CODE OF ETHICS FOR RESEARCH IN THE SOCIAL AND BEHAVIOURAL SCIENCES INVOLVING HUMAN PARTICIPANTS

The code of ethics was developed by the National Ethics Council for Social and Behavioural Sciences and is endorsed by all associated institutes. This version of the code was accepted by the Deans of Social Sciences in the Netherlands on April 9 2025.

Nethics

Opmerkingen bij de herziene versie

In januari 2016 hebben de decanen verenigd in het Disciplineoverleg Sociale Wetenschappen (DSW) de ‘Code of Ethics for Research in the Social and Behavioural Sciences Involving Human Participants’ vastgesteld. De Code is opgesteld door een landelijke werkgroep met als doel de ethische toetsing binnen de sociale en gedragswetenschappen te harmoniseren en versterken.

Zowel het opstellen als het implementeren van de Code kan als een succes beschouwd worden. Er wordt goed samengewerkt, informatie uitgewisseld, en hoewel er lokale verschillen zijn in de uitleg en implementatie van de Code, zijn deze verschillen doorgaans klein en is men het eens over onderliggende principes. De revisie in 2018 poogde beter aan te sluiten bij onderzoeksvelden (m.n. sociologie, antropologie) die wat verder van de biomedische toetsingskaders afstaan waar de code in eerste instantie op gebaseerd was. De revisie in 2025 volgt op evaluatie van hoe de code gebruikt wordt in de huidige praktijk van toetsing. Beide revisies zijn geformuleerd zonder doel en strekking van de oorspronkelijke code te verliezen.

Deze code beoogt het helder formuleren van de ethische uitgangspunten, die per onderzoeksveld anders ingericht kunnen worden. We moeten waken voor de natuurlijke reflex om de Code te zien als nog meer regelgeving, als absolute regels waarvan niet afgeweken kan worden. Een van de principes van de Code is “pas toe of leg uit”. Dit betekent dat standaard uitgegaan wordt van de waarden, principes en procedures zoals die in de code geformuleerd worden — echter dat men in bepaalde gevallen kan afwijken als dit op ethische gronden beter te verdedigen is.

Tenslotte is van de gelegenheid gebruik gemaakt om bestaande punten te verhelderen, te hergroeperen en redundanties te verwijderen. Er is ook een versie beschikbaar waarin de wijzigingen t.o.v. de oude code toegelicht worden.

Table of Contents

Preamble

The Code of Ethics for the Social and Behavioural Sciences provides guidelines for research in the social and behavioural sciences involving human participants. It intends to support researchers and ethics review committees in their ethical reflection. Ethics review committees in the social and behavioral sciences mainly focus on research ethics, i.e. responsible and ethically acceptable design and execution of research with a special focus on the protection of the rights of participants. The ethical dimensions are broader than that: research integrity is about respecting the internal values of science itself, and responsible societal impact is about the wider societal effects of science. These aspects can be considered by ethics review committees alongside research ethics, but the focus will be on the latter.

In the consideration of what is ethical and acceptable, relevant legal frameworks have to be taken into account. This code explicitly applies to research that is not subject to the Medical Research Involving Human Participants Act (Wet medisch-wetenschappelijk onderzoek met mensen, WMO). The General Data Protection Regulation (*Algemene Verordening Gegevensbescherming*, AVG) is taken into account, bearing in mind that what is acceptable under the AVG is not always acceptable ethically.

The Code of Ethics was sanctioned and subscribed to by all academic institutes that fall under the Deans of Social Sciences as united in the DSW (*Disciplineoverleg Sociale Wetenschappen*). The code provides ethical guidelines as mandated by article 1.7 of the Higher education and Research Act (*Wet op het hoger onderwijs en wetenschappelijk onderzoek, WHW*). Even though the code is developed by and for the faculties of social and behavioural sciences in the Netherlands, the ambition is to make it broadly applicable to research with human participants in general, apart from medical research that falls under the WMO. Other institutes or research groups may also decide to comply with the code and may join Nethics. Several university institutes outside of the social sciences have joined. Organizations outside of the universities with a different governance structure can also subscribe to the code, keeping in mind that allocation of responsibilities may have to be clarified. Joining Nethics of several non-university organizations is currently being explored.

