

Procedures of the Research Impacting Indigenous Groups Policy

Procedure for obtaining Agreement in Principle (Concept Development Phase)

Locating contacts

Researchers are expected to know which Indigenous communities and groups they will be impacting and thus who to contact for obtaining Agreement in Principle (CDP). The Office of the Vice President (Research) provides a list of groups and research contacts (where they exist) in Newfoundland and Labrador. Researchers should start to build relationships with Indigenous groups well in advance of requesting Agreement in Principle (CDP).

Documentation of Agreement in Principle (Concept Development Phase)

Section 1.7 of *Research Impacting Indigenous Groups Policy* lists the approved formats to document Agreement in Principle (CDP). In all cases, the name of the authority/representative must be clearly identified and it must be clear that the documentation is provided by them (via signature, letterhead, phone number in a text, etc.).

If the Agreement in Principle (CDP) is via phone, the call must be received by a member of Research, Grant, and Contract Services (RGCS), the applicable Dean's Office, or the Office of the Vice-President (Research). The recipient of the call must document the exchange. This documentation serves as evidence of Agreement in Principle (CDP). An attestation template has been provided to support this process, though its use is not required.

Some Indigenous groups may request a blanket approach to Agreement in Principle (CDP), such as requesting that researchers use Mi'kmaw Ethics Watch for Agreement in Principle (CDP) or that they waive the requirement for Agreement in Principle (CDP) for their group entirely. Such documentation is kept on file at Research, Grant, and Contract Services (RGCS). A notice that a blanket request exists for a group is noted on the Vice-President (Research) website.

Any Indigenous group that would be recognized as an authority under section 2.1 of the *Research Impacting Indigenous Groups* policy has the right to waive the need for Agreement in Principle (CDP) for any and all projects related to them. This should be documented and submitted instead of Agreement in Principle (CDP).

Documentation of Agreement in Principle (CDP) for all Indigenous Research will be uploaded to ROMEO, even if it is unfunded. CERIIG and others may have access to these uploaded files.

Grant applications for external bodies will be submitted via Memorial University only with documented Agreement in Principle (CDP). Funds (including installments) will only be released with Agreement in Principle (CDP) documentation. Internal Memorial University research awards and grants will require Agreement in Principle (CDP) documentation to consider applications that involve Indigenous Research.

For internal Memorial ethics and permits relating to Indigenous Research, including but not limited to ICEHR and animal care, Agreement in Principle (CDP) must be obtained prior to making application to these bodies. External review processes, including Indigenous REBs and Research Review as well as HREA, will determine their need and preferred order for receiving Agreement in Principle (CDP).

Agreement in Principle (Concept Development Phase) that involves multiple groups

In accordance with the *Research Impacting Indigenous Groups* policy section 2.2, all groups with authority to grant Agreement in Principle (CDP) must be in agreement for a project to proceed. Researchers are encouraged to alter research plans until all needs and concerns of multiple groups are addressed. MIRAG may provide support or advice in this regard.

Most Indigenous groups are comprised of nested communities. For example: Nations may have bands, which have social groups/diverse demographics within them. The *Research Impacting Indigenous Groups* Policy requires Agreement in Principle (CDP) from the highest authority of a group. Nations must approve research occurring in bands, for example, though bands should also be part of research design and consent.

Agreement in Principle (Concept Development Phase) for existing data

In accordance with the definition of Secondary use of data, any non-anonymous information or human biological materials originally collected for a purpose other than the current research purpose in which Indigenous lands, people, groups, Nations, or tribes can be identified must receive Agreement in Principle (CDP). This may include open and public data. If researchers or staff are unsure as to whether research falls into this context, they must apply to CERIIG, who will use TCPS2 [Chapter 5: Section D](#) and Chapter 9: Article 9.20 and 9.22 to determine whether Agreement in Principle (CDP) is required from Indigenous groups.

If any datasets (open or otherwise) created by Indigenous groups include requests that those groups be contacted prior to use, Agreement in Principle (CDP) must be obtained.

Transitions between non-Indigenous Research and Indigenous Research

In cases where Research that does not begin as Indigenous Research becomes Indigenous Research during development, such as through the acquisition of new partners, sites, or analytical frameworks, Researchers have six months to obtain Agreement in Principle (CDP), with extensions possible if granted by CERIIG.

Research that began as Indigenous Research may develop in a direction where it no longer fits that definition and therefore it no longer falls under the *Research Impacting Indigenous Groups* Policy. Agreement in Principle (CDP) would not be required for future installments or renewals of such projects, though documentation of original Agreement in Principle (CDP) will stay on file in ROMEO.

Collaborative projects

When collaborative Research projects have Researchers at multiple institutions, if the lead Researcher is at Memorial University the entire project falls within this policy. Where the lead Researcher is at another university, Memorial Researchers (Co-Is, collaborators, etc.) must ensure all projects, datasets, papers, and other intellectual products that carry their name or work comply with the *Research Impacting Indigenous Groups* policy.

Multiphase projects

Some projects may have a relationship building phase as well as a phase where Indigenous Research is anticipated. Agreement in Principle (CDP) is required for such projects. If no Indigenous group is clear, CERIIG will be used for Agreement in Principle (CDP) for the relationship building phase until a specific Indigenous group(s) is able to provide Agreement in Principle (CDP) for the research portion of the project. Projects that are exclusively for relationship building where no information is collected do not

fall under the definition of Research in the *Research Impacting Indigenous Groups* policy and do not require Agreement in Principle (CDP).

Agreement in Principle (Concept Development Phase) when there is no Indigenous Group

As per under the *Research Impacting Indigenous Groups* Policy section 4, the Committee on Ethical Research Impacting Indigenous Groups (CERIIG) will be used when there is no Indigenous group to grant Agreement in Principle (CDP). See Committee on Ethical Research Impacting Indigenous Groups Terms of Reference for details.

Processes for revoking Agreement in Principle (Concept Development Phase)

In accordance with the *Research Impacting Indigenous Groups* policy section 7, Indigenous groups may revoke their Agreement in Principle (CDP) and other forms of consent and partnership at any time. This must originate from the same level of authority that granted the Agreement in Principle (CDP), even if it is a different person.

Researchers and staff who become aware of revoking Agreement in Principle (CDP) should contact the Associate Vice-President (Indigenous Research) in writing, who will in turn notify relevant bodies, while also respecting a reasonable extent of privacy for Researchers, students, and Indigenous group members. These bodies include Research Grant and Contract Services, the Committee on Ethical Research Impacting Indigenous Groups, any REBs involved in the original submission, and others as necessary. Indigenous Research must cease immediately upon notice. Any of these bodies may seek to resolve the matter if possible, and if successful, a revised Agreement in Principle (CDP) is required. Relevant research funds will be held until resolution is achieved, if possible.

If resolution cannot be achieved and Agreement in Principle (CDP) is revoked, parties remain bound to any contractual obligations that survive revocation of the Agreement in Principle (CDP).

If Agreement in Principle (CDP) is revoked for a project, that project must cease. Funding for that project must also cease. Where graduate stipends are concerned, it is recommended that the project cease Indigenous Research as outlined and take up another form of research to ensure continuity of student funding.

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Responsible Unit: Office of the Vice-President (Research)