SingHealth CIRB: Illuminaté
"To Énlighten... Ethics, above all"
Adapted version for researchers, investigator and study coordinators
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Informed Consent Requirements

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1. What is Informed Consent >>>

Purpose: To assure that participants are fully informed before deciding to volunteer as participants in research study of any type.

Informed consent is a process during which the potential trial participants are provided with information about the research study.

2. Preparing the Consent Document >>>

Under the Human Biomedical Research Act 2015 (HBRA) regulation and in compliance with ICH GCP E6 R2, the required elements must be present in the consent document. In the case of the removal, donation or use of human biological materials (HBM), when appropriate, the additional elements of information should be present in the consent document.

2.1 Required Elements >>>

The following elements must be present in the consent document.

- ✓ Purpose of research.
- ✓ Expected duration of the participant's participation.
- ✓ Description of the procedures to be followed and identification of any procedures which are experimental.
- ✓ Possibility and probability of randomisation to placebo, study, or comparator arms (if applicable).
- ✓ Approximate number of participants involved in the research.
- ✓ Any reasonably foreseeable risks, discomforts or inconveniences to the participant.
- ✓ Any benefits to the participant or to others that may reasonably be expected from the research.
- ✓ Appropriate alternative procedures or treatments.
- ✓ Compensation and/or treatment available to the participant in the event of research-related injury.
- ✓ Anticipated pro-rated payment, if any, for reimbursement of travel, meal or other expenses incurred due to participation in the research.
- ✓ Any additional expenses the participant is likely to incur as a consequence of participating in the research.
- ✓ Confidentiality of medical records.
- ✓ Whether individually-identifiable information obtained from the participant will be used for future research.
- ✓ Whether participation of the participant involves information in individually-identifiable form.
- ✓ Circumstances which the participant will be contacted for further consent.
- ✓ A disclosure if the participant would wish to be re-identified in the case of an incidental finding if the future research expressly provides for such re-identification.
- ✓ Participation is voluntary.
- ✓ Participant's right to withdraw their consent and the limitations of withdrawal.
- ✓ The consequences of a participant's decision to withdraw from the research and procedures for orderly termination of participation by the participant.
- ✓ Anticipated circumstances under which the participant's participation may be terminated.
- ✓ Who to contact for answers to pertinent questions about the research and participants' rights.
- ✓ Who to contact in the event of a research-related injury to the participant.
- ✓ Who to contact in the event of complaints about research.

2.2 Additional Elements >>>

In the case of the removal, donation or use of human biological materials (HBM), when appropriate, the following elements of information should be present in the consent document.

- ✓ If applicable, that the proposed areas of research approved by the Board in a case where it has waived the requirement that the removal of the HBM is primarily for a therapeutic or diagnostic purpose.
- ✓ The particular treatment/procedure may involve risks to the participant (or to the embryo/foetus if the participant is/ may become pregnant), which are currently unforeseeable.
- ✓ The donation of the HBM is voluntary and the renunciation of the donor's rights to the HBM and any intellectual property rights that may be derived from the use of the HBM.
- ✓ Any HBM collected as part of the research will not be returned to the participant as the participant has consented to gift it for the purpose of the research study and have given up his/her rights to it. However, the participant shall be allowed to request for his/her HBM to be discarded or destroyed (e.g. upon withdrawal) if it has not been anonymised.
- ✓ The extent to which records identifying the donor will be kept confidential, and if the HBM will be used in an individually-identifiable form.
- ✓ Whether individually-identifiable information obtained from the tissue donor will be used for future research.
- ✓ Whether HBM taken from the participant will be destroyed, discarded or stored for future research.
- ✓ Whether the HBM will be used in restricted human biomedical research involving human-animal combinations.
- ✓ Whether tissue will be exported or removed from Singapore to a place outside Singapore.
- ✓ When the research involves tests such as HIV testing, that require mandatory reporting to the Ministry of Health (MOH) if positive, this should be disclosed in the informed consent document, as amended/updated in the MOH mandatory reporting policy.
- ✓ If the research involves genetic testing or deoxyribonucleic acid (DNA) banking, the applicable issues in DNA banking and genetic research should be included.
- ✓ If the research involves establishing a specimen/tissue repository, the applicable issues in specimen collection for tissue/specimen repositories should be included.

