Office of the Vice Rector for Research, Knowledge Transfer and Entrepreneurship

UOC Research Data Management Regulations

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Contents

Universitat Oberta
de Catalunya

Preamble

At the Universitat Oberta de Catalunya (hereinafter "UOC"), we believe that a university should be an open forum that encourages dialogue and the creation and exchange of knowledge. This is why we are committed to ensuring that the knowledge generated through research is open to everyone, has as much impact as possible and facilitates progress towards sustainable development. This knowledge is transferred through open access to scientific publications and to the data generated in research.

The UOC collects data in a variety of records and formats that are then used in scientific research to achieve its goals. This requires research data to be properly managed throughout their life cycle, ensuring their preservation and accessibility in the medium and long terms, as well as the security of the associated information.

Effective research data management practices are key to:

- Improving the quality and impact of research: Properly managed data make it easier to reproduce and verify research results, which in turn leads to more robust and reliable research results.

- Fostering collaboration and knowledge sharing: Open data encourage collaboration between researchers both within the UOC and beyond and drive the advancement of knowledge.

- Ensuring compliance with legal and ethical requirements: Adherence to data protection regulations and ethical guidelines is key to research integrity and fostering trust in research.

- Maximizing the value of research investment: Appropriate data management ensures that research data remain accessible and usable in the long term, optimizing the return on investment in research.

These regulations are aligned with the UOC's strategic commitment to open knowledge as expressed in the UOC's Open Knowledge Policy and the Open Knowledge Action Plan, and particularly with the UOC Research Data Management Policy. They support the UOC's mission of being an open university that contributes to the advancement of knowledge and the improvement of society.

Title I. General provisions

Article 1. Aim and definitions

1. The aim of these regulations is to regulate the management of research data for the proper collection, processing, storage, sharing, deletion and publication of the data, ensuring their security, integrity and confidentiality at all times.

2. Research data are data generated or collected during a research activity that certify and validate its results and makes it easier to reproduce.

3. Research data management is the organization of data from the start of a research activity until its completion.

4. The definitions set forth in Appendix I shall apply to these regulations.

Article 2. Objective scope

1. These regulations apply to any information collected, observed, generated or created from the beginning of the research activity at the UOC until its completion. They also apply to the set of data accumulated and collected during a research activity that are necessary to validate its results, regardless of type of information, structure, storage method or file format.

2. These regulations also apply to the set of research data generated in connection with a research activity contracted by the UOC or carried out by it in collaboration with other institutions, with or without external funding.

In the case of externally funded research, the funding body's stipulations on research data shall prevail unless they contradict the UOC's own security, integrity and confidentiality standards and policies.

If data arising from collaborative research are managed by an entity other than the UOC but are processed by UOC staff or in UOC systems, the UOC's own security, integrity and confidentiality standards and policies shall still apply.

Article 3. Subjective scope

1. These regulations apply to all UOC teaching, research and administrative staff who design and carry out research activities of any kind.

2. These regulations also apply to staff who, despite not having a contractual relationship with the UOC, conduct collaborative research activities, provided that they are coordinated by the UOC.

Title II. Research data

Chapter I. Stages of the research data life cycle

Article 4. Definition of "life cycle"

1. The research data life cycle starts when the data are first created and ends when they are deleted or preserved for an indefinite time.

2. The research data life cycle can be divided into the following stages, which are not necessarily consecutive or independent of each other:

1. Research planning and design
2. Data collection, processing and analysis
3. Data preservation
4. Data publication, sharing and reuse
5. Data deletion

Article 5. Research planning and design

1. The first stage involves planning and designing the data management by means of a data management plan (DMP).

2. The DMP must be drawn up in accordance with the regulatory framework governing universities, science, trade secrets, intellectual property, data protection and access to information, as well as in compliance with any other requirement that may be established by the financing entity, where applicable.

3. The DMP must establish the mechanisms to be put in place to ensure the storage and security of the data generated, as well as access thereto, and the procedures for their retention, reuse and long-term preservation.

4. The DMP must consider whether there are any costs associated with research data management, in which case they must be anticipated and included in the project budget.

Article 6. Data collection, processing and analysis

1. The purpose of data collection is to obtain data in connection with a research activity through observation, experimentation, surveys, digital tools or any other suitable method.

2. The tools and methods used and all the information required to ensure that the data are properly understood, used and interpreted must be documented at this stage.

3. Once they have been collected, the data are processed. This involves subjecting the data to technical and methodological operations in preparation for scientific analysis and interpretation.

4. This processing must include, where appropriate, processes such as data cleansing, encoding, format transformation, document versioning, data validation and description, and anonymization where necessary.

