

RESEARCH REPORT

Ethical issues in researching Higher Education teaching and learning: what's the same as, and what's different from, close-to-practice research in other phases of education?

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Abstract

Context: The report explores ethical issues in researching Higher Education Teaching and Learning (RHETL), particularly when academics research their own or colleagues' teaching practices. It draws on an initiative at a research-intensive university in London aimed at creating accessible ethical guidance for those inexperienced in such research, targeting both experienced researchers in non-cognate disciplines and those on teaching contracts with limited research experience.

Key Aims: The research addresses three primary questions: (1) What are the key ethical issues in RHETL? (2) How can institutional ethics processes better support those unfamiliar with these issues? and (3) What are the similarities and differences between ethical issues in RHETL and close-to-practice research in other educational phases? The goal is to inform the development of ethical guidelines and support the integration of RHETL into university practices.

Methods: This was a scoping study rather than an empirical investigation. It began with issues identified from the researchers' experiences as RHETL practitioners and members of the university's Research Ethics Committee, supplemented by a literature review. The aim was to map the scope of existing evidence, identify emerging discussions, and re-interpret findings to inform both current practice and future research, including potential systematic reviews.

Findings: Key issues in RHETL include the power imbalance between academics and students, which complicates the ethical use of student-generated data. There are also challenges related to competing terminology in the field, the complexity of ethical processes, and the use of digital tools in research. The literature review indicated that while the ethical issues in RHETL resemble those in other educational phases, they require adaptation for the university context, particularly in managing the insider-researcher position and navigating the evolving digital research landscape.

Implications: The findings underscore the need for tailored ethical guidance and support mechanisms for academics engaged in RHETL, including simplified ethical consent processes and training. Cross-phase learning between higher education and other educational phases is advocated to enhance mutual understanding and support. The initiative has led to increased RHETL activity and early evidence of improved peer-reviewed publications, suggesting a positive impact on academic research culture.

Keywords: ethics; close-to-practice research; Higher Education; practitioner research

Context

I report and reflect on work within my own research-intensive university in London, focused on the ethical issues that are commonly inherent in academics researching their own, or colleagues', Higher Education teaching and the related student learning. I draw on an initiative I recently led in my own institution, focusing on the development of research-informed, but accessible, guidance on possible ethical issues for academic colleagues not experienced in this sort of research (Golding et al., 2023). That is aimed at two key groups of beneficiaries: academic colleagues experienced in researching their own disciplines in ways non-cognate with RHETL, and those on teaching contracts who might have quite limited experience of any academic research. In parallel we have revisited our (low risk) ethical consent process in an effort to promote an appreciation of that as an efficient and effective route to supporting high quality preparation for a robust teaching and learning study, and an ethics-first mindset through the study's lifetime.

Motivation, focus and questions

Universities have dual moral purposes of teaching and of research, yet perceptions of the greater valuing of research are prevalent (Mägi & Beerkens, 2016; OECD, 2024; Serow, 2000). Academics also encounter tensions between research practices in their own discipline, and those needed for researching their own, or their colleagues', Higher Education teaching and the associated learning ('RHETL'). High quality RHETL can enhance student experiences, and can also support academics in becoming more expert in their teaching practice, so improving their job satisfaction (Bozeman & Gaughan, 2011; Kreber, 2013). However, for the above groups of academics, there may be an under-appreciation of the potential ethical conundrums, including power relations, involved, and their implications (Fedoruk, 2022; Stockley & Balkwill, 2013). There is often, also, a perception of the ethical consent process as one which is unnecessarily both cumbersome and time-consuming (Bond, 2012; Klitzman, 2012; Schnurr & Taylor, 2019). I consider in particular issues around the use of student course-related contributions.

We asked 'What are the key ethical issues likely to arise in the pursuit of RHETL? How should institutional research ethics processes be changed to better support academics less familiar with those issues?' and I now ask 'What are the similarities with, and differences from, practice and ethical issues in close to practice research in other phases of education?' Implicitly, this last question includes 'and so what can we learn from work in one another's phases?' In this paper I outline our approach, and answers to the first two questions, but focus on discussion of the third. A more detailed account of the original study and its findings, together with an expansion of those, may be found in Golding and Ince (2024).

