UK Biobank Ethics and Governance Council
Twenty Eighth Meeting

Meeting at Wellcome Trust
215 Euston Road, London, NW1 2BE

Monday 26 September 2011 at 10.30am

Agenda

1. Apologies

2. Minutes of twenty seventh meeting held on 6 June 2011

3. Matters arising
   (i) Tracking of requests to UK Biobank
   (ii) Subgroup reporting as necessary

4. Closed discussion on topics to discuss under item 6 and 7

5. The EGC and the access phase – operational aspects
   (Dr Tim Peakman, Executive Director, UK Biobank and Mr Andrew Trehearne, Head of Communications, UK Biobank)
   (i) General update on developments and recommendations from EGC27
   (ii) Demonstration of the website and ‘showcase’ of publicly available data
   (iii) Biannual report on longitudinal follow-up of participants
   (iv) Crisis management plan

6. Access report (Dr Tim Peakman, Mr Andrew Trehearne and Mr Jonathan Sellors, Company Secretary, UK Biobank)
   (i) Consultation report
   (ii) Draft procedures
   (iii) Demonstration of the access application and reporting systems

7. Closed discussion of matters arising under items 6 and 7

8. Communications activities
   (i) External speaking opportunities
   (ii) External enquiries to the EGC

10. Report on meetings attended
    (i) Board of Directors meeting 10/06/11
    (ii) Wellcome Trust workshop on Feedback of Clinically Relevant Findings 13/06/11
    (iii) Gengage conference ‘Your genes and clinical research: Being more than a guinea pig?’ 22/06/11
    (iv) Meeting with Dr Jakub Pawlikowski 05/08/11
    (v) Meeting with members of the National Information Governance Board 22/08/11

11. Any other business

12. Date of next meeting 12 December 2011 - Council meeting, London
Present: Professor Roger Brownsword (Chair), Professor Martin Richards, Dr Roger Moore, Mrs Margaret Shotter, Dr Jonathan Hewitt, Professor Paolo Vineis, Mr Andrew Russell, Ms Tracey Phillips, Dr Sheelagh McGuiness, Professor Kate Hunt and Professor Søren Holm.

In attendance from EGC Secretariat: Ms Adrienne Hunt.

Observers: Dr Katherine Littler (Wellcome Trust) and Dr Catherine Moody (Medical Research Council) for the whole day.

Speakers: Dr Tim Peakman (Executive Director, UK Biobank), Mr Steve Garratt (Business Analyst, UK Biobank), Mr Jonathan Sellors (Company Secretary, UK Biobank) and Mr Andrew Trehearne (Head of Communications, UK Biobank) for items 6 and 7.

1. Apologies

Apologies were received from Professor Heather Widdows and Professor Rory Collins.

2. Minutes of twenty seventh meeting held on 6 June 2011

The Council approved the circulated minutes.

3. Matters arising

Tracking of requests to UK Biobank

Members noted the outstanding requests to UK Biobank.

Subgroup reporting as necessary

The Feedback subgroup is working on a draft report that reviews the literature on the principle and practice for providing feedback of health information to research participants. The report, which considers the different categories of information that could be fed back to participants, will be submitted to the Council’s December meeting for discussion.
4. Closed discussion on topics to discuss under item 6 and 7

Access procedures and consultation

The Access and IP subgroup, Professor Rory Collins and Mr Jonathan Sellors met recently to discuss the access procedures (revised in light of the comments received during the public consultation) and a report summarising the consultation responses. The documents were revised subsequent to the subgroup meeting and final draft versions were submitted to this Council meeting for discussion. Members agreed on a number of outstanding issues, which were discussed further under item 8.

The EGC considers it important for the access process to be reviewed, for example, a light-touch review after the first 6 months of access and a more substantive review after 12 months. It is understood that such a review might result in revision of the access procedures. In terms of the EGC’s interest, the review might consider how the ethics and scientific review of applications is working, how the charging policy is working, whether applicants are operating on a level playing field, and so on.

