Legal and ethical considerations when undertaking veterinary nurse research

Abstract

Establishing a unique body of knowledge to define veterinary nursing as a profession is a key role of nursing research, but how that research is undertaken in terms of professionalism, ethics, welfare and law will help shape nurses’ professional identity. Consideration and protection of those individuals who are the subjects of research is the fundamental part of research ethics. Although certain regulations and processes seem burdensome they need to be in place to protect the animal, client and the nursing profession as a whole. Research involving recognized acts of veterinary nursing will always prioritize animal welfare but there are many other aspects to consider too. Most importantly to research ethics is open discussion, there is potential room for further guidance from regulators and the formation of a centralized ethical review committee for general practice.

Keywords: nursing research, research ethics, research law, informed consent, animal welfare, professional conduct

One defining attribute of a profession is that its members possess a unique body of knowledge, in burgeoning professions definition of this unique knowledge is allusive (Hall, 2012). The multifaceted nature of nursing renders a single definition insufficient to capture the breadth of the role, and the area of knowledge that uniquely defines their field remains ill defined. Establishing that unique body of knowledge is the role of nursing research. How that research is undertaken in terms of professionalism, ethics, welfare and law will help shape nurses’ professional identity. This paper discusses some of the research specific legal, regulatory and ethical considerations.

While seeking statutory protection of the title of veterinary nurse, the Royal College of Veterinary Surgeons (RCVS) outlined the role of the veterinary nurse (Royal College of Veterinary Surgeons, 2011 annex A). They highlighted that one key aspect is to ‘establish best practice through evidence-based nursing research’. The veterinary nurse role crosses from patient care to client care and includes the specific clinics, such as geriatric or obese clinics, managed by nursing staff. Their unique position in all these areas offers opportunity to determine and inform the gold standard in veterinary nursing. Ethical considerations ensure the research is conducted for the patient’s best interests and to uphold the professional standard.

What is ethical research?

Ethical research is about ensuring the welfare of the patient but also ensuring the research itself is valid and non-harmful in a wider social context. Not only does invalid research use valuable resources and time for little benefit, if it is published and others follow its guidance, it presents as a particular problem for professional accountability.

Registered veterinary nurses are limited in what they may do by the first principle in their Code of Professional Conduct; animal welfare must be their first consideration (Royal College of Veterinary Surgeons, 2012, Section 1.1). Undertaking research in practice should never come into conflict with the welfare of the animals under the nurse’s care, and legal and ethical controls are, or should be, in place to ensure animal, client and professional interests remain undamaged.

Traditionally, human nursing knowledge has been acquired anecdotally, through trial and error or tradition (Varga, 1980; Hall, 2012). Such processes may lack scientific rigor but this does not mean they are incorrect, merely unknown. Similarity is found in veterinary nursing knowledge. It is hard to separate out the ‘this is the way we have always done it’ from ‘this is the best way of doing it’. It has been an important legal battle in human medicine to discern ‘standard practice’ from ‘best practice’ (Teff, 1998). Standard practice is no longer a sufficient legal defense. To confirm current practices and to undertake novel research it is advisable to follow the basic principles of evidence-based nursing (Mullhall, 1998).

Every project takes time and money to undertake; all projects use valuable resources. Research ethics states that care must be taken to ensure that expenditure of resources, even if the research is undertaken in the nurse’s own time, can be justified. Unjustifiable research is rarely an ethical endeavour. Before undertaking any project, the following four questions should be considered:

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• Is the question a valid or necessary question?
  • If no, then improve the question or topic.
• Has the question been answered before?
  • If yes, then only repeat if it has not been answered satisfactorily.
• Will the proposed method answer the question satisfactorily?
  • If no, then develop a more appropriate method.
• Is there an alternative way to answer the question with less cost.
  • If yes, then select the method with the least cost, with a priority placed on animal welfare.

To ensure that unnecessary harm does not come to an unnecessarily large number of animals in laboratory research, Russell and Burch (1959) developed the 3R principles: replace, reduce and refine. They proposed that to minimize harm to animals the researcher should first consider using an alternative to live animals by replacing them. If animals must be used then the numbers of animals involved must be reduced to the minimum needed to produce meaningful results. Finally, the protocols of research involving the minimum number of necessary animals should be refined to cause the least amount of harm (Festing and Wilkinson, 2007). These 3R principles should be considered and applied when formulating a research proposal to ensure that the minimum potential harm to the minimum number of animals occurs.

