

# Legal Declaration of Consent under Data Protection Law

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## Online Experiments on Learning

### Title of the study:

I have received and took note of the written **Data Protection Information Sheet** for this study. In doing so, I had sufficient time and opportunity to ask questions about data protection and reconsider my participation in the study.

I am aware that:

- the processing and use of the collected data occurs in a pseudonymised form within the scope of the legally prescribed provisions. As a general rule, the storage occurs in the form of questionnaires, as well as on electronic data media, for a duration of 10 years or longer, if this is required by the purpose of the study.
- by providing of further personal data in pseudonymised form, collected personal data may be used for the preparation of anonymised scientific research work and may also be published and used in an anonymised form in medical journals, scientific publications and publicly accessible scientific databases, so that a direct assignment to my person cannot be established.
- the information obtained during the course of this study may also be sent in an anonymised form to cooperation partners within the scope of the European General Data Protection Regulation for scientific purposes and to cooperation partners outside of the European Union, i.e. to countries with a lower data protection level (this also applies to the USA).
- the data collected within the scope of the study can also be used and processed in the future inside of the Institute.

I was informed about my rights, that at any time:

- I can withdraw this declaration of consent.
- I can request information about my stored data and request the correction or blocking of data.
- By cancellation of my participation in the study, I can request that my personal data collected until that time are immediately deleted or anonymised.
- I can request that my personal data are handed out to me or to third parties (if technically feasible).

I herewith declare that:

- I have been adequately informed about the collection and processing of my personal data and rights.
- I consent to the collection and processing of personal data within the scope of the study and its pseudonymised disclosure, so that only the persons conducting the study can establish a link between the data and my person.

### Agreement to participate in the study:

Yes ☐ No ☐ I agree to participate in online studies or experiments using learning

*Note: If you do not consent to participate in this study or have your data used as outlined in the Data Protection Information Sheet, then this experiment will now close and you will not proceed any further. No information about you will be retained.*

Yes ☐ No ☐ I consent to the use of my data described in the **Data Protection Information Sheet** and confirm having received a copy of the Data Protection Sheet.

Yes ☐ No ☐ I consent to being contacted for future studies and research projects related to the same topic. For this, my contact details will continue to be stored beyond the end of the research project.

### Agreement to transfer data to the cooperation partners:

Yes ☐ No ☐ I herewith consent to data transfer from the MPI for Biological Cybernetics encrypted database to the following partners:

- ☐ Inside of the Max-Planck-Society and affiliated research institutes
- ☐ at following partnering institutions:
  - ☐ University of Tübingen ☐ New York University
- ☐ Others (please fill in here) .....

### Optionally, for patients or study participants outside of MPI Tübingen (all others, please mark "No"):

Yes ☐ No ☐ I request and herewith simultaneously consent to data transfer from the MPI for Biological Cybernetics encrypted database to the:

- ☐ UKT medical record/studies database (Note: Within the framework of cooperation with UKT Tübingen, the trials are performed by the responsible UKT doctors. However, in the event of queries, the clinical investigators of UKT may trace your personal data back by using a patient list. All participating UKT doctors and employees are subject to medical confidentiality).
- ☐ Other medical institutions (please fill in here) .....

### Test subjects: (please use block letters)

Title.....Surname..... First name.....

Phone: ..... Email: .....

Place..... Date ...../...../..... Signature of test subject .....

### Study leader:

Title, surname, first name (block letters) .....

Institution: ☐ MPI Biological Cybernetics ☐ Affiliate partner ☐ Others: .....

Phone: ..... Email: .....

I confirm that I have verbally briefed the test subject about the data protection aspects and have handed out a signed copy of the **Declaration of Consent**, as well as a copy of the **Data Protection Information Sheet**.

Place..... Date ...../...../..... Signature of study leader.....

# Data Protection Information Sheet

Information in accordance with the EU General Data Protection Regulation on the Processing of Personal Data

We herewith inform you about the processing of your data in our scientific study.

