



BKI Animal Ethics Committee Terms of Reference

The use of animals for research and teaching is governed by the [Australian Code for the Care and Use of Animals For Scientific Purposes 8th Edition 2013 \(Updated 2021\)](#), (the Code). The purpose of the Code is to promote the ethical, humane, and responsible care of all non-human vertebrates used for scientific purposes in areas including research, teaching and field trials.

The Code provides governing principles and an ethical framework for all those involved in the use of animals for scientific purposes including institutions, investigators (referred to as teachers), animal carers and Animal Ethics Committees (AECs).

The Code requires that institutions involved in the use of animals for scientific purposes establish an Animal Ethics Committee (AEC) whose operation ensures that all activities comply with the Code.

To comply with the Code and promote the ethical use of animals in teaching Bendigo Kangan Institute (BKI) has established an AEC which it has elected to call the Bendigo Kangan Institute AEC (BKI AEC).

1. Purpose

These terms of reference define the purpose and structure of the BKI AEC. These terms of reference will be publicly available. The BKI AEC is responsible for upholding the principles and complying with the procedures as set out in the Code.

2. Scope

In Victoria, the composition of the AEC, their responsibilities, functioning and operation must conform to *the Code*, [The Prevention of Cruelty to Animals Act 1986 \(The Act\)](#), and [the Prevention of Cruelty of Animals Regulations 2019 \(The Regulations\)](#).

The BKI AEC is an independent committee whose primary responsibility is to ensure that all care and use of animals conducted at BKI complies with *the Code* and is humane and ethical.

The BKI AEC must:

- Review applications for new projects and approve only those which are ethically acceptable;
- Review approved projects;
- Monitor the care and use of animals including animal housing and procedures used by the institute;
- Act in instances of non-compliance;
- Act in the event of unexpected adverse events;
- Assist in handling complaints;
- Provide guidance and advice to the institute on the ethical and humane use of animals and approve guidelines as required; and
- Report on its operation to the institute by completing an annual report.



3. Membership

All members have a role in ensuring that BKI's AEC policies and procedures reflects best practices in accordance with the Code. The committee must comprise at minimum four members, one of whom must represent each membership category.

- A. Category A (Veterinarian): a person with qualifications in veterinary science that are recognised for registration as a veterinary surgeon in Australia, and with experience relevant to BKI.
- B. Category B (Teacher): a suitably qualified person with substantial and recent experience in the use of animals for scientific purposes relevant to BKI and the business of the AEC. This must include possession of a higher degree in research or equivalent experience. This may be a teacher with substantial and recent experience.
- C. Category C (Animal welfare): a person with demonstrable commitment to, and established experience in, furthering the welfare of animals, who is not employed by or otherwise associated with BKI, and who is not currently involved in the care and use of animals for scientific purposes.
- D. Category D (Independent): person not employed by or otherwise associated with BKI and who has never been involved in the use of animals in scientific or teaching activities, either in their employment or beyond their undergraduate education.

Where the committee comprises more than four members Category C and D members must represent at least one third of the committee. Members must not be appointed to more than one category.

All BKI AEC category members will have voting status.

The below sets out the remainder of the roles on the BKI AEC, and their respective duties.

Role	Duties
BKI AEC Chairperson	The institute will appoint a chairperson of the BKI AEC. This chair should hold a senior position within the institute and may be independent of the care and use of animals for scientific purposes. The chairperson is responsible for impartially guiding the operation of the BKI AEC, resolving conflicts of interest related to the business of the BKI AEC, and representing the BKI AEC in any negotiations with the institution's management. The chair must preside at BKI AEC meetings.
BKI AEC Executive Officer	The institute may appoint an Executive Officer to undertake the administrative duties of the BKI AEC, and where appropriate act on behalf of the license nominee.
BKI AEC Executive	BKI may establish an AEC executive to approve minor amendments to projects between meetings. This executive will have a minimum of two members: the BKI AEC chairperson, and an independent (Category C or D) member. The executive may approve only minor amendments of currently approved projects, where such amendment will not impact animal welfare, this may include minor amendments



	<p>to a procedure where that amendment would not impact animal welfare. The executive must not approve new projects, or changes which have the potential to impact animal welfare. Any actions by the executive must be recorded and subject to ratification by the BKI AEC at the next quorate meeting. Where in doubt if a change to a project is minor the executive must refer the matter to the full BKI AEC.</p>
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4. Conditions of Appointments to the committee

Appointment

BKI AEC appointments are made by the License Nominee, or the BKI AEC executive officer as a representative of the BKI license nominee, on behalf of the License holder (BKI Chief Executive Officer).

