

Raising concerns about laboratory animal welfare: report of a workshop at IAT Congress 2014

*PENNY HAWKINS¹, KATHY RYDER², NORMAN MORTELL³ and DUNCAN PATTEN⁴

¹ Research Animals Department, Science Group, RSPCA, Wilberforce Way, Southwater, West Sussex RH13 9RS

² Animals (Scientific Procedures) Division, Home Office, PO Box 6779, Dundee DD1 9WW

³ Agenda Resource Management, PO Box 24, Hull HU12 8YJ

⁴ Huntingdon Research Centre, Woolley Road, Alconbury, Cambridgeshire PE28 4HS

*Corresponding author: penny.hawkins@rspca.org.uk

Introduction

Some establishments have well-defined systems for identifying concerns that staff may have about animal welfare. Such concerns can include issues with a wide range of implications for both the animals and the establishment; from feelings that a potential refinement is not being implemented without a justifiable reason (e.g. not enough material provided for mice to make a proper nest), through to concerns that there may have been an infringement and potentially even to concerns that cruelty has occurred.

There is wide recognition that enabling people to raise concerns, so that these can be quickly and effectively resolved, is a constructive way to help maintain good standards of both animal welfare and staff morale – and to prevent non-compliance with the Animals (Scientific Procedures) Act, 1986 (ASPA). A good system for raising, investigating and resolving concerns is also integral to achieving openness within the establishment and appropriate documentation and feedback may contribute to transparency and public accountability.

The following factors are especially important in establishing and maintaining a good system for achieving all of the above:

- people with concerns must have the confidence to raise them – they should not feel that expressing their concerns will be detrimental to their status, job prospects or relationships with their colleagues
- routes for raising and dealing with concerns within establishments should be clear and known to all and
- there should be internal mechanisms for checking

that such issues have been dealt with to everyone's satisfaction, including reporting any potential technical infringements or non-compliance to the Home Office

With the above in mind, a workshop on raising concerns about laboratory animal welfare was held at IAT Congress 2014. The aim was to provide animal technologists with an opportunity to discuss the systems in place at their establishments and how they might act upon any concerns about animal welfare. Thirty people registered, comprising animal technologists from several academic and industry establishments and one Named Veterinary Surgeon (NVS).

This workshop report was written with three main aims. First, for **animal technologists, including those who are Named Persons, to review and consider** whether they feel properly informed and supported. In respect to raising concerns; second, to **stimulate discussion at an establishment level**; and third, for **those involved with training** to assess whether topics related to raising concerns are adequately covered in courses into which they have input. The workshop began with three presentations, followed by a discussion session. These are summarised below followed by some conclusions and recommendations.

Individual responsibilities and accountability – what constitutes a good culture of communication and care?

Home Office Inspector Dr Kathryn Ryder explained the lines of responsibility and accountability under the ASPA for communicating and raising any concerns about welfare, on the basis of the Guidance to the

ASPA.¹ The holder of the procedure establishment licence holder (PELH) is ultimately both responsible and accountable for ensuring that concerns are recognised, communicated and dealt with. The PELH is usually the Named Person Responsible for Compliance (NPRC); a role which has a number of responsibilities relevant to establishing and maintaining a good system of communication. These include:

- providing leadership;
- ensuring compliance with the ASPA and its guidelines and codes of practice
- ensuring the Three Rs (replacement, reduction and refinement) are implemented as fully as possible
- ensuring there are enough staff in place, with systems to ensure their competence – this is with support from the Named Training and Competency Officer (NTCO)
- setting up and running the Animal Welfare and Ethical Review Body (AWERB) and
- ensuring that all Named Persons have the necessary authority to perform their roles

From an animal technologist's point of view, there should be a clear chain of responsibility from the individual with the concern, to the Named Animal Care and Welfare Officer (NACWO) to the PELH. This is set out within the 'standard' conditions of the establishment licence, number 21 of which requires the licence holder to *'make adequate and effective provision for regular and effective liaison with and between those entrusted with responsibilities under the Act and with others who have responsibility for the welfare of the protected animals kept at the establishment'*. In effect, this is recognising that the animal technologist acts as the 'eyes and ears' of the PELH.

