

Deshkan Ziibiing Anishinaabeg



Chippewas of Thames First Nation

Policy:	Research Ethics Policy
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1. Purpose

For centuries, researchers have extracted knowledge, sacred items, and even biological materials from Indigenous communities. Research projects have served external agendas rather than the priorities of Indigenous peoples. This is changing as Indigenous communities and organizations develop their own ethics protocols, assert ownership of their collective knowledge, and take control of the research process. The Anishinaabeg of Deshkan Zibiing welcome research projects that are based on mutual partnership and respect and meet the needs of the community.

The purpose of this policy is to ensure that any research activities benefit the Nation, respect collective knowledge, and protect individual participants. The policy helps streamline the process for potential research partners and Council by laying out expectations and by ensuring that applications are complete and in compliance with this policy before they reach the Council table.

2. Scope

This policy applies to research activities carried out on COTTFN territory or with COTTFN citizens.¹ The policy applies to all researchers involved in a project.

For application purposes, studies are divided into two categories:

- Category A refers to projects proposed *to* COTTFN, including (but not limited to):
 - o Studies proposed by students to fulfill degree or diploma requirements,
 - o New academic studies conducted by post-doctoral fellows, faculty members, or researchers,
 - o Community-based studies carried out by external organizations.
- Category B refers to projects developed *through* ongoing relationships, including (but not limited to):
 - o Next phases of ongoing studies conducted by faculty members, researchers or organizations,
 - o Non-academic studies carried out by consultants hired by third party proponents (e.g. land use study for a project),
 - o Projects proposed by COTTFN Chief and Council.

The policy applies to researchers who are citizens of COTTFN as well as Indigenous and non-Indigenous researchers.

While the principles are relevant, this policy does not apply to research carried out by COTTFN staff as part of their approved duties.

¹ Selected based on their identity as a citizen of the Nation. Policy does not apply if interviewing an individual COTTFN citizen in relation to other attributes that are unrelated to the Nation or traditional knowledge.

If researchers are not sure if their project falls under Category A or B, contact the Council Secretary (cdoxtator@cottfn.com).

3. General Principles

The Deshkan Ziibiing Anishinaabeg are a sovereign, self-determining nation.

We are the collective owners, interpreters, and guardians of our knowledge systems, culture, and data. We assert jurisdiction over all aspects of data collection in the community, while respecting the knowledge, rights, and privacy of individual participants.

Research activities will only be permitted in the community if they receive the free, prior, and informed consent of the COTTFN Chief and Council, acting on behalf of the Nation.

COTTFN expects researchers to respect and become familiar with our governance structures and protocols.

COTTFN will only engage in research projects that benefit the community. The benefits of projects must outweigh the anticipated risks.

COTTFN maintains the right to review and remove sensitive information from community studies before the data or reports are submitted to industry or government partners or released publicly.

All partners in the research have an obligation to protect the privacy and confidentiality of individual participants.

Researchers connected to an educational institution are expected to complete their institution's research ethics process. The requirements of those institutions however do not replace the requirements and approval of COTTFN.

COTTFN expects that research studies will follow the principles of OCAP^{TM2}:

- Ownership – Nation collectively owns cultural knowledge/information/data.
- Control – Nation controls how information is collected, used, and disclosed.
- Access – Nation has access to data and controls third party access.
- Possession – Nation is actively working towards internally storing data collected in the community.

Finally, Chief and Council must consider internal capacity before committing staff to carrying out aspects of the research. While it is ideal to be involved in all stages of the research, sufficient internal capacity is necessary in order to store data or participate in data collection, analysis, or review.

² <https://fnigc.ca/ocapr.html>

4. Research Review Procedure

See “Scope” section for definitions of project categories.

