



13 June 2019

ADVISORY OPINION

Reference No. DPO 19-26

FOR : ██████████

CC : ██████████

SUBJECT : **Request of External Researcher to Gather Data**

Dear ██████████:

Copied herein is ██████████, the ██████████ of the ██████████ who has jurisdiction over your concern.

UP Diliman is not the research subject

We kindly note that while we must protect our students, researchers and faculty, we should neither facilitate nor endorse ██████████'s research to our students, researchers and faculty. ██████████ should request our students, researchers and faculty should be requested to participate in their ***own personal capacities*** and not as representatives of UP Diliman. Hence, we cannot act as a conduit for ██████████.

What cannot be disclosed

With the above in mind, we **cannot allow** the following:

1. "Observation" of students, researchers and faculty. While our students, researchers and faculty can be interviewed if ██████████ individually obtains their *express written consent*, we cannot allow ██████████ to "observe" them because this is a broad and unspecified manner of personal data collection;
2. "Other relevant information" is an unspecified category of personal data collection which we cannot allow.

What can be disclosed

We can provide aggregated and anonymized data which includes:

1. Number of students;
2. Average student per semester; and
3. Future development plans as long as these are official and do not include confidential information.

What are Optional

Our students, researchers and faculty should have the option not to disclose their names because their names are not relevant to the research. All information which are not relevant to the *legitimate, specified and declared purpose of the research* should be purely optional.

Compliance to Rules

Prior to conducting any act of research, [REDACTED] should provide all research subjects complete prior information as to the nature, extent, and purpose of his research and his data gathering activities.

[REDACTED] should strictly abide by the following Provide all research subjects complete prior information as to the nature, extent, and purpose of his research and his data gathering activities policies:

- The **UP Diliman Privacy Policy for researchers and research subjects** which is found at <https://upd.edu.ph/wp-content/uploads/2019/03/Privacy-Policy-for-Researchers-and-Research-Subjects.pdf>; and
- The **UP Diliman Data Subject Rights and Responsibilities** found at <https://upd.edu.ph/rightsandresponsibilities/>.

Advisory Opinions of the UP Diliman Data Protection Officer related to research can be found at upd.edu.ph/privacy.

Non-Disclosure Warranty

Let us request [REDACTED] to fill-out, sign and have notarized the attached Non-Disclosure Warranty for the protection of the data subjects.

We hope that we have addressed your concerns sufficiently; we express our trust in [REDACTED]'s competence to facilitate data privacy needs of the [REDACTED] as its [REDACTED].

Thank you.

(Sgd.) Elson B. Manahan
Data Protection Officer
University of the Philippines Diliman