Apply or Explain

Research with human participants in the social and behavioural sciences and neighbouring disciplines is diverse in its nature and execution. Thus, a guideline for ethical review of research involving human participants must take this diversity into account. The diversity not only concerns the broad range of topics, but also the range of research methods applied: From surveys to participant observation, ethnography, and newer methods such as co-creation and studies conducted online and/or using data from online communities.

The Code of Ethics for the Social and Behavioural Sciences does not intend to dictate the same specific measures and procedures for all researchers of all disciplines at all times. It offers general ethical guidelines that should be considered as default, but that require critical assessment and deliberation to be applied in concrete situations. The guidelines laid down below must be read in this light. Particular situations or types of research may require researchers to depart from particular guidelines in the code. Especially in such cases, the quality of the ethical deliberation is served by constructive dialogue between ethics committees and researchers. However, subscribing to the code is not without commitment, and in all cases researchers are expected to be able to clearly explain their considerations and to account for their choices. Thus, the guiding theme here is *apply or explain*.

Principles

The Code of Ethics is based in the following principles:

- Researchers respect the dignity of humans and their environment by avoiding exploitation, treating participants and their communities with respect and care, and protecting those in a vulnerable position.

- Researchers take responsibility for the ethical conduct of research they are involved in.

- Researchers strive towards a minimization of risk and burdens for participants, communities, and society. They also protect their own safety and that of others involved in their research.

- Researchers adopt an ethical attitude in which they are mindful of the meaning, implications and consequences of the research for anyone affected by it, and take responsibility for possible adverse effects.

- Researchers aim to avoid biases and strive for equitable participation of groups in and equitable access to potential benefits of research for local communities and other stakeholders.

- Researchers demonstrate the ethical attitude by i) active reflection on the ethical issues that may arise during, or as a consequence of, their research, ii) initiating a proper assessment of the potential drawbacks of the research for individuals, communities and society, and iii) monitoring for any developments that may impact upon ethical aspects of the research.

- Researchers are able to account for, and communicate regarding their ethical reflection vis-à-vis different stakeholders, such as the participants and their social system and communities, the own organization, scientific peers, students, funding agencies, and society.

- Researchers conduct research that is scientifically valid, and that will plausibly lead to relevant insights in the field of the social and behavioural sciences.

The ways in which these principles are safeguarded may vary to some degree depending on the field of research. Moreover, raising ethical awareness of scientists requires them to be stimulated, by way of the questions and considerations put to them in the ethical review procedure. The Code of Ethics forms the basis of such review procedures, of which the detailed implementation may vary.

A. Definitions

Social and Behavioural Sciences: The fields of science that study the patterns and causes of human behaviour, as individuals and as part of groups, communities, cultures and societies. In its broadest sense, this also includes the humanities and other sciences that apply Social and Behavioural Sciences research methodology.

Code of Ethics: The Code of Ethics For Research in the Social And Behavioural Sciences Involving Human Participants, as laid out here.

Participant: A person that partakes in, or is subject to, research in which data on or from this person are being collected. Data collection may occur at the level of individual participants, but also at the level of a group, community, or organisation.

Institute: An organization that carries out systematic scientific research in or related to the social and/or behavioural sciences. This may be a university faculty, research institute, or another organisation where research is carried out.

Nethics Institute: An Institute that subscribes to this Code of Ethics and that has joined Nethics by signing the collaboration agreement.

Board: The board of the Institute, for faculties this is typically the Dean plus the Directors of Research and Director of Education.

Research plan: A document addressing the rationale, background, objective(s), methodology, analyses, and all relevant ethical aspects of a research project involving human participants. Note: This does not deny or decry exploratory or unexpected research directions.

(Informed) consent: The act of agreeing to participate in research by the participant or their legal representative after having been well informed of what the research entails.

(Informed) assent: The act of agreeing to participate in research by participants who cannot legally provide informed consent after being informed about the research at their level of understanding.

Ethics Review Committee: A committee of experts assigned by the Board with the task to review research plans on ethical aspects, and advise the Board accordingly.

Ethics review: The assessment of a research project in the light of relevant ethical principles and values. This may involve constructive dialogue with the researcher. The outcome is a well-considered judgment about the admissibility of the proposed research.

