Data Protection Guidelines for Student Projects

1 Introduction

If you are using personal data in the course of your project, you are subject to the provisions of the General Data Protection Regulation 2016 and the Data Protection Act 2018 ("the Legislation"). The Legislation lays down principles of good data handling which are designed to make sure that personal data is used in a way which is fair to individuals and protects their rights. Breaches of the Legislation may constitute a criminal offence, and you may also be sued by individuals if your use of their data has caused them damage or distress. It is therefore important that you follow these guidelines and the Coventry University Group Data Protection Policy to ensure that you are acting in compliance with the Legislation.

2 Definition of personal data

Personal data is any data relating to an identified or identifiable natural person. Generic data about companies is not personal data, nor is aggregated statistical data, nor is data about deceased individuals. You should be aware that even if your project itself does not identify individuals, you are still bound by the Legislation when you are collecting 'raw' data from individuals.

3 Definition of special category personal data

The Legislation places certain types of data under the heading 'special category' data. The following types of data about individuals fall into the category of special category personal data:

- ethnic or racial origin
- political opinions
- religious or philosophical beliefs
- trade union membership
- the processing of genetic or biometric data for use in identifying an individual;
- physical or mental health data
- data relating to an individual's sex life or sexual orientation

If you are using data of this kind, it is particularly important that you follow these guidelines carefully. Special rules also apply to the processing of personal data relating to criminal convictions and offences.

3 Fair processing

The Legislation requires you to give individuals certain data at the time you collect their data this includes the purpose for which you intend to use their data, the legal basis on which you are processing their data, who you are going to share their data with and the various rights which are afforded to them in relation to their data by the Legislation. You are also required to tell them if you will provide their data to any third party and if so whom as well as if you intend to transfer their data to a third country or international organisation. You should provide this 'fair processing statement' at the time when you collect data from the individual. If you are using a questionnaire to obtain data from your research subjects, the simplest way to comply with the fair processing statement is to include it in the questionnaire. If you need help in producing a fair processing statement, please contact your project module leader.

4 Consent

You should make sure that individuals give their consent to your use of their personal data. This is particularly important if you are processing special category personal data. For the individuals consent to be valid it must be freely given, specific, informed and must constitute an unambiguous indication of their wishes. This requires a positive step and opt outs will not be acceptable. Again, the simplest way

to do this is to include a consent statement in the questionnaire you use to collect data from your research subjects.

5 Obtaining personal data from third parties

It may be that you obtain personal data from someone other than the individual. In this case, whilst it is more difficult to provide a fair processing statement and to obtain consent, you may still have to do this. You should contact your project module leader for advice on this issue.

6 Design of questionnaires

The Legislation requires that personal data should be relevant and limited to what is necessary for the purpose it was collected for. You should bear this in mind when you design questionnaires. Only ask for data that you really need to carry out your project. If you don't need personal identifiers such as names and addresses, don't ask for them.

7 Security

The Legislation requires that appropriate technical and organisational measures are put into place to ensure the security of personal data which you use. This is particularly important if you are using special category personal data. You should make sure that:

- you do not allow third parties to access personal data held on computer by sharing your password or logging in to a computer and leaving it unattended;
- you at all times follow the University's IT Security Policies and Procedures;
- you handle paper files containing personal data in a way that prevents either deliberate or accidental access by third parties;
- you are particularly careful about preventing loss or accidental disclosure of personal data when you are using it off-site e.g. on public transport or at home;
- your completed project is presented in a way that does not enable individuals to be identified unless they have explicitly consented to this;
- when your project is completed and you no longer need the data, you dispose of it in an appropriate way. You should make sure that any data stored on the hard disk of a computer, either the University's or your own, has been wiped. Simply deleting files may not be sufficient. IT Services or technical staff in your Faculty / School will be able to provide you with advice on how to do this. Paper files containing personal data should be shredded.