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ETHICAL GUIDELINES FOR THE USE OF TISC DATA FOR RESEARCH OR ANALYSIS OR ANY OTHER REASON

The aim of these Guidelines is to preserve confidentiality, yet facilitate, within certain parameters, processing of applications, and bona fide research which will contribute to planning and policy by institutions which are approved to receive data from TISC.

DEFINITIONS

Custodian – means the employee or owner of an institution to which data are provided by TISC, and who is identified by the institution as the person who is responsible at that institution for the confidentiality, appropriate use and, if necessary, the destruction of the data .

Data – means the information on TISC's databases including the following: information on current applicant database which will vary constantly over each admissions cycle; historical databases; statistical reports created at various intervals during each admissions cycle; and the entire applications and offers database resulting from applications for each admissions cycle, offers made at the two offer rounds, and late offers.
Types of data:

i. Identified data are data, from which an individual can be identified;
ii. Potentially identifiable data, are data which are coded but can be made identifiable by matching with other data, eg if names only are removed;
iii. De-identified data are data that cannot be re-identifiable, (irreversibly anonymous).

Institutions – means the four public universities in Western Australia, Tertiary Admissions Centres in other Australian states, Western Australian schools, mailing houses such as Quickmail used by TISC, the Federal Department of Education or its successor, the Western Australian Department of Education, the Western Australian Department of Education- Services, the Catholic Education Office of Western Australia, the Association of Independent Schools of Western Australia, The University of Western Australia residential colleges, and other bodies, agencies or individuals to which data are either required by law to be provided or approved by the TISC Management Committee to be provided; and includes persons belonging to the above organisations who have access to the data.

Research – includes at least investigation undertaken to gain knowledge and understanding. Research is ethically acceptable only when its potential benefits justify any risks involved in the research.

Risk – is the function of the magnitude of harm and the probability that it will occur.

Harm – is that which adversely affects the interests or welfare of an individual or a group. Harm includes physical harm, anxiety, pain, psychological disturbance, devaluation of personal worth and social disadvantage.

GENERAL

The release by TISC of data to institutions is underpinned by TISC's published Privacy Policy (May 2014). This specifies that the information collected enables TISC and member universities to assess in a reliable, valid and equitable manner an application for a university place and facilitates research into matters relating to secondary or higher education. This latter statement, therefore, circumscribes the scope of research by institutions, using TISC data.

TISC obtains agreement from each applicant (through his/her Declaration) that any information made available or obtained in connection with his/her application may be made available to (a) the four member universities; (b) other organisations as documented in TISC's Privacy Policy; (c) other admissions centres and educational institutions.

Users of TISC data must comply with the National Statement on Ethical Conduct in Human Research (2007), as updated March 2014 (http://www.nhmrc.gov.au/publications/synopses/e72syn.htm).

ETHICS

Ethics in research rests on the integrity of the researchers – including the commitment to research questions that are designed to contribute to knowledge; a commitment to the pursuit and protection of truth; a commitment to reliance on research methods appropriate to the discipline; and honesty. The following ethics guidelines applicable to research involving individuals are those of the National Statement on Ethical Conduct in Human Research (2007), as updated March 2014[1], and must be complied with by all researchers using TISC data.

1. ***Research merit and integrity –*** *Unless proposed research has merit, and the researchers who are to carry out the research have integrity, the involvement of human participants in the research cannot be ethically justifiable.*

2. ***Justice –*** *At a profound level, justice involves a regard for the human sameness that each person shares with every other. Human beings have a deep need to be treated in accordance with such justice, which includes distributive justice and procedural justice. In the research context, distributive justice will be expressed in the fair distribution of the benefits and burdens of research, and procedural justice in 'fair treatment' in the recruitment of participants and the review of research. While benefit to humankind is an important result of research, it also matters that benefits of research are achieved through just means, are distributed fairly, and involve no unjust burdens.*

3. ***Beneficence –*** *Researchers exercise beneficence in several ways: in assessing and taking account of the risks of harm and the potential benefits of research to participants and to the wider community; in being sensitive to the welfare and interests of people involved in their research; and in reflecting on the social and cultural implications of their work.*

4. ***Respect –*** *Respect for human beings is the common thread through all the discussions of ethical values. Turning to it as the final value is a reminder that it draws together all of the ethical deliberation that has preceded it.*

The design, review and conduct of research must reflect each of these values.

For detailed definitions of these values, researchers are directed to pages 10-11 of the National Statement on Ethical Conduct in Human Research (2007) at http://www.nhmrc.gov.au/guidelines/publications/e72.

RULES BASED ON THE GUIDELINES

Flowing from the ethical guidelines above, the following are the rules relating to TISC data to be complied with on a practical basis:

1. Researchers must submit to the TISC Executive Officer an application form for TISC data. The application will be assessed in accordance with the National Statement on Ethical Conduct in Human Research (2007), as updated March 2014. If necessary, through the Chair of the TISC Management Committee, the application will be submitted to the Chair's university Human Research Ethics Committee (HREC) for consideration. No data sets will be made available to researchers until written approval has been granted.

