Personal Data Processed by Students in Research

Students undertaking research involving personal data

SCOPE

These guidelines are intended for students undertaking research involving information about living, identifiable individuals as part of their programme of study at the European University Cyprus. Students initiating research projects that involve collecting information from individuals, for example via a survey, through interviews, in focus groups, via video recordings or through other means must always follow these Guidelines.

BASIS OF THE GUIDELINES

The General Data Protection Regulation (GDPR) implemented on 25th of May 2018 lays down rules relating to the protection of natural persons with regard to the processing of personal data and rules relating to the free movement of personal data. The GDPR protects fundamental rights and the freedom of natural persons and in particular their right to the protection of personal data.

DEFINITIONS

■ Personal data means any information relating to an identified or identifiable natural person ('data subject'); an identifiable natural person is one who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that natural person.

■ Processing means any operation or set of operations which is performed on personal data or on sets of personal data, whether or not by automated means, such as collection, recording, organisation, structuring, storage, adaptation or alteration, retrieval, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.

■ Controller means the natural or legal person, public authority, agency or other body which, alone or jointly with others, determines the purposes and means of the processing of personal data; where the purposes and means of such processing are determined by Union or Member State law, the controller or the specific criteria for its nomination may be provided for by Union or Member State law.

■ Processor means a natural or legal person, public authority, agency or other body which processes personal data on behalf of the controller.

■ Consent of the data subject means any freely given, specific, informed and unambiguous indication of the data subject's wishes by which he or she, by a statement or by a clear affirmative action, signifies agreement to the processing of personal data relating to him or her;

If personal data are processed in research, then GDPR applies, if:

- a researcher based in the EU processes personal data about a participant anywhere in the world

- a researcher outside the EU processes personal data on EU citizens

IN MORE DETAIL

The University is only responsible for personal data when it is the data controller for that data. Therefore, the University is only responsible for the personal data processed by its students when the students process data for University's purposes.

There are two types of research by a University student:

■ **Research project for assessment by the University**

A student submits a piece of work (e.g. an essay /report /dissertation /thesis) in which there is personal data, to the University for assessment.

The University and the student are joint data controllers for the personal data contained within the submitted piece of work from the point at which it is submitted. Once the work has been submitted the University is jointly responsible for the personal data within the document, for example the member of staff who marks the work is processing the personal data contained within it (by reading it) for the purpose of determining what grade the University should award the student; this is the University's purpose. If the work is then transferred to the University library to be put on reference (for example if it is a Ph.D. thesis) the University is responsible for any processing of the personal data associated with the document being placed on reference as providing a reference service is a University purpose.

- **Research project on behalf of the University**

A research student processes personal data whilst working on a project led by a university research group.

The University is the data controller for personal data processed by a student working on a research project led by a university research group. The student processes personal data for the purposes laid down by the project, the remit of which has been decided by the University (or the University employed project leader), not the student. In most cases such projects require ethical approval by the Cyprus National Bioethics Committee. The purposes for processing are the University's and not the student's; therefore, the University is the data controller and the student is an agent of the University. This is the case whether the student is funded by the research project or whether the student is self-funded.

TECHNICAL AND ORGANISATIONAL MEASURES FOR RESPONSIBLE USE OF PERSONAL DATA

1. Ensure that you really need to collect personal data for your research. Often information such as participants' names and addresses are collected for administrative purposes only and have no research value. Not collecting personal data in the first place may make it easier to manage and share your data. Alternatively, if they do need to be collected, for example, for follow-up interviews, they should be stored separately from research data.

2. Before you start, carefully consider what personal data you need to collect for your project and obtain the consent of your supervisor or other relevant member of staff of the University.

3. Do not collect or keep data that is not necessary for your research. Anonymise data where possible by removing names and other identifying information.

4. Obtain valid consent from the individuals. For research, this will usually be in writing. Discuss with your supervisor any concerns about obtaining consent prior to collecting personal data.

5. Keep evidence of consent from participants.

6. Make it easy for people to withdraw consent and tell them how (remember that individuals can withdraw their consent at any time).

7. Be transparent. Give a clear explanation of what you are going to do with the data to the people participating in your research.

8. Only use the collected personal data for the intended purpose already communicated to the individuals the data belongs to.

9. Ensure that all personal data, especially opinions, are recorded accurately.

10. Respect reasonable requests to update or delete data you have collected.

11. Store personal data securely. If you are using information that is already public knowledge such as the names of Olympic medal winners, you will not need to take any security measures. However if you are recording less public information, you must ensure that the information is secure.

12. Keep personal data confidential at all times. Do not disclose personal data to anyone except the individual concerned.

13. Securely destroy personal data when they are no longer necessary for your research.

14. Be aware of required safeguards for international transfers of personal data outside of the EU.

15. Always discuss with your supervisor for further guidance.