



PROTEUS

Scalable online machine learning for predictive analytics and real-time
interactive visualization

687691

D7.1 POPD - Requirement No. 2

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Abstract

The present document is part of the ethic deliverables of the PROTEUS project, funded by the European Commission, under Horizon 2020 – Research and Innovation Framework Programme. As the PROTEUS project includes professional contact data and some secondary processing of information, privacy and data protection issues are to be addressed. This report presents the data privacy and protection related contents that have been defined in the project ‘Description of Work’, tasks and deliverables.

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19/01/2016	0.1	European Commission	Definition of the new WP7 “Ethics requirements” and corresponding deliverables
04/02/2016	0.2	TREE	Initial structure
09/02/2016	0.3	TRI	First draft of contents
09/02/2016	0.4	TREE	Internal review
09/02/2016	1.0	TREE	Final release

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Abbreviations

AEPD: Spanish data protection agency

DMP: Data Management Plan

EC: European Commission

EDPD: European Data Protection Directive

EU: European Union

GDPR: General Data Protection Regulation

POPD: Protection of Personal Data

PROTEUS: Scalable online machine learning for predictive analytics and real-time interactive visualization

TREE: Treelogic Telemática y Lógica Racional para la Empresa Europea S.L.

TRI: Trilateral Research Ltd.

1 Introduction

Human participants in research projects are given the right to the protection of personal data. ‘Personal data’ refers to any data used in a research project, both during the research and after the project is completed, that can in any way be traced to them. The Article 8 of EU Charter of Fundamental Rights states that everyone has the right to the protection of personal data [1]. Data protection’ refers to the technical and operational framework and security measures designed to assure that personal data are protected from any unforeseen, unintended or malevolent use. The European Data Protection Directive (EDPD) [2], expected to be replaced by the General Data Protection Regulation (GDPR) during the course of the project PROTEUS, is the source of the current standard for privacy and data protection. The consortium will ensure that the project meets the highest standards of both and complies with all potential obligations. Under EU law, personal data can only be gathered legally under strict conditions, for a legitimate purpose. Furthermore, persons or organisations which collect and manage your personal information must protect it from misuse and must respect certain rights of the data owners which are guaranteed by EU law.

The PROTEUS project will touch on issues in human research ethics by collecting data from respondents from European countries via its stakeholder engagement activities. This will primarily comprise information that is entirely in the public domain. Specifically, it will include professional contact data collected as part of the dissemination and awareness raising work in WP6 and the requirements gathering in WP2. The primary focus of the project on publicly available data will be a key aspect in assisting us to meet privacy and data protection expectations. However, some privacy and data protection issues remain. Specifically, the consortium’s contact list constructed in WP6 will focus on identifying individuals relevant to the project. The starting point of such data is the existing contact lists of PROTEUS partners and will expand via web searching and other stakeholder engagement activities and networking. As such, the consortium will engage in some secondary processing of information. However, stakeholders will be informed about this data collection and will be given the opportunity to opt out as part of our first PROTEUS communication. In addition, in some cases (e.g., to arrange or reimburse travel or accommodation expenses) it may be necessary to collect personal data not in the public domain, such as home address, telephone numbers or bank information. The consortium will ensure that the project complies with applicable EU legislation, as well as any other non-EU policies relating to specific contacts, and the project coordinator will act as the data protection officer in this respect. In relation to information from social media in the public domain, the consortium will endeavour, as far as reasonably possible to inform individuals that their data is being processed, the purpose for which it is being processed and allow them to consent to this processing.

2 Protection of Personal Data (POPD)

2.1 Tasks and deliverables in relation to POPD

The PROTEUS project is informed the potential POPD issues and the corresponding measures have been defined in the project tasks and deliverables.

