European Commission, Horizon 2020

# D1.2. Ethical guidelines and procedures

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| | | | |

# List of Abbreviations and Acronyms

| Abbreviation / Acronym | |
|---|---|
| LEA | Law enforcement agencies |
| EA | Ethical Advisor |
| VR | Virtual Reality |
| DMA-SR | decision-making and acting under stress and in high-risk situations |
| DPO | Data Protection Officer |
| PDO | Project Data Officer |

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# Executive Summary

The present document is a deliverable of the SHOTPROS project. It provides the Ethical Guidelines and Procedure that all SHOTPROS consortium members will adhere to. This deliverable consists of two sections after the introduction. Chapter 2 describes the management of ethical issues within SHOTPROS. It describes the appointment of an internal Ethical Advisor, the procedure to be followed in case of scientific misconduct, and the approval process with the Social and Societal Ethics Committee of the KU Leuven. Chapter 4 describes the principles of good research practice that all researchers of SHOTPROS will comply to. Finally, chapter 3 outlines a series of ethical guidelines and procedures that cover the entire research cycle. The annex provides the template of the Data Privacy Information and Declaration of Consent.

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# 1 Introduction

SHOTPROS' main aim is to empirically assess the human, contextual and organisational factors that influence decision-making and acting process of law enforcement officers under stress and in high-risk situations (DMA-SR performance). This will be studied via experiments using a Virtual Reality (VR) environment and measuring physiological signs of stress. This way, SHOTPROS intends to contribute to a better (scientific) understanding of the way law enforcement officers make decisions and subsequent actions under stress during operational situations, and the factors that might negatively or positively influence these processes.

Based on these empirical findings, a second aim of SHOTPROS is to develop a new and innovative VR-based training program and curriculum. Through achieving these aims, SHOTPROS intends to benefit society as it will lead to better training of law enforcement personnel in making appropriate decisions, even under high stress, and subsequently also in their daily operations, which will hopefully result in fewer unnecessary injuries or fatalities, increased feelings of safety and respectful treatment of EU citizens, and more trust in European law enforcement.

However, during these activities and experiments, certain ethical issues may arise. As a research and innovation project, SHOTPROS has a responsibility to the people involved in the research and their rights, safety, well-being and interest, the communities that are engaged and involved in the research, and the society at large (European Commission, 2018). Therefore, ethics should be safeguarded throughout the whole life circle of the SHOTPROS project.

To deal with these issues appropriately, ethical guidelines and procedures will be outlined in this document. The purpose of this deliverable is to serve as a practical tool that provides guidance concerning ethical issues for all partners of the SHOTPROS project. All SHOTPROS partners are expected to adhere to these guidelines in all SHOTPROS activities. This document is complemented by the deliverables in Work Package 9: Ethics. In these deliverables, the most important ethical issues are further elaborated on.

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# 2 Ethical issues management

## 2.1 Appointment of ethical advisor

To ensure ethical compliance throughout the entire SHOTPROS project, SHOTPROS has appointed dr. Emma Jaspaert (KU Leuven) as the Ethical Advisor (EA). The EA is responsible for:

- Ensuring the proper management of all ethics procedures
- Reviewing all created SHOTPROS materials and outputs for ethical compliance
- Giving advice and assistance on ethics to all consortium partners

## 2.2 Procedure in case of scientific misconduct

SHOTPROS consortium members are fully aware of the ethical issues they may encounter during their work and condemn all forms of scientific misconduct. They are committed to follow the fundamental principles of research integrity outlined in the revised version of the European Code of Conduct for Research Integrity (ALLEA, 2017), regardless of the country in which the research is carried out:

- **Reliability** in ensuring the quality of research, reflected in the design, the methodology, the analysis and the use of resources
- **Honesty** in developing, undertaking, reviewing, reporting and communicating research in a transparent, fair, full and unbiased way
- **Respect** for colleagues, research participants, society, ecosystems, cultural heritage and the environment
- **Accountability** for the research from idea to publication, for its management and organisation, for training, supervision and mentoring, and for its wider impacts.

