

GUIDANCE

for students to comply with data protection rules when preparing thesis and other student work
(2023)

Your successfully defended thesis - without the need for confidentiality approval, which is only possible under the Academic Regulations for Students- will be widely available in the university repository. It is therefore your responsibility to ensure that you comply with some of the data protection rules that affect the choice of content in order to avoid infringements (we have prepared a separate guide on copyright and other confidentiality rules)¹.

Think about whether it is absolutely necessary to use personal data (either in text, image or sound format, e.g. questionnaire, audio recording) for your thesis or in your thesis. If so, you must obtain the prior consent of the persons interviewed (the so-called data subjects). In the case of personal data in the thesis, you must also upload the consent to Neptun! Declaration samples are provided, but to know when you need them, you need to be aware of the following:

I. What is personal data?

Any data or information that allows a person to identify the data subject, in particular

- name, address, place of birth, date, mother's name, any form of identification code (e.g. Neptun code, IP address, tax identification number), email address, telephone number, social media profile...
- photo, video or audio recording.

Identifiability must be interpreted very broadly, and it is not the same as knowing the person's identity. A person is identifiable even if all that is known about him or her is that that he or she is the only person in a particular group who is different from the others in some way. For example, the only Kurdish student in the class; the opinion of the manager of the xy homeless shelter.

See points VII-IX. for special cases!

II. When do I process personal data?

When you record it in any form - paper, electronic text, video, audio, or other form - or when you perform other operations on it (e.g. store, copy, disclose, transmit or otherwise make it available to others).

If you do not ask for personal data (name and other identifying information) in the questionnaire and you share the questionnaire on social media or distribute it through others (institutions, head of institution, teacher, etc.), use software that prevents IP address decryption, if possible! This allows you to avoid the processing of personal data, so you do not need to prepare a privacy notice or request a consent form.

There are two stages of data processing:

- the preparation of the thesis (data collection and writing), and
- sharing the essay (or a preliminary working draft) with others, typically the supervisor, and then uploading the final version to Neptun.

¹ Some faculties may also require a research ethics licence. Please, consult with your supervisor!

Important note! In Neptun, you only need to upload the consent form if the thesis itself contains personal data! For your information, it is already data processing if you are the only one working with the collected personal data and they are not included in the thesis itself - you must still comply with the data protection rules, which is your responsibility!²

III. What should I do if I use personal data in the text of my thesis?

1. The content of thesis is also made known to others through consultation, critique procedure and public defence and is then made available online in accordance with the Higher Education Act. In order to protect the data, it is therefore **necessary to consider whether the recording/collecting of personal data or its inclusion in the thesis is really indispensable**. For example, if you are conducting a survey, try not to record answers in a way that can be linked to an individual. If this is necessary, write only the conclusions drawn from them in the thesis, or refer to them anonymously, for example, without the name of the interviewee (**see point I**), and only in exceptional cases, with the agreement of your supervisor, include the personal data itself³.
2. **The consent of the data subject must be obtained before** the processing takes place! This can be done in various forms, so for details see the document "Requirements for obtaining consent" which can be downloaded along with this guide from the ELTE central website for thesis information (<https://www.elte.hu/en/education/thesis>).
3. **You must ensure the security of personal data** so that it is not disclosed to any unauthorised person. For example
 - a. store them on a password-protected device that only you can access, and delete them immediately after the thesis defence (as well as paper questionnaires and other documents of data collection if they contain personal data),
 - b. you should only share it with people who are absolutely necessary for the preparation of your thesis (supervisor, research assistant, study coordinator at the Office of Educational Affairs) and never with people who are not included in the privacy notice.
4. **You must initiate the confidential treatment of the thesis containing personal data with the supervisor**, unless the person concerned is of legal age and has consented also to the disclosure of personal data in the thesis on the form. If possible, your thesis should not contain any special categories of personal data (see III.1!). If you are only using personal data to write your thesis, but it is no longer actually included in the thesis, no need to treat the thesis as confidential/ confidentiality will not be required.
5. **You must upload the consent of all data subjects to Neptun alongside the thesis if their personal data are included in the thesis itself**. If you have given the data subjects a version of the privacy notice modified by you – which differs from the sample document – you must also upload it to Neptun. The consents can only be included in a file that is separate from the thesis, but all the consents should be scanned together.

IV. When do I not need to obtain the consent of the data subject?

For personal data that the data subject has already disclosed. In this case, you must indicate in the thesis that the data is public and give the public availability of the data. For example, in the case of scientific articles cited in a thesis, the name of the author.

² For details see: privacy notice samples/samples of consent forms! <https://www.elte.hu/en/education/thesis>

³ Special categories of personal data may also be used for scientific research, but only in full compliance with the rules to be agreed in advance with the subject leader! In the case of biometric, genetic and health data, see the specific legal requirements applicable to them.

V. What form can I use for a survey?

It is important to use a privacy-safe platform. For details, see the document "Guide on how to give informed consent", which can be downloaded from the ELTE central website for thesis information (<https://www.elte.hu/en/education/thesis>).

VI. What email address can I use to contact the data subjects?

For data security, it is best to use student@elte.hu-s as your email address. Avoid using your private email address (e.g. gmail, yahoo).

VII. Special categories of personal data: data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, genetic data, biometric data, data concerning health⁴ or data concerning a natural person's sex life or sexual orientation. Special categories of personal data shall be processed only exceptionally and under strict conditions. Therefore, such personal data collected for the thesis should preferably **NOT** be published in the thesis itself!

VIII. Data subjects under 18 years of age, i.e. minors

Minors are a particularly vulnerable group from a data protection perspective. If you need personal data of minors to prepare your thesis, you must first obtain the consent (also) of their statutory representative (e.g. parent). Consent can only be validly given by a statutory representative for children under the age of 14. If the data subject is 14 years old or older but under 18 years, the consent of the minor and the minor's statutory representative is also required. You must initiate the confidential treatment of the thesis containing personal data of minors!

IX. anonymous versus pseudonymised data

It is important to understand the difference between pseudonymisation and anonymisation, because anonymous data is not covered by the GDPR! In other words, when you process data anonymously for your thesis, consent is not required from the data subjects.

It is anonymous information if the data subject can no longer be identified based on it. This includes, for example, data anonymised during a research, which makes it impossible to identify the data subject. E.g. "33% of respondents... "

Pseudonymised data, on the other hand, remains personal data! Such as the code you use to mark the interview subject in the research for the thesis. The separate storage of additional information necessary to identify individuals is one of the accepted data security measures.

⁴ Health data e.g. fact of vaccination, special diet, mental status.