

Q1. Has health research commenced **after** August 8th, 2018?*

Yes ↓

No ► Consult with your DPO

Q2. Am I the Data Controller? **

Yes ↓

No ► Consult with your Data Controller

Q3. Am I processing personal data for health research?



Q4. Do you have '**explicit consent**' for the purpose of processing the data for health research?

No



Yes ► You do not need to apply for a consent declaration. All other elements of GDPR and Health Research Regulations 2018 must be observed

Q5. Is it the view of the Data Controller, that the public's interest in carrying out the Health Research significantly outweighs the public interest in seeking explicit consent?

Yes - **Apply**



No ► Unless you are processing anonymised data, steps should be taken to ensure compliance with GDPR and the Health Research Regulations

- Provide a letter of approval from relevant REC(s)
- Provide a Data Protection Impact Assessment (DPIA) with DPO feedback
- Outline why obtaining explicit consent, in line with GDPR was not demonstrably feasible.
- Outline the reasons why the public's interest in carrying out the health research significantly outweighs the requirement to seek consent

*Commencement of research is deemed to be the date REC approval has been granted. [Regulation 4\(1\)](#)

**It is essential to establish correct Data Controller and Data Processor designation. These terms have the meaning ascribed to them in [GDPR](#)

Please consult <https://hrcdc.ie/> for additional guidance and clarifications.

For further queries, please contact: Secretariat@hrcdc.ie