



Deliverable

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Ethics Requirement 2





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1. Introduction

This deliverable responds to the Ethics and Security section (see section 5.1 of the GA – Part B) in the Ethics Requirement Description No. 2) described as “Detailed information on the procedures that will be implemented for data collection, storage, protection, retention and destruction and confirmation that they comply with national and EU legislation.” As outlined in the Ethics and Security section point of issues where ethical issues may arise are (1) Interviews with key stakeholders in the healthcare and nanotechnology sectors and (2) Responsible Innovation Labs.

This deliverable describes how the COMPASS (710543) project and its parties (as outlined in the COMPASS (710543) Consortium Agreement, p. 3) will implement the before-mentioned procedures and features during the course of the project running time (01 May 2016 to 31 April 2019).

With the finalisation and delivery of this document, the parties of the COMPASS (710543) project declare to adhere to its procedures. Each party shall be solely liable about the consequences for any indirect or consequential damage resulting from the miss-use and breach of these obligations (see also CA Section 5: Liability towards each other).

The COMPASS (710543) project planned stakeholder interactions – both online and on-site – will involve the collection of personal data, incl. names, institutional affiliations, telephone numbers and e-mail addresses of interview partners and participants in the Responsible Innovation Labs. ‘Processing of personal data’ means any operation (or set of operations) which is performed on personal data, either manually or by automatic means.

Any data collection, processing and storage activities, procedures and tools will be in line with the personal data protection and intellectual property rights of the European Union, as defined by the European Commission¹. Thus, the COMPASS (710543) project and its parties as outlined in the COMPASS (710543) Consortium Agreement will comply with all relevant EU legislation (i.e. Data Protection Directive 95/46/EC; EC Data Protection Regulation No 45/2001; EC Data Protection; Regulation EU 2016/679; EU Directive 2016/680) as regards data protection and the treatment of personal data in particular. The collection of personal data will involve **activities and spaces for data processing and storage such as the (1) operation of interviews and (2) participants of Responsible Innovation Labs**. Its procedures for storage, safety, methodologies for collection as well as transfer and retention are outlined below.

To ensure highest possible standards in dealing with participant data, the COMPASS (710543) project has obtained the following documents: a) Cyprus ethics committee opinion (see Annex I), b) opinion of WU Data Protection office (see Annex II), c) opinion of DMU Data Protection office (see Annex III), d) opinion of national Data Protection office in Spain (see Annex IV).

¹http://ec.europa.eu/geninfo/legal_notices_en.htm;
https://www.google.at/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&cad=rja&uact=8&ved=0ahUKEWjbtS9uJPLAhWpvniKHWZXCbwQFggcMAA&url=http%3A%2F%2Fec.europa.eu%2Fresearch%2Fparticipants%2Fdata%2Fref%2Ffp7%2F89827%2Fprivacy_en.pdf&usq=AFQjCNHXxMp90ZdLH9NEBPYiRtTN4Rm_FQ&sig2=eCDtTdQ7Dmkz-qvuZb5TFQ



2. Procedures for the Collection of Personal Data

The **operation of stakeholder interaction in the form of (1) interviews and (2) Responsible Innovation Labs** will include the collection of personal data (e.g. name, organisation, position, type of organisation, country, e-mail address). The interviews will be conducted face-to-face, via skype or telephone. The Responsible Innovation Labs will combine virtual and in situ interaction between stakeholders from industry, policy-making and civil society organisations. Any personal data collected via interviews and labs will **not be publicly available** (i.e. these personal data will not be shared with third parties and are not attribute to any commercial use).

3. Data Storage Procedures and Data Security Measures

Data storage in the scope of the COMPASS (710543) project will be secured to ensure that data will not be accessible by third parties and will be protected against disaster and risk.

Spaces for data storage and respective data security measures

As regards the **(1) interviews and (2) Responsible Innovation Labs**, the COMPASS (710543) project members at UCLan CY, FBLC, DMU and WU will store data in state-of-the-art secured computers on secured server-based storage drives, protected by most recent and regularly updated anti-virus software. Data will not be retained on stand-alone notebook computers. Collected data will not be shared nor accessed by any third party. Any other consortium party will make sure that the necessary security operations required by their organisations will be in place to guarantee data security and confidentiality.

