

# Animal Welfare Complaints Procedure

## Section 1 - Summary

(1) The purpose of this Procedure is to ensure appropriate investigation of and response to any complaints received about a VU AEC approved project or animal use and or welfare at Victoria University (VU).

(2) This is required to ensure compliance with the [Code of practice for the care and use of animals for scientific purposes 8th edition 2013](#) (referred to as "the Code"), specifically sections 5.4 and 5.5 which relate to complaints, and other legislation and regulation as relevant.

## Section 2 - TEQSA/ASQA/ESOS Alignment

(3) HESF: 4.1 Research; 4.2 Research Training; 5.2 Academic and Research Integrity.

## Section 3 - Scope

(4) This Procedure applies to:

- a. VU staff or students (wherever located) who undertake research, teaching or artistic work using animals. This would include any visitors (when onsite at VU or off-site working on VU AEC approved projects).
- b. VU staff or students (wherever located) who undertake research, teaching or artistic work using animal tissue, whether extracted from a living or dead animal. This would include any visitors (when onsite at VU or off-site working on VU AEC approved projects).
- c. All persons who identify an issue of concern relating to the care and treatment of animals used at VU for research teaching or artistic work and wish to make a complaint.

## Section 4 - Definitions

(5) Nil.

## Section 5 - Policy/Regulation

(6) [Animal Welfare Policy](#)

## Section 6 - Procedures

### Part A - Summary of Roles and Responsibilities

Roles	Responsibilities
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Animal Welfare Officer (AWO)	Will receive the complaint. Will review the complaint and determine if it is of a serious nature. Will be involved in the investigation of the complaint.
Complainant	Provides a statement in writing of the nature of the complaint, giving as many details as possible. Co-operates with the investigation process as required.
Animal Ethics Committee (AEC)	Considers all complaints brought to its attention. Authorises immediate cessation of activities pending investigation if the allegation is considered to be of a serious nature. Arranges for investigation of complaints. Determines whether the complaint has merit. Orders the appropriate remedial action. Refers the matter to a research misconduct process if appropriate.
AEC Chair	Will receive the complaint. Will review the complaint and determine if it is of a serious nature.
Chief Investigator	Takes overarching responsibility for the AEC approved project. Co-operates fully with complaint investigation. Implements any required process changes.
Investigator	Any person who uses animals for scientific purposes. Includes researchers, teachers, undergraduate and postgraduate students involved in research projects, and people involved in product testing, environmental testing, production of biological products and wildlife surveys.
AEC Executive Officer	Provides administrative support to the AEC.
Victoria University Audit and Risk Committee	Reviews a decision of the AEC in a complaint matter if a question is raised about the AEC process.
Research (SPPL Holder): Deputy Vice-Chancellor, Research & Impact	Considers reviews against AEC determinations. Receives complaints from investigators dissatisfied with AEC.
Executive Dean, Executive Director of a Research Institute or Director of a Centre for Research	Co-operates with the AEC in the investigation of a complaint. Receives complaints redirected by the AEC when unrelated to activities defined under "the Code".

## Part B - General

(7) Any person concerned about the management of an AEC approved project or animal welfare may make a complaint.

(8) A student may elect at any time to notify a teacher of a conscientious objection to participate in teaching involving the use of animals. Such notification must be communicated to the AEC by the teacher in writing.

(9) Investigators dissatisfied with the AEC may lodge a complaint to the Executive Director, Research Services.

(10) A complaint should be made directly to the Animal Welfare Officer, the Chair of the AEC, the Executive Director, Research Services, or the AEC.

(11) The complaint must be in writing and should include as much detail as possible, such as the date and nature of the event resulting in the complaint.

(12) To avoid confusion and misinformation the complaint must not be made via a third party, and must not be made anonymously.

(13) The complaint may be lodged in confidence to one of the above persons.

(14) Any complaint received concerning the treatment of animals must be fully investigated as soon as is reasonably

practicable and if necessary corrective action taken.

(15) If the complaint relates to work at an external organization the AEC of that external institution (external AEC) must be informed of the complaint.

(16) It is the responsibility of the AEC with oversight of the project or animals under the scientific premises license to investigate the complaint. The VU AEC Chair will advise the external AEC of the complaint in writing and request a report of the outcome of any review of the complaint about the information of the VU AEC.

(17) If the external AEC determines that research or other misconduct has occurred this will be referred to the VU License holder for appropriate action.

## **Part C - AEC Action**

(18) Relevant documentation from the AEC will provide contact details for the Animal Ethics Executive Officer and a statement that complaints should be lodged with the Office of Research Training, Quality and Integrity via:

- a. the Animal Welfare Officer (AWO);
- b. the Chair of the AEC;
- c. the Executive Director, Research Services; or
- d. the AEC Executive Officer.

(19) All complaints will be referred to the AEC via the AEC Chair.

(20) Upon receiving a written complaint the AEC chair and/or the AWO will review the complaint and determine if it is of a serious nature, if determined to be serious the AEC chair and/or AWO may require all work relating to animal use related to the project or matter named in the complaint be discontinued until a full investigation has occurred.

(21) The AEC will consider the complaint in light of the approved application to the AEC or other relevant documentation.

(22) The AEC will require from the person(s) identified in the complaint response to the complaint in order to determine the nature of the complaint and decide:

- a. If the complaint relates to a potential adverse event the AEC will initiate the [AEC - Procedure for Handling Adverse Events](#)(Animal Ethics Procedure);
- b. If the complaint relates to a potential non-compliant event the AEC will initiate the VU [Animal Welfare Non-Compliant Events Procedure](#);
- c. If the complaint is not related to the requirements of "the Code" the AEC will refer the complaint to the relevant Executive Dean or equivalent Director or dismiss the complaint.

(23) In the case that the complaint is made concerning the AEC process, the Executive Director, Research Services will receive and take a lead role in assessing the complaint and will arrange, in consultation with the Office of the Vice-Chancellor, for a person external to the AEC to investigate the complaint.

## **Part D - Recommendations**

(24) The investigation by the AEC will determine if the complaint is:

- a. Upheld — and what actions or AEC approved procedures and processes are to be followed.
- b. Dismissed.

(25) Complaints relating to the AEC process of review must comply with the relevant section of "the Code".

## **Part E - Communication and Review**

(26) The AEC will ensure that all parties, including the complainant, are aware of the process and are informed of its progress and outcomes.

(27) In the event that the complaint was lodged in confidence, and therefore direct communication with the person making the complaint is not possible, the person to whom the complaint was originally lodged should ensure communication of the outcome of the complaint back to this person.

(28) The right of review will be extended to all parties to a complaint.

(29) An intention to review must be made in writing to the AEC Executive Officer and must be made within one month of the outcome of the complaint being finalised.

(30) The Deputy Vice-Chancellor, Research & Impact will consider the review and determine if further action is required. In circumstances where research misconduct is judged to have occurred the occurred matter may be referred to Research Ethics & Integrity. Where a complaint involves a staff member's conduct, the complaint may be referred to People and Culture who may address the issue of personal misconduct.

## Status and Details

<b>Status</b>	Current
<b>Effective Date</b>	24th November 2021
<b>Review Date</b>	24th November 2024
<b>Approval Authority</b>	Associate Provost Research Institutes & Centres
<b>Approval Date</b>	8th November 2021
<b>Expiry Date</b>	Not Applicable
<b>Accountable Officer</b>	Andrew Hill Deputy Vice-Chancellor, Research & Impact andy.hill@vu.edu.au
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