Vacancies are filled on a casual basis.

Membership is reported to, and endorsed by, the BKI AEC and the license nominee.

On appointment BKI AEC members must sign the Terms of Reference agreement and accept their responsibilities as a BKI AEC committee member.

Reappointment

Appointments are reviewed every three years from the date of the signed Terms of Reference agreement. Members are eligible for re-appointment at the discretion of the license nominee.

Induction

Prior to appointment, all BKI AEC members must acknowledge in writing acceptance of the BKI AEC terms of reference, any confidentiality requirements of BKI and any mandated training.

Newly appointed BKI AEC members must complete the [Animal Welfare Victoria self-paced AEC eLearning](#) Course within 6 months of appointment to the committee. BKI AEC members must provide a certificate of achievement of this training to the AEC executive officer.

All BKI AEC members must familiarise themselves with [the Code](#), [the Act](#), and [the Regulations](#), along with relevant BKI policies and procedures:

- [BKI Use of Animals for Scientific Purposes Policy](#)
- [BKI Procedure for the Use of Animals for Scientific Purposes](#)
- [BKI First Aid Procedure](#)
- [BKI Receiving and Responding to Feedback \(Compliments and Complaints\) Procedure](#)
- [BKI Confidential Information Policy: Found in Employee Code of Conduct](#)
- [BKI Health, Safety and Wellbeing Policy](#)

The institute will provide new members with any additional information required by the new committee member to ensure they understand their responsibilities under *the Code*.



Retirement

Retirement of members is at the discretion of the BKI AEC member and should be submitted in writing to the BKI AEC executive officer.

Members of the committee may be requested to resign by the license nominee if a conflict of interest arises, or where a member is not meeting their responsibilities.

Conflicts of Interest

During their appointment to the BKI AEC, and before any deliberations, members must declare any conflicts of interest which could influence their objectivity in decision making. Where conflicts of interest arise affected committee members must remove themselves from the meeting for the duration of the relevant discussion and decision making. In this instance a decision can only be made if the BKI AEC remains quorate in the absence of the member with the conflict of interest.

5. BKI AEC and Institutional Accountability

The BKI AEC are reportable to the BKI license holder (the BKI Chief Executive Officer).

BKI must ensure it works to meet its responsibilities as an institution under *The Code*. The institution will be subject to external review every 4 years to ensure it is meeting its obligations.

6. Conduct of BKI AEC Meetings

<p>Meeting Frequency</p>	<p>The BKI AEC aim hold 4 quorate meetings annually, occurring during each teaching term break, that is in January, April, June/July and September/October.</p> <p>BKI AEC meetings will occur at a time and place determined by the BKI AEC executive officer, chairperson, and license nominee.</p> <p>BKI AEC meetings may occur at either teaching campus:</p> <ul style="list-style-type: none"> • Kangan Institute 59-69 Pearcedale Parade, Broadmeadows, 3047; or • Bendigo Tafe, Charleston Road, Bendigo, 3552. <p>BKI AEC meetings will be held in a face-to-face format in the first instance. Virtual attendance of meetings by committee members is acceptable where required.. .</p>
<p>Quorum</p>	<p>A quorum for a meeting of the committee comprises at least one member from each category of membership (A, B, C and D). Attendance of members may vary between BKI AEC committee meetings.</p> <p>Categories C and D members must comprise at least one third of a quorum of the committee.</p> <p>A quorum may be established through online platforms where required.</p> <p>The Chairperson must preside at each meeting.</p> <p>The license nominee and BKI AEC executive officer should attend BKI AEC meetings where possible.</p>



