent to participate. The selection of participants in such instances is often based purely on convenience and availability, even when a different

sampling strategy would clearly yield a more representative and less biased sample with obvious advantages for data integrity.

4.5 Theme 5: Sample selection (n = 24)

Sample selection centres on participation and formed the topic for feedback 9.8% of the time. The themes in this category to a large extent reflected sampling criteria issues such as fairness, convenience, justification, and risk issues such as grounds for exclusion, pressure to participate, and voluntary requirements. Although sampling as part of the research design also raises ethical questions, it is analysed in this instance as a separate theme. The reason is a narrower focus on sampling criteria for purposive sampling and the extent to which sound judgment and fairness on the part of the researcher is employed when using objective criteria other than mere availability of participants when choosing to include or exclude participants from the study.

In terms of sampling criteria, analysis of the ethics committee feedback shows that applicants frequently did not justify their sampling criteria sufficiently. Themes identified in reviewer feedback include the researcher's lack of scientific justification for convenience sampling (in particular, in relation to faculty-student research as pointed out by Ferguson *et al* 2004: 8), and unfair or lack of explicit, objective and fair selection criteria. In such instances, researchers simply stated (in qualitative research) that they would include those participants who provide the "richest" data. Clearly, such vague strategies can lead to biased sampling where researchers exclude participants whose data may not conform to an emerging theory, or to include data of participants with whom they agreed.

A typical example illustrating lack of clear sampling strategies was found in studies where researchers propose to begin their research with a large focus group and then subsequently "select" some of the focus group members for individual in-depth interviews. Invariably, the criteria for the selection and exclusion of certain focus group members were never mentioned. Consequently, the researchers could perhaps choose those focus group members who seem exceptionally forthcoming, or who agree with their perspective or analysis of

the problem, while disregarding other focus group members. The problem with such a strategy is that some focus group members may be left with the impression that they were not included for follow-up interviews because they did not please the researcher sufficiently, or did not say the right things, or that their views were not acceptable. Thus, using open invitations that allow focus group members to decide rather than the researcher to choose may be more desirable because it enhances voluntary participation.

Another typical ethical issue related to sampling selection, specifically in higher education settings, is related to the principle of voluntary participation: lecturer-researchers involve their students in their research by asking them to complete certain learning activities as part of an assignment required for the module. Such sampling strategies require extra care to ensure that students are able to decline participation without fear of being discriminated against by the lecturer when marks are assigned. In such instances, students have no choice but to complete an assignment for course credit, but they should be offered the opportunity to agree whether their work may be included as data in the lecturer's research. When lecturers involve their own students as research participants by using their assignments as a source for data, the student finds it difficult to decline without being concerned about the consequences of declining. The power differences in student-faculty relationships are generally well acknowledged and the ethical and methodological pitfalls of faculty research involving students in faculty research have been described extensively (Ferguson *et al* 2004: 8-12).

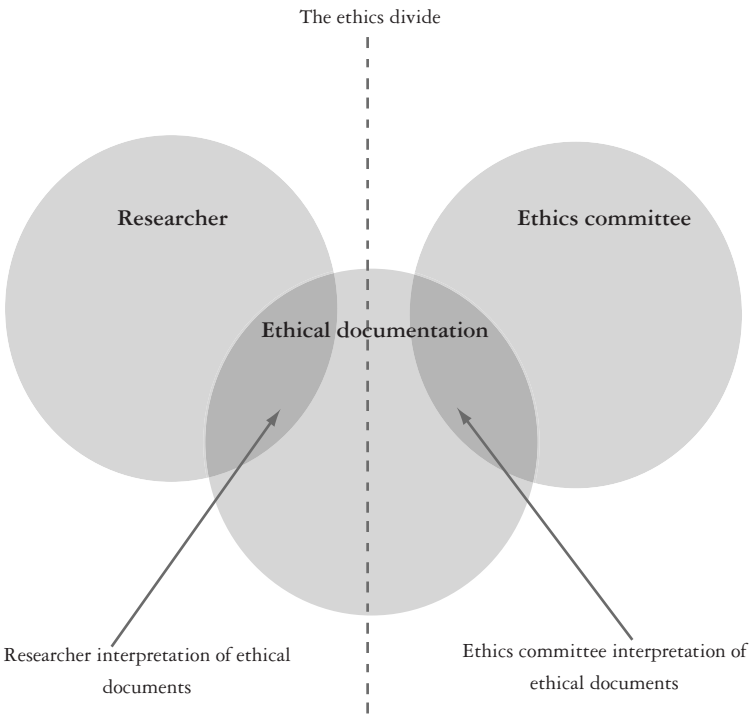
5. Implications

The ethical issues that form the subject of analysis in this study arose in the context of student-researchers and their supervisors preparing their research protocols for ethical review, and reflect the issues highlighted as a result of the ethics review. One of the major limitations of this study is that all the research protocols that were analysed stem from one faculty at one university. As

such, this analysis is exploratory at most, and makes no claim to be representative of experiences at other faculties or universities.