There are also standard conditions associated with project and personal licences that are relevant to ensuring proper communications, which may be used for raising concerns. Personal licence condition 13 requires the Personal Licence Holder to notify the project licence holder as soon as possible if it appears that the severity limit of a procedure, or the constraints in adverse effects described in the licence, have been – or are likely to be – exceeded. In addition, project licence condition 18 requires that the licence holder ensures adherence to severity limits and other controls described in the licence. If the constraints appear to have been, or are likely to be, breached, the project licence holder has to ensure that the Secretary of State is notified (via the Home Office Inspector). Personal licence condition 14 mandates that the licence holder ensures that suitable arrangements exist for the care and welfare of the animals if they are away and condition 15 requires the holder to ensure that veterinary advice and treatment are obtained for the animals in their care wherever necessary.

All of the above standard conditions, for establishment, project and personal licences, demonstrate that there is a sound legal basis for animal technologists to raise concerns and to expect these to be passed up the chain of responsibility. This may be to the Establishment Licence Holder *via* the NACWOs or other senior animal technologists, or in some cases by bringing an issue to the attention of the AWERB. For example, the AWERB may be the appropriate forum for raising concerns about day-to-day welfare where an infringement is not suspected, or for reviewing unexpected adverse effects and ensuring there is adequate follow-up and prevention in future studies.

In a good culture of care, the animal technologist should know the reporting structure and be confident that it works. There should also be a high level of teamwork, in which scientists explain clearly what procedures involve, why they are being performed, what the endpoints are and the reasons for them, to avoid any potential misunderstandings about the clinical signs observed in the animals. All involved should be able to feel comfortable that the benefits justify the harms. Animal technologists should feel comfortable helping researchers to understand the needs of the animals, contributing towards better monitoring and implementation of refinement to reduce suffering and improve welfare.

However, if concerns are raised and nobody appears to be listening, it is important as an animal technologist to remember that the law is there for the protection of the animals being used for scientific purposes. Those to whom you complain should be able to explain what is happening, so that you can be satisfied that animal welfare and/or ethical concerns have been fully considered and adequately addressed. If you are not satisfied, it is always preferable to try to solve the problem locally – for example, by taking the concern straight to the PELH – but if this does not lead to a satisfactory resolution, you should discuss this with your local Home Office Inspector. Building a relationship with the Inspector before there are any concerns would also be helpful; a straw poll of participants showed that NACWOs liaised with their Inspector but only three non-NACWOs did this. Good communication between **all** those involved with animals used in research is most likely to facilitate raising and resolving concerns.

'Welfare first' – caring for the staff who care for the animals

Norman Mortell, of the Agenda Resource Management life science employment and facility management agency, outlined their 'Welfare First' programme which aims to recognise the importance of animal welfare in the life sciences, support the Three Rs and also promote staff welfare.² This recognises that people

whose morale is good are more likely to be conscientious, confident and motivated to support good animal welfare and to speak up if there are any issues that concern them.

All animal technologists working for Agenda sign a 'Welfare Contract', which states their legal and moral responsibilities, includes a commitment to the Three Rs and sets out the process for reporting concerns. The Contract also explains the standards of behaviour that are expected of animal technologists, including having (and displaying) a respectful attitude towards both animals and one another. For example, 'gallows humour' may have been acceptable in animal units once but this should no longer be the case; not only because it gives a bad impression but also because a disrespectful attitude can ultimately lead to infringements.

The 'Got a Concern?' system sets out eleven ways in which questions or concerns can be raised (listed in Table 1). The aim is to take account of people's lifestyles, behaviours and feelings about raising concerns, so that there is no excuse for not communicating. Staff are encouraged to use the client's official channels first but they might not have been told what these are, or they may find staff unapproachable.

Use official client channels - the preferred option	Text Agenda	Raise at the weekly call received by all Agenda staff	Secure Facebook® page
	Email Agenda	Discuss at appraisals	Anonymous e-suggestion box
Telephone the Agenda office	Out of hours 24/7 helpline	Discuss at face-to-face meetings	Feedback in post-assignment process

Table 1. The eleven ways of communicating included in the 'Got a Concern?' system

Raising concerns is strongly encouraged and whatever the chosen method of communication, concerns are treated seriously, documented, followed up and resolved. Outcomes are recorded and fed back to the member of staff who raised the issue.

Animal welfare – a concern of everyone

Duncan Patten, NTCO and Named Information Officer (NIO) at Huntingdon Life Sciences, gave a presentation explaining their system for raising animal welfare concerns. This begins on the first day of employment for all employees, when they receive an 'Animal Welfare Card' in their welcome pack. This includes an explanation of the process for reporting concerns (Box 1).

