

# Brandon University Animal Care Committee (BUACC) Non-Compliance Policy and Procedures

## Policy

*(as per BUACC Terms of Reference)*

Brandon University requires that all faculty members, staff, and students adhere to all current BUACC and Canadian Council on Animal Care (CCAC) policies, procedures, and guidelines. The Principal Investigator (PI) named on the Animal Care Application Form (Teaching/Research) or Animal Care Renewal Form (Teaching/Research) is ultimately responsible for the care and welfare of the animals listed on that protocol.

Non-compliance may be detected and reported to BUACC by anyone.

## Purpose and Scope

These procedures shall apply to all animal users, which include faculty, postdoctoral fellow, undergraduate and graduate students, and research staff involved in the use of animals in research, teaching, and testing, as well as to all staff of the Animal Facility.

The purpose of these procedures is to detail the course of action to be taken when a PI or any of their delegates is found in violation of the following:

- Failure to obtain and/or working without BUACC approval prior to commencing the experiment(s);
- Failure to follow a BUACC approved protocol;
- Failure to submit an Animal Care Amendment Application Form (Teaching/ Research) if there is/are a minor change(s) to an approved protocol, which includes minor changes in animal number, addition or deletions of species(s) being used, and minor modifications to procedures;
- Failure to submit a new Animal Care Application Form (Teaching / Research) if there is/are a major change(s) to an approved protocol which includes an increase of more than 10% of the approved number of animals required (20% increase for fish), change of species, a change in category of invasiveness, use of more invasive or more frequent procedures, and/or use of entirely new procedures;
- Failure to use appropriate Personal Protective Equipment (PPE) as outlined in BUACC's Allergy Policy Regarding Laboratory Animals;
- Failure to provide and/or verify appropriate and applicable training for personnel working with animals as outlined in BUACC's Policy on the Training of Personnel Working with Animals;
- Failure to participate in a Quality Assurance Assessment and submit a Quality Assurance Report, as outlined in BUACC's Quality Assurance Policy;
- Not ordering or obtaining research/teaching animals through the Animal Health Technologist; or collecting research/teaching animals through an approved protocol without notifying the Animal Health Technologist;
- Non-compliance of BUACC and CCAC acceptable standards; and

- Deviation from the BUACC approved care of animals, including but not limited to housing, monitoring, enrichment, and the well-being of the animal.

Violations may be a serious one-time incident or repeated less-serious incidents indicating a more chronic issue with animal care.

## Authority

BUACC has the authority and responsibility to:

- a) Stop any procedure if it considers that an animal is experiencing unnecessary distress or pain;
- b) Stop immediately any use of animals, which deviates from the approved use, any non-approved procedure, or any procedure causing unforeseen pain or distress to animals;
- c) Have an animal euthanized if pain or distress caused to the animal is not part of the approved protocol and cannot be alleviated;
- d) Give the veterinarian absolute authority to initiate, treat, or euthanize animals as he/she deems necessary;
- e) Suspend an animal care certificate for one, any, or all active protocols; and
- f) Provide a written report on the violation, including such details as the category of incident, the finding of any investigation, and the decision of BUACC, to the Vice-President (Academic & Provost) for further consideration.

## Procedures

1. BUACC shall be notified.
2. The protocol in question shall be immediately temporarily suspended, and written notification shall be sent by BUACC, within one (1) normal working day, to the PI, their delegates, and the Animal Health Technologist, and the consulting veterinarian.
3. BUACC, or a BUACC sub-Committee consisting of at least the Chair and the consulting veterinarian shall meet with the PI at the earliest possible time to confirm the act of non-compliance. This shall include fact-finding to determine an initial course of action for the situation, its causes and the consequences. Subsequent meetings may be necessary as additional facts concerning the incident emerge and such meetings may or may not require the attendance of the PI. BUACC, or the BUACC sub-Committee, shall determine the category of non-compliance and follow procedures for the appropriate category as follows:

### *A. Serious Incidents of Animal Care Non-Compliance:*

Serious incidents of animal care non-compliance involve situations where animals are left to be in pain, distress or suffering, without veterinary care or where the health and welfare of the animals is seriously compromised by inadequate housing, maintenance or monitoring of the animals in question. BUACC has a duty to act as expeditiously as possible.