Personal data: Data that can lead to the identification of a person. Note that the law also distinguishes especially sensitive personal data, to which additional rules apply (“bijzondere persoonsgegevens”; Algemene Verordening Gegevensbescherming).

Vulnerability: Any participant may be vulnerable in the context of research. Vulnerability can result from the research topic or procedures due to a participant’s societal position, personal experiences or to preexisting inherent characteristics related to mental and/or physical abilities. Proportional care is required to take participants’ needs into account during all phases of the research.

B. General Procedures

1. All Institutes involved in research on Social and Behavioural Sciences research methodology at Dutch Universities subscribe to the guidelines laid out in the Code of Ethics. Other institutes in the Netherlands can join Nethics and thereby commit to the code as well. If an Institute diverts from these guidelines, the Institute must be able to explain why this has been decided.

2. Research in the social and behavioural sciences involving human participants must be carried out in accordance with a research plan.

3. The research plan identifies and weighs the potential costs and benefits to all stakeholders, with an emphasis on the consequences for the participants and their communities.

4. Positive review of a research plan must be obtained from an Ethics Review Committee established for that purpose either by the Institute where the research is conducted, or the body that carries the main responsibility for the research.

5. The ethics review and approval must occur before the research commences and potential participants are approached. Changes to the procedure are again subject to ethics review. In such cases the review must occur as soon as is reasonably possible, and participants in the study who are affected by the change must be informed and asked for supplemental consent. In the meantime, the researcher remains responsible for acting in accordance with the ethical principles as laid out in this Code.

6. The Ethics Review Committee evaluates the research plan based on the guidelines as laid out in the Code of Ethics, specifically the local implementation thereof. Based on this evaluation, the Ethics Review Committee will either issue or withhold approval or a positive advice.

7. The ethics review is conducted with due regard to relevant international, European and national laws, rules and guidelines. In case the research is conducted in a country other than the Netherlands, the principal investigator is responsible for ensuring that the research is conducted with due regard for local laws, habits and customs.

8. In case of unclear or conflicting laws or values, the nature and circumstances of the dilemma are clearly documented, together with a plan to come to a well-founded resolution.

9. An Ethics Review Committee may suspend or revoke a positive review of a research plan if there are reasonable grounds to assume that continuation of the research would lead to unacceptable risk or burden to the human participants or to the society at large, for example after receiving complaints (J2) from participants or other stakeholders.

10. Research must be covered by the regular legal liability insurance of either the Institute where the research is conducted or the body with primary responsibility for conducting such research, assuming the research is part of the regular activities of that Institute. If the latter is not the case, separate insurance must be obtained for research participants.

C. Scientific Relevance, Necessity, and Validity

1. The research as described in the Research Plan will plausibly lead to relevant insights in the field of the social and behavioural sciences.

2. Research may also be conducted for training purposes, where new insights may not be the main or only goal, as long as the participants involved are made aware that the research is conducted by students as part of their research training.

3. Researchers make sure that risks and burden for all people involved in the research are minimized, and can provide argumentation that the same insights cannot plausibly be gained, or not to the same level, by alternative means of research that are less intrusive to human participants.

4. The researchers can argue convincingly that the insights gained from the research are in proportion to conceivable burden and risks imposed on research participants and their environments.

5. The research is carried out in suitable locations or Institutes, and carried out or supervised by persons with the necessary expertise in the field of scientific research.

6. The research makes use of a sound methodology, i.e., the research as described in the Research plan has a high likelihood of providing an answer to the research question.

D. Informed Consent — Information

1. Participants, or their legal representatives, must be given ample opportunity to understand the nature, purpose and anticipated consequences of research participation, so that they will be able to give informed consent to the extent to which they are capable of doing so. Specifically, the information provided in advance addresses:

   A. the voluntariness of participation;
   B. the nature and purpose of the investigation, including if the data collection is conducted by students as part of their training;
   C. any reasonably foreseeable factors regarding the nature, purpose and duration of the research that may influence participants' willingness to participate (such as extent of burden, potential risks, and discomfort);
   D. the right to decline to participate and withdraw from the research at any time, without any negative consequences, and without providing any reasons;
   E. the kind of data that is collected, with emphasis on personal data and data of sensitive nature;
   F. confidentiality protection and the limitations thereof;
   G. time and nature of data storage;
   H. incentives for participation;
   I. names and details of the responsible researcher and contact information for questions about the research and rights of research participants;
   J. (re-)use of specified data in the current, future or other research;