<b>Data protection policy</b>	The Max Planck Society for the Advancement of Science (MPG e.V.) takes the protection of your personal data very seriously. We process personal data in accordance with the applicable data protection regulations. Your data are neither published by us, nor disclosed to unauthorised third parties. In the following, we will explain which data we collect during your participation in our experiments and exactly how we use these.
<b>Responsible office within the meaning of the EU GDPR</b>	<p>The responsible office within the meaning of the European General Data Protection Regulation (EU GDPR 2016/679, Art. 13. Paragraph §1, Letter a) and other national data protection laws (particularly BDSG [German Federal Data Protection Act]) and other data protection regulations is the <i>Max-Planck-Gesellschaft zur Förderung der Wissenschaften e.V. (MPG)</i></p> <p>Hofgartenstraße 8 D-80539 Munich Phone: +49 (89) 2108-0 Contact form: <a href="https://www.mpg.de/kontakt/anfragen">https://www.mpg.de/kontakt/anfragen</a> Internet: <a href="https://www.mpg.de">https://www.mpg.de</a></p> <p>The responsible office decides solely or jointly with others about the purpose and means of processing of personal data (e.g. names, contact details or similar).</p>
<b>Data Protection Officer</b>	<p>We have appointed a Data Protection Officer. If you want information about your personal data or its correction or deletion, or have further questions about the use of your personal data provided to us, please contact:</p> <p>Heidi Schuster Hofgartenstraße 8 D-80539 Munich Phone: +49 (89) 2108-1554 Email: <a href="mailto:datenschutz@mpg.de">datenschutz@mpg.de</a></p>
<b>Study Leader</b>	The Study Leader is responsible for the data processing and compliance with the data protection regulations. The contact information of the Study Leader is on your copy of the <b>Declaration of Consent under Data Protection Law</b> .
<b>Purpose of data processing</b>	<p>The data collected in our test subjects recruiting system are for the organization of scientific experiments and are exclusively used for the purpose of recruiting participants for the respective scientific experiments at the Max Planck Institute for Biological Cybernetics.</p> <p>We use the data for the following purposes:</p> <ul style="list-style-type: none"><li>➤ to inform participants about new laboratory or internet experiments and invite them to these.</li><li>➤ to make a scientifically based selection of participants for specific experiments.</li><li>➤ in order to check the attendance or non-attendance of the registered participants for experiments.</li></ul> <p>Any use of your personal data only occurs for the above-mentioned purposes and to the extent necessary to achieve these purposes.</p>
<b>Legal bases of data processing</b>	<b>Test subjects:</b> The storage of the personal data occurs in accordance with Art. 6 Subsection 1 Letter (a), EU GDPR on the basis of your consent to the processing of the relevant personal data for one or several specific purposes.
<b>Duration of the data storage</b>	<p><b>Storage duration for personal data and the criteria for the specification of this duration</b></p> <p>The processing and use of the pseudonymised data occurs on survey questionnaires and electronic data media as a general rule for the duration of 10 years, provided that the purpose of the study does not require a longer storage duration, e.g. for integration into a database and for long-term studies. We store the data recorded during registration for as long as you are registered in our database. Your personal data will be deleted, if you cancel your registration. Legally required retention periods will remain unaffected.</p> <p><i>The personal data, which you entered during registration process, will be deleted or anonymised two years after inactivity, if you have no longer participated in our experiments during this time. At the same time, the pseudonymised personal data is also completely anonymised during the participation in our experiments and cannot be longer be assigned to any person.</i></p> <p>In order to delete your personal data immediately, please inform us under <a href="mailto:datenschutz-kyb@tuebingen.mpg.de">datenschutz-kyb@tuebingen.mpg.de</a> Alternatively, concerning to this topic and for any further questions regarding personal data you can directly contact us anytime using the above-mentioned contact details.</p>

Within the scope of Study, the following personal data will be collected and processed:

**Data acquired during the online experiment:**

- Age (optional "How old are you?", "Prefer not to state")
- Surname, first name, date of birth, age, contact details (address, telephone number, e-mail),
- Level of Education (optional input of only achieved level, no details: "Some elementary or middle school", "Some high school", "Graduated high school", "Some college", "Associate's degree", "Bachelor's degree", "Started higher education (MA, PhD, MD, etc)", "Completed higher education (MA, PhD, MD, etc.)", "Prefer not to state")
- Handedness (optional question: "Are you right- or left-handed?", options: "Right", "Left", "Ambidextrous", "Prefer not to state")
- Sex (optional question: "Male", "Female", "Other", "Prefer not to state"),
- Color blindness ("Are you colorblind?", options: "Yes", "No", "I don't know", "Prefer not to state",
- Personal characteristics like aptitude for hard work or level of anxiety.

Personal data requested during registration must be fully disclosed. Otherwise, we will reject participation in experiments, due to possible health damage during high-field magnetic resonance examinations. In the case of voluntary registration for an experiment, it may occur that you must provide additional personal data and information about yourself.

