

The processing of personal data for degree projects and other components of education subject to examination – guidance for students

Introduction

The European Data Protection Regulation, completed by several Swedish laws, sets stringent requirements for how personal data are to be processed in various operations. If you as a student at Linköpings universitet (LiU) are planning to use personal data in degree projects or other components of education subject to examination, there is a lot to consider. This text gives you a short review of actions necessary to take in order to ensure that personal data are processed in a correct and legal manner. Depending on what kind of data you are planning to use there might be other regulations to be respected than those that apply to personal data, for example within the healthcare sector.

Hence you should always have a discussion with your supervisor/examiner about what kind of personal data that will be processed and plan your activities accordingly.

Definitions

Personal data – information in any form that can be related directly or indirectly to a living individual.

Processing of personal data – operations on personal data that involve collection, recording, storage, adaptation or alteration, dissemination, erasure, etc.

Controller of personal data – the person who alone or together with others determines the objectives and the means for the processing of personal data. It is the organisation LiU that is controller of personal data.

Data protection officer – the function within LiU that ensures that the processing of personal data is carried out in the correct manner. The officer provides support and revises operational methods.

Data subject – The individual whose personal data are processed.

Step 1 – Is it necessary to process personal data?

The first question to ask yourself is whether it is necessary to process personal data at all. It may be possible that the planned investigation can be carried out without collecting personal data, and if so, this is preferable. If personal data are not processed, the requirements of the Data Protection Regulation do not apply, which makes the work easier.

Remember that the term “personal data” covers all information that can be directly or indirectly related to a living person, which means that it is not just such items as name, personal identity number, DNA or portrait photograph. Personal data may also be a combination of several pieces of apparently anonymous information that together make it possible to identify an individual.

Step 2 – Define the purpose of the processing and the personal data that must be collected

Before starting the practical work, it is important to define the purpose of the processing of personal data. The purpose must be defined to ensure that a legal basis for the processing of personal data has been established (see Step 5), and to ensure that more data than necessary to achieve the objective are not collected.

The purpose of processing the data is to make it possible to carry out the investigation or study that is necessary to substantiate your degree project or component of education subject to examination.

You may collect only the personal data that are necessary for you to carry out the work, and you must therefore be able to state why you require the particular data you intend to collect.

Step 3 – Decide how information is to be securely stored and managed

The personal data collected must be processed in a secure manner. Sensitive personal data must not be used on your own, private IT equipment. Such data may be processed only on specified IT resources, such as the equipment in student computer rooms, on the LiU “fillager” system, and on computers and tablet computers owned by LiU and maintained by the IT Division. The term “sensitive personal data” is used to denote personal data that reveals racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic or biometric data, and data about a person’s health, sex life or sexual orientation.

It is important to keep track of print-outs and other material, and to lock or log out from computers when taking a break, etc., when personal data are being processed. LiU provides a number of other services that may be useful in your work, such as Onedrive and Sunet Survey. These may be used for the processing of personal data that is not sensitive personal data. Other external storage services must not be used for personal data at all, unless they have been approved for such use by LiU. This applies to, for example, Dropbox, Google docs, iCloud, and several others.

Step 4 – Decide which parts of the information are to be deleted and which preserved when the work is completed

Personal data must not be preserved for longer than necessary, and must be deleted when no longer required. At the same time, there may be parts of the information that must be preserved in order to be able to support the conclusions of the degree project or component of education subject to examination. Further, some parts may be required for future processing. Before starting practical work, therefore, it is important to decide in consultation with your supervisor what is to happen to the personal data collected when the work is completed.

Which data are to be preserved and which deleted? It may be necessary at the work progresses to reassess the original plan, but is important that a basic plan is available – not least to be able to answer questions from the data subjects (the persons from whom personal data has been collected).

Step 5 – Obtain consent, inform the data subject, and collect the necessary personal data

Personal data may only be processed if a legal basis has been established. The Data Protection Regulation specifies several legal bases, but for a degree project or component of education subject to examination consent will in most cases be the only relevant legal basis. (If it is not possible to use consent, you should discuss this with your supervisor to determine whether another solution can be found.)

Using consent as the legal basis means that the data subject actively consents to the processing. In practice, this means that you must, in a clear and unambiguous manner, describe the data you intend to collect (as defined in Step 2), and what they are to be used for and who is to use them. You must also state that the legal basis is that the data subject has given consent, and specify how long the data are to be used. Further, you must inform the data subject that it is possible to request to see the information that has been collected, and that it is possible to consult the LiU data protection officer or the Swedish Data Protection Authority in the event of the

data subject having a complaint. This information must be made clear when the consent is obtained, in order for it to be valid. It is permitted to process personal data when the data subject has given consent. Templates for obtaining consent are provided by your supervisor.

It is important to be aware that the consent is to be recorded and saved such that it can be produced when required, and that the data subject has the right to withdraw consent at any time. Such consent should, therefore, be usually given in writing. If you consider that it is not possible to obtain consent in writing, you should discuss this with your supervisor to determine whether an alternative solution can be found.

Step 6 – Register the processing

LiU has the final responsibility for all processing of personal data that takes place as part of its operations, and is to maintain a list of such processing. The responsibility applies also for students' degree projects and components of education subject to examination.

Your supervisor maintains a list of the processing of personal data that takes place for degree projects and components of education subject to examination, and it is therefore important that you ensure that he or she is informed of the processing of personal data that you carry out.

Step 7 – Process the material collected

Provided that the previous steps have been carried out, this step does not require any further measures. At the same time, this step is, in practice, where the main work is carried out.

Step 8 – After the processing, delete or archive personal data as required

The practical work has been concluded and the material that has been processed is to be either transferred to preservation and archiving or deleted, as determined by the decision taken at Step 4.