FACULTY OF LAW

RESEARCH POLICIES AND RESEARCH ETHICS HANDBOOK

[Last updated July 2016]
**LAW FACULTY STATEMENT OF VALUES AND GOALS**

We, the staff and students of the Faculty of Law of the University of Cape Town, recognise that we are a community of scholars, striving for excellence in all that we do. We are conscious of the fact that we are part of the broader South African society, and also the African and international academic community. We acknowledge the role played by the law in creating a society that was characterised by oppression and remains deeply divided by inequality.

We commit ourselves to the following goals: teaching and research which is of the highest quality; developing all staff and students to their fullest potential; promoting an institutional culture founded on mutual tolerance, respect, understanding, integrity and openness, one which values our common humanity and which celebrates and promotes diversity. In the pursuit of all these goals, we hope to contribute to redressing the inequality and disparity that continues to exist within South African society.

We recognise that the realisation of these goals requires:

- Scholarship that is critical and compassionate, and which explores the potential of the law as a means to achieving justice for all;
- Leadership that is effective and promotes the values of the faculty;
- Accountable, inclusive and transparent decision-making in which staff and students are given the opportunity for effective participation;
- Open and critical debate that protects and promotes academic freedom and university autonomy;
- Provision to staff and students of opportunities and resources necessary for their optimal development.

We will strive to live these values and achieve these goals in our daily activities and exchanges with one another.

3/08/2004
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INTRODUCTION TO RESEARCH IN THE LAW FACULTY

Research in the Law Faculty is centrally administered by the Faculty’s Research Directorate Office and the Senior Research Administrator is Ms Lamize Viljoen, Room 6.29, Kramer Law Building, Tel: 021 650 3080; Fax: 021 650 5660; email lamize.viljoen@uct.ac.za

Research and Social Responsiveness Committee

The Faculty Research and Social Responsiveness (FRC) Committee is responsible for research-related matters in the Faculty. Its primary function is to encourage and facilitate research as well as other socially responsive activities.

Currently, Professor Dee Smythe, (Public Law), chairs the committee and is also the Director of Research of the Faculty. Other committee members are:-

- Prof Alexander (Sandy) Paterson (Director: Internationalisation)
- Professor Chuma Himonga (Research Chair in Customary Law)
- Professor Salvatore Mancuso (Director: Centre for Comparative Law in Africa)
- Professor Pierre De Vos (Faculty USR representative, Public Law)
- Professor Jan Glazewski (IMEL, Public Law)
- Professor Tjakie Naude (Private Law)
- Dr Shane Godfrey (LEP, Commercial Law & REC representative)
- Dr Kelley Moult (Faculty Methods Advisor, Director: CLS, Public Law)
- Ms Fatima Khan (Director: Refugees Rights Research Unit, Public Law)

The Research and Social Responsiveness Committee meets four times a year and is serviced by Ms Lamize Viljoen, Room 6.29, Kramer Law Building. Email: lamize.viljoen@uct.ac.za, tel: 021 650-3080 Fax: 021 650-5660.

Research Ethics Committee

The Research Ethics Committee reviews all research proposals that intend to gather data from or about living humans and decides whether to grant ethics clearance without amendment or whether to require amendments or clarifications to the proposal.

The primary role of the REC should be seen to be educative rather than as serving a policing role. The objective is to raise awareness of ethical imperatives and how to improve research proposals to meet these imperatives. This educative and facilitative function is in line with the constitutional provision that prohibits participation in research without informed consent (s 12(2)(c). It also complies with national legislation – the National Health Act 61 of 2003 – that defines ‘health’ very broadly to include the well-being of all humans; and ‘health research’ as including ‘surveys, interviews, focus groups or ethnographic observations’.

Ethics guidelines set out explanations of the issues that require consideration when designing a research project. There are general guidelines and discipline-specific guidelines, e.g. sociologists and anthropologists follow guidelines that cater specifically for the types of methodology appropriate to those disciplines. See the Faculty of Humanities ‘Guide to Research Ethics: Research with Human Participants’ for a list of discipline-specific guidelines (available at the said faculty’s website - please see link - http://www.humanities.uct.ac.za/hum/research/ethics).

The Law Faculty has general guidelines and a policy document (see below); it also advocates use of discipline-specific guidelines where appropriate.
**Higher Degrees Committee**

The Higher Degrees Committee’s role in research-related activities is to review proposals for higher degrees by dissertation (LLM and PhD) on academic grounds, whether these proposals will involve human research participants or not.

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**Information Diagram**

Managing Research in the Law Faculty

- **Research & Social Responsiveness Committee**
  - Administers research-related matters, especially to encourage and facilitate research

- **Research Ethics Committee (REC)**
  - Reviews research proposals that intend to obtain data from or about living humans

- **Higher Degrees Committee**
  - Decides on grounds of academic merit whether an applicant for a LLM or PhD has an acceptable proposal
A. **RESEARCH ETHICS**

1. **Ethics clearance procedures**

All research including student research that proposes to do research that involves the collection of data from or about living humans must, in principle, undergo ethics review. Some research that utilises human participant data may not require ethics clearance; it may be exempt from ethics review. Please see Appendix 4 - FAQ under ‘Exempt from review’ or consult with a member of the Research Ethics Committee (see membership list above) in cases of uncertainty.

Sometimes, for good reason, an application for ethics clearance may be expedited, i.e. dealt with outside the usual meeting schedule. Please see Appendix 4 - FAQ under ‘ Expedited review’.

The faculty’s Research Ethics Committee (REC) is responsible for assisting researchers, including students, to ensure that their proposed research meets the highest ethical standards. In order to facilitate the process researchers, including especially higher degree law candidates, are encouraged to complete online research ethics training before embarking on the ethics clearance application process. Convenors and supervisors are encouraged to do the same. See list of examples of online training courses below in Appendix 4.

The Faculty has since 2014 put in place a Methods Advisor, Dr Kelley Moult, who assists students wanting to obtain ethical clearance in order to conduct interviews using human participants but requires assistance around the methodology of such an application.

**Procedures for student research**

**LLB student research in Research Focus Groups:**
The convenor of a research focus group (RFG) may complete an application form for the ‘generic’ project, outlining with sufficient detail what procedures, recruitment strategy, who the participants are, what risks of harm and likelihood of direct benefit to participants are anticipated. If the RFG includes many disparate research topics, then more than one application may be more appropriate.

It is important that the students learn what is expected from an ethics clearance process, including drafting information and consent documents, scripts for recruitment, etc. Consequently, the convenor of the RFG should ensure that the students go through the process of completing and submitting the necessary documentation to him or her.

The REC reviews the ‘generic’ application(s), having delegated responsibility to the convenor to act as a proxy reviewer of the individual projects. The students must present sufficient information to the convenor so that she or he can make an assessment of whether the project falls within the scope of the ‘generic’ project approved by the REC and complies with all the necessary ethics requirements.

Convenors must understand that signing off on an application for ethics clearance indicates taking responsibility for supervising the student in compiling the content of the application. If there is compliance with the scope of the ‘generic’ project, the project can proceed; if not, the convenor should approach the REC to ascertain whether a separate application for ethics clearance is needed for a particular research paper.

**Criminology Honours:**
Candidates must complete an application for ethics clearance under the supervisor’s guidance.

**MPhil and LLM minor dissertation students:**
Candidates must complete an application for ethics clearance under the supervisor’s guidance.
LLM, MPhil and PhD dissertation students:
Candidates must complete an application for ethics clearance under the supervisor’s guidance.

Queries
Questions regarding procedures of the application process may be directed to Ms Lamize Viljoen at lamize.viljoen@uct.ac.za or tel 021 650-3080. Questions regarding the substance of applications should be addressed to supervisors in the first instance if applicant is a student. Otherwise, such questions may be directed to Ms Lamize Viljoen or to a member of the REC or to the Methods Advisor, Dr Kelly Moul. (appointments via Ms Viljoen).

The members of the REC are:-
Associate Professor Julie Berg (Chair - Criminology, Public Law)
Dr Shane Godfrey (Commercial Law)
Professor Dee Smythe (Director of Research)
Professor Jan Glazewski (Public Law)
Associate Professor Anne Pope (Private Law)
Mr Khomotso Moshikaro (Public Law)
Ms Diane Jefthas (Public Law)

Contract research

Researchers who tender for contract research should note that the application for ethics clearance should be submitted, as soon as they are aware that they have been awarded the contract. This practice serves to expedite matters so that unnecessary delays can be avoided.

Research Unit/Group

Application for ethics clearance for a research project involving human subjects that is part of a larger programme of research being conducted by a research grouping should utilise the correct application form to obtain ethical clearance (first phase).

These can be found at link: http://www.law.uct.ac.za/law/research/overview or can be requested directly from Ms Lamize Viljoen on email: lamize.viljoen@uct.ac.za

Application forms must be downloaded from the below link:

2. Application procedure and time lines
1. Applications to be submitted online, at the follow link:
   http://www.law.uct.ac.za/ethics-research by the 10th of each month.
2. Applications will be checked for completeness and distributed to REC members electronically. Incomplete applications cannot be distributed.
3. Complete applications will be considered by all members of REC at a meeting scheduled towards the end of the month.
4. At the Committee’s discretion, applicants and supervisors will be invited to attend meetings at which proposals will be reviewed. This practice permits an early opportunity to address problems and queries that arise.
5. Applicants will be advised of the Committee’s decision, usually within 1-4 days of the meeting.
6. Applications that need to be re-worked should be re-submitted, usually by the 10\textsuperscript{th} of the following month. If only minor corrections are required, the Committee may indicate that re-submission may take place sooner.

7. The general requirements for the ethics clearance process include submission of
   1) Completed application form, including
      a. Details of methods to be used
      b. Statement explaining how data or sensitive information will be safely secured
   2) Information sheet
   3) Consent form
   4) Copy of questionnaire to be used
   5) Permission from relevant authorities (if appropriate)

8. Research proposals should reach the Research Administrator by 10\textsuperscript{th} of each month for regular processing. (Requests for expedited review may be submitted at any stage of the month.)

For more detailed guidance, see the
   a) Law Faculty Research Ethics Policy (Appendix 1)
   b) Research Ethics Guidelines (Appendix 2)
   c) Application form (Appendix 3)
   d) Exemplar of informed consent documents (Appendix 3 page 45)
   e) Renewal or extension of ethics clearance (Appendix 3 page 46)
   f) Exempt from Review - eligibility (within Appendix 4 page 61)
   g) FAQs (Appendix 4)

These documents can be viewed and downloaded at
http://www.law.uct.ac.za/law/research/overview

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**Application procedure**

![Application process diagram]

START

Submit application online by 10\textsuperscript{th} of month

FINISH

REC communicates decision to researcher as soon as possible

REC meets towards the end of the month; researcher & supervisor will be invited to attend meeting
B. RESPONSIBLE RESEARCH CONDUCT

Apart from obtaining research ethics clearance where appropriate, researchers should be mindful of the other aspects of responsible research conduct. When collaborating with colleagues or students, matters relating to authorship should be discussed and clarified before the research work begins. See the Faculty’s Authorship guidelines in the next section.

Similarly, attention must be given to recognizing and avoiding plagiarism and other research misconduct.

1. Authorship guidelines – Law Faculty (approved 2007)

(See also the UCT Authorship guidelines at http://www.law.uct.ac.za/law/research/overview

1.1 Definition of a publication

A publication is any document produced by a member of staff or student in the Faculty of Law, including project reports (and interim project reports), monographs, peer-reviewed and non-peer reviewed articles and publication in electronic media.

1.2 Authorship and Co-Authorship

The Faculty of Law defines authorship as substantial participation in the writing of a publication. Substantial participation includes:

a) writing;
b) analysis and interpretation of data
c) drafting or revising the article critically for important intellectual content
d) in appropriate instances of empirical research, conception and design.

Where substantial contributions (as defined above) are made by several persons to a common project, they will be joint authors of the product. Each author should have participated sufficiently in the work to take responsibility for appropriate portions of the content. One or more authors should take responsibility for the integrity of the work as a whole, from inception to published article.

Authors should be able to provide a description of what each contributed. All others who contributed to the work who are not authors should be named in the Acknowledgements, and what they did should be described.

Order of author names on a jointly authored document:

a) Different levels of contribution: the person who has made the greatest contribution to the paper (often the project leader) is to be listed first with remaining authors listed in order of their contribution.

b) The same level of contribution: normally the person who led the production of the document is listed first. Remaining authors will be listed alphabetically. Where there is no principal author, all names are to be listed alphabetically, and where all authors are regarded as having made an equivalent contribution, this should be noted in the author credits.

Authorship Agreement:

Authorship is a matter that should be discussed between colleagues at an early stage in a project, and reviewed whenever there are changes in participation. The project leader must initiate this discussion. The agreement must deal with the allocation of financial incentives resulting from publication. The agreement may be altered by mutual consent during the course of the project.

1.3 Student – Staff-Supervisor Co-Publication
The conditions listed in clause 2 above apply in the first instance. In the case of a co-authored publication by a student and her/his research supervisor that is substantially based on the student’s dissertation or thesis the student will normally be the first author. This condition may be waived if the student plays little or no role in the preparation of the work for publication. In such instance, the student will be the second author.

1.4 Exclusions

a) Participation solely in the acquisition of funding for the collection of data does not justify authorship.
b) General supervision or leadership of a research group is not by itself sufficient for authorship.
c) Mere institutional position, such as the Head of Department, does not justify authorship credit. Minor contributions to the research or to the writing for publications are appropriately acknowledged, such as in footnotes or in an introductory statement.

1.5 Acknowledgement of contribution to a research product

It is good practice to acknowledge those who contribute to a publication. The Faculty should follow an inclusive principle of acknowledgement as far as is possible. The significance of the contribution of those who are acknowledged should be signalled.

1.6 Disputes

Disputes concerning any aspects of authorship described above should in the first instance be resolved between the researchers concerned. Where this is not possible, the head of the department or research centre within which the principal researcher or student is based is responsible for attempting to facilitate a mediated settlement. If this mechanism fails, or where there is a conflict of interest, the matter may be referred to the Law Faculty Research Committee.

This Committee may:

- recommend the appointment of an independent arbitrator;
- facilitate a mediated settlement; or,
- where there is a conflict of interest, refer the matter to the University’s Senate Ethics in Research Committee.

For the UCT Conflict of Interest Policy document, see http://www.uct.ac.za/about/policies/
**EXEMPLAR OF MOU RECORDING AUTHORSHIP ARRANGEMENTS**

**MEMORANDUM OF UNDERSTANDING RE AUTHORSHIP**

Title of paper/project/study:

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………………………………………………………………………………………………………………………………………………………………
………………………………………………………………………………………………………………………………………………………………

Co-authors and roles/contributions:
*(Corresponding author, then names in sequence as currently envisaged for publication)*

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Researchers to be acknowledged:
*(Include reason for acknowledgement)*

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Signed by all current co-authors (note any withdrawn or withdrawing co-authors):

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………………………………………………………………………………………………………………………………………………………………

Current date: ..............................

Proposed next Authorship Review date: ..............................
2. **Plagiarism guidelines**

See UCT policies and guidelines regarding avoiding plagiarism at [http://www.uct.ac.za/about/policies/](http://www.uct.ac.za/about/policies/)

**Self-plagiarism**

This term is used (erroneously) to describe the situation where an author produces research output that contains material previously published and fails to acknowledge this. The term itself lacks sensible meaning since ‘plagiarism’ means to use the work of *another* without acknowledgement. Nevertheless, the situation that the term describes is serious because it can amount to a form of cheating through deception. For example, additional subsidy may be earned because it appears to be a ‘new and original’ submission or a researcher’s CV can be falsely inflated because ‘recycling’ work gives the impression of high(er) levels of productivity.

The Department of Higher Education and Training is reluctant to subsidise output that is not really new output; in other words, double-dipping is frowned upon. From a research integrity perspective, this conduct is regarded negatively. This is because if I know I am offering for publication a piece that is substantively and significantly similar to one already published, and I am not acknowledging this, then I am engaging in a form of fraud or at least in clear deception. This deception is galling, from all points of view, including seeking additional subsidy.

UCT’s Authorship Practices Policy and the Law Faculty’s Authorship Guidelines provide principles to guide decisions to (re)publish work. Researchers, including students, should discuss these matters to raise awareness for it is through transparent and clear discussion of the principles and disadvantages of this form of deception that research integrity as well as personal integrity may be fostered.

3. **Ethical and Scholarly Misconduct Regarding Research**

Ethical and scholarly misconduct regarding research can take several forms, ranging from fraud and dishonesty (including plagiarism) to failing to adhere to protocols as approved.

