### SOP Title:
Reporting and Investigating an Allegation on Breaching APCF Rules

### Purpose:
Provides the APCF framework for reporting and investigating an allegation that animal care and use has not been conducted responsibly, humanely or ethically and/or the APCF’s SOPs have not been followed.

### Responsibility:
The relevant supervisor / line manager / head of department  
The Director of Animal Plant Care Facility  
The Chair of the Animal Ethics Committee  
The Director of the HSEO  
The Chair of the Animal Management Committee  
The VPRG

### Related SOP:
NA

### Written by:
Dr. Anthony James (D/APCF)

### Approved by:
Animal Management Committee

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1. **Scope and Objectives**

   1.1. This Standard Operating Procedure (SOP) provides the Animal Plant Care Facility's (APCF) framework for reporting and investigating an allegation that animal care and/or use has not been conducted responsibly, humanely or ethically and/or the APCF’s SOPs have not been followed.

   1.2. This policy applies to all personnel including but not limited to under-graduate and post-graduate students, technical and research staff, APCF staff, Faculty and other HKUST staff e.g. maintenance staff or contractors conducting research or other services under the auspices of Hong Kong University of Science and Technology.

2. **Definitions**

   2.1. **Breach** is characterized as lacking both intent and significant consequences. Continuation or repetition may constitute research misconduct.

   2.2. **Misconduct** is characterized as involving both intent and deliberation, recklessness or gross and persistent negligence; and serious consequences, such that it has adverse
effects on research participants, animals or the environment. Misconduct does not include honest errors that are minor or unintentional.

2.3. **Faculty and/or Principle Investigator** means either a member of academic staff or research leader who supervises technical staff and/or research student[s].

3. **Policy Statement**

3.1. This Policy is based on the *Hong Kong Code of Practice for the Care and Use of Animals for Experimental Purposes* (the *Code*) and is to be read in conjunction with it.

3.2. Allegations of breaches or misconduct related to the care and use of animal models may include:

3.2.1. Failure to take responsibility for the humane care of animal models as outlined by the standards of the *Code* and/or the relevant APCF SOP

3.2.2. Failure to take responsibility for the ethical use of animal models as outlined by the standards of the *Code* and/or Animal Ethics Committee’s procedures

3.2.3. Failure to take responsibility for research activities using animal models as outlined by the HKUST’s Policy on Research Conduct and Integrity and/or Guidelines and Procedures for Research Practices at the University

3.3. Disciplinary action may proceed in the case of:

3.3.1. a finding of a breach or misconduct (as defined) against a researcher;

3.3.2. an individual making an allegation of a breach or misconduct that is found to have been mischievous or malicious.

4. **Procedures**

4.1. Initial handling of an allegation

4.1.1. An individual concerned about a possible deviation from the *Code* may seek advice from:

- a Faculty or Principle Investigator if the matter involves a research breach[es] or misconduct or a possible breach of animal ethics or animal care by their staff;
- The Director of APCF, if the matter involves a possible breach of animal ethics or animal care by APCF staff;
- The Chair of the AEC or Director of the HSEO, if the matter involves a possible breach of animal ethics or biosafety.

4.2. Available options include:

4.2.1. referring the matter directly to the person against whom the allegation is being made;
4.2.2. not proceeding, or withdrawing the allegation, if discussion resolves the concerns;
4.2.3. referring the allegation to the person’s line manager or
4.2.4. making an allegation of research breach[es] or misconduct involving ethical use or humane care of animal models, in writing, to the Director of the APCF. The alleged breach[es] and misconduct will be investigated by the Director of APCF.
   • The Director of APCF will investigate the allegations and make a report detailing findings and recommendations to the Animal Management Committee, via the Chairman of the AMC. The report should be in the form of an Adverse Event Report
   • The AMC will decide what action is to be taken, if any.
   • If Animal Management Committee is satisfied that the allegations amount to misconduct, the report will be sent to the VPRGO to decide on what action should be taken, if any.
4.2.5. making an allegation of research breach[es] or misconduct involving ethical procedures as required by the Licence 2 conditions or the approved AEC protocol or human and/or environmental health and/or safety in the use of animal models, in writing, to the relevant Chair or Director. Procedures by the Chair of the AEC or Director of HSEO are dependent on their relevant protocols and procedures.

5. Possible Actions:

5.1. At the local level:
   5.1.1. Verbal Reprimand
   5.1.2. Written Reprimand, with copy to HRO

5.2. By the VPRGO
   5.2.1. Access to APCF suspended for a defined time
   5.2.2. Research effort suspended for a defined time