

Use of data in research

Janet Messer, Health Research Authority





Health Research
Authority

We protect and promote the interests of
patients and the public in health and
social care research



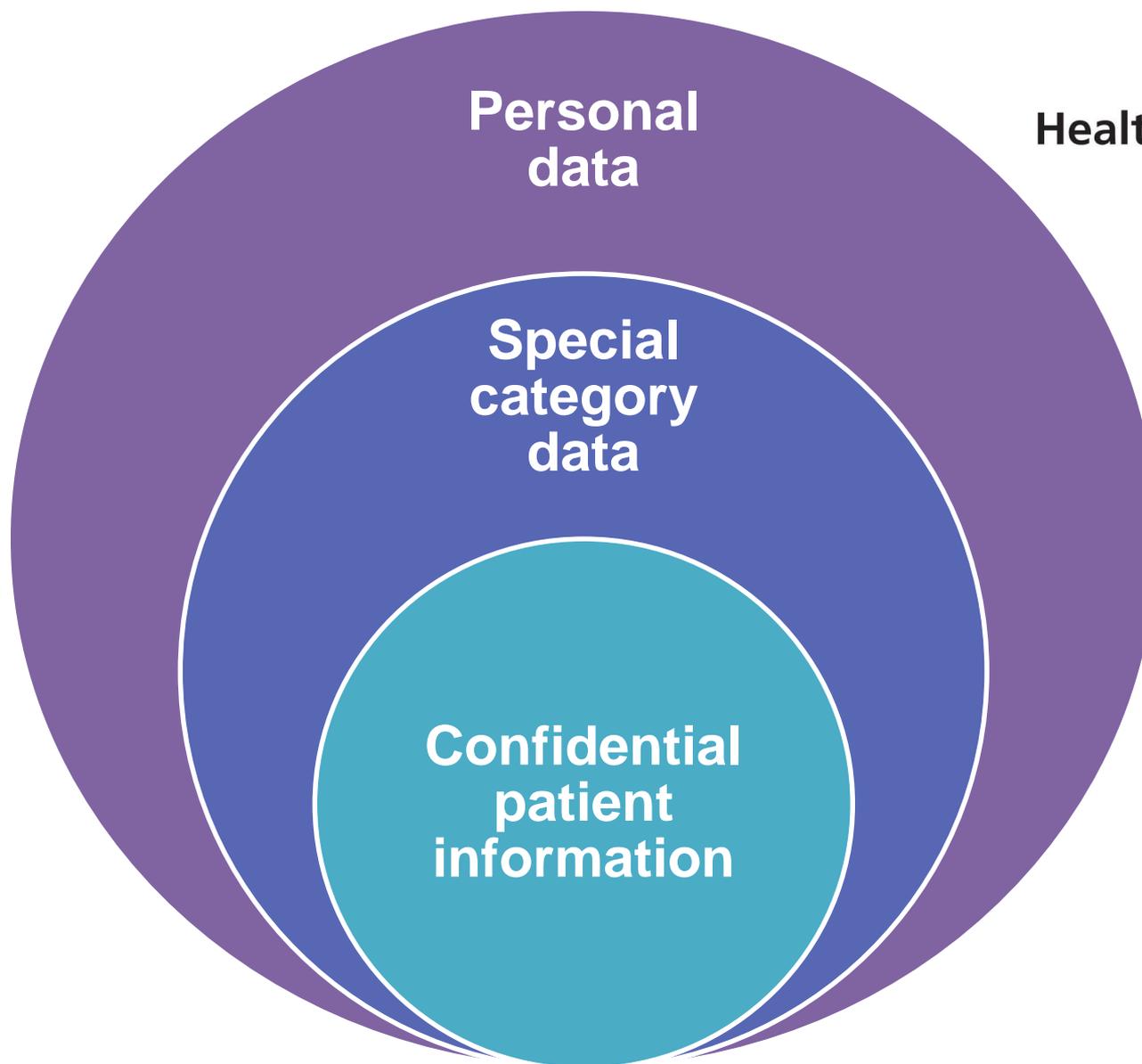
Health Research
Authority

We approve research and review ethics



Health Research
Authority

We make it **easier** to do high quality
research



**Personal
data**

**Special
category
data**

**Confidential
patient
information**

A large purple circle containing the text 'GDPR legal basis for processing personal data'.

**GDPR legal
basis for
processing
personal data**

A large teal circle containing the text 'Duty of confidentiality for access to confidential patient information'.

**Duty of
confidentiality
for access to
confidential
patient
information**

A large blue circle containing the text 'Consent for participation in research'.

