

New Zealand Association of Science Educators

**CODE OF ETHICAL CONDUCT
For the Use of
Animals for Research, Testing and Teaching**

October 2019

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1. Introduction / Background on the Activities of the Organisation

1.1. Organisational Activities

This Code of Ethical Conduct (Code) applies to the use of animals, as defined in s2 of the Animal Welfare Act 1999 (the Act), for the purposes of research and teaching in the education of students below tertiary level.

The Act recognises the role of animals in research, testing and teaching in society, and that the use of animals in teaching and investigations, including in schools, has a cost that must be weighed against the potential benefit obtained. Animals used in teaching and research have made major contributions to biological knowledge, including in the areas of welfare of humans and animals, and this knowledge is available to school students as they enter tertiary education in pathways of medicine, biomedical science and agriculture. For students to understand the ethical use of animals in teaching and research is of benefit to the community in which they live and are becoming adult members.

The NZASE Schools' Code is designed to comply with all the requirements of the Act so that animals can be used in teaching in Aotearoa New Zealand early childhood educational centres, kindergartens, primary, intermediate/middle and secondary schools and by those students who are home schooled.

Applicants for ethical approval will be teachers, principals, head teachers, centre managers, parents, caregivers, whānau and students.

Student-led research projects approved under this Code, are eligible for entry into regional and national events such as Science and Technology Fairs, CREST Awards and the Bright Sparks Programme.

The activities of the NZASE Schools' Animal Ethics Committee (AEC) include:

- i. assessing, and where appropriate approving, applications to use animals in teaching projects
- ii. assessing, and where appropriate approving, student-led research projects for local and national science events and for achievement assessment
- iii. communicating to teachers and students the requirements of the Act, and the need to seek approval under Part 6 of the Act to manipulate animals for the purposes of teaching
- iv. answering questions from teachers and students; thereby guiding their project design to meet animal welfare best practice standards.

Notes: Throughout this Code:

- **the term 'teacher' includes: the person providing tuition in a home-schooling environment.**

- ***the term school includes: Early childhood centres, Kindergartens, Kohanga Reo, Primary schools, Kura Kauapapa Māori, Intermediate/middle schools, secondary schools.***

1.2. RTT and the Three Rs

The AEC considers applications for teacher-led class projects and student-led research.

Where teacher projects involve numbers of animals, and where those animals are involved in manipulations (as compared to observation or general handling), teachers are required to consider the 3 Rs principles of reducing, refining and replacing the use of animals and to teach these principles to their students. This will be specified by the AEC as a condition on the approval. In class projects, teachers are encouraged to have the students work in groups and use the lowest number of animals that will give statistically significant results. Most of the applications evaluated by the AEC use individual or small numbers of animals.

NZASE encourages teachers to consider using computer generated and/or 3-dimensional models as a replacement for animal cadavers and/or tissues in teaching situations that require dissection.

1.3. Responsible Persons

NZASE, through the AEC, is responsible for providing information regarding the Animal Welfare Act to the teachers and students who use this Code. This will be achieved by the provision of a reference pack that includes this Code and links to the Act and regulations, through school science networks and committees, and by email and web-based communications.

If projects occur at school, a teacher must sign every application to the AEC as the Responsible Investigator. This person has overall responsibility for the project, whether it is a teacher-led class research project, or a student-led research project.

If projects occur at home, a teacher or parent must be named on the application as the Responsible Investigator.

Students may be named on individual student research projects as the Principal Investigator. The Principal Investigator, unless stated in conditions on the approval, has responsibility for designing and undertaking approved manipulations. The Principal Investigator will be encouraged to seek advice from suitably qualified persons when designing the project. In some cases, the AEC will require that a person with specified qualifications oversees a project as a condition of the approval.

1.4. Persons/Organisations under the CEC

This Code applies to teachers and students of early childhood centres, kindergartens, kohanga reo, primary schools, kura kauapapa Māori, intermediate/middle schools, secondary schools, colleges, whare kura, and premises where students are home-schooled across Aotearoa New Zealand.

2. Establishment, Functions, Powers and Membership of the Animal Ethics Committee

2.1. Functions, duties and powers of the AEC

The AEC considers, and where appropriate approves and monitors, applications to use live animals in school teaching and for individual or group student-led research projects, in compliance with the Animal Welfare Act 1999. For convenience, the NZASE will operate the AEC from Wellington.