5. The EGC and the access phase – operational aspects

The Council discussed the circumstances in which it might offer advice on applications for access (either reacting to a request from UK Biobank or proactively advising on specific applications). To be clear, the Council expects that these issues will in the main be addressed and resolved through UK Biobank’s review process. However, the Council thought that it might be helpful to give some indication of the kinds of application issues that, as the EGC would view it, might properly be referred to it by UK Biobank for advice. Tentatively, the following issues were identified:

- an application raises a significant ethical issue or one which risks the reputation of UK Biobank
- there is any doubt about the research being for the public benefit
- there is any doubt about whether the research is health-related
- the research creates an increased risk of identification of individual participants, family members or subgroup
- the research has potential to stigmatise a community or subgroup within the population
- an application involves linkage to new database(s) which participants could perceive as beyond their initial consent
- granting access to an application creates a precedent for future use.

This non-exhaustive list is meant as an indication of the types of applications that would be of interest to the EGC.
Discussion also focused on the EGC’s relationship with the Access Sub-Committee (AC) and reflected on UK Biobank’s decision not to grant the EGC’s request to reserve the right to observe the AC meetings for the purpose of its auditing function.

6. Update from UK Biobank (Dr Tim Peakman, Executive Director, UK Biobank and Mr Andrew Trehearne, Head of Communications, UK Biobank)

**General update on developments and recommendations from EGC27**

Professor Collins provided a written update, which was circulated to members ahead of the meeting. Mr Sellors provided additional details at the meeting.

**Enhancements:** The draft funding application for imaging of participants will be discussed at UK Biobank’s International Scientific Advisory Board (ISAB) meeting in November. The plan is to submit the final version to the funders by the end of 2011. If funded a pilot phase would commence at the end of 2012.

A representative of the EGC was invited to attend the ISAB meeting.

**Socio-economic data:** At a previous meeting the Council recommended that UK Biobank give further attention to the question of how the socio-economic-related data in the resource could be used and enhanced, including the possibility of holding a workshop with colleagues who work in this area. Professor Collins advised that there was discussion at the Enhancement Working Group meeting of the socio-economic data that have been collected in UK Biobank. It is not planned at this time to hold a workshop, or to have some other form of consultation, on the social determinants of health.

**Re-contact:** At the June meeting the Council discussed the need for an overarching re-contact strategy that applies to the full suite of possible re-contacts and a protocol that guides re-contact in each particular case. UK Biobank intend to initiate the access processes within the next month and will then consider, in the light of experience during 2012 and 2013, whether they need modification (including to the section on re-contact).

**Demonstration of the website and ‘showcase’ of publicly available data**

Mr Andrew Trehearne demonstrated UK Biobank’s new website which members found to be both well designed and informative. The website will be launched when the resource is opened for access.

The ‘showcase’ of publicly available data was demonstrated under item 7.

**Biannual report on longitudinal follow-up of participants**

Members noted the biannual report that described that, in England, flagging on the central registry for death and cancer notifications is ongoing. UK Biobank anticipates that by the end of Q1 2012 flagging will be completed and death and cancer data incorporated into the UK Biobank database. An agreement has been secured with
the Information Centre to link to Hospital Episode Statistics data. Testing of this linkage will soon commence. In terms of linkage to general practice records, UK Biobank is in discussion with colleagues from the General Practice Extraction Service (GPES). In Scotland and Wales, pilots to establish linkage to a wide variety of electronic records are ongoing.

_Crisis management plan_

Mr Trehearne introduced the Crisis Plan, which will form the basis on which UK Biobank tackles media, participant, funder and other stakeholder communications in the event of a 'crisis'. Perhaps the most important aspect of the plan is the value of the contact details, since crises may occur out of office hours. Speed and clarity of a response will play an important role in successful handling of a crisis. An earlier draft of the plan has been discussed with the EGC and the funders.

Members proposed that the plan might make reference to capacity to set up a crisis response team. Mr Trehearne responded that such a provision may not be necessary for an organisation the size of UK Biobank; the project management team is small and would work together to respond to all crises.

