**Outline for the creation of an Informed Consent Form
for Quantitative Surveys with Online Survey Tools**

In the following document you will find an outline for the creation of an Informed Consent Form consisting of (1) an 'Information for Participants' and (2) an 'Informed Consent’ segment.

The **first section** of the outline contains **comprehensive information** on what content should be included in an information for participants and an informed consent form. Including info bites about relevant legal provisions. Followed by a section on the [**minimum requirements**](#_Minimum_content_requirements) for an Informed Consent Form. The **second section** contains **text modules** for the formulation of an Informed Consent Form.

Please note that these are only exemplary illustrations. **The text modules and legal bases must be checked individually for each project and depending on the application must be adapted and quoted accordingly**.

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## Outline

**University of Innsbruck**

**Information for participants**

# 1. Information on the research project

Study title

Researcher

* Name, title, institution

Brief description of the study

* Purpose, methods, potential risks, time and effort required, who is funding the project, what type of data is being collected, etc.

Contact details

* Who can you contact if you have any questions? Contact person during the project. If different: contact person after the end of the project period

# 2. Data protection

**! RIGHTS OF PARTICIPANTS!**

* **Right to lodge a complaint (Art. 13, para. 2. lit. d))**

As part of the obligation to inform participants when collecting personal data, it is necessary to inform them that they have the right to lodge a complaint with a supervisory authority (= Austrian data protection authority).

* **Right to information (Art 13 and 14 GDPR)**

Participants have the right to be informed about their processed data.

* **Right of access by the data subject (Art. 15 GDPR)**

Participants have the right to obtain information as to whether personal data concerning them is being processed. Where that is the case, participants have the right of access to the personal data, the right to information about the purposes of processing, the categories of personal data, the recipients or categories of recipients, the duration of storage and information about the other rights to which they are entitled (cf. Art. 15 GDPR).

* **Right to rectification of data (Art. 16 GDPR)**

Participants have the right to request the rectification of their data, taking into account the purposes of the processing, the completion and the supplementary declaration may be requested (cf. Art. 16 GDPR).

* **Right to erasure (Art. 17 GDPR)**

The right to erasure of personal data is directly related to the right to withdraw consent (see Art. 17 (1) (b) GDPR). Once the data has been anonymized, it is no longer personal data. Deletion is no longer possible or necessary from this point on.

**! RIGHTS OF PARTICIPANTS !**

* **Right to restriction of processing (Art. 18 GDPR)**

Participants have the right to restrict the processing of their personal data (see Art. 18 GDPR).

* **Right to data portability (Art. 20 GDPR)**

Participants have the right to receive the personal data concerning them that they have provided in a structured, commonly used and machine-readable format (see Art. 20 GDPR).

* **Right to object (Art. 21 GDPR)**

Participants have the right to object to the processing of their personal data at any time (see Art. 21 GDPR)

* **Right to processing that is not exclusively automated (Art. 22 GDPR)**

Participants have the right not to be subject to a decision based solely on automated processing, including profiling, which produces legal effects concerning him or her or similarly significantly affects him or her (Art. 22 GDPR)

It is necessary to inform participant that all of the above-mentioned rights exist and to whom participants can turn to exercise this right.

Legal Definitions

* **Lawfulness of data processing of personal data.**

This reference is **only necessary if** [**personal data**](#_(_Info_(_3) **is collected.** In the social sciences, direct or indirect personal data is very often requested. Open response options can also lead to the previously unplanned collection of personal data.

* **Collection of special categories of personal data**

[Special categories of personal data](#_(_Info_(_3) are particularly sensitive information. Their collection is only permitted if the data subject expressly consents to the processing of this data for one or more specified purposes (Art. 9 para. 2 GDPR lit. a).