5. All processes applied to the collection and processing of data must be thoroughly and verifiably documented so that the same result can be reproduced from the raw data.

6. The data processing must include a file versioning system that enables all changes made to the data during processing to be identified, traced and controlled.

Article 7. Data preservation

1. Data preservation aims to ensure the long-term safeguarding and availability of research data, with a focus on sustainability and future availability.

2. Data preservation must be planned at the beginning of the research activity, and the necessary actions to safeguard the resulting data and ensure their availability must be carried out.

3. The data with the greatest usefulness and potential value must be preserved and published. If appropriate, negative results can be included to avoid repeating unnecessary processes.

4. Suitable data formats must be used when preserving the data. Backup copies and storage systems must be created and maintained to ensure the integrity of the data, and the data retention period must be established and documented.

5. As a general rule, research data can be retained indefinitely unless otherwise provided by a regulation, standard or agreement or if they contain personal details.

Article 8. Data publication, sharing and reuse

1. The publication, sharing and reuse of research data must comply with the FAIR (findable, accessible, interoperable and reusable) principles, which aim to make data easier to locate and access, make research more efficient and transparent, and foster the exchange of knowledge.

2. The aim of publication is to make data generated in research available to the research community and society as a whole through suitable repositories or platforms.

Data publication is subject to restrictions relating to confidentiality, privacy and the protection of intellectual or industrial property rights.

3. The aim of data sharing is to make research data available to other researchers or authorized parties, both within the UOC and beyond, under secure conditions and with appropriate permissions.

This stage involves establishing the level of access to be assigned to the data and choosing a repository with suitable security conditions, permissions and licences, to ensure that the data and their associated metadata can be effectively consulted.

4. The aim of data reuse is to encourage the use of existing research data to design new research studies, applications or projects in contexts different from the original one. To achieve this, the data must be properly documented and have licences specifying how they can be used in other contexts.

Article 9. Data retention and deletion

1. All data generated and stored as a result of a research activity must be retained for at least the justification period set for each research project.

Where specific retention periods are stipulated in the applicable regulations or the call for funding, these shall prevail and must be strictly adhered to.

2. The necessary measures to ensure the security of the information, especially those relating to its confidentiality, integrity and availability, must be applied throughout the retention period as provided in the UOC's internal regulations and policies.
Data access management must be properly controlled and documented and restricted to authorized persons.

3. Data deletion must be conducted securely and in a traceable manner, ensuring that the destruction is irreversible and in accordance with the UOC's guidelines.

Physical records that are no longer needed can be sent to the university's archives for potential inclusion in collections, in order to preserve them and enable future researchers to use them.

Chapter II. Classification of research data

Article 10. General classification

Research data can generally be classified based on:

a) the methodology used;
b) their current stage in the data life cycle; and
c) their impact on people's privacy and the classification level of the information.

Article 11. Classification based on the methodology used

Here are a few examples of how research data can be sub-classified based on the methodology used:

a) **Observational data**: Data captured in real time, which cannot be repeated. They are associated with qualitative and quantitative methodologies, where the data collected are to be subsequently analysed.

b) **Experimental data**: Data captured using laboratory equipment. They are associated with quantitative methodologies that seek to determine cause and effect in a given phenomenon.

c) **Simulation data**: Data resulting from test models, microdata artificially generated based on statistical or computational models. This type of data can be combined with real data or used to produce new data through simulations.

d) **Derived or compiled data**: Complex data that are technically reproducible but hard to reproduce in practice. It is new information created by processing and combining existing datasets.

e) **Reference data**: Data in a cluster or dataset that can be created internally or that originate from external sources.

Article 12. Classification based on the current stage of the data cycle

Research data can be subclassified into the following categories based on the current stage of the data cycle:

a) **Primary or raw data**: Original data that have been collected but are still awaiting processing and analysis.

b) **Anonymized data**: Personal data that have been collected and, after processing, can no longer be associated with the person to whom they originally related, making it impossible to identify that person or restore the previous link.

c) **Processed data**: The data resulting from the organization, reduction, integration and conversion of a primary or anonymized dataset into new data in accordance with a specific methodology (such as digitization, translation, transcription or the use of a statistical or qualitative data analysis tool).

d) **Data for publication**: The final data ready for publication in open access in repositories or other platforms.

Article 13. Classification based on the data's impact on people's privacy and the classification level of the information

Research data can be subclassified into the following categories based on their impact on people's privacy and the classification level of the information:

a) **Public data**: Data that can be freely publicized without restrictions.

b) **Internal data**: Data intended solely for use within the UOC or within the scope of the project.

c) **Confidential data**: Data that may only be accessed by expressly authorized persons, because they contain personal and special category data.

d) **Restricted data**: Highly sensitive data requiring special protection measures and enhanced access control.