The University and the Law Faculty expect impeccable ethical and scholarly standards to be adhered to by all researchers at or connected to the University. Misrepresentation of data constitutes a major breach of contract between a staff member and the University (see Staff Manual Ethical standards in research for staff on UCT conditions of service 1.1.2.2).

The primary responsibility for the conduct of research for every project lies with the principal investigator or lead researcher.

See the Law Faculty’s policies and procedures for dealing with ethical and scholarly misconduct regarding research at [Faculty Policy & Procedures for Breach of Research Ethics Codes & Allegations of Misconduct in Research](http://www.law.lib.uct.ac.za/).

4. **Reference and research guides**

The Law Faculty’s Writing Guide for Law Students and several research guides can be found at [http://www.law.lib.uct.ac.za/](http://www.law.lib.uct.ac.za/)

5. **Conflict of interest**

Committee members have a fiduciary responsibility to serve the interests of the university and of the public generally. All decisions are to be made solely on the basis of a desire to promote the best interests of the university and the public and, in the case of research ethics related matters, the interests of research participants and researchers must be protected.
In the context of the REC and ethics clearance applications, a conflict of interest or of commitment may arise. A **conflict of interest** involves not only the direct, personal and pecuniary interests of the individual, but also those of members of his or her immediate family circle. A **conflict of commitment** may involve the time and investment expected from a staff member or student in ordinary university business, including teaching and learning, versus the time and investment available for doing the proposed research properly. Too little of the latter has potentially negative implications for the integrity of the research process and, especially when human participants are involved, can risk causing wrongs by wasting their time if the research cannot be completed properly.

See the UCT Conflict of Interest policy at [http://www.uct.ac.za/downloads/uct.ac.za/about/policies/conflictofinterest.pdf](http://www.uct.ac.za/downloads/uct.ac.za/about/policies/conflictofinterest.pdf)
C. RESEARCH FUNDING

Money awarded as research grant funding is held at the University in research accounts called ‘funds’. The money is managed through the SAP R3 system – each department has a nominated individual who performs the necessary transactions through SAP R3 concerning the income and expenditure on these funds.

**Internal grant funding** for research is sourced from the University general operating budget (with a few exceptions), and is managed via sub-committees of the University Research Committee. When grants are made by these sub-committees, award letters are sent to the awardees, and the money transferred from Research & Innovation to the Faculty Office of the awardees. It is the responsibility of the Research Finance Officers in the relevant faculties to ensure that the money is transferred into the particular research fund of the researcher.

Upon retirement or resignation, any residual funds revert to the Law Faculty (unless association with UCT is continued in a different capacity). These funds are reallocated for research development. Any books, computer hardware or other equipment purchased from an internal award or grant remain the property of the University.

**External grant funding** is usually made available to the researcher by the Faculty Research Finance Officers, on the basis of an award letter from the external funder and acceptance of the conditions of the award by the researcher. This means that the University usually does not wait for the actual award to be paid before making the funding available to the researcher. The money is claimed subsequently by the University from the funder. This is known as a ‘spend and claim’ award – the majority of the National Research Foundation grants are managed in this way, as well as some of the Medical Research Council grants.

Some grants, however, are only paid to the relevant researcher when the money is transferred from the agency to the University’s bank account. The researcher and the Research Finance Officer in the faculty are responsible for ensuring that the relevant amount is placed in the correct fund for the researcher.

1. Sources of information for funding opportunities

The Internal Funding Policy can be accessed at the below link

UCT Researchers may access information about funding opportunities from the following sources:

- **Research and Innovation Newsletter**

  The newsletter includes information on funding opportunities, conferences and other research-related news.
  http://www.uct.ac.za/research/office/announcements/notices/

- **Research Office Website**

  For current funding opportunities both national and international visit the Research Office web site
  http://www.uct.ac.za/research/office/funding/
2. Eligibility for Faculty Research Committee (FRC) and University Research Committee (URC) funding - These are also noted below.

For further information contact the Faculty’s Research Office on tel: (021) 650-3080.

2.1 Eligibility

UCT researchers who are:

- Permanent academic staff;

- Honorary Research Associates; Emeritus Professors; Emeritus Associate Professors; Honorary Professors; Honorary Associate Professors and Senior Research Scholars who have published in accredited, subsidy-earning publications in the past year; and

- Joint permanent academic staff (excluding registrars).

As for eligibility for the Book Award, Meritorious Publication Award and the Creative Works Award:

- All members of the University Community are eligible for these Awards. The University Community includes joint appointments and retired staff.

Eligibility for the Alan Pifer Research Award and the College of Young Fellows Awards varies and can be found on the pages to follow.

**Eligibility for the Emerging Researcher Fund: Permanent and T3 contract academic staff members who recognise the need to develop their personal research profiles and would like support in doing so.

**Only signed-up members of the Emerging Researcher Programme, as this allows for mentoring and tracking of their progress.

Please contact Ms Lamize Viljoen for further information on email lamize.viljoen@uct.ac.za

In the case of page costs for books and journals, authors/editors may be asked to forward royalties to UCT against the grant.

Post-doctoral fellows are not eligible for other University funding.

Faculty specific - from 2011, an incentive for PhD students in the Faculty, if prior year reserves (funding budget) allow, will be distributed at the same time and on the same basis as the publication incentive. I.e. R5,000 per subsidised article in which individual’s affiliation with UCT is clearly stated; to a maximum of R10,000 per person; plus an additional R5,000 if the person has a third publication in an ISI-journal. It is imperative that the articles which are incentivised actually attracted subsidy. Where articles were co-authored, the incentive will be split pro rata for UCT affiliated authors.

The distribution of incentive awards for a respective year’s articles will take place at the same time as those for staff members, i.e. by the latest first half of the following year. They will be handled on the same basis as staff incentives, i.e. they will be paid into a research account administered by the Faculty Financial Administrative Officer.
2.2 Application Process

All categories, except start-up grants and page costs, have **deadlines** for application.

No late applications are accepted.

Application forms are available on the UCT website in relation to RURC funding opportunities:

[http://web.uct.ac.za/depts/sapweb/forms/forms.htm](http://web.uct.ac.za/depts/sapweb/forms/forms.htm)

URC funding forms must be submitted by the deadline to the Research Office, 2 Rhodes Drive, Mowbray, with the relevant endorsements, for the attention of the Internal Funding Manager or Internal Funding Assistant.

FRC funding forms to be submitted to the Faculty’s Research Office located at Room 6.28, on level 6, Kramer Law Building for the attention of Ms Lamize Viljoen (email: lamize.viljoen@uct.ac.za)

Outcomes are communicated via award letters only, and will not be given telephonically or via e-mail.
3. University Funding via the Faculty Research Committee (FRC)

3.1 Block Grants

General
Each faculty receives an annual block grant calculated in direct relation to the research outputs reported on in the previous year. The block grant process is devolved to faculty level and the Faculty Research Committees assume the responsibility for managing the distribution of their block grant allocation according to a faculty-specific model approved by the URC. This is to provide maximum flexibility for aligning the use of block grants with faculty-specific strategies.

Purpose of the award
The purpose of Block Grants is to enable researchers to pursue their research effectively. A URC block grant is intended as the minimum top-up necessary to enable researchers to carry out a realistic and feasible research plan. All research related and extension service activities for which researchers would like to receive URC support should be included in the block grant application.

Budget
The URC provides the budget for the Block Grant. The faculty allocation is calculated according to an outputs-based formula.

Deadlines
The deadline and process dates are determined annually by the Faculty’s Research Office.

The process is managed within the Faculty’s research Office.

Ms Lamize Viljoen is the Faculty contact and available at email: lamize.viljoen@uct.ac.za.

How often? Once a year

Conditions:
The funds may be used to support running costs, supplement student bursaries (research costs only), research assistants’ salaries, field work travel and operational costs, purchase of minor equipment not supported by the departmental equipment budget, purchase of academic books, academic journal subscriptions, honoraria and gratuities, etc. but not to supplement the researcher’s own salary. All equipment requests, including research computers, should be made in the first instance through the annual departmental budget request.

Similarly, with the introduction of separate categories for funding for Page Costs and Conference Travel grants, these costs are not to be included in the Block grant applications. Only publications which are logged on IRMA will be considered as part of the assessment of applications. Appeals should be communicated to the FRC Chair who will communicate it accordingly to the Research & Innovation Office.

Contact: (central R&I Office) Internal Funding Manager, Research Office, Department of Research Grants - although the processing is faculty managed.
Tel: 021 650 2432; Fax: 021 650 5768; E-mail: tamlyn.mawa@uct.ac.za
3.2 Law Faculty’s Strategy Document for the Allocation of the Block Grant for 2016

The Faculty of Law’s stated aim is to use the Block Grant in a strategic way to (a) encourage younger members of staff by providing for their basic research needs, and (b) to supplement the research of established researchers.

The Faculty’s method for internal Block Grant allocation is based on an application, accompanied by a brief proposal and budget. A Faculty review of the allocation of grants over the past 5 years reflects that most eligible staff have not applied for Block Grants.

From consultations and qualitative analysis of Block Grant applications, there is a need for more attention to be given to support for conference travel “top ups” (where URC support is insufficient), FRC travel grants, and support for longer term international research collaborations.

The distributional skewing of the Block Grant is a systemic problem that has arisen over time. It does not in any way reflect on those who have, in good faith, applied for and received Block Grants. There is a widely shared commitment to putting remedial measures in place. A proposal was tabled for consideration at Faculty Board on 29 February 2016. This elicited strong principled support and very useful feedback on a range of research-funding related issues, which clearly require thoughtful attention. Based on this input, we are therefore proposing the following:

a) The establishment of a Task Team to review all research-related incentives, awards and rewards in the Faculty, with a view to proposing a new Block Grant model to the URC for 2017.

b) The following allocation model, to be implemented only in 2016, in respect of the URC allocation amount:

- A sum to be distributed evenly amongst approximately 85 eligible staff members
- A sum for conference and workshop travel support
- A sum towards ad hoc requests to mitigate specific necessary costs resulting from the change in distribution.

An additional amount has been made available by the Dean to specifically support early career development. This will be administered separately from the Block Grant.

Prior to receipt of the funds we will ask colleagues to indicate, per the attached forms:

a) whether they wish to receive a block grant (some senior colleagues have indicated that they would prefer their allocation to be returned to the block grant “pool”),

b) the nature of their current or intended research, and

c) a willingness to report briefly on the expenditure of the funds in January 2017.
3.3 Research Assistance (FRC)

**Deadline:** Twice annually *(Call for applications will be distributed timeously)*

Applicants applying for Research Assistance must supply the Finance & Management Committee with a full motivation and a detailed budget.

Applicants who receive funding to employ a research assistant must provide the Finance and Management Committee with a full report on how the funds were spent within 12 months of receiving the funding.

Please contact Ms Lamize Viljoen for FRC Travel and Supplementary Grant application forms.

3.4 Post-doctoral Fellowships

Post-doctoral fellowships are available. A holder of a post-doctoral fellowship is not eligible for other University funding. See UCT Research Handbook for further information at http://www.researchoffice.uct.ac.za/research_information/handbook/downloads

3.5 Short Research Visit / Course (FRC)

**Deadline:** Twice annually

Applicants applying for a Short Research Visit Grant must supply the Finance & Management Committee with a full research proposal; a budget; and supporting documentation in respect of the costs that are to be incurred.

Applicants who receive funding for a short research visit must provide the Finance and Management Committee with a full report on how the funds were spent within 12 months of receiving the funding, including details of the products of the visit.

Please contact the Faculty’s Research Office (MS L Viljoen) for FRC Travel and Supplementary Grant application forms.

3.6 FRC Research Incentive Policy

In 2003 the Finance & Management Committee approved a small part of the Faculty’s reserves be paid into the research account of the authors that produce accredited and other appropriate publications. Incentive monies were distributed in 2005 for the first time according to the following principles. These principles continue to be the governing principles.

1) Each year the Finance & Management Committee of the Law Faculty, on the advice of the Dean, approves a total amount available for distribution.

2) Each year the Finance & Management Committee of the Law Faculty, also on the advice of the Dean, approves the maximum amount that can be paid into the research account of any one researcher.

3) The amount per publication (and therefore the actual amount payable into the research account of individuals) will be determined by the Finance & Management Committee of the Law Faculty after the publication count has been finalised.

4) These amounts will be set at a level where they act as a modest incentive for researchers to publish in peer reviewed journals (and other publications that earn subsidy for the University) without working against the primary principle that research must be published where it is intellectually most appropriate.
5) Record of productivity is used as a reasonable indicator of future research output. The publications taken into account in this exercise are:

(a) every article in a peer reviewed journal;
(b) every case note or note in a peer reviewed journal;
(c) every article in any other journal which is formally put forward by UCT to be taken into account for the publication count by the DoE;
(d) every chapter in a book published by a respected publishing house;
(e) every book published by a respected publishing house.
(f) Any other publication deemed appropriate by the Dean in conjunction with the FMC.

6) Output is weighted in accordance with URC publication count criteria. For example, 1.0 for a journal article or chapter in a book. Where there is more than one author, the award is divided according to the number of authors.

Incentives are paid out at the following rate:

A maximum of R10,000 may be awarded per individual. The grant is credited to individual research accounts to be used for future research endeavours, past record being regarded as a reasonable indicator of future research productivity. An acceptable research plan must be submitted.

Amount for an article or chapter in a book: R 5,000
Amount for a note or case note: R 2,500
Amount for a book: R10,000

3.7 Faculty Research Prize

In 2006 the Finance and Management Committee instituted an annual research prize for the most outstanding article published in the preceding two years by any member of staff currently of the rank of senior lecturer or below. Submissions are called for at the end of September each year.

The prize carries a purse of R10,000; the runner-up receives R5,000. The awards are paid into the recipient’s research fund. An experienced external reviewer assists with the evaluation. The following criteria are taken into consideration when making a decision:

i) originality of the thesis
ii) potential impact on the development of the law
iii) language and structure of the article and
iv) any other consideration deemed relevant, provided it is applied evenly

Each eligible member of staff is encouraged to submit his or her best article for consideration. To qualify, the article must have been published in a peer reviewed journal.
Overview of Funding Opportunities by the URC

The University Research Committee (URC) directs the strategic distribution of internal research funds to UCT researchers. Funding is therefore purpose driven to stimulate and support research endeavours. It covers a wide range of research activity as depicted in the diagram below. The diversified categories are intended to assist individual researchers and faculties to plan their research activities and manage the production of their research outputs. All funding opportunities are managed by URC committees and administered by the Research Office.
1. Details of Funding Opportunities central R&I Office

Applications are proposal-based and competitive, with award decisions made by peer-review through granting committees. All grants are for direct research costs only, but include specific categories such as equipment and conference travel.

No late or retrospective awards are granted in any of these categories. Ad hoc applications will also not be accepted.

Eligibility is based on the university’s need for a return on investment.

All applications must be typed. The forms are available from the faculty by contacting Ms Lamize Viljoen on email: Lamize.viljoen@uct.ac.za

The applicant must ensure that the complete and correctly endorsed application reaches the Research Office on or before the deadline date.

The applicant should also ensure that acknowledgement of receipt is received from the central Research Office within two days of application submission.
START-UP GRANTS FOR NEW ACADEMIC STAFF

DEADLINES
On-going throughout the year
All applications received by the Research Office by the 25th of the month will receive an outcome by the 5th of the following month. Applications received after the 25th of the month will only be processed 30 days later, with the following month’s applications. For example, if the application is received on 23 March, the outcome will be released by 5 April. If, however, the application is received on 26 March, the outcome will only be released by 5 May.

PURPOSE:
The grant of up to R 20,000 aims to initiate a new staff member’s research at UCT and is awarded once only in an applicant’s UCT career.

ELIGIBILITY:
New UCT (including joint staff but excluding registrars) permanent academic staff member in the Health Sciences, EBE, Humanities, CHED, Law and Commerce Faculties. New academic staff members from the Faculty of Science are not eligible to apply because the URC provides a contribution to the faculty’s launching grants. Start-up grants must be applied for within six months of employment appointment date.

APPLICATION PROCESS:
The applicant must use the correct application form (R&I11). All applications MUST BE TYPED.

CONDITIONS:
Applications are ad hoc during the first six months of appointment only and require a research proposal endorsed by the relevant HoD and Dean.

Applications submitted more than six months after appointment may be considered, provided that a proper motivation accompanies the application.

Minor equipment costs (usually a maximum amount allowed for laptops is R 10,000), on-site visits or field trips can be included in the application but conference travel is excluded from this category.