* **Anonymization and pseudonymization of data**

Anonymization refers to the process by which personal data is processed in such a way that it is no longer identified or identifiable. Anonymized data can no longer be associated with a specific person, even if additional information is included. **Anonymized data does not fall within the scope of the GDPR.**

Pseudonymization is a process in which personal data is processed in such a way that it can no longer be associated with a specific person without the use of additional information. In contrast to anonymization, pseudonymized data can be linked back to a specific person using additional information, but this requires a separate key or mechanism to decrypt the identity. **Pseudonymized data is still personal data and is therefore covered by the scope of the GDPR.**

##### ! Info !

What is (direct and indirect) **personal data** under the **provisions of the GDPR**? See "[What is considered personal data under the EU GDPR?"](https://gdpr.eu/eu-gdpr-personal-data/)

What are **special categories** of personal data (= sensitive data) under the **provisions of the GDPR**? See "[What personal data is considered sensitive?"](https://commission.europa.eu/law/law-topic/data-protection/reform/rules-business-and-organisations/legal-grounds-processing-data/sensitive-data/what-personal-data-considered-sensitive_en)

**! GUARANTEEING THE SECURITY OF PROCESSED DATA !**

The following points must be observed:

* **Confidential handling:** No exchange of information via social media or otherwise in public.
* **Secure storage:** Caution must be exercised when using private devices such as laptops or mobile phones. In particular, data must be protected against unauthorized access (password protection, no leaving end devices unattended).
* **Recommendation for no storage of data outside the EU/EEA:** For private end devices, ensure that there is no automatic synchronization with e.g., iCloud, Google Drive etc.
* **Deletion of personal data:** The deletion of personal data after the specified retention period must be ensured. Anonymization is equivalent to deletion. Documents must be shredded if they have not been anonymized. Personal data must be deleted or anonymized on all end devices used (this applies in particular to loaned devices before they are returned to the lending institution).
* **Anonymization/pseudonymization:** Personal data must be treated confidentially and reproduced in anonymized / pseudonymized form in publications
* **Technical measures:** Appropriate technical and organizational measures must be taken to ensure an adequate level of protection in the course of data processing.

Secure Data processing and storage

* **Data processing and access, persons responsible for data processing**

What data is stored? How is the data processed? Is personal data anonymized/pseudonymized? If applicable, when is the data anonymized/pseudonymized? Who has access to the (non-anonymized/pseudonymized) data? Contact person for data protection questions: University data protection officer.

* **Storage of data in the project and planned storage period**

Where and how is the data stored (e.g., institution-internal server, etc.)? What measures are taken to store the data securely (e.g., encryption)? For how long will the data be stored?

Archiving and publication of data

* **Archiving and publication**

Reference to the planned archiving and/or publication of the data with legal provisions. Is data only archived without being published? Is data archived and published (e.g., at AUSSDA data is always published as well)? If so, where is the data archived/published? Legal basis and provisions for archiving and publishing data

##### ! Info !

Depending on the sensitivity of the data and the resulting access restrictions under which the data is published, different wording is required in the consent form.

**Open Access (OA)** - fully publicly accessible and usable for everyone

**Scientific Use (SUF)** - only accessible and usable for scientific purposes

**Scientific Use (SUF) Restricted Access** - only accessible with severe access restrictions and for scientific use

If you have any questions about which type of access restriction is likely to apply to your data, please contact the [**FAIR Info-Point**](https://www.uibk.ac.at/en/faculty-of-social-and-political-sciences/research/fair-info-point/) of the Faculty of Social and Political Sciences or **AUSSDA - The Austrian Social Science Data Archive** (info@aussda.at)

# 3. Revocation notice & declaration of consent

Revocation notice

**! RIGHTS OF PARTICIPANTS !**

* **Right of withdrawal (Art. 7 (3) GDPR)**

Participants have the right to withdraw their consent to the processing of their personal data at any time.

It is necessary to inform participants that this right exists and who they can contact to exercise this right.

* **Right of withdrawal**

Reference to the right of withdrawal and to whom participants can turn. If participants **are and remain identifiable** through their participation, the **right to withdraw consent is unrestricted**. If the identifiable data is anonymized and it is no longer possible to identify the data subjects, it is no longer "personal data" **from the time of anonymization**, in which case **Articles 15 to 20 GDPR do not apply** (see Art. 11 para. 2 GDPR) - revocation is possible before the data is anonymized. However, once the data has been anonymized, it can no longer be identified and deleted.

**Informed Consent**

* The section "Informed consent" is only necessary if personal data is collected. If no personal data is collected, the 'Information for participants' is sufficient. (More information on personal data can be found in the corresponding info block).

