**Data Protection Review**

# **Instruction**

Please complete **all three parts** of this document to provide detail on how and why [personal data](https://commission.europa.eu/law/law-topic/data-protection/reform/what-personal-data_en) will be processed for your research study and to determine if further assessment from the Trinity College Data Protection Office will be required. Please remember that data protection legislation, and this document, applies to the processing of ‘personal data’ (including pseudonymised personal data) **only**. Data protection law does not apply to anonymous data or irrevocably anonymised data. Further information is available [here](https://www.dataprotection.ie/sites/default/files/uploads/2019-06/190614%20Anonymisation%20and%20Pseudonymisation.pdf).

You must return the completed document to the Data Protection Office to receive feedback and instruction before you progress with your ethics application.

**Please return the completed document to** [**dataprotection@tcd.ie**](mailto:dataprotection@tcd.ie) **and title your email ‘DATA PROTECTION REVIEW’.**

A Data Protection Impact Assessment (‘DPIA’) may be required, based on the information provided.

It is the responsibility of the Research Supervisor / Supervisor / Principal Investigator to ensure that information provided in this document is accurate and of sufficient quality to enable the DPO’s office to conduct an effective review.

**An incomplete document will be returned without review.**

# **Part 1 - Submission Information**

|  |  |  |
| --- | --- | --- |
| Title of study | (Provide detail) | |
| Trinity College School | (Provide detail) | |
| Date of submission | (Provide detail) | |
| Completed by | (Insert name) | |
| Supervisor / Principal Investigator (if not Researcher named above) | (Insert name) | |
| Email address | (Provide detail) | |
| Please tick **all** that apply. | Student Project  Masters  PhD | Staff Project  Funded  Non-Funded |
| Description of study | (Provide detail - maximum 300 words) | |

# **Part 2 - Data Protection Information**

|  |  |
| --- | --- |
| 1. Provide details of data protection training completed by research team members. Attach certificates of successful module completion | Research Integrity and Impact in an Open Scholarship Era (CA7000) module  RIO: Research Integrity and Impact in an Open Scholarship Era  Trinity College Data Protection Training (GDPR) Module - [Blackboard](https://www.tcd.ie/itservices/kb/vle/overview-GDPRtraining.php)  HSeLanD - Fundamentals of GDPR training  Other (provide detail) |
| 1. Are all researchers familiar with the Trinity College Personal Data Breach [Procedural Guidelines](https://www.tcd.ie/dataprotection/assets/docs/databreach/TCD_Data_Breach_Procedural_Guidelines_052021.docx)? | Yes  No |
| 1. Site of data collection | (Provide detail on any site where data will be collected or shared from) |
| 1. What is Trinity's [role](https://commission.europa.eu/law/law-topic/data-protection/reform/rules-business-and-organisations/obligations/controllerprocessor/what-data-controller-or-data-processor_en) in respect of the study? | Data controller  Joint data controller  Data processor |
| 1. If Trinity College is a joint data controller, provide detail of the other joint controllers and their Data Protection Officer contact details | (Provide detail) |
| 1. Number of individual participants, or anticipated numbers | (Provide estimated number) |
| 1. Type of participant (i.e. students, staff, patients, healthcare workers etc.) | (Provide detail) |
| 1. Is the study considered as [health research](https://www.hrb.ie/funding/gdpr-guidance-for-researchers/gdpr-and-health-research/what-is-research/#:~:text=%E2%80%9EHealth%20research%20is%20defined%20in,system%20and%20whole%20body%20levels)? | Yes  No |
| 1. List the [personal data](https://commission.europa.eu/law/law-topic/data-protection/reform/what-personal-data_en) and /or [special category data](https://www.dataprotection.ie/en/organisations/know-your-obligations/lawful-processing/special-category-data) that will be processed for the study   *For example: Name, email address, interview recordings, transcripts, video recordings, health records, ethnicity, political beliefs, religion* | (Provide detail) |
| 1. How often will you need to collect data? | (Provide detail on frequency of data collection) |
| 1. Describe where and how the data will be processed / stored and if data will be shared internally   *For example: Cloud software (Trinity College Microsoft OneDrive, Teams, SharePoint), server in a data centre in Ireland, desktop / laptop of researcher (personal, College-issued), external hard drive / USB drive, paper files stored in secure room in hospital / office etc.* | (Provide detail - maximum 300 words) |
| 1. Provide a general description of the security measures in place to keep data secure.   *For example: Multi factor authentication, use of passwords, use of VPN, device encryption, vendor ISO certification, anti-virus used, use of secure file transfers such as HEAnet, detail on how data is backed up etc.* | (Provide detail - maximum 300 words) |
| 1. Is the data shared with any third-party organisation, including commercial entities? | Yes  No |
| If you have answered ‘Yes’ to the previous question, provide further detail.  *For example: the type of data being shared (description of the data), the reason for sharing, the format of the data that will be shared (i.e., whether identifiable, coded, or anonymous), the security measures in place to protect the data in transit and on receipt etc.*  *Specify if the third party is a data controller, data processor or joint controller(s).*  *Include data flowcharts if possible.* | |
| 1. Will the data be transferred outside of the UK & EEA? | Yes  No |
| If you have answered ‘Yes’ to the previous question, provide further detail on which country. Please name the organisation you are transferring to. | |
| 1. How long will the data be retained in an identifiable or coded format? | (Provide detail) |

