



TERMS AND CONDITIONS GOVERNING THE CONDUCT OF RESEARCH IN DISABILITY SERVICES QUEENSLAND

This document forms the Terms and Conditions for researchers applying to conduct research within Disability Services Queensland operated services and/or with clients of Disability Services operated services, or where Disability Services Queensland provides the data/information for research purposes.

The Terms and Conditions apply to research that is undertaken by:

- Disability Services Queensland employees where the research is not part of their normal duties;
- Students where the research involves Disability Services Queensland clients, staff or operated services and/or identifiable data;
- External researchers where the research involves Disability Services Queensland clients, staff or operated services and/or identifiable data;
- Researchers accessing de-identified Disability Services Queensland data.

Disability Services Queensland has a responsibility to ensure that research participants are not exposed to undue risk, unnecessary or unwarranted intrusion, and that issues of privacy, confidentiality and consent are adequately covered. To this end, no research can commence until agreement attached to this document has been signed. A breach of the terms may, by discretion of the Department, result in the research project being terminated.

Disability Services Queensland, recognising its responsibility to people with a disability, reserves the right to withdraw access to or vary the conditions applying to an applicant's research involving departmental information.

Policy Context for Research

Disability Services Queensland values the role of research which assists the Department to realise its vision of achieving better life outcomes for people with a disability in Queensland. Research proposals should demonstrate the ways in which they support positive outcomes for people with a disability, their families and carers.

Informed Consent

Research participants must be fully informed regarding the intent, nature, purpose and scope of the research when deciding if they will participate. This includes advice to participants on whether personal or identifying information will be provided to any third parties, which must be identified. Participation in the research project must be voluntary and participants should be fully aware that they are free to withdraw at any time.

Researchers must pay particular attention to the issue of 'informed consent' and demonstrate that every attempt has been made to use an accessible medium and to appropriately attend to levels of comprehension in the presentation of all relevant information pertaining to the research project. Where individual participants are unable to comprehend sufficiently to give consent, this must be sought from the person or body who has the legal authority to make decisions on behalf of the person.



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Research applications will be consistent with the National Statement on Ethical Conduct in Research Involving Humans – June 1999, Section 1, Principles of Ethical Conduct as set out by the National Health and Medical Research Council (NHMRC).

Refer to the NHMRC Statement.

Section 1: Principles of Ethical Conduct.

Section 4: Research Involving Children and Young People.

Section 5: Research Involving Persons with an Intellectual or Mental Impairment.

Section 6: Research Involving Persons Highly Dependent on Medical Care.

Section 7: Research Involving Persons in Dependent or Unequal Relationships.

Section 9: Research Involving Aboriginal and Torres Strait Islander People.

In addition to the requirements set out in the NHMRC Statement concerning research involving humans, researchers should familiarise themselves with the Queensland Government Information Standard 42 (IS42) – *Information Privacy* – Privacy Principle 2 (IPP2) to ensure that information provided to participants is sufficient for participants to make an informed consent.

Privacy Principle 2 applies where:

- (a) a collector collects personal information for inclusion in a record or in a generally available publication; and
- (b) the information is solicited by the collector from the individual concerned.

Privacy and Confidentiality

The privacy and confidentiality of participants' personal details/information must be ensured at all times, including in the publication of any data, papers or reports. The anonymity of participants, including the Department's employees, must be ensured throughout the research process. For example, if the research project uses surveys, information should be stored such that it is not possible to link the data provided to individuals participating in the project. The identity of Disability Services Queensland sites participating in research projects should also remain confidential and not be disclosed in any published research material.

Data Management

All projects must ensure that participant confidentiality is ensured at all times regardless of the type of data collection instruments used (e.g. questionnaires, audio or video recordings). This condition also applies to research projects that involve longitudinal studies. Persons other than the researcher must not be able to link the information collected to individual participants. Researchers must provide details of the procedures they will use to ensure this protection in their research application, for example, strategies for information storage, access and disposal of data.

The amount of personal data available to any researcher including access to participants will be dependent upon the type and extent of the research and the potential benefits of the research. This will be mutually agreed on at the outset of the project.

Disability Services Queensland has an obligation to ensure that data pertaining to individuals is not communicated to unauthorised person(s). As a result, information about specific individuals will not be communicated to third parties or published



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without the consent of the individual concerned or the appointed legal authority for that person.

Disability Services Queensland data that does not identify or pertain to individuals must not be provided to third parties without the prior written approval of Disability Services Queensland.

Researchers must comply with the principles and standards on collection, storage and security of personal information established in Queensland Government Information Standard 42 – *Information Privacy* (IS42).

Ethics Clearance and Ethical Standards

Disability Services Queensland recognises the vulnerability of its client group and for this reason only research affiliated with University and granted an Ethics clearance will be considered.

Research proposals must reflect contemporary knowledge of and commitment to proper ethical standards and measures, with due regard to issues of privacy, consent, power relations, accountability and transparency.

Research applications will be consistent with the National Statement on Ethical Conduct in Research Involving Humans – June 1999, Section 1, Principles of Ethical Conduct as set out by the National Health and Medical Research Council (NHMRC).

