

SecureGas: D9.5_Informed Consent Templates

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SecureGas

D9.5 – INFORMED CONSENT TEMPLATES

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Disclaimer

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SecureGas – PUBLISHABLE EXTENDED ABSTRACT

SecureGas focuses on the 140.000Km of the European Gas network covering the entire value chain from Production to Distribution to the users, providing methodologies, tools and guidelines to secure existing and incoming installations and make them resilient to cyber-physical threats. Three business cases, addressing relevant issues for the Gas sector and beyond (e.g. oil), have been identified so that to ensure the delivery of solutions and services in line with clear needs and requirements, focused on: risk-based security asset management of gas transmission and distribution networks; impacts (economic, environmental and social) and cascading effects of cyber-physical attacks on interdependent and interconnected European Gas grids; integrity and security, through the operationalization of resilience guidelines, of strategic installations across the EU Gas network.

SecureGas tackles these issues by implementing, updating, and incrementally improving extended components, integrated and federated according to an High-Level Reference Architecture built upon the SecureGas Conceptual Model, a blue print on how to design, build, operate and maintain the EU gas network to make it secure and resilient against cyber-physical threats. The components are contextualized, customized, deployed, demonstrated and validated in each business case, according to the scenarios defined by the end-users. Related services provided by SecureGas will be offered to the end-users via a Platform as a Service (PaaS) that allows modularity, flexibility, cooperation and third-party interoperability, thus securing a long-lasting impact, supporting the project exploitation strategy. A multidisciplinary consortium (Gas operators, technology providers, research institutions, sector-related associations), supports the project implementation across Construction, Demonstration and Validation phases, as well as a Stakeholder Platform ensures inputs, advice, and a wider Diffusion of the project outcomes.

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EXECUTIVE SUMMARY

SecureGas is involving personal data collection and/or processing. As with all participatory research, ethical and privacy requirements are extremely important for SecureGas. It is important for all participants involved in the study to be aware of the legal and ethical obligations. They should understand why informed consent is needed at all stages of the study including data collection, the publication of results. In order to assess the effectiveness of the proposed solution in the project, SecureGas project involves the collection of data. The SecureGas project planned also stakeholders interactions will involve the collection of personal data, including names, institutional affiliations, telephone numbers and e-mail address.

1 INTRODUCTION

This deliverable responds to Ethics and Societal Impact section (see section 5 of GA – Part B) in Ethics monitoring methodology detailed as detailed information on the procedures that will be implemented for data collection, storage, protection, retention and destruction and confirmation that they comply with national and EU legalisation. This document is the outcome of the efforts made by the SecureGas consortium in the context of WP9 and WP10. This deliverable describes how the SecureGas project will implement the before mentioned procedures and features during the course of the project running time.

Deliverable D9.5 contains the consent form and procedure. It also contains a model of Privacy Policy for the SecureGas website. It then describes the procedure to follow to collect the information needed to define the users' requirements. Finally, it includes the consent form and procedure for getting the consent of the persons willing to illustrate the personas used for defining the users' requirements. The study design should allow a minimum of 24 hours for the invitees to consider the invitation before they consent to participate. It must be noted that ethics requirements may differ from one country to another.

This is done in compliance with the ethics requirements at the international and national level described in D9.1 and D9.2 Ethical and Legal monitoring plan. In SecureGas D9.1 and D9.2 Ethics and Legal monitoring plan the procedures, responsibilities etc. will be clearly defined. In addition, the EC requires two deliverables to make sure that SecureGas are full filling all requirements available:

- ✓ D10.2 in WP10 "Ethics Requirements", Humans– Ethic Requirement No 2, Templates of the informed consent/assent forms and information sheets (in language and terms intelligible to the participants) – Month 6
- ✓ D10.8 in WP10 "Ethics Requirements" Protection of personal data – Ethic requirement No8, Detailed information on informed consent procedure with regard to data processing, Month 6

This deliverable is focused on D9.5.

1.1 INFORMED CONSENT AND PROCEDURES

Participation in the SecureGas project is voluntary. Individual participants agree to participate based on the invitation issued in advance. Participants receive informed consent (Annex 1) to read, ask questions, understand and sign. Participants unable to give genuinely informed consent is not considered. At the start of each activity, the participant will be verbally informed about the activity and asked again for confirmation of their consent to take part in the activity.

All documentation are in the language and terms intelligible to the participants. Participants will be fully briefed as to their right to withdraw. They will be briefed as to the risks or benefits of participation. Participants will not be placed in any situation in which there is a likelihood of physical, mental or emotional harm. Participants will be informed that data is stored and processed in charge of activities for a purpose of the SecureGas project. No sensitive data is collected and processed.

