University of Glasgow

What is Institutional Ethics Review, and Why is it (Still) so Unsatisfactory for the Social Sciences?

On September 19-20, a group of 20 scholars and practitioners[1] engaged in the regulation of social science research ethics, met at the University of Glasgow to discuss the state of the field. Discussions focused on current challenges in using a largely biomedical, compliance-based, and risk-averse regulatory model to address ethical questions in social science studies; reasons for the stickiness of these challenges over time; and pathways to change. The workshop drew on global knowledge, while reflecting on the particular case of ethics requirements in the UK.[2]

During a two-day international workshop held at the University of Glasgow, scholars and practitioners gathered to discuss institutional ethics review and its application to the social sciences. In the UK, and an increasing number of other countries worldwide, institutional ethics review is the norm for social science scholarly research conducted on or with people—often called 'human participants'. Existing institutions and practices are widely recognised as premised on biomedical ethics models; over the past several decades, they have become increasingly widespread, formalised, and far-reaching across countries, disciplines, and methods. This is also part of a broader trend in 'research bureaucracy' in higher education, which has recently been heavily criticised for its inefficiency.

Many have reflected that current structures of ethics review prioritise institutional protections and risk aversion to the detriment of high-quality, critical, and responsive social science research. To be sure, ethics review may also offer benefits, for example, buy-in, oversight, and constructive feedback from peers—as well as self-fulfilling benefits of meeting funder and publishing requirements. However, in a world of pressing, global, and interconnected social and political challenges, where questions of inclusivity and fair partnerships are gaining overdue attention, it is a key moment to ask if these regulations are serving the public interest—and how we might better interpret and implement them to ensure that they do so.

Motivation for the workshop

Ever since universities began applying institutional ethics requirements to social science studies, scholars across disciplines, countries, and institutions have flagged wide-ranging

[1] See list of attendees/contributors at the end of this note.

[2] This document highlights some key points raised in the discussion; however, it does not purport to reflect the views of any specific individual in attendance at the workshop. The workshop was funded by the Swiss National Science Foundation through an Ambizione grant held by Rebecca Tapscott (University of Glasgow) on the Transnational Politics of Research Ethics and Its Regulation (2019-2024).

concerns. These run the gamut: from seeing ethics review as a threat to academic freedom, to an unnecessary and unhelpful process that turns ethics into a practice of tick-boxing to satisfy compliance requirements. For example, as currently implemented in the UK, ethics review often asks researchers to gain institutional approval from the institutions they are studying. This can create significant barriers for social science studies that seek to turn a critical lens on a given organisation—for example, in a UK context, scholars wishing to study the British military are required to secure approval from MODREC (the military's research ethics committee), while those who wish to study prisons across many countries must gain approval from prison authorities, raising conflicts of interest. Internationally, researchers are asked to seek ethics review and approval from government-run ethics committees in repressive and autocratic contexts ranging from Afghanistan under the Taliban to Rwanda under the RPF.

Other frequently cited challenges include the inappropriateness of signed informed consent, for example, in post-colonial contexts where document signing is associated with signing away rights rather than gaining them, or in cases where signing a document can create risks for respondents (again, as in an authoritarian context). In other cases, requirements for prior review and informed consent mean that researchers are barred from drawing on publicly available information where consent is implausible (e.g., public social media postings), on personal experience, or information collected prior to formulating a specific research project. These guidelines emerged from the methodologies underpinning biomedical and clinical research, in which research usually involves planned medical interventions; but do not translate well to observational research of the real world in which no intervention was made, and in which researchers consider a wide range of benefits and harms beyond the embodied (reputational, emotional, financial, and so on).

While these critiques are well-established and common to virtually all processes that apply institutional ethics review to the social sciences, they have spurred surprisingly little reform: instead, countries and institutions of knowledge production around the globe are increasingly adopting the same biomedical model of prior ethics review by committee. Image 1, below, shows these concerning trends.

