**SAMPLE CONSENT FORM ADDENDUM- USE OF STUDY DATA FROM EU AND EEA (GDPR COMPLIANT)**

*IMPORTANT: REVIEW COMMENTS TO DETERMINE REQUIRED AND OPTIONAL STATEMENTS. BEFORE FINALIZING & INCLUDING THIS DOCUMENT IN YOUR iRIS SUBMISSION. REMOVE THIS PARAGRAPH, ALL RED AND BLUE INSTRUCTIONAL TEXT (EXCEPT FOR HYPERLINKS OR EMAIL ADDRESS/ES), EXAMPLES, AND COMMENTS.*

**UNIVERSITY OF CALIFORNIA, SAN FRANCISCO**

**NOTICE / INFORMED CONSENT ADDENDUM FOR USE OF STUDY DATA**

**(**[**EUROPEAN UNION (EU)**](https://europa.eu/european-union/about-eu/countries_en#28members) **/EUROPEAN ECONOMIC AREA (EEA))**

*Instructions: This Notice/ Informed Consent is required when the research collects or creates Personal Data[[1]](#footnote-1) from subjects located in the EU or EEA. If the research is obtaining “Sensitive Data[[2]](#footnote-2),” explicit consent is required.*

 ***[Title of Study]***

**RESEARCH TEAM**

**Lead Researcher**

Name and Title

Department

Telephone number

24-Hour Telephone Number/Pager *[Required for medical studies and clinical investigators]*

**Other Researchers** *[If not applicable, please remove]*

*[List only those researchers qualified to be involved in the informed consent process]*

**STUDY LOCATION(S):**

**STUDY SPONSOR(S):**

This research will collect data about you that can identify you, referred to as Study Data. The General Data Protection Regulation (“GDPR”) requires researchers to provide this Notice / Consent to you when we collect and use Study Data about people who are located in a State that belongs to the European Union or in the European Economic Area.

We will obtain and create Study Data directly from you or from (insert the data sources, including repositories, collaborators, publicly available sources, etc.) so we can properly conduct this research. As we conduct research procedures with your Study Data, new Study Data may be created.

The Research Team will collect and use the following types of Study Data for this research:

(Delete any categories of information that you will not collect or create)

* Contact Information
* Health information
* Your racial or ethnic origin
* Your political opinions
* Your religious or philosophical beliefs
* Your sexual orientation or beliefs
* Genetic data
* Information about your response to the research procedures

(Insert the categories of any additional data that you will collect)

(Include, if applicable, otherwise delete) The Research Team will enter data about you and your health into a computer and a computer program will help the study team decide if you meet requirements to be in this study.

(Include, if applicable, otherwise delete) The research protocol requires the Research team to enter data about you and your health into a computer. A computer program will be used to assign you to one of the following specific study treatments: (list study treatments). If you sign this consent form, you are consenting to the use of this automated process to determine the treatment you receive. (Describe any other procedures that use an automated process to make decisions about the subject)

**Please initial one of the boxes below to indicate whether you consent to use of the automated processes described above.**

I agree \_\_\_\_\_\_\_\_\_ I do not agree\_\_\_\_\_\_\_

This research will keep your Study Data for (insert the time the data will be maintained by the research team- be mindful of [recordkeeping requirements](https://irb.ucsf.edu/research-record-storage-retention-and-disposition)) after this research ends.

The following categories of individuals may receive Study Data collected or created about you: (Delete any category that is not applicable)

* Members of the research team so they properly conduct the research
* UC San Francisco staff will oversee the research to see if it is conducted correctly and to protect your safety and rights
* The research Sponsor who will monitor the study and analyze the data
* Agents of the Sponsor who will assist the sponsor with data monitoring and analysis
* Representatives of the U.S. Office of Human Research Protections (OHRP) who oversee the research
* Representatives of the FDA who will use the data to determine whether a marketing application for the investigational drug/device can be approved
* Other researchers, so they can perform procedures required by this research
* Other researchers, including researchers in other countries, so they can conduct additional research on (condition) and other, unrelated diseases and problems

(List the additional categories of individuals who may receive access to Personal Data and describe the reason for the disclosure.)

(Include, if applicable, otherwise delete) The research team will transfer your Study Data to our research site in the United States. The United States does not have the same laws to protect your Study Data as States in the EU/EEA. However, the research team is committed to protecting the confidentiality of your Study Data. Additional information about the protections we will use is included in the consent document.

The GDPR gives you rights relating to your Study Data, including the right to:

* Access, correct or withdraw your Study Data; however, the research team may need to keep Study Data as long as it is necessary to achieve the purpose of this research
* Restrict the types of activities the research team can do with your Study Data
* Object to using your Study Data for specific types of activities
* Withdraw your consent to use your Study Data for the purposes outlined in the consent form and in this document (Please understand that you may withdraw your consent to use new Study Data but Study Data already collected will continue to be used as outlined in the consent document and in this Notice)

The Regents of the University of California, on behalf of UC San Francisco, is responsible for the use of your Study Data for this research. You can contact the UC San Francisco Principal Investigator by phone at: (xxx)xxx-xxxx or by email at xxxx@ucsf.edu if you have:

* Questions about this Notice
* Complaints about the use of your Study Data
* If you want to make a request relating to the rights listed above.

# CONSENT

PARTICIPATION IN RESEARCH IS VOLUNTARY. You have the right to decline to participate or to withdraw at any point in this study without penalty or loss of benefits to which you are otherwise entitled.

If you wish to participate in this study, you should sign below.

Date Participant's Signature for Consent

Date Person Obtaining Consent

[If the data will be used for sponsored research or research authored by another research institution, where a non-UC researcher or non-UC institution is determining the data to be collected and scope of research, and UC is acting at the direction of the non-UC researcher or non-UC institution]: [name and contact information of sponsor/institution; sponsor/institution’s Data Protection Officer and Representative, if any, and their contact information; if no DPO or Representative, provide name and contact information of sponsor/institution privacy official.]

1. Article 4 of the GDPR states “'personal data' **means** any information relating to an identified or identifiable natural person ('**data subject**')” [↑](#footnote-ref-1)
2. According to Article 9 of the GDPR applies additional conditions for processing Personal Data about 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 is prohibited unless additional requirements are met such as informed consent from the data subject. [↑](#footnote-ref-2)