

**TITLE: Investigation of Concerns Involving the Care and Use of Animals**

**PURPOSE:** To investigate verbal/phone (informal) or written (formal) complaints alleging significant and/or minor deficiencies regarding the care and use of research animals at the University of Arizona.

**REVIEW/REVISIONS:** Permanent amendment/revisions to this policy must be presented to the IACUC for review before implementation and should be developed by the IACUC Office and/or IACUC membership.

**EFFECTIVE DATE:** 8/13/96, **Revised/Re-approved:** 12/7/00, 8/31/02, 12/1/02, 8/02, 11/2/06, November 1, 2007

**PERSON(S) RESPONSIBLE:** IACUC Program Coordinator, IACUC Chair and members, UAC veterinary and management personnel.

**POLICY/PROCEDURES:**

The IACUC will investigate concerns involving the care and use of research animals at the U. of A. This includes claims by the public concerning any aspect of the animal care and use program or by employees or students who report alleged instances of animal abuse, violation of approved protocols, use of animals not covered by approved protocols, violation of any animal-related regulation or standard (such as the Animal Welfare Act, PHS Policy, AAALAC accreditation standards, or IACUC policy), or complaints regarding the care received by animals housed in University laboratory animal, wild animal, or agricultural facilities.

**Note:** *In cases where an animal's immediate welfare is threatened, University Animal Care veterinarians have the authority to act in behalf of the animal's welfare up to and including immediate euthanasia. If a response is needed from the IACUC regarding an animal welfare issue, a verbal or email request for assistance can be responded to within a few hours.*

**A. Handling of Informal and Formal Complaints:**

**1) Informal Complaints-**

Individuals who have concerns of mistreatment of research animals (complainants) on the U of A. campus may contact the IACUC office **in person** or **by phone**. In this case, the IACUC Coordinator will make the IACUC Chair aware of the verbal complaint and the Chair will appoint a voting member of the IACUC to investigate the complaint. In the absence of the Chair, the Coordinator will ask a voting member of the IACUC to investigate the complaint.

- \* If the nature of the verbal/phone complaint alleges a significant deficiency, the IACUC investigator will make contact with the appropriate principal investigator and/or make a site visit to the lab (or facility) in question within 24 hours of being contacted. An IACUC Facility Inspection Form will be completed at this site visit.
- \* If the nature of the verbal/phone complaint is determined to be a minor deficiency, the IACUC investigator will make contact with the appropriate principal investigator (or animal facility administrator) and make a site visit to the lab (or facility) in question, if necessary, within one week of being contacted. An IACUC Facility Inspection Form will be completed at this site visit.

IACUC members will be informed of the complaint/investigation at the next scheduled Subcommittee meeting.

The identity of the complainant will be kept confidential, known only by the IACUC Chair and IACUC Coordinator. If there is an approved IACUC protocol allowing procedure(s) which include the nature of the complaint, the IACUC Coordinator may provide that information to the complainant. If the complainant still objects to the procedure in

question, the complainant must submit a formal (written) complaint to the IACUC (See **Formal Complaints** below). This written complaint will be addressed by a Subcommittee and a written response provided to the complainant.

**a. Significant Deficiencies:**

Following contact with the principal investigator (or facility administrator) and site visit, if a **significant deficiency is NOT found**, the IACUC Investigator(s) will verbally report this finding to the IACUC Chair and Coordinator and complete a written IACUC Facility Inspection Form. The inspection report will be provided to the IACUC Chair or Coordinator *within 48 hours* of determination by the IACUC investigator that there was no significant deficiency (see **b. Minor Deficiencies**, below). A verbal report of this investigation will be made at the next two Subcommittee meetings. The inspection report will be included in the file of laboratory inspections. A verbal report will be provided to the complainant.

*Cooperative Principal Investigator/Facility Management -*

Following contact with the principal investigator (of facility administrator) and site visit, if a **significant deficiency IS found**, the IACUC investigator(s) will work with the principal investigator/facility management to develop an action plan for immediate correction to bring the facility into compliance with the Act. The inspection report and action plan (may be written on inspection report) will be sent to the IACUC Chair and Coordinator by the IACUC Investigator(s) within 24 hours of the inspection. Members of the IAUC will be provided with copies of the inspection report/action plan *within 5 working days of the discovery of the significant deficiency*.

\* A verbal report will be provided to the complainant.