(a) Procedure for Category A studies:

1. Principal investigator (PI) fills out and submits Research Application to Council Secretary (available on website or from Administration). If the research is at an early stage, the PI may instead send an email inquiry to the Council Secretary with a short description of the research to gauge interest.
2. Policy Analyst or COTTFN Staff Contact will review the application for completeness and identify any issues. Staff may present a summary of the proposal or key issues to Chief and Council for feedback.
3. If the research appears to be compatible with this Research Ethics Policy, staff will work with the PI to negotiate terms of Research Protocol (see Appendix A).
4. The Research Protocol will be presented to Chief and Council for approval. The researchers may attend the Council meeting to present their study.
5. If the Research Protocol is approved, a staff member will be assigned as the COTTFN Staff Contact. If at some point that individual is no longer available, a different staff member must be promptly assigned as the contact.
6. If the data collection is not completed by the date on the Research Protocol, the researchers must seek an extension (submitted to their COTTFN Staff Contact).

(b) Procedure for Category B studies:

1. COTTFN staff³ will negotiate a Research Protocol with the researchers or consultants in line with this Research Ethics Policy. The Research Protocol may be integrated into a contract with an external researcher or consultant. A COTTFN Staff Contact will be assigned.
2. The Research Protocol may⁴ be presented to Chief and Council for approval. The COTTFN Staff Contact will advise on the approval process.
3. If the data collection is not completed by the date on the Research Protocol, the researchers must seek an extension (submitted to their COTTFN Contact).

³ Given that Category B projects are based on existing relationships, the relevant staff will be those who have already been working with the researcher, consultant, or proponent. For new projects proposed by Chief and Council, a COTTFN Staff Contact must be assigned to coordinate the project.

⁴ Consultant contracts for research commissioned by COTTFN or by proponents working with COTTFN may not require Council approval.

For Category A and B studies, COTTFN Chief and Council may reject a proposal or Research Protocol for any reason, without obligation to provide an explanation.

If the researchers require preliminary approval from Council to advance their proposal while working on research design, there may be a 2-stage approval process (i.e. approval in principle and final approval once research protocol is complete).

COTTFN recognizes and appreciates that researchers may wish to design projects collaboratively with the community. In that case, researchers should submit their Research Protocol with as much information as possible and indicate what decisions will be made jointly. Council may approve the Protocol as-is or may provisionally approve the research (2-stage approval) while the researcher engages with the community to finalize the Protocol.

5. Advisory Council

The researchers and COTTFN may agree to create an Advisory Council or Inquiry Team to guide the research process. Advisory Councils should be representative of the study's participants and should include women, youth, and elders.

If there is a significant time commitment, Advisory Council participants should be compensated.

The Advisory Council should be providing input at various stages of the research, particularly project design, reaching out to participants, and communicating results. The Advisory Council may also advise researchers on cultural and governance protocols. Mutual expectations must be clearly communicated in the Research Protocol.

6. Benefits

COTTFN Chief and Council will prioritize approval of research that provides clear benefits to the community. Besides interest in the subject matter, COTTFN is looking for projects that will help build internal capacity or expand networks. Capacity building could include developing data storage, training youth in multimedia skills, or hiring members as research assistants.

Individual participants must be reimbursed for their expenses incurred by participating in the study (e.g. travel costs, childcare, food). If compensation is offered (e.g. gift cards), participants must still be eligible even if they withdraw from the study after providing their data. Compensation is not required if participants withdraw before providing any data.

7. Data Collection

The Research Protocol must provide an overview of how and what information will be collected, how it will be stored and protected during the study, and how the data will be stored or destroyed after the study. Information encompasses data that is physical, analogue, and/or electronic.

Researchers must obtain the free, prior, and informed consent of individual participants. Participants must have the choice to remain anonymous. If participants will be identified, they must give their express consent.

The default method for documenting consent is a written consent form. That form (or other method) must inform individuals how their information will be used and who will have access to that information.

Any property or materials loaned for the research must be returned at the conclusion of the study.

8. Vulnerable Participants

Extra care must be taken when participants are in a position of vulnerability. A vulnerable person may be defined as a person who, because of their age, a disability or other circumstance is in a position of dependency on others or is otherwise at greater risk of being harmed by a person in a position of authority.

Researchers working directly with minors or otherwise vulnerable individuals must provide a Vulnerable Sector Check. Whenever possible, researchers should not be alone with minors or vulnerable individuals. Parents or guardians of participants who are under the age of 18 or otherwise dependent must provide their informed consent.

