

# Data Usage Guidelines for Research

Owner: Pro Vice-Chancellor for Research and Knowledge Exchange

Version: 1.2

Approved: January 2021

Approved by: Research and Knowledge Exchange Committee

Reviewed: November 2024

+44 (0)20 7133 5160

rpo@londonmet.ac.uk

## **Why does London Met use personal data for research?**

We recognise that it is not only a legal requirement but of paramount importance to protect an individual's personal data. Personal data is any information relating to an identified or identifiable person. Such data includes names, addresses, email addresses, or other means that could be used to identify a living individual. Personal data also refers to these personal identifiers being linked to data, or used in such a way as to identify an individual, such as, but not exclusively, ethnicity, sexual orientation, religious beliefs, trade union membership, and genetic data derived from biological samples. However, if data are fully anonymised and an individual cannot be identified, then the Act and Regulation does not apply, since the information stored is no longer defined as personal data (for more information see note about ['Identifiability, anonymisation and pseudonymisation'](#))

Data is essential to extend the frontiers of research. When we collect your data, or utilise existing data from other agencies, we, as a publicly funded institution, are required to ensure that such data use is done so in the public interest. We recognise that all personal data that we collect, or access, has to be used in compliance with the Data Protection Act 2018.

## **Responsibility for using and protecting personal data**

The University overall is the responsible data controller. A data controller “determines the purposes and means of the processing of personal data” and they must oversee processes and ensure that personal data is processed lawfully, fairly, and in a transparent manner. The university will insist that personal data is collected for specified, explicit, and legitimate purposes and must be adequate and necessary for the stated research purposes. Personal data must be accurate and held only for as long as is necessary. Personal data must be processed in a secure manner and the University will be accountable for ensuring this.

The data processor is a separate legal role. For each distinct project, the data processor, usually the Principal Investigator, is responsible for the data they collect and their team's use of these data. They process personal data on behalf of the University (data controller). Data processors need to assist controllers in various circumstances including, for example, where there is a potential personal data breach. In some cases, an external agency to which testing or data manipulation is outsourced may become the data processor. The use of personal data must be approved by our University Research Ethics Committee (UREC) and a Data Protection Impact Assessment (DPIA) form must be completed, updated as appropriate, and its assurances upheld at all times. Any changes to data handling must be agreed by the UREC.

If you are an individual or agency providing data, you will be provided with a document that specifies the uses of that data.

## **What is the legal basis for using your data?**

Using your data for research is considered a 'task in the public interest'. Use of personal data, from collection and recording to retrieval and dissemination, storage and eventual destruction, is all referred to as processing, for which we are fully accountable. In specific cases, the University will need to process your personally identifiable data for the purpose of their research. The usage and processing journey will be described on the information sheet you are given as part of the informed consent process. All researchers are bound by law, duty and wider ethical obligations to ask you explicitly for informed consent for participation in all aspects of the research, including the usage of your personal data.

## **What are your legal rights as a research participant?**

You have the right to be informed of the following:

We will provide transparent information regarding the use of your data. We will provide a participant information leaflet in plain English or translated appropriately for the intended audience and age group. We will provide clear contact details for the University and the processor, the University Data Protection Officer and any relevant authorities. You will be informed as to:

- The details of the data that will be collected from you and what it will be used for;
- The ways in which we protect the confidentiality of your data;
- How long we will keep your personal data for, and who, if anyone, it will be shared with.

The General Data Protection Regulation (GDPR), by which we are bound, gives you the legal right of access to any information we hold about you. You may ask for it to be corrected or deleted in a timely manner (approximately 1-2 months), and you may ask for a copy which we will supply to you in a reasonable format. You may also object to the ways your personal data is processed. However, this right might be restricted in some circumstances: for example, in order for us to meet compliance with legal obligations, or if it would seriously undermine or make impossible a research project, subject to conditions and safeguards.

Please be assured that any restrictions on your rights of deletion of personal data will

be explained to you, prior to consenting for your data to be used. This is crucial to the process of informed consent.

## **How do you query or challenge the way your personal data is being handled?**

If you wish to raise a complaint regarding the way we have handled your personal data or related issues, you can contact our [Data Protection Officer](#).

If you remain unsatisfied with our response or believe we are acting unlawfully with your data, you can complain to the [Information Commissioner's Office](#) (ICO).