Consent Checklist

Please review the following guidelines for the consent form and process prior to submission of your application form.

Who will consent?

- ☐ Participant
- ☐ Parent or guardian
- ☐ Agency officials

Written parental consent is always required for research in schools and an opportunity must be presented either verbally or in writing to the students to refuse to participate or withdraw. Submit a copy of what will be written or said to the students.

Passive Consent occurs when a parent is asked to return a consent form if they do not want their child to participate in a study, whereas active consent occurs when a parent is asked to sign a consent form indicating they are willing to allow their child to participate in the study. Regardless of the form of consent used for parents, the child must always be given the opportunity to assent or consent (depending on capacity) to participate. The REB will consider the use of passive consent with approval from the school district for youth in grades 9-12 because the youth would generally be mature enough to consent for themselves outside of the school setting. Passive consent in younger children is not permissible unless a strong case is made justifying its use. All studies proposing passive consent in younger children will require full board review. Please note that school boards have their own requirements regarding consent. If the REB approves passive consent in a study but the school board does not agree with the decision the researchers will be asked to change their consent forms to active consent. Please ensure lay language is used in all consent forms as not all parents are able to understand the complexities of some consent forms.

Although the age of majority in British Columbia is 19, neither applicable law nor the TCPS2 relies on the age of majority to determine whether people have the capacity to consent to participate in research. According to the Interagency Advisory Panel on Research Ethics (PRE), seeking consent from minors should not be based on their age but on whether they have the capacity to understand the significance of the research and the implications of the risks and benefits to themselves. Researchers conducting studies with minors should therefore consider: the nature of the research, the research setting, the level of risk the research poses to participants, and provincial legislation.

Within BC, there is nothing that abrogates the application of the common law in relation to a minor's legal capacity to consent. The common law presumes that all persons, including minors, are legally and mentally capable of providing their own consent. There are two doctrines directly applicable to the consent of minors: the 'emancipated minor' doctrine and the 'mature minor' doctrine. The emancipated minor doctrine provides that persons under the age of majority who are 'emancipated'

in the sense of living on their own, earning their own income, etc., are generally capable of consent, because they are 'emancipated from parental control and guidance'. For example, the REB considers university students under the age of majority, minors who are themselves parents, etc., to be emancipated minors.

The mature minor doctrine recognizes that if a minor has reached a level of intellectual and emotional maturity such that he or she is capable of understanding and appreciating the nature and consequences of a particular decision, together with its alternatives, they can be considered capable of providing his/her own legal consent. The REB therefore will consider requests for obtaining consent from minors on a case-by-case basis based on the nature of the research, the research setting and the level of risk the research poses to participants. However, please be aware that in some settings you may be required to obtain parental consent regardless of whether you deem the minors to be capable of providing their own consent. For example, written parental consent (as well as authorization from appropriate school authorities) is normally required for research in the schools whenever students under 19 are involved.

Please note that if parental consent is required due to agency or institutional requirements you must also present an opportunity to the minor (either orally or in writing) to refuse to participate or withdraw at any time. A copy of what is written or said to the parents/guardians and to the minor must be included for review by the REB.

Assent
"Assent" means to concur with the decision of another, whereas "consent" means to provide permission. If parental consent is necessary for research with children due to their lack of capacity to consent, assent is required from the child. Children old enough to understand the concepts described in a consent form should be provided with an assent form to sign. Regardless of capacity due to age or ability, and in spite of authorized third party or parental consent, the investigator is not permitted to compel a participant to take part if it is clearly against his/her will.

In the case of projects carried out at other institutions, the REB requires written proof that agency consent has been received. Please specify below:

- ☐ Research carried out at a hospital – approval of hospital REB.
- ☐ Research carried out at a school – approval of school board and/or principal. Exact requirements depend on individual school boards. Check with school boards for details.
- ☐ Research carried out in a provincial health agency – approval of Deputy Minister.
- ☐ Other – specify:

Written evidence of approval (to use the premises or to access students, clients, patrons or patients) is required for projects carried out at other institutions. If agency approval cannot be obtained without prior approval of the REB, a letter of conditional approval will be issued for submission to the institution if all other aspects of the application are satisfactory. Whenever possible, applications should be submitted concurrently to the REB and the other institution. Please indicate whether a request for approval has been submitted to the institution or whether conditional approval by the REB must accompany a request to the institution for approval.

If you are conducting research internationally you may be required to obtain a research permit to conduct research in that country. It is your responsibility to find out what permits are required.

The REB requires signed consent in most cases other than those limited to questionnaires. Please check each item in the following list before submission of the consent form in Appendix F to ensure that the written consent form that you attach to your application contains all necessary items.

- ☐ Capilano University letterhead.
- ☐ Title of the project.
- ☐ Identification of investigators, including a telephone number. Research for a course or graduate thesis should be identified as such and the name and telephone number of the faculty advisor included.
- ☐ Brief but complete description of the purpose of the project and of all procedures to be carried out in which the participants are involved. Indicate if the project involves a new or non-traditional procedure, device, therapy, or therapeutic. Your description should be written at a level of language and detail that someone with a Grade 8 education and no prior knowledge of your project could understand.
- ☐ Explanation of why they are being invited to participate including inclusion and exclusion criteria (in list form).
- ☐ A description of the risks and benefits of participation in the project. State explicitly if none are known.
- ☐ Assurance that the identity of the participant will be kept confidential and description of how this will be accomplished, i.e. describe how records in the principal investigator's possession will be coded, kept in a locked filing cabinet, or encrypted and password-protected if kept on a computer hard drive. In the case of printed questionnaires, a statement discouraging participants from writing their name or other identifying information.
- ☐ Statement of the total amount of time that will be required of a participant.
- ☐ Details of compensation to be offered to participants, including any pro-ration for partial participation.
- ☐ An offer to answer any inquiries concerning the procedures to ensure that they are fully understood by the participant and to provide debriefing, if appropriate.
- ☐ A statement that if they have any concerns about their rights or treatment as research participants, they may contact the REB Chair, (insert name), at (insert phone number) or REB@Capilanou.ca
- ☐ A statement that they have read and understood the information in the consent form dated (include date of REB approved ethics form) and have had the opportunity to ask questions.
- ☐ A statement of the participant's right to refuse to participate or withdraw at any time (e.g., "It is up to you to decide whether or not to take part. If you do decide to take part, you will be asked to sign this consent form. After signing the consent form and after starting participation you are still free to leave the study at any time without any consequences and without giving any reason.").
- ☐ A statement that withdrawal or refusal to participate will not jeopardize further treatment, medical care or influence class standing, as applicable. Note: This statement must also appear on letters of initial contact. For research done in the schools, indicate what happens to children whose parents do not consent.
- ☐ A statement acknowledging that the participant has received a copy of the consent form including all attachments for the participant's own records.
- ☐ A statement that the participant is consenting to participate (by signing).

- ☐ A place for printed name and signature of participant and a place for the date of the signature.
- ☐ If applicable, a place for the signature, printed name and date for each of these people (where participant requires additional assistance): legal guardian/representative, person reading or translating, witness, investigator.
- ☐ Consent forms that include parental consent contain a statement of choice providing an option for refusal to participate, e.g. “I consent / I do not consent to my child’s participation in this study.” Also, written or verbal consent (or assent) must be obtained from the child, after the parent has consented.

For other useful information you may give to participants see the following link:
http://pre.ethics.gc.ca/eng/education/participation/