



SDU rules for handling ethics and personal data in independent student work

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Innehåll

1 Background 3

2 Definitions 3

3 Responsibilities and roles 4

4 Processing personal data in independent student work 4

 4.1 Collecting and processing pf personal data 4

 4.2 Basic principles 4

 4.3 Legal basis and information obligation 5

 4.4 Register list 6

5 Ethics and sensitive personal data 6

6 Information security 6



1 Background

The purpose of this documents is to describe what must be considered regarding ethics and the handling of personal data within the scope of studies at basic and advanced level at the Swedish Defence University (SDU). When a student writes thesis or conducts independent work as part of their education, the SDU is legally responsible for any personal data that may be processed. The students processing pf personal data must then comply with both the General Data Protection Regulation (GDPR) and SDU's regulations. This document aims to support departments and student to process personal data legally.

Swedish Defence University (SDU) is the data controller for the university's processing of personal data and is responsible for ensuring that the processing meet the requirements of the General Data Protection Regulation (GDPR¹). GDPR places high demands on the correct and secure processing of individuals personal data. In the event of errors and deficiencies in processing, both the data controller (SDU) and any data processors (parties processing personal data on behalf on SDU) may be subject to sanctions.

Within the scope of SDU's education and research activities, SDU has support for its personal data processing on the legal basis of public interest (Article 6.1 e GDPR). When it comes to personal data in independent student work, SDU assesses that it is normally only the legal basis of consent on witch SDU can support the processing of personal data (article 6.1 a GDPR).

These rules are accompanied by guidelines describing their practical implementation.

2 Definitions

Personal data – Any information that can be directly or indirectly linked to a living person is personal data. This means that not only names and social security numbers can be personal data, but also voice recordings, usernames, email or IP addresses, biometric data, etc. It can also be a combined of more anonymous data that together make it possible to identify an individual.

Ethics – Ethics is about how we think and reason about morality, doing good, doing no harm, being fair and respecting self-determination and integrity. There may be ethical aspects to consider related to both living and non-living persons. Historical data used may affect living relatives.

Processing of personal data – Processing of personal data is basically anything that can be done with personal data. Examples include collecting, recording, processing, storing, erasing, combining, reading, or printing the data.

Sensitive personal data – Personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, personal data concerning health or sex life, genetic or biometric data. Health data can include, for example, sickness absence, pregnancy and doctors' visits. Even indirect data such as special diets are considered sensitive as the can reveal both religious beliefs and health.

Protected personal data – Even if a piece of data is not classified as sensitive, there are many other types of personal data that are particularly worthy of protection. These include, for example, social security numbers, salary data, information on criminal offences, evaluate data such as performance appraisal data,

¹ General data Protection Regulation, (2016/679).



data on results or personality tests, information relating to someone's private sphere or data on social relationships.

3 Responsibilities and roles

The Swedish Defence University (SDU) is the data controller when students process personal data within the scope of their education. SDU is formally responsible for ensuring that the students personal data processing is legal, and that individuals rights and integrity are respected.

The department responsible for the course (Head of department) must ensure that the course coordinator, examiner, and supervisor are well informed about the regulations and guidelines that apply to student work. The department responsible for the course is responsible for ensuring that an aptitude test is carried out when necessary. The course coordinator is responsible for ensuring that independent student work containing personal data is registered in the SDU register of personal data processing.

Course coordinators at the departments are responsible for ensuring that supervisors, examiners, and students are aware of and apply these regulations to student work. The course coordinator is responsible for keeping a register of personal data processing that occurs in a specific course, and keeping it updated.

Supervisors in dialogue with the course coordinator and examiner are responsible for approving the processing of personal data in student work and ensuring that the necessary information is documented according to the rules of this document.

The student acts as a representative of the university in their processing. The student is responsible for only processing personal data in accordance with SDU's instructions. Individual students who need to process personal data within the scope of their studies are expected to become familiar with what is required for the handling of personal data to be correct and must ensure that the necessary information can be documented according to the rules of this document.

4 Processing personal data in independent student work

This refers to basic and advanced studies at SDU and the term "student work" in this document refers to degree projects, independent projects, essays, and assignments, where personal data is processed.

It is the departments responsible for the course that must ensure that the student is well informed about the conditions that apply to independent student work. Both the student and the department responsible for the course must be involved and know every step of the process² and these regulations.

4.1 Collecting and processing of personal data

Most surveys and interviews involve the collection of personal data in some form, at least during the collection phase. The processing of personal data in the form of quotes, references and citations is exempted from the rules on personal data processing.

4.2 Basic principles

Any processing of personal data must comply with the basic principles as specified in the General Data Protection Regulation (GDPR) and applies to all personal data, whether the data is sensitive or not.