Violations of research integrity should be avoided at all cost. Research misconduct can consist of fabrication of results, falsification of data or records, plagiarism or piracy, failing to acknowledge authorship, misleading reporting of study results, sabotaging the work of other scientists, etc. Should misconduct related to SHOTPROS activities occur, then the misconduct will be handled locally according to the local regulations, following the principle of subsidiarity. However, consortium partners will also always inform the Ethical Advisor and the coordinator if such misconducts have occurred and to update them regularly about the local process on the matter.

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## 2.3 Ethical clearance

Full ethical clearance is being sought for the SHOTPROS project. SHOTPROS will implement different methodological approaches: focus groups, workshops, interviews, surveys, experiments, field trials, etc. The consortium has chosen to adopt a uniform approach to the ethical procedures. Therefore, the decision was made to submit the full protocol for all SHOTPROS activities to the Social and Societal Ethics Committee of the KU Leuven, who is also responsible for WP9 on Ethics. The Social and Societal Ethics Committee is a well-renowned review board responsible for all research projects involving human subjects. It consists of a multidisciplinary panel of experts who ethically review research in the humanities and the behavioural and social science research traditions. The full protocol is currently submitted and under review.

KU Leuven also asked the advice of its Committee for Ethics on Dual Use of Research. The Committee has reviewed the application and has given a positive advice for the project on October 12, 2018.

# 3 Ethical guidelines and procedures

The following internal ethical guidelines are intended to offer assistance to all SHOTPROS consortium members throughout the project and to promote a shared understanding of the importance of high research standards and integrity and adherence to guidelines concerning ethical conduct in research. They complement the rules for participation and dissemination outlined in the SHOTPROS consortium agreement. All the guidelines are described in more detail in the deliverables of WP9 on Ethics.

## 3.1 Data collection

SHOTPROS commits itself to upholding the highest scientific standards in the collection of data. This means that the most appropriate research methods will be selected for each specific study. Clear and detailed data collection procedures and protocols should be provided, with details about the aim of the study, the research methods used, instruments used, timing, and analysis methods. Research will be conducted in with a critical and open mind and with utmost respect and dignity for all human participants.

### 3.1.1 Identification and recruitment of participants

Participation in SHOTPROS activities will always be on a voluntary basis. An End User Manager (Kathleen Van Heuverswijn from Campus Vesta) has been assigned to oversee and

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safeguard an appropriate participant recruitment procedure for each study. For most studies, participants will mainly be recruited from the end user partners represented in the SHOTPROS consortium. In this recruitment, researchers and end user partners should make sure the following guidelines are being respected:

- All approached persons should be explicitly informed that participation is voluntary and that withdrawal will not have negative consequences; no pressure can be put on candidates to participate
- Researchers should provide a clear description (screener) of the participant profiles that are needed for each specific study (e.g., type of end user, certain health requirements for the VR tests). Discrimination based on gender, race, ethnicity or religion is not accepted.

In WP2, expert interviews will be conducted. The recruitment of these experts will also be based on a screener (i.e., specific type of expertise) and will be personally selected and invited by the end user partner. In WP2, an online survey will be distributed to EU citizens in the six participating countries. The sampling procedure that will be used is convenience sampling. All consortium partners will distribute the survey through the channels available to them.

### 3.1.2 Safety of participants

Special consideration is warranted for the safety and health of the participants during the experiments (WP6) and field trials (WP7), in which participants will be immersed in a Virtual Reality (VR) environment. In these cases, health and safety issues should receive additional attention. The following guidelines are outlined for these studies:

- Volunteers need to be explicitly and thoroughly informed about possible negative reactions to the VR (e.g., VR motion sickness)
- Because of an increased risk of experiencing negative reactions from the VR, volunteers with diagnosed heart conditions or psychological illnesses should not participate
- Participants will be carefully monitored through the full test and the test will be paused (or if necessary, terminated) should the participant respond negatively to the VR environment
- After the test, participants should be explicitly asked how they feel and necessary support should be provided to alleviate negative reactions if they arise

The experiments in WP6 also contain the measurement of human physiological parameters (i.e., heart rate and cortisol levels). The main guideline here is that the measurement of

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these physiological parameters shall be performed in a non-invasive manner. Should the measurement reveal specific health conditions that are unknown to the participant, the participant will be informed about these results with care.