1.2 LEGALISATION OVERVIEW

Any data collection, processing and storage activities, procedures and tools will be in line with the personal data protection and intellectual property rights of the European Union, as defined by the European Commission. Thus, SecureGas project activities as outlined in the Consortium Agreement and Grant Agreement will be fully compliant and in line with the following Documents under national and international law:

- ✓ the Universal Declaration of Human Rights (UDHR, 1948);
- ✓ the EU Charter on Fundamental Rights (CFREU, 2010);
- ✓ the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR, 1950);
- ✓ the Helsinki Declaration in its latest version (2013);
- ✓ the UNESCO Universal Declaration on Bioethics and Human Rights (2005);
- ✓ the European Code of Conduct for Research Integrity (ECCRI, 2011).

Moreover, regarding the rights to privacy and personal data protection, SecureGas will adhere to:

- ✓ the International Covenant on Civil and Political Rights (ICCPR, 1966);
- ✓ the EU Charter on Fundamental Rights (art. 7 and 8);
- ✓ the European Convention for the Protection of Human Rights and Fundamental Freedoms (art. 8);
- ✓ the CoE Convention No. 108 for the Protection of Individuals with regard to Automatic Processing of Personal Data (1981);
- ✓ the General Data Protection Regulation (2016/689/EC);
- ✓ the Directive on Privacy and Electronic Communications (2002/58/EC);
- ✓ Network and Information Security Directive (NIS Directive 2016/1148/EU).

The European Data Protection Framework has changed in 2018, with the entry into force of the General Data Protection Regulation in May 2018. SecureGas has been designed to comply with new privacy and data protection regulation.

There are also relevant applicable national laws regarding scientific research involving human subjects research and data collection and processing, this is an overarching, but non-exhaustive list. For research activities carried out in a given member state or a third country, national laws governing these areas will also apply.

1.3 DATA PROCESSING

The data processed in SecureGas are divided into two categories:

- ✓ Name, date of birth, professional affiliation and contact information;
- ✓ Personal and professional views on the themes related to the project and discussed during activities.

Data of the first category could be stored on paper and/or on computer media and protected, as well as come from participants themselves, retrieved from existing data, open sources. Data of the second category will only be provided by persons themselves. Encryption techniques will prevent unauthorised access.

Data minimization policy will be adopted. That means that only strictly necessary data will be collected and processed. Personal data is necessary for ensuring person participation in the SecureGas project and to comply with mandatory legal obligations under European Union legislation, as well as for processing under consent and for the purposes of legitimate interests as follows:

- ✓ To process any application person make to participate in any of the SecureGas events or activity;
- ✓ To process any request for information supplied by SecureGas and to ensure effective communication;
- ✓ To organize and promote the events and activities;
- ✓ To send health and safety and other relevant event information for any SecureGas events and activities that persons are participating in;
- ✓ To notify persons of event, activities, publication and services that may be of interest to them;
- ✓ To reflect the SecureGas events in accordance with clause "Images" below.

Participants will be made aware of:

- ✓ the methods used for handling personal data;
- ✓ justification for requesting/obtaining their data;
- ✓ duration of data use and storage.

1.4 IMAGES

By signing a consent form person acknowledges that the SecureGas events or activities may be televised, filmed, otherwise recorded and photographs may be taken, all of which may capture person participation in any event or activity. By signing

consent form person grant only SecureGas consortium unrestricted right to use photographs and recordings for any purposes it is deemed reasonable.

1.5 DURATION OF KEEPING YOUR DATA

We will only retain your information for as long as is necessary to:

- ✓ Carry out SecureGas events and activities;
- ✓ Establishment or defence of legal claims that could be made against us;
- ✓ Comply with legal obligations under EU law.

Any data collected within the project will be kept for at least 2 years after the end of the project and will then be destroyed by each participant according to the information they have made available to the project.

1.6 PROCEDURE TO COLLECT CONSENT FORMS

The printed consent inform form must be signed by the concerned person before taking of the picture. The signed forms stored by RINA-C. They can be kept in an electronic form if compliant with specific national and European rules regarding electronic archives.

1.7 SECURITY OF DATA

Data will be held on secure servers within the European Economic Area with all reasonable technological and operation measures put in place to safeguard it from unauthorized access. Where possible any identifiable information will be encrypted or minimized.

1.8 ACCESS AND UPDATE OF YOUR INFORMATION

Persons have a right to request a copy of the personal information SecureGas hold about him, known as a data subject access request. The person also has the right to request that information SecureGas hold about a person which may be incorrect, or which has been changed since person first registered, is updated or removed, as well as a person have a right to request eras of personal data. These requests have to be sent to APRE.

1.9 THE OBJECTION OF USING DATA

Persons can ask to limit the way in which SecureGas are using information or object to certain types of processing. A person has a right to withdraw your consent to data processing at any time. Any queries or concerns about the way in which your data is being used can be sent to APRE.

