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# **Guidance on the Research Privacy Notice Template**

The following material is intended to guide PIs and researchers in completing their Research Privacy Notice (“RPN”). All research involving the collection or use of personal data must provide an RPN to research participants. UL has developed a template RPN that should be used as the basis for creating a specific RPN for any research project involving the collection or use of personal data. The purpose of this document is to provide guidance on the different sections of the RPN.

Please note that information provided in the RPN should be consistent with that provided in the Ethical Consent Form and the Participant Information Leaflet (“PIL”). **The RPN should be provided to the potential research participant before they make a decision on participating.**

Note that some material in the RPN is mandatory and, as such, the wording cannot be changed, and must be included. However, some sections are to be completed by researchers in relation to the specific research and data processing activities proposed. Those sections which are mandatory are outlined below.

**Template Structure and Associated Advice**

# Introduction

This paragraph of the template introduces the RPN. The wording of this paragraph should not be changed.

# Title and Purpose of the research project

Provide the title of the research project and explain in plain English what the research is about. If possible, set out the envisaged/potential benefits of the research.

# Research Ethics Committee

Include the name of the REC that approved the research, whether that be a UL REC or an external institution’s REC. Include the date the approval was obtained and the reference number.

# Identity of the Data Controller

The data controller determines the purposes for which and the means by which the personal data is processed. **The data controller is normally the University rather than the individual.** If the University decides ‘why’ and ‘how’ the personal data is processed, it is the data controller. Control, rather than possession, of personal data is the key factor.

Note that the principal investigator and their research team have day to day responsibility for complying with data protection law on behalf of the University as data controller.

The University is a **joint data controller** when, together with one or more other organisations, it jointly determines ‘why’ and ‘how’ the personal data should be processed. Joint controllers must enter into an arrangement setting out their respective responsibilities for complying with data protection law. This is usually done in a data sharing agreement. Please consult with the Data Protection Unit for assistance with drawing up a data sharing agreement.

It may be the case that there are two **independent data controllers** involved in the research project. In this case, one data controller may share personal data with another institution who independently decides how and why the personal data will be processed. As with joint controllers, a data sharing agreement will very likely be required between the University and the other data controller in this situation. Please consult with the Data Protection Unit for assistance with this.

# Identity and contact details of the Data Protection Officer of the Data Controller

Once you have identified the data controller/joint or independent data controller at 3 above, provide their contact details here i.e. dataprotection@ul.ie if UL is the data controller. If there is a joint/independent data controller, you will also need to provide that entity’s data protection contact details.

# Identity of the Principal Investigator

State the name and affiliation (Department, Faculty) of the principal investigator.

# How we will use your personal data

You should outline how you will be collecting data for the research study, e.g. from the participant, from their medical records, from another organisation. If the Participant Information Leaflet does not already clearly outline what personal data will be collected, you must list it here. You also need to state what the personal data will be used for. This should be specific to your research. A table including examples of personal data is set out in Appendix 1.

# Lawful Basis for University Processing Personal Data

The wording in this section should not be changed, unless there is an alternative lawful basis you are using for the research study. If this is the case, please consult with the Data Protection Unit.

# Protecting Your Personal Data

# The wording in 8.1 should not be changed. Only include paragraph 8.2 if you are going to pseudonymise your data. Only include the reference to anonymisation in 8.2 if you are going to anonymise the personal data. Note that anonymising personal data means that it will **never** be possible for the data controller to re-identify individuals. If you are unsure about whether your data is pseudonymised or anonymised, please contact the Data Protection Unit.

# Sharing your Personal Data with Third Parties

It would be very unusual not to have any third parties involved with a research project. These third parties may include funding bodies, transcription services, Government agencies, representative bodies, a charity etc. This section should identify all third parties who will be able to access the data collected as part of the research study. The nature of that access should be explained. For example, if the third party will only have access to anonymised data, this should be stated. You should also explain why the third party has/needs access to the data.

If the above information is already provided in the Participant Information Leaflet, then it is sufficient to refer back to the PIL.

# Transfer of Personal Data to Other Countries Outside the EEA

You can delete this section in its entirety if you do not transfer personal data outside the EEA (EU countries, Norway, Iceland and Liechtenstein).

If the personal data will be transferred to any country outside the EEA, you need to state it here e.g. if you are working with a research group some of whom are based outside Europe. You need to set out the purpose of transferring the data outside Ireland e.g. part of a European research consortium.

Again, if the specific information is already included in the PIL, you can refer back to it here.

Transferring data outside the EEA will require additional safeguards. The most common safeguard used is the EU Commission’s Standard Contractual Clauses. There could, however, be other safeguards depending on the country the data will be sent to. Please consult with the Data Protection Unit.

# How long we will keep your data

The RPN needs to describe how long the data will be kept for, and why the data will be kept for this length of time. **The University’s Records Management & Retention Policy states that research data and findings should be retained for 7 years following completion of the research project.**

It is important that the researcher checks the requirements of the relevant funders, who may require data be retained for longer periods. Additionally, some publications require data be retained for a number of years following the publication of the results, so this might also need to be considered.

In some circumstances, it may not be possible to determine how long the data will be retained for. If this is the case then you should detail how this will eventually be determined, and when the data will be anonymised.

# 12. Your rights

The wording in this section should not be changed. It outlines the rights of the data subject with regard to processing of their personal data.

# Queries, Contacts, Right of Complaint

Contact information for the principal investigator should be added to this section. Other wording in the section should not be changed.

**Appendix 1: Examples of Personal Data**

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| **CATEGORY OF PERSONAL DATA*****(for illustrative purposes - not an exhaustive list)*** |
| **Identifying Information** | **Location/ Contact Information** | **Device/ Account Information**  | **Historical Information** | **Physical Characteristics** | **Family Information** | **Professional Information** | **Behavioural Information**  | **Financial Information** | **Biometric Information** |
| Examples |
| First nameLast nameMaiden nameOther names usedUsernameFace PhotographsOther identifying photographsDate of BirthMedical card numberPassport informationSocial security / social insurance numberDriver’s license / state IDProfessional license recordsRecreational license records | Personal email addressWork email addressWebsiteWork addressCurrent home addressCell phoneWork phoneContacts list | Third-party loginCookiesIP address ISPDevice ID / MAC addressBrowser Operating systemLocation history (physical)Phone call recordsText message historyVehicle registration records | City of birthBirth certificate | Hair colourAgeWeightHeightGenderEye colour | Marital statusSpouse nameParents’ namesNumber of people in householdChildren’s namesSiblings’ namesFriends’ names | OccupationCurrent employer Employment historyPerformance evaluations Reference interviews HR issues & disciplinary actionsEmail RecordsPostal activityCurriculum Vitae | Daily life activitiesEvent attendanceMedia preferencesTopics of interestActivity on the site | Current incomeLife insurance recordsHealth insurance recordsTransactional recordsCredit rating | Dactyloscopic dataFingerprintsFacial recognition Video recordingsAudio recordings |