### 3.1.3 Collection of special categories of data

Special categories of data concern data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation. In general, the processing of these special categories of data is prohibited, but can be allowed if the data subject has given explicit consent to the processing of this personal data for one or more specific purposes (art. 9(2)(a) GDPR) and/or when processing is necessary for scientific research purposes (art. 9(2)(j) GDPR).

In SHOTPROS, the guideline is that the collection of special categories of data should be avoided as much as possible. Only if justified for research purposes, will such data be collected.

D9.4. already specifies the special categories of data that will be collected in SHOTPROS. They concern:

- Ethnic origin and religious beliefs (as this is an important human factor in the context of DMA-SR)
- Data concerning health (to assess if they can partake in the VR studies and to correctly interpret the physiological measurements)

The collection of these special categories of data will not make the identification of participants possible.

### 3.1.4 Data minimization

Data minimization means that personal data shall be adequate, relevant and limited to what is necessary in relation to the purpose for which they are processed. In SHOTPROS, the collection of personal data will be kept to a minimum, with only the collection of information that is needed to fulfil the objectives of the SHOTPROS project.

D9.5. provides more details on the data minimization procedure in each specific study.

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## 3.2 Data management

SHOTPROS will follow good scientific practice in preserving primary data, managing data in a good and correct way, storing and document all relevant data and processing data adequately. All consortium partners should comply with the Data Management Plan (see D1.3) where specific procedures are described. Individual consortium partners should develop the appropriate mechanisms for ensuring compliance with these procedures.

### 3.2.1 Informed consent on participation and data processing

Participation in all studies should be voluntary.

Prior to their actual participation in a specific SHOTPROS study, all human participants should be extensively briefed orally by a member of the research staff or with an information letter. Participants should be informed, prior to their agreement to participate, about (see Chapter III GDPR):

- The identity and contact details of the researcher responsible for the study
- The contact details of the appointed Data Protection Officer
- The purpose of the study
- The study procedures
- The recipients of the personal data
- The period for which the personal data will be stored
- His/her rights:
    - The right to request access to and rectification or erasure of personal data
    - The right to withdraw consent at any time, without negative consequences
    - The right to lodge a complaint with a supervisory authority

All this information should be conveyed in a clear and unambiguous manner. If volunteers have other questions, they should be answered by the SHOTPROS team members who are present.

Prior to participation, the participant should have read and, if he/she agrees to participate, sign a Data Privacy Information and Informed Consent Form (template in Annex). In this document, participants can agree to participate as well as agree to the processing of his/her personal data.

See also D9.2 for more information on the informed consent procedure for participation and D9.6 for information on the informed consent procedure for data processing.

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### 3.2.2 Data protection

In accordance with the article 5 of Regulation (EU) 2016/679 (General Data Protection Resolution), personal data shall be processed according to the following principles.

Personal data shall be:

(a) Processed lawfully, fairly and in a transparent manner in relation to the data subject ('lawfulness, fairness and transparency');
(b) Collected for specified, explicit and legitimate purposes and not further processed in a manner that is incompatible with those purposes;
(c) Adequate, relevant and limited to what is necessary in relation to the purposes for which they are processed ('data minimisation');
(d) Accurate and, where necessary, kept up to date; every reasonable step must be taken to ensure that personal data that are inaccurate, having regard to the purposes for which they are processed, are erased or rectified without delay ('accuracy');
(e) Kept in a form which permits identification of data subjects for no longer than is necessary for the purposes for which the personal data are processed;
(f) Processed in a manner that ensure appropriate security of personal data, including protection against unauthorized or unlawful processing and against accidental loss, destruction or damage, using appropriate technical or organization measures ('integrity and confidentiality').

SHOTPROS has taken the necessary technical measures to ensure data security. AIT has installed a file storage (locally hosted sharepoint server) for the project data on its premises, located in Giefinggasse 4, A-1210 Vienna. The sharepoint servers are located within a separate extranet section AIT's IT infrastructure and are secured by several firewalls and can be exclusively accessed via https secured port 443. The security concept strictly restricts any physical access to the data centre and any remote access to the servers. Therefore, no project data is hosted on cloud storage. Access to this project sharepoint instance is only possible for registered users (within the consortium).

