



# Legal and ethical considerations in sharing research data

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# Session plan

Research data  
management

5:00 [1]

Legal issues

10:00 [2]

Ethical issues

10:00 [3]

Questions  
& summary

5:00 [4]

Part one:

# BRIEF INTRODUCTION TO RDM

What do we mean by

# RDM?

RESEARCH

DATA

MANAGEMENT



RDM helps to preserve, protect and proliferate the data behind scientific (research) discoveries and claims






RDM leads to  
increased  
transparency  
of the research  
process





A collection of glass teacups on saucers, some containing dark tea and others green tea, with sugar cubes and spoons.

RDM makes it easier to  
verify research and  
reproduce findings

RDM and sharing  
(anonymised) research  
data can lead to making  
more progress as  
a research community  
collectively





70

TERMINOLOGY

6,25

6,00



# Anonymisation:

the art, or craft, of lowering or minimising the risk of individuals being identified from data

Source: <https://ukanon.net/>



Research on re-identification:

<https://cpg.doc.ic.ac.uk/individual-risk>





Data sharing: often means publishing (anonymised) research data in an open repository AFTER your research. Other meanings also.



**Data sharing agreement: a legal agreement** between two organisations for sharing personal data. Read *Data sharing code of practice* from ICO. Seek legal advice.



Part two:

# LEGAL CONSIDERATIONS OF SHARING RESEARCH DATA



**General  
Data  
Protection  
Regulation**





Lawful bases  
for processing  
personal data





Principles  
pertaining to  
processing  
personal data



Rights for  
individuals







Collecting  
personal data



1	Personal name	D.O.B.	Postcode	E-mail address	Occupation
2	Derek Bradley	1971-10-27	M2 1LB	sian70@example.org	Therapist, occupational
3	Mr Graeme Barry	1958-10-30	HD3 3WN	cameroncarter@example.org	Chartered legal executive (England)
4	Charlene Rice	1985-04-01	E5H 1JN	gordonjade@example.com	Hydrologist
5	Nigel Dodd	1952-05-26	W4 1PW	billy20@example.com	Marine scientist
6	Mrs Andrea Rose	1996-04-10	CA20 9ND	victor57@example.net	Records manager
7	Mr Matthew Manning	1981-06-04	B97 9HR	lbrowne@example.com	Clinical biochemist
8	Katherine Fletcher	1982-09-20	B8B 2RZ	yjohnson@example.net	Hospital doctor
9	Adam Parsons	1992-05-13	M2C 6JX	zbailey@example.com	Call centre manager
10	Dr Russell Russell	1988-06-23	SY5 3UJ	hughwright@example.org	Museum/gallery curator
11	Edward Johnson	1964-08-10	CH13 7JJ	lahmed@example.net	Buyer, retail
12	Mr Brett Allan	1993-11-13	TD1 4UT	robertsgerard@example.net	Engineer, materials
13	Mohammad Walker	1986-01-31	SK27 9XR	moorerebecca@example.net	Nurse, children's
14	Mrs Josephine Davis	1990-11-01	G0W 8FL	daniel65@example.org	Futures trader
15	Jack Hobbs	1965-04-07	OL7W 2HQ	qashton@example.net	Equities trader
16	Aimee Chan-Harrison	1970-04-25	B4J 9BL	proberts@example.com	Ship broker
17	Mr Neil Mitchell	1962-06-22	L6K 5FX	kentphillip@example.net	Clothing/textile technologist
18	Max Jenkins	1967-11-17	LS7 8EZ	yandrews@example.com	Holiday representative
19	Andrew Bennett	1964-10-23	HS98 5TZ	walkervictor@example.org	Librarian, public
20	Clay Jones Jones	1958-11-20	EEA 1HT	heingh@example.net	Mollusca geologist

Do you really need to collect  
personal data?

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Inform your participants  
about use of personal data





Not all  
research data  
obtained  
from  
participants  
constitute  
personal data

Anonymised text by ICO  
licenced under Open  
Government Licence v3.0

## Anonymised text

Interview recorded: October 2011

Interviewee ref: 2011/67

School year: Key Stage 1

School local authority area: Lynenham District  
Council

I live in [LM51 postcode] so I walk to school every day. I live with [family members]. When I get home from school I watch TV. I don't like reading but I like watching Harry Potter films. My favourite subject at school is art. My teacher is Mr [teacher's name] and he is very nice. I used to get bullied by [other pupils] but I told [the teacher] and they stopped.

I play football for [a local team], and we are good. I play midfield.

# Other legislation

A pair of brass scales of justice, symbolizing law and equity. The scales are made of dark metal with two pans hanging from a central beam. The background is a blurred indoor setting, possibly a courtroom or office.

Legislation in other jurisdictions

European Convention on Human Rights (2013)

Chatham House rule (1927)



A black and white photograph of Durham Cathedral, a large Gothic-style building with a prominent square tower. The cathedral is set against a clear sky and is partially obscured by dense trees in the foreground. Overlaid on the image is the word "SUMMARY" in large, bold, white, sans-serif capital letters with a slight 3D effect and a shadow.

# "SUMMARY"

Image courtesy of Durham University


Part three:

# ETHICAL CONSIDERATIONS OF SHARING RESEARCH DATA



Previously a cautious approach towards data sharing



A blue recycling bin with a white recycling symbol on the front. The bin is shown from a three-quarter perspective, casting a soft shadow on the white background. A white rectangular box is overlaid on the right side of the bin, containing red text.

More recently ethical arguments favour sharing and re-using research data





Funder  
says...

British  
Educational Research  
Association

BERA  
says...




Informed  
consent



# Promise of anonymity







# Future uses of research data





Barriers  
to sharing



"69 % increase  
in citations" --  
Piwowar et al.



Benefits of sharing



Part four:

# QUESTIONS AND SUMMARY



Thank you

Nicholas Syrotiuk



@DurhamRdm



## References:

Corti, L., Van den Eyden, V., Bishop, L., Woolard, M. (2020): *Managing and sharing research data : a guide to good practice*. 2nd ed. London: Sage.

Piwowar, H. A., Day, R. S., & Fridsma, D. B. (2007): "Sharing detailed research data is associated with increased citation rate," *PLoS ONE* 2(3): e308.  
DOI: <https://doi.org/10.1371/journal.pone.0000308>

Rocher, L., Hendrickx, J.M. & de Montjoye, YA. (2019): "Estimating the success of re-identifications in incomplete datasets using generative models," *Nat Commun* 10, 3069. DOI: <https://doi.org/10.1038/s41467-019-10933-3>