

## Holland Bloorview Research Ethics Board Terms of Reference

### 1. Introduction

As an academic health sciences centre fully affiliated with the University of Toronto, Holland Bloorview Kids Rehabilitation Hospital is deeply committed to the ethical conduct of research. As such, the Hospital ensures best practices in research ethics are adhered to.

The Holland Bloorview Research Ethics Board (REB) ensures that all research activities involving human participants conducted and/or under the auspices of Holland Bloorview Kids Rehabilitation Hospital (Holland Bloorview) by members of Holland Bloorview, meet current scientific, regulatory, and ethical standards for the protection of human research participants in accordance with the Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans (TCPS 2). <https://ethics.gc.ca/eng/documents/tcps2-2018-en-interactive-final.pdf>

In carrying out its mandate, the REB is guided by the three core principles of research ethics TCPS2:

**Respect for Persons** which recognizes the intrinsic value of human beings and the respect and consideration that they are due; considers how people of all ages are treated as research participants; incorporates the moral obligations to respect autonomy; and protects those with developing impaired or diminished autonomy.

**Concern for Welfare** which considers the impact on individuals of factors including physical, mental, and spiritual health, as well as their physical, economic, and social circumstances; encompasses factors including privacy and control of information about the person and the assessment of foreseeable risks and benefits; and the treatment of data and human biological materials according to the free, informed and ongoing consent of the person or of their substitute decision-maker who was the source of the information and materials.

**Justice** which recognizes the obligation to treat people fairly and equitably.

In particular, the REB recognizes the unique clientele of Holland Bloorview and is thus guided by the understanding that:

- Children, youth, and families of Holland Bloorview may be vulnerable populations that warrant the greatest protections;
- Safeguards are developed which provide the greatest protection to clients and members of the community who serve as research participants.

### 2. Scope of Work

The REB provides independent, multidisciplinary ethics review of research, involving humans that is conducted at Holland Bloorview or by the staff of Holland Bloorview, and the Bloorview Research Institute. It has the authority to approve, reject, request modifications to, suspend, monitor for ethical conduct, or terminate any proposed or ongoing research.

The REB is responsible for:

- Ensuring that all research involving human participants, their derived data or specimens at or under the auspices of Holland Bloorview receives appropriate and diligent ethical review considering many factors in its review of research protocols including: social merit, the risks and benefits to participants, participant selection and recruitment, privacy and confidentiality, the consent and assent processes and forms, inclusiveness, diversity and justice, relationship management, parent and guardian commitment
- Ensuring protection for the rights, dignity, and autonomy of research participants.
- Ensuring that records of ethical reviews on submissions are available through the Research Ethics Office;
- Ensuring that researchers receive REB review and comments promptly and be allowed the opportunity to respond to REB concerns
- Recognizing the duty of researchers to disseminate the results of the study to both the participants and the research community, noting that withholding outcomes may foster potentially harmful practices or wasteful duplication.
- Developing, reviewing, and implementing policies and procedures governing ethical conduct of research at Holland Bloorview.
- Acts as a resource on matters relating to research ethics at Holland Bloorview.

### **Research Requiring Ethics Review**

The REB adheres to the TCPS2 definition of research as “an undertaking intended to extend knowledge through a disciplined inquiry or systematic investigation” (Article 2.1). Research involving human participants must benefit society and advance knowledge.

Following this definition, the REB will review the ethical acceptability of all research involving humans conducted within their jurisdiction or under their auspices (Article 6.1) in adherence to the scope of research ethics review described in TCPS2.

Holland Bloorview staff acting in a consultation role only for research completed elsewhere do not require REB approval.

Research is distinct from quality assurance, quality improvement studies, program evaluation activities, performance reviews, or testing within normal educational requirements when used exclusively for assessment, management, or improvement purposes. (Article 2.5)

### **3. Decision-Making Authority**

The Board of Trustees establishes, authorizes, and empowers the REB to review research involving human participants under the auspices of, Holland Bloorview.

[https://ethics.gc.ca/eng/tcps2-eptc2\\_2018\\_chapter6-chapitre6.html](https://ethics.gc.ca/eng/tcps2-eptc2_2018_chapter6-chapitre6.html)

The Board of Trustees, Medical Advisory Committee (MAC), Research, Teaching and Learning Committee (RTLTC), Bloorview Research Institute (BRI), Senior Management Team or any other administrative body within Holland Bloorview cannot override research ethics decisions made by the REB. However, these bodies retain the authority to deny the implementation of REB-approved research protocols for reasons other than research ethics (such reasons may be administrative, programmatic, or budgetary in nature for example in the case where Holland Bloorview does not have the necessary equipment to carry out the proposed research).