All the data in SHOTPROS will be pseudonymized. Each data subject will receive a unique identifier (Study_STN_subject_SN_DDMMYY). Initially, this code will be attached to the electronic (and if present paper) records of the participants answers to the questionnaires, video and audio recordings of the study, and on the informed consent forms. Video and audio recordings will be deleted after transcription. We aim to keep a link between the informed consent forms and the study data of each specific participant throughout the full duration of the SHOTPROS project, so that they can exert all their rights (e.g. further

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information, correction requests, requests for deletion or restriction, objections to processing, withdrawal from study). Afterwards, the informed consent forms will be removed from their unique identifier to make all the data anonymous and prevent potential mis-use, as the informed consent forms are the only documents that can reveal the participant's identity.

To comply with the rules of good scientific conduct and the related storage of primary scientific data, the study data within SHOTPROS will be stored for 10 years after the end of the project.

More information on the technical and organisational measures taken by SHOTPROS to secure data privacy can be found in D9.7.

### 3.2.3 Data processing limitations

Within the SHOTPROS project, the right of study data processing is strictly limited to the research organisations participating in SHOTPROS (KUL, AIT, UHEI, VUA). The coordinator (USE) is entitled the right to access informed consent information in the case of any data security audit measures as well as the data collected in WP2 as they are task leader in this Work Package. As End User Manager, Campus Vesta also has the right to process the contact details of participants who expressed interest to participate in further studies, but has no right of processing study data itself.

In order to legally record this, a 'Shared Data Processing Document', describing each partners' responsibilities and duties, is in the process of being set up by AIT's DPO Mr. Löffler and AIT's PDO Mr. Egger-Lampl. This is needed as all scientific partners will be involved in all studies involving data collection from human participants and the related analysis. In this document the shared responsibilities in terms of data protection will be defined and agreed upon between all academic partners. This document emphasizes the joint liability of all partners concerning the protection of the study data and will ensure that all scientific partners use the same high standards to protect the data collected in SHOTPROS.

See D9.7 for more information on the technical and organisational measures to protect participants' personal data.

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# 4 References

ALLEA (2017). *The European Code of Conduct for Research Integrity, revised edition*. Retrieved from: https://ec.europa.eu/research/participants/data/ref/h2020/other/hi/h2020-ethics_code-of-conduct_en.pdf

European Commission (2018). *Ethics in Social Science and Humanities*. Retrieved from: https://ec.europa.eu/research/participants/data/ref/h2020/other/hi/h2020_ethics-soc-science-humanities_en.pdf

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 (General Data Protection Regulation), OJ L 119/1.

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# 5 Annex: Data Privacy Information and Declaration of Consent

## Data Privacy Information and Declaration of Consent

### 1. Introduction

The study described below is part of the research project SHOTPROS. This project receives funding from the European Commission as part of the funding programme Horizon 2020 (project number: 833672). You have been invited to participate in this study. Before you agree to participate in this study, please read all the information provided carefully and do not hesitate to ask if you have any questions regarding the study or the potential benefits and risks involved.

### 2. Target group and conditions of participation

Test subjects must meet the following criteria to take part in this study:

- [please indicate the criteria that participants must meet.]
- […]
- […]

Participation in this scientific study is voluntary.

### 3. Procedure

[Please briefly describe the study procedure so that the participants are given a good impression of what they have to expect.]

[Duration of the study:[…]]

[Description of study task(s); if required, location at which study is conducted]

### 4. Potential risks

[You do not incur any risk by participating in this study. **Alternatively:** indicate potential risks.]

### 5. Purpose of processing your personal data

[Describe why the research project is carried out. What is the goal of the research project?]

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[Specify the reason(s) why it is necessary to process personal data. The participants must be fully informed why their data will be processed.]

The information gathered as part of this study will be published in reports on the research project or in scientific papers in the form of statistical evaluations or scenarios without including any personal details. It will not be possible to track your identity from reports or papers at a later date. Any image material will be anonymised and will not be published earlier than 6 months after it has been recorded.

Your personal data will only be processed as part of this research project if you give your explicit consent.

After completion of the research project your data will be preserved for the purpose of proving compliance with the guidelines for good scientific practice. The research partners may also process your data for other scientific research purposes relating to SHOTPROS if these are not aimed at producing person-related results.

## 6. Processed data

The following data will be collected: [specify data categories, e.g.:

- name;
- age;
- gender;
- years of experience in the police force
- function in the police force
- ethnicity
- religion
- e-mail address;
- Level of Virtual Reality experience
- Etc.