The Task T2.2 involves partners developing a data management plan (DMP) for the project. The plan will finalise information related to the types of data the project will generate and collect (including personal data), the standards that will be used to represent the data during the project and how partners might exploit the data resulting from the project. This information will feed directly into the activities of the IPR & Innovation Committee, and the evolution of the DMP through the course of the project will occur in collaboration with this committee. The plan will protect ArcelorMittal owned data, from unauthorised sharing. In order to mitigate any potential issue derived from the use of data, the system architecture and implementation will include privacy by design standard principles. It will also determine the extent to which data resulting from the project might be suitable for open access provision at the close of the project. This will involve making a determination about how other stakeholders might exploit the data and how the data can be verified after it has been deposited. The partners will also investigate the efficacy of the Zenodo platform and whether it is the most appropriate repository to store and curate PROTEUS data where open access is pursued. The plan itself will be updated at the mid-point and the end of the project and TRI will include an update on the project's data management plan in the project interim and final reviews.

The initial DMP due by M6 will be included in deliverable D2.2 and the updated version will be yield as parts of deliverables D2.3 and D2.4. The following aspects regarding POPD will be addressed in the DMP: (1) detailed information on the procedures that will be implemented for data collection, use, consent, storage, protection, retention, destruction, and how the participants will be consented (specifically the workers for the use cases) (2) a document from the responsible data management structure/individual stating that all planned measures comply with national and EU legislation, (3) If requested/needed by local legislation, copies of the notifications/ approvals/ opinions/ authorisations from the relevant national data protection authorities for the proposed data collection and processing as well as reuse must be provided. (4) Furthermore, a process must be devised and described in order to make sure the workers involved in the use case are not coerced into participating and that adequate privacy protection are in place for them.

2.2 Informed consent

Informed consent is required in when the research involves the participation of human beings. It is meant to guarantee the voluntary participation in research and is probably the most important procedure to address privacy issues in research. In general informed consent consists of three components: adequate information, voluntariness and competence. This implies that, prior to consenting to participation, participants should be clearly informed of the research goals, possible adverse events, possibilities to refuse participation or withdraw from the research, at any time, and without consequences. Research participants must also be competent to understand the information and should be fully aware of the consequences of their consent.

Apart from obtaining professional contacts from project partners, the PROTEUS project will engage in web searching and networking to collect secondary information about the needs and preferences of actual and potential stakeholders of the project. In order to ensure the rights and wishes of potential participants, participation of individuals in the process of data collection are on a strictly voluntary basis, without risk, personal or otherwise for the volunteers.

In line with the requirements for the research project, and in view of the nature of the research, all subjects participating in the study will be duly informed on the following:

- Purposes of the research, expected duration of the subject's participation and a description of the procedures to be followed;
- Statement guaranteeing the confidentiality of records identifying the subject, and the use of the data;

- Explanation of whom to contact for answers to pertinent questions about the research and research subjects' rights;
- Statement that participation is voluntary and that refusal to participate will lead to no penalties or loss of benefits to which the subject is otherwise entitled, and that the subject may discontinue participation at any time without penalty;
- A copy of the introductory letter and a consent form will be delivered.

The informed consent is one of the principles for lawful processing of personal data under the EDPD. In order to ensure the informed consent of those involved in the information collection activities during the course of the project, the potential participants will be informed of its goals, and of the possibilities of refusing to enter or of retracting at any time without any negative consequences.

2.3 Meeting national requirement

With specific relation to national ethical requirements, PROTEUS will seek to gain ethical approval from the Spanish national data protection authority (e.g. AGPD [3]) and the Human Resources department of ArcelorMittal in order to conduct the research with ArcelorMittal employees. In addition, the project will leverage partners' existing expertise in ethical research methods and produce the informed consent documents and will focus on the methodology of the project itself, including the privacy and data protection protocols outlined below. All issues pertaining to ethics approval will be forwarded to the Steering Board for notification and approval.