A position of vulnerability is however not a reason to exclude or discriminate against individuals.

9. Withdrawing Data from Study

COTTFN and individual participants must have the ability to withdraw from the study without negative consequences. If there is a stage at which the data cannot be removed (e.g. once anonymous data has been aggregated), participants must be informed on the consent form.

10. Confidentiality and Third Parties

Identifiable community and individual participant data must be kept confidential and not shared without consent.

If researchers may have access to confidential information, they will be required to sign a confidentiality agreement or oath. COTTFN may seek legal action if researchers divulge unauthorized confidential information. Such confidential information could include:

- Membership
- Impact Benefit Agreements
- Accommodations (under the Duty to Consult)
- Land Claims
- Culturally significant sites
- Traditional Ecological Knowledge (TEK)
- Financial, and
- Legal matters.

Data that is shared with external governments (e.g. municipal, provincial or federal) may become subject to access to information legislation. Special attention must be paid to research requests that will share COTTFN information with external governments. No information may be shared with external or foreign governments without COTTFN Council's consent.

COTTFN reserves the right to review any results and remove any sensitive information or traditional knowledge before results are shared or published.

COTTFN maintains ownership over any studies (and associated data) carried out by researchers on COTTFN's behalf (e.g. commissioned land use study).

There will be no commercializing of results or licensing of intellectual property without the express consent of COTTFN and individual participants.

11. Secondary Use

Data must only be used for the purpose(s) stated in the research proposal and on the informed consent forms. Any further uses of the participants' primary data must be authorized by the participants in writing. Third parties must not have access to research data without the express consent of the participants.

12. Data Storage and Access

In order to benefit from data collected and to protect collective knowledge, COTTFN reserves the right to possess or have access to the data indefinitely.

Whenever feasible, COTTFN prefers to possess the data internally at the conclusion of the study. In order to facilitate this, the Research Protocol must outline how the data will

be transferred, where it will be stored, who will have access to the data, and who will manage the data.

If it is not possible for COTTFN to possess the data, the Research Protocol must outline how COTTFN will have long-term access to the data and in what form. Informed consent forms must inform participants who will have access to the data.

COTTFN recognizes that there are individual privacy considerations. Unless individual participants consent to COTTFN having access to identifiable information, the researchers may provide anonymized data, aggregate data, or another mutually acceptable form.

13. Analysis

The researchers shall invite COTTFN participation in the interpretation and/or review of any conclusions drawn from the research to ensure accuracy and integrity of interpretation.

COTTFN must have the opportunity to make factual corrections and remove confidential information.

Identifiable individuals must also have ample opportunity to review their own data.

14. Dissemination

Any research outputs must be shared with COTTFN through the assigned COTTFN Staff Contact.

For community-based research, researchers are encouraged to share their findings with community members in a public forum.

COTTFN requires input on dissemination activities that go beyond those envisioned in the Research Protocol. COTTFN must agree in advance to any media dissemination that identifies the Nation or COTTFN staff.

15. Cultural Heritage

Researchers engaging in archaeological research must confirm that they have appropriate training/certifications.

COTTFN may send Archaeological Field Liaisons to monitor archaeological sites, at the researcher's or sponsor's expense. If required, this will be arranged under a separate contract.

No cultural artifacts may be removed from COTTfN territory without consent. Any artifacts collected as part of the research must be returned to the Nation at the conclusion of the research (unless otherwise agreed to in the Research Protocol).

COTTfN Council may impose restrictions on capturing cultural or spiritual activities (e.g. may prohibit the audio or video recording of ceremonies), even if individual participants consent.

16. Biological Materials

Research involving biological materials is particularly sensitive and invasive. This applies to primary collection of materials as well as secondary use of previously collected materials. In addition to Council approval, any research involving biological materials must receive approval from an external Research and Ethics Board and must incorporate a detailed and legally binding plan for managing the materials and data.

17. Internal Archival Materials

COTTfN has a collection of materials related to land claims and the history of the community. COTTfN maintains ownership of these materials. Approved researchers may have access, subject to the terms of the Research Protocol. The Research Protocol must outline the terms of access and who will be supervising the researcher.