Research ethics committees
Research institutes have a formalized process to approve research prior to onset ensuring it is lawful and conducted without cause for ethical concern to the subject, profession, institution or researcher. These research ethics committees are composed of a panel of people, including lay members, with specific training. In practice, it is rarely possible to formulate a research ethics committee in general practice due to the limited diversity of employees and the cost. Although discussion at practice meetings should facilitate staff to contribute ideas for improvement and share welfare and ethical concerns about any research being undertaken within the practice.

Figure 1. The interface between the Veterinary Surgeons Act 1966 and the Animals (Scientific Procedures) Act 1986 (A(SP)A) (HMSO, 1986).

The Royal College of Veterinary Surgeons states that a Home Office license (A(SP)A) is not needed for nurses, under Schedule 3, who are undertaking research on procedures where:
• They are normal acts of veterinary surgery (clinical practice and investigation)
• They do not deliberately expose animals to risks of health and wellbeing
• They are for the benefit of the animal or its immediate group
• The veterinary surgeon (or nurse under Schedule 3) is acting primarily as that animal’s carer and not a research scientist

Currently, there is no independent central body to undertake ethical approval of research for private practice, and establishment of this is probably needed to protect animal welfare independently. It is suggested to make contact with a local university or research institutes to seek cooperation in provision of ethical and legal overview.

The legal framework
 Undertaking research on animals, unless specific permission from the Home Office is granted, is limited by the RCVS and Animal Welfare Act 2006 (Section 4) to exclude actions that induce unnecessary suffering. The RCVS have outlined when research on animals moves from standard practice to requiring Home Office permission (Beswick et al, 1997) (Figure 1).

Nurses are unlikely to need A(SP)A control while researching ‘recognized acts of veterinary nursing’. Publication of guidance ensuring the profession is not brought into disrepute is needed through an updated Guide to Veterinary Legislation (Royal College of Veterinary Surgeons, 1993) or similar to the Guidance for (human) nurses from the Royal College of Nursing (2009). In addition to animal research legislation, many additional country specific research laws and regulations apply such as data protection regulation. Even if the research is lawful there are still several ethical aspects needing consideration.

The subjects of the research
Consideration should be given to those individuals to whom new interventions, surveys and novel processes are being applied. The interests of the animal, client and public perception need to be analyzed. Veterinary nurses who have subscribed to the RCVS’ Register have committed themselves to uphold the highest level of professional conduct (Anon, 2011), such a commitment allows those partaking as subjects to be assured of the highest standard.

Research undertaken by a registered veterinary nurse under normal circumstances must never be detrimental to animal or client welfare, maintaining respect to the profession. As nurses are responsible for preventing deterioration in animal welfare, if any adverse changes are noted the intervention must be stopped and rectified. This is irrespective to the detriment to the research; the primary concern is always the patient under the nurse’s care.

Client informed consent
It is standard practice that clients will need to provide informed consent in order for their animals to undergo recognized acts of veterinary surgery. In
human nursing this is understood as ‘fully understanding and agreeing to the procedure’ (Royal College of Nursing, 2011); consent is particularly important in veterinary medicine which additionally involves contract law (Wager, 2011). Research undertaken on animals involving an A(SP)A license will certainly require the owner to give consent and the option for withdrawal must be available without adverse consequences for their pet’s care. However, it is unclear in law if research on non-harmful nursing interventions will require additional consent to take part in the research, for example if a simple study was undertaken to determine if music played in kennels reduces stress in inpatient animals. It may be appropriate to contact the RCVS in order to confirm this prior to commencing research, although no harm is caused in obtaining consent as a default position.