The study will be documented by video and audio recordings for the purpose of analysis. Any video and audio material recorded will be anonymised or deleted at the end of the project.

## 7. Data storage period

After completion of the research project your personal data will be retained for as long as necessary to provide evidence of compliance with good scientific practice in accordance with the relevant guidelines. Research data must currently[1] be retained for a period of ten years.

[1] as of 10/2017.

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If this period changes in the future your data will be stored for a correspondingly shorter or longer period of time.

## 8. Recipients of your personal data

Only the research partners within SHOTPROS (i.e., KU Leuven, University of Heidelberg, Vrije Universiteit Amsterdam, and the Austrian Institute of Technology), the coordinator (USECON) and the End User Manager (Campus Vesta) within SHOTPROS have access to your personal data. Your data will not be disclosed or transferred to other recipients without your consent.

By signing this Declaration of Consent you agree that your data processed as part of this study will be disclosed to the following recipients:

**KU Leuven**
Oude Markt 13, 3000 Leuven
Belgium

**Ruprecht-Karls-Universitaet Heidelberg**
Seminarstraße 2, 69117 Heidelberg
Germany

**Austrian Institute of Technology**
Gieffinggasse 3, 1210 Wien
Austria

**USECON, The Usability Consultants GMBH**
Gaisbergstraße 34, 5310 Tiefgraben-Mondsee
Austria

**Stichting VU**
de Boelelaan 1105, 1081 HV, Amsterdam
The Netherlands

**Autonoom Provinciebedrijf Campus Vesta**
Oostmalsesteenweg 75, 2520 Emblem Ranst
Belgium

## 9. Your rights and contacts

You are entitled:

- to request information about your processed data;
- to ask for incorrect data to be corrected or deleted or
- to contact the Data Protection Authority in cases of suspected violation of the data protection provisions.

You are also entitled:

- **to withdraw your consent at any time** and
- **to object to the processing of your data.**

You may withdraw you consent at any time (including during the study) without any consequences. You don't have to justify this withdrawal. Once you inform us that you withdraw your consent, your data will not be used in the subsequent phases of the research project. Please note that documents already published (e.g., project reports prepared for the

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funding provider, scientific publications) or project results obtained using your data before you withdrew your consent cannot be altered. Please also note that your data may have to be further processed to prove compliance with the guidelines of good scientific practice.

If you require further information about your rights as a test subject or the study itself, or if you have further questions, or wish to exercise your rights or abort the study, please contact [specify a person involved in the project as contact for this specific study]

You can also contact the Data Protection Officer of SHOTPROS:; Mr. Michael Löffler: dpo@ait.ac.at, +43 50550-2003

For any complaints or other concerns about ethical aspects of this study, you can contact the Social and Societal Ethics Committee of KU Leuven at smec@kuleuven.be.

**10. Declaration of Consent according to data protection law**

I have read and understood the Declaration of Consent. I have received answers to all my questions related to this study.

By signing this declaration, I consent to my participation in this study.

By signing this declaration I agree that SHOTPROS may process my personal data of the categories listed in section 6 for the purpose(s) specified in section 5.

By signing this declaration I also agree that my personal data may be disclosed to the recipients listed in section 8.

☐ I hereby agree that SHOTPROS may use photos, audio recordings, video material or parts thereof, for marketing, advertising and public relations for the research project and may publish these materials to achieve the above purposes.

☐ I hereby agree that SHOTPROS may include my name, my function in the organization, and my e-mail address in a database of test subjects in order to be able to contact me by email to invite me to participate in future scientific studies within the SHOTPROS research project.

☐ I hereby agree that SHOTPROS may include my name, my function in the organisation, and my e-mail address in their dissemination list in order to receive further general SHOTPROS new:

| | |
|---|---|
| Name | |

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| | |
|---|---|
| Function | |
| E-mail address | |

I, the undersigned, hereby declare that at the time of signing this Declaration of Consent,

☐ I am of full age and legal capacity.

I have received a copy of the Data Privacy Information and Declaration of Consent.

**I understand that I may withdraw my consent in whole or in part at any time by giving notice to the contact address specified in section 9.**

_____

FIRST NAME AND LAST NAME IN BLOCK LETTERS

_____

Date, place and signature

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