7. Access report (Dr Tim Peakman, Mr Andrew Trehearne and Mr Jonathan Sellors, Company Secretary, UK Biobank)

_Consultation report_

UK Biobank received 368 responses to the access consultation, the majority of which from individuals. Mr Trehearne presented the consultation report, which members found to be a valuable summary of the responses received and accessible in both its language and length. The report highlights the responses that relate directly to elements of the access procedures (e.g. the fee structure, ethics review of applications and how competing application will be managed) and also comments on broader issues (e.g. security, re-contact and communications). The report will be published on the web once the access procedures have been finalised.

The final version of the procedures will be sent to all consultation respondents along with a detailed response to their comments where necessary (holding emails have been sent).

_Draft procedures_

The draft procedures will be submitted to the 30 September Board meeting for approval. At this stage the Council had nothing to add beyond its previous advice.

_Demonstration of the access application and reporting systems_

_Access application and management systems_

Dr Tim Peakman outlined the system components that will be used to manage the application process from the initial registration of researchers through to the transfer
of materials from the resource. There are two key components: First, the web application platform, SharePoint, will be used to build the external facing site, providing a portal for researchers and others. Second, the Sage customer relationship management (CRM) software will be used as a basis for the component for adjudicating applications. SharePoint and CRM provide complementary functions; SharePoint capturing registrations and applications, whilst CRM provides “work flow” capability which will automatically pass the applications around various stages as each of the criteria on the checklist is met. Importantly, CRM will hold auditable information regarding any changes in status to a particular application along with all communications regarding a particular application (including a record of the result of any escalated issues). SharePoint and CRM will also integrate with UK Biobank’s existing Sage 200 financial system and Sage Pay, a mechanism for online payment of access fees.

An external provider will host SharePoint and CRM under contract to UK Biobank. This activity falls within the scope of UK Biobank’s ISO27001 Information management and security accreditation. Neither the SharePoint nor CRM component will hold data gathered from participants during the recruitment phase; this data remains in UK Biobank’s central database behind firewalls at the Clinical Trial Service Unit (CTSU). Nonetheless, once the access systems and supporting databases are in place, UK Biobank will commission an external review of the systems with penetrance testing.

Mr Steve Garratt demonstrated the ‘showcase’ of variables; the application process (from the point of view of a researcher submitting a registration and preliminary application) and the adjudication software (from the perspective of the access administration team at UK Biobank).

The ‘showcase’ of variables, which will be available on the UK Biobank website, will include summary descriptions of the numbers and types of measurements made during recruitment and the numbers and types of disease within the cohort (prevalent disease only at this stage). A researcher can review the ‘showcase’, select data that are of interest to them and relate these data to the lay summary in their preliminary application. Within the application a researcher can stratify data by defining minimum and maximum cut-offs e.g. a researcher may select data on blood pressure and be interested only in high readings.

Preliminary and main applications will undergo a number of systemised and manual checks. Members of the access administration team can add free text comments about an application and can assign the application to other individuals e.g. to an epidemiologist at CTSU or to the laboratory manager at UK Biobank’s co-ordinating centre to provide input on the feasibility of the request and/or the cost of data/sample extraction. The administration team will be able to compare the data requests for the preliminary and main application to assess whether there have been any changes.

The preliminary application form contains a tick box asking researchers to verify that their proposed research is in the public interest. Noting that the SharePoint interface supports the provision of supplementary information (for example, as appears alongside the check-list), members asked if UK Biobank could provide a definition of public interest as guidance for researchers. It was confirmed that the guidance notes
are being expanded as part of the ongoing development of the systems. In any event, members of the access administration team will review applications for potential public interest or ethical issues and will have a number of routes open to them should such issues arise: The application could be escalated to the Ethox Centre; the application could be returned to the researcher with a request for information about how they plan to address the issue or, if the matter is of a legal nature, the application could be referred to UK Biobank’s Company Secretary for advice from the legal perspective.