All major equipment requests should be referred to the Faculty Equipment Committee.
BLOCK GRANTS

GENERAL:
Each faculty receives an annual block grant calculated in direct relation to the research outputs reported on in the previous year. The block grant process is devolved to faculty level and the Faculty Research Committees assume the responsibility for managing the distribution of their block grant allocation according to a faculty-specific model approved by the URC. This is to provide maximum flexibility for aligning the use of block grants with faculty-specific strategies.

PURPOSE:
The purpose of Block Grants is to enable researchers to pursue their research effectively. A URC block grant is intended as the minimum top-up necessary to enable researchers to carry out a realistic and feasible research plan. All research related and extension service activities for which researchers would like to receive URC support should be included in the block grant application.

ELIGIBILITY:
UCT researchers who are:
- Permanent academic staff;
- Honorary Research Associates; Emeritus Professors; Emeritus Associate Professors; Honorary Professors; Honorary Associate Professors and Senior Research Scholars who have published in accredited, subsidy-earning publications in the past year; and
- Joint PGWC/UCT on UCT academic conditions of service staff (excluding registrars).

CONDITIONS:
- The funds may be used to support running costs, supplement student bursaries (research costs only), research assistants’ salaries, field work travel and operational costs, purchase of minor equipment not supported by the departmental equipment budget, purchase of academic books, academic journal subscriptions, honoraria and gratuities, etc. but not to supplement the researcher’s own salary.
- All equipment requests, including research computers, should be made in the first instance through the annual departmental budget request.
- Similarly, with the introduction of separate categories for funding for Page Costs and Conference Travel grants, these costs are not to be included in the Block grant applications.
- Appeals should be communicated to the URC Chair.

APPLICATION PROCESS:
Application procedures are Faculty-specific. Please refer to your Faculty for details of the process in your Faculty.

<table>
<thead>
<tr>
<th>Faculty</th>
<th>Representative(s)</th>
<th>Contact Details</th>
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</tr>
</thead>
<tbody>
<tr>
<td>Humanities</td>
<td>Ms Robyn Udemans</td>
<td><a href="mailto:Robyn.Udemans@uct.ac.za">Robyn.Udemans@uct.ac.za</a></td>
<td>650-2776</td>
</tr>
<tr>
<td>Health Sciences</td>
<td>Ms Carlette Hlungwani</td>
<td><a href="mailto:Carlette.Hlungwani@uct.ac.za">Carlette.Hlungwani@uct.ac.za</a></td>
<td>406-6087</td>
</tr>
<tr>
<td>Commerce</td>
<td>A/Prof Michael Kyobe</td>
<td><a href="mailto:Michael.Kyobe@uct.ac.za">Michael.Kyobe@uct.ac.za</a></td>
<td>650-2597</td>
</tr>
<tr>
<td>GSB</td>
<td>Dr Stephanie Giamporcaro</td>
<td><a href="mailto:Stephanie.giamporcaro@gsb.uct.ac.za">Stephanie.giamporcaro@gsb.uct.ac.za</a></td>
<td></td>
</tr>
<tr>
<td>EBE</td>
<td>Ms Marlene Hyland</td>
<td><a href="mailto:Marlene.hyland@uct.ac.za">Marlene.hyland@uct.ac.za</a></td>
<td>650-3784</td>
</tr>
<tr>
<td>Science</td>
<td>Prof Muthama Muasya</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Law</td>
<td>Ms Lamize Viljoen</td>
<td><a href="mailto:Lamize.Viljoen@uct.ac.za">Lamize.Viljoen@uct.ac.za</a></td>
<td>650-3080</td>
</tr>
<tr>
<td>CHED</td>
<td>Ms Nicole Lesch</td>
<td><a href="mailto:Nicole.Lesch@uct.ac.za">Nicole.Lesch@uct.ac.za</a></td>
<td>650-2551</td>
</tr>
</tbody>
</table>
PAGE COSTS

DEADLINES: Ad-hoc basis
On-going throughout the year but the year-end cut-off date 1st December to meet the year-end financial deadline.

PURPOSE:
This funding is only for hard-copy printed publications
Please use the following link for open access page costs: http://www2.lib.uct.ac.za/oapfund/
Open Access Journal Publications are managed by the Libraries Department. For more information please visit: http://www.uct.ac.za/research/openaccess_content/

- to contribute towards page costs of articles in journals accredited by the Department of Higher Education and Training (DHET). Please ensure that you adhere to the guidelines for the subsidisation of journal articles by the DHET which are available at http://www.researchoffice.uct.ac.za/publication_count/downloads/ (Click on Guide to the Publication Count).

A copy of the invoice is required.

OR

- to provide a contribution to the publishing of a book that may earn DHET subsidy. Please ensure that you adhere to the guidelines for the subsidisation of books by the DHET which are available at http://www.researchoffice.uct.ac.za/publication_count/downloads/ . (Click on Guide to the Publication Count).

Required information and documentation include:
- A motivation from the Chairperson of the Faculty Research Committee indicating that the book meets the DHET criteria for earning subsidy,
- A description of the book in English (maximum page length),
- A statement from the publisher describing the peer-review process for this book. This is a key requirement to have the book considered for subsidy from the DHET,
- The contents page of the book and contributor’s page showing your affiliation to UCT, and
- A copy of the invoice

Please use the following link for open-access UCT Open Access Journal Publication Fund

ELIGIBILITY: All UCT staff and postgraduate students
Publications (articles in journals and books) qualify for DHET subsidy. All UCT researchers publishing in such publications are eligible to apply.

APPLICATION PROCESS:
- Applications are processed on an ad-hoc basis - Year end cut-off date is 1 December to meet the year-end financial deadline.
- Please note that it is the responsibility of the author to settle costs with the publisher, as awards are transferred directly into research funds.
- Claims must be submitted within 6 (six) months of the invoice date.

Note: Article-Processing Charge (APC)

BioMed Central - Open Access Publisher (www.biomedcentral.com)

To defray the cost of publishing, authors submitting manuscripts are asked to pay an article-processing charge (APC) per published article.

The University of Cape Town is a Shared Support Member institution so this article-processing charge is shared between the UCT author and the institution for all research articles accepted for publication in any BioMed Central, Chemistry Central or SpringerOpen journals.

Recognition of UCT authors is purely based on where the submission process takes place from. Only if an author submits from a recognised UCT IP address will that article be automatically transferred to our Membership and eligible for a 55% discount on the article-processing charge (APC).

All UCT authors submitting from outside the registered IP address range therefore need to clearly state that they are submitting from a Shared Support Member institution (University of Cape Town) and will then be offered the same discount.

However any article submitted/accepted for publication before 19 April 2012 (UCT Membership commencement) will not be eligible for APC shared support.
<table>
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<tr>
<th>DEADLINE/S</th>
<th>MEETING DATES</th>
<th>OUTCOME DATES</th>
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<tr>
<td>22 September</td>
<td>27 October</td>
<td>3 November</td>
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**PURPOSE:**
This bursary is funded through a bequest made by the late Mrs Vera Davie. The purpose of this award is to supplement funding for travel abroad for the purposes of sabbatical study and research.

**ELIGIBILITY:**
UCT staff on academic conditions of service who will be proceeding abroad on study and research leave may apply.

Awards are based on the applicant’s outputs as well as their intended study while away.

**APPLICATION PROCESS:**
- There is no application template for this funding opportunity but applications should include:
  1. A full curriculum vitae including a list of publications
  2. Details of the intended programme of study and research
  3. A full motivation explaining the need for supplementary funding and providing the following information:
     - travel costs;
     - subsistence costs;
     - direct subventions applied for and received; and
     - any other information or variables for the Committee's attention.
     - The number of times an applicant has been on study and research leave, and brief details thereof.
- All applications must be typed.
- No late or retrospective applications to the deadline date will be accepted. Ad hoc applications will also not be accepted.
- Hard copies of the submissions may be posted to the Research Office, Research Grants Management Cluster, 2 Rhodes Avenue, Mowbray OR e-mailed to researchfunding@uct.ac.za (but not both) on or before deadline.

**CONDITIONS:**
- The recipient should return to his/ her post at the University for a period of at least 12 months from the completion of the leave for which the award is made.
- Should the award not be used in accordance with the conditions stipulated and for the purpose approved by the Committee when awarding it, a portion of the whole of it, as determined by Council, would have to be repaid.
CONFERENCE TRAVEL

DEADLINE/S MEETING DATES
11 March 14 April
12 August 15 September

PURPOSE:
The purpose of these grants is to allow recipients to present the results of their recent research to a suitable audience at a conference or meeting of appropriately high academic standing.

These grants are made on a competitive basis and will take the following into account:

- The research output of the applicant over the last three years (i.e. the applicant's research profile). This criterion may not apply to early-stage researchers.
- The status of the conference.
- The quality of interaction and exposure for the applicant.
- Envisaged research outputs emanating from the conference presentation.

The assessment of these criteria will be based on the information provided by the applicant and the motivation and support from the affiliated faculty/directorate.

ELIGIBILITY:
UCT researchers who are:

- Permanent academic staff;
- Permanent Professional Administrative Support Services (PASS) staff affiliated to an academic department;
- On contract, employed on academic conditions of service, and who have published in accredited, subsidy-earning publications in the past year;
- Honorary Research Associates; Emeritus Professors; Emeritus Associate Professors; Honorary Professors; Honorary Associate Professors and Senior Research Scholars who have published in accredited, subsidy-earning publications in the past year; and
- Permanent joint academic staff (excluding registrars).

APPLICATION PROCESS:
1. All applicants must use the application form, R&I08.
2. Only applications supported and signed by the relevant HoD (or equivalent) will be processed by the Research Office.
3. The applicant must ensure that the complete and correctly endorsed application reaches the Research Office on or before the submission deadline date.

CONDITIONS:

- Awards will not be made for conferences retrospective to the application submission deadline unless proof can be provided that the previous conference call was made subsequent to the prior application submission deadline. If the conference is taking place within six (6) weeks following the submission deadline, please indicate this in the appropriate place on the application form;
- It is not a requirement for the abstract to be accepted by the conference travel application closing date. Should the acceptance of the paper, including proof of registration not be available at the time of submission of the application, then a provisional award may be made pending the receipt of the acceptance of paper;
- Please ensure that applications are made as well in advance as possible for conferences (preferably at least six months prior to the conference date);
- Staff may not apply in successive academic years to receive funding for attendance at an international conference. So, for instance, if you applied in the 2015 academic year to receive funding for an international conference, the earliest date on which you can apply again for an international conference will be in the 2017 academic year, but should not be with a 24-month period.
- Applicants may apply for a national conference once every year and an international conference once every two years. However, subject to this, applicants cannot apply for both a national and an international conference in the same year.
- Subsistence is allowed only for the number of days of the conference. International and local rates will apply (see conference budget section for more details);
- Awards are only made in the event that a paper or a poster is being presented;
- The applicant must ensure that the application is fully completed including the requirements as detailed in the checklist section (see Section 7). Applicants are asked to be concise and to only include applicable and relevant information;
- Awards are granted for one specific conference. Should that specific conference be cancelled or the full amount allocated not utilised for any reason, then the funds must revert to the URC;

Please note: URC Conference travel funds should not be the primary source of funding for applicants as the URC is unable to fund 100% of eligible costs.
SHORT RESEARCH VISITS / COURSE ATTENDANCE

DEADLINE/S MEETING DATES
19 February 16 March
9 September 13 October

PURPOSE:
The purpose of the Short Course / Visit is intended to contribute to UCT’s research output and profile. These grants are intended to support staff wishing to make short research visits or to attend short research courses abroad for no longer than TWO months to enhance their research productivity. The visit/course attendance must be embedded within the ambit of the applicant’s research endeavours

ELIGIBILITY:
- UCT researchers who are Permanent academic staff;
- On contract, employed on academic conditions of service, and who have published in accredited, subsidy-earning publications in the past year;
- Honorary Research Associates; Emeritus Professors; Emeritus Associate Professors; Honorary Professors; Honorary Associate Professors and Senior Research Scholars who have published in accredited, subsidy-earning publications in the past year; and
- Permanent joint academic staff (excluding registrars).

A track record of postgraduate training and accredited publications would be an advantage.

APPLICATION PROCESS:
- The applicant must use the correct application form (R&I24).
- The applicant must ensure that the complete and correctly endorsed application reaches the Research Office on or before the deadline date. Under NO circumstances will the deadline be extended.
- Applications for visits/courses attended retrospective to the application closing date will NOT be considered.
- Hard copies may be posted to the Research Office, Research Grants Management Cluster, 2 Rhodes Avenue, Mowbray OR e-mailed to researchfunding@uct.ac.za (but not both) on or before deadline date. Please ensure that you receive an acknowledgement of receipt after two days of the closing date.

CONDITIONS:
- Applicants can receive only ONE grant from this fund every TWO years.
- Currently this funding is limited to a maximum of R 20,000 per application.
- Only one application will be considered for either a Short Research Course or Short Research Visit.
- The fund is NOT intended to support courses [such as Continuing Professional Development (CPD) courses or other courses] which are not linked to a research program/project as outlined in the application. The purpose of the fund is also NOT intended to support coursework towards obtaining Postgraduate degrees by staff who are registered at universities other than UCT.
- The applicant needs to show why a visit is necessary as opposed to using electronic communication.
- Successful applicants will be required to submit a report on the research visit/course by completing the R&I22 report form. The successful applicant will be required to submit a report. Failure to submit your report timeously will inhibit future funding.
VISITING SCHOLARS FUND (VSF)

DEADLINE/S MEETING DATES
12 February 10 March
22 September 20 October

PURPOSE:
The purpose of this award is to bring to UCT eminent academics from outside South Africa. These Visiting Scholars will be expected to provide an academic stimulus by means of lectures and seminars or similar contributions within the University. Grants contribute towards both travel and subsistence costs, for a maximum of 30 days.

ELIGIBILITY:
UCT researchers who are:
- Permanent academic staff;
- Honorary Research Associates; Emeritus Professors; Emeritus Associate Professors; Honorary Professors; Honorary Associate Professors and Senior Research Scholars who have published in accredited, subsidy-earning publications in the past year; and
- Joint PGWC/UCT on UCT academic conditions of service staff (excluding registrars).

APPLICATION PROCESS:
Visiting Scholars Fund (VSF) - The applicant must use the correct application form R&I13.

CONDITIONS:
- The applicant must use the correct application form Visiting Scholars/Lecturers Fund Application (R&I13)
- Normally only 1 application is allowed per department per year; however, favourable consideration will be given to additional visits where the visit is to the benefit of UCT.
- The applicant must ensure that the complete and correctly endorsed application reaches the Research Office on or before the deadline date.
- Applications for visits/lectures retrospective to the application closing date will NOT be considered.
- Hard copies must reach the Research Grants Management Cluster preferably before deadline date. Please ensure that you receive an acknowledgement of receipt after two days of the closing date.

After the visit, a brief report must be submitted to the Committee (Form R&I15). The successful applicant will be required to submit a report. Failure to submit your report timeously will inhibit future funding.
VISITING LECTURERS FUND (VLF)

DEADLINE/S MEETING DATES
12 February 10 March
22 September 20 October

PURPOSE:
The purpose of this award is to bring to UCT eminent academics based abroad, who are already in South Africa on other business as well as eminent academics who are employed at other educational institutions within South Africa. These Visiting Lecturers will be expected to provide an academic stimulus by means of lectures and seminars or similar contributions within the University. Grants contribute towards both travel and subsistence costs, for a maximum of 7 days.

ELIGIBILITY:
UCT researchers who are:
- Permanent academic staff;
- Honorary Research Associates; Emeritus Professors; Emeritus Associate Professors; Honorary Professors; Honorary Associate Professors and Senior Research Scholars who have published in accredited, subsidy-earning publications in the past year; and
- Joint PGWC/UCT on UCT academic conditions of service staff (excluding registrars).

APPLICATION PROCESS:
Visiting Lecturers Fund (VLF) - The applicant must use the correct application form R&I13.

CONDITIONS:
- The applicant must use the correct application form Visiting Scholars/Lecturers Fund Application (R&I13).
- Normally only 1 application is allowed per department per year; however, favourable consideration will be given to additional visits where the visit is to the benefit of UCT.
- The applicant must ensure that the complete and correctly endorsed application reaches the Research Office on or before the deadline date.
- Applications for visits/lectures retrospective to the application closing date will NOT be considered.

After the visit, a brief report must be submitted to the Committee (form R&I15). The successful applicant will be required to submit a report. Failure to submit your report timeously will inhibit future funding.
FACULTY-PRIORITISED LARGE EQUIPMENT GRANTS

DEADLINE/S
19 February - Applications to reach the Faculty Equipment Committee Representative by this date
18 March - Faculty Equipment Committees to submit applications to the Research Office for UEC review
26 April 2016 - Funding outcome to Faculty Equipment Committee Representatives

PURPOSE:
The purpose of these grants is to provide funding to faculties for prioritised pieces of large equipment not covered for funding by Faculty Equipment Committees.

