

Privacy Notice for Research Participants

Introduction

This Privacy Notice is provided to people who are participating in, or have been invited to participate in, an academic research project undertaken by Carlow College, St Patrick's (Carlow College) researchers. Carlow College researchers may be undergraduate or postgraduate learners, under staff supervision, or staff. Research may be carried out solely by Carlow College researchers or it may involve collaboration with researchers from other organisations.

Researchers sometimes use the personal data of research participants to inform their research. The processing of personal data is governed by several laws, including the General Data Protection Regulation (GDPR) and Data Protection Acts 1988 to 2018. Transparency is a key element of Data Protection laws and this Privacy Notice comprises information that we are obliged to give to you. Further information is available in Carlow College's Research Ethics Advisory Policy.

Carlow College is the controller of the personal data processing described in this Privacy Notice. In this Privacy Notice, **we**, **our** and **us** refer to Carlow College.

Participant Information Sheet

Researchers will provide you with a Participant Information Sheet or similar document that sets out details of the research you are invited to participate in. You should read this Privacy Notice in conjunction with the Participant Information Sheet. In the unlikely event that there is any contradiction between the general information provided by this Privacy Notice and the specific information provided in the Participant Information Sheet, the specific information takes precedence.

You may be asked to sign a Consent Form agreeing to participate in the research project. The Participant Information Sheet should provide enough information about the proposed research that you can provide informed consent. Further information may be requested from researchers. Fresh consent may be sought if the research changes after consent is initially acquired.

How we collect your data

This varies on the research project but may include surveys and interviews, which may be recorded. Researchers will only collect the data that they need for their research. This means that if it is possible for researchers to conduct research using anonymous data, they will not collect data that identifies people. In addition to data that researchers collect from you or generate through research activity, they also hold consent forms and records of communication with you.

How we use your data

Carlow College will usually only use your personal data for the purposes of the specific research project, and for associated monitoring activities carried out by authorised individuals with responsibility for those activities.

Anonymised and pseudonymised data

Anonymisation and pseudonymisation are techniques that may assist in data security and protecting the privacy of participants. Where data is anonymised, it means that identifiers have been removed and it is no longer possible to identify the individual. Sometimes, personal data is pseudonymised. This means that directly identifying data is removed but it is still possible to identify the individual. While pseudonymised data is personal data, anonymised or anonymous data is not personal data, and is not subject to Data Protection law.

Research data is normally anonymised or pseudonymised as quickly as possible after data collection to protect participants' privacy. The Participant Information Sheet will inform you of whether your data is anonymised or pseudonymised, and at what point this will occur.

Usually, research participants are not identified or identifiable in research outputs, for example, learner dissertations, however, this can vary across disciplines. Where researchers wish to use data that would identify you, specific consent will be sought.

It is difficult in some circumstances to anonymise data e.g. audio-visual recordings; if datasets are small; and it is difficult to anonymise qualitative data without losing its value. Pseudonymisation is often the more practical and realistic option although anonymisation will be carried out if required e.g. depending on the level of sensitivity of the data; if participants are at risk of being identified.

Storage and security

Researchers will put measures in place to ensure the security and integrity of your data. Unless otherwise communicated to you, researchers will hold data in hard copy in a secure location, and in electronic format on a Carlow College password-protected system. Data may initially be collected on portable recording devices but is thereafter transferred to secure storage and deleted from the device on which it was collected. Research data will be destroyed by secure means.

Data will normally be processed and stored within the European Economic Area (EEA). If data is processed outside the EEA, we will ensure that an appropriate safeguard is in place.

Retention

The Participant Information Sheet will explain the length of time for which researchers expect to keep your data in identifiable form, and why it is retained for that period. In setting retention periods, researchers take various factors into account. This includes Data Protection and ethical considerations; identifiable data may need to be retained if research is being assessed; if a funder or publisher requires identifiable data to be retained for a period of time; or if there is an intention to link this research to outputs from another project.

Carlow College researchers will set retention periods to ensure that data is not kept in identifiable form for longer than necessary to meet identified requirements. In general, identifiable data collected and generated by learners is not retained beyond the academic year in which the research output e.g. dissertation, is submitted for assessment, however, this may vary. Where long retention periods are identified as necessary, this will be kept under review by researchers.