**Access reporting systems**

Three levels of access to information have been defined:

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<thead>
<tr>
<th>Level</th>
<th>Who?</th>
<th>What?</th>
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<tbody>
<tr>
<td>Level A</td>
<td>UK Biobank Access Sub-Committee, Executive and access administration team</td>
<td>Access to all components of all applications</td>
</tr>
<tr>
<td>Level B</td>
<td>Funders, the Ethox Centre, the EGC, the Steering Committee and the International Scientific Advisory Board</td>
<td>Access to applicant details and lay summaries for all preliminary and main applications</td>
</tr>
<tr>
<td>Level C</td>
<td>Public</td>
<td>Lay summaries for approved applications</td>
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In theory people can move up and down the levels as necessary; this is not difficult technically. For example, the full application will be available to the Ethox Centre if an application is escalated for ethics review. The EGC will be able to see that an application has been escalated as such applications are flagged red within the system.

Members expressed reservation over whether having sight of the lay summaries of applications only will allow the Council to fulfil its role to oversee the access process. For example, in more complex applications, a 200 word summary of the research is unlikely to convey all the detail required to consider the ethical issues. As such, the EGC may not be able to verify whether UK Biobank’s adjudication system has picked up and dealt with these issues. Such details are more likely to appear in the methodology section. In response to these concerns, the Council was assured that if a summary is so bland that it is uninformative, UK Biobank would send this back to the researcher for revision.

Information in the adjudication management system is linked so that, for example, it is possible to query and see all applications from a particular person or from a particular institution. Reports can be generated based on defined criteria, for example, the number of applications received from commercial vs academic researchers and the number of international vs UK-based applications.

8. Closed discussion of matters arising under items 6 and 7

**Access application and reporting systems**

The Council was very interested to receive the presentation and demonstration of the access application and reporting systems. The Council fully supports the
intention to add further guidance notes to the access applications pages as part of the ongoing development of the system e.g. a definition of public interest.

It is not clear to the Council what rationale underpins the decision that the EGC and the Ethox Centre should have as standard only Level B access to information.

Draft access procedures

The Council welcomed sight of the final draft procedures, although the late arrival of the papers did not facilitate a full and detailed discussion. In closed session, and with reference to the Council’s consultation response, the following outstanding issues were highlighted:

a. Within the proposed access process, there are two aspects that might operate to inhibit the EGC’s ability to fulfil its oversight responsibilities. First, as routine, the EGC will only have sight of the high-level lay summary of preliminary and main applications. As mentioned under item 7, the summaries may not contain sufficient information to assess whether there are ethics or public interest issues (that is, the EGC may not be able to monitor whether such issues have been picked up by UK Biobank’s review process).\(^1\) Second, subject to any change of position by UK Biobank’s Board of Directors with regard to the EGC having observer status at meetings of the Access Sub-Committee, there will be a lack of transparency in relation to the deliberations of this Sub-Committee.

b. It remains unclear to the Council how questions of ethics and public interest will be judged for each application and on what basis escalation to the Ethox Centre will occur. The Council will be interested to hear how this aspect of the review process works in practice once experience with access increases.

c. The Council continues to support the requirement of scientific peer review as the norm for applications that involve re-contact. It also supports some level of scientific review for data only access requests to ensure that such applications have at least a minimum standard of scientific merit.\(^2\)

d. The Council continues to support variable fees for academic vs commercial applicants, although this policy has not been adopted by UK Biobank. The EGC has had a fair opportunity to comment on this policy and notes that while a number of consultees supported variable fees there was not an overwhelming tide of opinion that would necessitate adoption

\(^1\) Subsequent to the EGC meeting, this concern has been significantly eased. It was clarified at the UK Biobank Board of Directors meeting that there is a provision for additional information on reasonable request from Level B parties, including the EGC, and that this provision might apply in cases where the EGC requested further information because it found a lay summary to be uninformative.