2. Data are only released by TISC for bona fide admissions purposes, policy and planning, and research by institutions. Approval by the TISC Management Committee has already been given for the release of some types of data requests that comply with the National Statement on Ethical Conduct in Human Research (2007), as updated March 2014.

3. Confidential personal data which are not required as part of an application for data will not be released by TISC.

4. Institutions acknowledge that TISC owns the data, and that TISC has legal responsibility for it until it is provided to an institution.

5. Institutions and TISC agree that TISC has the right to approve release of its data, and that legal responsibility for the use of the data is carried by the institution.

6. All persons at institutions who are to have access to identified data in the course of their employment or research shall complete a signed declaration binding them to respect the confidentiality of the information contained therein, and to follow these Guidelines.

7. Institutions will advise TISC of the identity of the custodian(s) of the information at the institution.

8. Where personal information is collected, stored, accessed, used, or disposed of, institutions must ensure that privacy, confidentiality and cultural sensitivities are respected.

9. No publication or public presentation or discussion of results of research based on identified data shall include any information that could allow an individual to be identified unless the written consent of each such individual has first been obtained. This includes the strong likelihood of small groups of people with shared characteristics being readily identified in cross-linked data and the danger in cross-linked data being able to identify individuals (or small groups) to a high degree of statistical probability.

10. Persons identified through name records may not be contacted by institutions for further information, except as permitted for current applicants by member universities.

11. Data cannot be forwarded by institutions to other institutions without TISC Management Committee approval.

12. Use of a linked data set for further projects such as longitudinal studies would require prior written approval as outlined in Rule 1.

13. Identifiable data are any information that could, either on its own or by matching with other data sets, allow the identification of an individual. Researchers intending to use statistical data linkage that could allow for the identification of an individual must declare this intention on the application form for approval as outlined in Rule 1. Statistical data linkage proposals by institutions must always be disclosed on the application form.

14. Institutions and researchers acknowledge and accept that they are accountable in their use of TISC data to TISC or the Human Research Ethics Committee (HREC) which originally approved their application for research; and that they must comply with all requirements of TISC or the HREC in relation to their research, and to the sanctions if non-compliance occurs.

15. Physical security of data (security access to the building, storage rules for hard copy of data, computer security procedures and disposal of data when no longer required) must be guaranteed by institutions.

16. Data must either be destroyed or stored in a secure manner on completion of the purpose for which it was obtained. Institutions must indicate what they propose to do with the data by sending a signed statement to TISC to that effect. Mailing houses which are provided with TISC data must provide a signed declaration at the conclusion of each project that the data have been destroyed.

17. Institutions note that TISC must be acknowledged as the source of data in any publication and that a copy of any published material must be supplied to TISC.

[1]The above guidelines have been sourced from the following:

AUSTRALIAN FEDERAL GOVERNMENT, 2012. *Privacy Amendment (Enhancing Privacy Protection) Act 2012 (Privacy Amendment Act)* [online]. Sydney. Available from http://www.oaic.gov.au/privacy/privacy-act/privacy-law-reform [Accessed 13 June 2014].

AUSTRALIAN INSTITUTE OF HEALTH AND WELFARE, 2006. *AIHW Ethics Committee – Guidelines for the Preparation of Submissions for Ethical Clearance* [online]. Canberra. Available from http://www.aihw.gov.au/committees/ethics/ aihw_ethics_committee_submission_guidelines_november_2006 [Accessed 3 April 2007].

AUSTRALIAN INSTITUTE OF HEALTH AND WELFARE, 2007. *National Death Index* [online]. Canberra. Available from http://www.aihw.gov.au/cancer/ndi/index.cfm, http://www.aihw.gov.au/cancer/committees.cfm, http://www.aihw.gov.au/committees/ethics/ index.cfm [Accessed 3 April 2007].

HEALTH DEPARTMENT OF WESTERN AUSTRALIA, CONFIDENTIALITY OF HEALTH INFORMATION COMMITTEE (CHIC), 1986. *Code of Practice for Use of Identified Data* [online]. Perth. Available at http://www.publichealth.uwa.edu.au/welcome/research/dlu/ Linkage [Accessed 3 April 2007].

NATIONAL HEALTH AND MEDICAL RESEARCH COUNCIL,(2007). *National Statement on Ethical Conduct in Research Involving Humans* [online]. Canberra. Available at http://www.nhmrc.gov.au [Accessed 3 August 2007 and 13 June 2014].

THE OFFICE OF THE AUSTRALIAN INFORMATION COMMISSIONER, 2014. *Federal Privacy Law* [online]. Canberra. Available at http://www.privacy.gov.au/act/index/html [Accessed 13 June 2014].

WA DATA LINKAGE SYSTEM, 2006. *Data Access Policy* [online]. Perth. Available at http://www.publichealth.uwa.edu.au/__data/page/38779/DLU_Access_Policy_Apr_2006.pdf [Accessed 3 April 2007].