The functions of the AEC include:

- considering approvals to manipulate animals for teaching and research purposes in accordance with Part 6 of the Animal Welfare Act 1999
- advising teachers and schools about the requirements of the Act, and the need for ethics approval prior to animal involvement in any school project
- advising students and teachers about applications using animals, so that they continue to learn about animal welfare requirements.

The duties of the AEC include:

- holding regular meetings
- providing suitable forms for applicants to apply and report to the AEC
- considering applications for animal ethics approval
- providing timely advice to applicants on the outcome of such applications
- establishing that all manipulations of animals are only undertaken by suitable qualified persons
- monitoring approved projects.

The powers of the AEC include

- the ability to refuse approval, set conditions, approve, suspend or revoke approval for applications to manipulate animals for teaching.

2.2. Membership of the AEC

The AEC will consist of a minimum of five members.

All members of the AEC are appointed by NZASE for a term of 3 years.

Other members may be appointed to provide specific expertise that the AEC may lack as described below. If such persons are appointed as full members of the Committee, they will have voting rights and be deemed members of the Committee when establishing a quorum.

The AEC may also from time to time ask a person with special expertise to attend a meeting in an advisory capacity.

2.3. Statutory members

NZASE will appoint:

- a. A member of the teaching profession (this person will fill the statutory role of a senior member of NZASE's staff who is qualified to assess applications);

- b. A member from an approved organisation concerned with the welfare of animals (NZSPCA);
- c. A person nominated by a territorial authority or regional council, not employed by or associated with NZASE, or associated with the scientific community or an animal welfare agency;
- d. A veterinarian nominated by the New Zealand Veterinary Association (NZVA) who is not employed by or associated with NZASE.

2.4. Organisational members

NZASE, on the advice of the AEC or the National Executive of NZASE, may from time to time make additional internal appointments (ie members who also belong to NZASE). Such appointees will usually be qualified science teachers.

2.5. External members

NZASE will appoint an independent chairperson, who will be the fifth member of the AEC as described in 2.2.

NZASE will also appoint a secretary, to carry out the secretarial duties of the AEC. The secretary will not have voting rights.

2.6. Additional attendees

The AEC may also invite additional attendees. A common example is to enable succession planning so an incoming member can gain expertise. Such persons will not have voting rights until they are formally appointed to the Committee.

Additional advisors may also be utilised by the AEC, as required, to answer specific technical questions. These additional advisors do not have voting rights or a say in general decisions of the AEC and will not be deemed members of the Committee when establishing a quorum (defined in 3.4).

Remuneration

AEC members will receive a fee for attending each meeting, which includes all preparation and other duties relating to the Committee. This fee is fixed by funding secured from the Ministry of Education and calculated using procedures laid down in the Schools' Animal Ethics Committee Operating Manual.

The secretary will be paid a fixed annual fee determined by estimated hours worked.

The secretary will record meeting attendance, and members will be paid as a bulk sum at the end of the financial year.

2.7. Appointment Procedures

2.7.1 Members may be reappointed at the end of their current appointment.

NZASE is responsible for the appointment of all AEC members and the secretary.

At least 3 months prior to when an expected external vacancy is to occur due to expiry of the current member's appointment term, NZASE will request a replacement nominee from the agency concerned.

Internal appointments are made to provide the best possible representation for the range of sectors of the education community and ages of the students that will use the AEC.

Replacement procedures will follow the appointment procedures. At the end of the 3 year appointment term for any external statutory member the organisation will be asked to formally provide a nomination (which may or may not be the incumbent).

AEC members are protected under s104 of the Act. No member of the AEC will be personally liable for any act done or omitted by the member of the AEC in good faith in the course of the operations of the AEC.

- 2.7.2** The President of NZASE in conjunction with the senior Vice-president, Junior Vice-president and the treasurer shall appoint a Chairperson and Deputy Chairperson of the AEC in consultation with the AEC.

2.8. Vacancies

In general, the AEC can function well for a short period without full attendance if meetings are quorate.

In the event a member is unable to attend meetings on a regular basis, the chairperson will speak to the member to address any issues that may be easy to solve, or to discuss resignation if this is the best option. In the case of resignation, steps will be followed to replace the member (also see 2.6 and 2.7) as soon as possible.

2.9. Induction and Training of New Members

The AEC will operate a succession plan to ensure that the knowledge of the AEC is maintained, and the members remain motivated and skilled. NZASE is ultimately responsible for finding replacement members, and for their appointment.