\(^2\) Subsequent to the EGC meeting, the procedures were revised to strengthen these points:

'If data alone are required from the Resource then there is not typically a requirement that the Research Proposal has undergone independent scientific review, although UK Biobank may still require it in certain circumstances (e.g. when the proposed use is potentially contentious or there are concerns about its value, whether for scientific, public health or other reasons).‘ (Emphasis added. Access Procedures, November 2011, v1, B3.1)

'Decisions on whether re-contact is appropriate will be made by UK Biobank, with advice from the EGC, and such re-contact requires separate approval from a Research Ethics Committee (and UK Biobank will generally also require independent scientific review to help ensure that re-contact is warranted).’ (Emphasis added. Access Procedures, November 2011, v1, B6.3)
of this policy. UK Biobank has agreed to keep this policy under review as experience with access increases and the EGC supports this decision. Relatedly, members learnt from the funders that there are restrictions on the level of fee that UK Biobank is able to charge because of its charitable company status.

The Council discussed whether it might publish a report about its role in the development of the access procedures and agreed to return to this question after the 30 September Board meeting, which will be attend by the EGC Chair.

**Access consultation report**

The Council was pleased to have sight of consultation comments and report which were informative in relation to the access procedures and also to a number of other issues. Members agreed not to lose sight of the range of responses received as many have a bearing on policies that may be considered in the future (e.g. feedback).

Noting that the access focus groups did not take place due to a lack of the participants’ availability on the required day, a member recommended the use of online focus groups which make it logistically easier for a group to ‘meet’ and are being used increasingly in academia.

**Re-contact**

The Council has previously recommended the development of a strategy for the full suite of possible re-contacts (including re-contact for UK Biobank’s own purposes and for the purpose of an access application). Specifically, the Council has recommended that no applications involving re-contact should be considered until after UK Biobank has in place a re-contact protocol and criteria to help prioritise requests.

The Council noted UK Biobank’s update under item 6 and reiterated its support for the development of a re-contact strategy, protocol and criteria in the short rather than long term. In any event, the EGC’s advice will be sought for all applications involving re-contact.

9. Communications activities

**External speaking opportunities**

The Secretary and Professor Martin Richards will attend the Public Population Project in Genomics workshop on the 11 October in Montreal. They will also meet with colleagues from the Quebec-based biobank, CARTaGENE.

**External enquiries to the EGC**

There have been no enquiries since the last meeting.
10. Report on meetings attended

**Board of Directors meeting 10/06/11**

Professor Richards attended part of the June Board meeting.

**Wellcome Trust workshop on Feedback of Clinically Relevant Findings 13/06/11**

The Chair, Secretary and Professor Richards attended the Wellcome Trust workshop on Feedback of Clinically Relevant Findings, ‘Exploring the participant perspective of issues related to the discovery of clinically relevant findings in research’.

**Gengage conference ‘Your genes and clinical research: Being more than a guinea pig?’22/06/11**

Mrs Margaret Shotter attended the Gengage conference which focused on the opportunities and challenges that genomic medicine poses for clinical research and explored social and other issues around public and patient involvement in clinical research. Using both plenary and breakout sessions, the conference was a good example of how to run a public and patient involvement event. A report of the conference is available online.

**Meeting with Dr Jakub Pawlikowski 05/08/11**

The Secretary met with Dr Jakub Pawlikowski, a member of the Polish Ministry of Science and Higher Education Committee for Genetic Testing and Biobanking. The aim of this committee is to improve the quality of genetic testing and the harmonization of biobank activity in Poland, in addition to making recommendations on the need for, and potential structure of, a Polish population biobank.

**Meeting with members of the National Information Governance Board 22/08/11**

The Chair and Secretary recently met with representatives of the National Information Governance Board to discuss issues of interest to both committees.

11. Any other business

It was proposed that the EGC could usefully undertake an initiative aimed at helping it to understand the perspective of the research community and to inform it of the types of research that could be conducted on the resource (e.g. the scope, potential and limitations of genetic research).

12. Date of next meeting 12 December 2011 - Council meeting, London