All of the protocols that were analysed were ultimately approved once the applicants had addressed the reviewers' feedback. Thus, the results of the analysis do not permit any conclusions concerning ethical transgressions in academe, but rather shed some light on the complexity of aligning researchers' and ethics committees' interpretation of institutional ethics policies and guidelines. An ethical divide exists when ethics committees and researchers engage with ethical policies and guidelines with little agreement between them about ethics (*cf* Figure 1). In such instances, lack of agreement often leads to conflict between researchers and ethics committee.

Figure 1: The ethics divide

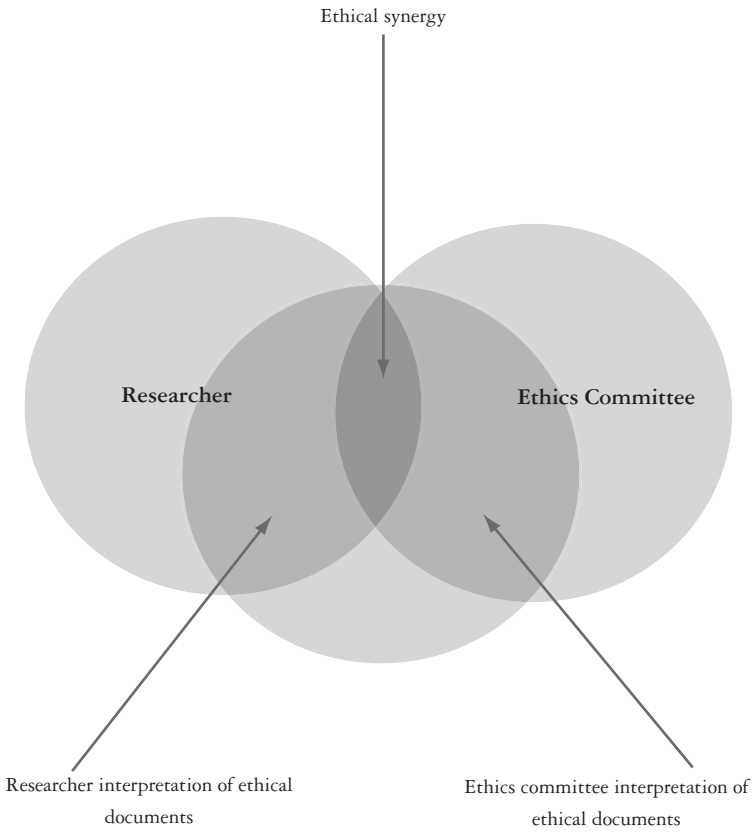


The ethical divide depicted in Figure 1 alludes to a lack of open communication between ethics committee reviewers and applicants concerning the process of ethics review. One possible reason for such lack of communication that may have contributed to complicating the review process immensely is the ethics committee members' dual role of reviewing students' and colleagues' applications critically and objectively while maintaining close and collaborative collegial relationships. As a result, there is a constant tension between choosing to maintain the integrity of the ethics review process at the expense of collegiality, and maintaining collegiality at the expense of the integrity of the review process.

On the other hand, ethical synergy can exist when researchers and ethics committees interact and there is agreement concerning the expectations and requirements of ethics review (cf Figure 2). Ethical synergy requires more communication between ethics committees and applicants, significant emphasis on educating researchers about the institution's ethical policies and guidelines, a commitment from faculty staff to comply with ethics policy, while also maintaining openness to debate ethical issues in accepted academic forums such as seminars and workshops.

At the institution where this study was conducted, all research protocols involving human respondents must be submitted for ethical review. In the Education Faculty, all students who wish to conduct research do so in collaboration with their advisors once the research project has been approved by a research proposal committee. It is surprising that, despite these quality assurance mechanisms being available to researchers, the majority of ethics committee feedback includes relatively minor issues related to non-adherence of formal and institutional guidelines (32.7%). This result can have many interpretations. On a superficial level, the majority of applications for ethical clearance are primarily for student research and may to some extent reflect students' unfamiliarity with formal and institutional requirements.

