

## **GDPR & Research Data Group**

### **Roles and responsibilities of those involved in the Personal Research Data Workflow**

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#### **1. Purpose and scope**

The purpose of this document is to present a comprehensive view of roles and responsibilities of stakeholders involved in the Personal Research Data Workflow. The workflow concerns data management planning, GDPR-compliance of the processing of personal data in research projects ('personal research data' or 'PRD') and screening by the Human Research Ethics Committee.

Members of the project group discussed the initial version of this paper on 26 September 2019. Faculty secretaries and data stewards were asked for their comments. On 12 December 2019, a revised version was discussed by the members of the Steering Group GDPR. Their comments and suggestions have resulted in this updated document.

This is a working document that represents a comprehensive view of roles and responsibilities as per the date of this document. Roles and responsibilities of stakeholders involved in the Personal Research Data Workflow may change following developments in workflow views and activities. This document shall therefore be periodically reviewed and revised if necessary.

This document follows the approach of roles and responsibilities in the TU Delft Research Data Framework Policy<sup>1</sup> and the Personal Research Data Workflow diagram<sup>2</sup>. The Research Data Framework Policy is being revised to include GDPR-compliant processing of personal research data. The updated Research Data Framework Policy will reflect the roles and responsibilities arrived at in this paper. The updated Research Data Framework Policy will be presented to the Executive Board for their approval. As the contents of this paper will be reflected in the updated Research Data Framework Policy, separate Executive's Board approval of this document is not necessary and will not be sought.

#### **2. Roles and responsibilities<sup>3</sup>**

Roles and responsibilities can be viewed according to several aspects, such as:

- a. Line management
- b. Data management (DMPonline)

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<sup>1</sup> [Research Data Framework Policy](#)

<sup>2</sup> The diagram of the [Personal Research Data workflow v2](#), addressing data management planning, ethics assessment, data protection impact assessments and GDPR-compliance.

<sup>3</sup> Data management planning, GDPR-compliant processing of PRD and addressing ethics are aspects of academic integrity as set out in the TU Delft Vision on Integrity ([TU Delft Vision on Integrity](#)).

- c. Support and advice to the researcher
- d. Infrastructure
- e. (Monitoring) compliance
- f. Communication of information
- g. Training.

Some stakeholders will have roles and responsibilities that refer to many of these aspects. It is preferred, if possible, to attribute responsibilities to a single person or role.

Other aspects concern general responsibilities that apply to all stakeholders. For example, every stakeholder has the responsibility to be aware of (potential) data breaches and to report these to the privacy team. It is preferred, if possible, to identify and list these responsibilities.

#### Roles and responsibilities of **researchers**:

- Ensure that every project follows the Personal Research Data Workflow;
- Ensure that data in their project is dealt with in accordance with their data management plan, the TU Delft Research Data Framework Policy and faculty policies on data management;
- Ensure that the data management plan is updated following changes in the project;
- Ensure that personal data in their research project is dealt with in a manner that is compliant with GDPR, the TU Delft privacy policy<sup>4</sup>, faculty policies concerning the processing of personal data as well as the TU Delft Regulations on Human Trials
- Ensure use is made of DMPonline and other tools, resources, facilities and infrastructure made available by TU Delft for data management, GDPR-compliance and HREC assessment;
- Perform a Data Protection Impact Assessment (DPIA) if the requirement to do so is indicated by DMPonline, request assistance from the privacy team if necessary
- Ensure use is made of the support and advice of department heads, data stewards, the privacy team, the HREC and the Library, as necessary.

#### Roles and responsibilities of **department heads** (as line manager of the researcher):

- Responsible for departmental researchers' GDPR compliance in research projects
- Ensure that all departmental researchers use the Personal Research Data Workflow
- Ensure departmental researchers use DMPonline and other tools, resources, facilities and infrastructure made available for data management, GDPR-compliance and HREC assessment;
- Ensure departmental researchers use the support and advice of department heads, data stewards, the privacy team, the HREC and the Library, as necessary.

#### Roles and responsibilities of the **data stewards**:

- Assist researchers in completing a data management plan
- Provide information and advice to researchers on the Personal Research Data Workflow
- Refer researchers to the privacy team, the HREC and ICT&FM, as necessary
- Note: The data steward is not responsible for completion of data management plans or for GDPR-compliance, that responsibility rests with the researcher. The data steward does not

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<sup>4</sup> The current TU Delft policy, the 'Handreiking', will be renamed the TU Delft privacy policy

approve but reviews a data management plan. Their review of a data management plan does therefore not mean approval, but provides information and advice to the researcher.