ELIGIBILITY:
UCT researchers are eligible to apply if they are:
- Permanent academic staff; or
- Permanent joint academic staff (excluding registrars)

Honorary Research Associates; Emeritus Professors; Emeritus Associate Professors; Honorary Professors; Honorary Associate Professors and Senior Research Scholars are NOT eligible to apply. Those who wish to have access to new equipment must form part of research groupings and may not be the Principal Applicant.

APPLICATION PROCESS:
- The applicant must use the correct application form - R&I18.
- Department/individual researchers must make applications directly to the Faculty Equipment Committee (see Table 1 below).

<table>
<thead>
<tr>
<th>Faculty</th>
<th>UEC Representative(s)</th>
<th>Contact Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>Humanities</td>
<td>Prof C Tredoux</td>
<td><a href="mailto:Colin.Tredoux@uct.ac.za">Colin.Tredoux@uct.ac.za</a></td>
</tr>
<tr>
<td>Health Sciences</td>
<td>Prof J Blackburn</td>
<td><a href="mailto:jonathan.blackburn@uct.ac.za">jonathan.blackburn@uct.ac.za</a></td>
</tr>
<tr>
<td>Commerce</td>
<td>Prof J-P van Belle</td>
<td><a href="mailto:Jean-Paul.VanBelle@uct.ac.za">Jean-Paul.VanBelle@uct.ac.za</a></td>
</tr>
<tr>
<td>EBE</td>
<td>A/Prof A Khan</td>
<td><a href="mailto:Azeem.Khan@uct.ac.za">Azeem.Khan@uct.ac.za</a></td>
</tr>
<tr>
<td>Science</td>
<td>Prof S Richardson</td>
<td><a href="mailto:steve.richardson@uct.ac.za">steve.richardson@uct.ac.za</a></td>
</tr>
<tr>
<td>Law</td>
<td>Ms J Erasmus</td>
<td><a href="mailto:jenny.erasmus@uct.ac.za">jenny.erasmus@uct.ac.za</a></td>
</tr>
<tr>
<td>CHED</td>
<td>Mr R Brown</td>
<td><a href="mailto:roger.brown@uct.ac.za">roger.brown@uct.ac.za</a></td>
</tr>
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</table>

- The applicant must ensure that the complete and correctly endorsed application reaches the Faculty Equipment Committee by the deadline date of 19 February 2016. Please submit your application via email or in hardcopy to your Faculty Equipment Committee Representative (see Table 1 above for details).
- The Faculty Equipment Committee prioritises the requests and submits the applications to the UEC via the Research Office.

Award Conditions
- Applicants must be able to show that they have tried to get funding elsewhere, i.e. demonstrated fundraising effort is important. A minimum of 10% contribution from the applicant is required. If part of the funding is going to be solicited from outside bodies, it is mandatory that a donor prospect clearance be obtained from the Development Office before approaching the UEC.
- The University Equipment Committee will not be responsible for currency differences caused by delays in purchasing equipment.
- In the event that there is a saving due to currency differences, excess funds must be returned to the UEC.
- Copies of the invoices of the final amounts must be submitted to the Research Office.
- A report on the expenditure of this equipment award is required to be submitted to the Research Office in November 2016.
EMERGENCY EQUIPMENT REPAIR GRANTS

PURPOSE:
On an annual basis the UEC sets aside R250,000.00 for possible Emergency Repair requirements. Applications for Emergency Repairs are considered on an ad hoc basis by the Chair and the R&I which can be downloaded from the forms website.

ELIGIBILITY:
All UCT permanent academic staff are eligible. This includes those staff in the Faculty of Health Sciences who are joint staff of UCT and PGWC on UCT academic conditions of service (this does not include Registrars).

Honorary Research Associates; Emeritus Professors; Emeritus Associate Professors; Honorary Professors and Honorary Associate Professors are NOT eligible to apply. Those who wish to have access to new equipment must form part of research groupings and may not be the Principal Applicant.

APPLICATION PROCESS:
Applications for Emergency Repairs must be made on the correct application form R&I21.

The applicant must ensure that the complete and correctly endorsed application is submitted to the Chair of the relevant Faculty Equipment Committee (FEC). The FEC Chair must forward the completed and endorsed application form to the Research Office.

Note: The Research Office will not accept any applications that have not been submitted to the relevant FEC Chair first.

This form must be accompanied by the necessary quotes for repair of the equipment.

CONDITIONS:
The applicant and/or Department/Faculty will be expected to make a contribution towards the cost of the repair.

CO-FUNDING FOR NRF’S EQUIPMENT PROGRAMME

DEADLINE/S
Timelines are dependent on the NRF issuing a RISP call in 2016.

PURPOSE:
The National Research Foundation (NRF) runs the Research Infrastructure Support Programme (RISP) which consists of the National Equipment Programme (NEP). Each year institutions are invited to put forward applications for this funding programme.

ELIGIBILITY:
All UCT permanent academic staff are eligible. This includes those staff in the Faculty of Health Sciences who are joint staff of UCT and PGWC on UCT academic conditions of service (this does not include Registrars).

Honorary Research Associates; Emeritus Professors; Emeritus Associate Professors; Honorary Professors and Honorary Associate Professors are NOT eligible to apply. Those who wish to have access to new equipment must form part of research groupings and may not be the Principal Applicant.

APPLICATION PROCESS:
The UEC selects applications from the list of applications submitted for the Faculty-prioritised Large Equipment grants for possible UCT applications to be submitted to the NRF.

These applications are then approved for forwarding to the NRF by the REEP (Regional Expensive Equipment Programme) Committee. REEP is made up of representatives from the Higher Education Institutions in the Western Cape. The committee meets annually to approve RISP applications for submission to the NRF.

CONDITIONS:
The applicant/department/faculty is expected to make at least a 10% contribution of the total cost.
HOSTING A CONFERENCE

DEADLINE/S  MEETING DATES
22 July      15 August

PURPOSE:
The primary aim of this grant is to assist departments in arranging research conferences and symposia with seed funding to initiate conference arrangements. The focus is on providing support for smaller research conferences that otherwise would not take place without this seed funding. This grant is not intended for research development workshops or for large regular international conferences or national society annual conferences.

ELIGIBILITY:
UCT researchers who are:
- Permanent academic staff;
- Honorary Research Associates; Emeritus Professors; Emeritus Associate Professors; Honorary Professors; Honorary Associate Professors and Senior Research Scholars who have published in accredited, subsidy-earning publications in the past year; and
- Joint PGWC/UCT on UCT academic conditions of service staff (excluding registrars).

APPLICATION PROCESS:
- The applicant must use the correct application form (R&I16) downloaded from the forms website.
- The applicant must ensure that the complete and correctly endorsed application reaches the Research Office on or before the deadline date. Under NO circumstances will the deadline be extended.
- Applications for conferences retrospective to the application closing date will NOT be considered.
- Hard copies must reach the Research Grants Management Cluster on or before deadline date. Please ensure that you receive an acknowledgement of receipt after two days of the closing date.

CONDITIONS:
- Normally, given that this grant is intended to provide seed funding to initiate conference arrangements, applications must be for conferences to take place in the year following the application and these applications will be prioritised. However, applications for conferences occurring in the year of application (but at least three months subsequent to the outcome date) will be considered under exceptional circumstances.
- In this case, a strong motivation must accompany the application, indicating why it was not possible to submit an application to the previous call.

The Department or Group must:
- be able to attract international leaders to participate in the UCT conference who will interact with academic staff and postgraduate students;
- have a strong and productive research team in the area of the proposed conference; and
- have a strong nucleus of productive research students of high calibre who will benefit from participation in the conference.
- The proposed conference, which may be open or closed, must further the development of research at UCT.
- The application must indicate expected research output. Please note that peer reviewed output that generates DHET subsidy carries a higher weighting.
- The Department or Group must partly contribute to the financing of the conference (this contribution should be over and above the provision of space and routine facilities and support) or provide reasons why this is not possible, and be responsible for its organisation.
- Where there is more than one application per department, the Dean will be asked to prioritise the applications.
- The successful applicant will be required to submit a report. Failure to submit your report timeously will inhibit future funding.
## ALAN PIFER RESEARCH AWARD

**DEADLINE**
22 September

No meeting takes place. Nominations are directed to the Deputy Vice-Chancellor for Research and Innovation, and the Vice-Chancellor, for an award decision.

**PURPOSE:**
The award is the Vice-Chancellor’s annual prize in recognition of outstanding welfare-related research. The award winner should be engaged in medical, economic, scientific, engineering and social research which has demonstrated relevance to the advancement and welfare of South Africa’s disadvantaged people.

**ELIGIBILITY FOR NOMINATION:**
Top researchers at UCT who are engaged in medical, economic, scientific, engineering and social research which has demonstrated relevance to the advancement and welfare of South Africa’s disadvantaged people.

**NOMINATION PROCESS:**
Applications take the form of a written nomination by a Dean, DoR or HOD, to be accompanied by the nominee’s CV and publication record.

**CONDITIONS:**
The award is offered annually to one or more top researchers at UCT.

The budget for the award is sourced from Donor funding.

The Alan Pifer Award is arranged by the Research Office in conjunction with the Development and Alumni Department as well as the Communications and Marketing Department.
### CLOUGH EASTERN RELIGIONS STUDY FELLOWSHIP

<table>
<thead>
<tr>
<th><strong>DEADLINE/S</strong></th>
<th><strong>MEETING DATES</strong></th>
<th><strong>OUTCOME DATES</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>26 August</td>
<td>29 September</td>
<td>06 October</td>
</tr>
</tbody>
</table>

**PURPOSE:**
The purpose of this award is to allow a two month stay in an Eastern country allowing the fellow access and exposure to the traditions of eastern religions.

**ELIGIBILITY:**
Any member of the UCT community, i.e. a student, an academic or PASS staff member. The criteria for selection would include spiritual maturity and serious interest and desire to experience Eastern paths to knowledge, giving applicants the opportunity to extend and disseminate the insights gained abroad.

**APPLICATION PROCESS:**
There is no application template for this funding opportunity.

Applicants written motivation should include:
- A brief personal life history of the applicant;
- A clear indication of the applicant's specific spiritual path;
- A clear itinerary of no more than two locations in the East where the applicant intends to visit;
- A one-page outline of the reasons for the application; and
- Two written references from anyone equipped to evaluate the applicant’s suitability.

1. All applications must be typed.
2. Hard copies may be posted to the Research Office, Research Grants Management Cluster, 2 Rhodes Avenue, Mowbray or e-mailed to Research Funding.
3. The applicant must ensure that the complete and correctly endorsed application reaches the Research Office on or before the deadline date.
4. No late or retrospective applications are accepted.
5. Ad hoc applications will also not be accepted.

**CONDITIONS:**
- Nedbank Private Wealth pays out the grant and manages the budget.
- Awards must be taken up in the first year.
- The successful applicant will be required to submit a report to the committee on his/her return from the visit.
COLLEGE OF FELLOWS’ YOUNG RESEARCHER AWARD

DEADLINE  MEETING DATE
29 July  22 August

The Vice-Chancellor will award the prize at the annual Fellows Dinner in October of each year.

PURPOSE:
The Young Researcher Award is offered annually in recognition of outstanding scholarly work by young academics who have made significant independent contributions to research in their field. A maximum of six awards of approximately R30,000 each will be made each year. The Vice-Chancellor will award the prize at the annual Fellows Dinner in October.

ELIGIBILITY FOR NOMINATION:
Nominations may be submitted by any UCT academic staff member. Nominators may nominate themselves.

The criteria for nominees are:
- Permanent UCT academic staff; and
- Preferably under the age of 40 years.

NOMINATION PROCESS:
Nominators must submit:
- The full CV of the nominee, including publications or equivalent scholarly outputs for the past 3 years;
- A statement of the nominee’s scholarly accomplishments (one page); and
- Contact details for 3 individuals who may be requested to provide referee reports. 1 referee must be international and only 1 referee may be from UCT.
- Hard copies of the nominations may be posted to the Research Office, Research Grants Management Cluster (for attention: Tamlyn Mawa), 2 Rhodes Avenue, Mowbray OR e-mailed to researchfunding@uct.ac.za (but not both) on or before the closing date.

The committee to select the Young Researcher Award will consist of current UCT Fellows (nominated by the UCT College of Fellows) who represent a broad range of academic disciplines, and will be chaired by the Deputy Vice-Chancellor, Prof Danie Visser. The awards will be regarded as final and there is no appeal’s process.
CREATIVE WORKS AWARD

<table>
<thead>
<tr>
<th>DEADLINE/S</th>
<th>MEETING DATES</th>
</tr>
</thead>
<tbody>
<tr>
<td>30 September</td>
<td>4 February</td>
</tr>
<tr>
<td>12 May</td>
<td>25 October</td>
</tr>
</tbody>
</table>

This award is presented annually at a June graduation ceremony.

PURPOSE:
The UCT Creative Works Award seeks to give recognition to major creative works (such as art works, performances, productions, compositions, and architectural designs) produced by staff members of the University within the last five years, which are outstanding in their own terms.

No restriction is placed on the medium in which the creative work is produced. (Please note: New since 2014: Works of poetry are deemed to fall within the concept of Creative Work for the purposes of this award.) Generally, one award is made in any one year, and no award will be made if no creative work of sufficient merit is nominated.

ELIGIBILITY FOR NOMINATION:
- The creative works must have been produced by staff members of UCT. The creative work must have been placed in the public domain within the last five years;
- Most of the work should have been done during the staff member’s employment at UCT; and
- In the case of jointly-produced works where non-UCT persons are involved, the UCT person should have made the most significant contribution to the work. Evidence of this must be supplied with the nomination.

NOMINATION PROCESS:
Nominators must be staff members of the University and may nominate their own work. Nominations need not be endorsed by the person who produced the creative work, although this is preferred. Creative works previously nominated (except winners) may be re-nominated.

Hard copies of the nominations must be posted to the Research Office, Research Grants Management Cluster, 2 Rhodes Avenue, Mowbray on or before deadline date.

Please complete the Creative Works Application form (R&I31).

Each nomination must be seconded and should include the following:
- A letter of nomination stating comprehensively why the nominator is recommending the creative work for this award. The Committee relies heavily on the nomination letter as the starting-point for evaluating the creative work, so it should be aimed at assisting the Committee in determining the exceptional merits of the work.
- A copy of, or supporting portfolio for, the creative work as appropriate, as well as substantive published peer reviews or information regarding public response to the work, must be attached to the creative work, as the impact of the creative work is one of the means by which its excellence will be assessed. The Committee depends to a great extent in its decision-making process on peer reviews of the work nominated, written by serious scholars or creative workers of repute. The availability of such reviews will assist greatly in the Committee’s work. Where the work nominated is a performance or an exhibition which lies in the past, the Committee will have to rely on such a supporting portfolio to an even greater extent than if it was still able to be viewed by its members.

Hard copies of the nominations may be posted to the Research Office, Research Grants Management Cluster, 2 Rhodes Avenue, Mowbray OR e-mailed to researchfunding@uct.ac.za (but not both) on or before deadline date.
BOOK AWARD AND MERITORIOUS BOOK AWARD

DEADLINE/S MEETING DATES
30 September 11 February
25 April
10 November

PURPOSE:
The UCT Book Award seeks to give recognition to outstanding books written by staff members of the University. The award may be made to one single or multiple authored books. Fictional and artistic books as well as books in electronic form will be considered alongside academic books of whatever category, including fiction, manuals and works of popularisation. No restriction is placed on the language in which the book is written or on the format in which it is produced. Generally, one award is made in any one year, and no award will be made if no book of sufficient merit is nominated.

The committee will, at the same time, be considering books for the Meritorious Book Awards. These awards are supplementary to the Book Award and recognise the following:

- Books in specialised fields that merit recognition for their contribution; and
- Promising first-time books by authors who deserve special recognition and support.

ELIGIBILITY FOR NOMINATION:

- The book must have been written by staff members of UCT;
- The book must have been published within the last five years;
- Most of the work should have been done during the author(s) employ at UCT; and
- In the case of multi-authored works the UCT-author(s) should have made the most significant contribution to the work. Evidence of this should be supplied with the nomination.

NOMINATION PROCESS:

- A letter of nomination stating why the nominator(s) feels that the book should be considered for the award;
- A copy of the book; and
- Substantive published reviews.