<p>Agenda</p>	<p>The BKI AEC executive officer shall develop an agenda for each BKI AEC meeting detailing pending business, projects for review and new developments.</p> <p>Items to be included in the agenda must be received by the BKI AEC executive officer no later than twenty-one (21) days prior to the scheduled meeting.</p> <p>This agenda, along with supporting documents, shall be circulated in writing to all BKI AEC members a minimum of two (2) weeks prior to a BKI AEC meeting.</p>
<p>Decision Making</p>	<p>Each category member attending a meeting of the committee has equal participation and voting rights unless a conflict of interest is declared. If a conflict of interest occurs the committee member must declare this and absent themselves from the meeting and voting.</p> <p>The BKI AEC must provide competent, fair, and timely review of applications for the care and use of animals for scientific purposes presented by the institute.</p> <p>Members will receive in writing all documentation pertaining to a proposed application a minimum of two (2) weeks prior to a BKI AEC meeting. BKI AEC members must review in detail all documentation prior to the BKI AEC meeting.</p> <p>The BKI AEC members must consider all applications (new or existing) independently and determine if the proposed use is ethically acceptable. Members must make an independent judgment on whether the potential effects on the wellbeing of the animals involved in a project is justified by the potential benefits of the project.</p> <p>BKI AEC members will have the opportunity to ask questions and seek clarity as required during the BKI AEC meetings.</p> <p>Decisions made by BKI AEC members must be based on the information provided by the applicant and any direct discussion with the applicant where required.</p> <p>The BKI AEC may decide that an application is:</p> <ul style="list-style-type: none"> • Approved with or without condition. • Deferred subject to modification • Not approved. <p>Where the application involves an existing project the BKI AEC may decide the approval is continued, suspended, modified, or withdrawn.</p>



	<p>Decision is made by a consensus vote of the members present at a quorate meeting. Where a meeting does not comprise a Quorum a decision may be made by an out of session vote. Teachers and other persons in attendance at the BKI AEC meeting will not be privy to votes.</p> <p>Where consensus cannot be reached reasonable efforts must be made to resolve differences. The BKI AEC and the applicant should discuss modifications which can be made to a project to resolve differences.</p> <p>If consensus cannot be reached following efforts to resolve differences the chairperson may proceed to a majority decision once all members have confirmed they have had sufficient time to consider their position and discussion to address concerns.</p> <p>The chairperson and executive officer do not have voting status. Once the committee has reached a decision on a project this outcome must be communicated by the executive officer to relevant teaching staff. No projects should be started prior to approval by the BKI AEC.</p>
<p>Meeting Minutes</p>	<p>The BKI AEC Executive officer will be responsible for taking, writing, and distributing draft minutes of all BKI AEC meetings.</p> <p>The draft minutes must be full and accurate. Draft minutes must record all deliberations and decisions of the BKI AEC on projects reviewed, and any other business discussed at BKI AEC meetings.</p> <p>The draft minutes must be circulated to all BKI AEC members for review in a timely manner.</p> <p>Draft minutes must be confirmed at the next BKI AEC meeting.</p>

7. Project Records

Following approval of a project by the BKI AEC, the application and relevant SOP documentation will be updated by the BKI AEC executive officer to include the appropriate project approval dates.

Finalised documents will be uploaded by the BKI AEC executive officer to the Animal Ethics SharePoint for teacher access.

Teachers will be notified by the BKI AEC executive officer of any updated or newly approved projects.

All teachers must read relevant project documentation and sign the teacher register to confirm they accept the document prior to project use.



8. BKI AEC Project Monitoring

The BKI AEC is responsible for monitoring the care and use of animals by the institute, and ensuring all use is ethical, in line with the requirements of an approved project, and compliant with *the Code*.

Inspections

Monitoring should include inspection of animal housing by BKI AEC members. The BKI AEC should keep records of inspections that include the name of attendees, observations made, identified problems, recommended actions, outstanding issues, and final outcomes of inspection. The BKI AEC Site Inspection Reporting Form may be used to record these findings.

Category C and D members should be present for inspections.

Where required the BKI AEC should make recommendations on any measures needed to ensure that the standards of *The Code* are maintained. These recommendations should be made to the BKI AEC executive officer, chairperson, and license nominee as required.