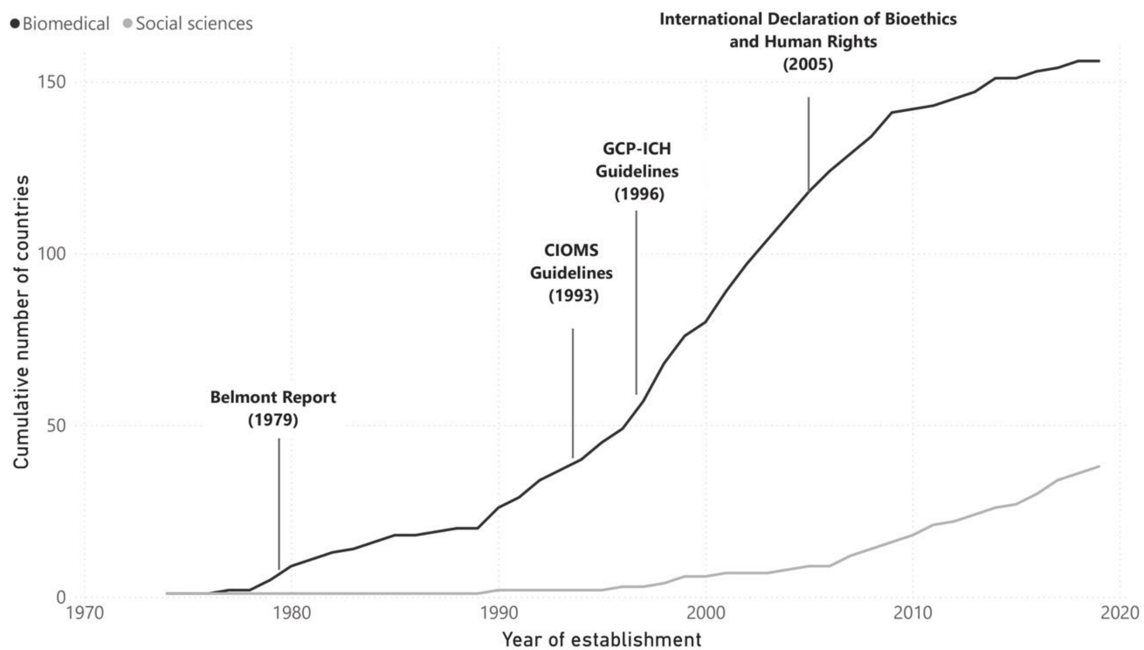

Image 1: Cumulative number of countries adopting regulations for biomedical versus social sciences

These trends are driven by a variety of mutually-reinforcing dynamics: globally-leading universities have made prior ethics review a *sine qua non* of research with human subjects, with little flexibility across disciplines; and funders and academic journals are increasingly requiring that academics comply with ethics review processes. These trends reinforce the power of existing research ethics committees and have motivated the creation of new ones in many universities around the world aspiring to achieve international recognition, despite longstanding and widespread critiques of their efficacy and efficiency for the social sciences.

Key workshop insights

There was broad agreement that ethics review as currently implemented does not work well for the social sciences, with participants reiterating many of the points raised above. Participants widely believed that the social sciences are different from biomedical and clinical research in a way that means they require a different or tailored approach when it comes to regulating their ethics. However, participants disagreed on what makes the social sciences particular. Some emphasised that the relationship between researcher and researched is personalised, and therefore requires more trust than in clinical trials that can proceed on pre-determined and impersonal terms; others suggested that social sciences play a different function in society to biomedical and clinical research—while the latter focus on the narrow view of human welfare as improved health and longevity, the social sciences instead are characterised by a critical reflexivity that requires researchers to question what a good society is. The question of interdisciplinary research, such as health-related social sciences, was also recognised as a complex area, with participants questioning whether these projects reflect something between the natural and social sciences, or rather a combination of two distinct approaches.

These views, while potentially compatible, nonetheless underlined different visions for change, with some to advocating for reform, and others for radical change. Participants found ample ground for agreement, however, noting that initial steps for reform would offer important benefits even absent more fundamental changes; and also that reform could offer important first steps toward a more concrete vision for fundamental changes and how to get there.

Participants also highlighted widespread and hidden costs to the current approach to ethics review. These are include: (1) potential *unrecognised costs to knowledge production*, in which especially students and early-career researchers avoid primary data collection, or pre-emptively select topics that do not require ethics review, or topics and methods they think are more likely to be easily approved; (2) *uncounted time* that researchers spend preparing and modifying application forms and collecting and storing documentation to meet bureaucratic requirements that may hinder rather than facilitate high-quality research; (3) the *added stress and emotional toll* that such processes can take, notably on post-graduate students who often have little support in navigating an opaque system. Participants also noted (4) *duplicated work*, with funders' and publishers' requirements often demanding similar but different processes.

Perhaps the most significant hidden costs are *administrative costs* associated with running ethics review processes that are pre-emptive and over-inclusive—despite offering virtually no evidence of their efficacy for protecting research participants. Ethics review processes are typically implemented by academics who have encountered research ethics through their own research practice, but often have little or no further training—and where they do, it is rarely linked to social science-specific concerns. In the UK, as committee members, these academics are tasked with interpreting and applying not just ethics standards, but also a wide range of compliance regimes. These include data protection requirements as set out in the GDPR, health and safety concerns, insurance requirements particularly related to international travel, and in some cases PREVENT—the UK government's policy that sets a positive duty to report risk of political radicalisation.