*Uncooperative Principal Investigator/Facility Management*

-If the investigator/facility management of a site is **unwilling to correct a significant deficiency** and will not work with the IACUC Investigator(s), the IACUC Investigator(s) will immediately report back to the IACUC Chair and Coordinator. The Chair will call for a convened meeting of the IACUC to review the facts and vote as to whether the research in the laboratory will stop (non-compliance hold or suspension) or be allowed to continue. A vote for suspension must be by a majority of a convened quorum (50% plus one) of the IACUC. The Office of the Vice President for Research (Institutional Official) will be advised of this vote so the OLAW, USDA and appropriate federal or private funding agencies may be notified of serious deficiencies of suspension.

\* Once the IACUC has voted to put a non-compliance hold or suspension on research because of a significant deficiency, the Principal Investigator will have to provide assurance to the IACUC in writing that a plan is in place to prevent these significant deficiencies from reoccurring, prior to the committee's review of a reinstatement request.

**b. Minor Deficiencies:**

If investigation of the verbal/phone complaint of a significant deficiency reveals that the individual or unit at whom/which the complaint is directed is **not** in compliance with the Act, but the deficiencies are **NOT significant**, then the deficiencies are considered **minor** (does **not** appear to pose a threat to the health or safety of the animals). In this case, the IACUC investigator(s) will complete an IACUC Facility Inspection Form with a description of the deficiencies and reinspection and/or follow up required. The inspection report will be included in the annual file of laboratory inspections and in the Primary Investigator's protocol file. A verbal report will be provided to the complainant.

If an acceptable action plan cannot be worked out with the primary investigator, then the primary investigator will be asked to meet with an IACUC Subcommittee to review the minor deficiencies and develop an acceptable action plan.

\* A verbal report will be provided to the complainant.

**c. No Deficiencies:**

If the investigation of the complaint does **not** reveal any significant or minor compliance issues with the Act, a verbal report will be made at the next Subcommittee meeting for review, discussion, and documentation in the meeting minutes.

\* A verbal report will be provided to the complainant.

**2) Formal Complaints-**

Individuals or groups that have concerns of mistreatment of research animals on the U of A. campus may contact the IACUC office or members **in writing**. In this case, the IACUC Chair will be advised of the written complaint within 24 hours of receipt. The Chair will appoint two voting members of the IACUC to investigate the complaint. IACUC members will be informed of the complaint/investigation within 5 working days of receipt of the written complaint via email. The identity of the complainant will be kept confidential, known only by the recipient of the complaint letter, the Chair and the IACUC Coordinator.

If there is an approved IACUC protocol allowing the procedures included in the nature of the complaint, the IACUC Chair/Coordinator will prepare a written response to the complainant within 10 working days. The IACUC members will be copied on this response.

**a. Significant Deficiency**

*Cooperative Principal Investigator/Facility Management -*

If the written complaint alleges a **significant** deficiency, the IACUC Investigator will make contact with the appropriate investigator and/or visit to the lab in question within 24 hours of receipt of the written complaint. Following contact with the investigator and/or site visit, if a **significant deficiency IS found**, the IACUC Investigator will work with the principal investigator/facility management to immediately correct the deficiency or develop an action plan to bring the facility into compliance with the Act. A verbal report of the investigation and recommended action plan and/or corrections made will be made to the IACUC Chair and Coordinator within 24 hours of the inspection. IACUC members will be informed of the investigation via email and will be polled to approve/disapprove the actions taken (or to be taken) to correct the significant deficiencies identified.

The complaint, investigation findings and IACUC action plan will be presented at the next two Subcommittee meetings.

The IACUC investigator will work with the principal investigator/facility management in question to implement the IACUC approved action plan to prevent further threat to the health or safety of the research animals. The IACUC investigator(s) will keep the IACUC informed of the progress.

\* A written response will be provided to the complainant within one week of determining the final outcome of the **significant deficiency**.

*Uncooperative Principal Investigator/Facility Management*  
(See same heading under **1. Informal Complaints, above.**)

**b. Minor Deficiencies**

(See same heading under **1. Informal Complaints, above.**)

**c. No Deficiencies**

If an investigation of the complaint does not reveal any significant or minor deficiencies, an IACUC Facility Inspection Form will still be completed. A verbal report of the investigation will be made at the next two Subcommittee meetings.

\* A written report will be provided to the complainant.