Hard copies of the nominations must be posted to the Research Office, Research Grants Management Cluster, 2 Rhodes Avenue, Mowbray on or before deadline date.
Faculty Research Committee (FRC): Conference Travel & Supplementary Grants

5.1.1 Recognising that the Faculty is able to bolster research in the Faculty by providing funds in addition to those available through the central Research Office of the University, the Finance and Management Committee (FMC) will include in the budget each year a specific sum that can be distributed to members of staff who were unsuccessful in their applications to the URC or who are not eligible to access those funds.

5.1.2 Recognising the necessity of setting specific dates in order to ensure fair access to faculty funds, there are two opportunities each year for members of the Faculty to apply for these funds: April and September.

5.1.3 Academic staff of the Faculty are invited to apply to the Administrator of the Faculty Research Office Directorate at least one to two weeks in advance of each closing date.

5.1.4 Members who have successfully applied to the URC’s Conference Travel Grant may only apply to the FRC for top-up funding in respect of the same application.

5.1.5 Members who do not qualify for a URC Conference Travel Grant because of the URC’s alternate year rule or who have been wholly unsuccessful in their URC Conference Travel application or who are otherwise ineligible for URC Conference Travel funding, may apply to the FRC in respect of the full amount required for conference travel. This means that members can only apply for both URC and/or FRC conference travel funding in respect of 1 international conference per year.

The application process is administered by the Administrator of the Faculty Research Office Directorate and disbursement of funds is decided on by the Faculty Finance and Management Committee. Members of staff have the below list of opportunities per year to apply for research-related funds:

From February:  
URC Block Grant  
URC Conference Travel Grant  
URC Short Research Visit Grant

From May:  
Faculty Conference Travel & Supplementary Grant  
Faculty Short Research Visit Grant  
Faculty Research Assistance Grant

From end September:  
Faculty Conference Travel & Supplementary Grant  
Faculty Short Research Visit Grant  
Faculty Research Assistance Grant

In Sept:  
URC Short Research Visit Grant  
URC Conference Travel Grant

5.1.6 The following criteria are taken into account when determining whether to grant an application:

- evidence of an abstract that has been accepted
- prior research outputs
- prestige of the conference
- support from the applicant’s Head of Department
- staff development needs
- unavailability of funds from other sources
- prior applications to the Faculty FMC
5.1.7 In allocating the available funds, preference is given to permanent and T3 members of staff. See also eligibility criteria at 2.1 above.

5.1.8 No retrospective awards are made.

5.1.9 If the conference has been advertised in time for the applicant to have applied to the URC for funding, he or she does not qualify for funding by the Faculty.

Applicants must submit their application to the URC even if they have not yet had their abstracts accepted by the Conference organisers. (Applicants are urged to request early confirmation of acceptance from the conference organisers.)

5.10 Applicants applying for a Conference Travel Grant from the Faculty must complete the FRC Travel and Supplementary Form as if applying for funds from the URC; include all information and back-up documents that would have been required for a URC Conference Travel Grant application.

5.1.11 Applicants applying for a Short Research Visit Grant must provide

(i) a full motivation
(ii) a detailed budget
(iii) support documentation in respect of the costs that are to be incurred.

5.1.12 Applicants applying for funds to employ a research assistant must provide

(i) a full motivation
(ii) a detailed budget

5.1.13 Applicants who receive a Travel Conference Grant must produce a publication from the paper delivered at the conference and must supply the FMC with proof that it has been submitted for publication within 12 months of receiving funding.

5.1.14 Applicants who receive funding for a short research visit or to employ a research assistant must provide the FMC with a full report, including details of the products of the visit, on how the funds were spent within 12 months of receiving funding.

6. National Research Foundation (NRF)

The Research Office further administers pre-award processes of the University’s external grant funding from national and international sources. Major sources of national grant funding are the National Research Foundation (NRF), the Medical Research Council (MRC) and the Water Research Council (WRC).

6.1 NRF Student Support

The NRF supports and promotes research by providing the following categories of student support:

6.1.1 Free-standing scholarships and fellowships

Master’s and Doctoral scholarships must be applied for by individual students, using the NRF online application process http://nrfonline.nrf.ac.za

Honours candidates should apply for bursaries directly to the Postgraduate Centre and Funding Office.

6.1.2 Grantholder-linked assistantships and bursaries

Grantholder-linked assistantships and bursaries are applied for and granted to the researchers within their NRF support packages. The bursaries may then be awarded to Honours, Master’s and Doctoral
students who are selected by the respective NRF grantholder and who are linked to their research plans.

Grantholder-linked assistantships are also available and are intended for black (i.e. African, Indian and Coloured) South African third year students (for a three-year degree) and black South African fourth year students (for a four-year degree).

Researchers should apply for student assistantships and bursaries within their application for an NRF Focus Area Grant.

Contact: Postgraduate Centre and Funding Office
Tel: 650 2211; http://www.nrf.ac.za/studentsupport/

6.2 Summary of NRF Funding Opportunities

What form: Applications are made online: http://nrfonline.nrf.ac.za.
How often? Once a year
Web site: http://www.nrf.ac.za
Contact: Research Office
Department of Research & Innovation
External Grants Manager
Tel: 021 650-2431
Fax: 021 650-5768

7. Other Funding Opportunities

7.1 South African Funding Opportunities

7.1.1 Oppenheimer Memorial Trust (OMT) – Local Study Grants

OMT local study grants
Deadline: Ad hoc (apply well in advance)
Aim: To help deserving students pursue their studies at the doctoral level locally.
Who can apply: Individuals who are teaching at academic institutions and intend to pursue an academic career but do not have sufficient funding to complete their studies.

OMT overseas sabbatical support
Deadline: Ad hoc (apply well in advance of proposed sabbatical support)
Aim: To help deserving academics benefit from international exposure and research opportunities. A limited number of grants are awarded each year.
Who can apply: Full-time South African academics undertaking medium to long-term overseas research and sabbatical visits. Preference is given to candidates with a proven record of academic and teaching excellence coupled with financial need.
Contact
The Manager on Tel: 011 551 9502

7.1.2 Fulbright: Scholars Programme
US Fulbright Specialist Program

**Deadline:** Annually during the second semester

**Aim:** To provide academics and professions from the United States with opportunities to collaborate with their South African counterparts on curriculum and faculty development, institutional planning, teaching, and other short-term activities. This is usually for periods of three to six weeks.

**Who can apply:** South African universities can submit requests for short-term Fulbright grants to US faculty and professionals to visit South Africa.

South African Visiting Scholar or Researcher Program

**Deadline:** Annually during the second semester

**Aim:** This is intended for researchers to conduct independent postdoctoral research or lecture at a US academic or research institution in any given academic year for a period of three to nine months.

**Eligibility Criteria:** South African citizens in possession of a doctoral degree with at least five years' teaching experience in a South African university or technikon and a solid publishing track record. Candidates may not have held a Fulbright grant for study, teaching or research in the US in the past three years or hold permanent residence in, or dual citizenship with, the United States.

- Applicants should be South African citizens or have permanent resident status qualifying them to hold a valid South African passport.
- Applicants should hold a doctoral degree or equivalent professional training or experience at the time of application.
- A detailed statement of proposed activity for research or lecturing at a U.S. institution. The proposed project should contribute to the development of knowledge an applicant’s field and must be effectively investigated within a period of three to 12 months in the United States.
- Proficiency in English appropriate to the proposed lecturing or research project to be carried out in the United States.
- Sound physical and mental health.

Scholar-in-Residence

The Fulbright Scholar-in-Residence (SIR) Program sends scholars and professionals from South Africa to lecture at U.S. colleges and universities that do not often have the opportunity to host visiting scholars (small liberal arts colleges, regional undergraduate universities, community colleges, and historically black or Hispanic colleges and universities).

Calls are issued when there is an explicit demand for South African expertise.

Contact: **Wilna Venter** (R&I Office) on Tel: 021 650 4380
7.1.3 Association of Commonwealth Universities: Commonwealth Academic Staff Fellowships

Commonwealth Academic Fellowships support mid-career academics to spend three months at a UK university. These fellowships are funded by the UK Department for International Development (DFID).

**Deadline:** Annually in December. Consult the Announcements page regularly for updated calls and internal deadlines.

**Eligibility criteria:** To apply for a Commonwealth Academic Fellowship, candidates should:

- be a South African citizen or have permanent residency status;
- be available to commence their Fellowship in the United Kingdom on 1 October of the year following the application due date – any other start date will only be permitted in exceptional circumstances;
- have been employed for at least five years as an academic staff member of a university in a developing Commonwealth country; and
- be in the employment of UCT and either (i) hold a doctorate or (ii) in the fields of medicine and dentistry, have qualified as a doctor or dentist before 1 October 2002. Please click on this link for scholarship opportunities if you qualified after this date.

**Titular Fellowships**

The ACU Titular Fellowships provide opportunities for nominees of Commonwealth universities to spend periods of time in other Commonwealth member universities or relevant institutions outside their own country. ACU Titular Fellowships are not intended for degree courses, or for immediately postdoctoral programmes. They cannot be held in the country in which the applicant currently works, and they cannot be held concurrently with other awards.

Titular Fellowships are tenable in any Commonwealth country (other than South Africa) for up to a maximum of six months at either a university in ACU membership or in industry, commerce or public service of ACU membership countries.

**Deadline:** Annually in June

**Eligibility criteria:** An applicant must be a UCT staff member and of proven high ability.

**Commonwealth Scholarships for Academic Staff**

UCT is annually invited to nominate ONE CANDIDATE for the Commonwealth Scholarships. In order to be nominated, the candidate should be a full-time academic staff member at the time of the application and they should return to this position after the scholarship.

**Deadline:** Annually in December. Consult the Announcements page regularly for updated calls and internal deadlines.

**Eligibility criteria:** To be nominated for a Commonwealth Scholarship the candidate should be:
a full-time UCT employee holding a full-time academic post at the time of application to which they intend to return following any scholarship;

a South African citizen or permanently resident in South Africa;

a candidate wishing to pursue doctoral study must provide the Commission with evidence of support from at least ONE prospective supervisor at the time of application.

Applications for split-site study must be made in context of an institutional link between the institution where the candidate is registered in their home country and the one at which they are applying to study in the UK. Candidates must provide the Commission with evidence of support from their prospective supervisor at the UK institution as well as from their home supervisor at the time of application.

**Categories of scholarship**

There are different categories of scholarship:

- one year taught masters courses or equivalent degrees;

- six months of clinical training in medicine or dentistry;

- doctoral degrees, of up to three years' duration. Candidates who wish to undertake extensive periods of fieldwork in South Africa may also be nominated; and

- one year research on a split-site basis, towards a PhD registered at a South African university. Split-site doctoral candidates should therefore be registered at their South African university (not the UK institution) and should wish to undertake a period of study in a UK university as an integral part of their home PhD.

**7.2 International**

International funding is available from the Netherlands Government via the South African Netherlands Research Programme on Alternatives in Development (SANPAD), the European Union’s Sixth Funding Framework (FP6), the National Institutes of Health (NIH) and the National Science Foundation (NSF).

[http://www.uct.ac.za/research/office/funding/international/](http://www.uct.ac.za/research/office/funding/international/)

Please visit the above website for up to date information.
D. MISCELLANEOUS

1. Minimum rates

Details concerning remuneration of temporary tutors (less than one-year appointments and usually part-time), demonstrators, teaching assistants and guest lecturers/teachers follow.

1. Funds made available for the remuneration of "junior" staff (i.e. not qualified as teachers or professionals) are based on the "maximum rate for the (specified) job". These rates are scaled according to the academic level attained by employees, and take into account the degree of academic responsibility for the effective learning of students carried by them. This ranges from "full control", when direct and continuous teaching of particular groups of students is done in a co-ordinated but unassisted manner over prolonged periods, and "assistance-mode" when the teaching is discontinuous and is done under supervision.

Suggested "maximum rates for the (specified) job" in 2016 have increased by 5% and will be as follows:

<table>
<thead>
<tr>
<th>Level</th>
<th>&quot;Full control&quot;</th>
<th>&quot;Assistance-mode&quot;</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Max. per hour where each tutorial is assumed to be worth up to a maximum of four hours work, unless proved otherwise in a documented way.</td>
<td>Max. per hour of demonstration at practicals or large tutorials, fieldwork, etc.; one hour extra is allowed for marking for each session of one to four hours.</td>
</tr>
<tr>
<td>Undergraduates up to end of 3rd year of study</td>
<td>R78</td>
<td>R43</td>
</tr>
<tr>
<td>Graduate (3rd year degree) or 4th year undergraduate</td>
<td>R80</td>
<td>R59</td>
</tr>
<tr>
<td>Graduate (4th year degree) or Honours student or postgraduate diploma student or 5-6th year undergraduate</td>
<td>R103</td>
<td>R77</td>
</tr>
<tr>
<td>Graduate (5th or 6th year degree) or Masters student</td>
<td>R112</td>
<td>R80</td>
</tr>
<tr>
<td>PhD student</td>
<td>R116</td>
<td>R98</td>
</tr>
<tr>
<td>PhD graduate</td>
<td>R139</td>
<td>R103</td>
</tr>
</tbody>
</table>

Examples:
- Ten Honours students are hired, each to give a total of 30 "full-control" tutorials. Each of these sessions is assumed to represent four hours of actual work (i.e. contact time and preparation, marking, etc.).
  Thus each student will receive \((30 \times 4)\)hr. = 120hr x R103 = R12 360 for the year.

- PhD students are hired, each to help supervise 12 practicals lasting four hours (contact time).
  Each of these sessions is assumed to represent five hours of actual work (four hours contact time plus one hour marking time).
  Thus each student will receive \((5 \times 12)\)hrs = 60hrs x R116 = R6 960 for the year.

* Marking of test or examination scripts is paid at the ‘assistance-mode’ per rate hour, appropriate to the level of the marker.
2. Except in the case of certain disciplines [see (3) below] funds made available for the remuneration of "senior staff" (i.e. teachers who have qualifications and experience comparable with those of the lecturing staff in the disciplines concerned, or professionals) will be based on a maximum flat rate of R469 per session in the case of persons who are not yet "authorities" in their fields, or R880 for those who are. Where the guest teaching involves the separate setting and marking of written work including test or examination papers, further payments at R162 or R340 per hour respectively will be justified if properly motivated.

3. In the case of certain categories of part-time guest teachers, the hourly maximum rates will be as follows:

<table>
<thead>
<tr>
<th>Discipline</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>Music instruction</td>
<td>R242 per hour</td>
</tr>
<tr>
<td>Fine art</td>
<td>R131 per hour</td>
</tr>
<tr>
<td>Method teaching (supervision)</td>
<td>R183 per hour + R240 per supervised student</td>
</tr>
<tr>
<td>Studio master in architecture</td>
<td>R196 per hour</td>
</tr>
<tr>
<td>Studio lectures in architecture</td>
<td>R242 per hour</td>
</tr>
<tr>
<td>Ballet instructors</td>
<td>R174 per hour</td>
</tr>
</tbody>
</table>

2. **Private work**

Staff members who do contract research or perform professional services for third parties have a binding obligation to reimburse the Faculty for any costs related to this work. Recovery for contract research can be calculated (i) in terms of a template (download from the Research and Innovation website: [http://www.researchoffice.uct.ac.za/research_information/handbook/downloads/](http://www.researchoffice.uct.ac.za/research_information/handbook/downloads/))

Recovery includes items like bandwidth, telephones, office space, SAP R/3 access, etc; OR a contribution of 15% of the gross earnings (before direct costs are deducted).

Additionally, professional work for third parties related to staff members’ academic work falls under the University Private Work Policy. Cost recovery is applicable to this work too.

The Faculty Finance and Management Committee requires staff members to obtain permission from their HoD before taking on such work and to pay cost recovery on the proceeds. Queries should be raised with the HoD or the Dean.

See the UCT Private Work Policy (Existing Staff) at the link [http://www.researchoffice.uct.ac.za/research_information/handbook/downloads/](http://www.researchoffice.uct.ac.za/research_information/handbook/downloads/) Private Work Policy (Existing Staff).

- Preferably, in the under 40 years age group
- Preferably, have been in academic full-time employment at UCT for not more than 5 years
- Nominators must be members of the University and may nominate themselves
APPENDIX 1

RESEARCH ETHICS POLICY AND GUIDELINES

(Approved by the Faculty Board in March 2007; updated 2009; revised and approved 4 August 2010)

NB: ‘Policy’ is used here to indicate the system of administration of research ethics in the Law Faculty, while ‘Guidelines’ means the procedures that should be followed and the matters that require consideration when making application for ethics clearance.

RESEARCH ETHICS POLICY

(To be read in conjunction with the UCT Research Ethics Code For Research Involving Human Participants, the Law Faculty Research Ethics Guidelines and the relevant section of the Law Faculty Research Policies Handbook, especially the Frequently Asked Questions [FAQs])

1 General

1.1 All research to be conducted in or under the auspices of the Law Faculty that proposes to involve the collection of data from human participants must be submitted for review by the Research Ethics Committee.

