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Policy Owner	VP Responsible for Research
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## PROCESS FOR RECONSIDERATION OR APPEAL OF DECISIONS OF THE ACC

### PURPOSE

1. The purpose of these Procedures is to describe the University of Ontario Institute of Technology (UOIT) reconsideration or appeal process for unfavourable decisions rendered by the Animal Care Committee (ACC) on animal-based research protocols. This procedure has been set out in accordance with the Canadian Council on Animal Care (CCAC) policy statement on Terms of References for Animal Care Committees.

### DEFINITIONS

2. For the purposes of these Procedures the following definitions apply:
 

**“Animal Care Committee (ACC) Coordinator”** is the Research Ethics Officer at UOIT who is responsible for the coordination of all animal care related activities and provides support to the ACC.

**“Animal Utilization Protocol (AUP)”** is the application form which animal users are required to complete and submit to the ACC for review. The AUP form is intended to provide the ACC with information about activities in individual laboratories and classrooms. This information is required for the ACC to meet its legal and ethical responsibilities.

**“Principal Investigator (PI)”** in research involving animals, is the person who is a University member and leads a research project. The PI is also responsible for overseeing all aspects of the research project.

### SCOPE AND AUTHORITY

3. These Procedures apply to decisions rendered by the Animal Care Committee on animal-based research protocols.
4. **Responsibility**  
The ACC Chair, Vice-chair, ACC members, the Office of the Vice-President Research, Innovation and International (VPRII) and ACC designate are responsible for executing this procedure.
5. The Vice-President Responsible for Research, or successor thereof, is the Policy Owner and is responsible for overseeing the implementation, administration and interpretation of these Procedures.

## PROCEDURES

The ACC encourages on-going discussions with investigators, through the ACC Coordinator relating to the submission of a new animal utilization protocol (AUP). When a decision regarding an AUP or renewal is found to be unfavourable to the Principal Investigator (PI), the PI has the right to request for reconsideration or an appeal to the decision of the ACC.

6. When a PI wishes to request for reconsideration or appeal the decision made by the ACC, a formal written request must be sent to the ACC Coordinator no later than 30 days after a written decision has been rendered by the ACC.
7. **Reconsideration Requests**
  - 7.1. Reconsideration requests are reserved for instances when a PI is in disagreement with the ethics review feedback or decision on an AUP. Reconsideration requests and decisions are managed at the level of the ACC. Requests must be submitted to the ACC Coordinator in writing no later than 30 days after the written decision letter has been rendered by ACC. The reconsideration request, along with any supporting documents are sent to the members of the ACC for immediate discussion and review at a convened meeting. A request to attend the ACC meeting may be extended to the PI to discuss the ruling and provide more information, if required. Post meeting, the ACC may decide if the initial ruling will be overturned or the initial decision of the ACC will be upheld. When the initial ruling is overturned, the ACC and PI will collaboratively work to reach a resolution. When the initial decision is upheld, the PI may request an appeal of the decision.
8. **Appeal Requests**
  - 8.1. Appeal requests are reserved for instances when a resolution has not been reached despite extensive discussions and reasonable attempts to find an agreement through a reconsideration request (section 7.1). Formal written request must be sent to the ACC Coordinator no later than 30 days after the written decision is rendered by the ACC. A written response from the VPRII or delegate will be sent to the PI within 10 days of receiving the appeal to acknowledge the request and describe the appeal process and requirements. The ACC Chair and the academic department chair will receive copies of all correspondence.
9. **Appeal Committee**
  - 9.1. An external Animal Care Committee with requisite knowledge and experience will serve as the external ad-hoc appeal board (“appeal board”) to ensure arm’s length review. The VPRII will be responsible for identifying and appointing an appeal board.
  - 9.2. The appeals committee will follow their institutional policies and procedures for conduct of an appeals hearings and will render a decision on the appeals request.
10. **Appeals Review**
  - 10.1. The Appeal Committee shall receive the following documentation for review of the appeal:

- a) All documents available at the ACC meeting(s) related to the appeal, i.e. original AUP; decision letter, etc.
  - b) All minutes of the ACC meeting(s) related to the appeal; and
  - c) PI's appeal letter and supporting documents.
- 10.2.** The appeal committee may request additional material from either the PI or the ACC Chair, and/or may seek advice from an expert(s) and/or may have a resource person(s) attend any or all portion of its meeting.
- 10.3.** The PI shall be given the opportunity to present the grounds for the appeal and speak to the issues. At the same time, the ACC Chair shall be given the opportunity to present the reasons for the decision of the ACC and speak to the issues.

**11. Decision Making**

- 11.1.** The entire appeal process will take 90 days from the date the reconsideration or appeal request was acknowledged by the ACC to the date a final decision is rendered. The appeal committee shall provide a written decision to the PI and the VPRII. The decision of the appeal board is considered final and no further appeals will be granted.

**MONITORING AND REVIEW**

- 12.** These Procedures will be reviewed as necessary and at least every three years. The ACC Chair, ACC Vice-Chair and ACC Coordinator are responsible to monitor and review these Procedures.

**RELEVANT LEGISLATION**

- 13.** Ontario Animals for Research Act

**RELATED POLICIES, PROCEDURES & DOCUMENTS**

- 14.** Canadian Council on Animal Care (CCAC) standards and guideline documents  
Animal Care Committee Terms of Reference, UOIT