

Animal Welfare Committee Appeal Procedure

1.0 Introduction

In cases where a Principal Investigator (PI) would like to appeal a decision of the Animal Welfare Committee (AWC), the Canadian Council on Animal Care (CCAC) policy statement on: *Terms of Reference for Animal Care Committees (ACC)* states in section 3.i that one of the responsibilities of the ACC is to “define an institutional appeal mechanism that can be used by the author of a protocol in the event that animal use is not approved by the ACC. This mechanism should include appropriate expertise and ensure a separate, fair and impartial process. The CCAC may be called upon for information purposes; however, appeals cannot be directed to the CCAC.”

2.0 Purpose:

To detail the procedure to be followed in the event of an appeal of an AWC decision.

3.0 Procedure for Appeal of an AWC Decision:

3.1 If all reasonable attempts to resolve disagreements cooperatively between a PI and the AWC have been exhausted, the PI may appeal an AWC decision to the Vice-President (Research).

3.1.1 An appeal of an AWC decision shall be made, in writing, to the Vice-President (Research) by the appellant within 30 working days of receipt of the written decision by the AWC.

3.2 The appellant and the AWC Chair will be invited to meet with the Vice-President (Research) in order to resolve the outstanding issues.

3.2.1 The Vice-President (Research) shall meet with the appellant and the AWC Chair within 10 working days of receipt of the written request from the appellant.

3.2.2 In the event the Vice-President (Research) is not available within this time period, the Associate Vice-President (Research) shall meet with the appellant and the AWC Chair.

3.2.2 In the event that the outstanding issues are resolved, the appeal shall be discharged.

3.3 If the appellant and the AWC, in consultation with the Vice-President (Research), are unable to come to an acceptable resolution of the differences, the Vice-President (Research) will establish a balanced and impartial Animal Welfare Appeal Committee (AWAC) comprised of two animal user faculty members, one non-animal user faculty member, one person with relevant animal veterinary care experience with the species in the protocol under appeal, and a community representative to hear the appeal.

- 3.3.1 The AWAC members shall not be AWC members, and the person with relevant animal veterinary care experience shall be from outside the University.
 - 3.3.2 The AWAC members shall declare any conflict of interest that would preclude their ability to hear the appeal, and if so, shall not be appointed to the AWAC.
 - 3.3.3 The Vice-President (Research) shall appoint the Chair of the AWAC.
 - 3.3.4 Both the appellant and the AWC Chair may request that an AWAC member not be part of the appeal process on the ground that the member's presence would bias and prevent a fair hearing.
- 3.4 The AWAC Chair will contact the AWC Coordinator to obtain all documents and minutes of the AWC meeting(s) and decision related to the appeal.
- 3.5 Upon receipt of the documentation related to the appeal, the AWAC Chair will convene a meeting of the AWAC to hear the appeal, with provisions for presentations by the appellant and the AWC Chair.
- 3.5.1 The appellant will present the grounds for the appeal and speak to the issues.
 - 3.5.2 The AWC Chair will present the reasons for the decision of the AWC, and speak to the issues.
 - 3.5.3 The AWAC, having heard the oral presentations of the appellant and the AWC Chair and having reviewed the written and supporting documentation, shall, by unanimous vote, reach a decision before adjourning the appeal hearing.
 - 3.5.3.1 The AWAC discussion and decision shall take place after the appellant and the AWC Chair have been excused from the meeting after their oral presentations.
 - 3.5.4 The AWAC will meet to hear the appeal and render a decision within 30 working days of establishment of the AWAC by the Vice-President (Research).
- 3.6 The AWAC Chair will provide a written decision to the Vice-President (Research), within 10 working days of the appeal hearing.
- 3.6.1 The decision of the AWAC shall be considered final and binding.
- 3.7 The Vice-President (Research) shall communicate the decision of the AWAC to the appellant and the AWC Chair.