New members are supplied with all current AEC documents including;

- Schools' AEC Operations Manual
- Schools' AEC Code of Ethical Conduct
- NAEAC AEC New Member Induction Pack

Where possible, new members are encouraged to attend meetings prior to the departure of the person that they are replacing. In addition, the AEC will support all new members familiarising themselves with their responsibilities under the Act.

AEC members are encouraged to attend the NAEAC biennial AECs Workshop and will receive copies of all NAEAC newsletters.

2.10. Term of appointment

Members are appointed for a 3-year term, but this can be extended. If a statutory external member is interested in reappointment the relevant nominating agency will be invited to re-nominate that person.

3 AEC Processes

3.1. AEC meetings

Meetings are to:

- a. discuss and decide on any ethics applications that have been received
- b. discuss any correspondence received by members of the Committee
- c. discuss general Committee matters.

3.2. Frequency of Meetings

Frequency of meetings will be determined by the workload requirements, i.e. the numbers of applications to use animals in teaching. This is currently 5 to 6 meetings a year, most of which are by video or teleconference, but of which at least one meeting will be face-to-face. Details of meeting dates will be agreed by the Committee at the end of the previous calendar year.

3.3. Timing for Circulation of Agenda Items

Applications should be sent to the secretary at least 10 working days prior to an advertised meeting.

The secretary will ask members for other business agenda items at least 10 working days before a meeting.

The secretary will prepare a draft agenda, which includes all the applications for consideration, and any meeting papers appropriate to other business to be circulated to all members at least 5 working days prior to the meeting.

The secretary will record the minutes of the meeting, which are then sent to members for any changes within 2 weeks of the meeting.

3.4. Quorum

At all meetings of the AEC a quorum shall comprise 50%+1 of eligible voting members, of which at least two must be external statutory members.

3.5. Decision Process

Decisions will be made after all Committee members present have had the opportunity to express their views. Decision by consensus is a fundamental principle of the AEC's process.

If any AEC member expresses strong concerns that are contrary to the majority, the application will not be approved, and the chairperson may ask for external expert advice.

If the advice can satisfy the concern(s) raised by the AEC member(s) and be acceptable to the applicant, the chair will relay that to the AEC members and the application may be approved by email consensus.

If consensus cannot be reached, the application will not be approved.

3.6. Establishment and membership of sub-committees

Subcommittees are not used.

3.7. Conflict of Interest

AEC members must declare any potential conflict of interest concerns to the chairperson of the Committee, prior to the matter concerned being discussed.

The chairperson will be responsible for establishing the protocol adopted to manage such potential conflict on a case by case basis. In the case where an AEC member is also an applicant, that person will not take part in deliberations (other than to answer questions) and will abstain from voting.

All conflict of interest matters will be minuted.

3.8. Effective Input of AEC Members

Other than a teacher representative, the AEC is comprised solely of external members. External members are supported by the organisations that they represent, the ongoing support of other AEC members, attending AEC meetings, and the newsletters and training provided by NAEAC. The AEC Chairperson will ensure that all members can participate and express their views.

3.9. Confidentiality

The AEC is composed of professional people who deal with all AEC matters in a confidential manner. No matters will be discussed outside the AEC membership.

3.10. Use of Tele/Video Conferencing

The functions of the AEC are best fulfilled when members meet in person. This facilitates a free and frank exchange of ideas and promotes the opportunity for members to participate fully in the review process. Face-to-face meetings will be held at least once yearly. These meetings will be used for planning and general business purposes.

Where possible, video conferencing is preferred when a meeting cannot be face-to-face. Teleconferences may also be used between face-to-face meetings.

Electronic meetings enable applications to be considered in a timely manner.

3.11. Consideration between Meetings

While the AEC prefers applications to be available at a scheduled meeting so the Committee can give them full consideration, the Committee may both manage student needs and promote animal welfare by considering approvals between meetings as applications are received.

If an urgent application must be reviewed by email, the meeting must be quorate in accordance with this Code. If a between-meeting application is considered and approved, that decision will be ratified by the full Committee at the next scheduled meeting.

3.12. Public Presence at Meetings

Meetings are not open to the public.

3.13. Applicant Presence at Meetings

Applicants are generally not invited to be present at meetings. If a specific request to be present at a meeting is made it is the applicant's responsibility to make arrangements to attend. Joining the meeting by electronic telecommunication is permitted.

3.14. Secretarial support

A secretary will be appointed to the AEC by NZASE, or if help is needed the Committee will seek secretarial support from NZASE.