Title III. Data management and organization

Chapter I. The data management plan

Article 14. Data management plan (DMP)

1. UOC research data must be organized and managed throughout their life cycle by means of a DMP.

The DMP must set out the data acquisition or collection, storage, processing, retention and deletion processes, which must be carried out through the appropriate procedures.

2. All research activities and projects at the UOC, with or without funding, that involve processing any type of data must have a DMP, even if this is not expressly required by the project or the funding entity. In externally funded research projects, any specific requirements established by the funding body must also be set out in the DMP.

3. Responsibility for drawing up the DMP lies with the principal investigator of the research project. In the case of research projects carried out in collaboration with other entities, this duty pertains to the principal investigator of the entity in charge of coordinating the DMP.

Chapter II. Data management processes

Article 15. Data collection process

1. The data collection process seeks to acquire, capture and collect research data.

2. The data collection process must be set out in the DMP and take several prior considerations into account:

a) If the research project involves processing personal data, the data subject's informed consent, including a detailed description of the processing of personal data, must be obtained. Only the personal data strictly required for the purposes of the research activity must be collected.

b) If anonymized, aggregated or synthetic datasets are used, the source of the data and, if applicable, the licence applicable to the dataset, must be verified.

c) If the research activity is carried out in collaboration with third parties, the obligations and distribution of responsibilities concerning data processing stipulated in the call for funding or collaboration agreement must be taken into account.

3. In order to start the data collection process, the relevant ethical conformity report, as well as the specific data protection and security measures to be applied, must be issued as provided in Article 3.e) of the Regulations of the Research Ethics Committee.

Article 16. Data processing

1. Data processing is the process of manipulating raw research data and transforming them into useful information that can be interpreted and used to reach conclusions that help achieve the aims of the research.

2. The personal data processing process must be set out in the DMP and specifically provide for the mandatory application of technical and organizational security measures that ensure their confidentiality, integrity and availability in accordance with the UOC's policies on security and confidentiality.

Whenever possible, such measures must include: the pseudonymization or anonymization of data, the use of privacy-enhancing technologies, access controls based on the need to know, and mechanisms for recording and ensuring the traceability of all operations.

3. Special category data may only be processed if there is a legal basis of legitimate interest or express consent, and always with enhanced security measures. Provided it is allowed by the purpose of the processing, pseudonymization or anonymization methods must be applied to prevent individuals from being directly or indirectly identified.

Such data must be classified as confidential information and protected by means of specific measures such as encrypted environments, strict access controls and recording of all operations.

4. Data collected in non-digital formats must be processed according to criteria of integrity, responsible storage, controlled access and preservation for an indefinite time, in accordance with the UOC Document Management Policy.

Such data should ideally be digitized and processed in secure environments whenever possible.

Article 17. Storage

1. Data storage is the technological process of archiving, sorting and sharing data from the moment they are collected in UOC-authorized systems and infrastructure until their deletion.

2. The storage process must be set out in the DMP and ensure the confidentiality, security, preservation, traceability and long-term retention of the data:

   a) Confidentiality: Ensuring data protection through encryption whenever necessary and restricting access to authorized persons.

   b) Security: Making backups on a regular basis and having systems in place to prevent unauthorized alterations.

   c) Availability: Retaining the data for the amount of time established for the project or stipulated in the applicable regulations such that they can be recovered in the event of an incident.

   d) Traceability: Recording operations and granting access in accordance with the principle of least privilege.

3. Data must be stored on institutional platforms. In exceptional circumstances, the university may authorize research data to be stored on non-UOC servers or systems, provided that they apply policies or regulations on information security, integrity and confidentiality equivalent to those in place at the UOC.

4. Stored research data may only be accessed by authorized and identifiable persons on a need-to-know basis. Access to data must be safeguarded by means of secure authentication, registration and monitoring mechanisms.

The principal investigator, or any other person designated by them, shall be responsible for granting and revoking permissions, periodically reviewing them where appropriate, and ensuring that each user accesses only the data they need.

Access to confidential or special data is subject to additional controls and must be fully traceable in accordance with the university's security and classification policies.

Article 18. Retention and deletion

1. Research data retention is a process involving a set of actions to preserve the data for the retention period established by regulations, the project or the call for funding, ensuring their confidentiality, integrity, availability and controlled access at all times.

2. Research data deletion is a process involving a set of measures aimed at ensuring that the data are destroyed in a secure, irreversible and traceable manner after the end of the established retention period, preventing their recovery or misuse.