In consultation with the REB, Holland Bloorview’s designated authority, the RTLTC may also

delegate the ethical review and oversight of research studies to other qualified Research Ethics Boards of record as authorized by the Holland Bloorview Board of Trustees and as agreed to in writing.

#### **4. Reporting and Accountability**

The REB is accountable to the Board of Trustees of Holland Bloorview. The Board of Trustees has delegated accountability and risk management to the Research Teaching and Learning Committee of the Board. On behalf of the REB, the Chair of the REB is to report annually at a meeting of the RTLC and may present quarterly reports as requested. Minutes of REB meetings will be forwarded to the RTLC upon request.

The Director of Research Operations & Business Development will consult with the REB chair on any decisions that impact the REB or the Research Ethics office (REO). Staff of the REO report to the Director of Research Operations & Business Development and budget of the REO is determined through the regular annual operating planning process under the management of the Director of Research Operations & Business Development.

As an employee and for all matters that are not research ethics decisions of the REB (e.g. human resources issues, financial or operating issues), the Chair of the REB reports administratively to the VP Medicine and Academic Affairs/Chair of the MAC. In the normal course of events, prior to reporting any matters to the RTLC Chair, the REB Chair will consult with the Chair of the Medical Advisory Committee to ensure appropriate organizational oversight and consultation.

#### **5. Research Ethics Board**

Holland Bloorview will have one REB responsible for reviewing and monitoring protocols for all research carried out at Holland Bloorview, and for research conducted by staff of Holland Bloorview. The Research Ethics Office (REO) will coordinate the ethics review process and all related activities for the REB. Where necessary, subcommittees of the REB will be established.

##### **Chair and Vice-Chair of the Research Ethics Board**

The RTLC oversees the process in relation to and approves the appointment of the REB Chair. The process and management of the appointment is undertaken by the Bloorview Research Institute.

The term of office of the REB chair is three years, which is renewable for an additional three years.

The REB Chair will provide overall leadership for the REB and the REB review process. a. A Vice-Chair is appointed by the REB chair in agreement with the Vice President of Research and the RTLC Chair. The Vice-Chair or the REB Bioethicist can act in place of the Chair (e.g. when the Chair is absent or has a conflict of interest).

Member and chair terms are considered separate, thus an individual could potentially serve as a member for a maximum of six years and as chair for a further six years.

The Vice-Chair is considered a member with the same term limits as other members. The RTLC has the discretion to appoint the Chair and Vice-Chair for an additional third term.

## **6. REB Membership**

The REB Chair (or designate) appoints full board members of the REB for a term of three years, renewable once. By mutual consent between the REB member and the REB Chair, REB members may be appointed for an additional two terms in a different capacity. For example, full board members who complete 2 terms may serve an additional two terms as alternate members. The membership terms and are staggered to safeguard the continuity of expertise of the REB. Holland Bloorview's Bioethicist is a standing member of the REB.

Members of the REB may not fulfill more than two representative capacities and disciplines at the same time. Up to two trainees may be invited to participate for fixed terms of up to one year, renewable. Trainees do not have voting rights on the REB but will participate in reviews.

The composition of the REB shall include the following members:

- at least two members have broad expertise in relevant research disciplines, fields, and methodologies covered by the REB; one of whom is from a medical discipline on active staff at Holland Bloorview ;
- at least one member is knowledgeable in ethics;
- at least one member is knowledgeable in the relevant Canadian law;
- at least one member has the primary experience and expertise are in a non-scientific discipline;
- at least one community member who has no current affiliation with Holland Bloorview, the sponsor, investigator, and who is not part of the immediate family of a person who is affiliated with the institution and
- at least one member knowledgeable in considering privacy issues.
- The REB will strive for a diversity of members including consideration of race, gender, and cultural backgrounds

The Chair can appoint an individual to serve as an ad hoc member if the necessary expertise to review a study is not represented by the membership.

All full board members are expected to attend every REB meeting as well as any educational events. A minimum of 75% of meeting attendance is required.

To the extent that it is possible, the REB will, for each board member, designate an alternate with whom the full board member shall share review responsibilities. The alternate's attendance at the monthly REB review will be expected should the full appointee be unable to attend.

The REB will maintain and post a list of all members to ensure the independence of REB decision making, institutional senior administrators, legal counsel, or risk management shall not serve on the REB.

Resignation of members must be in writing and addressed to the REB Chair.

## **7. Research Ethics Office (REO)**

The REB is supported by the REO staff. The REO staff collaborate with and support the Chair, Vice-Chair, and the work of the REB and take guidance and direction from the REB chair or delegate and thus ensure that the REB can operate effectively and independently in their

decision making. The REO will coordinate the operations of the REB. REO staff will provide important ethics expertise in support of the REB's ethical analysis and discussion, will provide administrative review for completeness, and carry out duties outlined in the SOP 204.003. Members of the REO can participate in REB meetings as non-voting members. In addition to having the requisite knowledge for their roles, the REO staff have familiarity with federal regulations governing the conduct of clinical trials.