1.10 DATA PROTECTION ON WEBSITE

SecureGas website visitor data protection is provided in accordance with EU laws and regulations. The SecureGas privacy policy should appear as follows notwithstanding other legal mentions which also appear on the website. SecureGas website contains cookies, which are used to improve the website by analysing the user's habits. These cookies provide information such as the number of visitors to the website and the pages visited by the user, and the total time spent on the website. All information collected from cookies from all users is collected and processed anonymously. Individual visitors are not identified.

2 THE SECUREGAS INFORMED CONSENT

Consent to be requested to all participants in SecureGas.

The use of real representatives to illustrate the stakeholders helps to get better results when defining the users' requirements.

The template of the Informed Consent is reported in Appendix A.

3 THE SECUREGAS STAKEHOLDERS NEEDS SURVEY NOTICE OF INFORMATION AND PROCEDURES

It deals with the determination of the stakeholders needs to collect some information from potential stakeholders of the SecureGas.

Here is a privacy notice of information (Appendix B) to be given when doing so, the possible procedures to collect this information.

Appendix A

Participants Informed Consent

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I, the undersigned,

.....

hereby authorise each Beneficiary of the Horizon 2020 SecureGas project (Grant Agreement No. 833017) to take pictures of me and to record my image in the form of a video in each location where a project meeting or project activities take place (subject to the project's confidentiality and security rules set out in the Grant Agreement), during the whole duration of the SecureGas project (i.e. from June 2019 until 31 May 2021) to be used solely for the promotional purposes of the SecureGas project. With respect to this, these pictures and videos can be recorded, stored, processed, reproduced, exhibited and publicly published by any member of the ScureGas consortium as well as any third party contracted to produce the promotional material of the SecureGas project, using any kind of media (including paper, computer, audio-visual, etc.).

I also authorise each Beneficiary of the SecureGas project to collect and store information about my name, surname, affiliation and contact information (email, telephone number) during the whole duration of the project (i.e. from June 2019 until 31 May 2021) for the purpose of recording information about my participation to project meetings (i.e. participant lists) as well as for the purpose of registration to project events (e.g. project meetings, workshops, etc.), in paper and digital form.

The pictures, videos and information about my name, surname, affiliation and contact information will not be transferred to any third party nor processed in a manner inconsistent with the purposes for which they have been initially collected, without prejudice to any applicable legal provision of any kind - notably in the matter of data retention.

I acknowledge that I received all the required information about the data processing. I confirm that I have been informed of my right of access to any personal data related to me, a right to correct and rectify, and a right to oppose the processing of personal data relating to me. I can also withdraw my consent for the future at any time without any justification.

To exercise the above mentioned rights, please send a written request to rina.dpo@rina.org.

The present form is signed on the: ___/___/___ in

.....

Signature

Appendix B

Stakeholders Informed Consent

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Appendix A

***APRE's Privacy Notice**

In accordance with Article 13 of the 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 (hereinafter GDPR), in this privacy notice APRE explains how the personal data collected by APRE are processed, in compliance with the GDPR and other relevant data protection legislation.

1. Data controller

The Data Controller is APRE which can be traceable to this contact details: phone number: +39 06 48939993; address: Via Cavour 71, 00184 (ROME) Italy; or through the APRE's Privacy Officer e-mail address: privacy@apre.

2. What data do we collect?

APRE collects the following kind of data: personal data, i.e. First and Last Name, Email Address, Organisation, Function, Country.

Purpose of the processing:

The Data Controller processes the personal data provided by you:

- a) Your explicit consent is mandatory, for the following purposes:
 - Consortium Agreement activities (i.e. reporting about the results of the workshop to the European Commission);
 - to fulfil the obligations imposed by law or by an order of the competent Authority;
 - to exercise the Controller's rights, such as the right of defence in a lawsuit.
- b) Only with your prior consent, for the following purposes:
 - Registration to the workshop,
 - Preparation of the workshop's participant list,
 - Preparation of the promotional materials related to the workshop and its results, to be disseminated on the SecureGas website and social media, as well as through communication channels of the members to the SecureGas consortium.

How do we process your data?

APRE processes the data according to the principles of lawfulness, fairness and transparency. Your personal data are processed by means of the following operations: collection, recording, organization, structuring, storage, consultation, adaptation or alteration, use, dissemination, disclosure by transmission, retrieval, alignment or combination, restriction, erasure or destruction of the data. Your personal details are subjected to both hard-copy and electronic processing.

APRE processes the data for the time necessary to carry out the purposes indicated above and, in any case, for not more than 5 years from the end of the SecureGas project.