1.2 The principal researcher has primary responsibility for ensuring that participants’ well-being is considered and safeguarded. In the case of a student researcher, the supervisor is expected to provide guidance. All others involved in the project share this responsibility.

1.3 Applications for ethics clearance should address all the matters stipulated in the application form so that the REC is able to understand clearly what is proposed and how it will be achieved.

2 Terms of reference for Research Ethics Committee

2.1 The Research Ethics Committee is appointed by the Nominations Committee of the Faculty for a two-year term of office, which should be renewable in accordance with the principle of continuity. The number of members of the REC is six (6); additional members may be co-opted as needed; and the quorum for review meetings is two (2) members i.e. 33%.

2.2 The primary role of the Research Ethics Committee is educative rather than policing, flowing from the Research Ethics Committee’s responsibility for assisting and supporting researchers, including students, to ensure that their proposed research meets the highest ethical standards.

2.3 The REC is authorised to review research proposals, to suggest or require amendments, and to decide whether to grant ethics clearance, in accordance with the policy outlined here, the UCT Research Ethics Code For Research Involving Human Participants and in accordance with the Research Ethics Guidelines of the Law Faculty. In appropriate circumstances, the Research Ethics Committee may consult with others who are especially qualified to represent the views of a participant population.

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1 Based on and borrowed from the Harvard University Statement of Policies and Procedures Governing the Use of Human Subjects in Research http://www.fas.harvard.edu
2 Available at http://www.law.uct.ac.za/research/overview/
3 Available at http://www.law.uct.ac.za/research/overview/
2.4 Members of the Research Ethics Committee must not participate in the review of projects in which they are involved or have a conflicting interest.

2.5 The Research Ethics Committee meets monthly to consider applications for ethics clearance and to discuss related matters.

APPENDIX 2

RESEARCH ETHICS GUIDELINES

(To be read in conjunction with the UCT Research Ethics Code for Research Involving Human Participants, the Law Faculty Research Ethics Policy and the relevant section of the Law Faculty Research Policies Handbook, especially the Frequently Asked Questions [FAQs])

General

1. All research conducted in or under the auspices of the Law Faculty that proposes to involve the collection of data from human participants must be submitted for review by the Research Ethics Committee, a subcommittee of the Faculty Board. No research may begin unless clearance has been granted by the Research Ethics Committee.

NOTE:

a) Sometimes more than one Research Ethics Committee must review research proposals. For example, if research is intended with hospital or clinic patients, then the proposal must be submitted to the Health Sciences Faculty Research Ethics Committee as well as to the Research Ethics Committee of the Law Faculty. This is because the Health Sciences Faculty has primary responsibility for hospital and clinic patients (inpatients and outpatients). It must consider, amongst other things, whether particular patients (e.g. HIV positive patients) may be over-researched, i.e. burdened by frequent requests for research participation. Applications may be submitted simultaneously and should so state.

b) Pilot research, i.e. preliminary work done towards establishing the feasibility of a more developed research project may not require ethics clearance. However, prudence dictates that some discussion with a member of the Research Ethics Committee may take place to ensure that pilot data collection is not jeopardised in the event that such data is to be used later.

2. No retrospective ethics clearance may be granted.

3. Some research is exempt from ethics clearance, e.g. when review and analysis of information freely available in the public domain is undertaken or when public behaviour is observed and information is recorded so that participants cannot be identified directly or indirectly (through identifiers). See FAQ ‘Exempt from review – eligibility?’

4. Some research may be approved by expedited review. Expedited review means that the full review process may be circumvented by a shortened process so that the time from submission of the application to decision is shortened, e.g. where the research appears to expose participants to no more than minimal risk of harm. The normal application form must be completed and a motivation for expedited review submitted. The decision to expedite ethics clearance is made by the REC. See FAQ ‘Expedited review – what is?’

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4 Available at [http://www.law.uct.ac.za/research/overview/](http://www.law.uct.ac.za/research/overview/)

5 Available at [http://www.law.uct.ac.za/research/overview/](http://www.law.uct.ac.za/research/overview/)
5. The principal researcher has primary responsibility for determining whether the proposed research might expose participants to no more than minimal risk of harm. Possible harm includes foreseeable physical, legal, psychological or social harm, including emotional discomfort and stigmatisation. In making this determination, the researcher may seek advice from the Research Ethics Committee.

6. Sometimes disbursement of funding to support research or the granting of permission by an authority (e.g. government department) is dependent upon ethics clearance for the proposed research. The timing of these various processes can be complicated which means that applications for ethics clearance must be submitted with such time constraints in mind. When tendering for a research contract, it may be advisable that the ethics clearance application is submitted at the same time that the tender is put in to speed things up.

**NOTE:** In the case where follow-up research is intended i.e. the application is similar to others previously cleared, the expedited review process is likely to be followed.

7. Students conduct research under the supervision of a member of the Faculty, who must approve the academic merit of the proposal before it is submitted to the Research Ethics Committee for ethics clearance. Students and staff must therefore anticipate the amount of time needed for this step to be completed.

8. Student Research (see also FAQs)

8.1 LLB student research in Research Focus Groups:
   a. In many instances, the informed convenor can complete an application for the 'generic' project, outlining with sufficient detail what procedures, recruitment strategy, who the participants are, what risks of harm and likelihood of direct benefit to participants are anticipated, etc. It is important that the students learn what is expected by the ethics clearance process, including the drafting of information and consent documents, scripts for recruitment, etc. Consequently, the convenor of the RFG should ensure that the students go through the process of completing and submitting the necessary documentation to him or her.
   b. The Research Ethics Committee reviews the 'generic' application, having delegated responsibility to the convenor to act as a proxy reviewer of the individual projects. The students must present sufficient information to the convenor so that she or he can make an assessment of whether the project falls within the scope of the 'generic' project approved by the Research Ethics Committee and complies with all the necessary ethics requirements.
   c. By signing off on an application for ethics clearance, a supervisor takes responsibility for supervising the student(s) in compiling the content of the application. If there is compliance, the project can proceed; if not, the supervisor/convenor should approach the Research Ethics Committee to ascertain whether a separate application for ethics clearance is needed.

8.2 MPhil and LLM minor dissertation students should complete an application for ethics clearance under the supervisor’s guidance. Clause 8(c) above applies mutatis mutandis.

8.3 MPhil, LLM and PhD dissertation students should complete an application for ethics clearance under the supervisor’s guidance. Clause 8(c) above applies mutatis mutandis.

9. Procedural requirements

Application process is an online process: see link below

http://www.law.uct.ac.za/ethics-research
9.1 Application procedure and time lines

1) Applications to be submitted online by the **10th of each month**.
2) Applications will be checked for completeness and distributed to REC members electronically. Incomplete applications cannot be distributed.
3) Complete applications will be considered by all members of REC at a meeting towards the end of the month.
4) At the Committee’s discretion, applicants and supervisors will be invited to attend meetings at which proposals will be reviewed. This practice permits an early opportunity to address problems and queries that arise.
5) Applicants will be advised of the Committee’s decision, usually, within 48 hours of the meeting.
6) Applications that need to be re-worked should be re-submitted, usually, by the 10th of the following month. If only minor corrections are required, the Committee may indicate that resubmission may take place sooner.

9.2 The general requirements for the ethics clearance process include submission online of

1) Completing the form including
   a. Details of methods to be used
   b. Statement explaining how data or sensitive information will be safely secured
2) Information sheet
3) Consent form
4) Copy of questionnaire to be used
5) Permission from relevant authorities (if appropriate)

10. Research proposals should reach the Research Administrator by the 10th of each month for regular processing. (Requests for expedited review may be submitted at any stage of the month.) The applicant is to provide a very strong motivation for the REC to review applications via such a process.

11. Applications are checked for completeness and distributed to Research Ethics Committee members. Incomplete applications cannot be distributed.

12. Complete applications are considered by all members of the Research Ethics Committee at its meeting towards the end of the month.

13. At the Research Ethics Committee’s discretion, applicants and supervisors may be invited to attend meetings at which their proposals will be reviewed. This practice permits an early opportunity to address problems and queries that arise.

14. Applicants will be advised of the Research Ethics Committee’s decision, usually, within 24-48 hours of the meeting.

15. Applications that need to be re-worked should be re-submitted, usually, by the 10th of the following month. If only minor corrections are required, the REC may indicate that resubmission may take place sooner.
APPENDIX 3

1. APPLICATION FOR ETHICS CLEARANCE

SAMPLE FORM ONLY – please do not photocopy
Submissions to be completed online at the below link:
http://www.law.uct.ac.za/ethics-research

LAW FACULTY
APPLICATION FOR ETHICS CLEARANCE FOR RESEARCH INVOLVING HUMAN PARTICIPANTS

There are three sections to this application: (1) Formal details regarding yourself and the proposed research; (2) Supervisor’s comments and approval; and (3) Guidelines IN ENDNOTES for completion of the substantive part of the application. Please note that it is insufficient merely to submit the proposal; you must demonstrate that you have applied your mind to the issues raised in the form. Also you must provide a copy of the research proposal.

If you have further queries, please make an appointment (via Lamize Viljoen 021 650 3080 or lamize.viljoen@uct.ac.za) to meet with a member of the Committee.

ETHICS CLEARANCE REFERENCE ____________________________

SECTION 1 - FORMAL DETAILS

Name and student number (if applicable):

Title of the research project:

Supervisor (if applicable):

Purpose of research: ¹

Funding source (or anticipated funding source): ²

Duration of research project: ³

Contact details for applicant:
Contact details for supervisor (if applicable):

SECTION 2 - SUPERVISOR’S APPROVAL

Supervisor’s comments:

Supervisor’s signature:
SECTION 3 - GUIDELINE FOR APPLICATION FOR ETHICS CLEARANCE

Your application must include a discussion of the ethical issues involved in your proposed research and the measures that you will take to deal with any negative implications of these issues. You need to think through each of the points raised below, identify all potential issues, and deal with each in detail, using the endnotes to assist you. Note the application must deal with all the points raised below. It is important that you read the UCT Research Ethics Code for Research Involving Human Participants (http://www.law.uct.ac.za/ethics-research) and the Faculty of Law Research Ethics Guidelines – you will not be able to properly complete your application if you have not carefully read these documents.

The application must be accompanied by your research proposal.

The methodology section of the proposal must be complete. It is impossible to discuss ethical issues unless you have worked out in full the methodology (including research design and research methods) that will be used in the research.

Issues to be covered:

1. Outline the proposed research, highlighting its aims and objectives.5

2. Outline the research methodology, including research design and methods that you propose to use (note that point 6 below asks more detailed questions regarding the sample, recruitment and research methods).

3. What prior experience do you have with this kind of research or the topic that will be researched or the area in which the research will be conducted?6

4. Specify the various types of information that will be collected in the course of the research.7

5. How will you explain the research to participants and get their informed consent (this includes obtaining the consent from relevant institutions)?8 Attach copies of information sheet, consent form or script to be used for verbal consent (see example below).

6. How will you select and recruit research subjects, what methods will you use to engage with and obtain information from them, and what research tools will you use?9

7. How will anonymity be ensured? 10

8. How will confidentiality be ensured?

9. Will the research participants be deliberately deceived in any way? 11

10. What will be done with the research data on completion of the proposed research?12

11. Explain in detail any potential harm that could befall the participants as a result of their participation in the research. You need to explain in detail how you propose to avoid, counteract or ameliorate this harm.13

12. What are the benefits of the proposed research for participants? 14
The purpose of the research is, for example, either for a degree (specify what degree), or for other academic purposes, or is commissioned research for an outside agency.

Is the funding from a contract, a grant, your own funds or other (state which).

Start date to end date. Note that clearance is granted for 12 months. Renewal may be requested on submission of a letter detailing progress, any problems that have necessitated changes and whether the terms remain the same.

The supervisor’s signature indicates that the research proposal is compatible with research ethics standards, that the student/researcher will be able to conduct the research and comply with ethical standards and that the supervisor understands that he or she remains responsible for a failure to so comply.

Please include a brief summary of the purpose of the research, using non-technical language. Also include a statement of the research problem and how the project will address it.

Describe your experience with this kind of research and/or this population. List any assistants who will work with you and cite their experience also.

Personal and social information collected directly from participants? Identifiable information about people to be collected from available records? Anonymous information to be collected from available records? Literature, documents or archival material to be collected on individuals or groups?

If participants are minors or otherwise not legally competent to consent to participation, from whom will you obtain permission (surrogate consent) for their participation? How will you obtain assent from the minors or other legally incompetent participants? How will it be made clear to participants that they will participate in research and that they may withdraw at any time without reason?

(a) How and where are participants recruited? Will they participate voluntarily or be selected? Explain how they will be selected and/or who will be asked to volunteer. What inducement is offered? (Attach copy of letter, poster or advertisement, if any.) Justify the involvement of vulnerable groups.

(b) Salient characteristics of participants – number who will participate, age range, sex, institutional affiliation, other special criteria. Describe the factors that may increase the vulnerability of participants or increase their susceptibility to harm – eg legal or social marginalization, members of hierarchical systems, etc.

(c) Describe how permission has been or will be obtained from co-operating institution(s) – eg school, hospital, corporation, prison, or other relevant organization (attach letters). Is approval of another REC required?

(d) What do participants do or what is done to them or what information is gathered? (Attach copies of instructions, tests, questionnaires or interview guides to be used. If these are not yet designed, then final approval cannot be granted now.) How many times will observations, interviews, tests, etc be conducted with one participant? How long will participation take? Are interviews tape- or video recorded?

How will confidentiality and anonymity be assured? At what stage will identifiers be removed from data? If data must remain linked (ie identifiers retained), please explain why.

Are participants deliberately deceived in any way? If so, what is the nature of the deception? Is it likely to be significant to the participants? Is there any other way to conduct the research without using deception? If so, why have you elected to use deception? How will you explain to participants – after the research project is completed – that they were deceived?

Will research data (written or otherwise recorded) be destroyed at the end of the project? If not, where and in what format and for how long will they be stored? To what uses – research,
demonstration, public dissemination, archiving – might they be put in future? How will participants’ permission for further use of their data be obtained?

Describe details of possible risk of harm to participants. What are the possible harms – physical, psychological, legal and/or social? Are the risks of harm necessary? What measures will be taken to minimize the risk of harm? In the event that harm materializes, what are your plans for addressing the problem? (e.g. training for assistants, referral for counselling etc). If risk of harm is anticipated to be no more than minimal, please state so here and in consent form.

How will participation in this research benefit participants? If participants will be ‘debriefed’ or receive feedback information about the research after the project’s conclusion, how do you ensure the educative value of the process? (Include copies of debriefing or educational materials).
EXEMPLAR OF INFORMED CONSENT DOCUMENT

[Heading] INFORMATION SHEET & CONSENT FORM – [name target group]

[Title of research project]

[greeting/introduction – eg: Good Day, my name is...and I am conducting research towards a doctoral degree.] I am researching [brief essentials of project] and would like to invite you to participate in the project.

[subheading] What the project is about

[explain briefly in ordinary language why the person is being approached, what is envisaged] eg: I am interested in finding out about..... I want to understand how...I would like to interview people who...

[clarify that participation is voluntary] eg: Please understand that you do not have to participate, ie your participation is voluntary. The choice to participate is yours alone. If you choose not to participate, there will be no negative consequence. If you choose to participate, but wish to withdraw at any time, you will be free to do so without negative consequence. However, I would be grateful if you would assist me by allowing me to interview you.

[explain what the person would be asked to do; how much time would be involved; whether any costs (eg transport) involved; whether any payment/reimbursement available, etc. Note if recording of interview is intended, request permission specifically in document for this; allow the person to refuse this unless you cannot do the research without recording, in which case make this clear]

[explain whether any direct benefit to participant] – note there hardly ever is and participation does not count as a direct benefit.

