



## **R4HC-MENA Data Management Agreement April 2019**

### **Purpose and Scope**

This agreement covers all R4HC-MENA activities and processes in which data, including the collection and storage of personal data is used and stored, whether in electronic or hard copy form. R4HC-MENA data includes data related to the management and operations of the programme, and specific data arising out of R4HC-MENA research projects.

This agreement has been developed in line with UK Research and Innovation (UKRI) requirements, as stated within their standard [terms & conditions](#), and is informed by the [King's College London \(KCL\) Data Protection policy](#) and General Data Protection Regulation [GDPR](#).

This agreement applies to all members of the R4HC-MENA including programme affiliates and others acting for, or on behalf of, R4HC-MENA or who are otherwise given access to R4HC-MENA's information infrastructure.

### **Agreement**

R4HC-MENA is committed to complying with the GDPR and any legislation enacted in the UK, Jordan, Lebanon, the Occupied Palestinian Territories and Turkey, in respect of the protection of personal data. To do this, the R4HC-MENA will:

1. Only use personal data where strictly necessary and will rely on an appropriate lawful basis for processing personal data.
2. Inform data subjects of the lawful basis and explain the purpose and manner of the processing in the form of privacy notices and other similar methods.
3. Keep personal data secure and manage incidents effectively when things go wrong.
4. Observe the rights of individuals under data protection legislation.
5. Ensure staff are trained appropriately in managing personal data.
6. Ensure that records containing personal data are managed effectively.
7. Only share personal data with third parties where adequate standards of data protection can be guaranteed and, where necessary, contractual arrangements are put in place.
8. Implement comprehensive and proportionate governance measures to demonstrate compliance with data protection legislation principles.

### **Roles and responsibilities**

Every individual who works for, or on behalf of, R4HC-MENA must ensure that any personal data they handle is processed in accordance with this agreement and the data protection legislation principles.

The KCL Programme Coordinator is responsible for monitoring compliance.

## 1. Transferring Data

- 1.1. Data may include: sharing programme management and administrative data, including financial data on KCL provided Sharepoint, emails exchanged about the programme, and research data.
- 1.2. R4HC-MENA members can transfer personal data where: a) the data subject has provided explicit consent to the proposed transfer after being informed of any potential risks b) the transfer is necessary for the performance of a contract between the R4HC-MENA partner institution and the data subject.

## 2. Storage of research data generated by R4HC-MENA researchers

- 2.1 R4HC-MENA will store its data using a King's College London hosted SharePoint site. This is hosted and stored in Microsoft's European data centres and protected by multiple layers of security technology and encryption.
- 2.2 Any data arising out of R4HC-MENA projects will be firstly governed by approval from a relevant research ethics committee or institutional review board. Research data without these required approvals will not be stored within R4HC-MENA's SharePoint.
- 2.3 The R4HC-MENA Workstreams SharePoint site is administered by members of King's College London; Bradley Robinson and Kristen Meagher.
  - 2.3.1 The administrators will convene a cross-programme working group with representation from each work stream to actively manage and shape SharePoint structure and content.
  - 2.3.2 Work stream representatives will act as a first point of contact for R4HC-MENA members regarding SharePoint.
  - 2.3.3 Access is restricted on the R4HC-MENA Workstreams SharePoint to R4HC-MENA Members only. A clear permissions structure has been identified to ensure confidential and sensitive information is only shared with those permitted.
  - 2.3.4 Any further permissions to access specific data and documents must first be agreed by the SharePoint administrators.
  - 2.3.5 It is the administrator(s) responsibility that it is used appropriately and that any privileges are only given to the people for whom access to the site is intended.
  - 2.3.6 The administrators must abide by King's College London [regulations](#).
- 2.4 Collecting personal data
  - 2.4.1 The lawful bases for processing are set out in [Article 6](#) of the GDPR.
  - 2.4.2 Where possible, personal data is to be anonymised. Anonymised data are exempt from the GDPR.
  - 2.4.3 At least one of these must apply whenever the R4HC-MENA members process personal data:

(a) Consent: the individual has given clear consent for you to process their personal data for a specific purpose.

(b) Contract: the processing is necessary for a contract you have with the individual, or because they

have asked you to take specific steps before entering into a contract.

(c) Legal obligation: the processing is necessary for you to comply with the law (not including contractual obligations).

(d) Vital interests: the processing is necessary to protect someone's life.

(e) Public task: the processing is necessary for you to perform a task in the public interest or for your official functions, and the task or function has a clear basis in law.

(f) Legitimate interests: the processing is necessary for your legitimate interests or the legitimate interests of a third party unless there is a good reason to protect the individual's personal data which overrides those legitimate interests.

2.4.4 When personal data is collected directly from data subjects, data controllers must provide a privacy notice at the time of collection.

2.4.5 When personal data is not obtained direct from data subjects, data controllers must provide a privacy notice without undue delay, and within a month. This must be done the first time they communicate with the data subject.

2.4.6 Privacy notices must be provided to data subjects in a concise, transparent and easily accessible form, using clear and plain language. See annex 1 R4HC-MENA Privacy Notice template.

### 3. **Compliance with Local Regulation**

This agreement is compliant with R4HC-MENA partner countries legislation and partner institutions regulations and policies.

#### 3.1 Turkey and Hacettepe University

The general framework for data protection in Turkey is the [Data Protection Law no. 6698](#). There is no specific policy at Hacettepe University. However, when research data is being shared with other institutions for research purposes, Hacettepe recommends that any personal data is only utilised when informed consent has been obtained. It is further recommended that personal data is anonymised.

#### 3.2 Lebanon and the American University of Beirut

Lebanese [Law no. 81/2018](#) governs electronic transactions and personal data and regulates its processing. [AUB Data Classification Policy](#) states information systems used to share public data must be properly secured to prevent the unauthorised modification of published public data.

#### 3.3 Jordan and King Hussein Cancer Centre

Jordan has draft legislation relating to Privacy and Data Protection.

#### 3.4 The Occupied Palestinian Territories and Birzeit University

The Occupied Palestinian Territories do not have any legislation relating to data protection.