The complexity of applying diverse requirements that often have competing concerns (e.g., data transparency versus data security; or making respondents comfortable versus producing an auditable record) can produce overly-restrictive interpretations. Take, for example, the common practice of turning to GDPR to establish best practice around signed informed consent. In actuality, many UK research organisations rely on GDPR's provision for public interest rather than consent as the lawful basis for collecting data. When GDPR requirements are satisfied based on public interest, collection and documentation of consent is left as purely a question of ethics. Universities and research ethics committees decide what ethical consent practices look like, and therefore have free reign to implement them as appropriate to different contexts and methods of research. Additionally, should there be a compliance breach, ethics review processes do little to protect the university; academics have no standing to make authoritative interpretations of such regulatory requirements. Shortcuts to implementing various compliance regimes can therefore create overly restrictive outcomes without concomitant benefits.

Several concerns were raised about international research. First, it was noted that discussions about ethics regulations are driven by a set of global North countries that have dominated knowledge production globally: the US, UK, Canada and Australia. These countries notably have some of the most comprehensive requirements and guidelines for ethics review in the social sciences; they are also global powers that provide some of the most significant funders

of social science research, that provide graduate training for social scientists drawn from across the world, and Anglophone countries that produce the vast majority of scholarly publications across research areas. They have largely exported the same model and principles worldwide, without reflecting the diversity of how different societies and disciplines understand ethical research. Second, this Anglo-centrism produces important blind-spots, in which ethics review processes are often assumed to function similarly worldwide. However, it is well-recognised that ethics review can be politicised, and that the interests of research subjects may not align well with those of the public. Third, participants highlighted that ethics review processes can create additional barriers for knowledge production from outside the global North, with academics facing funding, partnership, and publishing requirements that assume a functional and accessible ethics review committee that in practice may be inaccessible—whether because it does not exist, is defunct or non-functioning, is prohibitively costly or time consuming, or politicised. Finally, from a practical perspective, participants highlighted a degree of hypocrisy, in which UK universities may require 'local' review and approval on one hand, but then override it in instances where 'local' requirements conflict with those of the UK institution. Each of these raise key questions about the impact of ethics review processes on international social science studies, all the more so those concerned with positionality and power.

Why is Change Elusive?

Such critiques are not new—indeed, scholars (including some of the workshop attendees) have been raising these critiques for decades. Participants reflected on why such critiques have not, to-date, produced meaningful institutional reform—and perhaps more troublingly, why countries worldwide continue to adopt new requirements that reproduce the same pathologies that are already well-known and documented. Key reflections highlighted a lack of genuine consultation with stakeholders before the introduction, extension or intensification of review; an absence of institutional memory; and a regulatory structure oriented toward compliance and bureaucracy (as noted above).

In such a context, innovations to create more reflective and responsive ethics review processes typically require substantial additional labour, demanding reviewers work in a grey area where right and wrong answers are often contested and elusive; and where they must proactively interpret regulatory requirements (which they are not expert in) to find room to fit the wide-ranging ethical questions that social science research often raise in practice. This additional labour requires reviewers to deviate from existing institutional incentives and take on individual risk. Moreover, systems that allow for this kind of flexibility are often reformed with an eye toward efficiency, compliance, and auditability, for example, providing templates for signed informed consent. While helping users navigate the otherwise unwritten expectations of ethics review as a compliance bureaucracy, such requirements make it more difficult to adapt to diverse research environments and methods.

In terms of building a knowledge base about the challenges of ethics review processes for the social sciences and how to respond to them, efforts have remained notably siloed across social science disciplines and methods, as well as across countries, such that similar critiques and debates have emerged autonomously among different communities. Many new initiatives are formed and funded based on the empirical observation that ethics review processes (whether procedural or in practice) are unsatisfactory. However, these often fail to engage meaningfully with what has come before, producing countless best practice guides and

checklists, each reinventing the wheel. Other tools quickly become defunct or inaccessible when research funding runs dry (for example, the Mapping African Research Ethics Capacity project, or the UK's Association of Research Ethics Committees), or are simply not widely disseminated or adopted (such as the 2013 New Brunswick Declaration).