If such an incidence of non-compliance occurs:

- i. A quorum of BUACC shall make the final determination of the seriousness of the incident and prepare its recommendation for subsequent course(s) of action to be submitted to the Vice-President (Academic & Provost) A formal letter will be drafted by BUACC and sent to the PI

outlining the consequences of the non-compliance and the requirements for lifting the temporary suspension, if applicable.

- ii. A report on the incident, the Committee's investigation, along with a copy of the letter sent to the PI, and any recommendations for subsequent course of action shall be sent to the Vice-President (Academic & Provost) and the applicable Dean.

*B. Repeated Incidents of Animal Care Non-Compliance:*

Repeated Incidents are defined as being reoccurrences of less-serious matters of non-compliance. BUACC has a duty to act as expeditiously as possible.

If such an incidence of non-compliance occurs:

- i. A formal letter will be drafted by BUACC and sent to the PI outlining the consequences of the non-compliance and requirements for lifting the temporary suspension. A copy of this letter will be sent to the Vice-President (Academic & Provost) and the applicable Dean. Requirements for lifting the temporary suspension may include, but are not limited to, requiring the submission of Animal Care Amendment Application Form, formal letter from the PI agreeing to adhere to the appropriate standard operating procedure(s), and/or complete training as specified by BUACC. If the offending individual is the Animal Health Technologist, appropriate action shall be implemented, which may include, but is not limited, additional training.

*C. Minor Infractions of Animal Care Non-Compliance:*

Minor infractions are defined as being less-serious matters of non-compliance. BUACC has a duty to act as expeditiously as possible.

If such an incidence of non-compliance occurs:

- ii. A formal letter will be drafted by BUACC and sent to the PI outlining the consequences of the non-compliance and requirements for lifting the temporary suspension. This may include, but is not limited to, requiring the submission of an Animal Care Amendment Application Form, formal letter from the PI agreeing to adhere to the appropriate standard operating procedure(s), and/or complete training as specified by BUACC. In the event that the offending individual is the Health Technologist, appropriate action shall be implemented, which may include, but is not limited to, additional training.

## Documentation

Verified details of the circumstances of non-compliance will be retained on file in the Research Office and a copy will be provided to the PI. For cases of non-compliance defined in Section A and B, a formal letter containing the verified details shall be sent to the PI, with copies sent to the Dean of the appropriate faculty and the Vice-President (Academic & Provost). A formal letter containing the recommendation of BUACC regarding serious incidents of animal care non-compliance shall be sent to the Vice-President (Academic & Provost). The Vice-President (Academic & Provost) shall review all materials submitted and shall send a formal letter to the PI outlining the consequences in effect, with a copy sent to BUACC and the Dean of the appropriate faculty.

## Reactivation of a Suspended Protocol

In all cases where a protocol is suspended, a quorum of BUACC shall outline the required steps that must be taken to have the protocol reinstated. Requirements for reactivation of a suspended protocol will vary depending on the nature of the incident.

In some cases, reactivation may not be advised. In some cases, after permanent suspension, an investigator may only be permitted to transfer grants and activities to another lab which may continue to conduct their research with no hands on, direct involvement by the PI or their personnel.

PIs are expected to fully and sincerely cooperate in the review process. In the event of non-cooperation by the PI, BUACC will revoke all protocols belonging to the PI until the cooperation is received.

## Appeal

A PI may appeal in writing to the Vice-President (Academic & Provost). The written decision of the Vice-President (Academic & Provost) shall be binding and final.

*BUACC Approved: July 18, 2013*  
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