3.15. Record keeping and Information Management

The secretary maintains records of agenda, minutes, decisions, correspondence with investigators, site visit reports, application forms and all other relevant documentation.

The chairperson also holds copies of all AEC documents, which are maintained in secure storage. AEC members who retain copies of documents will ensure that they are destroyed at the end of their term on the Committee.

Records will be kept for a minimum of 5 years.

3.16. Reporting of Animal Use Statistics to MPI

The Responsible Investigator and Principle Investigator are advised of the requirement to report animal use statistics back to the AEC as soon as the project is complete, and this is followed up by the secretary.

The secretary collates all statistics and reports these to the Ministry for Primary Industries.

3.17. Process to amend the CEC

If minor amendments are deemed necessary by the AEC, the chairperson will contact NZASE to discuss the changes. Also see section 10.

4 Consideration of Projects by the AEC

4.1. Criteria for Consideration

The AEC reviews applications involving the use of animals for teaching purposes as outlined in each application, to ensure that adequate consideration is given to the humane treatment of animals according to the principles outlined in the Act.

All applications shall require consideration of reduction, refinement and replacement.

All animal manipulation protocols and applications for the use of animals in teaching must be considered and approved by the AEC prior to commencement. Applicants must use the forms provided. The AEC may provide advice on matters pertaining to the acquisition, supply and welfare of animals involved.

The AEC will have a strong educational role, recognising that school project animal manipulations have a low animal welfare impact, and applicants are school students.

- a. Where appropriate, applicants will be offered help with science and animal welfare-related aspects to a proposed application. This includes providing advice on whether an application requires AEC approval.
- b. Where there is significant use of invertebrate species, an application to the Committee is encouraged (although it is not required by the Act) as a valuable learning process for students to go through.

The Responsible Investigator must ensure that a written report is provided to the AEC at the end of the project, which includes outcomes including any adverse events and the total number of animals used. It is expected that the Principal Investigator will prepare the report.

4.2. Outcomes for Consideration

Applications to the AEC may be responded to in the following ways:

- a. Approved with conditions
- b. More information is required. These applications may be approved by the chairperson once they are satisfied that the student has addressed all questions that were raised by the Committee unless significant changes are requested, in which case the full Committee will review that revised application
- c. Declined – the AEC will provide in writing its reasons for declining the application.

4.3. Maximum Approval Period

4.3.1. Teachers

Applications from Teachers may be eligible for three-year approvals. If there are changes to the approved project during the three year period, a revised application must be re-submitted for re-approval.

4.3.2. Students

For student-led research projects (including Science and Technology Fair investigations, CREST Awards, and Bright Sparks) the students must prepare the application for the AEC approval and must be the named Principle Investigator. A Responsible Investigator must sign the application and will have ultimate regulatory responsibility for the project. These applications will be eligible for the period stated on the application.

In all of the above situations, approvals are not transferable from student to student, teacher to teacher or school to school.

4.4. Power to Suspend, Revoke and Vary Approvals

The AEC may suspend or revoke approvals when the project has deviated from the approval.

4.5. Changes to Approved Applications

If applicants wish to change an approved protocol, permission must be sought from the AEC in writing and must include full details of the proposed changes.

The AEC will assess the changes according to the approval process.

4.6. Protection of AEC Members

AEC members are protected by s104 of the Act. No member of the AEC will be personally liable for any act done or committed by the AEC.

5 Responsibilities under AEC Approved Projects

5.1 Compliance

5.1.1 The code holder (through the AEC) will give the student and their Responsible Investigator clear guidelines to follow about the manipulation of live animals that will uphold the Code, and the Act.

5.1.2 The student and Responsible Investigator will ensure that manipulation is carried out in accordance with this Code, and the conditions that are set in the approval.

5.2. Appropriate Qualifications

In some cases the conditions of the approval may stipulate that the Responsible Investigator or a suitably qualified person is present.

5.3. Transportation of Animals

If transport is required, the terms are set out in the conditions of the approval.

5.4. Housing of Animals

If housing is required, the terms are set out in the conditions of the approval.

5.5. Sick and Injured Animals/Adverse events

The conditions of the approval will detail how to deal with sick and injured animals on a case by case basis.

5.6. Grading

The AEC will only approve applications involving manipulations graded A-C in accordance with guidelines in MPI's *Animal use statistics* document.