- 1. Your responsibility:** If a member of staff is concerned about any aspect of animal welfare within HLS, or that there might have been a breach of an SOP relating to animals, they should report it immediately.
- 2. Who to contact:** Your Supervisor OR Animal Facility Manager, OR Named Animal Care and Welfare Officer (NACWO), OR Named Veterinary Surgeon, OR Establishment Licence Holder.
- 3. How to contact?** Face to face, by e-mail or by phone.
- 4. What will happen?** The person you contact will meet with you to discuss your concerns and make appropriate notes with your consent.
- 5. What follow-up will occur?** The written report will be given to the Establishment Licence Holder. A full investigation will take place and the Establishment Licence Holder in consultation with members of the Animal Welfare and Ethical Review Body will consider what further actions need to be taken as a consequence and outcome of the investigation.
- 6. Your name need not be disclosed during any preliminary investigations.**

Box 1. Animal Welfare Card text

Every employee attends an Animal Welfare Module as part of their company induction, which includes an in-depth explanation of the system for reporting concerns. All in-house and agency animal technologists and care staff, at all levels, also receive a presentation on the Culture of Care. In addition, all staff involved in animal care and procedures (including scientific staff) attend an annual Culture of Care presentation which is revised and updated every year to reflect current good practice and thinking. Company intranet pages provide further information on the ASPA and individuals' responsibilities and these are always available to everyone.

The system has worked well for HLS staff involved in animal care and use, and there is a supportive culture for raising issues and communicating concerns.

Discussion

Following the presentations, delegates were divided into groups and each was given one of four hypothetical 'test cases' to discuss. These are reproduced overleaf,

with summaries of the participants' discussions on each one.

Case 1

A senior academic in a university regularly operates on animals without using proper aseptic technique. When challenged by an animal technologist, he replies that he has always done it that way and the animals are "fine" and never suffer any infections. He later refuses to sterilise his instruments properly when asked to do so and tells the technologist to stop interfering. The animal technologist tells the NVS, who says that she will investigate ... but the researcher is still operating without properly sterilised instruments a month later. What should the technologist do next?

Responses

Participants agreed that the animal technologist should see the vet again and find out whether she/he has spoken to the scientist. If she has not, the matter should be brought to the attention of the PELH, either directly or via the NACWO. There should be a defined and structured reporting path to facilitate this.

If the vet has spoken to the scientist and she/he still will not comply, the animal technologist should present him with a copy of the Guidance to the ASPA and inform him that she/he must comply, as failure to use the most refined technique is a breach of project and personal licence standard condition 4 (see Home Office Guidance to the ASPA¹). The technologist should observe the next booked session of surgery and, if the scientist persists in operating without observing proper standards of asepsis, she/he should notify both the PELH and the Home Office Inspector.

Case 2

Rats used in pharmacokinetics studies in a pharmaceutical establishment are housed in standard caging with just a small scoop of sawdust litter. An animal technologist attends an IAT Congress and hears a talk by someone from another pharmaceutical company on the enrichment that they provide for their rats on similar studies – a refuge, nesting material and chew blocks. She/he asks the project licence holder whether the rats he cares for could have these things. The project licence holder says no, because it will cost money and she/he does not accept that the animals will benefit. Should the tech accept this? If not, what should she/he do?

Responses

This scenario led to discussions about the level of authority that animal technologists personally feel they have, depending on the culture at their establishment and the stage of their career. It was generally felt that a relatively inexperienced tech would have to be brave in order to persist with the case for enrichment

(although one person who was new to the position explained that they would not be worried about speaking out). More experienced animal technologists and NACWOs were more confident that they would be able to stand their ground and convince the researcher.

Two opportunities for animal technologists at any level to gather support were the NVS and the AWERB, although the level of awareness of the membership and roles of the AWERB were generally low amongst participants. The tasks of the AWERB include advising staff on matters related to animal welfare, in relation to their acquisition, accommodation, care and use, and also advising on the application of the Three Rs – including refinement.^{1,3} Therefore, the AWERB has a clear mandate to request justification from the scientist for using a less-than-best-practice regime of housing. The IAT Code of Professional Conduct⁴ requires animal technologists to 'work closely with your colleagues to establish best practice in welfare and husbandry for all animals in your care', which could also provide useful backup when seeking support. Senior technologists should be able to support their juniors in these discussions.

It was felt that modular training courses should provide information and guidance on good practice for housing and care, including how this can be implemented and enforced. In particular, courses should include clear instruction that the Code of Practice requires that animals should have enrichment as standard, and that the researcher should supply sound scientific justification in the project licence (since January 2013), or verbally for older licences, if they wish it to be withheld.