Only when applicable:

   K. clarity about other parties involved in the research, including their roles and responsibilities;
   L. any recording of voices and images;
   M. procedures for incidental findings;
   N. additional insurance guarantees if necessary (see B10).
   O. period of time to which the consent applies, e.g. if the study includes follow-ups at later time points.

2. When personal data are being registered or collected, informing participants about how these data are handled must be in accordance with the law (NL: Algemene Verordening Gegevensbescherming, EU: General Data Protection Regulation).

3. The information is provided, and consent is asked, in a manner comprehensible for the participant, taking into account factors such as age, cultural differences, economic and linguistic barriers, and levels of education and illiteracy.

4. The information about participating is provided in a neutral tone, and advantages (including compensation, see Section G) are not disproportionally stressed and disadvantages are not downplayed to influence participants' willingness to participate.

5. Information is provided to the participant sufficiently in advance, allowing sufficient time to ask questions. What counts as sufficient time depends on the nature of the research, with as a general rule: the higher the impact or burden, the longer the time period.

E. Informed Consent — Procedure

1. Researchers obtain active informed consent from human participants prior to the start of research procedures and data collection, by requiring a deliberate act of the participant ("opt-in").

2. Depending on the type of research, any deliberate and plausibly demonstrable act of consent can be valid, whether transferred through writing, digitally, verbally, or by other means.

3. In case of a mentally incompetent participant, informed consent is obtained from the legal representative(s). It is good practice to also ask the participant where possible.

4. When the participant is a minor:

   A. In case of minors younger than 12 years of age informed consent is obtained from the parent(s) or legal representative(s). It is good practice to, where possible, ask the child for age-appropriate informed assent where possible.
   B. In case of minors older than 11 and younger than 16 years of age informed assent is obtained from the minor and consent from the parent(s) or legal representative(s).
   C. In case of minors, consent from one parent or legal guardian is considered sufficient by default, unless the Ethics Review Committee decides that a particular research plan requires consent from both parents/ guardians.
   D. From 16 years of age, consent is only obtained from the participant. For some types of research it may nevertheless be good practice to inform the parents or legal representatives.

5. Participants, especially those considered vulnerable, are monitored for signs of discontent (including nonverbal signs) prior to, during, and where possible after the research, and such signs are acted upon appropriately by alleviating the discomfort or ceasing the research.

6. Researchers must keep adequate records of when and how informed consent was obtained. In any case, researchers must be able to explain how voluntariness is established.

7. Researchers who collect information about individuals who are not actively participating (i.e. third parties from whom no informed consent has been or can be obtained), must indicate how they protect the interests (including privacy) of those third parties.

8. Supplemental informed consent must be obtained when the research or the risks for or burden on the participants are larger than was announced. Such changes are again subject to ethics review (see also B5).

F. Informed Consent — Exceptions

1. A study may not employ deception unless the use of deception techniques can be justified by the study's significant prospective scientific or applied value and when there is no alternative procedure for effectively collecting the data.

2. Information for participants may be withheld from participants (omission) or participants may be actively deceived (commission) about the purposes of the study only when necessary to preserve the integrity of the research, this is in public interest, and this consideration outweighs the interests of the participant.

3. Information that is withheld, or deception may not pertain to risks, procedures that can reasonably be expected to cause physical or mental harm, or information that can be considered otherwise relevant for the participants' willingness to participate.

4. Any deception or withheld information must be explained to participants as early as possible, immediately after participation, and no later than at the end of data collection. The researcher verifies that their informed consent remains intact and informs participants that they have the right to withdraw their data without any negative consequences.

5. Only special circumstances may justify the use of an opt-out procedure (sometimes referred to as passive consent). "Opt-out" procedures can be considered only if these conditions are satisfied:

   A. active consent leads to substantial and demonstrable disadvantages with respect to the quality or aim of the research, and/or the interests of the participants
   B. there is minimal burden and no risk for participants,
   C. special care is taken to inform participants and/or their representatives of the study and the possibility to opt out,
   D. the opt-out procedure is straightforward,
   E. researchers have communicated the information in a way that ensures that participants or representatives have received the information.

