DataTags, GDPR and Licenses

Data sharing and terms of use

Francisco Romero Pastrana
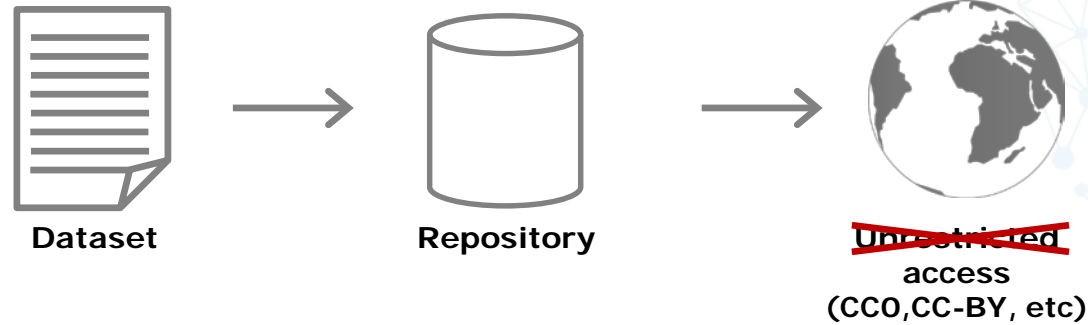
Human Subject Research Group

Research Data Sharing

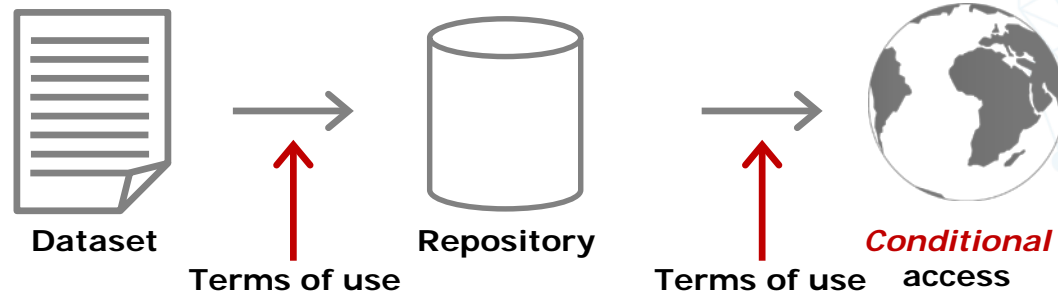- Sharing open science data:

Dataset → Repository → ~~Unrestricted~~ access (CC0,CC-BY, etc)

- Sharing data with *strings attached*?

Research Data Sharing

- Sharing data with *strings attached*?

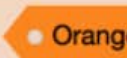**Dataset** → **Terms of use** **Repository** → **Terms of use** *Conditional* **access**

- Terms of use:
  - Security features: Storage, transmission - clear, encrypted?
  - Access credentials: Open, restricted - authentication?
  - Data access agreement: Click-through, signed
  - ...

DataTags:

"A datatag is a set of security features and access requirements for file handling"

- Datasets have differential sharing requirements
  - Security and access requirements
  - Terms of use (data user agreements)
- Requirements are ordered into **Datatags** levels
- An interactive questionnaire queries dataset requirements
  - *Building the questionnaire*: Identify and cluster requirements into categories
- Questionnaire assigns a **tag** to a dataset.
- The dataset **tag** dictates the conditions for dataset sharing.

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DataTags Levels (example):

Level	DUA Agreement Method	Authentication	Transit	Storage
Blue	None	None	Clear	Clear
Non-confidential information that can be stored and shared freely				
Green	None	Email or OAuth	Clear	Clear
Potentially identifiable but not harmful personal information, shared with some access control				
Yellow	Click Through	Password	Encrypted	Clear
Potentially harmful personal information, shared with loosely verified and/or approved recipients				
Orange	Sign	Password	Encrypted	Encrypted
May include sensitive, identifiable personal information, shared with verified and/or approved recipients under agreement				
Red	Sign	Two Factor	Encrypted	Encrypted
Very sensitive identifiable personal information, shared with strong verification of approved recipients under signed agreement				
Crimson	Sign	Two Factor	Double Encryption	Double Encryption
Requires explicit permission for each transaction, using strong verification of approved recipients under signed agreement				

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DataTags Workflow (Repository example)

