

GUIDANCE TO RESEARCHERS: DATA TRANSFER AGREEMENTS

1. A DTA represents both legal and ethical aspects associated with data being transferred/shared beyond the SU research team with collaborators in other SA institutions and or beyond SA borders. The purpose of a DTA is to govern the transfer/sharing of data between the providing and recipient institutions, recognising that such data will be used according to the description of a research project or study protocol. Where personal data is shared, the DTA ensures that parties to the agreement process such data in a lawful and ethical manner.
2. The Data Transfer Term Sheet is an internal SU document which should accompany the initial ethics submission. The details provided via the Term Sheet documents the context for the data sharing and these details are then incorporated into the DTA that is drafted by SU Research Contracts Office.
3. The DTA specifically governs the parameters for access, storage, duration of use, destruction of the data within the context of the specific study and the purpose of transfer/sharing.
4. The DTA needs to consider local data privacy laws and, if applicable, the data privacy laws of the territory from which the data was collected and thus the researcher/research team needs to be clear about the encryption format of the data (whether deidentified, anonymised, or pseudonymised).

PROCESS, in summary:

- Complete the DTA Term Sheet and upload with submission to HREC.
- As part of the submission, kindly consider the risks and benefits to participants in sharing their study data, and how such risks will be mitigated and or how breaches would be managed.
- Upon receiving HREC approval, submit the approved Term Sheet to Research Contracts Office for support in drafting of the DTA.
- Ensure that the finalised (signed) copy of the DTA is uploaded to your ethics submission prior to actual data transfer.