

External applications to conduct research in TAFE NSW Procedure

Approved by: Associate Director Education Risk

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Summary



1 Purpose

This procedure applies to applications for research within TAFE NSW to be carried out by researchers external to TAFE NSW or by TAFE NSW staff as part of higher education study external to TAFE NSW (see 2.1 and 2.2). All research should contribute to the achievement of the State's strategic directions, Premier's Priorities and the current TAFE NSW Strategic Plan.

This procedure has been developed to ensure a consistent approach to approving external research activity that involves TAFE NSW so that:

- a uniform standard of protection is provided for all TAFE NSW students and staff from adverse impacts of external research
- decision making related to the approval of external research applications is consistent
- external research proponents / sponsors have a clear understanding of what is required in proposals

The procedure is intended as a basis for evaluating external proposals to conduct research within, involving or affecting TAFE NSW. Researchers are also required to conduct their research consistent with the code of ethics for affiliated institutions, or organisations, and to document details as part of their application.

Research cannot be conducted in TAFE NSW without the prior approval of the TAFE NSW Chief Product and Quality Officer. Researchers should send applications directly to the Chief Product and Quality Officer via email to qualitystandards@tafensw.edu.au.

If researchers require access to aggregated regional or state level data, they must complete the research data request Form 3.

Requests are reviewed by TAFE NSW on a case-by-case basis and must be approved by the Chief Product and Quality Officer before any research can commence.

2 Scope

2.1 Research covered by the procedure

The procedure covers research:

- by individual researchers external to TAFE NSW.
- by external organisations such as research centres and consultancies.
- that is part of a joint research proposal where TAFE NSW is approached by an external organisation seeking collaboration on a project that includes research within TAFE NSW
- by TAFE NSW staff as part of their higher education study external to TAFE NSW.

Research applications by TAFE NSW staff as part of their higher education study are treated in the same way as an application from an external researcher. TAFE NSW staff undertaking such research within TAFE NSW must provide written approval from their enrolling organisation as part of their research application.

2.2 Research outside the scope of the procedure

The procedure does not apply to research that is:

- Undertaken by TAFE NSW staff directly and wholly related to their work within the organisation. The researcher must seek approval for the internal research with their immediate manager.

- Unrelated to the provision of education and training, such as market research and educational planning research activity that occurs in TAFE NSW delivery arms and corporate areas. Approval of this activity is a matter for the relevant brand manager.
- Undertaken by TAFE NSW Higher Education staff as part of the scholarly activity requirement of their role, or by TAFE NSW Higher Education students as part of their studies with TAFE NSW.

Research on animals as part of TAFE NSW courses or by TAFE NSW staff / students is subject to approval by the TAFE NSW Animal Ethics Committee. TAFE NSW staff or students wanting to use of animals in research as part of TAFE NSW courses must contact the TAFE NSW Animal Welfare Secretariat and seek Animal Ethics Committee approval. If such approval is granted, approval under this procedure is not needed.

Researchers who are not sure whether this procedure applies to a proposed research project should seek the advice of the Quality and Standards branch via email: qualitystandards@tafensw.edu.au

3 Procedure

3.1 Criteria for TAFE NSW to approve research

TAFE NSW developed the following criteria to comply with the National Statement on Ethical Conduct in Human Research and the principles contained in the New South Wales *Privacy and Personal Information Protection Act 1998*.

Applications from potential researchers are required to comply with the following principles:

- a. Align with goals and strategic directions

Proposed research should align with the strategic directions of TAFE NSW, as set out in the current strategic plan or in any relevant published goals. Researchers can access TAFE NSW annual reports and strategic plans at <https://www.tafensw.edu.au/about-tafensw/one-tafe-nsw>.

- b. Informed consent

Researchers must obtain participants' consent before any research begins. They must supply all potential participants with an information sheet that outlines the nature and conduct of the research and any other factors they might reasonably expect to influence their willingness to participate.

Potential participants must be informed that:

- their participation is voluntary and they can withdraw their participation at any time
- if they decide not to participate in the proposed research, it will not prejudice their academic standing or relationship with TAFE NSW.

Researchers should also ensure that participants understand:

- the purpose, aims and significance of the research
- what participation in the research will involve and any risks related to participation
- how the information that they provide will be used
- the procedures for storing, accessing and disposing of data
- who the researchers are and any important details about their background, including their names, positions, how to contact them and institutional affiliations (if any).

