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Research with children and other vulnerable groups

Research involving vulnerable groups raises a number of ethics concerns. Researchers (staff or students) working with vulnerable groups should be mindful of the need to comply with any relevant statutory regulations and ethical guidelines, as well as any requirements set by research partners.

What do we mean by 'vulnerable groups'? This guidance adopts a wide definition of vulnerable groups as encompassing children under the age of 18 and persons belonging, or perceived to belong, to groups that are in a disadvantaged or marginalised position.[1] However, it is important to note that individuals may not be conventionally 'vulnerable', and that 'vulnerability' may also be a temporary state and/or due to situational factors.[2] Moreover, participants involved in research or other School activities may be vulnerable due to being in an unequal relationship. Notwithstanding the above, given the propensity to consider vulnerability as aligning with a complete lack of agency we caution against such an assumption. Participants who show considerable agency in decision making may still be vulnerable and, conversely, assuming that all vulnerable participants have no agency and must be spoken for can harm them further.

Involving vulnerable groups in research presents challenges and you must consider the potential risks when designing the research and what safeguards might need to be put in place. As part of the ethics review process you should provide a rationale and justification for the inclusion of vulnerable groups in the research. The ethical challenges should be balanced with the '*nothing about me, without me'* ethos – that is to say, research which is about or which may impact individuals from underrepresented groups (whether directly or indirectly) should take into account the views and lived experiences of representatives from such groups.

Ethical challenges and considerations are particularly acute where research involves children. You must be able to show that you *will not be able to conduct your study* in a meaningful way without involving child participants, and provide the necessary information and justification as appropriate within your research ethics application form. See 'Research with children and young people' below.

As part of the ethics review process you should also be able to demonstrate that you have given thought as to how you will address and manage **safeguarding issues** (both anticipated and unanticipated) that might arise from or during the research. Researchers should refer to the LSE Safeguarding Policy[3] and Safeguarding in Research and International Activities policy[4]. Limits to confidentiality due to potential safeguarding issues should be addressed as part of the informed consent process. (See 'Informed consent and and capacity to consent' below.)

Any uncertainties should be discussed with the Research Ethics Review Board (RERB).

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[1] Examples include, but are not limited to: those often targeted with abuse or discrimination based on protected characteristics such as race, gender, sexuality, disability, religion, or people in need of care. More generally, vulnerable groups may include: people with learning or communication difficulties or serious mental health problems; patients in hospital or those with a physical health condition; individuals under the care of social services; people in custody or on probation; individuals engaged in illegal activities; those affected by drug abuse; refugees and social minority groups.

[2] See 'Vulnerability Can Affect Anyone' in MRS Best Practice Guide on Research Participant Vulnerability: https://www.mrs.org.uk/pdf/MRS%20Researching%20Vulnerable%20Participants%20best%20practice%20note.pdf

[3] https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/safPol.pdf

[4] https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/safResIntActPol.pdf

Research with children and young people

What do we mean by child and young person? For legal purposes anyone under the age of 18 is considered a child; however, 16 and 17 year olds should also be considered as 'young people' and should be treated as such by researchers.

Children should only be involved in research where it is absolutely essential in order to answer the research questions and objectives, where the researcher can point to the benefits of their research (either to individuals or wider society), and the information cannot be gained from non-vulnerable adult participants. When a choice of age groups is possible, older children should be involved rather than younger ones, although some research questions are specific to younger children and even babies.

Research involving children and young people should only be conducted where:

- the research question posed is important to the health and social and mental well-being of children. However, a research procedure which is not intended directly to benefit the child subject is not necessarily either unethical or illegal. Such research includes observing and measuring normal development and the use of 'healthy volunteers' in controlled experiments.
- the participation of children is indispensable because information available from research on other individuals cannot answer the question posed in relation to children
- the study method is appropriate for children
- the circumstances in which the research is conducted provide for the physical, emotional and psychological safety and well-being of the child.
- the researcher obtains an Enhanced DBS check (or equivalent from their home country), unless someone with such clearance will be present at all times. See Appendix 1 below.