**3. Anonymous Complaints**

All written and verbal complaints that are forwarded anonymously will be addressed as an informal complaint. To facilitate access to the means of submitting anonymous complaints all facilities (centralized UAC facilities, PI laboratories, farms, etc.) areas where animals are housed or where research procedures are performed much have posted in plain sight the IACUC emergency contacts form. (See attachment below)

**B. Investigation Process**

1. Initial information to be obtained from any informal or formal complainant(s) includes:
  - (a.) The complainant's name
  - (b.) The individual(s) or unit(s) the complaint concerns
  - (c.) Description of the event or charge (including dates of observation) of the alleged violation(s) of the Act
  - (d.) Copies of any written, photographic, or taped documentation to substantiate charges
  - (e.) Names of other contacts who may corroborate the complainant's concerns
  
2. The IACUC may use a variety of methods to obtain information to assist in the investigation including:
  - (a) Unannounced visits to the laboratories of concern.
  - (b) Review of laboratory procedures, IACUC protocols, lab/facility documents (any records pertaining to animal purchase, care or research), interviews with laboratory personnel, co-workers, etc.
  - (c) Letters or interviews with peer reviewers or other individuals who might provide information for the investigation.
  - (d) Assistance from other IACUC members in collection of information.
  
3. Recordkeeping of Informal and Formal Complaints
  - (a) The IACUC Coordinator will keep all records of complaints in a separate IACUC file entitled either Informal or Formal Complaints. Only the originally contacted IACUC member, IACUC Coordinator and/or IACUC Chair may know the identity of the complainant. As with all University records, IACUC investigations are available under the Arizona Public Records Law. However, redaction of all personal information regarding all names, addresses, phone numbers, or other material which would identify individuals will be removed prior to release per University Policy approved by the Arizona State Attorney General's Office.
  - (b) Separately, records of investigations, action plans, and outcomes will be kept in the appropriate investigator protocol file. As with all University records, IACUC investigations are available under the Arizona Public Records Law. However, redaction of all personal information regarding all names, addresses, phone numbers, or other material which would identify individuals will be removed prior to release per University Policy approved by the Arizona State Attorney General's Office.
  - (c) IACUC members may review any documents that do not reveal the identity of the complainant and may add minority opinions to the Formal Complaint file or subject investigator's protocol file at any time. Copies of minority opinions will be accepted via Subcommittee meetings and distributed to all members of the Committee concurrent with filing in the appropriate IACUC file.

**C. WHISTLE-BLOWER POLICY**

The University of Arizona has a written “whistle-blower” policy and process that may also be used in lieu of the IACUC process. If this process is used, the complainant would contact the Provost and request whistle-blower protection. This policy is in place to prohibit supervisory personnel from taking adverse personnel action against an employee, or failing to take an otherwise appropriate action, as a result of the employee's good faith disclosure of alleged wrongful conduct to a public body or to a designated university officer on a matter of public concern. An employee who discloses and subsequently suffers an adverse personnel action as a result is subject to the protection of this Policy (6-914 Protection of Employees from Reprisal for Whistleblowing).

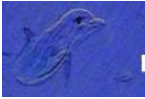
In support of this policy, all complaints are treated with utmost confidentiality.

**JUSTIFICATION:**

The Animal Welfare Act (the Act) gives the Institutional Animal Care and Use Committee (IACUC) authority to “Review, and if warranted, investigate concerns involving the care and use of animals at the research facility resulting from public complaints received and from reports of non-compliance received from laboratory or research facility personnel or employees.” [9 CFR 2.31(c)(4)]

This policy will address the procedure that IACUC will use to investigate verbal/phone (informal) or written (formal) complaints alleging significant and/or minor deficiencies regarding the care and use of research animals at the University of Arizona. “A significant deficiency is one which...is or may be a threat to the health or safety of the animals.” [9CFR 2.31(c)(3)]

Departures from the Act, PHS Policy, or Guide for the Care and Use of Laboratory Animals that are not significant will be considered minor (does not appear to pose a threat to the health or safety of the animals).



***In case of EMERGENCY, CONTACT:***

(name)	(position)	(telephone number)
<b>For an emergency situation</b>		<b>Call 911</b>
	<b>PI</b>	
	<b>OSD</b>	

***Have a QUESTION or CONCERN about ANIMAL CARE, USE, or HUMAN SAFETY?***

**If you have questions, concerns, or a complaint about the following issues, we can help.**

**Contact Information:**

**For animal welfare questions, concerns, or complaints:**

- 1. Any member of the IACUC or any UAC veterinarian**
- 2. The Institutional Animal Care and Use Committee (IACUC) Office at 621-9305**
- 3. University Animal Care – AHSC Office 626-6702**
- 4. University Animal Care – CAF Office 621-1330**
- 5. For more information on the investigation of animal welfare concerns, or for e-mail contact information, please visit:  
<http://www.iacuc.arizona.edu/concerns.htm>**

**For human health and safety concerns:**

- 1. Occupational Health staff at 626-6363**
- 2. The Department of Risk Management and Safety at 621-1790**