Inquiry plan and activities

The original study was not an empirical one, but was a scoping study (Levac et al., 2010), initially organised around key issues arising from our own experiences as education researchers, RHETL practitioners and members of our institutional Research Ethics Committee (REC – in the literature

often known as the Institutional Review Board or IRB). That was then complemented by a literature search and comparison of the two. In contrast to a systematic or narrative review, it aimed to map the extent and nature of the evidence around the issues, identify emerging discussions (Levac et al., 2010), and re-analyse and -interpret the literature with the purpose of informing both practice and future studies, including possible future systematic reviews (Møgelvang & Nyléhn, 2023; Munn et al., 2018).

Ethical considerations and relationships

Key to our approach, then, was the moral purpose of supporting colleagues in developing their own ethical practice in this area, with particular attention to any issues relating to ethical research interactions with the object of Higher Education teaching: our students and their contributions. At the intersection of the two, we note that our own university is keen to promote an ‘integrated curriculum’ where our students are enculturated into research-informed and research-active ways of academic development; we contend this initiative can only enhance that.

We analyse briefly below evidence of near-immediate benefit to academic colleagues, and ways in which we are working to promote wider positive impact on both colleagues and students. We then move to consider to what extent the identified ethical issues transfer across education phase.

Findings

A key issue in RHETL is that there is a power imbalance between students and any member of staff – but particularly when that academic is their teacher or assessor. That necessarily brings ethical issues, whatever the nature of the student-sourced data (assessment data, assignments, course or in-class contributions of any kind, course-related comments on social media...). However, we need to use data from our own students to evaluate and enhance our teaching (to the benefit of both students and teacher). If those data are used for reflection on/in/through practice, informed also by the literature, the teacher is engaging in scholarship (of teaching and learning): there are still ethical challenges, but are of a less formal and formalised nature than if the academic is engaged with research per se, where by research, I mean ‘systematic enquiry made public’ (Stenhouse 1981, p104): potentially more concerning issues arise when those data are shared more widely.

Overall, we identified literature-related themes as follows:

- Competing terminology in the field
- Level of guidance, and systems, re ‘standard’ ethical issues
- Issues re use of student work
- Dynamic digital affordances for research

Broadly speaking, our reading suggested the issues are very similar to those for close-to-practice research in other phases of education, but adjusted for age/stage of student participant. I discuss that issue in more detail below, but at the stage of scoping the literature, that meant there was some

potential in transferring findings from other phases – in scope of concern, if not in the detail of how that might be addressed. Considering each of those areas in turn:

Competing terminology

The literature is replete with competing, often ill-defined, vocabulary around academics (or others) exploring their own, or their colleagues', teaching practice and its impact on learning. We were therefore reluctant to add to that, but our scoping showed inconsistencies in use across each of the principle terms used, namely:

- (Professional) E(I)nquiry (including 'evaluation of practice')
- Scholarship
- Pedagogic research
- Scholarship of teaching and learning
- Close-to-practice research

We take RHETL (Research in Higher Education Teaching and Learning) to be academics researching their own, or their colleagues', teaching practice and/or the related learning, in ways that are robust and transferable or generalisable, contributing to the field, and going beyond minimal 'scholarship of teaching and learning' (cf. Levin-Rozalis, 2003). With this definition, the related scholarship is a prerequisite to high quality RHETL; both pedagogic research and close-to-practice research in Higher Education are subsets of RHETL.

Standard ethical issues and processes

RHETL will usually involve data derived from human participants (including administrative records), and so requires ethical consent before any research data may be collected, or any research use is made of data previously collected for another purpose. In the wider schemes of university research, RHETL research is relatively low-risk, though as above, 'standard' ethical issues may be new to the RHETL researcher, who inter alia requires consideration of beneficence, freely given opt-in and ongoing consent, anonymity and confidentiality in use of data, inclusion and equity in the voices heard, rigour and impact in design, incentives, storage of primary and secondary data, use of digital data, and ethical issues around students as 'collaborators' (Anabo et al., 2019; Biomedical & Research, 1978; British Educational Research Association, 2024).

