

UWTSD Research Privacy Notice

1. General Information

We ask that you read this privacy notice carefully as it contains important information on who we are, how and why we collect, store, use and share personal data, your rights in relation to your personal data and on how to contact us and supervisory authorities in the event that you have a query or complaint.

The University of Wales Trinity Saint David (UWTSD) conducts research to the highest standards of research integrity to ensure it is both beneficial and enriches higher learning. As stated in our University Charter our research outcomes are in the public interest. As part of our commitment to research integrity, we follow the UK General Data Protection Regulation (UK GDPR) and the UK Data Protection Act 2018 (DPA).

Research has a special status under UK data protection law. Research conducted by our staff and postgraduate research students (those studying for a PhD or Masters in Philosophy) is defined as making an original contribution to knowledge which is published in order to share that knowledge.

The UK GDPR governs the way in which organisations use personal data, defined as: any information about an individual from which that person can be identified. This commonly includes name and address. It does not include anonymous data where the identifying information has been removed.

Under the UK GDPR there are “special categories” of more sensitive personal data which require a higher level of protection. This includes: personal data revealing racial or ethnic origin; political opinions; religious or philosophical beliefs; trade union membership; genetic data; biometric data (where used for identification purposes); data concerning health; data person’s sex life; and data concerning a person’s sexual orientation.

Under UK data protection law, we must have special safeguards in place to help protect your rights and freedoms when using your personal information and these are:

- Policies and procedures that tell our staff and research students how to collect and use your information safely.
- Training which ensures our staff and research students understand the importance of data protection and how to protect your data.
- Security standards and technical measures that ensure your information is stored safely and securely.
- All research projects involving personal data are scrutinised and approved by a research ethics committee in line with University policies and procedures.
- Contracts with companies or individuals not associated with the University have confidentiality clauses to set out each party’s responsibilities for protecting your information.
- We carry out data protection impact assessments on high risk projects to ensure that your privacy, rights as an individual or freedoms are not affected.
- If we use collaborators outside of the UK, we will ensure that they have adequate data protection laws or contractual mechanisms for international transfers have been put in place.

In addition to the above University safeguards the UK GDPR and the DPA also require us to meet the following standards when we conduct research with your personal information:

- the research will not cause damage or distress to someone (e.g., physical harm, financial loss or psychological pain).
- the research is not carried out in order to do or decide something in relation to an individual person or their care, unless the processing is for medical research approved by a research ethics committee.
- the Data Controller has technical and organisational safeguards in place (e.g. appropriate staff training and security measures).
- if processing a special category of data, this must be subject to a further public interest test to make sure this particularly sensitive information is required to meet the research objectives.

This privacy notice explains how UWTSD will process and use personal and special category data collected from you as part of a research project and your rights under data protection.

2. The Legal Part: Collecting and using your personal data for research

As a University we use personally-identifiable information to conduct research as part of the core activities set out in our Royal Charter. The lawful basis under which we will process your personal data for research is called 'task in the public interest' (Article 6 of the UK GDPR).

In the cases of 'special category data', in addition to Article 6, the lawful basis is for 'archiving purposes, scientific or historical research purposes or statistical purposes in the public interest' (Article 9 of the GDPR). Where we need to rely on a different legal reason, such as 'explicit consent' or 'public interest and academic purposes' this will be listed in the Participant Information Sheet provided to you.

The University will use your information only for the purposes of research and we will not use your information or contact you for any purpose other than research unless you have agreed to this. Should you choose to take part in a research project, you should receive project specific information, in the form of a Participant Information Sheet. You should also be provided with a Consent Form, and it is important that you read this information carefully so that you understand how and why the University wishes to collect and use your personal data.

3. Your rights under Data Protection when participating in research projects

As a publicly-funded organisation, we have to ensure that it is in the public interest when we use personally-identifiable information from people who have agreed to take part in research. This means that when you agree to take part, we will use your data in the ways needed to address the aims of the research study. Your rights to access, change or move your information are limited, as we need to manage your information in specific ways in order for the research to be reliable and accurate.

If you withdraw your participation from the study, you can request that we delete the study data held about you. We will make every effort to comply with this request, but in some cases it will be impractical, such as if the data have been de-identified. To safeguard your rights, we will use the minimum personally-identifiable information possible. If it is considered necessary to refuse to comply with any of your data protection rights in order to

protect the integrity and validity of the research, you will be informed of the decision within one month and you also have the right to complain about our decision to the Information Commissioner.

4. Processing your personal data

With regards to the processing of your data, in most cases UWTSD will be classified as the 'Data Controller'. This means that we will be responsible for deciding how your personal information is processed, that is: collected, used, shared, archived and deleted.

If more than one organisation work together on a project, there may be two or more Data Controllers for a specific project. If this happens, the organisations will have agreements in place which outline their responsibilities and details of this will be made clear in the Participant Information Sheet, provided to you.

The type of personal information collected and used will depend on the research objectives of the particular project you are taking part in, and this should be clearly outlined in the Participant Information Leaflet that you should receive before you participate in the project.

The Participant Information Sheet will also detail if your data may be used for future research, including impact activities following review and approval by an independent Research Ethics Committee, subject to your consent at the outset of this research project. Research data will often be anonymised as quickly as possible after data collection. It will not normally be possible to withdraw your data after this point.

