

Ta'an Kwäch'än Council

Research Protocol Policy



Passed: 14-Feb-19

This Research Protocol Policy

approved by Council on this 14th day of February, 2019

Deputy Chief Christina Peters

PREAMBLE	This policy was developed to address the need for a set procedure for Ta'an Kwäch'än Council (TKC) Staff to follow when research requests are received. The lack of a process can lead to response delays to researchers and creates inconsistencies in the way that research is addressed. This Policy reflects <i>Chapter 13 – Heritage</i> of the <i>TKC Final Agreement</i> and protects TKC's heritage resources.
PURPOSE	To outline a procedure for TKC Staff to follow when research requests are received.
CONTENTS	1.0 Scope 2.0 Principles 3.0 Procedure
DEFINITIONS	<p>"Research" means any data collection or projects that take place on TKC Traditional territory.</p> <p>"Settlement Lands" means Category A Settlement Land, Category B Settlement Land or Fee Simple Settlement Land as defined in the <i>TKC Final Agreement</i>.</p> <p>"Traditional Territory" means the geographic area within the Yukon identified as the Ta'an Kwäch'än Council Traditional Territory on the maps referred to in 2.9.0 of the <i>TKC Final Agreement</i>.</p> <p>"OCAP" means that First Nations control data collection in their communities and that they own, protect and control how their information is used. OCAP™ stands for Ownership, Control, Access and Possession.</p>
APPLICATION	<p>The Research Protocol Policy derives its authority from the <i>Ta'an Kwäch'än Council Self Government Agreement</i> and the <i>Constitution of the Ta'an Kwäch'än Council</i>.</p> <p>If there is a conflict between this Policy and any other enactment enacted before or after this Policy comes into force, the <i>Constitution of the Ta'an Kwäch'än Council</i> prevails unless the other enactment contains an express provision that it, or a relevant provision of it, applies notwithstanding this Act.</p>
POLICY	
1.0 SCOPE	
1.1	The Research Protocol Procedure applies to all research requests that TKC receives, particularly the projects that directly affect TKC citizens and/or TKC settlement lands and traditional territory.
1.1.1	This also includes research that does not necessarily affect TKC citizens and/or lands, but occurs within TKC traditional territory.
2.0 PRINCIPLES	
2.1	TKC staff must ensure that the research conducted with TKC citizens or on TKC lands adheres to ethical research principles and the requirements of OCAP.
2.1.1	The principles of OCAP require that research done with First Nations communities is communally owned, controlled, accessible and possessed by that First Nation.

- 2.1.2 These principles apply to any of the data gathered, including raw data and other materials.
- 2.2 TKC should ensure that any projects undertaken with citizens undergoes ethical review prior to any research activities.
 - 2.2.1 These reviews can be external and will typically also be required by the institution that is overseeing the research.

3.0 PROCEDURE

- 3.1 The Policy procedure begins when a TKC staff member is notified of research that is occurring on TKC traditional territory.
- 3.2 TKC Staff will respond by requesting that the researcher(s) complete the TKC Project Information Sheet (Annex 1). TKC Staff may also request that any research project proposals and initial information are also forwarded to TKC.
 - 3.2.1 Section A, B, and F of the Project Information Sheet are to be completed by all researchers.
 - 3.2.2 Section C and D are to be completed by researchers who anticipate a direct effect of their projects on TKC citizens and/or lands.
- 3.3 The Project Information Sheet should be returned to TKC Staff before any research activities begin.
 - 3.3.1 If the research does not have an anticipated effect on TKC citizens and/or lands, the staff member should have the request approved by the appropriate departmental Manager.
 - 3.3.2 If the research has an anticipated or concrete effect on TKC citizens and/or lands, the staff member should have the request approved by the Executive Director.
 - 3.3.3 The Executive Director can sign off on the research or further consult with the Chief and Deputy Chief about whether the research should be approved or if it is required to go to Chief and Council for executive decision.
 - 3.3.4 If a staff member is unsure whether the research will have an effect on TKC citizens and/or lands, it should go to the Executive Director for approval.
- 3.4 After having the Project Information Sheet approved, TKC staff should respond to the research request.
 - 3.4.1 Staff should emphasize that the Project Information Sheet is a binding contract, and that if there are any changes, TKC should be promptly notified and consulted.
 - 3.4.2 If the research involves TKC citizens and/or lands, it should also be emphasized that this data is subject to the principles of OCAP, and all data should be sent to TKC as the project unfolds.
 - 3.4.3 If TKC citizens are required for the project, staff should be in further contact with the project developers to appropriately address this need.

- 3.4.4 If TKC land is being studied, it is advised that TKC staff or a TKC citizen accompany the researchers while they are conducting their project on the land.
 - 3.4.5 TKC may decline a research request if it is not consistent with the values and principles of the First Nation, or if there has not been sufficient consultation.
 - 3.4.6 It is also required that the output of the research, be provided to TKC once the project or stage has been completed.
- 3.5 As the research is completed, TKC should have received and recorded all information that relates to the project. If needed, TKC staff should set a follow-up date with researchers to gauge the impact of the project.