Researchers must provide this information in writing and give participants an opportunity to ask questions about the research, expectations and any processes.

Participants must sign a consent form to indicate they understand they are being asked to provide consent to participate in the research, and their willingness to participate in the research project.

If there are significant changes in the nature or conduct of the research that may influence the participants' willingness to continue to be involved, the researcher should immediately inform them of the changes in writing. Researchers should also notify the Chief Strategy and Commercial Officer.

If the research participant is under the age of 18, to comply with Section 4.2 of the *National Statement on Ethical Conduct in Human Research*, the consent of a primary caregiver¹ and the consent of the participant is required. Researchers should fully inform primary caregivers of the intent and nature of the research. The primary caregiver must provide written informed consent.

Researchers can only conduct classroom observations with the informed consent of the class teacher, their manager and any other relevant staff members. If the research involves only observation of student participants, and no direct interaction with the researcher, it is not necessary to obtain their written consent. However, the teacher should make students aware of the researcher's presence and the purpose of the research.

c. Anonymity and confidentiality

External researchers undertaking research in TAFE NSW are required to adhere to the *Privacy and Personal Information Protection Act 1998* (NSW). TAFE NSW staff must also adhere to this legislation.

Researchers must protect the privacy, anonymity and confidentiality of research participants. If the research involves a survey, researchers should collect information anonymously. It should not be possible to link the information collected to individual participants.

When researchers gather information by audiotape or videotape, or identifying information is required to track participants in longitudinal studies, they must ensure the confidentiality of participants. People, other than the researcher, should not be able to link information collected to individual participants.

Researchers who wish to collect information that enables others to identify the participants must be able to demonstrate the necessity for collecting such information. Researchers must provide a clear statement on participant information sheets regarding any possibility of identification of participants and any limits on confidentiality. They must also obtain explicit agreement to these conditions on the participants' consent forms.

Research applications should outline procedures to ensure confidentiality including procedures for storing, accessing and disposing of data that enables participants to be identified (such as audio recordings and video recordings).

Researchers should only retain information for the time required to fulfil the research purpose. Personal information should be stored securely and protected by taking reasonable precautions against unauthorised access, use, modification or disclosure. It should also be disposed of securely.

Researchers must also obtain written consent to identify organisations other than TAFE NSW that are participating in the research. A senior authorised officer from the participating organisation can waive this condition if they consider it appropriate for the researcher to identify the organisation in the research report or outcomes.

d. Access to information held by TAFE NSW

TAFE NSW must comply with the *Privacy and Personal Information Protection Act 1998* (the Act) (NSW), and will review all requests for access to information in accordance with it.

¹ The term 'primary caregiver' is used throughout to refer to any person with the authority to provide the approval required by the *National statement on ethical conduct in research involving humans*.

i. Access to personal information

TAFE NSW will not disclose the personal information it holds to an individual or body unless the individual to whom the information relates has provided consent, or TAFE NSW is otherwise satisfied that the disclosure would be compliant with the Act.

Researchers should not seek personal information from TAFE NSW unless participants have provided express written consent for its release, or unless they can demonstrate that the disclosure would meet all of the privacy protection principles in the Act.

Researchers are encouraged to discuss privacy requirements with the Office of the Chief Product and Quality Officer via email qualitystandards@tafensw.edu.au before submitting an application.

ii. Access to student data and aggregated data

Researchers that require access to student data or aggregated data must complete the data planning request form (Application Form 3) and provide further information if required.

Researchers should note that the Chief Product and Quality Officer must approve the release of aggregated regional or state-level data, and will consider all requests on a case-by-case basis.

Researchers who are also TAFE NSW staff may have access to internal data sets that they plan to use as part of the research. In this case, researchers must summarise the data they will access and use as part of the research in the data planning form (Application Form 3).

e. Sensitivity

TAFE NSW has a responsibility to ensure its students, customers and staff are treated with sensitivity with regard to their personal and private lives and their cultural, religious and other beliefs. All researchers have a responsibility to be aware of cultural, religious and other differences in the research population. The Chief Product and Quality Officer will only approve proposals that are sensitive to, and respectful of, these differences.

f. Minimisation of risk or harm

TAFE NSW has a duty to ensure that students receive the best possible education and training and are protected at all times from physical, psychological and other forms of harm. Research conducted in TAFE NSW should not adversely affect students' educational progress or students' and other individuals' well-being. Adverse effects can result from:

