

PROCEDURES FOR HANDLING COMPLAINTS

PURPOSE

In accordance with the current *Australian code for the care and use of animals for scientific purposes (the Code)*, the Australian Antarctic Program Animal Ethics Committee (AAPAEC) is required to have procedures in place to respond to complaints relating to animal welfare.

These procedures provide clear guidance for the handling of complaints related to the welfare of animals used for scientific purposes within the Australian Antarctic Program.

RESPONSIBILITIES

- 1.1 Where a complaint is received regarding the conduct of a project, the AAPAEC is responsible for conducting an investigation and determining a suitable response which may include formally withdrawing the project.
- 1.2 Where a complaint is received regarding the AAPAEC process of assessment of an animal ethics application or review of a report the AAD Director is responsible for conducting an investigation and determining a suitable response.

COMPLAINTS

General

- 2.1 Complaints may be raised by any individual or group.
- 2.2 Any complaints received regarding the Australian Antarctic Program's animal research activities will initially be referred to the AAPAEC Chair (or delegate) for investigation.
- 2.4 All complaints will be handled impartially and in a confidential manner with a view to resolution as quickly as possible.

Procedures

- 3.1 Complaints must be received in writing at aec@aad.gov.au.
- 3.2 The AAPAEC Chair (or delegate) will conduct a preliminary assessment of the complaint and report to the AAD Director in writing within 10 business days of receipt of such advice.
- 3.3 Complaints received regarding the AAPAEC process of assessment of an animal ethics application or review of a report will be investigated by the AAD Director.
- 3.3 The AAPAEC will investigate the complaint(s) raised and respond to the concerns of the complainant in writing within one month of receipt of such advice.

- 3.4 Where complaints relate to activities that have the potential to adversely affect animal wellbeing, the activities must cease immediately.

Handling of alleged non-compliance events

- 8.1 In all cases of alleged non-compliance, the chief investigator will be contacted by the AAPAEC Executive Officer to provide a report to the AAPAEC outlining the project and circumstances of the alleged non-compliance event. Reports must be emailed to the AAPAEC Executive Officer at aec@aad.gov.au within 5 business days of the request for a report.
- 8.2 Although the primary responsibility for the welfare of animals lies with the chief investigator, consideration will be given to requiring information from all personnel involved in the event.
- 8.3 All AAPAEC requests for information must be provided by the chief investigator/involved personnel in an accurate and timely manner. Prompt responses to all enquiries from the AAPAEC and requested attendance at any meetings is expected.
- 8.4 The action taken will be determined by the severity of the non-compliance. Actions may include, but are not restricted to: formally cautioning the chief investigator; suspending or withdrawing approval for the project or field personnel; recommending disciplinary action to the relevant institution. Where non-compliance is detected after completion of the project the AAPAEC may recommend remedial action to the chief investigator to prevent reoccurrence.

Minor non-compliance

- 8.5 The AAPAEC Chair (or delegate) will report alleged non-compliance to the AAPAEC and together with AAPAEC members will review relevant information including the report provided by the chief investigator.
- 8.6 The AAPAEC will:
- consider the requirement for additional information, including records maintained, submission of previous requests for variation(s) or other documentation;
 - give consideration to the need to review other approved projects with which the chief investigator is also involved;
 - determine any actions to be taken by the chief investigator or other personnel involved with the project to satisfy the committee that such an event will not occur in the future.
- 8.7 Incidents of minor non-compliance will only be reported if considered necessary by the AAPAEC to the AAD Director and if the incident is related to a non-AAD project, to the chief investigator's employing institution.

Moderate non-compliance

- 8.8 Steps outlined at 8.5 and 8.6 (minor non-compliance process) will be followed.
- 8.9 The AAPAEC may choose to suspend all activity associated with the project until the non-compliance has been discussed and resolved.
- 8.10 The AAPAEC may request a meeting with the chief investigator and/or relevant personnel involved with the project to discuss the information received in relation to the non-compliance.

- 8.11 The AAD Director, AAD Territories, Environment and Treaties (TET) Section Manager, Science Program Leader, Operations Manager (Station Leader and/or Voyage Leader) and any other relevant AAD staff will be promptly notified of all alleged moderate non-compliance events.
- 8.12 If an authorisation or permit has been issued for the relevant project, the Territories and Environment Section will conduct a preliminary assessment to ascertain whether a breach or suspected breach of authorisation and/or permit conditions has occurred. If it is established that a breach has occurred, the TET Section will lead an investigation to determine the severity of the breach and the subsequent response. Where relevant, incidents may be referred to the Environment Investigations Unit of the Department of the Environment and Energy for further formal investigation.
- 8.13 Where an investigation by the TET Section into a breach or suspected breach of authorisation and/or permit conditions has occurred, the findings and response will be reported back to the AAPAEC.
- 8.14 The chief investigator may be required to attend a meeting with the AAPAEC to discuss the findings including any required actions.
- 8.15 On completion of the investigation, the AAPAEC Chair (or delegate) will inform the chief investigator in writing of the outcome including the AAPAEC's recommendations in relation to actions required to address the non-compliance.
- 8.16 On completion of the investigation, the AAD Director and other relevant AAD staff will promptly be informed of the outcome of the assessment of the alleged non-compliance event. If the non-compliance involves a non-AAD project, the chief investigator's employing institution will be notified including actions required by the AAPAEC and improvements that have been made.

Serious non-compliance

- 8.16 Steps outlined at 8.5 and 8.6 (minor non-compliance process) will be followed.
- 8.17 The AAPAEC Chair (or delegate) will immediately notify AAPAEC members of the alleged non-compliance and the chief investigator will be instructed that all work on the project must cease immediately pending an investigation.
- 8.18 If practicable, the AAPAEC will request a meeting with the chief investigator and/or relevant personnel involved with the project to discuss the information received in relation to the alleged non-compliance.
- 8.19 The AAD Director, TET Section Manager, Science Program Leader, Operations Manager (Station Leader and/or Voyage Leader) and any relevant AAD staff will be promptly notified of all alleged serious non-compliance events.
- 8.20 If an authorisation or permit has been issued for the relevant project, the TET Section will conduct a preliminary assessment to ascertain whether a breach or suspected breach of authorisation and/or permit conditions has occurred. If it is established that a breach has occurred, the TET Section will lead an investigation to determine the severity of the breach and the subsequent response. Where relevant, the TET Section may refer incidents to the Environment Investigations Unit of the Department of the Environment and Energy for further investigation.
- 8.21 Where an investigation by the TET Section into a breach or suspected breach of authorisation and/or permit conditions has occurred, the findings and response will be reported back to the AAPAEC.

- 8.22 The chief investigator may be required to attend a meeting with the AAPAEC to discuss the findings and any required actions.
- 8.23 On completion of the investigation, the AAPAEC Chair (or delegate) will inform the chief investigator of the outcome in writing including the AAPAEC's recommendations. In doing so the Chair (or delegate) will inform the chief investigator that they have the right to appeal.
- 8.24 On completion of the investigation, the AAD Director and other relevant AAD staff will be promptly informed of the outcome of the assessment of the event. If the non-compliance involves a non-AAD project, the chief investigator's employing institution will be notified including actions required by the AAPAEC and improvements that have been made.

RECORDS

- 9.1 Records of investigations into complaints will be maintained by the AAPAEC Executive Officer with a copy stored in a secure location.

AUSTRALIAN ANTARCTIC PROGRAM ANIMAL ETHICS NON-COMPLIANCE PROCEDURES