The Royal College of Nursing requires informed consent for any research involving human patients (Royal College of Nursing, 2009). This applies whenever human data are collected. Translating these requirements to veterinary nursing is hard, it may be too broad to expect consent from all pet owners where environmental or practice management interventions are undertaken, for example it would be hard to manage consent for the music trial mentioned above. Informed consent in research is ‘the process of agreeing to take part in a study based on access to all relevant and easily digestible information about what participation means, in particular, in terms of harms and benefits’ (Parahoo, 2006). If consent is required it is important to adhere to its purpose as detailed by the Royal College of Nursing (2011), and if the project is long term or the patient changes condition consent should be regularly reconfirmed.

Openness and transparency of professional undertakings, including research, are important for public confidence, so it may be appropriate for general projects to provide information to clients via information sheets or notice boards. Some pet owners may have specific learning difficulties requiring the nurse to adapt their communication skills to obtain informed consent. Effective communication with people who share the same condition as their pets may be problematic as they may have difficulty in talking about shared conditions or confuse their treatment with that of the pet. Specific care should be taken in obtaining consent with vulnerable clients, and detailed guidance is available to human nurses from the Royal College of Nursing (2011). It may be that the effectiveness of diagrams, pamphlets, clinics and follow-up appointments prove to be useful areas for research helping others adapt their technique to improve patient and client experience and reduce morbidity and mortality associated with miscommunication. There is a duty amongst professionals in publishing this research, especially if a negative outcome is found against a method of communication, to ensure future communication is enhanced.

Educational research

Nurses have a role in educating trainees and novel pedagogical approaches can progress the standard of education. This could relate to teaching theory or practical skills. Examples include: novel techniques to improve inter-professional education (Kinnison et al, 2011); and artificial models to teach practical skills facilitating learners prior to in vivo work (Keegan et al, 2009; Lumbis et al, 2012). Specific ethical consideration needs to be applied during educational research interventions to ensure no group is disadvantaged (McNamee and Bridges, 2002). Students should consent to research, but this does not permit their choice to select which technique. If the student decides to be removed from the trial, they should be returned to traditional teaching methods without disadvantage.

Incentives

Incentives may be necessary to encourage people to partake in research but they should not be so powerful that they become coercive. The recipient of the incentive should be the participant of the research or potential abuse can occur with people seeking out trials to earn from their pets. Optimally, both client and animal should benefit by offering compensation of mutual benefit to pet and client. An example might be after a study involving a weight-loss clinic, the clients are provided with a month of free (appropriate) pet food.

Privacy

Human personal data should be handled with great care and the Medical Research Council provide guidance to follow in order to handle it securely (Medical Research Council, 2000). Legal advice should be sought when there is doubt on regulations in using personal data. Its secure storage should include limited access and password protection. Where possible, data should be anonymized so only the relevant information is kept for long-term research. Additional consent may be required if personal data are used and compliance with local data protection regulations (Data Protection Act 1998) (HMSO, 1998) is mandatory.
Key Points

- Consideration of those individuals, clients and animals, who are the subjects of research is the fundamental aspect of research ethics; regulations should be in place to protect the animal, client and the nursing profession as a whole.
- Research involving recognized acts of veterinary nursing are constrained by the Code of Professional Conduct to make animal welfare the first priority.

No information should be released to third parties without the participant’s consent.

Fraud

Pressures to complete research or conclude certain findings can tempt scientific fraud, such as making-up or deleting results to mislead the reader and demonstrate a certain answer. There have been many famous examples (Crocker, 2011), but professionalism and the Code of Professional Conduct prohibit this. Published fraudulent research could lead others following the advice to mislead clients and potentially harm animal welfare. Scientific plagiarism is equally serious; respecting others’ intellectual property and acknowledging their ideas and contributions are essential components of a professional.

Conclusion

Research is an exciting area to be involved in and there are many topics available. Regulations and ethical considerations can seem burdensome but are present to protect the subjects of the research by promoting animal and human welfare. Not only is research needed in veterinary nursing to define its unique body of knowledge, but extensive work is needed on guidance and control of research as there is in human nursing (Fox, 2002) ideally culminating in the establishment of a centralized ethics committee or regulation for general practice research. Until the latter is completed, stepping into research is like stepping a little into ‘regulatory’ unknowns. Through adherence to legislation, following the RCVS Code of Professional Conduct and by placing animal welfare as the first concern, the most important conditions are met.

Conflict of interest: none.

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