- loss of privacy
- loss of educational opportunities
- harmful social, cultural, psychological or other consequences (eg. from the collection of information that may result in individuals becoming distressed or being 'labelled' or categorised in particular ways by their peers).

g. Public liability insurance

TAFE NSW requires researchers to hold public liability and workers' compensation insurance for the term of the research project. Usually the researcher will be covered by the institution in which they are enrolled or by their employer. Researchers must be covered by an insurance policy that includes:

- a broad form of public liability insurance in the amount of not less than \$10 million in respect of each and every occurrence and unlimited in the aggregate for the period of the project
- professional indemnity insurance in the amount of not less than \$10 million in respect of any one occurrence

- workers' compensation insurance in accordance with NSW legislation² in respect of all research staff.

TAFE NSW requires researchers to provide evidence of their or their organisations' insurance cover. This is usually in the form of a copy of a certificate of currency and includes details of the insurer, the cover, value of the insurance, the parties insured and the terms of the insurance.

h. Prevention of unnecessary disruption

TAFE NSW has a responsibility to ensure that research activity does not impose an undue burden on TAFE NSW staff or its students. The level of disruption that TAFE NSW considers acceptable will depend on the potential value of the research. TAFE NSW will not approve research that imposes unacceptable levels of disruption to teaching and learning programs or the work of corporate areas.

i. Appropriate research methodologies

TAFE NSW must ensure that research methodologies are appropriate and likely to provide valid findings. The researcher should articulate and provide justification for the methodology and outline strategies to ensure methodological validity and reliability. The Chief Product and Quality Officer can withhold approval of studies that TAFE NSW considers are methodologically inadequate.

Researchers must also present their research findings fairly and accurately.

j. Commercial gain

TAFE NSW does not generally approve research that is primarily for commercial or material gain.

k. Research in an environment where there are students under 18 years of age

Researchers wishing to conduct research with students under 18 years of age, or in an environment where there are students under 18 years of age, must comply with NSW Government and TAFE NSW policies related to working in an environment with participants under 18 years of age.³

TAFE NSW cannot approve any application to conduct research that involves students under 18 years of age until all researchers have successfully completed a Working with Children Check.

TAFE NSW may provide provisional approval for a project, but the research cannot start until all researchers have successfully completed Working with Children Checks. This check applies to all paid researchers and any unpaid volunteers assisting with the research (e.g. post graduate students). It involves a national criminal history check and a check of reported workplace misconduct.

Details related to the Check are available at Appendix A. Researchers must provide TAFE NSW with evidence of a completed Check for all paid and unpaid staff involved in the project.

Researchers must also comply with all TAFE NSW Child Protection Policies and Procedures.

Researchers must demonstrate their awareness and acknowledge their responsibilities in relation to the TAFE NSW procedure, *Protecting and Supporting Children and Young People*. This procedure details the steps that staff must follow when they develop concerns about suspected risk of harm to a child or young person or 'a class' of children or young people.

3.2 Process to apply to conduct research

When seeking approval to conduct research, researchers should submit the following documentation. Forms to use as part of the application are included on the TAFE NSW website.

- a. Application to conduct research in TAFE NSW (Form 1)

² *Workers Compensation Act 1987 (NSW) and Workers' Compensation Regulation 2010 (NSW)*

³ *Children and Young Persons (Care and Protection Act) 1998 (NSW)*

The application should provide essential details of the proposal and the researcher(s).

All researchers must complete and sign this form to acknowledge that the information supplied is correct and that they agree to conduct the research in accordance with the criteria for approving applications to conduct research in TAFE NSW (see section 3).

b. Proposal outline

Researchers should provide an outline of the research proposal. This should indicate the:

- research questions or hypotheses
- context and background for the research
- purpose of the research
- how the research is to be used
- means by which the data/information will be gathered
- participants from whom the data/information will be gathered
- methods for ensuring the privacy of participants
- name of organisation for whom the research is being conducted (if any)
- planned time-line for the research.

c. Research instruments

The researcher must submit copies of interview schedules, questionnaires or other data collection instruments (including tests or stimulus materials). These are to be in the final form proposed for use.

Where the researcher modifies the research instruments, they must submit the revised copies to the Chief Strategy and Commercial Officer before using them with participants.

d. Research dissemination of finding/outcomes

Researchers should provide details of the proposed publication and dissemination of findings/outcomes the proposed research.