   Any opt-out procedure is to be reviewed by the Ethics Review Committee.

6. Observation of people in public spaces may occur without consent. Such research must be conducted with respect for privacy (see section H). Data collection occurs fully anonymously (no personal data can be registered) and unobtrusively, in accordance with local cultural values, and restricted to situations where people being studied can reasonably expect to be observed by strangers.

7. Observation of specific groups or organizations (not necessarily in public spaces), including participant observation, occurs with informed consent from either the group members, or from an appropriate representative – a person who can be demonstrably or reasonably considered to represent the interests of the group (e.g. a teacher, a village elder, a team leader, a coach, or a chosen representative). Here too, observation must occur with respect for privacy, and local cultural values.

8. When recording voices or images of participants, Informed consent must be obtained unless the research consists solely of naturalistic observations in public places. In case recording takes place in other settings and the impact on the participant is minimal, privacy laws may also allow another legal basis (see article 9).

9. Whenever personal data on individuals are collected, the law dictates a legal basis for processing. In line with ethics norms, active informed consent from the individual is default. However, the law describes other legal bases such as public or legitimate interest ("algemeen belang" or "gerechtvaardigd belang"; Algemene Verordening Gegevensbescherming), provided that appropriate safeguards for the rights of the participants are in place. The researcher should set this up in consultation with the Institute's legal office and must substantiate such data processing with an explicit argumentation, to be reviewed by the Ethics Review Committee. See also section H.

10. When a researcher intends to re-use existing data for new research purposes, but the original informed consent does not cover such use, the reviewing Ethics Review Committee decides whether approaching the participants for additional consent is necessary or if circumstances justify re-use without additional consent (see also H5).

G. Compensation

1. Any compensation or benefits offered to research participants and/or their communities is fair.

2. Compensation does not have a disproportionate effect on whether or not participants decide to participate in a particular study or activity, nor should the amount of compensation cause or contribute to inflation beyond normal levels.

3. If local resources of a community are being used, adequate compensation is provided.

4. The person conducting the research and the Institute where the research is carried out receive a compensation not exceeding what can be considered reasonably proportionate to the nature, extent and purpose of the research.

H. Data Protection and Privacy

1. Researchers must take into account data protection laws (the AVG). Review of privacy and data protection is a shared responsibility with privacy officers and data specialists. Note that, where the AVG has other legal bases for data processing besides active consent (see F9), active consent is the norm in ethics. Deviating from that norm, even when acceptable under the AVG, is not automatically acceptable ethically and must be reviewed by the Ethics Review Committee.

2. The processing, storage, and publication of data that can lead to the disclosure of a person's identity is safe- guarded in accordance with the applicable laws and regulations, notably the Algemene Verordening Gegevensbescherming (NL) / General Data Protection Regulation (EU).

3. Special care and restraint is adopted with regards to highly sensitive personal data ("bijzondere persoonsgegevens"), as specified by the same laws.

4. Special care is taken to protect those who may be extra vulnerable to harm from being identified and/or having information linked to them, e.g. those who are in a position of dependence (whether psychological, social, economic, political, or otherwise), easily stigmatised, discriminated against, prosecuted, or met with violence. For example, protecting someone's privacy may have implications for the way informed consent is being registered.

5. When data are to be re-used for new research purposes, but informed consent from the original participants can no longer be obtained, a Research Plan detailing the nature and importance of re-use, and including the implications for privacy, shall be submitted for review to the Ethics Review Committee, who shall decide whether re-use is justified (see also F9).

I. Ethics Review Committee

1. An Ethics Review Committee of a Nethics Institute is an advisory body established by, and reporting to, the Board of the Institute.

2. Any advice issued by an Ethics Review Committee may be accepted by the Board or rejected with justification.

3. The Ethics Review Committee must consist of at least five members, to be appointed by the Board of the Institute where the research is conducted.

