

Psychology and Neuroscience Ethical Review Committee Regulations

Preamble

The faculty board of the Faculty of Psychology and Neuroscience (FPN) at Maastricht University (UM) founded an ethical review committee in 2002, which today is called the Psychology and Neuroscience Ethical Review Committee (ERCPN), hereinafter referred to as 'the committee'. These regulations set out the duties, powers and working method of the committee.

Definitions

In these regulations, the following terms shall have the following meaning:

- a. *committee* – the Psychology and Neuroscience Ethical Review Committee;
- b. *executive committee* – the executive body of the committee comprising the chair, vice-chair (if appointed pursuant to Article 4.3) and secretary of the committee;
- c. *faculty* – Faculty of Psychology and Neuroscience;
- d. *faculty board* – the faculty board of the Faculty of Psychology and Neuroscience;
- e. *researcher* – the individual carrying out the scientific research who is primarily responsible for the design and procedures and intended first author in formal publication and who has submitted an application to the committee for ethical review of the scientific research. This can concern postdoctoral researchers and PhD students employed by the faculty. Bachelor's and masters' students, as well as external (faculty non-employed) PhD students do not fall within the scope of researcher as defined here;
- f. *scientific research* – psychology and neuroscience research that uses test subjects or data which can be traced to individuals and that is submitted to the committee for review;
- g. *students* – bachelor's and master's students enrolled with the faculty or another university faculty and who are conducting scientific research;
- h. *test subjects* – participants in scientific research;
- i. *university* – Maastricht University.

Article 1 Objective and remit

1.1: The committee is tasked with ensuring the professional, independent and efficient review of scientific research, with encouraging a sense of values being maintained in keeping with psychology and neuroscience ethics standards as well as in a general scientific ethical sense, and with promoting this as a basis for the responsible performance of faculty employees and students regarding:

- maintaining the safety, well-being and personal integrity of test subjects and individuals whose data is being used and who can be traced individually as a result;
- respecting and upholding the rights of test subjects and individuals whose data is being used and who can be traced individually as a result;

- ensuring maintenance of the code of conduct regarding test subjects and individuals whose data is being used and who can be traced individually as a result.
- 1.2: Scientific research involving vulnerable individuals or groups requires special attention.
- 1.3: The committee is authorised to review scientific research involving researchers who are employed by the faculty. The committee is also tasked with providing a further opinion on any proposed changes to scientific research that received a positive assessment from the committee earlier.
- 1.4: The committee is also authorised to provide a further opinion on scientific research that received a positive assessment from the committee earlier, but which has a notably less favourable course for test subjects than envisioned in the research proposal.
- 1.5: The committee can determine further rules in order to acquaint itself with the progress of scientific research which is being conducted.
- 1.6: The committee is tasked with dealing with affairs connected to scientific research and advising the faculty board on this either voluntarily or at the latter's request.
- 1.7: The committee may make proposals concerning procedures and guidelines to authorised administrative bodies regarding the matters outlined in the above paragraphs.

Article 2 Review and the review framework

Committee review is based on a range of criteria related to due care and proportionality, as outlined in – but not restricted to – the 'Code of Ethics for Research in the Social and Behavioural Sciences Involving Human Participants'¹, the Code of Conduct for the Use of Personal Data in Scientific Research (*Gedragcode voor gebruik van persoonsgegevens in wetenschappelijk onderzoek*)², the Personal Data Protection Act (Wbp: *Wet Beschermings Persoonsgegevens*), the Netherlands Code of Conduct for Scientific Practice (*Code Wetenschapsbeoefening*)³ and the Dutch Code of Ethics for Psychologists.⁴

If the committee is of the opinion that the scientific research is subject to the Medical Research (Human Subjects) Act (WMO: *Wet Medisch-Wetenschappelijk Onderzoek met Mensen*), approval of the study must be applied for from a medical ethical review committee recognised pursuant to the WMO.

Article 3 Compulsory application for approval of scientific research

- 3.1: Approval from the committee for all planned scientific research must be applied for in conformance with the procedure determined by the faculty board. The

¹ Adopted by the deans of Social and Behavioural Sciences within the framework of the Association of Universities in the Netherlands (VSNU), 2016.

² VSNU, 2005.

³ VSNU, 2014 updated version.

⁴ NIP, 2015.

provision in the previous sentence does not apply in the event that it is clear in advance that the scientific research must be assessed within the framework of the WMO.

