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What are restricted data?.....2

The following are examples of datasets that may fall within the definition of restricted data:

A database of video files showing research participants producing utterances of various lengths in spoken and sung conditions of various emotions. The recordings show the faces of participants. Although the participants are not identified by name in the dataset or its documentation, the recorded facial images make the participants identifiable and constitute personal data.¹

Transcripts of interview with students at UoR about their perceptions and experiences of racism. Although direct identifiers such as names have been removed, the transcripts contain information about students' courses, experiences, places of residence, social and family relationships, which in combination could be sufficient to identify individuals. Full anonymisation of the transcripts would have been difficult to achieve, and removal of possible identifying information would have reduced the value of the data as a research resource.

A research student

In the case of anonymised data where there is considered to be some risk of identification through linkage with other existing data or where access only by authorised researchers is required or preferred we advise deposit with the UK Data Service as 'safeguarded data'.² This is a suitable option for data in a broad social science scope including biomedical data. Data deposited under the 'safeguarded' policy would only be made available to users registered with the UK Data Service under the terms of its safeguarded data end user licence, which requires users to maintain the confidentiality of the information provided to them.³ This is still a regulated process, but it is managed according to a standard protocol, and does not require authorisation by the PI on every

The actual deposit process should not take more than a few days to complete, provided that there is an established ethical basis for archiving, permissions and agreements have been finalised, and the dataset and documentation have been prepared.

Ethical and legal basis for archiving and sharing restricted datasets

The ethical basis for archiving and sharing of restricted datasets is established through approval to conduct research by a Research Ethics Committee, and consent to participate in research given by participants on the basis of information provided to them. The intention to preserve and share data collected from participants must be recorded in the ethical approval documentation, must be communicated clearly and transparently to participants through the consent process, and must be documented in auditable form.

If the ethical basis is not clearly established, it may not be possible to archive the dataset as a restricted dataset. An ethical basis for archiving as a restricted dataset may fail to be established if the participant:

- has been informed that the data will be destroyed by a certain time;
- has been informed that data will not be shared outside the project team;
- has not been informed that data will be preserved and may be shared with other researchers subject to safeguards.

The legal basis for archiving datasets containing personal data is referable to data protection laws. Data protection laws contain provisions and exemptions for uses of personal data for *processing for archiving purposes in the public interest, [and] scientific or historical research purpose[s]*, subject to safeguards. Archiving of research data containing identifiable information is lawful on a public interest basis, providing the conditions for such archiving are met, and that the data subject has been informed of the purpose of archiving their data, how long the data will be archived for, and who the data will be shared with.⁵

As part of the deposit process we will ask you supply us with copies of your information and consent

If the dataset was created in whole or part by employees of other organisations, these organisations will have IP rights. We will need to establish that these organisations agree to the archiving of data at the University for purposes of providing controlled access to authorised users. The organisation may wish to exercise a veto over any requests for access to the data, in which case one or more employees who can act as members of a Data Access Committee will need to be identified. We may need to implement a data storage agreement with the relevant organisation formalising this authorisation. This is more likely to be required where commercial organisations are involved. Where third parties are universities or other research-performing organisations, permission from the lead contact for the dataset (if not the original researcher) may be sufficient.

~~Students own IP they create, unless IPR have been assigned under a sponsorship or IP assignment agreement. If this is the case, and IP rights have~~

Why you believe the dataset is suitable for archiving as a restricted dataset, and the Restricted or Highly Restricted information as defined by the University Classification Policy the dataset contains;

Contacts for the dataset at any other organisation involved in the creation of the dataset (i.e. primary contacts for notification and permission purposes), identified by job title and role in relation to the dataset. These persons must have confirmed in principle in writing that they are willing for the dataset to be archived with the University, and must be empowered to authorise access to the dataset on the part of their organisations. If possible, please indicate whether the lead contact (i) gives permission for the University to authorise access to the dataset on its behalf, (ii) wishes to exercise a veto over any data access request as part of a Data Access Committee formed to consider the request, (iii) requires a data storage agreement with the University authorising the University to store and manage the dataset on its behalf;

If a student involved in creating the dataset was sponsored by another organisation or has assigned their IP to the University, a copy of the sponsorship or IP assignment agreement;

Any relevant information sheets and consent forms (as blank copies), and any other documentation necessary to establish an ethical basis for archiving the data.

3. Review and acceptance

Once we have reviewed the deposit request we will notify you if we agree to accept the deposit. This will initiate the deposit process.

We will ask Legal Services to prepare the data access agreement. If the data are owned in whole or part by another organisation, we may also need to draw up a data storage agreement authorising the University to manage the data on the organisation's behalf.

Copyright [year] [name(s) of rights-holder(s)]

This dataset is available to authorised users subject to a Data Access Agreement between the University of Reading and a recipient organisation. A copy of the University of Reading Data Access Agreement is included with this item.

To request access to the dataset, please complete a data access request at <https://redcap.link/data-request>.

Do not include in the public documentation any information that is not suitable for making publicly available. You can if need be prepare a more detailed version of the documentation file for inclusion with the restricted dataset.

The dataset documentation may include other documents, such as a copy of an interview schedule or a survey questionnaire. If these documents are suitable for making publicly available, they can also be uploaded to the public Archive record.

5. Create the metadata record and public files

When the data are ready to be deposited, create a metadata record in the Research Data Archive and upload any files that can be made public (i.e. the readme/documentation file and any other supporting documents), following the standard deposit process described in the Data Deposit Instructions, available from the [Archive web page](#).

DO NOT upload the restricted dataset files or any documentation not suitable for being made publicly available.

Notify the Research Data Service team when you have created the dataset metadata record.

For the time being, maintain the metadata record in your Archive work area and do not deposit it.

6. Create the transfer folder and add the dataset files

In order to transfer the restricted dataset files, set up a OneDrive folder containing the files and share it with the member of the Research Data Service team who is supporting the deposit.

The files will not be transferred into secure storage at this stage, as they will first be reviewed, and may need to be edited.

The restricted dataset files should include:

- The data files;

- The readme or documentation file. This may be in a more detailed version than the version made available from the metadata record;

Copies of all relevant information sheets and consent forms. A single unsigned copy of a consent form can be supplied if the dataset does not contain the personal data of the data subjects. If the dataset contains personal data, signed copies of consent fo

contained in this dataset, it can only be made available for bona fide research purposes subject to a data access agreement. Please refer to the dataset record for further information about the dataset and access conditions.

The University provides guidance on [data availability statements](#).

Access requests

Requests to access a restricted dataset must be submitted using the form at <https://redcap.link/data-request>.

The request will be triaged by the Research Data Manager. If it appears to be a legitimate and valid request a Data Access Committee will be convened to review the request. The Committee will include:

- The Research Data Manager

- The Data Protection Officer

- The Head of Quality Assurance in Research

- The UoR dataset PI or representative. In the absence of the PI and any back-up, this will be the Head of School or any nominated representative.

- The named contact at any external organisation

the PI will no longer be able to perform this function, for example if they leave the