

**Toronto Academic Health Sciences Committee
on Human Subjects Research Review**

Letter of Agreement on the Appeal Process

The institutions comprising TAHSC (Bloorview-MacMillan Centre, Baycrest Centre for Geriatric Care, Centre for Addiction and Mental Health, Hospital for Sick Children, Mount Sinai Hospital, St. Michael's Hospital, Sunnybrook and Women's Health Sciences Centre, Toronto Rehabilitation Institute and University Health Network) hereby enter into an agreement for a mechanism designed to appeal of decisions of TAHSC Research Ethics Boards (REBs).

In the event that a TAHSC REB rejects a submission by an investigator, the investigator may appeal this decision to the TAHSC Committee on Human Subjects Research Review which will act as the REB Appeal Committee. This REB Appeal Committee membership includes the Chairs of all TAHSC REBs and a representative of the University of Toronto. The Chair of the REB Harmonisation Committee will act as the Chair of the REB Appeal Committee or designate an alternate Chair from the membership. Any member(s) of the REB Appeal Committee that is (are) in a perceived conflict of interest will be excused from deliberations. The REB at the institution at which the original decision was made may nominate up to two (2) individuals (one of whom may be from the institution itself) to participate in the proceedings. The REB Appeal Committee will choose one individual from the nominations. At the discretion of the REB Appeal Committee, content or ethics experts from the TAHSC community will be utilized as determined by content of the REB appeal submission and the judgement of the REB Appeal Committee.

In the event of an appeal, the REB Appeal Committee will first decide whether or not the appeal merits review by the REB Appeal Committee by a preliminary poll of its members, and, if appropriate, review the process by which the responsible REB(s) reached its decision. If there is sufficient concern over the REB process with regard to the specific protocol review, the REB Appeal Committee will hold a formal hearing and invite members of the investigative team, responsible REB(s), and TAHSC-community members with specific expertise to provide opinion on the merits of the review process. The REB Appeal Committee may dismiss the Appeal or direct the responsible REB(s) to reconsider its decision. The Committee may not overturn the decision of the responsible REB(s).

The investigative team, responsible REB(s) and the TAHSC Research Sub-Committee will receive written comments and recommendations for actions from the REB Appeal Committee. Appeals will be heard within 60 days and written comments and recommendations will be received by the interested parties within 30 days of the termination of the hearing. Subsequent action will be at the discretion of the responsible REB.