

EASHW TIPS – REUSE OF DATA

When re-using data, it is crucial to determine whether the data is anonymous or not. For non-anonymous data, both ethical considerations and GDPR regulations apply, requiring explicit consent for re-use.

QUESTION 14 focuses on the **current reuse** of non-anonymous **data that was collected in the past** without explicit permission for the current research purposes.

QUESTION 15 addresses the potential **future reuse** of non-anonymous **data that will be collected** as part of the study described in this application.

C14. (RE)USE EXISTING DATA: DO YOU USE EXISTING NON-ANONYMOUS DATA WITHOUT THE ORIGINAL CONSENT OF THE PARTICIPANT(S)?

This question addresses whether you plan to **REUSE NON-ANONYMOUS** data that was collected in the past but **for which participants did not give explicit consent for the current research purposes**. Some **examples** of studies where this is the case:

- **REUSING SURVEY DATA** containing demographic or contact information for a new analysis not covered in the original consent.
- **REANALYZING ARCHIVAL MATERIALS**, such as interview recordings, collected for a prior project on local traditions but now intended for research on social hierarchies.
- **USING ETHNOGRAPHIC FIELD RECORDINGS** where individuals are recognizable, but new research questions arise that were not included in the original scope.
- **ANALYZING PERSONAL DIARIES OR LETTERS FROM A HISTORICAL ARCHIVE** for a new research question, **where individuals may still be identifiable**.
- **USING ARCHIVED VIDEO FOOTAGE OR PHOTOGRAPHS** from a past study to now explore gender roles in traditional rituals, **where individuals in the images are still recognizable**.
- **ANALYZING AN ARCHIVED COLLECTION OF PERSONAL** videos originally submitted for research project with other research purposes, **without participants' explicit consent for the new purpose**.

For non-anonymous data, ethical concerns and GDPR compliance must be addressed, especially if written permission is missing for the new purposes.

YES TO QUESTION C14. (RE)USE EXISTING NON-ANONYMOUS DATA

YES to question 14 = Reuse of non-anonymous data **WITHOUT written permission for current research** purposes. In this case, the following list of questions needs to be addressed:

1. **Why was NO PERMISSION REQUESTED for this study at the time?**
 - Explain why the original study did not foresee this use of the data. For example: the new research question emerged after the initial data collection.
2. **Why can't you ask for permission NOW?**
 - Clarify why it is impractical or impossible to re-contact participants. For example:
 - Participants were/are not traceable.

- The original researchers are no longer traceable or lack participant records.
- 3. **HOW can reuse of the data without permission be JUSTIFIED?**
 - Provide a strong ethical justification for why re-use is necessary despite the absence of consent.
 - Ensure participants' privacy is maximally protected.
 - Will the data be anonymized before analysis?
 - If YES: how and when will this be done?
 - If NO: why not? How will the privacy of the people involved be protected?
- 4. **How do you act if participants object LATER to the use of their data?**
 - Detail your plan for responding to objections.
 - For example, you may plan to remove participants' data promptly if they object after becoming aware of its use.
- 5. **GDPR: Confirm that the PRIVACY COMMISSION HAS APPROVED "PUBLIC INTEREST" as the legal basis for this request.**
 - Under GDPR, the re-use of non-anonymous data without explicit participant consent is only permissible under specific legal bases. One of these is "Public Interest," which allows data processing when the research serves a significant societal or scientific purpose.
 - "Public Interest" as legal basis is **an exception** at the AUHA and must be formally justified and approved by the Privacy Commission.

NO TO QUESTION C14. (RE)USE EXISTING NON-ANONYMOUS DATA

NO to question 14 = Reuse of non-anonymous data **WITH written permission for current research** purposes. In this case, the following question needs to be addressed:

1. **Explain how you obtained consent at the time or will obtain consent now.**
 - If participants agreed to future use at the time of collection:
 - Confirm that the original consent explicitly covers the current research purpose.
 - Attach the original consent form if available, highlighting the section where future use is addressed.
 - If you plan to obtain new consent now:
 - Describe how you will approach participants to obtain consent for the new purpose.
 - Attach the updated consent form you plan to use, ensuring it includes:
 - A clear explanation of the new purpose.
 - Participants' right to decline re-use of their data without any negative consequences.
 - Explain how you will communicate this to participants (e.g., email, personal meetings) and ensure they fully understand.
 - TIP: use the informed consent templates for non-anonymous research available on the EASHW website.

NA to question 14 = No reuse of non-anonymous data.

C15. LATER REUSE OF DATA: WILL YOU USE NON-ANONYMOUS DATA FOR OTHER PURPOSES LATER?

This question addresses whether you foresee any **future reuse of NON-ANONYMOUS** data that will be collected as part of the study described in this application.

YES to question 15 = Non-anonymous data from the planned study can be reused later. In this case, address the following:

1. **Do you already know exactly what the data will be reused for?**
 - GDPR requires you to clearly specify the intended purposes, what data will be shared, and with whom.
 - Provide a detailed explanation, including potential collaborations or new studies that may involve this data.
2. **Can the data also be used for other, yet unknown purposes?**
 - Participants **cannot provide blanket consent for unknown future uses** under GDPR.
 - If reuse for currently undefined purposes is intended, data must either:
 - Be anonymized before reuse, OR
 - Require explicit consent for each specific future purpose as it arises.
3. **Do participants actively give permission for the above?**
 - Ensure that the **INFORMED CONSENT FORM** includes:
 - A clear, specific explanation of the planned reuse.
 - The participant's right to decline reuse without any consequences.
 - A statement that future uses beyond the described scope will require separate consent unless the data is anonymized.

NO to question 15 = Only anonymous data can/will be reused later.

- This is covered by default in informed consent forms from the EASHW website.