Notably, the pursuit of broader success can create failure: efforts to draw wider support for social science specific initiatives, or to streamline them into existing processes, often mean opening the door to biomedical and global North logics. Being a better funded, more developed and coherent project, with greater depth and breadth of expertise, biomedical logics can dominate spaces that otherwise might support an emerging discussion on social science approaches to research ethics. For instance, the few academic journals dedicated to research ethics include both social sciences and natural sciences in their scope—but editorial boards are largely comprised of those specialising in bioethics and health research, and this is similarly reflected in publications (see, *Research Ethics* and *Journal of Empirical Research on Human Research Ethics*). Such trends are logical, given motivations to attract a wider readership and the need for editors and reviewers with sufficient expertise, but nonetheless contribute to diluting and diffusing a sustained discussion on the particularities of research ethics in the social sciences.

Opportunities for Innovation

Despite these challenges, workshop participants nonetheless identified several opportunities for innovation, including both larger and smaller-scale opportunities for reform. First, as written, requirements for ethics review allow for greater flexibility than is often used in practice. For example, the ESRC states that research organisations are responsible for ensuring that funded research receives 'appropriate' ethics review. It also points to the need for 'creative approaches to ethics issues'. There is also awareness that not all ethical issues can be quantified or anticipated, especially in ethnographic or longitudinal research. The framework and guidance thus offers more space for innovation and manoeuvre than typically used by university RECs. While some publishers require ethics review for studies involving humans (e.g., Sage), how this is done is left to the discretion of the researchers' institution. GPDR allows for universities to collect data under a provision for public interest. This means that processes of consent are not tied to GDPR requirements, but rather fall under the remit of ethics, providing for much greater flexibility than what would be required under GDPR. Thus, many relevant guidelines are written to allow for the type of flexibility that high-quality and contextually-sensitive ethical social science requires.

UK universities typically produce guidelines with conservative default practices (e.g. unless otherwise justified, researchers must always collect signed informed consent; or researchers should collect all necessary permissions from any relevant institution). However, the above suggests that instead, universities would do well to set out guidelines that emphasise the flexibility available to scholars, helping them understand and work within requirements to pursue cutting-edge and riskier research that addresses the ethical questions relevant to their projects. This shift—*from* training researchers to comply with a set of rules and policing their how they do so, *to* professional development around guidelines for researchers to understand and work within—would go a long way to making research governance processes more supportive of research.

Notably, the funders present at the workshop raised concern that universities are overly risk averse in their implementation of ethics review, noting that funding agencies often wish to support research that is potentially high risk, high reward. There was widespread agreement that universities should create exempted and less intensive review processes for lower-risk research, allowing greater focus of human resources on higher-risk studies. However, for these efforts to be meaningful, universities must develop and implement more capacious and explicit definitions of low-risk research, for instance, understanding high-risk as only that which increases risks beyond what research participants might encounter in everyday life, or which has a reasonable risk of harm *after* mitigation measures are put in place. In this vein, the workshop participants reflected that researchers should be explicitly required to justify and to mitigate risks, not to eliminate them.

In line with the above, there was widespread agreement that universities should explore separating ethics considerations from compliance considerations, allowing those with the relevant expertise and authority to ensure scholars abide by legal requirements, and allowing ethics review to focus on supporting researchers in navigating ethical concerns. Such a separation would enable universities to explore more innovative reforms, such as allowing for *post-hoc* review in certain instances (for example where research relies on observation or discussion rather than experimentation), or giving ethics review processes an advisory role, rather than a certifying role.

Participants also highlighted the opportunity to draw on global heterogeneity to find opportunities for better practice and flexibility. Canada's tripartite agreement on research ethics provides for covert research under certain circumstances, and offers exceptions to seeking institutional approvals for crucial research, as elaborated in section 3.6:

> *Research in the form of critical inquiry, that is, the analysis of social structures or activities, public policies or other social phenomena, requires an adjustment in the assessment of consent. Where the goal of the research is to adopt a critical perspective with respect to an institution, organization or other group, the fact that the institution, organization or group under study may not endorse the research project should not be a bar to the research receiving ethics approval. Where social sciences or humanities researchers seek knowledge that critiques or challenges the policies and practices of institutions, governments, interest groups or corporations, researchers do not need to seek the organization's permission to proceed with the proposed research. If institutional approval were required, it is unlikely that research could be conducted effectively on such matters as institutional sexual abuse or a government's silencing of dissident scientists. Important knowledge and insights from research would be forgone.*

Norway has also long had a system in which ethics review for social sciences is purely advisory. At a national-level, the US's 2019 revisions to the Common Rule in fact deregulate most social science research, though implementation is extremely heterogenous. Many countries worldwide have no requirements in place to review social sciences research. These countries do not appear to produce a disproportionate number of social science controversies, lending plausibility to adopting these practices in the UK and more broadly.