University Clinics patient registration it is performed by the responsible physician at the UKT.

**Data storage and processing during the study**

The following data are collected by study leader during the Learning experiments:

- Cognitive information:
- Response time
- Buttons pressed
- Choices in the experiment
- Accuracy of task performance
- Several rating and open questions during the experiment. For example:
  - ✓ "How much fun did you have in the last round?"
  - ✓ "How much fun did you have during the experiment"
  - ✓ "I enjoyed doing this activity very much"
  - ✓ "I thought this was a boring activity"
  - ✓ "This activity did not hold my attention at all"
  - ✓ "I would describe this activity as very interesting"
  - ✓ "What did you try to achieve?"
  - ✓ "Have you set yourself any goals in the experiment, and if so, which ones?"
- Several post-experiment self-rating questions. For example:
  - ✓ "I prefer complex to simple problems",
  - ✓ "I like to have the responsibility of handling a situation that requires a lot of thinking."
  - ✓ "Thinking is not my idea of fun."
  - ✓ "I would rather do something that requires little thought than something that is sure to challenge my thinking abilities",
  - ✓ "I try to anticipate and avoid situations where there is a likely chance I will have to think in depth about something",
  - ✓ "I find satisfaction in deliberating hard and for long hours."
  - ✓ "I only think as hard as I have to."
  - ✓ "I prefer to think about small daily projects to long term ones."
  - ✓ "I like tasks that require little thought once I've learned them."
  - ✓ "The idea of relying on thought to make my way to the top appeals to me."
  - ✓ "I really enjoy a task that involves coming up with new solutions to problems."
  - ✓ "Learning new ways to think doesn't excite me very much."
  - ✓ "I prefer my life to be filled with puzzles I must solve."
  - ✓ "The notion of thinking abstractly is appealing to me."
  - ✓ "I would prefer a task that is intellectual, difficult, and important to one that is somewhat important but does not require much thought."
  - ✓ "I feel relief rather than satisfaction after completing a task that requires a lot of mental effort."
  - ✓ "It's enough for me that something gets the job done; I don't care how or why it works.",
  - ✓ "I usually end up deliberating about issues even when they do not affect me personally."

Some similar questions may be added to this list as the experiment is extended or evolves.

***These data are not recorded as part of your profile, but are stored directly in a pseudonymised form. I.e. the data will be collected under a numerical ID without a reference to contact details and processed without any assignment to personal data of the participants.***

Personal user profiles are not created. Beyond the aforementioned cases, data are not processed, unless you explicitly consent to further processing.