Sharing of sensitive data among COMPASS (710543) project team members will be organised through the server-based and protected WU Owncloud system (i.e. IT Cloud system)².

Duration of data storage and access

Data concerning **(1) interviews and (2) Responsible Innovation Labs** will be stored for the total duration of the COMPASS (710543) project and, if necessary (e.g. utilised in the context of an academic or other publication), after the end of the project duration. Safe procedures outlined during the project's running time will be kept active as long as the respective data is in use or until terminated. A data subject will have the right to have his or her personal data erased and no longer processed where the personal data are no longer necessary in relation to the purposes for which they are collected or otherwise processed ("Right to be Forgotten").

² WU ownCloud Reference Guide: https://www.wu.ac.at/fileadmin/wu/s/it/documents-public/en/instructions/WU-ownCloud_en.pdf

4. Procedures for the Protection from Dual or Improper Use of Personal Data

This section deals with the fact that an unlinked information may cause side effects when a) sensitive or personal information is taken out of context, or b) is subject to dual use. It is the responsibility of researchers to consider if such a possibility exists and what response is needed. In this regard, the responsible party will take into account the following considerations:

Any data (i.e. collected through **(1) interviews and (2) Responsible Innovation Labs**) related to personal data collected by the COMPASS (710543) project will be anonymised for further use (i.e. academic or other publications) and thus avoid the breach of sensitive personal information. COMPASS (710543) parties will make sure that any data that is used outside of the scope of the COMPASS (710543) project will be unlinked (anonymised) from any personal data information.

Procedures for the circulation of personal data

Relevant personal data (e.g. name, organisation, position, type of organisation, country, e-mail address) will be circulated among consortium parties via secure channels if necessary to achieve project output.

Confidentiality and safety procedures of personal data handling

As regards the **(1) interviews and (2) Responsible Innovation Labs** all project teams will store collected data in state-of-the-art secured computers, protected by most recent and regularly updated anti-virus software. Data will only be accessible to the COMPASS (710543) project team members who will adhere to a level of confidentiality (i.e. using safe storage methods for information on personal data as outlined in the COMPASS (710543) consortium agreement section 10). Furthermore, the project team members will comply with WU institutional data protection policy (“WU Information Security Policy”³; “The Organization of Information Security at WU”; “WU Directive on Confidentiality Classification”; “WU Directive on Data Erasure and Disposal”⁴) which outlines measures guaranteeing “protection from loss and damage to information” (availability), “protection from unauthorised access and disclosure of information (confidentiality)”, “protection from unintended and manipulative modification of information (integrity)”, and “protection from loss of non-repudiation or comprehensibility of information flows”.

³https://www.wu.ac.at/fileadmin/wu/s/it/RL-2015-2016/EN_Informationssicherheitspolitik_der_WU_2015-1.0.pdf

⁴https://www.wu.ac.at/fileadmin/wu/s/it/RL-2015-2016/EN_Loeschungs-und_Entsorgungsrichtlinie_der_WU_2015-1.1.pdf

All team members of COMPASS (710543) consortium parties are made aware about:

- issues beyond data protection and privacy described in this document; i.e. confidentiality procedures (as outlined in the COMPASS (710543) Consortium Agreement "Section 10: Non-disclosure of information");
- of legal requirements (EU and EU MS regulations⁵ concerning data protection issues) surrounding the use of private data under an electronic form (notification of the Austrian Data Protection Agency).

5. Procedures for Data Destruction/Deletion

Data collected through (1) interviews and (2) Responsible Innovation Labs will be deleted as outlined in the Ethics requirements 1 and as stated in the participant information sheet and destroyed according to the WU Directive on Data Erasure and Disposal⁶ in order to guarantee proper off- and online data protection. COMPASS (710543) consortium parties will apply appropriate tools and procedures for data deletion in order to guarantee irreversibility.