Notably, for RHETL, the researcher is often an 'insider' to some extent: that needs explicit consideration (Mercer, 2007), and the research design often draws on student contributions; the researcher-student power imbalance is central to both. Further, and especially for academics unused to this sort of research, analysis and critique of ethical processes can seem slow: there is work to be done in ensuring understanding that the preparation and external scrutiny involved support rigour and an ethics-first project-long approach (Bond, 2012). One other consideration in recent years, is the emergence of neo-liberal performance pressures in HEIs – and academic 'capitalism' (Jessop, 2017, 2018), whereby what is researched often depends on the funder's, rather than disciplinary, priorities. Marketisation is less of a problem in RHETL than in much other academic research, since it is usually

not funded, but performance, and related promotion, pressures are undoubtedly driving an interest in RHETL. The ethical challenge for researchers is to hold that in balance with the potential for student and academic benefit from the research.

Issues re use of student work

Artefacts, of whatever nature, generated by students generally become their intellectual property (IP) whether or not they derive from taught studies (but note that some funded projects, or collaborative endeavours, may differ in their arrangements for IP). Student contributions should therefore not be used for research, directly or indirectly, without freely-given and informed owner consent (Healey et al., 2013). Such considerations include approaches to

- Written tasks or assignments, including presentations
- Survey/questionnaire responses
- Online contributions requested or required by the lecturer
- In-class oral contributions
- Unsolicited online contribution
- Emails, personal reflective notes or journals
- Professional materials developed by students
- Contributions which are research data only, rather than arising from teaching and learning activities
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Of course, soliciting consent in advance of the production of such contributions can skew the associated learning, be perceived as abuse of power especially if the lecturer is also the assessor, and also jeopardise productive lecturer-student relationships (Burman & Kleinsasser, 2004; Schnurr & Taylor, 2019). The literature suggests, instead, consideration of approaching students post-assessment, or of requesting consent in advance, but reading responses only post-assessment; alternatively, colleagues might consider researching one another's practice if timetabling allows (Hutchings, 2003).

Dynamic digital affordances for research

Recent years have seen expansion of the use of digital technologies both for teaching and learning (and so, related data for research), and as research tools, via online surveys, meetings, emails etc. Such developments also offer affordances for data storage, for analysis, and for research dissemination – but they bring with them ethical risks, including in terms of data security. Data protection and storage issues in RHETL must therefore be considered carefully.

More recently, developments in social media mean there is a blurring between public and private online contributions, so that while, for example, the harvesting of data from X might seem innocuous, since it is widely available, more careful consideration reveals a more complex situation. Developing guidance argues for a cautious approach, e.g. 'unless consent has been sought,

observation of public behaviour needs to take place only where people would 'reasonably expect to be observed by strangers' (British Psychological Society, 2013, p. 3). In particular, the British Sociological Association's social media guidelines (British Sociological Association, 2017) suggest that where participants and researchers directly interact (including private spaces), informed consent must be obtained in accordance with applicable privacy and data protection laws.

One challenge in this space is that digital affordances are dynamic, so that the influential Association of Internet Researchers (AoIR) Ethics Working Committee Guidelines 2012 (Anabo et al., 2019, p. 7) state that 'If in doubt as digital affordances for research develop further, refer issues upwards' – for RHETL, typically to the local IRB.

In the light of such considerations, we were able to summarise our findings and re-present them for a target audience of academics inexperienced in RHETL (Golding et al., 2023); we also made recommendations for simplifying and clarifying ethical consent processes for such work: adoption of the use of an additional ethics guidance sheet aimed at RHETL proposals, identification of RHETL specialist reviewers within the IRB, including perhaps student reviewers, assessing RHETL-identified ethical consent applications; and reduced timelines for most RHETL ethical consent decisions. Those have been fully adopted.

Changes to practice

We then set about supporting the development of RHETL within our institution, concluding that the two target groups of colleagues needed slightly different approaches. For colleagues on teaching contracts who might have quite limited experience of any academic research, we are running workshops and developing blogs. Promoting those via teaching leadership at department and faculty levels; we are offering RHETL mentors; and we have made a specific link with Higher Education Academy (HEA) Fellowship.

Academic colleagues experienced in researching their own disciplines in ways non-cognate with RHETL are being offered *different* workshops (RHETL is social science research!) and blogs, involving our institutional Arena (academic developers) and line managers; potentially, we can provide social science mentors; and again, we (and our academic development staff) are keen to make links with HEA Fellowship.