<b>Scientific data processing</b>	<p><u><i>Scientific data processing for test subjects</i></u></p> <p>Scientific data sets are recorded based on the behaviour of the participants during the experiments. Study-related results and data sets, including MR imaging procedures and spectroscopic images, are exclusively evaluated for scientific purposes and stored separately from the recruiting database. The experiment data is anonymised and cannot be assigned to any person. The participation in experiments is anonymous in this sense.</p> <p>The data collected within the scope of the study can also be used and processed in the future inside of the Institute.</p> <p>By providing of further personal data in pseudonymised form, collected data may be used for the preparation of anonymised scientific research work and may also be published and used in an anonymised form in medical journals and scientific publications, so that a direct reference to your person cannot be established.</p> <p>If necessary, your medical data can also be included in the data processing. The documentation of your data and its archiving occurs in a pseudonymised form in a protected electronic database, to which only a limited number of authorised employees have access, including here doctoral students, who are obligated to professional and data secrecy. This data secrecy obligation will also continue to exist after termination of their employment.</p>
<b>Data transfer to cooperation partners</b>	<p><u><i>Scientific data processing for patients of the Tübingen University Clinic</i></u></p> <p><i>Within the framework of cooperation with UKT Tübingen, the clinical trials are performed by the responsible UKT doctors.</i> To check the correct transfer of the treatment data from the encrypted study database to your UKT medical record, physicians authorised by UKT (so-called monitors) may inspect the personal health data, which are related to the study. All participating UKT physicians and employees are subject to medical confidentiality.</p> <p>The research results from the study are published in a completely anonymised form in specialist journals or publicly accessible in scientific databases to promote open science. Your identity will not be revealed in the publication of the research results</p> <p>The information obtained during the period of this study may also be sent for scientific purposes in a completely anonymised form to our cooperation partners inside the jurisdiction area of the European General Data Protection Regulation and to cooperation partners outside of the European Economic Area, i.e. to countries with a lower data protection level (this also applies to the USA).</p>
<b>E-mail and newsletter data</b>	<p>In order to send our experiment announcements and invitations as well as newsletters we require an e-mail address from you. A verification of the provided e-mail address is necessary and receipt of the newsletter must be agreed. Supplemental data are not collected or are voluntary. The use of the e-mail address occurs exclusively for sending the newsletter.</p> <p>The data provided for the registration are exclusively processed on the basis of your consent (Art. 6 Subsection 1, Letter a, EU GDPR). It is possible at any time to withdraw your already given consent. <i>An informal e-mail message to <a href="mailto:datenschutz@mpg.de">datenschutz@mpg.de</a> is sufficient for withdrawal.</i> The lawfulness of the data processing actions, which occurred before the consent withdrawal, remain unaffected by the withdrawal. In the event of a withdrawal, the collected personal data will be deleted. If these data have been sent to us for other purposes and from elsewhere, they continue to remain with us.</p>
<b>Data security</b>	<p>The Max Planck Institute for Biological Cybernetics uses technical and organizational security measures, in order to protect your personal data, which is administered by us, against accidental or malicious manipulation, loss, destruction or access by unauthorized persons. Our security measures are continuously improved in accordance with technological developments of the test person recruiting platform, which has been developed for these purposes.</p> <p><u><i>The purpose and legal basis for the processing of server and database logfiles</i></u></p> <p>The processing of these data occurs for the purpose of enabling the use of the database (connection establishment), system security, technical administration of the database, as well as for optimization of the database. These data are not merged together with other data sources.</p> <p>The legal basis for data processing is formed by Art. 6 Subsection 1 Letter b EU GDPR, which permits the processing of data in order to fulfil a contract or pre-contractual measures.</p>
<b>Your rights</b>	<p><b><u>Right to withdraw your consent (Article 7 EU GDPR in conjunction with § 83 SGB X)</u></b></p> <p>The processing of the personal data entered during registration occurs on the basis of your consent (Art. 6 Subsection 1 Letter a EU GDPR). Several data processing actions are only possible with your explicit consent. <b>For data processing on the basis of your consent, you have the right to withdraw your consent at any time with effect for the future.</b></p> <p><b><u>Right of access to the processed data (Article 15 EU GDPR in conjunction with § 83 SGB X)</u></b></p> <p>You have the right within the valid German and European legal regulations to request at any time a confirmation about whether your personal data will be processed, as well as the right to obtain information about your stored personal data, origin of the data, the recipients and the purpose of data processing.</p>

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**Right to rectification of inaccurate data (Article 16 EU GDPR in conjunction with § 84 SGB X)**

If inaccurate personal data are processed, you have a right to rectification.

**Right to erasure of your data (Article 17 EU GDPR in conjunction with § 84 SGB X)**

Under the legal preconditions, you have a right to request the responsible controller to immediately delete your personal data.

**Right to restriction of processing (Article 18 EU GDPR in conjunction with § 84 SGB X)**

Under the legal preconditions, you have the right to request restriction of data processing from the responsible controller.

**Right to data portability for own personal data (Art. 20 EU GDPR)**

You have the right to receive your personal data, processed by automated means in the test person recruiting database on the basis of your consent or in fulfilment of a cooperation agreement, handed out to you or to third parties. The provision shall occur in a machine-readable format. If you request a direct transfer of the data to another responsible person, this only occurs if it is technically feasible.

**Right to object against processing of data (Article 21 EU GDPR in conjunction with § 84 SGB X)**

For reasons, which arise from your specific situation, you have the right to file an objection to the respective processing of your personal data for scientific or historical research purposes or for statistical purposes in accordance with Art. 89 Subsection 1 EU GDPR.

**Right to complain (Art. 77 EU GDPR)**

In the event of problems with data processing, you may contact our Data Protection Officer at any time. In the case of a violation of Data Protection laws, you have the possibility to contact the above-mentioned Data Protection Officer or the Data Protection Supervisory Authority.

**Responsible  
supervisory authority**

The responsible supervisory authority regarding data protection issues is the State Data Protection Officer of the federal state in which our company has its registered office. The Data Protection Supervisory Authority that is responsible for us is:

*Bayerisches Landesamt für Datenschutzaufsicht (BayLDA)*

*PO Box 606, 91511 Ansbach*

*Phone: +49 (0) 981 53 1300*

*Telefax: +49 (0) 981 53 98 1300*

*E-Mail: [poststelle@lda.bayern.de](mailto:poststelle@lda.bayern.de)*