2.3 Other Considerations >>>

- ✓ **Second person:** The language of the consent document should be in the second person style so the consent document conveys a dialogue with information being provided.
- ✓ **Language should be simple:** The information provided must be in a language understandable to the participant. It should not include complex language, technical and scientific terms should be adequately explained using common or lay terminology.
- ✓ **Exculpatory language:** Consent documents may not contain any exculpatory language through which the participant is made to waive or appear to waive legal rights or releases or appears to release the PI, the sponsor, or the institution from liability for negligence.
- ✓ **Food and Drug Administration (FDA) regulated test articles:** For all research involving test articles regulated by FDA, consent document must state the purpose of the research study includes evaluation of both the safety and effectiveness of the test article. The consent document must also state that the FDA has access to the participant's medical records.
- ✓ **Document version and date::** The version number and date of the consent document should be stated clearly in the document footer section of every page.
- ✓ **Page number:** The page number (i.e. Page X of Y) should also be clearly stated at the bottom of every page.

3. Consent Process >>>

Considerations to be kept in mind while conducting informed consent discussion. Any exceptions should be specifically addressed and approved by CIRB before implementation:

- ✓ Participants must be given adequate time to consider before making a decision whether or not to participate.
- ✓ Participants should be encouraged to discuss participation with their family.
- ✓ Participants should be approached in a conducive environment. Researchers should not approach a participant in the following scenarios:
  - Immediately before a procedure or surgery
  - While in labour
  - While under sedation
  - Any other situation where a participant might feel compromised
- ✓ Informed consent discussion should take place in person.
- ✓ Informed consent should be obtained before initiation of the research study.
- ✓ Informed consent must be presented in a language that is understandable to the participant.
- ✓ Where applicable, informed consent should be obtained in the presence of a prescribed witness. The witness must be present during the entire informed consent discussion, and must not be the same person taking the consent. The witness may be a member of the study team carrying out the research.

Legal Representative

A Legal Representative (LR) may give consent on behalf of the individual for participation in a research only when the individual is not capable of giving legally effective informed consent, such as: (1) a child, (2) an individual who is cognitively impaired, (3) an individual who is unconscious.

The LR of a Minor who lacks capacity to consent is as follows (in descending order of priority):	The LR of the adult who lacks capacity to consent; and it is not likely that the person will be capable of exercising rational judgment within the window period is as follows (in descending order of priority):
• Deputy of the child (appointed under the Mental Capacity Act) • Adult parent of the child • Legal guardian of the child	• Donee of the adult (by way of Lasting Power of Attorney (LPA)) • Deputy of the adult (appointed under the Mental Capacity Act) • Spouse of the adult • Adult child of the adult • Parent or guardian of the adult • Adult sibling of the adult • Any other adult named by the adult (i.e. prior to the adult lacking capacity)

References: Health Products (Clinical Trials) Regulations – Section 2(3), Medicine (Clinical Trials) Regulations – Section 2(3) and Human Biomedical Research Act 2015 – Sections 7, 8, 9 and 10

Who should conduct the Informed Consent Process?

The PI, or an appropriately trained study team member who is listed in the CIRB Application as the designated person to conduct the informed consent discussion. Any change to study team member who will conduct the informed consent discussion should be submitted to CIRB for review and approval.