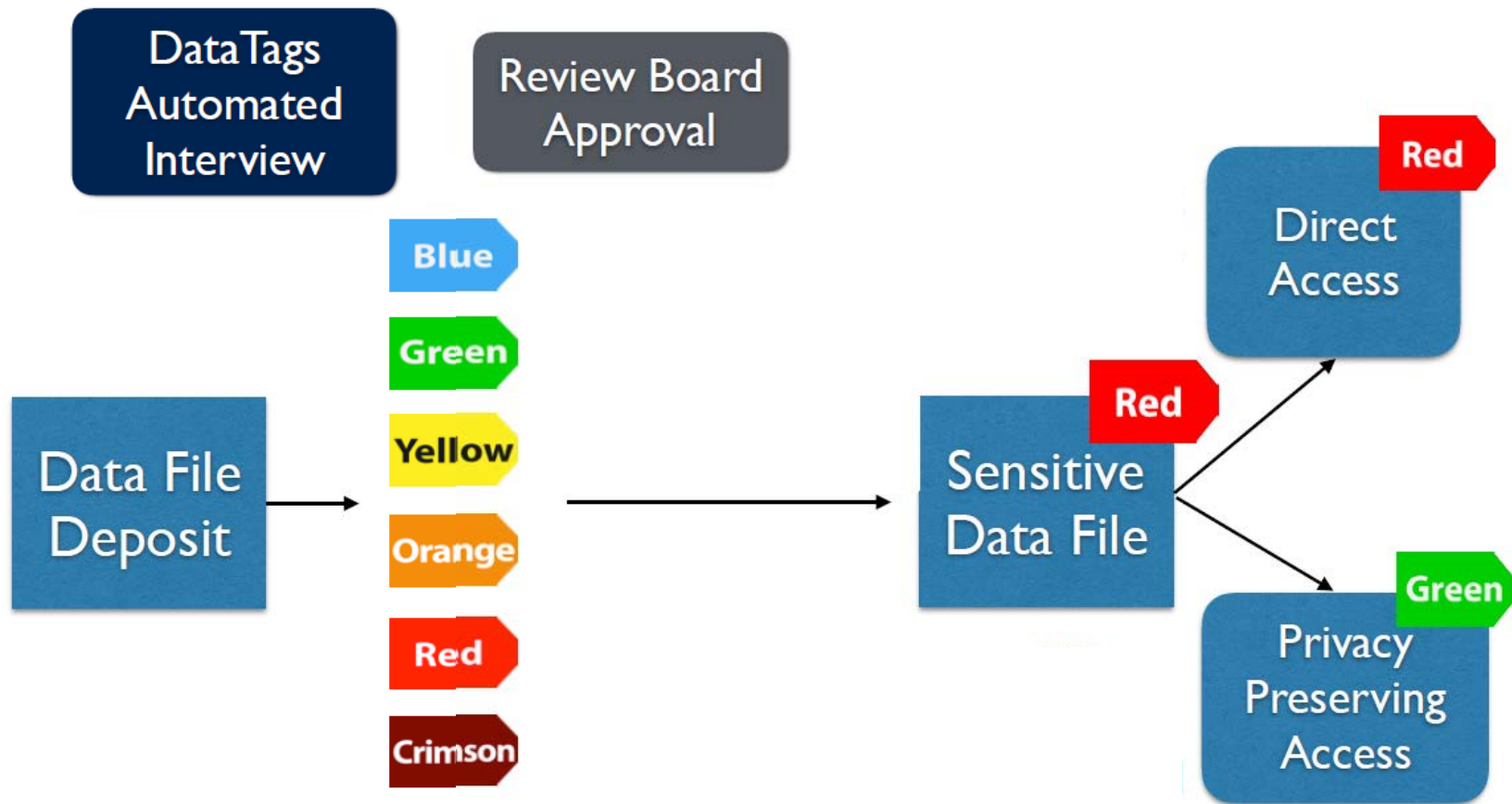# DataTags Workflow (Repository example)

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DataTags Workflow (Repository example)

Automated uptake, archiving and sharing of sensitive data

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GDPR at a glance:

- ## Personal data protection principles

  Lawfulness, fairness and transparency; purpose limitation, data minimisation, accuracy, storage limitation, integrity and confidentiality

- ## Data subject's rights

  The right to be informed, access, rectification, erasure, restrict and object to processing; the right of data portability and restriction of profiling and automated decision-making.

- ## Demonstrating compliance

  Process documentation, privacy impact assessments, audit and policy reviews; data breach notifications, codes of conduct and certifications, cross-border data transfers
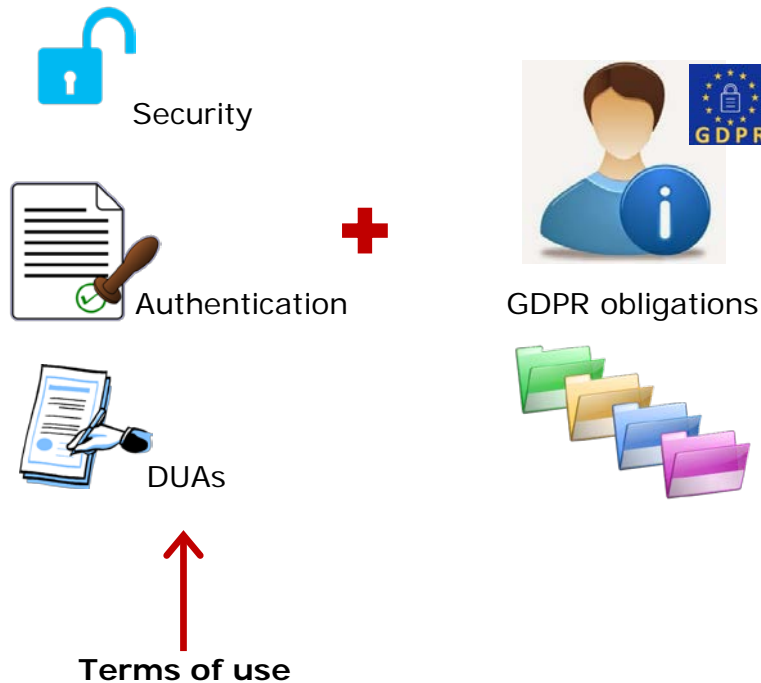
Protection

Intervenability

Transparency

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GDPR in research:

- Controller needs to demonstrate compliance
  - A recipient of personal data **becomes** a controller
  - Data subject needs to know and consent to new controller
- Research is worldwide
  - How to transfer personal data outside EU?
- GDPR is technology neutral
  - Technological solution to show compliance
  - Implement **transparency** and **intervenability** (for data subjects)

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DataTags, GDPR and Licences:

Security

Authentication

DUAs

Terms of use

GDPR obligations

Can Transparency and Intervenability be implemented into DataTags?

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Conclusions:

- DataTags: Automated sensitive dataset uptake, storage and sharing.

- May be possible to include **terms of use** compliance in the DUA

- Sharing personal data under the GDPR may require implementing additional tools and services

- When a (legally binding DUA is enough for data sharing, DataTags is suitable for dataset sharing

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Thank you for your attention!

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