

Question:

If Ricardo is not responsible for determining allowable access, should he release the names and addresses?

Answer:

Ricardo is not the data owner, and thus he is not the authoritative person to authorise data access. The authorised personnel should provide access to confidential information and only to the authorised individual.

Question:

Suppose Ricardo were responsible for determining allowable access to the files. What ethical issues would be involved in his deciding whether to grant access to Beth?

Answer:

Data protection is a central issue for research ethics and a fundamental human right (European Commission, 2018). Individuals have the right to privacy and should control information about them that is collected, stored, processed and shared. Unethical research practices involve the unauthorised collection and use of personal data. Thus, without informing and obtaining authorisation from the individuals to whom he is about to disclose their information, Ricardo will be unethical in granting data access to Beth.

Question:

Should Beth be allowed to contact the individuals involved? That is, should the Records department release individuals' names to a researcher? What are the ethical issues for the Records department to consider?

Answer:

For consent to the data processing to be 'informed', the data subject must be provided with detailed information about the envisaged data processing in an intelligible and easily accessible form, using clear and plain language. As a minimum, this should include:

- the identity of the data controller and, where applicable, the contact details of the DPO;
- the specific purpose(s) of the processing for which the personal data will be used;

- the subject's rights , in particular the right to withdraw consent or access their data, the procedures to follow should they wish to do so, and the right to lodge a complaint with a supervisory authority;
  - information as to whether data will be shared with or transferred to third parties and for what purposes; and
  - how long the data will be retained before they are destroyed. The data subjects must also be made aware that data are to be used for any other purposes, shared with research partners.
- Beth should not be allowed to call individuals she obtained their data because they did not consent to the Records office sharing their data. How Beth collected, their data would be deemed unethical as these could relate to the origins of the data or how they were obtained.

Question:

Suppose Beth contacts the individuals to ask their permission, and one-third of them respond giving permission, one-third respond denying permission, and one-third do not respond. Beth claims that at least one-half of the individuals are needed to make a valid study. What options are available to Beth?

Answer:

The manner in which Beth collected their data was collected was unethical and had the potential to cause harm to their privacy. Beth should demonstrate compliance with both legal and ethical requirements for her to proceed with the research data she is trying to collect.