

ON THE RULES FOR DATA PROCESSING IN RESEARCH

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ON THE RULES FOR DATA PROCESSING IN RESEARCH**Purpose of the Provisions, Principles****1. §**

- (1) Institutional directives and regulations are needed to ensure the long-term protection, preservation and future access and re-use of research data resulting from research conducted at Corvinus University of Budapest (hereinafter: university research data), which is partially or fully funded by the University, and to increase the visibility of international excellence. The aim of the regulation is to promote responsible data design, data processing and data management practices in research at the University, which will ensure a long-term sustainable solution for the safe preservation of research results.
- (2) As data controller, the University is responsible for ensuring the availability, confidentiality and integrity of the information entrusted to it. University research data (data assets), whether managed and stored on the University's IT servers, personal devices, managed by a third party or business partner, or outsourced to a service provider, are important assets the protection, secure management and safekeeping of which requires regulation, protection and adequate safeguarding.
- (3) These Provisions provides a framework for the protection and safeguarding of data, taking into account the rules set out in the Provisions of the Presidential Committee on data protection, while enhancing the impact of university research and the potential for international cooperation by providing greater international visibility.
- (4) The direct purpose of the regulation on data processing in research and the benefits it provides:
 - a) ensuring, as a matter of principle and in a manner consistent with the University's values and economic objectives, that the University is committed to protecting research data and to preserving transparent and reliable research results for its lecturers and researchers,
 - b) supporting, through appropriate data processing practices and the development of research infrastructure, the University's mission and the research activities of researchers who serve the community, are performance-driven and excel in international collaborations,
 - c) facilitating engagement in knowledge exploitation, knowledge transfer and knowledge sharing,
 - d) encouraging and promoting researcher responsibility,
 - e) ensuring the complete fulfilment of the contractual obligations undertaken by the University's lecturers and researchers in relation to data processing, data management and long-term data retention, as well as the commitments made in the context of national and EU calls for applications, thus ensuring that the University can be at the international forefront,
 - f) ensuring that research data comply with international FAIR guidelines¹,

¹ Compliance with the FAIR principles means that research data must be findable, accessible, interoperable and reusable. More information: [FAIR Principles - GO FAIR \(go-fair.org\)](https://www.go-fair.org/)

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- g) allowing the University's lecturers and researchers to freely decide to share data in a FAIR way, in accordance with freedom of choice, to determine the extent and future of open access to data, while respecting contractual obligations and decision-making mechanisms,
- h) promoting the appropriate use of research data generated at the University, the multiplication of research results and better international visibility,
- i) ensuring, recognising and supporting different data processing practices in different branches of science.

Scope of the Provisions

2. §

- (1) The personal scope of the Provisions covers:
 - a) students in doctoral programmes (hereinafter: student(s));
 - b) all lecturers, researchers and teachers of the University (hereinafter: lecturer(s));
 - c) external lecturers, guest researchers, it being understood that the contract for lecturing or research shall make appropriate provision to this effect;
 - d) other research staff members of the University, it being understood that the contract of employment shall make appropriate provision to this effect;
 - e) subcontractors, from among contractual partners, involved in research, it being understood that the contract of employment shall make appropriate provision to this effect;
 - f) teachers and academic researchers on sabbatical.
- (2) The material scope of the Provisions covers: Research data generated for, resulting from, or produced in the collection or processing of data previously collected for specific research activities supported in whole or in part by the University and/or carried out at the University.

Definitions

3. §

- (1) For the purposes of these Provisions:
 - a) *Data Owner*: a legal or natural person who, in accordance with applicable Union or national law, has the right to grant access to or the right to share certain personal or non-personal data under his or her or its control.
 - b) *Sponsor*: an organisation that provides a financial contribution to support a research project.
 - c) *Research data*: factual data created, recorded, accepted and preserved by the academic community to support the validity of research findings. These can be generated as a result of observations, experiments, simulations for a specific research project, or by collecting, sorting and processing previously collected data.

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- d) *Research data processing plan*: it describes what data will be created or used in the research project, how these data will be processed throughout the research life cycle (who will create them, when, for what purpose, how these will be collected, processed, backed up, ethical, legal requirements, etc.). It sets out how these data are stored securely and includes information on how data is shared and archived (e.g. when, by whom, in what way, for how long, and with what rights they may be accessed during and after the research project). It is a “living” and constantly changing document.
- e) *Research metadata*: these describe information about research and research data, so that research results can be understood, reused and possibly integrated with other databases. The most important information described in the metadata record includes where and when the data were collected, when these were last updated, who is responsible for the data, why the data were created and how the data were organised. The metadata follow a standard format, which makes it easier to compare databases and transfer files electronically.
- f) *Repository*: a document server in universities and research institutions for archiving and making academic material available.
- g) *Personal data*: personal data as defined in Article 4(1) of Regulation (EU) 2016/679