⁵ http://ec.europa.eu/justice_home/fsj/privacy/ and <http://www.privacyconference2009.org/privacyconf2009/home/index-iden-idimp.html>

⁶ https://www.wu.ac.at/fileadmin/wu/s/it/RL-2015-2016/EN_Loeschungs-und_Entsorgungsrichtlinie_der_WU_2015-1.1.pdf

6. Annex I Opinion of Cyprus Ethics Committee

CYPRUS NATIONAL BIOETHICS COMMITTEE

11 August 2016

Topic: “COMPASS (710543): Industry perspective on critical responsibility issues, success factors, and barriers for adoption of Responsible Research and Innovation (RRI) in SMEs”

I would like to refer to your email dated August 4th, 2016 regarding the above subject and inform you that based on the documents that you have submitted (cover letter, protocol, structure of the interview, participant information sheet and consent form), in relation to the proposed research, I have the opinion that the particular research **does not need** further bioethics examination from the Cyprus National Bioethics committee (CNBC).

2. It is your responsibility to pursue the research in a way that it will assure the confidentiality and anonymity of the participants according to the Personal Data Processing Law (Protection of Individual) of 2001 (N.138(1)/2001) as amended.

3. We inform you that for the purpose of better coordination and to avoid repetition of research about the same topic and/or with the same population within a short period of time, the CNBC is going to make public in its website the topic of your research, your institution and the population that your research will cover.

4. During the conduct of your research, the coordinator/Principal Investigator should inform the CNBC about any amendments of the documents that have been already submitted (protocol or any other research documents) and submit the revised documents to the committee.

5. In case of termination of the research project, the coordinator/Principal investigator should inform in writing the committee, mentioning the reasons of ending of the research project.

6. The coordinator/Principal investigator should inform the committee in case that s/he will stop to serve as the coordinator of the project and s/he will provide the contact details of the person who will replace him/her.

7. By the completion of the research project, the coordinator/Principal investigator should inform in writing the committee that the research protocol has been completed.

8. We wish you every success with your research.

Sincerely,

Dr. Constantinos Fellas
Head
National Bioethics Committee





7. Annex II Opinion of WU Data Protection Office



20-12-2016

Dear Ms. Nwafor!

Attached please find the notification of the data application submitted to the Austrian Data Processing Register (Datenverarbeitungsregister) on the processing of personal data for research projects conducted as part of the EU program Horizon 2020, dated December 6, 2016. The report to the Austrian data protection agency is in compliance with the provisions of the Austrian Federal Act concerning the Protection of Personal Data (Datenschutzgesetz 2000 - DSG 2000), Federal Law Gazette I no. 165/1999, as amended.

According to the signed Data Protection Pledge (see attached document) the provisions of the Data Protection Act (*Datenschutzgesetz*) as published in the Federal Law Gazette (*BGBI*) I no. 165/1999 and the pertinent directives of the Vienna University of Economics and Business will be complied with regard to the COMPASS project.

The notification of the data application submitted to the Data Protection Authority can be submitted to the European Commission together with this letter.

Kind regards



Mag. Annette Lichtmanegger, Head Legal Affairs Office

Enclosures

8. Annex III Opinion of DMU Data Protection Office

From: Anne Smith
Sent: 05 September 2016 09:28
To: Catherine Flick <cflick@dmu.ac.uk>
Subject: Ethics forms for COMPASS interviews 1516/369

Dear Catherine

Research Ethics Application Approval: 1516/369 COMPASS - interviews

Your application to gain ethical approval for research degree activities has been considered and APPROVED by Prof Mark Lemon.

Please be aware that changes to the project plan or unforeseen circumstances may raise ethical issues. If this is the case it is the researcher's duty to repeat the ethics approval process.

Kind regards

Anne

Anne Smith
Research Coordinator
Research & Innovation Office (GH 4.64)
Faculty of Technology

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9. Annex IV Opinion of National Data Protection Office in Spain

Alexandre Esteban Franco

De: Yolanda Sahuquillo Minguet
Enviado el: jueves, 12 de enero de 2017 9:09
Para: Belén Perat Rodríguez; Alexandre Esteban Franco
CC: Mireia Acebo Faus
Asunto: COMPASS

Topic: COMPASS: Evidence and opportunities for responsible innovation in SMEs

The activities to be carried out by FBLC under the COMPASS project as defined in the Grant Agreement signed by the partners on March 31, 2016, comply with current Spanish legislation.

Please be aware that any amendments on the role or work of FBLC have to be communicated to this legal department.

Legal department
"la Caixa" Banking Foundation

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