All proposals involving research with or on children must be submitted to the Research Ethics Review Board for approval.

If you are planning or taking part in an activity that will involve children you must:

- Be aware of the needs of children, and be alert for signs of stress, harm or potential harm
- Outline what the child/children should do in order to stop, withdraw from or complain about the research at the earliest opportunity
- Take complaints seriously and take appropriate action as soon as possible
- Report any harm or potential harm to a child as soon as possible following the process outlined in the LSE Safeguarding in Research and International Activities policy
- Treat everyone with respect and be sensitive to children's appearance, race, culture, religious beliefs, sexuality, gender, or disability
- Plan activities to involve more than one person and locate activities within sight of others
- Provide a safe, caring environment where children and young adults feel comfortable to point out attitudes and behaviours they do not like

You may be asked to undertake relevant training - for example, the NSPCC Introduction to safeguarding and child protection training.[5]

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[5] https://learning.nspcc.org.uk/training/introduction-safeguarding-child-protection

Informed consent and capacity to consent

Informed consent is a cornerstone of ethical research with human subjects, and must be given particular care when the research involves children or vulnerable adults. First and foremost this requires attention to the best possible means of ensuring that informed consent is and can be given.
In accordance with the Mental Capacity Act 2005 (England and Wales), a person must be assumed to have capacity unless established otherwise[6].

In the case of children and young people under the age of 18, information about the research and of their rights must be given in an age-appropriate way. There is not a generally applicable rule regarding what age children have to be in order to give informed consent themselves without the consent of a parent/guardian/responsible adult. For the purposes of *data protection*, children aged 13 and over are considered to be able to consent to their own personal data being processed without the need for a parent/guardian's consent. However, in terms of *ethical* considerations, a number of factors need to be taken into account besides the age of the child/young person – such as the sensitivity of the research and the maturity of the child/young person[7], what involvement in the research will entail and where it will take place, the potential impact of the research, etc.

The following is a ***very rough guide*** as to when parental/guardian consent should be sought (in addition to consent/assent from the child/young person):

Young people aged 16-17 years:	Usually consent from the young person only is sufficient, but providing *information* about the study to parents/ guardians should be considered[8]
Children aged 13-15 years:	Consent initially from parent/guardian in most circumstances, followed by consent from the child
Children aged 12 and under:	Consent from the parent/guardian, followed by consent from the child

Please refer to the LSE Guidance on Informed Consent[9]. It is also recommended that researchers working with children refer to the resources provided by the Global Kids Online project[10].

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[6] See for example: https://www.hra.nhs.uk/planning-and-improving-research/policies-standards-legislation/mental-capacity-act/

[7] Cf Gillick competency: https://learning.nspcc.org.uk/child-protection-system/gillick-competence-fraser-guidelines

[8] Researchers may want to consider asking for parental/guardian consent, but this may not always be appropriate (bearing in mind, for example, that 16 year olds are allowed to keep their medical records confidential)

[9] https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/infCon.pdf

[10] http://globalkidsonline.net/tools/

Appendix 1: DBS (Disclosure and Barring Service) checks[11]

Staff/students whose research or programme of study involves any unsupervised access to children/young people under the age of 18 or 'adults at risk' will need to hold **a current enhanced DBS check**[12][13]. You will also need this check if you will be accessing data about children which is not in the public domain (for instance, data on children in the criminal justice system, or to do with specific health and mental health conditions).

DBS applications should be submitted well in advance of the planned data collection - at least six weeks before the start of fieldwork.

Any reseach that will include children or vulnerable adults will need approval by the Research Ethics Review Board. The DBS certificate number and a scan of any relevant sections should be submitted to the Research Ethics Review Board before research commences.[14]

What if I have a DBS check already?

In some circumstances, it may be possible to transfer a DBS check from work with another institution, provided that all of the following are true:

- It is an Enhanced DBS (at the level required by the kind of access you wish to have with any vulnerable adult/child research subjects)[15]
- It is up-to-date (generally termed to be 3 years from the time of issuing but it might be shorter if your original one was only issued for 1 year)
- The dates cover the entirety of your proposed research project
- The work covered by the existing DBS check matches your proposed research at LSE.