Chapter III. Data sharing and publication

Article 19. Data sharing

1. Data sharing is the process of sharing or transmitting data.

2. Research data can only be shared through institutional services or platforms validated by the university; personal tools or devices cannot be used for this purpose under any circumstances.

3. Data can be shared internally or externally. In internal sharing, data are exchanged between UOC researchers. In external sharing, they are exchanged with persons outside the university, which requires a prior risk assessment, the use of suitable technical measures and agreements governing their use and protection.

4. Data sharing must ensure encryption in transit, access control based on the principle of least privilege, registration and the traceability of operations.

Data held in analogue format must be digitized before sharing in accordance with the procedures established by the UOC.

Article 20. Publication and reuse

1. Research data from a research activity must be published in the UOC's institutional repository unless this is prevented by restrictions relating to confidentiality, privacy or the protection of intellectual or industrial property rights. Specialized thematic repositories of recognized prestige in the relevant field may be used whenever so required by the topic or discipline to which the research project relates.

2. Published data and their metadata must comply with the FAIR principles: findable, accessible, interoperable and reusable.

3. The dissemination of data is subject to the deadlines and requirements stipulated in the calls for funding or the applicable regulations and must respect all confidentiality, privacy and intellectual or industrial property obligations at all times.

4. As a general rule, only anonymized and duly documented data may be made available to the public. Data requiring access restrictions may only be published under the controls and conditions established by the university.

5. Unless this is precluded by legal or contractual restrictions on the data, published research data must have an open licence for reuse allowing their broadest possible use and dissemination.

In the case of data that cannot be published under an open licence, specific conditions of access and reuse will have to be established following the university's approval.

6. All published and reused data must be duly cited in accordance with international data citation practices, crediting the authors and ensuring their persistent identification.

Chapter IV. Data ownership

Article 21. Data ownership

1. Without prejudice to any rights of third parties (whether they are natural or legal persons) with whom there are collaboration or other agreements in place, research data obtained from projects carried out by persons employed by the UOC or bound to it by contract generally belong to the university.

2. In research projects with third-party funding or designed in collaboration with other entities, data ownership will be established based on the provisions of the applicable calls for funding, contracts or agreements, provided that they do not conflict with current regulations or the university's internal policies.

3. The university shall ensure that data ownership and use, as well as the parties' rights and obligations regarding data management, publication and reuse, are expressly regulated in its research agreements.

Final Provision. Entry into force

These regulations will come into force as soon as they are published on the UOC's E-Services Portal, subject to approval by the UOC's Governing Council.

Appendix I. Glossary

This appendix contains the definitions of the terms used in these Research Data Management Regulations

- **Anonymization:** A personal data processing process in which all identifying information is completely dissociated from personal data. It is an irreversible action that breaks the links that make it possible to identify individuals from the data. The link between the personal data to be processed and the identifying information is completely severed. The aim is to make it impossible to reidentify the owners of the anonymized data.

- **Research Ethics Committee:** The UOC body in charge of the ethical assessment of research projects, including the validation of data collection, safekeeping, storage, processing and deletion methods.

- **Personal data**: Any information about an identified or identifiable natural person. An identifiable natural person is any person who can be directly or indirectly identified, particularly by reference to an identifier. This can be, for example, an identification number, location data, an online identifier or one or more factors specific to that person's physical, physiological, genetic, psychological, economic, cultural or social identity.

- **Data integrity:** A characteristic of data that ensures that they have not been altered or destroyed without authorization and that they are complete and accurate.

- **Licence**: A legal text under which the author or holder of rights to a work or dataset authorizes third parties to reuse it under certain conditions. If there is no express licence, the formula "all rights reserved" shall be deemed to apply.

- **Metadata:** Data that describe the research dataset and provide information about it. They include contextual, descriptive, administrative, technical or structural information required for the proper understanding, use and preservation of the data.

- **Pseudonymization**: The processing of personal data such that they can no longer be linked to a data subject without further information, provided that such information is held separately and is subject to technical and organizational measures aimed at ensuring that the personal data are not linked to an identified or identifiable natural person.

- **Data management plan (DMP):** A document drawn up at the start of the research activity that evolves together with the research process. The management of the data (their collection, processing, storage, retention, deletion and reuse) is planned and designed in the DMP to ensure their security, integrity and confidentiality and encourage reuse.

- **FAIR principles:** A set of principles applied to ensure that research data are findable, accessible, interoperable and reusable.

- **Data repository**: An IT system that enables research data to be stored, preserved and disseminated so that they can be consulted, reused and cited by the scientific community and society as a whole.

- **Data processing**: Any operation or set of operations performed on personal data or personal datasets (whether or not automated processes are used), such as collection, recording, organization, structuring, retention, adaptation or modification, extraction, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, erasure or destruction.