Case 3

An animal technologist caring for mice used in telemetry studies is concerned that the animals are showing signs of pain following implantation surgery. She/he tells the researcher who carried out the surgery, who replies that the mice receive one dose of Buprenorphine after surgery, which he believes is more than sufficient. She/he tells her that the mice are "perfectly happy" when she/he uses them in procedures a week after surgery and she/he refuses to come and look at the animals. What should the animal technologist do?

Responses

Participants strongly believed that this was a matter of upholding the duty of care to the animal. As this was likely to be an emotive and controversial issue, it was considered vital to observe the animals carefully and record these observations before taking any further action. Then, two courses of action were suggested; one was to report the concern to the NACWO, then jointly ask the scientist to explain and justify their refusal to provide more pain relief and – if not satisfied – take it to the NVS. The other was simply to call the

NVS and administer analgesia under his or her direction, unless the scientist had justified in advance why further analgesia was to be withheld. NB in either case, the NVS should be informed so they can reconsider whether the advised regime of analgesia will need to be changed.

Case 4

A trainee animal technologist is 'shadowing' an experienced colleague who is showing her/him how to administer oral gavage to rats. The demonstrator does not appear to carry out the procedure very well and the rat begins to struggle and squeaks audibly. After five attempts, the demonstrator gives up and puts the rat back into his cage in a manner that looks rough to the trainee, saying that rats are tough and obstinate and you need to "show them who's boss". The demonstrator has worked at the establishment for a long time, and the trainee also finds her intimidating. What should the trainee do?

Responses

There was unanimous agreement that this person simply should not be a trainer! Notwithstanding this, participants felt that in such a situation it would be unacceptable to let this go without further action, although challenging the trainer face to face would be very difficult for an inexperienced animal technologist. The suggested course of action was to speak to another, independent senior animal tech and tell them what happened. The incident should then be progressed through appropriate management structures to consider, with one possible outcome retraining of the trainer, under close supervision and involving a review of attitude. Feedback should also be given to the trainee who reported the concern, to demonstrate that this was taken seriously and that such behaviour towards animals will not be tolerated.

Conclusions and recommendations

The overriding conclusion was that it is critically important for animal technologists to understand the true level of responsibility and/or authority that they hold under the ASPA, with respect to both raising concerns and implementing good practice regarding animal care and use. It is essential that a supportive management structure exists and that there is an effective system for raising concerns that is accessible to, and understood by, all members of staff. This will contribute to the individual establishment's culture of care. The following recommendations were drawn out of the workshop and discussions:

- If you have any level of concern, always do something about it – or you become part of the problem.
- Make sure that you know the channel(s) for raising issues and concerns at your establishment

- Get to know your Named Persons and your local Home Office Inspector; feel free to communicate and discuss a range of issues with them at any time, not just when you suspect something has gone wrong.
- Get to know your establishment's AWERB, what it does and how it does it; asking to attend a meeting is a good starting point.
- Do not jump to conclusions. Ask the researcher about your concerns; there may be a justifiable reason for what you have seen.
- Use records and observations to enable you to describe your concerns more effectively and make your case.
- Remember that, as an animal technologist, you have the law on your side – and the IAT Code of Professional Conduct as additional backup.⁴
- Use IAT qualifications to reinforce and improve your status.
- Suggest that the AWERB reviews the system for raising concerns, as part of its task to 'establish and review management and operational processes for monitoring, reporting and follow-up in relation to the welfare of animals'.^{1,3}

And:

If you are a NACWO – remember that you are there to champion the culture of care and encourage appropriate attitudes among all staff.

If you are involved in licensee training or employee inductions, review this report and consider whether raising concerns and all the issues surrounding the topic, are adequately covered in current courses.

References

- ¹ **Home Office** (2014). *Guidance on the Operation of the Animals (Scientific Procedures) Act 1986*. <https://www.gov.uk/research-and-testing-using-animals> (last accessed 9 May 2014).
- ² **Agenda Resource Management** (2014). *Welfare First*. <http://www.agendatechtalk.co.uk/Downloads/WelfareFirst/welfarefirst.pdf> (last accessed 12 May 2014).
- ³ **RSPCA/LASA** (2010). *Guiding Principles on Good Practice for Ethical Review Processes*. <http://www.lasa.co.uk/PDF/GP-ERPJuly2010printFINAL.pdf> (last accessed 12 May 2014).
- ⁴ **IAT** (2008). *IAT Guide to Professional Conduct*. IAT, Oxford.