5. Sharing of your personal data

The privacy of your personal data is extremely important to the University. As such, we expect our researchers to operate to the highest standards of data protection and to keep your personal information safe and secure. We will not disclose the information unless there is a justified reason for the purposes of achieving the research outcomes.

The Participant Information Sheet should outline whom your personal data may be shared with. This could include the research project team and collaborators from external organisations who are also working on the research project.

Most personal information used in research will be de-identified before sharing more widely or publishing the research outcomes. If it is not possible to de-identify your information, we may ask for your consent to share or otherwise make your personal information available to others. If this is the case, it will be specified in the study specific Participant Information Sheet.

We may be required by law to share your data with authorised bodies if an issue arises which constitutes an over-riding legal obligation or a vital interest.

For some research projects, your de-identified or pseudonymised information will be kept after the project has ended, placed into a data repository/online archive for sharing with other researchers or used in future research. If the researchers would like to do this with your information you will be told in the Participant Information Sheet.

6 Keeping your personal data secure

The University keeps your personal data secure at all times using both physical, technical and procedural measures. The security of your data is of great importance to the University and we therefore have robust controls in place to protect your data.

Together with security standards and technical measures that ensure your information is stored safely and securely, we also have in place policies and procedures that tell our staff and students how to collect and use your information safely and provide training which ensures our staff and students understand the importance of data protection and how to protect your data.

All research projects involving personal data are scrutinised and approved by a research ethics committee. In addition, the University will carry out data protection impact assessments on high risk projects, and when working with external collaborators, we will put in place appropriate contracts to protect your information. Should the proposed research project include collaborators outside Europe, we will ensure that they have adequate data protection laws or are part of privacy and security schemes such as the privacy shield in the US.

Where the University engages a third party to process personal data it will do so on the basis of a written contract which conforms to the security requirement of the GDPR and DPA 2018.

The University takes measures to enable data to be restored and accessed in a timely manner in the event of a physical or technical incident.

The University also ensures that we have appropriate processes in place to test the effectiveness of our security measures.

We also sometimes use products or services provided by third parties to conduct research activities or share research data, such as Microsoft collaboration products e.g. Teams, or other online communication tools e.g. Zoom.. These third parties are known as data processors and when we use them we have agreements in place to ensure your information is kept safe. This does not always mean that they access your information but if they do this will be outlined in the Participant Information Sheet. As Data Controller, we will always carry out due diligence in respect of the use of third parties in order to keep your information safe throughout the research.

7. Retention of your personal data

The GDPR and DPA 2018 require that personal data should be kept for no longer than is necessary for the purposes for which the personal data are processed (except in certain specific and limited instances).

The University expects that its researchers will not keep your personal information for longer than is necessary for the purposes of the research and that data will be anonymised or pseudonymised, by removing identifying information and replacing this with an artificial identifier or code, where possible. The duration of time we will store your data is dependent on a number of factors, such as the requirements of the research funder or the nature of the

research. You will usually be provided with information about how long your personal information will be kept within the aforementioned Participant Information Leaflet.

8. Data subject rights

By law, you have rights in relation to the personal information we hold about you. These include the right to:

- See the information/receive a copy of the information;
- Correct any inaccurate information;
- Have any information deleted;
- Limit or raise concerns to our processing of the information;
- Move your information (“portability”).
- Request human intervention when automatic decision making or profiling is carried out. You will be informed if either of the above applies to your personal information.

These rights only apply to your information before it is anonymised as once this happens we can no longer identify your specific information. Sometimes your rights may be limited if it would prevent or delay the research. If this happens you will be informed by the research team but you still have rights to complain to our Data Protection Officer and if you are still not satisfied you also have the right to complain about this to the Information Commissioner.

If you want to review, verify, correct or request erasure of your personal information, object to the processing of your personal data, or request that we transfer a copy of your personal information to another party, please contact:

Mr Paul Osborne
The Data Protection Officer
University of Wales Trinity Saint David
Swansea Business Campus
High Street, Swansea
SA1 1NE
foi@uwtsd.ac.uk

No fee usually required

You will not have to pay a fee to access your personal information (or to exercise any of the other rights). However, we may charge a reasonable fee if your request for access is clearly unfounded or excessive. Alternatively, we may refuse to comply with the request in such circumstances.

What we may need from you

We may need to request specific information from you to help us confirm your identity and ensure your right to access the information (or to exercise any of your other rights). This is another appropriate security measure to ensure that personal information is not disclosed to any person who has no right to receive it.

9. Who to contact and complaints

We hope that our Data Protection Officer (DPO) can resolve any query, concern or complaint you raise about our use of your personal data on the contact details below:

Mr Paul Osborne (DPO) can be contacted via e-mail at foi@uwtsd.ac.uk

Or write to:

Mr Paul Osborne
The Data Protection Officer
University of Wales Trinity Saint David
Swansea Business Campus
High Street, Swansea
SA1 1NE

The GDPR and DPA 2018 also gives you the right to lodge a complaint with the Information Commissioner who may be contacted at <https://ico.org.uk/concerns/> or telephone: [0303 123 1113].

10. Updates to this privacy policy

We review the ways we use your information regularly. In doing so, we may change what kind of information we collect, how we store it, who we share it with and how we act on it. Consequently, we will need to change this privacy policy from time to time to keep it accurate and up-to-date. We will keep this policy under regular review to ensure it is accurate and kept up to date. This policy was last updated on 5th March 2022