The DBS certificate number and a scan of any relevant sections should be submitted to the Research Ethics Review Board before research commences. The RERB reserves the right to request that a new check is undertaken.

How should I apply for a DBS check?

LSE has signed up to an online process for undertaking DBS checks. Individuals cannot apply themselves for an Enhanced DBS check. Staff will need to contact LSE Human Resources Division who will advise on the process, what documentation is required, timeframe, etc. Staff should

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[11] Previously known as CRB (Criminal Records Bureau) checks. See: https://www.gov.uk/dbs-check-applicant-criminal-record

[12] In some cases an 'Enhanced with Barred List(s)' DBS check may be required. https://www.gov.uk/find-out-dbs-check

[13] We recognise that, particularly in anthropological research contexts, the researcher may sometimes unexpectedly find themself having unsupervised access to under-18 year olds. In that case we recommend that the researcher pauses the observation or interview or withdraw from such unsupervised access. However, where researchers are unsure as to whether or not their research will involve unsupervised access to children/young people under the age of 18, we recommend they submit a DBS application anyway so as to anticipate such situations.

[14] Indivduals have a right to refuse to show their employer the whole DBS certificate - for instance if it includes, for example, an old conviction that they do not want their employer to know about but that is irrelevant to their job. However, researchers will be asked to provide a scan showing the certificate number and any sections/ information relevant to the research they plan to conduct.

[15] Some Enhanced DBS certificates only entitle you to work with vulnerable subjects over the age of 18. Others specifically mention children.

contact Hr.Admin@lse.ac.uk . Students will most likely need to apply for an Enhanced DBS check via the relevant organisation they are working with (e.g. charity, school).

DBS checks and non-UK nationals/research overseas

Where a researcher who is not a UK national plans to work, in an unsupervised setting, with children or vulnerable adults, they should indicate, in their ethics review submission, what the equivalent criminal records check process is in their home country and whether/how they can provide evidence of having such clearance. If evidence of such clearance cannot be provided, the Research Ethics Review Board may require that the researcher provides suitable references (e.g. from their previous employment or educational establishment), or that they avoid any lone working with children or vulnerable adults or only work alongside someone who has passed the relevant checks.[16]

What if the post I am applying for requires a DBS check?

The School has separate guidance relating to the recruitment of posts that require DBS checks (for instance, those involving Widening Participation programmes). In these cases, please refer to the Recruitment and Selection Policy.[17]

Appendix 2: Useful links

Global Kids Online
http://globalkidsonline.net/tools/

LSE Research Ethics Policy and Procedure
https://info.lse.ac.uk/staff/divisions/research-and-innovation/research/research-ethics/research-ethics

LSE Informed consent guidance
https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/infCon.pdf

LSE Safeguarding policy
https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/safPol.pdf

LSE Safeguarding in Research and International Activities Policy
https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/safResIntActPol.pdf

NCB Guidelines for research with Children and Young People
https://www.ncb.org.uk/sites/default/files/uploads/files/NCB%2520guidelines%2520CYP.pdf

NSPCC Introduction to safeguarding and child protection training
https://learning.nspcc.org.uk/training/introduction-safeguarding-child-protection

UK Government DBS check advice:

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[16] The School will also check the process for the country where the researcher has been resident. https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants/guidance-on-the-application-process-for-criminal-records-checks-overseas

[17] https://info.lse.ac.uk/staff/services/Policies-and-procedures/Assets/Documents/recSelPolPro.pdf

https://www.gov.uk/government/collections/dbs-checking-service-guidance--2

LSE Widening Participation (WP) Team Code of Conduct and Safeguarding Procedures
https://www.lse.ac.uk/study-at-lse/Undergraduate/widening-participation/Assets/PDF/LSE-Core-WP-Team-Safeguarding-Guidance-and-Procedures.pdf