# **Part 3 - DPIA Screening**

This section will help the College’s Data Protection Office to determine if your research project requires a [Data Protection Impact Assessment](https://www.dataprotection.ie/en/organisations/know-your-obligations/data-protection-impact-assessments#:~:text=A%20Data%20Protection%20Impact%20Assessment%20(DPIA)%20describes%20a%20process%20designed,demonstrating%20compliance%20with%20the%20GDPR.) (‘DPIA’). The specific criteria listed below are those which are considered by the Data Protection Commission to represent a higher risk to individuals’ data protection and privacy rights. Please mark ‘Yes’ or ‘No’ for each of the following as listed.

**Does your research involve any of the following:**

|  |  |
| --- | --- |
| 1. The use of [sensitive or special categories of data](https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/lawful-basis/a-guide-to-lawful-basis/lawful-basis-for-processing/special-category-data/). For example, data concerning a person’s health, genetic data, biometric data, ethnicity, political opinions, data concerning a natural person’s sex life or sexual orientation, data relating to criminal convictions. | Yes  No |
| If you have answered ‘Yes’ to the previous question, provide further detail. | |
| 1. The secondary use of personal data e.g. information being taken from medical records or another database for use in a research project. | Yes  No |
| If you have answered ‘Yes’ to the previous question, provide further detail. | |
| 1. The use of data concerning vulnerable individuals. For example, children (anyone under 18 years), employees, patients, people with an intellectual disability, the elderly, the mentally ill, asylum seekers, or in any case where a power imbalance in the relationship between the position of the participant and the researcher can be identified. | Yes  No |
| If you have answered ‘Yes’ to the previous question, provide further detail. | |
| 1. Topics that could be considered particularly intrusive or sensitive in nature. | Yes  No |
| If you have answered ‘Yes’ to the previous question, provide further detail. | |
| 1. Data processing on a large scale, either as a specific number or as a proportion of the relevant population, or due to the range of different data items needed, or due to the duration or longitudinal effect of the research, or where it occurs over a large geographical area. | Yes  No |
| If you have answered ‘Yes’ to the previous question, provide further detail. | |
| 1. Matching, linking, cross referencing or combining two or more separate datasets. For example, enriching datasets by using additional data sources to provide further information regarding the individuals in a research study. | Yes  No |
| If you have answered ‘Yes’ to the previous question, provide further detail. | |
| 1. Systematic monitoring, i.e., data processing to observe, monitor or control individuals, including data collected through systematic monitoring of a publicly accessible area. For example, collecting patient-related data at hospital level to understand bed occupancy, CCTV, GPS tracking etc. | Yes  No |
| If you have answered ‘Yes’ to the previous question, provide further detail. | |
| 1. Evaluation or scoring, including profiling individuals. For example, predicting outcomes in individuals based on their economic situation or performance at work, behaviours, health, preferences etc. | Yes  No |
| If you have answered ‘Yes’ to the previous question, provide further detail. | |
| 1. Automated decision-making which results in legal or similar significant effect. For example, a recruitment aptitude test which uses pre-programmed algorithms and criteria leading to the exclusion or discrimination of individuals etc. | Yes  No |
| If you have answered ‘Yes’ to the previous question, provide further detail. | |
| 1. Innovative use or application of new technological or organisational solutions. For example, machine learning, artificial intelligence, sentiment analysis etc. | Yes  No |
| If you have answered ‘Yes’ to the previous question, provide further detail. | |
| 1. Use of biometric data (fingerprint and face recognition, gait analysis) to uniquely identify an individual. | Yes  No |
| If you have answered ‘Yes’ to the previous question, provide further detail. | |

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Further assessment and review of supporting documentation may be required by the DPO’s office based on the information assessed in this document.