

TLS (Tilburg Law School) Ethics Review Board Regulations **Version December 2023**

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Article 1: Purpose

1. The Ethics Review Board (ERB) is an advisory body reporting to the Tilburg Law School (TLS) Faculty Board. The ERB reviews all research projects with a link to TLS that process personal data, and that are submitted to the ERB, whether they are in line with the *Netherlands Code of Conduct for Research Integrity* and relevant laws and regulations.
2. The ERB aims to sustain and improve the quality of research at TLS, for:
 - a. Research participants: by protecting their privacy and preventing them from physical, psychological, or other harm.
 - b. Institution and Society: by supporting and facilitating the integrity and transparency of data collection and management, as well as the accessibility of research data and results, to the extent that this does not conflict with a.
 - c. Researchers: by supporting, informing, and helping researchers to conform to the ERB aims and procedures, while keeping their workload at a minimum, to the extent that this does not conflict with a and/or b.

Article 2: Composition

1. The ERB consists of at least one representative of each of the five TLS Departments, who are appointed by the Dean for a period of three years. ERB members serve for a maximum of two terms.
2. The ERB comprises of members of the TLS staff of the rank of assistant professor, associate professor, or full professor.
3. The Dean appoints a chairperson and a deputy chairperson from among the ERB members.
4. The TLS Research Support Team provides an official secretary to the ERB in consultation with the TLS Faculty Board. The official secretary is responsible for all procedural aspects with due regard to the ERB and its mission.
5. The ERB consists of at least one data representative who primarily looks at the data management plan.
6. The ERB members do not act in a personal capacity but in function of TLS.
7. The ERB members are employed at Tilburg University and represent the departments of TLS.
8. An ERB member reviews applications and participates in the ERB autonomously, without a conflict of interest.
9. An ERB member does not review individual research applications in which they are involved as applicant, external expert, advisor, or in another relevant capacity.
10. An ERB member does not review applications that involve other interests for them including financial, family, or friendship relationships, intellectual property rights, or

involvement in one or more interest groups, or sectors that might benefit from the outcomes of the proposed research.

11. If an ERB member believes that they have a possible conflict of interest, they indicate this to the chairperson as soon as possible. If the chairperson decides that the stated interests do indeed lead to a conflict of interest, or that third parties may have reasonable doubt about the autonomy of the ERB member in the case, the member is not involved in the discussion and review of the application. If the chairperson is also involved in the application in another role, the deputy chairperson will decide.
12. ERB members and the ERB secretary observe strict confidentiality about all information concerning the content of the research applications and the review procedure of the ERB.

Article 3: Meetings and Decision-Making

1. The ERB meets at the request of the chairperson or one of the members, but at least twice a year.
2. ERB decisions are taken by a majority vote. Decisions may only be taken if more than half of the appointed members are present.
3. For other issues, the ERB will regulate its own procedures.

Article 4: Duties and Powers

1. The ERB is specifically responsible for:
 - a. reviewing and approving individual research proposals;
 - b. communicating with the applicants of research proposals;
 - c. designing and maintaining the ERB website and other communication;
 - d. drawing up and annually updating the ERB working method and related procedures, which includes a publicly available procedure for complaints of participants;
 - e. drawing up an annual report for the TLS Faculty Board at the latest in March of the next year. The annual report contains information on:
 - The research applications reviewed (key indicators, including numbers and final status of the applications)
 - The review process (including possible changes in the internal procedures of the ERB)
 - The appeal and complaints procedure
 - The composition of the ERB.
 - f. organizing a semi-annual meeting with the Vice-Dean for Research and/or the Dean
 - g. acquiring and maintaining relevant knowledge and skills with regard to recurring ethical issues, as well as evaluating new developments and perspectives;
 - h. raising ethical awareness among applicant researchers through clear and timely information, as well as through constructive dialogue.
2. An ERB member acts as contact person for ERB-related issues to the Department the ERB member is part of.
3. The ERB focuses its activities on the domain of scientific research, including (scientific) research conducted by students and research conducted for educational purposes if there is an intention to publish in a scientific or professional outlet or if the collected data will be reused.
4. The ERB's remit does not include advising on the content of research at TLS.

5. The ERB secretary is responsible for all procedural aspects with due regard to the ERB and its mission.
6. The TLS Faculty Board is responsible for adequate instrumentation and administrative and financial support of the ERB. This also applies to the proper recording of all reviews performed by the ERB.

Article 5: Review of Research Projects

1. All research projects with a link to TLS that process personal data, must be submitted to the ERB for review. Note that this also applies to researchers who conduct this type of research for other organizations or companies in addition to their appointment at TLS, in so far that they use their TLS affiliation in publications and/or register their output in Pure. If the research proposal has already received ethics approval from another ERB in the Netherlands, a shortened review procedure suffices.
2. Research proposals are evaluated on ethics of data collection and data management, including participant privacy protection, and the quality of data management, including data accessibility.
3. Each research project is reviewed by two ERB members and the data representative. After the accordance of the ERB members and the data representative, the chairperson reviews the proposal and carries out the final assessment. The chairperson can assign additional ERB members.
4. Amendments or renewals of approved applications are in principle reviewed by the two ERB members who have also looked at the original application, the data representative and the chairperson.
5. The ERB does not review a research project if the data collection has already started.
6. The ERB only reviews research projects that are submitted to the ERB.

Article 6: Procedure and Reporting

1. The status of reviewed applications is: approval, revision needed, or rejection.
2. If a research project is reviewed as having no ethical issues, the ERB secretary informs the applicant in the G.E.D. Started Tool that the application has received ethical approval. If ethical issues are identified, the applicant receives an automatically generated email with an invite to revise the application in G.E.D. Started and to resubmit the application for a new round of review.
3. The lead principal investigator, original applicant or supervisor has to submit an amendment if there are changes in the approved research project.
4. Ethical approval has a validity of 10 years. The validity of the approval for data collection is 2 years.
5. Members of the ERB cannot be held personally accountable for a decision of the ERB and potential outcomes of the decision.
6. Researchers can appeal and complain about the outcome of the review process or the review procedure. The ERB treats these appeals and complaints in an open and solution-focused atmosphere. The appeal and complaint procedure of the ERB is as follows:
 - Step 1: The researcher discusses their appeal and/or complaint with their immediate supervisor and with the ERB secretary to provide clarification and/or find a satisfactory solution.

Step 2: If step 1 does not lead to a satisfactory solution, a written appeal and/or complaint is submitted to the ERB chairperson (erb-tls@tilburguniversity.edu), who responds in writing within 5 working days.

Step 3: If step 2 does not lead to a satisfactory solution, a written appeal and/or complaint is submitted to the Vice-Dean for Research, who makes a final decision and communicates this, including the reasoning, to the researcher involved and the ERB chairperson.

7. The Vice-Dean for Research acts as the ERB's spokesperson for external communications.

Article 7: Approval and revision

1. The TLS Faculty Board approved the ERB Regulations on January, 24, 2024 and the ERB Regulations entered into effect on 1 March, 2024.
2. The TLS Faculty Board shall decide in cases not provided for in the ERB regulations.
3. Revisions of the ERB Regulations require the approval of the TLS Faculty Board.