In relation to data protection, the following principles will be put in place. Individuals will be contacted as a result of the consortium's stakeholder engagement and research activities. More specifically, collection of personal data may take place during the project's initiatives; during the requirements analysis (WP2), the interactive visualisation exercises (WP5), and the dissemination and exploitation activities (WP6). Participants will be given information about how their data will be collected, protected during the project and either destroyed or re-used at the end of the research. Non-professional personal data, if collected, will be stored securely on a password-protected computer, only used for the purpose for which it was collected (e.g., travel arrangements) and deleted immediately after that purpose is fulfilled. If a plan to reuse professional data is considered, participants will be given information about this as soon as it becomes available and be given the opportunity to consent or withdraw their data. During the project, participants will be given the option to withdraw themselves and their data at any time. As part of each communication the participant receives from the project, they will be given an opportunity to opt-out of further communications and have their data deleted. Finally, in compliance with the Data Protection Directive 95/46/EC [4] and with Article 29 Working Party 8/2010 opinion, the project coordinator will act as the data controller.

Documentation associated with these ethical procedures will be provided as part of the Data Management Plan (D2.2; D2.3; D2.4). The documentation to be provided will include: the informed consent documents described above and any communications from the Spanish data protection authority and ArcelorMittal human resources department.

2.4 Independent ethical advisor

An external ethical and data management advisor, Mr. Ricard Martínez, has been appointed to oversee these plans and to certify that the project is compliant with best practice in data management and research ethics as well as national and European legal and regulatory frameworks. Mr. Martínez will also check that the project activities have been reviewed by relevant national authorities, including the Spanish data protection agency (AEPD) and any relevant ethical review boards. As an independent ethics advisor, Mr. Martínez will report on ethics issues alongside the project, in particular, two ethics reports will be provided together with the Periodic Reports (mid-term, and at the end). TRI, as the leader of Task T2.2, will provide Mr. Martínez with the ethical procedures upon which Mr. Martínez will issue his independent ethics report. This audit report will be released twice during the project, in the mid-term and at the end, as part of V2 and V3 of the PROTEUS Data management & ethics plan (D2.3 and D2.4).

Mr. Ricard Martínez' profile:

Mr. Ricard Martínez is Ph.D. in Constitutional Law, with a dissertation subject of Privacy in Constitutional Law, Data protection Officer at the University of Valencia and Chairman of the Spanish Professional's Privacy Association. Previously he was Head of the Research Area of the Spanish Data Protection Agency (2007-2011). He has been a lecturer and a teacher in a M.Sc. program and a number of relevant events on this subject in Spain (for more info please have a look at: <http://estudios.unir.net/programa/master-proteccion-datos/539000005501/>). He has been involved in several monographs and numerous articles about data protection and related topics such as security, privacy on the Internet, social networks, cloud computing, among others (for more information, see <http://bit.ly/wkPhI0>). The result of this task are documented in deliverables D2.2 to D2.4.

3 Conclusion

The PROTEUS project is aware of the potential POPD issues and the corresponding measures have been defined in the project tasks. The POPD plan will be included as part of Deliverables D2.2, D2.3 and D2.4 (see below). The consortium will ensure that the project complies with applicable EU legislation, as well as any other non-EU policies relating to specific contacts, and the project coordinator will act as the data protection officer in this respect.

Deliv. No	Deliv. Name	WP No	POPD section	Type	Deliv. date
D2.2	PROTEUS Data management plan – V1	WP2	POPD – V1	Report	M06
D2.3	PROTEUS Data management plan – V2	WP2	POPD – V2	Report	M18
D2.4	PROTEUS Data management plan – V3	WP2	POPD – V3	Report	M36

References

- [1] <http://fra.europa.eu/en/charterpedia/article/8-protection-personal-data>
- [2] <http://ec.europa.eu/justice/data-protection/>
- [3] <http://www.agpd.es/portalwebAGPD/index-iden-idphp.php>
- [4] <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31995L0046:en:HTML>