The REO is responsible for the storage and maintenance of all documents relating to research ethics. The REO and staff are funded and supported by the Bloorview Research Institute with lines of accountability to the REB and work in consultation with the REB Chair. Holland Bloorview will provide appropriate administrative resources to the REO for the effective and efficient operation of the REB taking into consideration overall funding of the BRI and resource capacity of the Hospital.

Holland Bloorview recognizes the integral role of research ethics administration staff and the REO in supporting the REB in fulfilling its mandate.

The REO will report to operations for administrative support, including human resource requirements, office space, and service support.

## **8. Meetings and Attendance**

The REB convenes monthly or as called by the Chair. The schedule of REB meetings is regularly updated and communicated to researchers so that research can be planned in an orderly manner.

## **9. Review Process**

The REB will adopt a proportionate approach based on the general principle that the more invasive or harmful the Research, the greater the rigor in assessing the protocol.

Proportionate review reserves the most intensive scrutiny, and correspondingly more protection, for the most ethically challenging Research. Details regarding the Full REB Review and Delegate Reviews can be found in our Standard Operating Procedures <https://hollandbloorview.ca/research-education/research-ethics-board/standard-operating-procedures>

### **Quorum**

Quorum is required at a convened meeting to make full board decisions. The quorum for a meeting will typically meet both Canadian (TCPS2) standards and United States (FDA) standards.

This will consist of 5 voting REB members of whom at least 2 members have broad experience in the areas of methods of research, at least one member who is knowledgeable in ethics, at least 1 member who is knowledgeable in the relevant law related to biomedical research, and 1 member who has no affiliation with the institution but is recruited from the community served by the institution, one member whose expertise is primarily non-scientific, one member knowledgeable in privacy. One member may fulfill a maximum of two roles. For the US Federally Funded and FDA Regulated Research: In addition to the quorum requirements above, there must be a majority of panel members present at the meeting to establish a quorum, 50% + 1.

## **Process for Decision Making**

Decisions will be made by consensus. If agreement cannot be reached in this manner, a majority vote of more than two-thirds of those members who are present is required. Any significant minority view (i.e., two or more members) will be noted in the minutes. In the case of a tied vote, the Chair will cast the tie-breaking vote.

## **Appeal Process**

After review, individual proposals will be returned to the primary investigator with comments and/or suggestions for revision. The primary investigator will respond in writing if they wish the REB to reconsider a decision relating to a submission. Investigators may be invited to a meeting of the REB to respond to questions about their proposals or to request that the REB reconsider a decision, but will not be present during the decision or reconsideration process. Once granted, final REB approval is always written.

An appeal of a decision can be requested by a researcher to an appeal board at the University of Toronto. <https://hollandbloorview.ca/sites/default/files/2020-10/SOP%20402%20REB%20Review%20Decisions.pdf>

## **10. Relationship Management**

Members of the REB must disclose any relationship they may have with the investigators of a proposed study or any of the collaborating partners. If any relationship might impact or be perceived as impacting the impartiality or objectivity of the REB decision about a study, the members with said relationship will not participate in the decision process for such a proposal. A notation will be made in the minutes reflecting the relationship and that members were excused from the discussion and vote.

## **11. Reference Guidelines of Holland Bloorview REB**

The REB is guided in its decisions on research protocols by several key documents at the local, national, and international levels. As the Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans (2018) has been adopted as a national standard, at a minimum the REB will comply with the standards outlined in this document.

The REB is responsive to changing best practices in research ethics and will attend to developments at the local, national, and international levels. The REB will adhere to the ICH Good Clinical Practice Guidelines; the Health Canada Division 5 of the Food and Drug Regulations; the Ontario Personal Health Information Protection Act 2004; the U.S. Office for Human Research Protection (OHRP) directives; and the requirements of the Department of Health and Human Services (HHS) Protection of Human Subjects regulations, 45 CFR part 46, and other relevant international declarations, such as the Helsinki Declaration on Research Ethics.

To the extent that such guidelines enhance the protection of research participants, the REB will adopt such practice.

## Revision History

**Revised January 2018** (to conform to current REB policies and procedures and update terminology)

**Revised September 5, 2014** (*To conform to current REB policies and procedures*)

**Revised September 19, 2013** (*To conform to current REB policies and procedures and the TAHSN Hospital REB Appeals Process (Spring, 2013).*)

**Revised November 9, 2011** (*To comply with the Canadian Institutes of Health Research, Natural Sciences and Engineering Research Council of Canada, and Social Sciences and Humanities Research Council of Canada, Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans, December 2010.*)

**Revised April 9, 2021** (*To conform to current REB policies and procedures*)

**Revised May 26 2021**