Data Sharing Toolkit

CABI

Module 4

Protecting individual's rights when sharing data

Cheat Sheet

Protecting individual's rights when sharing data

This cheat sheet gathers all the key points you should remember from eLearning on Protecting individual's rights when sharing data.

Concerns over collecting, using and sharing personal data often results in data not getting to those who need it. This cheat sheet covers key definitions, information about rights over personal data and techniques to reduce the risks related to handling personal data.

Definitions

- **Personal data**

  Information relating to an identified or identifiable natural person, for example a photograph of a person.

- **Sensitive personal data**

  Personal data that affords extra protection due to its nature, for example genetic data, health records or data that can potentially be used to discriminate.

- **Sensitive commercial data**

   Non-personal data, such as income of a business and locations of things. It is often deemed sensitive as the use and sharing of data may still result in harmful impacts.

In all cases countries will likely have their own definitions and categories for personal and sensitive personal data defined by data protection regulations.

Rights to data and data protection

When you put intellectual effort (thought) into creating something, you own that work and you have certain intellectual property rights. This means that data about you, including personal data) is not owned by you, but by whichever service provider, survey creator or platform that collected it. However, ensure your rights over data about you are secured by data protection regulations.

Around the world many countries have been updating data protection regulations to account for people now interacting online. Data protection regulations generally set out the definitions of personal and sensitive date, and the specific geographic restrictions that relate to them.

Best practice data protection legislations (such as GDPR) give individuals certain rights to data about them. These include rights to be informed about how data about them is processed, for what purpose, how long it will be retained and, in some cases, their right to object to, restrict or withdraw it from processing.

Data protection regulations will also set out the lawful basis under which personal data can be processed and the responsibilities of data controllers in relation to personal data.
Personal data cannot be collected or processed without a lawful basis – if no lawful basis applies then it is illegal to hold the personal data.
Data protection laws apply where an organisation has its principal place of business, regardless of where the data is stored.

Reducing risks when handling personal data

The best way to reduce the risk when handling personal data is to minimise what you collect and store. Personal data should only be collected and stored if it is absolutely necessary. If you don't need it, don't collect it and don't retain it.

Alternatively, techniques can be applied to reduce risks of re-identification when handling personal data, including:

- **Anonymising the data** by removing or altering any data that can identify a specific individual.

- **Creating synthetic data** containing the statistical patterns of the original dataset, but which does not refer to identifiable individuals.

Once the data is anonymised, data protection regulations no longer apply and data can be shared with others safely, even outside of geographical boundaries that may be imposed by data protection regulations.

Where can you find guides and tools to help?

The Data Sharing Toolkit contains key resources that can help protecting the rights of individuals while maximising the utility of data:

- Guide: Managing risk with personal data
- Guide: Anonymising data in agriculture
- Guide: Agriculture data country briefing
- Case study: Personal data – WWARN

There are also some external resources available:

- The Data Ethics Canvas
- You may also wish to see specialist legal support and advice related to data protection.

Data Sharing Toolkit

CABI Data Sharing Toolkit

open data institute

BILL & MELINDA GATES foundation