To avoid exporting a US-derived biomedical model of ethics review worldwide, key players in the knowledge economy would do well to recognise that different countries and institutions

operate differently, and that absence of ethics review requirements does not *a priori* indicate sub-par ethical practice. Policies should never require research demonstrate compliance with ethics review processes, nor should they use ethics approval as a stand-in for ethical research practice, but rather, they should focus on whether researchers acted responsibly and justifiably in relation to ethics considerations.

A final and widespread view was the need to invest in cultures of research ethics across knowledge producing institutions, in which education and ongoing learning on research ethics would become a core component of higher education and research. This can be understood as an aspiration both for ethics review (what we might think of as procedural ethics requirements) and for supporting initiatives (sometimes thought of as ethics in practice) (for more on this distinction, see Guillemin and Gillam 2004).

For reforms to ethics review, supporting a culture of research ethics would entail ensuring that ethics review is conducted by people with methodological and substantive understanding of the research. This was recognised as important in order to develop nuanced and grounded approaches to research ethics informed by and embedded in the methods, ontologies, and epistemologies of diverse research agendas. Having a shared methodological and substantive base of knowledge would help reviewers know what questions to ask (and which to overlook).

Related to this was the importance of complementing ethics review processes with informal and sustained opportunities for exchange—among reviewers; between reviewers and university administration, especially those concerned with research; and between reviewers and researchers. These spaces are needed to build trust and allow honest exploration of how to make regulatory requirements speak to research practice—or at least to not stifle it.

In terms of fostering cultures of ethical research beyond compliance, participants discussed creating spaces for ethical reflection that are distinct from ethics review and approval. It was agreed that it would be important to keep these spaces distinct from ethics review processes, given recognition the formal role that ethics review plays in ensuring compliance, auditability, and the like (as elaborated above)—agendas that are often incompatible with exploring complex ethical issues lacking evident solutions. Providing and sustaining such spaces would fit the reality that ethical obligations are an ongoing component of research (particularly for research that does not see the researcher as making an autonomous intervention in a controlled environment), and require flexibility and adaptability, as well as reflection and discussion.

Finally, cultures of research ethics could be importantly supported by investing in ongoing learning and teaching on ethics that seeks to tap into the longstanding though fragmented knowledge base on these topics. Beyond developing and providing resources and training, such a commitment would require situating these tools in a broader context of this longstanding debate, including considering how discussions have evolved in given countries and disciplines, and taking a critical and reflexive approach to how we narrate and police what constitutes ethical research.

Producing a more reflective and responsive approach to research ethics, that supports high quality and rigorous research across social science disciplines would require ongoing investment: to develop both social science-wide and discipline-specific understandings of ethical research practice and tools to navigate how these interface with compliance

requirements; and to build processes of knowledge exchange and learning, within and across institutions.

While establishing a fundamentally new approach to ethics review in the social sciences may be both needed and desirable, the workshop clearly highlighted that such reforms are distant, due to significant knowledge gaps; absence of needed infrastructure for knowledge exchange and learning; the limited investment in the social sciences compared to other areas of scholarly research; and the broader realities of UK higher education and the political economy of knowledge production. At the same time, more moderate reforms along the lines of those highlighted here, are eminently feasible with a bit of political will, and could yield valuable returns by cutting back on administrative burden and creating a more welcoming space to engage with ethics concerns beyond compliance.

Drafted by Rebecca Tapscott
21 October 2024

Workshop Participants

Simon Anderson, Independent Research Consultant, AHRECS
Tatiana Carayannis, Program Director, Social Science Research Council
Robert Dingwall, Consulting Sociologist, Dingwall Enterprises Ltd.
Edward Dove, Professor of Law, Maynooth University
Jo Duffy, Senior Research Policy Manager, Governance and Policy, ESRC UKRI
Michael L Frazer, Lecturer in Politics, University of Glasgow
Mo Hume, Professor of Latin American Politics, University of Glasgow
Mark Israel, Australasian Human Research Ethics Consultancy Services
Marian Krawczyk, Lecturer in Health and Social Policy, University of Glasgow
Kate Long, PhD Researcher, University of York
Adya Misra, Associate Director, Research Integrity at Sage Publishing
Ties Nijssen, Executive Director Humanities Journals, Springer
Gerda Reith, Professor of Social Sciences (Sociology), University of Glasgow
Daniel Rincón Machón, PhD Candidate, University of Cambridge
Rachel Smillie, Senior Operations Manager, Research Services
Rebecca Tapscott, Senior Lecturer in International Relations, University of Glasgow
Birte Vogel, Director, Humanitarian Conflict Response Institute, University of Manchester