# GDPR and the Research Ethics Application Form FAQ's

**Q. The Plain Language Statement should include information on all of the categories of personal data concerned (i.e. collected or processed) in my study - what does this mean? My co-investigators and I will look to distribute anonymous surveys (using Qualtrix) in addition to undertaking focus group interviews with transcripts generated.**

**A.** Personal data is any data which can be linked to, or which identifies, a living individual. Personal data can arise in a single dataset (e.g. list of participants in a research study) or when two or more previously anonymous datasets are combined in a manner which identifies an individual.

If the data being collected by means of a survey is entirely anonymous then it is not personal data and the data protection rules do not apply. However, if in the course of the study you have any way of identifying the participants/respondents then the data collected cannot be said to be truly anonymous (it is merely pseudo-anonymous in such a case) and the data protection rules will therefore apply. This is especially true where free text answers are catered for in a survey or questionnaire as respondents may often provide personal data as part of their answers. Ideally, where a free text answer is sought you should advise the respondents not to provide any personal data as part of the answer if the anonymity of respondents is to be maintained.

With regard to the interviews, it is possible that the data collected will be personal as usually there is some means of identifying the participants. If so, the data protection legislation will apply.

**Q. The Plain Language Statement should include all of the categories of recipients with whom data is shared - who does this refer to?**

**A.** This is primarily aimed at identifying the external parties outside of DCU with whom personal data may be shared, if any. Examples are research collaborators in other educational institutions or funders or any service provider who you intend to use in the course of the research to process the personal data in any way. The providers of personal data must be informed up front of any and all entities with whom their data will be shared for whatever purpose. This is comply with the transparency principle of GDPR.

**Q. Data retention period - what is the advised retention period and what is the associated disposal advice?**

**A.** It is up to the Principal Investigator (PI) in each research project to set the relevant retention period for the data and to then put in place a mechanism to ensure that the personal data is either erased, destroyed or fully anonymised at the end of that period. Most PIs tend to go for between 3 to 5 years post completion of the project but it can often depend on funder requirements etc. If using mobile devices to store personal data (e.g. memory card,

laptop, USB key etc.), the recommendation is that they be encrypted. Please contact ISS about device encryption and take a look at the ISS webpage guidance on same - https://www.dcu.ie/iss/encryption/index.shtml

**Q. The Plain Language Statement should include, where relevant, details of transfers to third countries and the basis for such transfers. Can you advise what this means?**

**A.** There is a general prohibition on transferring personal data outside of EEA countries. If you are not proposing to send data outside of the EEA, this should be stated on the REC form. Currently, EEA countries are all EU countries plus Norway, Liechtenstein and Iceland.

All personal data requires a legal basis before processing can take place. In the majority of cases relating to research the relevant legal basis will be the informed, freely given and documented consent, but there are others upon which the DCU Data Protection Unit can advise.

**Q. Who do I contact if I have any questions relating to the data protection section of the REC Application Form?**

**A.** In the first instance you should contact the GDPR Advocate for your unit. A list of GDPR Advocates by DCU Unit can be found on the University Data Protection Webpage.

In addition, the staff of the Data Protection Unit are also available to help and can be contacted at the link below.

Data Protection Unit

*Updated June 30th 2020 by the DPU*

**End.**