

SELF-ASSESSMENT OF DATA PROTECTION ISSUES FOR THIS STUDY

Personal data (definitions are available in the original paper – see below) used for research purposes must comply with the Data Protection Act 1998. Breaching the Act can leave the University and individuals liable to prosecution or expensive litigation. Your answers to these questions suggest how to develop your research to meet the requirements of the Act.

Short title of project	
Name of student-researcher	
Contact details	

Before completing this form please ensure that you have read the terms and conditions of your grant contract carefully, along with the University's Data Protection Guidelines at <http://www.bris.ac.uk/Depts/Secretary/datapro.htm>. If any of the **boxes** below are relevant to your study it probably falls into the high-risk category and you should give details of your procedures.

Has written permission from the data subject been sought and given?

YES	NO
YES	NO

If **NO**, do you have a legal contract to process the data without permission? ←

... Give brief details (e.g. data obtained under Official Secrets Act):

.....

Has the data subject been given a plain English written explanation of what will happen to their data?.....

YES	NO
YES	NO

Will the data be anonymised before being processed so that no individual can be identified?

PLEASE APPEND A DESCRIPTION OF THE METHODS USED TO ANONYMISE THE DATA

Will the data be used for research purposes only?

YES	NO
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If **YES**, will the data...

... Be used to support measures or decisions with respect to particular individuals?.....

YES	NO

... Be processed in a way that could cause damage or distress to an individual?

YES	NO

... Be published in a form that identifies individuals?

YES	NO

Will the data be published on the web or sent outside Europe?

YES	NO
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Will you be using sensitive data as defined in the Act?.....

YES	NO
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Will the data be stored or processed off campus?

YES	NO
YES	NO
YES	NO

Will the data be shared with people or organisations outside the University of Bristol?

Have you ensured that the data will be kept securely?

PLEASE ATTACH TO THIS FORM THE SECURITY MEASURES TAKEN

Does the process involve automated decision-making (i.e. using a computer to make decisions affecting an individual, such as devising a care-plan)?

YES	NO
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If **YES**, are the participants....

... told this in writing (informed consent and/or information sheet)

YES	NO
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... given the opportunity to have the decision made by a person instead?

YES	NO
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Do you have a plan to **SECURELY store** and/or **dispose of** (*delete as needed*) your data during processing and at the end of the study?

YES	NO
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YOU MUST APPEND YOUR PLAN TO THIS FORM

[At the end of the study it is **YOUR** responsibility to ensure that the data are safely destroyed (or stored until destruction). It is **NOT** acceptable to state that your Adviser will undertake this task. The method of storage and/or disposal used along with other relevant information (e.g. computer serial numbers) **MUST** be recorded.]

Have you stored all the signed Informed Consent forms with the department Data Protection Officer for safe keeping (and for your own protection)?

YES	NO
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Signature of Project LeaderDate

Adapted from a previous version developed by Clare Coyne, Secretary's Office, circulated March 2002

Have **YOU** appended;

... a description of the methods used to anonymise the data?

YES	NO	N/A
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... a description of how you will safely and securely store and/or dispose of data?

YES	NO	N/A
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Supporting Notes

¹ **Definitions**

- **Personal Data** are data relating to a living individual who can be identified by that information (or from that and other information in the possession of the data user) including any expression of opinion about the individual and any indication of the intentions of the data user/controller in respect of that individual.
- **Data Subject** refers to a living individual who is the subject of personal data. Dead persons are not regarded as data subjects, nor are companies or organisations, (although data relating to 'the Vice-Chancellor of X University' would be regarded as personal data since it is possible to identify a particular individual from that designation).
- **Processing** means anything that can be done to data other than thinking about it. It includes the concepts of 'obtaining', holding' and 'disclosing' data as well as just typing, writing or recording data.
- **Sensitive data** are defined as:
 - Racial or ethnic origin
 - Political opinions
 - Religious or other similar beliefs
 - Trade Union membership
 - Physical or mental health or condition
 - Sexual life
 - Convictions or alleged criminal acts

Since security should be appropriate to the degree of harm caused by a breach of the Act you should also consider whether other data, such as personal financial data or personal data relating to individuals working in sensitive areas such as animal experimentation should also be treated as sensitive.

¹ **Exemptions for research**

If you have answered NO to all sections of question 4 then there are certain exemptions under the Act that allow you to:

- hold the data indefinitely (as long as your contract allows it)
- use the data for future research projects (as long as your contract allows it)
- hold the data without notifying the data subjects

However, you are still subject to the rest of the Act, including the security requirements.

¹ **Security measures to be considered might include:**

- where all personal data, held on paper, on audio/videotape or electronically, will be stored
- the security procedures for storing physical data
- the arrangements in place to prevent theft of data
- how access to data will be restricted
- the password protection procedures used to protect electronic data
- security arrangements if data are processed off-site
- how the data will be disposed of at the end of the study

Security should be appropriate the degree of harm caused by a breach of the Act.