Figure 2: Ethics synergy



The majority of academics are not formally trained to supervise postgraduate students, and these results may suggest that closer attention should be paid to preparing academics for postgraduate supervision. On a deeper level, taking into account the academics' general resistance to ethics review, the results could also indicate the academics' passive resistance to the requirement for ethical review as they believe that ethics committees threaten their right to academic

freedom. As illustrated earlier, many authors report on the seemingly constraining process of ethics review, thus creating the impression that academics and researchers are at the mercy of ethics committees (Haggerty 2004: 412). In addition, the collaborative nature of the application and the mentoring relationship between the student and the supervisor can also reflect a problem in conceptualising the individual responsibilities of students and their advisors in relation to one another when applying for ethical clearance. Anecdotal evidence from the institution where the analysis was conducted led the researchers to believe that students think their supervisors will take final responsibility for ethical clearance, whereas supervisors believe that the student should take full and final responsibility for ethical clearance. This is indicative of an ethical divide between students and supervisors as a result of mismatched expectations. An increased administrative burden on faculty members to manage such administrative processes may also aggravate matters. In addition, researchers face many practical difficulties in conceptualising and carrying out a research project. Arguably the majority of ethics committees expect a well-written, well-thought through application that creates nearly an ideal picture of what should happen during the research process. However, as Haggerty (2004: 408) points out, some academics have indicated that they made up interview questions to satisfy the REB demand. Clearly, such resistance will only add to complicate reviews, especially if academic mentors transfer these attitudes to their postgraduate students. Nevertheless, this also highlights the increasing demands placed on academics in ethics review.

The preceding discussion provides some support for Fitzgerald & Phillips' (2006: 66) assertion that the administrative aspects of ethics review generally dominate when it comes to researchers' frustrations. Yet, there are four remaining themes of feedback related to the actual process of ethics review, according to Fitzgerald & Phillips' (2006: 66) model, namely informed consent, research design, sampling strategies and power relationships. These themes merit deeper discussion because they reflect the intellectual choices that researchers make when they conceptualise their research project.

Bearing in mind that the majority of research reviewed in this study takes place in school and higher education contexts where multiple participants are expected to take on multiple roles, it is perhaps not surprising that researchers find it difficult to engage with these issues. It is surprising that researchers and their advisors consistently rate their research projects as low risk, despite their apparent difficulties in formulating ethical responses to the complexities inherent in these contexts. One explanation may certainly be that the ethics committee applies excessively stringent criteria in conceptualising risk in educational research. Ethics committees generally oversee the quality of the research conducted at an institution and advance the interests of the participants, the communities in which research is conducted, the researcher, the supervising academic, as well as the institution itself. Ethics committees would be cautious (cf Fitzgerald & Phillips 2006: 69) in an attempt to address imagined risks and fears, thereby creating some frustration for researchers.

Available evidence from the thematic analysis of ethics committee feedback also supports the possibility that researchers may not be aware of the factors that contribute to the ultimate risk assessment of a research protocol. Favouring such a possibility, the researchers are of the opinion that this may lead to significant improvements in ethics review if institutions allocate more resources for educating academics on the ethics of research. Such education should focus not only specifically on addressing themes such as research design, informed consent and power relationships, but also, more importantly, on educating students and academic staff on the supervisory relationship, as well as preparing them for the context in which supervision of academic studies takes place. This can contribute significantly to creating ethical synergy between researchers and ethics committees.

While the current analysis did not focus on ethical transgressions, it may also be helpful to understand the broader socio-political context of academic research that creates an environment likely to cause ethical transgressions. In an analysis of ethics in educational research, Howe & Moses (1999: 30) present researcher-researcher competition, funding conflicts, publication pressure and abuse of power as some

of the most significant reasons for the occurrence of ethical lapses in academe. From an organisational perspective (cf Eckmire 2007), the interaction between two variables, personal benefit and external pressure, is viewed as the main ingredient to create a context in which ethical dilemmas are likely to arise. Students, their supervisors and the institution stand to benefit a great deal from completing research quickly to ensure throughput. Students want to graduate, and their supervisors want to deliver postgraduate students (one indicator of their status as a researcher and often a requirement for promotion). Supervisors also rely on students' research for publication for purposes of funding opportunities. Institutions themselves are under pressure to deliver high-quality postgraduates who can contribute to the economy meaningfully, and similarly rely on quality publications as one indicator of their status as research institutions. All these pressures create an environment where the so-called publish-or-perish culture flourishes and where institutions and academics can lose perspective while they try to churn out as many publications as possible. Thus, we should be asking ourselves whether we are merely counting how many students and publications we deliver as quickly as possible, or are we ensuring that our students come to understand the privilege they have of questioning, engaging and contributing to society in an accountable and responsible manner? In this regard, ethics committees have a considerable job in terms of educating students and academics about the purpose of ethics review.

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