Note:

- For any research study with more than minimal risk including all Interventional research, participants should be requested to inform their attending doctor of participation in the research study (if relevant).
- Informed consent is not a one-time event prior to enrolling participants, but is a continuous ongoing process. Participants must be informed of any important new information that may affect their willingness to continue participation. The method of notification prior to implementation must be approved by CIRB. Some examples includes:
  - ✓ Information Letter
  - ✓ Addendum to previously signed consent document to be signed by participant
  - ✓ Revised consent document to be signed by participant

4. Documentation of Informed Consent >>>

- ✓ Each participant must sign and date a copy of the IRB-approved consent document prior to enrolment or any participation in any aspect of the study, unless the requirement is waived by the IRB.
- ✓ The participant must be given a copy of the signed consent document.
- ✓ The study team member providing the information and obtaining the consent should be documented in the medical records.

Documentation of informed Consent Process for participants* who are unable to personally sign and date the consent document

These participants should demonstrate mental competence and are able to understand the informed consent discussion. Participants should also be able to indicate approval or disapproval to study entry to qualify for enrolment.

- ✓ The participant should affix his/her thumbprint onto the consent document.
- ✓ An impartial witness will be required to attend the consent discussion, as well as sign and personally date on the consent document. The impartial witness may also write the participant's name and the date of consent on the consent document, on the participant's behalf.
- ✓ The person taking consent should document and clearly describe the informed consent process in the participant's medical records.

*Participants with physical disabilities that prevent them from being able to write or Participants who are illiterate.

5. Special Considerations >>>

Participants who are unable to read (illiterate or unable to read due to visual impairment)

An impartial witness should be present during the entire informed consent discussion.

- The IRB-approved informed consent document and any other written information to be provided to the participants, should be read and explained to the participant.
- The participant must orally consent to the participant's participation in the study.
- The participant should sign and personally date the consent document where possible.
- The witness should sign and personally date the consent document. By signing the consent document, the witness attests that the information in the consent document and any other written information was accurately explained to, and apparently understood by, the participant, and the informed consent was freely given by the participant.

Non-English Speaking Participants (who are literate in another local language)

- The preferred method of informed consent process should be to present the participants with consent documents written in a language understandable to them. It is not acceptable to exclude potential participants based on their inability to speak and understand English.
- A certified translation of the IRB-approved English language consent document into the language understandable to the participant is preferred.
- A translator is required to be present during the informed consent discussion if the participant is unable to converse with investigator.

How to determine if a Witness or an Impartial Witness is required ?

	Participant or Participant's LR is unable to read and/or sign on consent form	Participant or Participant's LR is able to read and/or sign on consent form
Clinical Trials regulated by HSA	Impartial Witness[2]	Not Required
Human Biomedical Research[1] under the scope of HBRA	Impartial Witness[2]	Witness[3]

[1] Human Biomedical Research which cannot be exempted from the requirement of witness

[2] Impartial witness - A person who is 21 years of age or older, has mental capacity, who is independent of the research study, and cannot be unfairly influenced by people involved with the research study.

[3] Witness - A person who is 21 years of age or older, has mental capacity, who may be/ may not be a member of the team carrying out the research.

Exemption from requirement of Witness

- A prescribed witness is required for human biomedical research (regulated under HBRA) unless the human biomedical research qualifies for exemption for a prescribed witness.
- Consent does not need to be obtained in the presence of a witness where:
  - ✓ The research is not interventional, not invasive and not restricted human biomedical research
  - ✓ The consent was obtained prior to 1 November 2017*
  - ✓ The human tissue is removed primarily for a therapeutic or diagnostic purpose

* While the requirement for a witness is exempted if the consent is taken prior to 1 November 2017, this exemption will not apply if there are ongoing intervention after 1 November 2017 even for subjects recruited before 1 Nov 2017. In such cases, re-consent is still required at the next point of intervention and consent must be obtained in the presence of a witness.

Takeaway message...

The informed consent is a continuous process whereby a participant voluntarily confirms his or her willingness to participate in a research. It should not be a one-time single event prior to enrolling participants.

If you have any questions, please contact CIRB at irb@singhealth.com.sg