Title: **Using institutional data sets for research: Ethical issues and data protection**

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Abstract:

This paper is about researching learning and teaching using institutional data sets such as student records.

SEDA Values

Indicate which SEDA Values may be relevant to your proposal:

An understanding of how people learn		Scholarship, professionalism and ethical practice	X
Working and developing learning communities		Working effectively with diversity and promoting inclusivity	X
Continuing reflection on professional practice		Developing people and processes	X

Session Learning Outcomes

By the end of this session, delegates will be able to:

- Describe some of the key issues in using institutional data sets (such as UNITe[1], DLHE[2]) for research
- Compare the rules concerning data protection with common ethical guidelines for researchers
- Reflect on the implications of data protection and ethics guidelines for their own work

Session Outline

Ethical issues in research remain controversial, even as methods for assessing the ethics of specific projects through University Research Ethics Committees become more widespread (Hammersley, 2009; Stanley & Wise, 2010). Ethical issues surrounding use of institutional data

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[1] Student records system, see: http://www.capita-fhe.co.uk/products/pages/student-records.aspx

[2] Destination of Leavers from Higher Education Survey, see: http://www.hesa.ac.uk/content/view/1833/640/

sets are also of increasing importance, not least because of the impact of the Data Protection Act on how such data can reasonably be used by institutions or individual researchers.

This paper arises from a higher education research project which I am currently undertaking concerning experiences and achievements of students participating in the National Scholarship Programme (NSP) - as well as many years of facilitating sessions on pedagogic research methods. The current project requires us to gain access to student records held on UNITe (a student data management system) and this has raised questions about who can gain access to this data set, with what consent from students, and for what purpose? After some investigation, it has become clear that many colleagues do not understand what such data can (and cannot) be used for. There are also a number of areas where the requirements seem vague and/ or in tension with aspects of our university ethics policy.

Key issues to be addressed are:

- What does the Data Protection Act say about fair processing and consent?
- What constitute 'personal data'?
- How long can data be held for?
- What is a data protection notice and what should it include?
- What research is 'in the public interest'?

In this session I will open the discussion by sharing my own experiences of negotiating access to student records, taking into account limitations imposed by the Data Protection Act and the university ethics policy. I will then open up to discussion about others' experiences of accessing such data sets – or of using module or programme evaluation data for research purposes.

Session Activities

- Brief introduction and overview of background
- Sharing advice provided by university data protection manager and the university ethics policy, noting any potential areas of conflict
- Opening up to group discussion around the following questions:
    o Which data sets do you use/ might you want to use for research?
    o Does the data Protection Act apply? If so, how?
    o Do research ethics apply? If so, how?
    o What issues have you encountered and how have these been overcome?
- Conclusions/ implications

References

Hammersley, M. (2009) Against the ethicists: on the evils of ethical regulation *International Journal of Social Research Methodology* 12 (3): 211-225

Stanley, L. and Wise, S. (2010) The ESRC's 2010 Framework for Research Ethics: Fit for Research Purpose? *Sociological Research Online*, 15 (4) 12 Available online at: http://www.socresonline.org.uk/15/4/12.html