Early evidence from academic colleagues who have interacted with these initiatives has been very positive, showing an increase in RHETL activity and early signs of increased peer-reviewed publications – though on ethics-specific issues, colleagues are often keen to stress they also value the support of their local department and faculty ethics leads where those are knowledgeable about RHETL. That is reported as because those named colleagues have workload time allocated for such support, so less confident colleagues do not feel guilty about asking for a share of that time.

Implications to and from teaching and learning practitioner research in other phases of education

Working within the above definitions of RHETL, an obvious question is ‘to what extent are these ethical concerns common to practitioner research in teaching and learning in other phases of education? And conversely, is there more we can learn for RHETL by considering issues in other phases?’

As yet, there is only limited marketisation of school-based practitioner research in teaching and learning, and limited performance-related pressure for teachers to conduct such research, but otherwise, many of the related ethical issues transfer between phases, in focus if not in detail. Indeed, much of the literature sourced in our scoping study related to research in schools – but raised immediately parallel issues for RHETL. Transfer to a university context was often clouded by issues of competing nomenclature that are common across education phases, and use of the word ‘research’ seemed particularly profligate in relation to teacher enquiry in schools. However, by comparison with our definition of RHETL, for which we require that the researchers are researching either their own or their colleagues’ practices, we adopt the parallel term ‘practitioner research in teaching and learning’ across phases. Practitioner enquiry, for example, is a less restrictive term, since it does not require contribution to the field, demonstrable generalisability of some form, or external peer scrutiny – although many of the same ethical issues will pertain.

Standard ethical research issues are of course common across education phase, although the details of ethical approaches that are appropriate will differ according to the age and stage of participant learner: age-appropriate information and consent should be adopted, for example. IRBs take different approaches to consent for younger learners. If the focus of the research is particularly low risk, then one approach is to require parental/guardian consent, complemented by subsequent learner consent, for learners up to the age of about 11; to require joint parent/guardian and learner consents for younger teenagers, with maybe learner consent plus a parental acknowledgement of that for say 14-16 year olds; and to require learners consent, plus confirmation they have talked with a parent/guardian about the research activity, for 16-18 year old learners; the details will vary by specific group of learners and specific research focus. Work within educational institutions will usually require ‘gatekeeper’ consent, but the nature of the gatekeeper varies by context. Issues of ‘inclusion’ and ‘equity’ in participating in research also take different forms across contexts and age/stage of learner.

The degree of ‘insiderliness’ of the researcher will also vary by project, but the extent of the related power issues should not be under-estimated, especially with younger or more vulnerable participants: related studies should be approached with particular care. Even adult guardians may sometimes be challenged to understand related issues, so that information should be both detailed and very carefully framed, if the principle of ‘freely-given informed consent’ is to be upheld. In that respect, those working in RHETL are likely to be in a somewhat easier situation, in that university students have already opted into participating in a comparatively high-level academic institution.

Researchers working in Higher Education are of course privileged in having access to an IRB, and for researchers without such an affiliation, such as teachers working in a school, accessing informed peer critique of proposals can be challenging: HEI schemes that support ‘associate’ status and similar, and with it, access to an IRB for those not employed in the HEI, are doing much to support the integrity of education research. One alternative, of course, is for practitioners to work in genuine collaboration with university academics, addressing both some of the issues around ‘insiderliness’ and supporting access to ethics critique.

The nature of potential learner contributions within such research will of course vary by research focus, by wider context and by age/stage – and the boundaries between teaching and research ethical considerations can often be blurred. For example, the internet, and online discussion fora, offer huge potential for learning – but teachers also need to be informed about, and cautious in relation to, threats to online safety, as well as proactive in relation to inclusion and equity of access to such technologies.

Next steps

What we see, then, is a synergy across practitioner research in teaching and learning, across phases of education, with ethical considerations varying largely in size and detail. While the issues we identified in our scoping study can appear quite complex when they are explored in detail, as in Golding and Ince, 2024, they can rapidly acquire further layers of complexity when transferred to a context that involves younger participants, and gatekeepers to institutional or individual involvement who are not steeped in academic norms and values. Further, those outside universities are less likely to have access to informed support that can critique research design for its ethical implications: consideration needs to be given to ways in which that might happen more widely. Nevertheless, I contend that there remains much to be learned by developing cross-phase work in this area, for its potential for mutual support, challenge and learning.

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