- 3.2: The faculty board will ensure that researchers and students do not conduct scientific research, and that faculty facilities are not used for scientific research before this has been submitted to the committee and the committee has issued a positive advice to the faculty board.

Article 4 Composition, appointments and membership

- 4.1: The composition of the committee ensures that there is a suitable range of expertise to assess the scientific research which has been brought before the committee. In addition, the committee preferably should include a lawyer, a physician, and either an ethicist or a philosopher.
- 4.2: The committee will comprise at least five members. Members will be appointed upon nomination by the committee, keeping in mind the composition set out in paragraph 4.1. The members are appointed by the faculty board for a period of three years. with the option of one-off immediate reappointment for the same period. In principle, members are nominated and appointed on the basis of open recruitment within the faculty, taking into account the aforementioned distribution.
- 4.3: The faculty board will appoint one of the committee members as chair and, at the request of the committee, one of the other members as vice-chair of the committee.
- 4.4: Furthermore, membership of the committee will end :
- a. by voluntary resignation;
 - b. when the appointment with the faculty or the appointment with another organisation than the faculty which led to the committee membership has ended.
- 4.5: Other than at the member's own request, committee membership can only be prematurely ended by the faculty board upon the reasoned recommendation of at least two thirds of the committee members if the member in question:
- a. fails to carry out the duties required of a member or chair of the committee to a sufficient extent;
 - b. must be considered to be no longer capable of carrying out their duties as a result of their physical or mental condition.
- 4.6: The secretary will ensure the reporting surrounding the appointment and dismissal procedure.

Article 5 Executive committee

- 5.1: The executive committee comprises the chair, vice-chair (if appointed in accordance with paragraph 4.3) and secretary. In principle, the executive committee will meet once a week in the presence of the secretariat.
- 5.2: The executive committee is charged with:

- preparing matters which will be brought before the committee for decision making;
- ensuring the required documents are made available to the committee members;
- assuming responsibility for the implementation of the decisions;
- conducting any duties yet to be included in the regulations;
- informing committee members of relevant policy matters;
- maintaining contact with the faculty board and any other relevant bodies within and outside the faculty.

Article 6 Meetings and meeting minutes

- 6.1: The committee will meet once a month. The fixed meeting schedule may be deviated from at the initiative of the executive committee.
- 6.2: The secretariat will set the meeting schedule and convene the meetings. In consultation with the executive committee it will set the meeting agenda. The secretariat will ensure that the committee members receive the meeting agenda one week before the meeting, as well as the relevant protocols and associated documents, and any other documents required for the meeting.
- 6.3: The meeting schedule is public information and will be posted on the faculty website.
- 6.4: The meetings are not public. The secretariat will ensure that minutes are kept of the meetings.
- 6.5: The minutes will be approved in the next meeting, after any required changes have been made. The approved minutes are confidential. When convening, the committee may dispense with confidentiality, in part or entirely.
- 6.6: If so required and desired, the committee can allow the researcher to provide the committee, or the executive committee supplemented by a number of committee members for this purpose, with further information in person.

Article 7 Decision-making process

- 7.1: The committee will decide by majority vote on the admissibility of scientific research. Any changes to the procedure are preferably made after a unanimous vote to do so, and will not be valid in any case unless endorsed by at least two thirds of the votes cast.
- 7.2: Legally valid decisions may only be made in meetings where the chair or the vice-chair (if appointed pursuant to paragraph 4.3) as well as three committee members are physically present.
- 7.3: In deviation from paragraph 7.3, the chair may determine that in exceptional cases solely a written vote will suffice for the purpose of deliberation and decision-making.
- 7.4: If the chair or a member is in any way directly involved in the scientific research being deliberated, they will take part in the meeting but not in the decision-making process regarding the scientific research in question.

- 7.5: The chair is authorised to make decisions outside the committee meeting, together with at least one other committee member, concerning scientific research that students have set up and must conduct as part of their degree programme.
- 7.6: Decision-making in the committee meetings is conducted verbally unless the chair, whether or not at the request of one or more of the members present, decides to take a written vote.
- 7.7: Members who adopt a minority position regarding a decision may request the secretary to make explicit mention of the fact in the minutes.
- 7.8: The faculty board is informed of committee decisions in a written advice, a copy of which is sent to the leading responsible researcher.