#### Roles and responsibilities of the **faculty secretaries** (as line manager of the data stewards)

- Ensure data stewards have the capability and the time to adequately support researchers in the use of the Personal Research Data Workflow and in dealing with the GDPR and/or HREC aspects in their data management plans - and to liaise with, or refer the researchers to, the privacy team and/or the HREC, as necessary.

#### Roles and responsibilities of the **dean** (integral management<sup>5</sup>)

- Responsible for a faculty research data policy being in place, defining effective practices for working with research data at the faculty, and defining data management roles and responsibilities of the different stakeholders within the faculty
- Responsible that department heads and faculty secretaries are supported in their responsibilities towards, respectively, researchers and data stewards
- Ensure that departmental researchers are able to be GDPR compliant in research projects
- Ensure that departmental researchers use DMPonline
- Ensure the faculty emphasises good data management, GDPR-compliance and HREC assessment;
- Ensure that department heads are able to perform their roles and meet their responsibilities concerning the Personal Research Data Workflow.

#### Roles and responsibilities of the **Information Security Officer**:

- As described for ICT&FM in the TU Delft Research Data Framework policy
- Ensure the privacy team has enough capacity to support researchers on GDPR-compliance.

#### Roles and responsibilities of the TU Delft **privacy team** (Data Protection Officer and Privacy Officers)

- Provide information and advice to researchers and other stakeholders on GDPR-requirements, creating and increasing awareness about GDPR and research data
- Maintain the processing register for personal research data
- Determine which personal data processing activities require a Data Protection Impact Assessment (DPIA)
- Assist researchers in their performance of a DPIA
- Liaise with the persons responsible for other webpages (HREC/Integrity, research data management) on the Personal Research Data Workflow, data management and HREC-related information and provide content, as necessary
- Responsible for comprehensive and consistent information on GDPR on the TU Delft webpages, discussing the content with stakeholders on a regular basis

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<sup>5</sup> The administration and management of the university is structured according to the principle of integral management (article 6 Bestuurs- en Beheersreglement (BBR)). Article 2.1k BBR defines integral management as the responsibility (*here: of the dean*) for achieving the objectives of the organizational unit (*here: the faculty*) and for the management of the resources available for that realization within the frameworks and the guidelines set by the next higher management level (*here: the Executive Board*).

#### Roles and responsibilities of the **Director of Legal Services**

- To ensure, as part of overall responsibility of GDPR compliance, that ongoing roles and responsibilities of stakeholders are fit for purpose.

#### Roles and responsibilities of the **head of the Library's Research Data Services**:

- as described in the TU Delft Research Data Framework policy
- responsible for the operation of the Personal Research Data Workflow, the DMPonline tool and its maintenance and further development
- work with faculties to provide advice and training on good use of the Personal Research Data Workflow and its tool DMPonline
- Ensure appropriate communication about the Personal Research Data Workflow
- Liaise with the persons responsible for other webpages (privacy team, HREC/Integrity) on the Personal Research Data Workflow, GDPR- and HREC-related information and provide content, as necessary
- ensure the periodic review and revision, if necessary, of this document and the related workflow.

#### Roles and responsibilities of the **Executive Board**

- Ultimately, the Executive Boards is jointly responsible and accountable within TU Delft for GDPR-compliance
- Within that framework of joint responsibility, the Vice President Operations is portfolio holder GDPR and as such
  - o first responsible for GDPR-compliance within TU Delft
  - o ensures and facilitates that GDPR-compliance is encouraged and supported within TU Delft
  - o ensures policies are in place, defining roles and responsibilities for different stakeholders within TU Delft including aspects on GDPR-compliance
- Within that framework of joint responsibility, the Vice Rector Magnificus is portfolio holder research and as such
  - o first responsible for research data management within TU Delft
  - o ensures and facilitates compliance with the Personal Research Data Workflow.

#### Roles and responsibilities of the **chair of the Human Research Ethics Committee**

- To assess ethics implications in research by screening research projects that involve human subjects, to engage with data stewards and the privacy team to work towards a coherent outreach to researchers concerning data management planning, GDPR-compliance and ethics implications.
- Liaise with the persons responsible for other webpages (privacy team, research data management) on the Personal Research Data Workflow, GDPR- and HREC-related information and provide content as necessary.