[explain what risk of harm might ensue – person should have reasonable idea about consequences of participation, eg discomfort, emotional upset, stigmatisation etc]

[explain whether/how anonymity will be preserved; how confidentiality will be maintained – note that these two concepts are not the same if focus groups intended, there is a built-in weakness re confidentiality]

[explain what will happen with data, whether/how any feedback to participants is possible – note should try to do this to make participation meaningful]

Please add the following sentence and contact information at the end of your information sheet:

‘If you have concerns about the research, its risks and benefits or about your rights as a research participant in this study, you may contact the Law Faculty Research Ethics Committee Administrator, Mrs Lamize Viljoen, at 021 650 3080 or at lamize.viljoen@uct.ac.za. Alternatively, you may write to the Law Faculty Research Ethics Committee Administrator, Room 6.28 Kramer Law Building, Law Faculty, UCT, Private Bag, Rondebosch 7701.’
RESEARCH UNIT CLEARANCE REQUEST FORM:

APPLICATION FOR ETHICS CLEARANCE FOR A LARGE PROGRAMME OF RESEARCH INVOLVING HUMAN PARTICIPANTS THAT IS BEING CONDUCTED BY A RESEARCH GROUPING

There are two sections to this application: (1) Formal details regarding the research group and the research programme; and (2) Guidelines for the completion of the substantive part of the application. The application must include outlines of the research programme and any research projects that have been identified.

The research proposal for the programme must be included. If you have any queries please make an appointment via Lamize Viljoen to discuss them with a member of the Committee.

No incomplete applications will be reviewed.

ETHICS CLEARANCE REFERENCE ________________________________

FORMAL DETAILS

Name of research grouping:

Title of the large research programme:

Name of person responsible for large research programme:

Names of participating researchers:

Funding source (or anticipated funding source):^{14}

Duration of the research programme: ^{14}

Contact details for research group/programme leader:
GUIDELINE FOR APPLICATION FOR ETHICS CLEARANCE

Your application must include a discussion of the ethical issues involved in your proposed research programme and the measures that you will take to deal with any negative implications of these issues. Note that the application needs to deal with all of the points raised below.

The application needs to be accompanied by your research proposal. The methodological section of the proposal needs to be complete. This will need to cover the research methods that will be used in research projects of the programme. It is impossible to discuss ethical issues unless you have worked out in full the methodology (including research design and research methods) that will be used in the research.

1. Outline the proposed research programme highlighting its aims and objectives as well as any identified research projects.¹⁴

2. Outline the research methodology including research design and methods that you propose to use in the research programme (more detailed information on selection and recruitment of participants, research methods, research tools, and analysis will need to be provided for individual projects in the programme).

3. What prior experience do you have with respect to this kind of research or the topic that will be researched or the area in which the research will be conducted?¹⁴

4. Specify the various types of information that will be collected in the course of the research.¹⁴

5. How will you explain the research to participants and get their informed consent (this includes obtaining the consent from relevant institutions)?¹⁴

6. How will anonymity be ensured? ¹⁴

7. How will confidentiality be ensured?

8. Will the research participants be deliberately deceived in any way? ¹⁴

9. What will be done with the research data on completion of the proposed research programme?¹⁴

10. Explain in detail any potential harm that could befall the participants as a result of their participation in the research. You need to explain in detail how you propose to avoid, counteract or ameliorate this harm.¹⁴

11. What are the benefits of the proposed research for participants? ¹⁴
APPLICATION FOR ETHICS CLEARANCE FOR A RESEARCH PROJECT INVOLVING HUMAN PARTICIPANTS THAT IS PART OF A LARGER PROGRAMME OF RESEARCH BEING CONDUCTED BY A RESEARCH GROUPING

LAW FACULTY, UNIVERSITY OF CAPE TOWN

There are two sections to this application: (1) Formal details regarding the research group and the research programme and project; and (2) Guidelines for the completion of the substantive part of the application.

The application must include an outline of the research programme and the research proposal for the project. If you have any queries please make an appointment via Lamize Viljoen to discuss them with a member of the Committee.

No incomplete applications will be considered.

ETHICS CLEARANCE REFERENCE _________________________________________

FORMAL DETAILS

Name of research grouping:

Title of the large research programme:

Name of person responsible for large research programme:

Ethics clearance reference:

Title of the research project:

Name of principal researcher:

Funding source (or anticipated funding source):  

Duration of the research programme: 

Duration of the research project:

Contact details for research group/programme leader/principal researcher: 
GUIDELINE FOR APPLICATION FOR ETHICS CLEARANCE

The application needs to deal with all the points raised below. Your application must include a discussion of the ethical issues involved in your proposed research and the measures that you will take to deal with any negative implications of these issues if these differ in any way from the ethical issues and measures in the larger research programme. A research proposal must be attached to your application. It is important that you read the UCT Code for Research Involving Human Participants and the Faculty of Law Research Ethics Guidelines before completing the application.

1. Briefly outline the research project (including aims and objectives if these differ from the large research programme).

2. Outline the research methodology including research design and methods that you propose to use for the project, including how you will select and recruit research subjects, what methods you will use to engage with and obtain information from them, and what research tools you use?

3. Specify the various types of information that will be collected in the course of the research.

4. How will you explain the research to participants and get their informed consent (this includes obtaining the consent from relevant institutions)? Attach copies of information sheet, consent form or script to be used for verbal consent.

5. Will the project have ethical dimensions beyond those dealt with in the ethics clearance for the larger research programme (e.g. regarding anonymity and confidentiality, deception of research participants, potential harm to participants, and storage or destruction of research data)? If so, outline and explain how you will deal with them.

6. Will there be benefits of the proposed research for participants that differ from any identified for the large research programme?
Help document for submitting a request to the REC for renewals/extension of an existing ethics application

It is the responsibility of the applicant to submit the following documentation when applying for an extension/renewal of his/her ethics application to conduct research with human participants. The requested information is to be submitted in a timely manner two months before the expiration date of the study to the REC.

Include the following:

- A covering letter/motivation on why the extension/renewal is required.
- An annual progress report on the research to date. Include your reference number.

*Specify within this report:*

(a) [Indicate] whether the risks and benefits being experienced by both participants and researchers are consistent with those originally anticipated?

(b) Based on findings to date, has the ratio of risks to benefits changed in the past year?

(c) Have any serious adverse events occurred that were different from those originally anticipated?

(d) Have there been any unanticipated problems to participants or others including researchers?

(e) Are there any new findings that reasonably might affect participants’ willingness to continue to participate in the research?

(f) Have you made any changes to the original information sheets and informed consent forms?

(g) Have any complaints been raised about the research? If yes, please specify.

- An indication of your Supervisor’s approval for the extension/renewal request

Please forward all relevant documentation and information to Ms L Viljoen located at Room 6.29, Level 6, Kramer Law Building, Tel: 021 650-3080
For your information, and informed by good practice!

To all applicants that want to access UCT students for the purpose of research -
Please take note of the following form that must be completed in fully and processed accordingly.

** the form is available on the website in a separate tab or request this by Lamize Viljoen, contact number 021 650-3080
APPENDIX 4

RESEARCH ETHICS CLEARANCE FAQs

* This document is intended as a ‘living’ document that can be added to or changed as queries or issues arise. If your question does not appear below, please contact Lamize Viljoen at lamize.viljoen@uct.ac.za so that we can assist you.

There are three sections – Administrative matters, Substantive matters, and Ethics matters. In each section, the questions are listed alphabetically.

A  ADMINISTRATIVE MATTERS

A1.  Clearance from more than one REC

Law students propose to use MBChB students as participants to test their understanding of human rights. Is ethics clearance from Law REC sufficient?

Yes, in principle, but it is good practice to liaise with appropriate personnel in FHS especially if the research work is to happen during class time. In addition to ethics clearance, permission to recruit students or staff members as research participants is required. (See below under Use of UCT students or staff members as participants)

A2.  Clearance granted for more than 12 months?

No. Clearance is granted for a maximum of 12 months (from date of approval), depending on the degree of risk of harm. Subsequent renewal is required appropriate to the degree of risk of harm, but not less than once per 12 month period. In other words, if the research is especially sensitive or has the potential to harm, the REC may grant clearance for a shorter period and request reports after e.g. three or six months before being willing to grant clearance for a longer period.

A3.  Does student academic research require REC approval?

Yes, if the research involves human participants. Each project must have a supervisor. (See also below under Research Focus Groups)

A4.  Expedited review – what is?

When an application must be approved urgently and the urgency is in no way the fault of the applicant, and if the proposed project offers no more than minimal risk of harm to human participants, it may be eligible for review and clearance outside of the regular meeting schedule of the REC on the basis that full committee deliberation may be unnecessary. This kind of review is called ‘expedited review’. Researchers who believe their planned research falls into this category should contact Lamize Viljoen at (021) 650-3080 or email: lamize.viljoen@uct.ac.za Researchers must provide sufficient information in writing so that a judgement call can be made as to whether expedited review is appropriate.

A5.  Exempt from review – eligibility?

When there are no human participants, or when the review and analysis is of information freely available in the public domain (e.g. newspaper reports, meta-analysis of published
work, etc) or when institutional audits are undertaken (provided anonymity is maintained), then research is exempt from ethics clearance.

Researchers who plan to do such research should inform the Chair of REC in writing that such research is being planned and that, in the opinion of the lead researcher/PI, it meets the criteria for exemption. A brief outline of the research should be included with the letter. Papers commissioned for conferences are also exempt unless they involve primary research involving human participants. If necessary, a letter confirming exemption can be issued.

A6. Ethics review application process is so onerous

Not really – if the application is complete and properly explained, there is usually no delay in being able to grant approval. The REC does its best to turn applications around as fast as possible. Only rarely is a proposal rejected. In general, queries or requests for substantive detail arise when an application is incomplete or when the researcher has not demonstrated that he or she has considered the ethical implications of the chosen methodology or procedures or particular population.

A7. Research focus groups – can ‘blanket’ approval for a group be obtained?

The Research Focus Group (RFG) convenor can submit a ‘generic’ application that describes the general scope of similar projects, outlining with sufficient detail the envisaged procedures, recruitment strategy, who the participants are, what risks of harm and likelihood of direct benefit to participants are anticipated, etc.

The REC reviews the 'generic' application and delegates’ responsibility to the convenor to act as a proxy reviewer of the individual projects. The students present sufficient information to the convenor so that she or he can make an assessment of whether the project falls within the scope of the 'generic' project approved by the REC. If so, the project can proceed; if not, the student should approach the REC to ascertain whether a separate application is needed.

It is important that the students learn what is expected by the ethics clearance process, including the drafting of information and consent documents, scripts for recruitment, etc. (See above p 8 under Clearance procedures)

A8. What is the REC’s role?

The REC is tasked with facilitating the highest ethical standards in research conducted under the auspices of the Law Faculty. The members are required to have research ethics training and expertise in a variety of research methodologies.

The REC’s first role is as a research ethics reviewing committee that reviews proposals and grants ethics clearance for research that proposes to use human participants as sources of data. The objective is not to delay or prevent research but rather to facilitate high quality research, to ensure adequate protection of participants and researchers, as well as of the institution. Engaging with this form of peer review process is part of the enterprise to make us better researchers and to facilitate and sustain excellence in research endeavours.

The REC also has an educative role in the Faculty regarding research ethics training and consultations. Researchers are encouraged to consult with a member of the REC before submitting a proposal, especially when in doubt about particular aspects. The application
process seeks to prompt researchers to consider all the necessary aspects for ethical research when drawing up a research proposal.

A9. Where do I get the REC application forms?

They are available at [http://www.law.uct.ac.za/usr/law/downloads/researchethics_app.doc](http://www.law.uct.ac.za/usr/law/downloads/researchethics_app.doc) and may be submitted electronically with a follow-up hardcopy that reflects the necessary signatures.

A10. Why is ethics clearance necessary?

Ethics clearance is necessary for legal and moral reasons. The Constitution protects bodily and psychological integrity. The National Health Act requires that all research involving human participants undergoes ethics review. This requirement is frequently viewed with suspicion, especially by social science researchers who do qualitative research and believe that this type of research should not require ethics clearance. Consequently, ethics clearance is regarded as unwarranted interference.


B SUBSTANTIVE MATTERS

B1. Access to government departments or NGOs

In addition to ethics clearance, access must be negotiated with the department or NGO concerned for permission to access documentation or personnel. Documents that are in the public domain do not require such permission. The department or NGO is entitled to review and approve (or not) the proposed research. To that end, the researcher must supply a clear and explicit explanation of the nature, purpose and intent of the research, including the aims, objectives, methodology, destiny of the findings, etc. In short, the research proposal should be submitted. This process is separate from the ethics clearance process. Usually, it is advantageous to have ethics clearance before submitting the proposal to the department or NGO.

B2. Can REC ethics approval be shared with colleagues working on similar projects?

No. Approval is specific to particular researchers. In the case of the RFG (above), a special arrangement is made and the convenor takes responsibility for the integrity of the research administration.
B3. Can student research involve collecting personal data from other students?

If the informed consent process is satisfactory, confidentiality is adequately protected and REC approval is granted (if necessary), then this can happen. But such research should be discouraged when data are collected from peers or from students in the class of a researcher because of the potential for difficulties inherent in revealing personal information to peers and undue pressure.

B4. Covert research

Covert research, i.e. research that is conducted without participants’ knowledge or informed consent, should be avoided as far as possible because it breaches the rights and interests of human research participants in a blatant and fundamental manner. Nevertheless, in exceptional circumstances, it is possible that gathering particular data is so important and potentially valuable that this consideration outweighs the interests of the participants. In such cases, it is possible that covert methodology may be approved.

The research proposal must justify and explain fully why the design including deception or covert research is desirable. The explanation must put the REC in the position to evaluate whether the design is justifiable. For example, it may be thought that obtaining informed consent is practically difficult or nearly impossible. The justification would have to demonstrate that the benefit from the research outweighs the nature and risk of harm to participants caused by the deception. The justification would also have to describe how participants would be harmed if they were to give informed consent; what the risk of harm would be; what risk of harm might exist for the researcher if informed consent is requested. The proposal must also describe how the participants will be debriefed after the period of research and how the researcher will deal with the possibly negative reaction from participants who feel aggrieved at having been deceived.

B5. Ethnographic research

Many researchers complain that the format of the application form precludes adequate description of planned ethnographic research insofar as the form seems to demand a hypothesis.

On the understanding that the primary data-gathering tool for ethnographers is the relationships forged with the people whose ‘life world’ is being studied, the description of the research would describe the design and the methods by which their life world is anticipated to be explored and analysed. Thus, it may be that the researcher will observe, tape-record, take notes, take pictures, ask various sorts of questions (many unknown at the start of the research, etc.

From the point of view of the REC, the description should include a discussion on how the individual interests of the persons under study would be protected. This discussion should be sufficiently detailed to allow the REC to understand what is intended and how ethical obligations will be met. Are systemic harms likely to arise from the findings of the project? How will data be analysed? Is there a theoretical model? Will the community know the research is occurring? ie, will the researcher ‘infiltrate’ the community or be there with permission and full co-operation of at least the leadership of the community? Will individuals give permission for tape-recording or photography? Will the researcher explain the destiny of the photographs? If publication is intended, how will the privacy interest of the individual be
protected? What measures to protect confidentiality will be in place? Will the findings be made known to the community?

Regarding risks of harm and likelihood of possible direct benefit for individual participants, it may be difficult to anticipate these in detail. However, if the purpose of the study is to understand relationships that involve potentially embarrassing or illegal activities, especially in relation to children, the researcher has an obligation to anticipate how these might be dealt with in the event of their occurrence. For example, there is a legal obligation to report child and sexual abuse. Consequently, no matter what the methodology, the researcher must have a plan as to how this obligation will be met or dealt with in the course of the research. Note also that harm can include wrongs; ie a person may not be harmed by the research but may nevertheless be wronged. Wrongs should be avoided and harms must be minimised.

B6. Is ethics clearance required if the research only involves counting students at lunch time on Jammie steps?

If the research involves only observation of public behaviour where the data are recorded so that no identification of the members of the public is possible (directly or via identifiers), then ethics clearance is not required.

B7. Preliminary work or pilot study

Must preliminary work undergo ethics review prior to being undertaken? In general terms, preliminary work during which a literature review, tentative research plans and contacts with possible participants are made, does not require ethics review. For example, certain disciplines might speak to informants in the preparation phase of putting a proposal together and then use these data to inform the structure of the research project. If in doubt, please consult with a member of the REC. A pilot study, on the other hand, may need more careful consideration and review if it could be seen as an independent piece of work that may or not lead to a more extensive research project.

B8. Publication of research findings

The findings of a research project, including any limitations, should be reported and subjected to peer review and public scrutiny i.e in a journal article or like publication. It is important, therefore, to ascertain before research is started that there are no obstacles to publication. For example, where permission to conduct the research is required from a state organ, the permission should include reasonable publication of the findings. If the data or findings are subject to an embargo, this should be made known in the proposal and some effort should be made to try to minimise the embargo.

In reporting findings, adherence to the principles of honest, clarity, comprehensiveness and accountability is required.

B9. Use of UCT students or staff members as participants

In addition to ethics clearance for the specific project, permission to access UCT student or staff information is required. For students, permission must be sought from the Executive Director: Student Affairs to access students and from the Executive Director: Human Resource
for staff members. Thus, ethics clearance and permission for access are separate but interdependent processes.