Declaration of consent

* List of the points to which consent is given with the declaration

##### ! Info !

It should be noted that **consent does not necessarily have to be given for archiving**. This must be checked on a case-by-case basis! If consent is required for archiving, this **must be obtained separately** from the consent for participation and data processing within the scope of the project.

🡪 The easiest implementation is by inserting checkboxes with yes/no for the respective processing operations

# Minimum content requirements for consent to be informed

Minimum requirements according to the [European Data Protection Board (EDPB) Guideline](https://www.edpb.europa.eu/sites/default/files/files/file1/edpb_guidelines_202005_consent_en.pdf) are

* the controller’s identity
* the purpose of each of the processing operations for which consent is sought,
* what (type of) data will be collected and used,
* the existence of the right to withdraw consent,
* information about the use of the data for automated decision-making in accordance with Article 22 (2)(c) where relevant, and
* on the possible risks of data transfers due to absence of an adequacy decision and of appropriate safeguards as described in Article 46.

Nevertheless, it remains important to inform the participants in accordance with Article 13 or 14 GDPR. This information can be shown in a separate data protection information, which is referred to via a link or handed out to the participants.

**Text modules** that fall under the aforementioned **minimum requirements** are highlighted with an orange exclamation mark (**!**).

## Text Modules

*[Information in brackets is to be replaced, brackets that are not required are to be deleted]*

**University of Innsbruck**

**Information for participants**

# Information on the research project

*Welcome to the study [study title] [of the (department name) / Faculty of Social and Political Sciences] of the University of Innsbruck [if applicable: in cooperation with (name)]. The study investigates [short description of the study].*

*This survey will take approximately [amount of time]. [You will receive (incentive) for your participation. Explain the incentive in more detail if necessary.] Participation in the study is voluntary and you have the right to withdraw at any time and for any reason. There are [no] risks associated with participation in the study [If there are risks: describe the risks and explain what is being done to minimize them].*

*If you have any questions, please contact:*

*Project leader: [name of project leader], [e-mail address of project leader]*

*Project name: [Project name]*

*[Department], University of Innsbruck*

*Address: [address]*

*[Same contact person after the end of the project? If no, please provide further contact details with relevant information]*

# Data protection

###### Lawfulness of data processing in the context of the research project

***[Lawfulness of the processing of personal data:]*** *The lawfulness of the processing of your personal data for the purpose of carrying out the research project described above is based on your declaration of consent in accordance with Art. 6 para. 1 lit. A) GDPR.*

***[When collecting special categories of personal data:]*** *The processing of special categories of personal data for the purpose of carrying out the research project described above is based on your declaration of consent in accordance with Art. 9 para. 2 lit. a) GDPR. [if necessary, add information on which personal data is collected] [the legal basis must be checked and adapted accordingly depending on the application to your project]*

###### Lawfulness of data processing for scientific archiving purposes

***[Lawfulness of the processing of personal data for the purpose of archiving without publication:]*** *The collected data will be archived in accordance with good scientific practice at [a scientific data archive / (alternatively: name of repository)]. The archived data will not be published. The lawfulness of archiving the data is in the public interest pursuant to Art. 5 para. 1 lit. b), Art. 89, Art. 6 para. 1 lit. e) and Art. 9 para. 2 lit. j) GDPR in conjunction with § 7 para. 1 Z 2 DSG.* ***[The applicable legal bases must be checked depending on the application and cited correctly]***

***[Lawfulness of the processing of personal data for the purpose of archiving and data publication:]*** *The collected data will be archived in accordance with good scientific practice at [a scientific data archive / (alternatively: name repository, e.g., :) AUSSDA, the Austrian Social Science Data Archive] and published for [scientific] reuse. The data will be published [in anonymized form / alternatively: description of the manner of publication], it will not be possible to identify you through the publication of the data. The lawfulness of the archiving, publication and subsequent use of the data is in the public interest [and based on your consent], in accordance with Art. 5 para. 1 lit. b), Art. 89, Art. 6 para. 1 [lit. a) and] lit. e) and Art. 9 para. 2 lit. j) GDPR in conjunction with § 7 para. 1 Z 2 DSG.*

[Consent will not always be necessary for the processing of archiving purposes. **The applicable legal bases must be checked depending on *the application and cited correctly***]

