



Dear Colleagues,

17<sup>th</sup> November 2020

**RE: SUNSET CLAUSE FOR ETHICAL CLEARANCE APPLICATIONS AND STANDARD OPERATING PROCEDURES**

**1. Background**

VUT approved and ratified Ethics Policy, Terms of Reference and Standard Operating Procedure documents were approved and ratified by Senate in March 2019. Subsequently the University Ethics committee (CREC) and the four Faculty FREC's were established and operational from January 2020.

**2. Ethics Policy Compliance and Ethical Clearance Sunset Clause**

In line with the Ethics Policy all research undertaken under the auspices of VUT and its community requires ethical approval before the research or data gathering would commence. However, prior to the establishment of the CREC and FREC's and the implementation of the policy research proceeded with ethical clearance being awarded via the research directorate. However, this was not via the required norms as has since been established.

Given this scenario and to facilitate the advancement of research at VUT the IO together with the CREC decided to allow those research projects that commenced prior to the establishment of the CREC to continue provided the researchers applied to the CREC for ethical ratification. It must be emphasised that this is not an automatic ethical approval, and research that has been conducted outside research ethical principles will not be granted research ethical approval. Each case will be considered on its merits, the founding principles are that research ethical approval cannot be granted retrospectively, yet in these unusual circumstances the CREC wishes to assist as far as it possibly can in fostering the ongoing research but also maintaining its research ethical integrity.

However, it must be noted that this special concession cannot continue indefinitely and therefore the IO and the CREC took a decision to introduce a Sunset Clause for these applications. The Sunset Clause will therefore allow those research projects that commenced prior to January 2020 to apply for ethical ratification allowing the research to continue to finality.

The end date for these applications has been set for 28<sup>th</sup> February 2021, as this is the New End of the 2020 Academic year. Thereafter, the requirements for Ethical Approval will comply as set out in the VUT Ethics Policy.

### **3. Standard Operating Procedures Sunset Clause**

As set out in the Policy requirements for ethical clearance applications the applicant is required to provide the detailed standard operating procedures for all research work to be conducted. As this too is a new requirement as set out in the policy, we acknowledge that this will take some time to get used to and to put these SOP's in place. Therefore, the IO together with the CREC has taken a decision to allow applications that don't necessarily provide a detailed SOP to be submitted, provided that the detailed methodology is included in the application.

However, as this too is a special concession to advance research at the university the CREC has taken a decision together with the IO to introduce a Sunset Clause for the 28<sup>th</sup> February 2021 to allow these applications to apply for ethical approval without having to provide detailed SOP's. It should be noted that, post the expiry date, the required SOPs need to be in place in the domains where such matters are relevant.

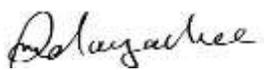
**In Conclusion, procedure to be followed:**

1. The various committees i.e. FREC's or CREC will scrutinise the applications AS IF the data has not been collected.
2. The committees will determine whether the plans followed WOULD HAVE received ethical approval if they had been submitted in time.
3. There would be NO DECISION, but the letter would clearly indicate the procedures that were followed were acceptable from a research ethics point of view.
4. In this way, we do not APPROVE the research ethics but RATIFY the ethical procedures followed.

Please note these are extraordinary circumstances and, considering this, the IO and the CREC will allow these two exceptions which are in breach of the existing Ethics Policy for the set period.

We trust that in the interest of continued advancement of research at VUT that you will comply with these requirements as set out above with no further extensions of breach of policy being allowed beyond the 28<sup>th</sup> February 2021.

Kind Regards,



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Prof T Padayachee  
CREC Chairperson



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Prof R Van der Bank  
Research Ethics Institutional Officer