Prior to publication, they must provide a copy of the final report to the Chief Product and Quality Officer for approval.

e. Working with children documentation

All paid and unpaid members of the research team must provide a Working With Children clearance number, their full name and date of birth.

f. Information and consent letter

Researchers must distribute an information letter to research participants, including those under 18 years of age and their primary caregivers. The letter must include a section that allows the participant, or their primary caregiver, to provide informed consent.

Information and consent letters must satisfy the requirements of section 3.3 of the criteria for approving applications. Researchers should attach the proposed letter to the research application.

g. Approval for the research from a higher education ethics committee

Higher education staff and students should submit research proposals to the relevant authority at their institution to assess, and then submit it to TAFE NSW. If their institution requires the researcher submit the proposal to its human research ethics committee, the researcher must provide a copy of the committee's approval to TAFE NSW.

TAFE NSW asks committees not to make TAFE NSW approval a condition of their approval, or to grant approval subject to approval by TAFE NSW. TAFE NSW may consider the proposal while the ethics committee is making its assessment, but TAFE NSW will not provide final approval until the researcher supplies evidence of approval by the ethics committee.

There are particular requirements relating to ethics when undertaking research with peoples of Aboriginal or Torres Strait Islander background. References are included under Useful links (at Section 5).

h. Evidence of Public Liability Insurance

Researchers should provide evidence of insurance cover. This is usually in the form of a copy of a certificate of currency and includes details of the insurer, the cover, value of the insurance, the parties insured and the terms of the insurance.

i. External research referees reports (Form 2)

The application must include two current referees' reports. If the research is part of the requirements for the award of a university degree, at least one of the referees must be the student's supervisor.

j. External research TAFE NSW data request form (Form 3)

If the research involves TAFE NSW data, researchers should include a completed data request form as part of their application. TAFE NSW will consider data requests as part of the approval process.

k. Research application lodgement

The researcher must lodge applications including:

- Form 1: Application to conduct research in TAFE NSW
- Form 2: External researcher referee's report – Two referees
- Form 3: TAFE NSW data research request planning form
- All supporting documentation outlined above

Applications are made via the email address: qualitystandards@tafensw.edu.au.

3.3 TAFE NSW assessment and approval

All research involving TAFE NSW students, customers and and/or staff must be approved by the Chief Product and Quality Officer. Proposed projects must meet all policy, procedural and ethical requirements of working with TAFE NSW students and staff as detailed in these Procedures.

All research proposals should:

- a. satisfy the criteria for approving applications to conduct research (see section 3.1)
- b. include appropriate documentation (see Section 3.2 and Application Forms).

TAFE NSW may decide not to approve a research application, or may seek further information from researchers about their application, research process and methods of analysis.

TAFE NSW will communicate these decisions in writing to the applicant. If the Chief Product and Quality Officer approves a proposal, TAFE NSW will send researchers a conditional letter of approval signed by the Chief Product and Quality Officer pending submission of evidence of a current Working with Children Check for all members of the research team.

Note that the Chief Product and Quality Officer may withdraw TAFE NSW from the research at any time.

3.4 Resubmission

TAFE NSW will provide written notification to applicants whose research has not been approved that outlines why the application has been unsuccessful.

Applicants may resubmit their research for further consideration. A revised and resubmitted application must address the issues that TAFE NSW identified as inadequate in the written notice.

4 Responsibilities

Position	Responsibility
Applicant	Submit completed application form(s) and supporting documents required to assess research application
Authorised Officer	Receive application, review for completeness, request for missing information, prepare briefing to the CPQO, send for approval and communicate outcome with the applicant
Chief Product and Quality Officer	Approve / reject external research application

5 Related documents

The following links to documents and forms are included to assist in the development of research applications.

Strategic directions

A Vision for TAFE NSW:

https://www.tafensw.edu.au/_data/assets/pdf_file/0016/22570/a-vision-for-tafe-nsw.pdf

TAFE NSW Strategic Plan 2016 – 2022:

https://www.tafensw.edu.au/_data/assets/pdf_file/0015/24027/Strategic-Plan-FINAL-12-pager.pdf

TAFE NSW Higher Education Strategic Plan 2015-2018:

https://www.tafensw.edu.au/_data/assets/pdf_file/0005/7583/he-strategic-plan.pdf

Building a TAFE NSW for the future:

https://www.tafensw.edu.au/_data/assets/pdf_file/0020/24941/Building-a-TAFE-NSW-for-the-Future.pdf

