**Guidance on the Reporting of Protocol Deviations/Violations**

**Western Carolina University IRB**

**What constitutes a protocol deviation or violation?**

* A ***Protocol Deviation*** is an inadvertent act (from the perspective of the PI and study staff) in which the approved IRB protocol is not followed. Examples that are reportable to the IRB include the accidental loss of consent forms or study materials with participant information, or an accidental misread of a laboratory value leading to erroneous inclusion of a participant.
* A ***Protocol Violation*** is an intentional act (from the perspective of the PI and study staff) in which the approved IRB protocol is not followed. Examples that are reportable to the IRB include implementing changes to an approved study without first obtaining IRB approval, enrolling subjects after the study has expired, or enrolling subjects who do not meet inclusion/exclusion criteria.

**When must protocol deviations/violations be reported to the IRB?**

* A protocol deviation or violation is reportable to the IRB if the event is likely to adversely affect:
  + The rights and welfare of the research subject;
  + The safety of the research subject;
  + The integrity of the research data; and/or
  + The subject’s willingness to continue study participation
  + Such events should be reported to the WCU IRB within 10 business days of the time the PI becomes award of the event; **however, an unanticipated study-related death must be reported to the WCU IRB within 24 hours of the occurrence of the event.**
* A complaint from a research subject that cannot be resolved by the study staff or an audit finding, internal or external, that is directly related to activities described in the protocol and requires corrective action by the study staff must be reported to the WCU IRB. The complaint and audit finding are considered either a protocol deviation or violation, depending on the perspective of the PI and study staff
* Absence of consent or alteration of the consent process without prior written WCU IRB approval is considered a protocol violation and must always be reported to the IRB. **A lapse in IRB approval for a study must always be reported to the IRB as a protocol violation.** Likewise, the suspension or disqualification of an investigator is considered a violation that must always be reported to the WCU IRB.
* If a deviation or a violation occurs that is unlikely to affect the rights, welfare or safety of the research subject or the integrity of the research data, the IRB need not be notified. An example is a delay in a subject’s return for follow-up because of a death in the subject’s family, but with no interference in the eventual completion of the study.

**How should the protocol deviation/violation be reported to the IRB?**

The **IRB Adverse Event or Deviation / Violation** protocol should be completed and submitted via InfoEd. This protocol can be accessed under “Compliance Protocols.”