Appendix A

Should the Controller have a documented need to store the data for a period longer than 5 years (e.g. if erasure could compromise its legitimate right to defence or in general, to safeguard its company assets), such further storage shall take place, limiting access to said data to the head of the legal department only, in order to guarantee the legitimate exercising of the right of defence of the Controller.

Who has access to the data?

The data may be processed by internal personnel, or data processor (GDPR art. 28), or the person duly authorized to process (GDPR art. 29).

The data may be processed also by the affiliate companies or subsidiaries of APRE within the Consortium Agreement, in Italy or abroad. To the extent to which this is necessary for processing and in conformity to the Controller to Controller agreement.

Who are the recipients to the data?

Your data may be made accessible for the purposes indicated above to the following recipients:

- companies or other third entities (credit institutions, professional firms, consultants, insurance companies for providing insurance services, auditing companies, supervisory institutions, etc.) who carry out activities on an outsourcing basis, on the Controller's behalf;
- public entities, for fulfilling legal obligations,
- SecureGas consortium members.

Without requiring your explicit consent, the Controller may communicate your data for the purposes indicated in part 2.a of this Notice to supervisory bodies, judicial authorities, insurance companies for providing insurance services, as well as to entities to which communication is mandatory in terms of the law, for carrying out said purposes.

How are the data transferred?

Personal data are stored on servers located within the European Union. In any case, it is understood that, should this be necessary, the Controller will have the right to move the servers even outside the EU. In such a case, the Controller hereby guarantees that transfers of data outside the EU will be done in accordance with the applicable laws, also by means of including standard contractual clauses provided for by the European Commission.

What are your data protection rights?

In accordance with GDPR, as the data subject, you have the right to:

- I. obtain confirmation of whether or not your personal data is processed or not, as well as to obtain a copy of said data;
- II. obtain an indication of: a) the source of the personal data; b) the purposes and means of processing; c) the logic involved in the case of processing done with the help of electronic instruments; d) the identity and the contact details of the controller, controller's representatives, processors and the privacy officer; e) the recipients or categories of recipients

Appendix A

to which the personal data can be communicated, or who can come to know the same as the designated representative within the territory of the State, processors, or employees who carry out processing;

- III. obtain: a) updating, rectification, or completion of the data; b) erasure, transformation into an anonymous form or blocking of data processed in violation of laws; c) certification that the operations referred to in letters a) and b) have been made known, also in relation to their content, to those to whom the data have been communicated or disclosed by transmission, unless this is impossible or involves a disproportionate effort; d) a structured format, from the Controller, commonly used and provided in an intelligible and easily accessible form with the personal data related to you, and, where technically feasible, to obtain transmission of said data directly from one controller to another;
- IV. object to: a) processing of your personal data, even if pertinent to the purpose for which they were collected. b) processing of your personal data for the purposes of sending advertising or direct sales materials, or for carrying out market research or commercial communication, using automated telephone calling systems without an operator, by e-mail and or by means of traditional telephone and/or hard copy postal marketing methods. Such right of the object may also be exercised only in part, thereby allowing the data subjects to choose whether to receive only communications using traditional means or only automated communications, or neither of the two types of communication.
- V. Therefore, in your capacity as Data Subject, you have the rights pursuant to Arts. 15 – 21 of GDPR, as well as the right to lodge a complaint with the competent Authority pursuant to art 77 of GDPR.

How can you exercise your rights?

If you wish to exercise any of the rights above, contact Renato Fa (APRE's Privacy Officer) at privacy@apre.it

For further information, please contact Karolina Jurkiewicz at jurkiewicz@apre.it.

You have the right to lodge a complaint to the Autorità Garante Privacy if you decide that the processing of your personal data violates the regulations of the General Regulation.

Informed consent

- I consent to my personal data (First and Last Name, Email Address, Organisation, Function, Country) being included in the registration list and the list of participants of the 1st SecureGas Stakeholder Workshop that will take place on 10 September 2019 in Freiburg and circulated among the participants of the workshop. *

Yes No

- I consent to my name, surname and affiliation being used in the SecureGas publications related to the 1st SecureGas Stakeholder Workshop (e.g. promotional materials) by the SecureGas consortium members in accordance with applicable European data protection regulations. *

Appendix A

Yes No

- I consent to being photographed during the 1st SecureGas Stakeholder Workshop. Therefore, I am giving my consent to and authorise the SecureGas consortium members to take pictures of me during the workshop and to use this media for the communication and promotional purposes, including online publications, related to this event. *

- I consent to my personal data (name, surname and affiliation) being used for reporting purposes about the 1st SecureGas Stakeholder Workshop to the European Commission, in accordance with the provisions of the Grant Agreement and Consortium Agreement. *

Yes No

- I have read the above information and I am aware of my rights. *

Yes No



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