Protection for Research Participants

In order to protect the safety and well being of people in vulnerable situations, it is important that all researchers wishing to conduct research with human subjects or who have access to identifying information about human subjects, submit to and are granted a criminal history clearance.

Researchers should approach their local police department to conduct the check. These are to be obtained at the researchers own expense. A criminal history clearance should be provided with the research application.

Disclosures

Researchers must disclose any affiliation or financial involvement with any organisation or entity with direct interest in the subject matter of the research.

If, during the Research Project, a participant discloses confidential information to the researcher regarding their safety and well being or issues that place a participant at risk, the researcher is required to disclose this information to the relevant authority with the consent of the participant.

Intellectual Property

In approving proposals to conduct research, Disability Services Queensland places no claim on the researcher regarding new intellectual property created by the researcher. The researcher grants to the Department, a non-transferable, irrevocable, paid-up licence to use the research product or publication for the non-commercial purposes of the Department.



Publication of Research Findings

The State of Queensland retains the copyright in the records, data etc that may be made available to researchers. Unauthorised copying or publication of these records, data, film etc is in breach of the State's copyright laws.

Permission must be granted to the researcher from the Department prior to publication or making publicly known, all or part of research that makes use of Disability Services Queensland's data or information. An advance copy of that material will be provided to Disability Services Queensland. Disability Services Queensland will review and comment on proposed publications. Consent to publish would only be withheld where the publication was seen to be detrimental to the interests of people with a disability or the Department. The Department shall notify its withholding of consent to the researcher within four weeks of receipt of the proposed publication. In such a case, the researcher will be given an opportunity to revise the proposed publication and to re-submit it to the Department for final review and comment.

Where Disability Services Queensland consents to publish the researcher must provide a copy of the published report for the departmental library, Queensland Parliamentary Library, State Library and the National Library as appropriate.

In the event of publication not being sought a copy of the research report must be provided to the Department.

In the event of publication, the researcher will acknowledge the assistance of Disability Services Queensland and supply a copy of published material.

Disability Services Queensland recognises that, on occasion, research results that have implications for sensitive policy and/or political issues will be of interest to the media. Researchers will advise the Department of any media coverage or publication anticipated from the results of research conducted in Disability Services Queensland sites.

Monitoring and/or Supervision of Research Projects

The Research Contact Officer will monitor the progress of research projects and may call for specific and additional reports if necessary.

Where a project has been approved and the anticipated time frame for its completion exceeds six months, the researcher will be required to submit a progress report at such frequency as requested by the Assistant Director-General.

Appropriate supervision arrangements must be in place for students conducting research within Disability Services Queensland sites. Supervision (unless otherwise stipulated) remains the primary responsibility of the Research Institution with which researchers are affiliated. Disability Services Queensland must be fully informed of all supervision mechanisms and arrangements.

Submitting Research Applications

Applications for conducting research in Disability Services Queensland must be submitted to the Assistant Director-General, Disability Services Queensland or the



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Assistant Director-General, Corporate and Executive Services Directorate and Accommodation Support and Respite Services, through the Research Contact Officer, Policy Directorate, Disability Services Queensland, GPO Box 806, Brisbane, Queensland 4001. Ph: (07) 32244653.

Researchers should note that even when there is approval of research proposals in principle, full approval to proceed can only be granted when informed consent is gained from all participants.

Research applications will include a:

- signed agreement to Disability Services Queensland's Terms and Conditions for the conduct of research (Template 1);
- detailed Research Proposal; and
- Criminal History Clearance (where appropriate).

Researchers will provide the Research Contact Officer with an Ethics Clearance prior to commencement of any research.

Applicants will be informed of a decision in writing regarding the research proposal, within four weeks of lodging the application.

Guiding Documents and Legislation

Researchers who wish to conduct research within Disability Services Queensland must comply with the provisions set out in the following documents:

- Disability Services Act. 1992 (Qld), www.legislation.qld.gov.au/
- Guardianship and Administration Act 2000, www.legislation.qld.gov.au
- Queensland Government Information Standard 42 – Information Privacy (IS42) – Administrative privacy protection scheme for Queensland Government Agencies, www.iie.qld.gov.au/informationstandards/downloads/IS42.pdf
- National Disability Services Standards, www.facs.gov.au/disability/ood/ga_handbook/section9.htm
- NHMRC Statement, www.health.gov.au/nhmrc/publications
- Disability Discrimination Act 1992, <http://scaleplus.law.gov.au/>
- Anti-Discrimination Act 1991, www.legislation.qld.gov.au
- Racial Discrimination Act 1975, [www.humanrights.gov.au/racialdiscrimination/guide to rda/](http://www.humanrights.gov.au/racialdiscrimination/guide%20to%20rda/)
- National Standards for Mental Health, www.mentalhealth.gov.au/mhinfo/standards/pdf/standards.pdf
- Commission for Children and Young People Act 2000, www.legislation.qld.gov.au

ACKNOWLEDGMENT OF OBLIGATIONS

To be completed by all applicants

Agreement with person(s) making this application

In consideration of Disability Services Queensland considering my research application, I acknowledge and agree that if the Department grants approval, the Terms and Conditions outlined, together with the Research Proposal, will form the agreement between myself and Disability Services Queensland in respect of the Research Project.

Name: _____

Signature: _____

Date: / /