5.7. Euthanasia for tissue collection/dissection

The Committee will not consider any application to manipulate an animal by euthanising it in order to use its body or tissues for teaching or research.

5.8. Rehoming

The AEC will not approve applications where school students intend to purchase animals and then rehome them at the completion of their project. The AEC may approve class projects where the teacher proposes using livestock (such as chickens) that will join a school or personal farm.

6 Animal Facilities

If a school planned to set up an animal facility under this Code, the following would be required:

a. Identification of Facility Manager

This person would be responsible for the daily operation of the animal care programme. The Manager would be required to report any significant animal welfare concerns to the chairperson of the AEC.

The Facility Managers will perform an annual review of their animal care procedures, the purpose of which is to review the operation of the unit and address any concerns. A copy of this review is to be sent to the AEC. The AEC may at any time appoint a suitably qualified person to inspect the animal facility.

b. Operating procedures of the facility

An operating plan, including the husbandry of animals in the facility and SOPs for managing the animals, the facility, adverse events and specified manipulations would need be developed and approved by the AEC.

c. Monitoring

The facility would be monitored by the Committee (see also 7).

7 Monitoring

Individual A and B grade, and all C grade applications will require monitoring, and this will be indicated on the application approval.

Where the AEC determines that a manipulation requires monitoring, the Principal Investigator may be required to video the first manipulation and submit it to the AEC for approval. Video recordings over time may also be used for monitoring purposes. Where video evidence is required, a written record that video evidence has been sighted should be included in the final report.

The AEC requires self-monitoring of all approved manipulations – students and teachers are required to seek veterinary attention if an animal becomes unwell.

For teacher 3 year approvals, the AEC will determine whether a site visit inspection of the proposed investigation(s) is required. Approvals are considered for a site visit on a case by case basis. Monitoring decisions are based on: training and experience of the applicant(s), the nature of the investigation, numbers of animals proposed and any other matters that Committee members believe is relevant.

7.1. Powers of the AEC

The AEC may elect to make a site visit at any time during the life of the approved application.

7.2. Frequency of Monitoring

Follow-up visits will be made as considered necessary to review any changes in animal investigations.

Site visits will be documented in writing, with copies sent to the AEC, the Responsible Teacher, the Principal Investigator and a veterinarian (if appropriate). Site visit reports will be tabled at the next AEC meeting.

7.3. Monitoring of Manipulations

The AEC will require self-monitoring of all approved manipulations. This will require:

- i. Reporting of any adverse event
- ii. An end of project report, which may contain a photograph of any Science Fair, Crest or Bright Sparks entry
- iii. Written evidence from the Responsible Teacher of all video recordings sighted.

7.4. Monitoring by Proxy

Members of the AEC, or personnel nominated on their behalf on a case-by-case basis, may conduct site visits. Such personnel may be experienced teachers of biological science, national judges and regional chief judges of Science and Technology Fairs, CREST Awards assessors, experienced researchers of biological science, members of approved animal welfare organisations, and approved veterinarians.

Written reports to the AEC will be required and will be tabled at the next AEC meeting.

7.5. End of Approval Reporting

At the end of the project the Responsible Teacher or Principal Investigator must submit an end of approval report that includes records of monitoring as described in 7.3, 7.4 and 7.5 plus results, number of animals used, a record of any adverse events and how such events were managed.

7.6. End of Approval Grading

If, after reading the end of approval report, the AEC assesses that the actual impact grade differs from what was approved, the Committee will contact the Responsible Teacher requiring an explanation and assurance that this will not happen again.

7.7. End of Approval Statistics

The secretary ensures that statistics are reported when the project is complete.

8 Arrangements for External Parties to Use the CEC and AEC

Arrangements are not permitted.

9 Complaints Procedures

All complaints relating to animal welfare, AEC procedure or regulatory issues should be addressed to the Chair of the AEC.

The Committee deals with school students, parents and teachers in their home or school environment, so advice would be sought from the Animal Welfare group at MPI, or the SPCA.

The complaint would be recorded in full in writing by the Committee.

10. Process to Amend, Suspend or Revoke the CEC

The AEC may recommend minor amendments to this Code from time to time, as considered necessary.

These will be first discussed with and agreed by NZASE. NZASE will give the Director-General, in writing, particulars of the minor amendments as soon as practicable after the end of the year, as specified in s95 of the Act.

If the NZASE decides to suspend or no longer use animals in teaching or research, the codeholder will request that the Director-General of MPI to suspend or revoke this Code as appropriate.