18. External Archival Materials

Generally, researchers do not require COTTfN's permission to access publicly available archival data (e.g. from archives, museums, libraries) on the community or the traditional territory. However, if a researcher is focusing on matters of potential interest, COTTfN requests a copy of the study's findings or relevant materials (e.g. copies of archival materials that COTTfN does not already have).

Researchers may require Council's permission to access restricted archival materials. For Category A research, the PI must fill out the applicable sections of the Application and complete a Research Protocol. For Category B research, a Research Protocol is required.

Depending on the data, Council may request that researchers provide COTTfN with the citation information and a copy (photocopy or electronic) of relevant archival materials and may place restrictions on use of those materials. By relying on Canada's copyright and access to information laws, archives, museums, and libraries do not always consider Indigenous information protocols when applying access limitations and permissions. Therefore, COTTfN will require ample time to review all archival/historical material collected from external institutions to ensure cultural protocols are followed.

19. Research Based on Secondary Sources

Research based on publicly available, previously published sources does not require COTTFN's approval. However, if a researcher is focusing on matters of potential interest, COTTFN requests a copy of the study's findings and full citation of sources.

If the source makes extensive use of identifiable knowledge provided by a living community member, researchers are encouraged to contact the individual to ensure that their knowledge is being represented in an acceptable way.

If the source makes extensive use of traditional knowledge attributed to COTTFN or a deceased community member, researchers are encouraged to submit their work to COTTFN for review prior to publication to ensure that the knowledge is being represented in an acceptable way. It is difficult for researchers to know if the knowledge was ethically obtained or properly communicated in the original, published source.

20. Definitions

Academic research – studies where the main purpose is general knowledge production or fulfilling a degree requirement. Academic research is usually carried out by students (undergraduate or graduate), post-doctoral fellows, faculty members, or independent researchers.

Anonymized data – data that has been stripped of direct or indirect identifiers so that the identity of the individual cannot be readily determined by reasonable methods.

Anonymous data – data that never included any identifiers.

Application – refers to the “Application to Conduct Research in Chippewas of the Thames First Nation”.

COTTFN – Chippewas of the Thames First Nation (or the Deshkan Ziibiing Anishinaabeg), as represented by the elected Chief and Council.

COTTFN Staff Contact – staff member assigned to liaise with the researcher(s).

Data – Data/Information/Knowledge (used interchangeably)

sing. or pl. n. (datum, sing.) ~ Facts, ideas, or discrete pieces of information, especially when in the form originally collected and unanalyzed.

Data often is used to refer to information in its most atomized form, as numbers or facts that have not been synthesized or interpreted, such as the initial readings from a gauge or obtained from a survey. In this sense, data is used as the basis of information, the latter distinguished by recognized patterns or meaning in the

data. The phrase 'raw data' may be used to distinguish the original data from subsequently 'refined data'.

Data is independent of any medium in which it is captured. Data is intangible until it has been recorded in some medium. Even when captured in a document or other form, the content is distinct from the carrier. (Source: Society of American Archivists)

De-identified data –where an individual's data is assigned a code held by a third party (i.e. not identifiable to the researcher(s)). The individual's data could be linked to their information provided in a later study using the code.

Identifiable information – data that can be traced back to a specific First Nation or to specific participants based on the information provided, even if their names are not included.

Participant – an individual who provides first-hand information to the study, such as through interviews or focus groups.

Principle Investigator (PI) – the primary researcher designing and leading the study. Used interchangeably with researcher(s).

Research – the systematic investigation or collection of information about a subject. Used interchangeably with study or project.

Research protocol – an agreement negotiated between the researcher(s) and COTTFN outlining how the research will be carried out.

Sponsor – an organization requesting the research or hosting the researchers. May or may not be funding the research.

Traditional knowledge – body of understandings, values and philosophies developed through the experiences, first-hand observations and teachings gained from generations of living in close relationship with the land. Traditional knowledge is generally transmitted orally and held collectively. For more definitions - http://www.nafaforestry.org/forest_home/documents/TKdefs-FH-19dec06.pdf