Annex 1: TKC Project Information Sheet and Checklist

Annex 1: Ta'an Kwäch'än Council Research Protocol

Project Information Sheet

This checklist is intended to be used to ensure that research done with Ta'an Kwäch'än Council (TKC) Citizens or on TKC Settlement Lands and Traditional Territory complies with Ownership, Control, Access and Possession (OCAP™) principles and other ethical guidelines.

All research teams are required to fill out sections A, B, E, and F of this form and have it reviewed by TKC Staff or with a community representative. Researchers that anticipate their work having any effect on TKC citizens and/or lands must also complete sections C and D of this form.

TKC has the right to provide input to projects in order to maintain consistency with community needs and values. If at any time after completing this form, there are changes to the scope or methods of the research being conducted, researchers are to consult with TKC.

All research completed must be reported to TKC at the end of the project.

Section A:

*Section A addresses general information about the project and researchers. Completed by **ALL** applicants:*

Date:	
Title of Project:	
Description:	
Expected Duration:	
Location:	
Name(s) of Researchers:	
Contact Info (email, phone, etc.):	
Affiliated organization, university, etc.:	
Address of affiliated organization, etc.:	

Section B:

*Section B addresses specifics of the project, including time commitments, consent, possible risks and benefits to participants, as well as the funding information for the project. This section is to be completed by **ALL** applicants.*

Research activities conducted (eg.	
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Interviews, focus groups, etc.)	
Timeframe for these activities:	
How is the research relevant to the participants or community?	
What are the possible risks from participation?	
How will informed consent be obtained?	
How will confidentiality and anonymity be ensured?	
Who is the primary funder for this research project?	
Are the researcher(s) required to report to the funder? To what extent?	

Section C:

*This section addresses the impact and benefits of the research on the TKC Community, Citizens and Land. This section is filled out by **researchers who anticipate that there may be an effect on TKC citizens or land lands.***

How will the First Nation benefit from	
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participation?	
How will the culture and values of the First Nation community be respected?	
Will TKC settlement lands or traditional territory be affected? Explain which lands and how they will be affected:	
Is TKC citizen involvement anticipated? Explain the extent of this:	
Will TKC citizens be provided compensation for their involvement (monies, gifts, etc.)?	

Section D:

*Section D addresses issues of OCAP (Ownership, Control, Access and Possession). TKC has adopted this protocol for any research done with TKC citizens and/or on TKC land. This section must be completed by **researchers who anticipate any effect on TKC citizens and/or lands**.*

Ownership

Within OCAP guidelines, each First Nation community owns the data collected in their respective communities rather than the researcher(s). The data is collectively owned by the First Nation rather than one individual or group.

Describe how the research team will ensure that TKC has ownership of the	
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data (raw and other) and reports from the research:	
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Control

The First Nation or representatives of the First Nation have the right to control and have input on all steps of the research process.

How and when will the First Nation be consulted and involved before, during and after the research process?	
How and when will draft reports produced be reviewed by TKC?	
How will TKC be involved in and informed of the distribution of any reports produced with the data?	

Access and Possession

First Nations have the right to access and possess any research that is being done with them and about them. This protocol ensures that First Nations have full access and possession of research and materials.

How will access and possession of all data (raw and other) be ensured? Will copies of community specific data be sent to TKC? When and to whom?	
How long after	

the completion of the project will the researchers keep the data? Where will the data be kept?	
Please specify if anyone, other than the researcher(s), will have access to this data (raw and other), and for what purpose it will have:	

Outputs, Authorship and Distribution:

No International Standard Book Number (ISBN), copyright, or trademark is permitted without authorization by the First Nation.

What types of reports or materials will be produced with the data?	
Will the information collected be posted on a website, blog or other public sphere?	
How will the research participants be acknowledged in any report or other material (including online publishing)?	
Will the media be informed of this project or any of the results from this project?	
Will this research be published?	

Who will be the author of the publication?	
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Section E:

Section E addresses any remaining concerns not covered within the rest of the application.

Are there any other items that should be received and taken into consideration before launching the research project?	
Is there anything else that TKC should be aware of?	

Section F:**Agreement**

By signing this document, I agree that TKC's Research Protocol Policy is acceptable and that they will be followed throughout this project. I ensure that the information provided has not been falsified and includes all relevant information. I agree if there are any changes to the circumstances of this project, TKC will be promptly notified. I agree that TKC input will be respected and any changes will be considered with TKC's community values and needs.

Researcher(s) names:

Researcher(s) signatures:

Date:

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If there are any questions or concerns, please feel free to contact TKC at (867) 668-3613.

Shàw Níthän

For internal use only:

Reviewed by:

Date:

Comments:

Acknowledgement:

This document was modified by TKC with reference to the Council of Yukon First Nations (CYFN) Research Protocol Checklist produced by the Health and Social Department in 2012.