Related legislation and internal regulatory documents**4. §****(1) Related legislation and regulatory documents:**

- a) Act CCIV of 2011 on National Higher Education (hereinafter: Nftv.);
- b) Act LXXVI of 1999 on Copyright (hereinafter: Copyright Act);
- c) Act V of 2013 on the Civil Code (hereinafter: Civil Code);
- d) Act LXXVI of 2014 on Scientific Research, Development and Innovation
- e) Regulation (EU) 2016/679 of the European Parliament and of the Council (of 27 April 2016) on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (hereinafter: General Data Protection Regulation or GDPR);
- f) Act CXII of 2011 on the right of informational self-determination and the freedom of information.
- g) Directive 96/9/EC of the Parliament and of the Council on the legal protection of databases;
- h) Directive 2001/29/EC of the European Parliament and of the Council on the harmonisation of certain aspects of copyright and related rights in the information society;
- i) Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information (recast);
- j) Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of prevention, investigation, detection or prosecution of criminal offences or the execution of

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criminal penalties, and the free movement of such data and repealing Council Framework Decision 2008/977/JHA;

- k) [Resolution on Open Science](#) (2021.10.15.);
- l) Organisational and Operational Procedures,
- m) Regulation on the protection and management of intellectual property;
- n) Code of Ethics;
- o) Provisions of the Presidential Committee on the Rules of Data Protection,
- p) Document Management Regulation;
- q) Provisions of the Presidential Committee on IT security rules;
- r) the University's [Guidelines on Ethical Research](#).

Proposed guidelines for data processing in research**Guidelines on research design****5. §**

- (1) For all new research where research data are generated or used, the Chief Researcher (with the involvement of the researchers concerned) will prepare a Research Data Management Plan, regardless of whether the Sponsor requires such a plan. The FAIR guidelines for data management should be kept in mind when designing and conducting the research. The Research Data Management Plan describes what data will be collected and/or used during the research; it contains precise information on data recording, storage, data management, data protection, data security, data safe-keeping, data sharing, access and disclosure, data re-use during the implementation of the research and describes what will happen to the data at the end of the project. Unless otherwise specified by the Sponsor or the project consortium (e.g. Horizon projects), the data management plan should be based on the Research Data Management Plan template and the Guidance provided on the University's website. The research leader shall update the data management plan immediately in the event of a significant change, otherwise at least once a year until the end of the project. All participants in a research project shall be familiar with the data management plan and comply with its requirements. The data management plan shall be filed in accordance with the document management rules, dated and signed by the Chief Researcher.
- (2) The Research Data Management Plan accompanying the research shall be reviewed and completed by the Research Data Officer at the request of the research team leader in the case of consortium research proposals. If Corvinus University is the consortium leader for the application, the data officer shall be consulted.
- (3) The research data management plan that accompanies research should be shared with the University's research community once it is completed, in order to provide information about and promote good data management practices, and shall be placed in the library repository (the University Library can advise on this). With this state-of-the-art IT infrastructure, we help the University's lecturers and researchers share knowledge and support responsible data management.

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- (4) Within the meaning of data protection by design and by default (Recital (78) and Article 25 of the GDPR) and taking into account the state of the art, the cost of implementation and the nature, scope, context and purposes of processing as well as the risks of varying likelihood and severity for rights and freedoms of natural persons posed by the processing, the University shall, both at the time of the determination of the means for processing and at the time of the processing itself, implement appropriate technical and organisational measures which are designed to implement data-protection principles, such as data minimisation, in an effective manner and to integrate the necessary safeguards into the processing in order to meet the requirements of the GDPR and protect the rights of data subjects. The University shall implement appropriate technical and organisational measures for ensuring that only personal data which are necessary for each specific research purpose are processed. That obligation applies to the amount of personal data collected, the extent of their processing, the period of their storage and their accessibility. In order to ensure this, the University applies technical data security measures (Subsections (1) and (2) of Section 6), and the research leader shall consult the University's Data Protection Officer before drawing up a research plan involving personal data.
- (5) In order to define the data protection framework of the research, prior to the research involving the processing of personal data, the research leader shall consult the University's Data Protection Officer to define the data protection model of the research (e.g. purposes of data processing, definition of data protection roles and responsibilities, identification of possible data processors) and to allow the data protection expert to prepare the data protection documentation resulting from the model (data processing notice, cooperation agreement for data processing, joint data processing agreement, data processing contracts, balancing of interests tests, data protection impact assessments, etc.).

