Methods note: ethics

Who must approve a study in Nigeria before fieldwork begins?

The law requires every institution that conducts health research to use a registered ethics committee, which reviews and approves studies, and Nigeria's legal definition of health research is broad. What the law and the national code require, what they leave open, and the route we take as a company without its own ethics committee.

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In short

- The National Health Act 2014 requires every institution that conducts health research to have, or have access to, an ethics committee registered with the National Health Research Ethics Committee. The Act's definition of health research includes knowledge of 'psychological or social processes in human beings'.
- A national study does not have to go to the national committee: for studies at more than three sites, applicants 'may' apply to it directly. An organisation without its own committee works through an agreement with one registered committee in its state.
- A community leader's permission can open the door, but it never replaces each person's own consent. For research outside health, we found no Nigerian statute that requires ethics review.

What the law requires

Under section 34(1) of the National Health Act 2014, every institution, health agency and health establishment 'at which health research is conducted, shall establish or have access to a health research ethics committee, which is registered with' the National Health Research Ethics Committee (NHREC) [1]. Section 32 requires that research on a living person be done with 'the written consent of the person' and, for research with a minor, with 'the informed written consent of the parent or guardian' [1].

The Act defines health research broadly: it 'includes any research which contributes to knowledge of' the 'biological, clinical, psychological or social processes in human beings' and 'improved methods for the provision of health services' [1]. A household survey that asks about illness, care-seeking or wellbeing can therefore fall within it.

The detailed rules are in the National Code of Health Research Ethics, a national policy document approved in 2007 [2,3]. It requires information for consent to be pitched at people 'with at most 9 years of education', consent forms of no more than eight pages, and, where people cannot write, a consent process such as 'witnessed thumbprinting or witnessed audio recording', approved by the committee before the research starts [2]. A committee has 'a maximum of 3 months' from a valid application to give its decision [2]. Whether a study is exempt is decided by the committee, not the researcher, and a survey is not exempt if answers can be linked to the people who gave them and disclosure could put them at risk of legal liability or damage their finances, employability or reputation [2].

The Act's requirement of written consent and the Code's witnessed thumbprint or audio recording sit side by side. We found no ruling or national guidance on how they apply to interview surveys, so we ask the committee to approve the consent procedure explicitly.

Does a national study need the national committee?

No. For studies at more than three Nigerian sites, the Code says applicants 'may follow the steps outlined above', meaning review by each site's committee, 'or ... may apply to NHREC directly', and that NHREC 'may decide to review' studies that are nationwide or involve more than three sites[2]. A peer-reviewed account describes central review as 'entirely at the discretion of the researcher'[3]. NHREC does review national surveys: in 2017 it gave full-committee approval, valid for one year, to the problem drug use and key informant surveys of the National Survey on Drug Use and Health 2016–2017, which the Centre for Research and Information on Substance Abuse conducted alongside the National Bureau of Statistics' household survey[4,5].

An organisation without its own committee, as we are, has a defined route for health research: a cooperative agreement with a registered committee in the same state, applied for through NHREC, with 'only one HREC at any given time'[2]. The Code makes no provision for choosing a different committee for each study.

State ministries of health run registered committees and publish their own timelines. Rivers State's committee, for example, aims at four to six weeks for expedited review and states that researchers 'CANNOT independently determine that their study is exempt from ethical review'[6].

Research outside health

For research that is not health research, such as a survey on governance or livelihoods, we found no Nigerian statute or national code that requires ethics review or registers ethics committees. In a 2012 survey by the WHO Regional Office for Africa, Nigeria was one of three responding countries that did not report requiring all research institutions to adopt a research ethics policy[7], and a study at one Nigerian university found mechanisms for ethics in social science research weak[8]. We treat the absence of a rule as a gap to fill, not as a permission.

A separate rule may apply to large surveys. Section 25 of the Statistics Act 2007 is headed 'Conduct of surveys by private institutions'. As far as the only online copy we found, a poor scan of the Gazette, can be read, it requires private Nigerian and foreign institutions that wish to run statistical surveys on a national scale, going beyond their market studies, first to obtain the National Bureau of Statistics' approval, to use enquiry forms carrying the Bureau's stamp of approval, and to give the Statistician-General copies of the report on the collected data, together with an item that is illegible in the scan[9]. In December 2025 the House of Representatives passed at third reading a bill to repeal and replace the Act, the Statistics Bill, 2025; we found no record of its passage into law[10].

Community permission and individual consent

The Code expects researchers to 'engage with communities where research is being conducted whenever this is appropriate', says that community consultation or assent 'may have to precede research activities', and allows a committee to require evidence of it[2]. International guidance is explicit about the limit: 'In no case, however, may the permission of a community leader or other authority substitute for individual informed consent'[11].

Children

The Act requires a parent's or guardian's written consent for research with a minor[1]. The Code leaves consent for research with children to 'other guidance documents issued by NHREC', and NHREC's policy statement on enrolling children describes itself as 'an interim note'[2,12]. A review of African national guidelines reports that Nigeria requires assent from children aged 12 to 17[13]. We could not read NHREC's statement itself to confirm the ages, so we follow what the approving committee requires.

Across Africa

In the WHO regional survey of 2012, 30 of the 33 responding countries had a national ethics committee, 79% of them established by law; most of those with a committee reported needing training, and half needed dedicated funding[7]. We seek approval in each country where a multi-country study collects data. A 2025 commentary in The Lancet Global Health called for an Africa-centric health research ethics framework[14].

Our practice

These are the rules every Probatio Africa study follows. Read them as commitments you can hold us to.

- [x] No contact with any participant in a social research study before a written ethics decision, and no study activity outside the dates of the approval.
- [x] For health research, which we read broadly, review by a committee registered with NHREC, through the route the Code sets for organisations without their own committee.
- [x] For other social research, review by an independent research ethics committee. The committee that approved the study is named on its consent form.
- [x] We never decide for ourselves that a social research study is exempt.
- [x] Market research follows the ICC/ESOMAR International Code, and goes to an independent ethics committee whenever it involves health, children or other sensitive topics. When it does, the rules above apply to it too.
- [x] Before any national-scale survey, we check against the printed Gazette whether section 25 of the Statistics Act applies; if it does, we seek the Bureau's approval, use enquiry forms carrying its stamp, and give the Statistician-General copies of the report.
- [x] We ask community leaders for permission to enter. Each person is still asked for their own consent, and told that a leader's permission does not oblige them.

What the evidence cannot settle

- How the Act's requirement of written consent applies to interview surveys with people who cannot write.
- Where health research ends. We found no guidance on whether, for example, a livelihoods survey with a few health questions counts.
- The exact text of section 25 of the Statistics Act and how it applies to private research companies, while a bill to replace the Act is pending.

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