Article 8 Information authority

- 8.1: Either of their own accord or at the request of a committee member, the committee or chair may apprise themselves of the course of events regarding, and the psychology and neuroscience ethical aspects of scientific research which is being conducted. To this end they may request a researcher or researchers, and anyone acting under the latter's supervision, to provide all the information and documents that they deem they require to assess said course of events regarding the scientific research.
- 8.2: The committee will also deal with other matters of a psychology and neuroscience ethical nature connected to scientific research as soon as such matters are brought to the committee's attention.
- 8.3: In relation to matters set out in paragraphs 8.1 and 8.2, the committee may present the researcher with a further decision or issue an opinion to the faculty board, either upon request or of its own accord.

Article 9 Consultation

- 9.1: Regarding the psychology and neuroscience ethical aspects, the committee has a consultative role for researchers, for the individuals responsible for scientific research and for test subjects and other individuals directly involved in the scientific research.
- 9.2: The committee may also use information it has received via consultation, as referred to in paragraph 9.1, in its review of scientific research.

Article 10 External experts

- 10.1: The committee may request advice from external experts if this is required in order to arrive at a proper and well-considered decision. To this end, external experts may be invited to furnish written advice and/or to join the deliberations within the committee.

- 10.2: The committee may not accept anonymous advice.
- 10.3: With regard to external experts, as referred to in paragraph 10.1, the provisions of Article 11 regarding confidentiality and the disclosure and public nature of ancillary positions apply *mutatis mutandis*.
- 10.4: If an expert is required on an incidental occasion, the chair or the secretary will ensure that the expert has no interest in the scientific research in question, nor fulfils any ancillary positions which are relevant to the research, and will record this.
- 10.5: External experts will only have access to those parts of the dossier that they are advising on, such to be provided to them by the committee members.

Article 11 Confidentiality and independence

- 11.1: The chair and the committee members are required to maintain confidentiality regarding data which the committee has access to in conducting its duties and which is either explicitly designated as confidential or which implicitly should be considered confidential by nature.
- 11.2: Confidentiality must be maintained after committee membership has ended.
- 11.3: Confidentiality also applies to other individuals than those mentioned in paragraph 11.1 who are involved in the implementation of one of the committee duties.
- 11.4: After their committee membership has ended, the former members must destroy any documents still in their possession regarding their committee work, or relinquish such material to the secretary who will ensure its destruction.
- 11.5: Members of the committee may not fulfil any ancillary positions which are incompatible with proper fulfilment of their duties and which could compromise their independence and the trust instilled in them. Members will inform the chair of any ancillary positions which are incompatible with proper fulfilment of committee membership duties.
- 11.6: The chair will keep a list of ancillary positions and make this available for perusal at the committee secretariat.

Article 12 Support

- 12.1: The faculty will ensure adequate support for the committee provided by a secretary and one or more administrative assistants.
- 12.2: The secretary is tasked with the daily management of the secretariat.

Article 13 Remuneration

The chair and members of the committee will be compensated for the work they carry out for the committee in the form of teaching hours. The faculty board will determine the level of the compensation.

Article 14 Complaints procedure

As a further elaboration of the provisions of the General Administrative Law Act (Awb: *Algemene wet bestuursrecht*) regarding the settlement of complaints, the committee will ensure that a complaints procedure is published for test subjects and researchers regarding scientific research.

Article 15 Documentation

- 15.1: The secretariat will ensure that the committee documents are stored systematically. A dossier will be created for every application, including all the documents and information concerning the application, the review, etc.
- 15.2: Direct access to this documentation is restricted to the chair of the committee, the secretary and the secretariat staff.
- 15.3: The secretariat will ensure adequate security regarding the documentation being stored.

Article 16 Annual report

- 16.1: The committee will report annually on its activities in the previous calendar year.
- 16.2: The secretary will send the faculty board a copy of the annual report.

Article 17 Final provisions

- 17.1: These regulations may be amended if two thirds of the committee members have voted in favour of doing so, whereupon the proposed amendments will be presented to the faculty board.
- 17.2: The chair, the members and the secretary of the committee may propose amendments.
- 17.3: In cases not covered by these regulations, the executive committee will decide in consultation with the committee.

These regulations were adopted with amendments on 29 January 2008, 8 November 2016 and 1 September 2020 by the Faculty Board.