² Guidelines on ethics and handling of personal data in independent student work (intranet and student portal).



The basic principles that must be met are:

- **Lawful, fair and transparent**
 - There must be a legal basis and support in the GDPR for processing personal data.
 - The processing of personal data shall be fair, reasonable, appropriate, transparent and proportionate to the data subjects.
 - It should be clear to data subjects how SDU processes their personal data and what their rights are.
- **Limited purpose**
 - Personal data may only be collected for specific and legitimate purposes. This means that the processing of personal data must have legal basis in GDPR and must be carried out in accordance with other applicable legislation and general legal principles. The purpose set the scope for what can and cannot be done.
- **Minimum of data**
 - Personal data processed should be adequate, relevant and not excessive in relation to the purpose. Never process more personal data than necessary. In other words, it is not allowed to collect personal data for undetermined future needs, because they can be “good to have”.
- **Accurate data**
 - Personal data should be accurate and, when necessary, updated. If personal data is inaccurate, it must be corrected or deleted.
- **Minimum of storage**
 - Personal data shall be retained only for as long as necessary for the purpose of the processing. When it is no longer needed, it must be deleted or de-identified. It is allowed to preserve personal data when the original purpose is no longer relevant, if it is for:
 - Archival purposes in the public interest
 - Scientific or historical research purposes
 - For statistical purposes
- **Integrity and confidentiality**
 - Personal data shall be securely protected against unauthorized access, loss or destruction by implementing appropriate security measures.
- **Accountability**
 - SDU must be able to demonstrate compliance with GDPR through documentation.

4.3 Legal basis and information obligation

In addition to the basic principles of the GDPR, the processing of personal data requires legal basis.

If the student work is carried out within the scope of one of SDU’s research projects, the students processing of personal data takes place under the conditions given in the project in question and under the responsibility of the main responsible researcher. The legal basis for the students processing of personal data is the same as for the research project, i.e., public interest. In addition to the basic principles, the students processing of personal data must comply with rules that apply to the research project. For independent student work at basic and advanced level, public interest can sometimes be used in cases where the work is based on personal data from existing registers (public documents), otherwise the legal basis is consent.

Consent means that the participants in the investigation has agreed to the processing of personal data and that it is voluntary. Voluntary means the participant has a genuinely free choice and control over their personal data. The consent is therefore invalid if someone has been influenced. Furthermore, the participant must not suffer any negative consequences for not giving consent. Consent is given for a specific purpose and the purpose of the processing must be clearly stated. There should also be information about who will access the data and contact details of the data controller and the data protection officer.



4.4 Register list

A register list is a summary of the processing of personal data by SDU. SDU is obliged to draw up a register according to GDPR. This means that independent student work containing personal data must be included in the SDU processing register. Each department has an appointed coordinator of the register. The department responsible for the course is responsible for registering the processing via the appointed coordinator.

5 Ethics and sensitive personal data

As a general rule, the processing of sensitive personal data is prohibited according to the GDPR but may be permitted in certain situations. An exception to the prohibition can be found in the Act (2003:460) on the ethical review of research involving humans, which contains provisions on the ethical review of research that processes sensitive personal data and personal data on offences. In a research project that has received ethical approval, this type of personal data may be processed. A student project can be part of an ethically approved research project and then the student's processing of personal data takes place under the conditions given in the project in question and under responsibility of the responsible researcher.

However, the law does not cover independent student work carried out within the scope of basic and advanced education, so independent student work cannot obtain such an ethics permit.

The legal scope for processing sensitive personal data in independent student work is very limited. The data subject must have explicitly consented to the processing and the purpose of the processing. This places higher demands on technical and organizational security measures.

For it to be allowed to process sensitive personal data, such as information about legal violations, outside an ethically approved research project, it is required that the student work is carried out under ethically acceptable forms. The department responsible for the course is responsible for ensuring that a aptitude test is carried out.

The suitable assessment is based on the Swedish Research Council's research ethics principles:

- Consent
- Information
- Confidentiality and
- Utilization

Supervisors decide in dialogue with the course coordinator and examiner whether it is possible to use sensitive personal data or other information based on ethical aspect or other legal requirements.

6 Information security

The data collected shall be processed in a manner that ensures appropriate security for the personal data using appropriate technical and administrative security measures. This includes protection against unauthorized or unlawful processing and protection against accidental loss, destruction, or damage. This means ensuring that only authorized persons have access to the data and that any databases or systems are subject to various security measures (e.g., password protecting the computer, backup). Deciding on,



implementing, and monitoring appropriate security measures, both technical and administrative, is a requirement according to GDPR and must be documented.

If the student work involves sensitive personal data, storage and processing shall as a general rule only take place in the IT systems and cloud services acquired by SDU.