Guidelines for carrying out research**6. §**

- (1) Research data shall be managed to the highest standards throughout the research lifecycle, as part of the University's commitment to research excellence. Research data shall comply with the FAIR guidelines, be reliable, transparent, traceable and guaranteed to be stored securely at all times (data security).
- (2) Responsibility for the management of research data lies primarily with the research leader of the research project or programme, but all participants in the research project shall be aware of and comply with the requirements for secure data processing and data protection.
- (3) Research data containing personal data shall be anonymised or pseudonymised as far as possible. If this is not possible, the information shall be encrypted.

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- (1) Researchers are advised to keep the research data, which underpin the research results and publications, as well as the research documentation in a trusted digital data repository (e.g. Zenodo, Figshare) that also provides a permanent identifier (e.g. DOI) for the data. It is recommended that access to the research data be granted (where possible) to the wider academic community after the research has been completed, based on the individual decision of the University's staff members, researchers or the researcher (under the recommended CC BY 4.0. licence), unless this is precluded or restricted by legal (copyright, data protection, etc.), ethical, contractual or other² requirements. This ensures knowledge sharing, cost efficiency and the reuse and long-term preservation of data.
- (2) Researchers should make their research metadata available in the Corvinus Research Repository using the dedicated template, thus helping to ensure that appropriate information on academic research and its results is available to University employees in a transparent and reliable manner in a common archive. If the research data cannot be made public, the metadata of the research shall still be published.
- (3) The protection of personal data and the legal interests of subjects in research shall be protected and taken into account in the case of transfers of data within or outside the University, even after the research has been completed. All personal data are subject to EU and national law on the protection of personal data and the University's data protection provisions.
- (4) Access to academic data for future re-use is one of the main objectives of this data processing regulation. Researchers should consider not transferring exclusive rights of re-use or exclusive rights to publish research data to commercial publishers or other agents, unless this is a condition of funding or the result of university policy and/or licensing decisions.

Rights over data assets**8. §**

- (1) In order to protect research data, the University reserves rights and interests in research data generated in the course of research supported by funds managed by the University and/or in the performance of job duties or contractual obligations. The University always bears in mind the possibility of sharing academic data in order to disseminate academic knowledge as widely as possible.
- (2) Intellectual property rules are set out in the Regulation on the protection and management of intellectual property.
- (3) Chief researchers and researchers: Chief researchers and researchers are key players in the processing of university data. It is important that the provisions support them in research, applications and their implementation funded by external research funding

²For example, confidentiality of commercial data, including business, professional or trade secrets.

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organisations and bodies. The University supports the availability and reuse of data from research supported and/or conducted in whole or in part by the University, to the extent permitted by legal, ethical, copyright restrictions as well as proprietary and contractual restrictions concerning data assets. As the processing of research data and data sharing is often primarily a matter of meeting the expectations of funders, it is important that stakeholders establish and maintain responsible data processing practices to ensure the University's continued competitive advantage in funded research.

- (4) The University Library: The University Library aims to provide access to and preserve information in all its forms. Through the research data processing services provided by the Research Data Officer, the Library ensures the alignment of the provisions, data processing best practices and supporting technical infrastructures to provide adequate support to the University's lecturers and researchers in the field of data processing, with the assistance of Legal, Administrative and Regulatory Services where necessary.
- (5) Information Technology: Information Technology supports the IT security of research at the University by creating, maintaining and developing a secure information environment and IT infrastructure (software, hardware), with special emphasis on data security, and, if necessary, with the assistance of Legal, Administrative and Regulatory Services.

Responsibilities**5. §**

- (1) The Library will review these Provisions as necessary, but at least every 2 years. The Research Committee is responsible for giving an opinion on the new or amended Provisions.
- (2) The University shall provide services for the secure storage, backup, selection of and placement of research data in an appropriate data repository to support access to and long-term safe storage of research data during and after the completion of research projects.
- (3) The University Library shall provide training, advice, suggestions, individual consultations, guidelines and information on how to prepare a data management plan to support the highest possible standards of research data management and the concrete preparation of research data management plans. It supports good research data management practice at all points in the research lifecycle, from design to implementation and to the end of the research. It supports the creation of quality FAIR research data, the responsible management of research data, including the secure storage of personal data and the protection of researchers' intellectual capital.
- (4) The Library shall develop appropriate guidelines for the secure storage of research data outside the university server. Good data management practices aim, among other things, to give greater visibility to the work and scientific results of researchers.
- (5) For all data that the researcher stores outside the university server, for example in an international data repository, the chief researcher is recommended to register. The University supports the secure storage of research data in multiple locations, both inside and outside the institution.

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Miscellaneous and final provisions

6. §

- (1) These Provisions shall enter into force on 20 September 2024. The University Library shall continuously publish the templates, data management plans, models and other documents related to data management to be developed in accordance with these Provisions, and shall ensure their continuous updating, if necessary with the assistance of Legal, Administrative and Regulatory Services.
- (2) These Provisions should be applied to ongoing and future research projects and, where possible, information from previous research should be collected in the repository.