4. The Board will appoint one of the members as committee chair; the Board may also appoint a vice chair.

5. The Board appoints an executive secretary to the Ethics Review Committee. The executive secretary is responsible for all procedural aspects with due regard to the committee and its mission. The executive secretary may be a member of either the Institute's academic staff or support staff, and could also cover additional expertise.

6. The Board is responsible for the adequate instrumentation, administrative and financial support of the Ethics Review Committee. This also applies to the proper recording of all ethical reviews performed by the committee.

7. The chair, vice chair (if appointed) and executive secretary constitute the executive board of the Ethics Review Committee.

8. The Ethics Review Committee strives towards raising ethical awareness among applicant researchers through clear and timely information, as well as through constructive dialogue.

9. The expertise of the committee members must cover the major disciplines of the Institute and the typical ethical issues involved. This includes methodological expertise.

10. The Ethics Review Committee is responsible for acquiring and maintaining relevant knowledge and skills with regard to recurring ethical issues, as well as evaluating new developments and perspectives.

11. The Ethics Review Committee must have structural (i.e. organised) access to both ethical, legal and technical expertise, and expertise about vulnerable target groups (e.g., minors).

12. The Ethics Review Committee must be able to invoke independent external expertise from someone who is not affiliated with the institute where the research is being assessed. Ethics Review Committees from sister organisations at other institutes may be invoked for this purpose.

13. The Ethics Review Committee may be extended (temporarily or permanently) by non-voting advisors.

14. The Ethics Review Committee's working method and related procedures must be specified in a set of regulations available to all stakeholders.

J. Complaints Procedure

1. Objections against an Ethics Review Committee's advice, or against an Institute Board's decision can be filed with the Board. An appeal can be lodged against such a decision in accordance with the university's regulations. The Board may invoke an independent second opinion regarding the case through the procedure provided by Nethics.

2. The Ethics Review Committee has adopted a publicly available complaints procedure for participants who have complaints about a study that has been reviewed by the said committee.

K. Generalized Validity, Multi-Center Research, and Research at External Institutions or Locations

1. If an Ethics Review Committee of a Nethics Institute reaches a decision, this decision will be accepted by the Ethics Review Committees of all other Nethics Institutes. Thus, if a researcher moves from one institute to another and the research program moves with her/him, no additional review is necessary. Nevertheless, it is due diligence to report the continuation of the study and its ethics approval at the new workplace.

2. Whether single- or multi-center research, the responsibility for ethical review lies primarily with the principal investigator or penholder and the Institution he or she is affiliated with. In case of research projects executed in multiple Nethics Institutes, it is deemed sufficient to perform the ethical review at a single Institute only.

3. For multi-center research, depending on the nature and context of the collaboration, ethical review for different parts of the research may be obtained separately from different Nethics Institutes (e.g. behavioural studies in one institute, and physiological studies in another).

4. If a researcher from a Nethics Institute is involved in research that is primarily performed at an institution or location (including abroad) which is not a Nethics Institute (henceforth "external organisation"), the researcher should:

    A. Demonstrate that the research is carried out with the demonstrable permission of the responsible authorities of the external organisation in question, or explain why such permission is not possible or not desired.
    B. Check the local laws, ethical guidelines and procedures valid at that organisation, and compare these against the National Code as specified here, and its implementation as specified by the home institute. In case of conflicting values, principles or procedures, the researcher should turn to the Ethics Review Committee of the home institute for guidance.

5. In case a local scientific and ethics infrastructure is absent or deemed inadequate for evaluating the planned research, the researcher provides an assessment on how the research plan fits with or otherwise relates to the local values, customs and traditions of the participants, community or society concerned.

Colophon

This third version of the Nethics code was drafted by Prof. dr. Joke Baas, UU, chair of Nethics. It was based on contributions of the Nethics board (dr. Jolanda Habraken, TUE), the Nethics advice committee (prof. dr. Marcel Verweij, UU; dr. Marije aan het Rot, RUG, dr. Jacqueline Schenk, EUR, dr. Liesbeth Mercken, OU, dr. Daniel Lakens, TUE) and the Nethics members meeting. This version of the code was approved and accepted by the Deans of Social Sciences (DSW) in the Netherlands on April 9 2025.

www.nethics.nl

Design: Bram Nijssen

*N*ethics