BKI AEC inspections may be announced or unannounced.

Announced BKI AEC inspections should be arranged by the BKI AEC executive officer and offered to members at each BKI AEC committee meeting where possible.

Animal Monitoring

The BKI AEC should monitor the wellbeing of animals used for approved projects by inspecting the conduct of procedures or reviewing records including those detailing unexpected adverse events and animal emergencies.

Where problems, including suspected or confirmed breaches of *the Code*, are noted during review of projects the BKI AEC should notify the BKI AEC executive officer, chairperson, and license nominee. The BKI AEC must ensure that there is appropriate follow-up and that problems are addressed in a timely manner.



Complaints

Complaints concerning the care and use of animals may be raised by any person or group including teachers, staff, BKI AEC members, students, and members of the public.

When dealing with complaints concerning the care and use of animals the BKI AEC should refer to the BKI Procedure for Handling Complaints about the use of animals for scientific or teaching purposes. All complainants should be directed to complete the Feedback/Complaints online form for central logging.

BKI AEC Response to Unexpected Adverse Events

An unexpected adverse event is an event that may have a negative impact on the wellbeing of animals and was not foreshadowed in the approved project of activity. Unexpected adverse events may occur in the process of conduct of a BKI AEC approved project.

When forming a response to an unexpected adverse event the BKI AEC should refer to the BKI Procedure for the use of animals for scientific purposes section 5.0.

BKI AEC Response to Non-Compliance

Bendigo Kangan Institute, teachers and members of the BKI AEC all have obligations and responsibilities to comply with under *the Code*, *the Act* and *the Regulations*. Where these obligations are not met this is termed non-compliance. Non-compliance may impact the welfare of animals and as such must be reported to, and investigated by, the BKI AEC.

When forming a response to an incidence of non-compliance the BKI AEC should refer to the BKI Procedure for the use of animals for scientific purposes section 6.0.

BKI AEC Annual Report to the Institution

Under section 2.3.28 and 2.3.29 of *the Code*, the BKI AEC must prepare an annual report reviewing:

- the operation of the AEC including the numbers and types of applications reviewed;
- any unexpected adverse events or non-compliance occurring in the reporting period;
- any site inspections conducted;
- any administrative or other difficulties experienced by the committee members; and
- any matters that may affect the institute's ability to maintain compliance with *the Code*.

This report should be created and submitted to the BKI AEC executive officer annually in January. It will then be reviewed by the license nominee and discussed at the next scheduled BKI AEC meeting. Once all parties are satisfied by the document it will be saved on the BKI AEC SharePoint by the BKI AEC executive officer for future reference.

BKI AEC External Review

Section 6 of *the Code* details the requirement for Institutes involved in the care and use of animals for scientific purposes to undergo an independent external review every four (4) years.

Independent external review assists institutions to assess whether the procedures they have established meet the goals set out in *the Code*, and provides assurance that the institution, through its animal ethics committee, is delivering effective oversight of the care and use of the animals in its charge.



To meet this requirement BKI will undergo an independent external review conducted by Animal Welfare Victoria every four (4) years. This external review will be arranged by the BKI AEC Executive Officer or license nominee in accordance with Animal Welfare Victoria direction.

Review of BKI AEC Terms of Reference

The BKI AEC Terms of Reference will be reviewed annually and updated as required. Any updates or changes to these terms will be discussed with the BKI AEC and approved in a quorate meeting.

Review of Institutional Operation

BKI aims to provide an annual report to the BKI AEC. This review will be organised and undertaken by the BKI AEC executive officer. Following review by the BKI AEC and license nominee, this report will be saved on the BKI AEC SharePoint by the BKI AEC executive officer for future reference.

This report will outline the activities of the BKI AEC and the institute including:

- Number and types of projects reviewed;
- Outcomes of decisions made by the AEC;
- Animal use;
- Details of unexpected adverse events or non-compliance reported;
- Details of complaints received;
- Updates to policies and procedures related to animal use;
- Updated to teacher competencies; and
- Details of any training that the institute has supported.