Policies and procedures

TAFE NSW Code of Conduct and Ethical Practices:

https://www.tafensw.edu.au/_data/assets/pdf_file/0019/24463/Code-of-Conduct-and-Ethical-Practices-2016-APP-v3.pdf

TAFE NSW Child Protection Policy and Procedures:

<https://www.tafensw.edu.au/get-started-at-tafe-nsw/tafe-policies/policies?category=child-protection>

TAFE NSW Animal Welfare Policy and Procedure:

<https://www.tafensw.edu.au/get-started-at-tafe-nsw/tafe-policies/policies?category=Animal-welfare>

TAFE NSW Social Inclusion Policies and Procedures:

<https://www.tafensw.edu.au/get-started-at-tafe-nsw/tafe-policies/policies?category=Social-inclusion>

Legislation and best practice

NSW Government Office of the Children’s Guardian Working with Children Check:

<https://www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check>

NSW Privacy and Personal Information Protection Act 1998:

<http://www.legislation.nsw.gov.au/maintop/view/inforce/act+133+1998+cd+0+N>

National Statement on Ethical Conduct in Human Research:

<https://www.nhmrc.gov.au/guidelines-publications/e72>

Values and ethics: guidelines for ethical conduct in Aboriginal and Torres Strait Islander health research:

<http://www.nhmrc.gov.au/guidelines/publications/e52>

Australian Institute of Aboriginal and Torres Strait Islander Studies:

<http://aiatsis.gov.au/>

NSW Workers Compensation Act 1987 and Workers’ Compensation Regulation 2010:

<http://www.safework.nsw.gov.au/law-and-policy/legislation-and-codes/workers-compensation-legislation>

6 Contacts

Accountable Officer Program Director Quality Standards

Responsible Officer Associate Director Education Risk

7 Document history

No	Date	Approved by	Amendment
1	14 September 2017	Marilyn Hart	
2	20 September 2017	Judy Wallin	
3	3 October 2017	Marilyn Hart	
4	22 May 2018	Judy Wallin	
5	13 October 2020	Janelle Tisserand	
6	7 June 2021	Janelle Tisserand	Animal Welfare Council renamed Animal Ethics Committee; included Secretariat contact details; updated reference to The Australian Code for the Care and Use of Animals for Scientific Purposes (to 8th ed. 2013)
7	5 July 2022	Associate Director Education Risk	Information moved into TAFE NSW Procedure Template, replacing previous guidelines

Appendix A: Working with children check

Working With Children Check

For applications to conduct research in TAFE NSW, researchers (such as university academics) and volunteers (such as post-graduate students) are required to demonstrate a current check as part of the research approval process and apply for their own check once every five years.

Employers (such as TAFE NSW) will verify a child-related worker's or volunteer's clearance number.

Under the new check:

- the same Working With Children Check will apply to everyone – paid workers, self-employed people and volunteers
- everyone with a working with children clearance will be continuously monitored for serious sex or violence offences.

What is the process to apply for a new Working with Children Check?

Applicants fill in an online form at <https://www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check>.

Once they have submitted the form, they will receive an application number. This application number cannot be used for online verification until STEP 2 is completed.

Applicants must take their application number and proof of their identity to a NSW motor registry or NSW Council Agency. Proof of identity for the check is the same as for a NSW driver's license. If they are in paid work, they must also pay an \$80 fee for a five-year clearance. The application number can now be used in the online verification process, pending the final outcome of the application. While many applicants will be advised of the final outcome of their check by email, from the Office of the Children's Guardian, within a few days of lodging the application, it may take up to four weeks.

What are the results of a check?

When a worker or volunteer applies for a new Working With Children Check the result will be either a clearance or a bar. If an applicant has no criminal history or employer disciplinary findings they will be cleared to work with children. People with a bar may not work or volunteer in child-related roles. A volunteer check cannot be used for paid work with children.

Applications to conduct research in TAFE NSW

For verification purposes, paid researchers are required to provide the approving TAFE NSW officer with a Working With Children Check application number, their full name and date of birth.

Volunteers (such as post-graduate students) who will be interacting with children for the purposes of their research may need to undertake a Working With Children Check. This is free for volunteers.

Access to more information

For more information please visit the NSW Office of the Children's Guardian website:

<https://www.kidsguardian.nsw.gov.au/child-safe-organisations/working-with-children-check>