Who we share your data with

To communicate our research to the public and the academic community, your anonymised data may form part of a research publication, conference presentation or public talk. Where researchers wish to use information that would identify you publicly, specific consent will be sought. Learner dissertations are often made available in the College Library.

The privacy of your personal data is very important and it will not be disclosed unless there is a justifiable reason for doing so that is required or permitted by law. The College never sells personal data to third parties. If data is shared with a third party, we will ensure that an arrangement or agreement, where appropriate, is in place to protect the data.

Your data may be shared with, inter alia:

- Where learners are undertaking research, data may be shared with their supervisors and support services
- The immediate project team authorised to work on the project and access the information
- In the case of a complaint or investigation about a research project, the investigation team may require access
- Some research data may be subject to audit (e.g. by a funder) and access to data may be required
- Service providers (e.g. transcription service for interviews).

Legal basis for processing your data

Personal data may be processed only if processing meets one of the criteria in Article 6, GDPR. If special categories of personal data (e.g. health data) are processed, one of the criteria in Article 9, GDPR, must also be met. In general, where Carlow College researchers process personal data for the purposes of academic research, the following legal bases apply:

- Processing is necessary for the purposes of legitimate interests pursued by Carlow College or a third party. The legitimate interest pursued is to enable staff and learners to conduct research as is common in the higher education sector (Article 6(1)(f), GDPR)
- Processing is necessary for scientific or historical research purposes or statistical purposes (Article 9(2)(j), GDPR).

Consent is not generally the GDPR legal basis for use of research participants' data. This is because we can only rely on consent if we would always be able to act on a withdrawal of consent, by removing your data from our research project and outputs. Sometimes, we are unable to do so as it would affect the validity and integrity of the research process and/or research outputs. Additionally, research participants may sometimes discuss or provide information about third parties e.g. in interviews, and individuals may only consent to the processing of their own data.

We ask for your consent for your active participation in research e.g. participation in interviews, and you may withdraw this at any time by contacting the researcher. If you withdraw from participation, we will also withdraw your data from the research project, if possible, but this will depend on the stage the project has reached. Carlow College will try to meet your wishes where possible. A cut off point for withdrawal of data will be provided in the Participant Information Sheet. Even if your data is withdrawn, the researcher will usually need to retain your data within the project's governance documentation (e.g. consent records and communications from you).

You will not be able to withdraw your data if it has been anonymised or was collected anonymously as we will not be able to distinguish your data from that of other people.

You may be asked for consent for specific uses of your data e.g. if the Health Research Regulations 2018 apply to the research. If the researcher intends to use your personal data in research projects or outputs in an identifiable way, this will only be done with your consent. You may withdraw such consent up to the time that data is published or broadcast. After that time, depending on the circumstances, it may not be possible to withdraw data, but again, Carlow College will try to meet your wishes, where possible.

Archiving in the public interest

In order to facilitate future research, it is permissible to retain research data, including personal data and special categories of personal data, under the GDPR for archiving in the public interest. This is permitted provided there are appropriate safeguards in place. Safeguards will vary depending on the nature of the data but may include pseudonymisation, anonymisation and closure of data to research for an appropriate period. Any intention to archive research data will be communicated to you in the Participant Information Sheet. Carlow College is a partner in the Delany Archive and data may be transferred in some instances. The Delany Archive is based in Carlow College and has its own Data Protection Policy and procedures in place.

Your Data Protection Rights

The GDPR gives individuals whose data is processed (data subjects) the following rights:

- To receive information about how we process your data
- To access the personal data we hold about you
- To request the rectification of incomplete or incorrect data
- To request the erasure of data
- To restrict data processing
- To object to data processing
- Data portability
- Rights in relation to automated decision making and profiling

Most of these rights are subject to some exceptions or exemptions, however, we will respond to concerns or queries that you may have, where possible.

Contact us

In the first instance, research participants are encouraged to contact researchers to discuss research projects. If you would like more information about the content of this Privacy Notice or would like to exercise your Data Protection rights, please contact:

Bernie Deasy

Data Protection Officer

Carlow College, St Patrick's

College Street

Carlow

059-9153200

dataprotection@carlowcollege.ie

How to make a complaint

If you are unhappy with the way in which your personal data has been processed, we encourage you to contact us in the first instance. You have the right to complain to the Data Protection Commission at:

Data Protection Commission,

Canal House,

Station Road,

Portarlinton,

Co. Laois.

076-104800 / 1890 25 22 31

info@dataprotection.ie