B10. What constitutes ‘research’?

A systematic investigation designed to develop or to contribute to generalizable knowledge and conducted by means of surveys, interviews, focus groups, ethnographic observations, record reviews, etc.

B11. What is risk of harm?

Harm can be physical, social or psychological, amongst others. Harm may flow from leaks in confidentiality, stress to participants, stigmatisation.

C ETHICAL MATTERS

C1. Conflict of interest

In accordance with the UCT Conflicts of Interest: Principles, Policy and Rules document (at http://www.uct.ac.za/downloads/uct.ac.za/about/policies/conflictsinterest.pdf) the following fundamental principles and requirements serve as guidelines in dealing with conflict of interest issues.

Committee members have a fiduciary responsibility to serve the interests of the university and of the public generally. All decisions are to be made solely on the basis of a desire to promote the best interests of the university and the public.

Complete integrity of approach and of fairness in procedures is essential. The principles should not just be observed but should be seen to be observed. In many instances, perceptions play an important role in creating the impression of the existence of a dubious conflict of interest. The university’s integrity is to be protected at all times.

Transparency in the form of meticulous disclosure, adherence to prescribed procedures and precise recording of proceedings as well as the reason(s) for arriving at decisions is vital. In defining what constitutes a conflict of interest and in evaluating its significance in particular contexts, a balance should be sought between potentially contradictory considerations.

In the context of the REC and ethics clearance applications, a conflict of interest or of commitment may arise. A conflict of interest involves not only the direct, personal and pecuniary interests of the individual, but also those of members of his or her immediate family circle. A conflict of commitment may involve the time and investment expected from a staff member or student in ordinary university business, including teaching and learning, versus the time and investment available for doing the proposed research properly.

How to know whether a conflict of interest exists? It may be useful to ask yourself the following questions about relationships or interests:

- Would I be willing to have the proposed arrangements generally known?
- What would my research participants think about this arrangement?
- What would the public think?
• How would I feel if the relationship was disclosed through the media?
• What would my colleagues think about the arrangement?

When a member of the REC has an interest in research proposals before the REC, he or she must disclose this fact and recuse him or herself from participating in discussion and decision-making about those proposals.

When a researcher (staff member or student) has an interest in the research over and above the ordinary expected research interest, he or she must disclose this and indicate how he or she plans to manage the conflict of interest.

In all cases and in line with the educative and facilitative role of the committee, the REC may invite those persons who have declared a conflict of interest to attend the meeting to answer questions for clarification but such persons will be requested to leave the meeting for the discussion and decision-making relating to the research proposal in which he or she has the conflict of interest.

C2. Filming or recording

Consent documents must explain clearly and explicitly that visual or audio recording is desired. Participants must be requested to give permission for this to happen, i.e. not just be told that it will happen. If publication of research data is likely and it can be reasonably foreseen that pictures or other examples of visual media would be included, then this must also be explained and specific permission for such publication should be sought, having explained the possible harms that might flow from such publication.

C3. How does confidentiality differ from anonymity?

Confidentiality concerns that data that are collected. The privacy interest of the participant must be protected by ensuring that data are kept securely so that persons not involved with the research are not able to find out the participant’s identity.

Anonymity is part of research design – nobody can identify the source of the particular data, not even the researcher. Anonymising, on the other hand, is the process of removing identifying detail so that data cannot easily be linked to participation. This process is commonly used in research in order to protect the privacy and confidentiality interests of participants. Furthermore, sometimes it may be necessary to retain the means to link data to participants. In instances of anonymising, care must be taken to keep the key to re-linking separately and securely so that ‘unauthorised’ persons are not able to gain access.

Certain types of data collection methods require good confidentiality measures, including audio recordings, demographic data including descriptions of a small category (e.g. a white female Dean at UCT), qualitative studies of few participants with highly individual information, and the use of random identity numbers on participants’ data with a separate name/number list.

Researchers must protect confidentiality of data gathered during research to protect the integrity of the research, the privacy of the research participants and to protect sensitive information obtained in research, teaching, practice and service. Information obtained in the course of research that may reveal the identity of a participant, is confidential unless the
participant agrees to its release. Agreement to release of personal information should be sought only when the participant is properly informed about possible harms that may occur.

Confidential information provided by research participants, employees, clients or others must be treated as confidential even if there is no legal protection or privilege. The obligation to maintain confidentiality extends to members of the research or training teams and collaborating organizations who have access to the information. To ensure that access to confidential information is restricted, the principal researcher is responsible for ensuring that researchers, administrators and other relevant parties adequately trained and instructed to take the steps necessary to protect confidentiality.

When gathering confidential information, long-term uses thereof, including its potential placement in public archives or examination thereof by other researchers or practitioners, must be considered. Some information is permanently embargoed, i.e. it may not be released in public at all; other information is partly embargoed, i.e. the actual data may not be made public but may be indexed or analysed to show trends.

Guarantees of complete confidentiality should not be given lightly. In certain circumstances, statutory obligations to report e.g. child abuse, sexual abuse, etc will override a guarantee of confidentiality. See below.

It cannot be assured that other participants in a focus group will maintain absolute confidentiality. However, confidentiality can be encouraged by requesting focus group participants to sign a pledge of confidentiality as part of the consent process for participation.

Anonymity can be ensured by appropriate design of the project, i.e. data can be collected without identifiers. Research reports can preserve anonymity by properly disguising the identity of participants and their localities.

C4. Informed consent

Participants must give informed consent prior to participating in research as a matter of ethics. Consent does not have to be in writing but the information given to the prospective participant to help him or her decide whether to participate should be in writing. Exceptions might include an invitation to participate in a simple survey that elicits only a small uncomplicated amount of information.

Prospective participants must be able to choose voluntarily, free from undue influence or subtle pressure, whether to participate. In particular, researchers should recognize the possibility of pressure that may derive from researchers’ expertise or authority and should take this into account when designing participant information and consent documentation.

Informed choosing can occur only when researchers explain, in language understandable to the potential participants, the nature of the research and what will be expected of them; that they will participate in research; that they are free to choose to participate or to decline to participate; that if they choose to participate, they are free to withdraw from participation at any time without reason or consequent penalty; what nature and risk of harm are likely to occur, e.g. discomfort, emotional upset or trauma; what limitations on confidentiality might exist, e.g. in focus groups, because of statutory reporting obligations or because of social stigma; what benefit participation is likely to bring to the participants; and any other aspect about which a participant ought to enquire.
The objective is to place the potential participant in a position where he or she can make a responsible choice about whether to participate. The standard for disclosure is one of reasonableness and fairness so that foreseeable consequences of participation can be discussed before the participant is enrolled. The prospective participant should be permitted sufficient time to consider his or her choice, including time for consultation with others e.g. where the proposed research is sensitive or complicated.

C5. Mandatory reporting obligations for researchers

There is no general obligation to report either the commission of or the intention to commit a crime. However, if a researcher becomes privy to information that indicates that direct harm to another person may occur as a result of the intention to commit harm (e.g. a research participant says ‘I’m going to kill her…’), then there may be an obligation, especially when the third person is known to the researcher. For specifically designated persons, there are statutory reporting obligations – see below.

The legal age at which minors can consent to sexual activity remains at 16 years (per Sexual Offences Act). In effect, any person who engages in sexual activities with a minor <16 years commits a crime and may be prosecuted. The dilemma for researchers wishing to investigate minors’ sexual activities is whether they ignore the strict letter of the law or report as indicated. The clash is obvious: legal protection of the minor may lead to social harm for that minor and the question is whether a researcher, who has but a transient role in the life of the minor, ought to take on the responsibility of a social worker.

Researchers must think very carefully about their methodology, goals and the consequences regarding the reporting obligations (set out below) in light of this legal context. The ethics clearance application must explain fully how the researcher plans to deal with the obligation to report, so that the REC is able to deliberate effectively.

The Act states that adults must be prosecuted but minors receive different treatment. Where two minors <16 years engage in consensual sexual penetration, including oral sex and ‘fingering’, they must both be charged with statutory rape. The national DPP decides whether to prosecute. Non-penetrative forms of sexual activity also are crimes and are open to charges of statutory sexual assault; the provincial DPP decides whether to prosecute.

Sexual Offences Act (proper name Criminal Law (Sexual Offences) Amendment Act 32/2007; in effect from 16 December 2007) includes a broader concept of rape, sexual assault, sexual grooming, sexual exploitation, use of children in pornography including photographs.

C6. Minors in research

Important and necessary research is being conducted throughout the country using minors as participants. In principle, minors cannot give informed consent because they are legally incapacitated. Consequently, parental or guardian permission is required. Many of the minors under consideration do not have parents and very few have a court-appointed guardian, but socially relevant and important research is proposed, e.g. with street children or children orphaned by AIDS. Other times, research may be possible only if minors are permitted to agree independently to participate i.e. without the direct and specific permission of a parent or guardian.
This poses a problem for researchers who wish enrol such minors as participants in research projects because, currently, there is no clear guidance regarding legally acceptable substitute persons who might perform the parental role in the informed consent process.

That the relevant provisions governing research with minors in the National Health Act (not yet in effect) require even more stringent procedures adds to the confusion. Once these provisions come into effect, it may be well-nigh impossible to enrol minor participants in research using current informed consent processes. In the meanwhile however, in the interests of fostering consistency under the current conditions for research as well as compliance with the spirit of the legal provisions that protect minors’ interests, some pragmatic guidance on how to go forward in the immediate future is helpful.

Some of the most important work is that which seeks to understand and improve psycho-social, economic and educational conditions for orphans and vulnerable children. That is, the (future) well-being of such children is sought to be enhanced. This research generally involves no more than minimal risk of harm.

Currently, protocols tend to state that parents or guardians will assist in the informed consent process. On the face of it, this complies with the legal and ethical requirements. However, the reality is that this statement is meaningless and futile: by definition, an orphan does not have a parent and in the South African contexts under study, the likelihood of a court-appointed guardian is extremely small. Everyone knows that the requirement cannot be met but what is the alternative?

The net effect is that researchers try to do the best they can in the circumstances by asking whoever brings the minor to the clinic or whoever might be at home to give permission for the minor to participate in the research. While this practical approach is understandable, it is also problematical because it inevitably leads to inconsistencies regarding who is acceptable as a proxy for the parent in the informed consent process. These inconsistencies (even the perception that they might exist) make the quality and integrity of the research vulnerable to criticism on the ground that informed consent processes might be unethical.

C6.1 Informed consent is a process

That informed consent is a process rather than a once-off encounter is important to grasp. This insight may be well understood in the social science context, depending on the research methodology of the particular study. For example, where the methodology involves ethnography, participant observation, several interviews over an extended period of time etc, both the researcher and the participant will grasp that the informed consent process is ongoing. The precise nature of the process depends on the type of methodology. In some instances, however, notably when only a brief encounter between researcher and participant is anticipated, the informed consent process seems to be regarded as a necessary obstacle to be overcome rather than recognising the importance of the process.

The tone of informed consent documentation should be respectful and mindful of the fact that any research participant can decline to participate. Consequently, the invitation to participate should indicate to potential participants that their participation would be appreciated. Many information sheets and consent forms that come before the HSRC Research Ethics Committee are worded appropriately but disconcertingly there are many that are not so worded, necessitating interventions by the REC.
C6.2 Requesting permission from parents/guardians for minors’ participation in research

When a study involves minor participants, parental or guardian permission must be sought before the minor is approached. Importantly, with an older minor (e.g. over the age of 12 years) the parent’s permission relates to whether the minor can choose to participate, rather than whether the minor may participate. Section 10 of the Children’s Act provides that

> ‘every child that is of such an age, maturity and stage of development as to be able to participate in any matter concerning that child has the right to participate in an appropriate way and views expressed by the child must be given due consideration.’

Accordingly, where research holds out only minimal risk of harm, the minor should choose whether to participate; his or her parent gives permission for him or her to so choose. With younger minors, it is more subtle: the parent gives permission for the child to be approached or not. If the child is reluctant, this must be respected. No child should be forced into participation.

The Informed consent documentation must explain out to parents that their permission is sought to approach the child to request participation and that it is the child’s decision whether to participate.

In the minor’s assent form, it should be explained that the parent’s permission has been obtained to request the minor to choose whether to participate.

In this way, the minor’s rights to dignity and autonomy are respected and it cannot be argued that the process is against the best interests of the minor.

C6.3 Pragmatic guideline


The guideline is premised on three conditions which must all be satisfied:

1) The proposed research must hold out no more than minimal risk of harm (defined as ‘the probability and magnitude of harm or discomfort anticipated in the research will not be greater than those ordinarily encountered or to be expected in daily life, including in routine medical, dental or psychological examinations and in social or education settings’); and
2) It must not be possible to do the research with adult participants; and
3) The research must propose to investigate a problem of relevance to minors.

For minors under 18 years but over 12 years
(The parental substitutes should be used in descending order, as listed.)

1) The minor decides whether to participate and thus consents (ie expresses her will) AFTER
2) The parent gives assistance so the minor makes an informed choice and gives permission/not. Parental permission and minor’s decision must be consistent, ie if the minor decides not to participate the parent may not override this decision.
3) If no parent, then guardian is substitute: either court-appointed OR as indicated by the parent in a Will (per s27 Children’s Act);
4) If no guardian, then foster parent (per order of Children’s Court) is substitute (NB social workers should request that this authority to give permission should expressly be included in the court order.
5) If no foster parent (as per 4. above), then care-giver (per Children’s Act): defined as ‘...any person other than a parent or guardian, who factually cares for a child and includes – a) a foster parent; b) a person who cares for the child with the implied or express consent of a parent or guardian of the child; c) a person who cares for the child whilst the child is in temporary safe care; d) the person at the head of a child and youth care centre where a child has been placed; e) the person at the head of a shelter; f) a child and youth care worker who cares for a child who is without appropriate family care in the community; and g) the child at the head of a child-headed household’) is substitute.
6) If minor is caregiver (i.e. a child of 16 years and older in a recognized ‘child-headed household’, then ‘responsible person’ (per s 137 Children’s Act), assists the minor. The factual absence of such a ‘responsible person should not preclude enquiries whether one can be appointed. The ‘responsible person’ may be appointed by the Children’s Court, a government body, or and NGO. To assist the minor caregiver in this way would definitely be in the best interests of the minors concerned. To ignore the opportunity to assist is arguably unethical.
7) If minor is caregiver and no supervisory adult and it is not possible for the structures relating to ‘child-headed households’ to be activated, then a trusted adult nominated by minor, including but not limited to social worker, community worker or teacher. Some responsible adult should be available. If the minor caregiver is so isolated that there is none, then the minor should not be recruited for being too vulnerable. Appropriate interventions can be provided outside of the research context to support him or her.

In particular circumstances, e.g. for reasons of extraordinary sensitivity (e.g. discussion about sexual activities, substance abuse etc), it may be preferred that minors (especially older minors i.e. 16 years and older) consent independently, i.e. without parental assistance. However, researchers may not simply decide this and implement the preference.
By PRIOR negotiation and arrangement with the communities concerned, the PI can request and make the justification for REC approval of a waiver of the parental (or substitute) permission requirement (per DoH 2004 Ethics in Research Guidelines available at www.doh.gov.za/docs/factsheets/guidelines/ethnics/index.htm. (NB the spelling error re ‘ethnics’ is as per the site). The negotiation with the community concerned should include canvassing the opinion of a representative body of parents eg via schools. Factual evidence of such negotiation and willingness on the part of the community must form part of the PI’s justification in the protocol. In addition, researchers must be mindful of the reporting obligations – see below.

For minors under 12 years

Parental (or substitute in descending order as outlined above) permission must be sought, i.e. independent consent by such minors is not generally permissible. Minors must decide whether to participate, i.e. parental permission cannot override the minor’s decision not to participate.

C7. Raising concerns

Anyone who has concerns about research being carried out currently or planned or who wishes to raise any queries, should communicate with a member of the research ethics committee. Confidentiality is respected and, where possible, anonymity prevails.

C8. What happens if unexpected problems arise during research?

Ethics clearance is granted on the understanding that any unanticipated problems and risks, changes to the research plan, or any harm (social, psychological, physical or legal) must be reported to the research ethics committee. It may become necessary to amend the research proposal, to stop the research because of ethics violations (i.e. to withdraw clearance) etc. Principal or lead researchers must bear in mind that they remain responsible for the integrity of the research process and may be held responsible for failure to act appropriately.

C9. Who must report problems in the course of research?

The principal or lead researcher (and in the case of student research the supervisor or convenor) must report promptly any non-compliance with university policies, especially those regarding responsible conduct of research.