*[Different wording is required for e.g., open access vs. scientific use publication! For questions:* [*See info block and contact AUSSDA and the FAIR Info Point*](#_(_Info_(_4)*]*

###### Rights and data protection

***[Rights of participants:]*** *You have the right to information about the personal data concerning you (see Art. 15 GDPR). The right to authorization, deletion or restriction of the processing of this data (see Art. 16-18 GDPR). As well as the right to data portability and objection (see Art. 20-21 GDPR).* Your personal data will not be processed for the purpose of automated decision-making (including profiling) in accordance with Art. 22 (1) and (4) GDPR. *To assert these rights, please contact [the above-mentioned project leader; ALTERATIVE [name of project leader], [email address of project leader]]. In addition, you have the right to lodge a complaint with the Austrian Data Protection Authority (contact: Wickenburggasse 8, 1080 Vienna, telephone: +43 1 52 152 0, e-mail:* *dsb@dsb.gv.at**) (Art. 13 para. 2 lit. d) GDPR).*

***[Data processing and access:]*** *To protect your privacy, your data will be treated confidentially. [It will not be possible [for persons outside the project team] to identify you through your participation in the study.] In addition, the researchers will only process data that is necessary to achieve the purpose of the research project. [Further information on how the data is processed and who has access to the data.] Responsible for data processing is [name and e-mail address of the responsible person], [function and institution] of the University of Innsbruck. If you have any questions regarding data protection law, please contact the data protection officer of the University of Innsbruck (company: x-tention Informationstechnologie GmbH, Römerstraße 80a, 4600 Wels, phone: +43 7242 2155 65065, e-mail:* *datenschutzbeauftragter@uibk.ac.at**).*

***[Storage and planned storage period:]*** *Your data will be stored [information on the secure storage location/medium, e.g., the university's internal server], [type and manner of storage] for [period].*

***[Recipients or categories of recipients/third country transfer:]*** *Your personal data will or may be transferred to the following recipients or categories of recipients by the responsible person: [name recipient(s)]*

###### When no personal data is collected

**[If no personal data is collected:]** No personal data is collected as part of this survey. The data collected therefore does not fall within the scope of the GDPR (see Art. 1 (1) GDPR).

# Orange exclamation mark - Reference to a text module that is one of the minimum requirements of an Informed Consent Form: Three text modules for "Revocation", each with different identifiability/anonymity. Revocation notice & declaration of consent

***[Revocation - if identifiable through participation:]*** *Your consent to participate in the study can be revoked at any time and without giving any reason by sending a written message to [the above-mentioned project leader and e-mail address]. The withdrawal of consent shall not affect the lawfulness of processing based on consent before its withdrawal (Art. 7 (3) GDPR).*

***[Revocation restricted - in case of anonymization:]*** *Your consent to participate in the study can be revoked at any time and without giving any reason by sending a written message to [the above-mentioned project leader and e-mail address]. The withdrawal of consent does not affect the lawfulness of processing based on consent before its withdrawal (Art. 7 para. 3 GDPR). Your data can only be deleted as long as you are identifiable. Once the collected data has been anonymized [at time X], it is no longer possible to identify the participating persons and thus delete the data (see Art. 11 GDPR).*

***[Unsubscribe from the study - for anonymous surveys:]*** *You can unsubscribe from the study at any time and without giving any reason by sending a written message to [the above-mentioned project management and e-mail address]. We would like to point out that your data for this study will be collected anonymously, in a form that does not make you identifiable. It is therefore not personal data, which means that the rights of data subjects pursuant to Art. 15 et seq. of the GDPR cannot be asserted in this context.*

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**Informed Consent
[on participation and data processing within the framework of the project]**

*By agreeing to participate, you confirm ...*

1. *that your participation is voluntary, that you can withdraw at any time and for any reason, and that you will not suffer any disadvantage if you withdraw.*
2. *that you agree that the data you provide may be processed for the scientific purposes described above.*

**Informed declaration of consent for archiving**

*By agreeing to participate, you confirm ...*

1. *that you agree that the data you provide may be archived [and published] in a scientific data archive for the scientific purposes described above in a way that does not make you identifiable.*

*[The above points are to be adapted according to the case of application]*