**Consent for
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**Consent for
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Consent

- Accurate information
- Appropriate description
- Allows autonomy (choice)

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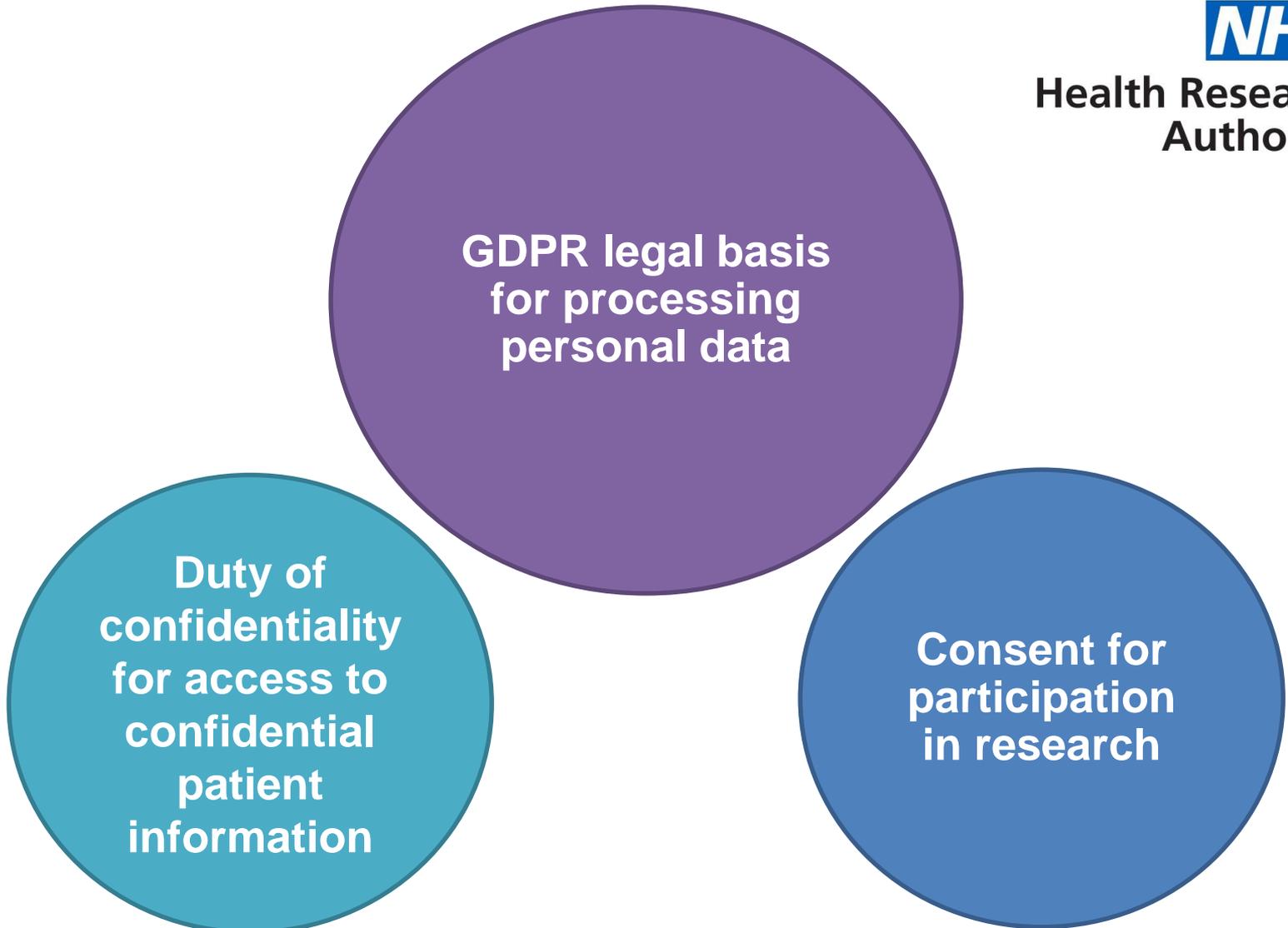
**Duty of
confidentiality for
access to
confidential patient
information**

A blue circle containing the text 'Consent for participation in research'.

**Consent for
participation
in research**

Data without consent

- Very exceptional cases
- Where no practicable alternative
- Confidentiality Advisory Group advises
- Provides protection against common law duty of confidentiality (section 251 support)

A diagram consisting of three overlapping circles. The top circle is purple and contains the text 'GDPR legal basis for processing personal data'. The bottom-left circle is teal and contains the text 'Duty of confidentiality for access to confidential patient information'. The bottom-right circle is blue and contains the text 'Consent for participation in research'.

**GDPR legal basis
for processing
personal data**

**Duty of
confidentiality
for access to
confidential
patient
information**

**Consent for
participation
in research**

Data Protection (GDPR)

- General Data Protection Regulation – 25 May 2018
- Research is an area where national flexibility is allowed



What has changed?

- ✓ GDPR
- ✓ Data Protection Act 2018/ member state legislation
- ✗ Common law duty of confidentiality/
European Convention Human Rights
- ✗ Ethics – privacy and confidentiality

GDPR

- Transparent
- Fair
- Lawful



Thank you for listening

Contact information:

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