Editorial: How the writers of case reports need to consider and address consent and GDPR

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Editorial

How the writers of case reports need to consider and address consent and the General Data Protection Regulation (GDPR)

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The General Data Protection Regulation (GDPR) [1] comes into force across the European Union on 25th May 2018. It is a major piece of legislation that will control how personal data is used and stored, in order to protect an individual’s privacy. Essentially it updates the previous data protection laws and makes them fit for purpose in the 21st century.

Many of the provisions within the GDPR are aimed at organisations and designed to prevent them from harming an individual’s privacy. One of the often reported aspects of this is the fact that a serious breach of the GDPR could result in a fine of up to €20 million.

Whilst researchers and writers of case reports will hopefully not have to concern themselves with this aspect of the GDPR, there are some key aspects of the GDPR that they will need to consider.

Article 17 of the GDPR provides individuals with a ‘Right to erasure’. This allows individuals to request that their data is erased and no further dissemination is allowed. However, where the data is still required for the original reason for which it was collected, it can still be used.

A final consideration for researchers and writers is that of pseudonymisation. This refers to any process which renders the data in such a way that it cannot be attributable to a specific individual. The GDPR still considers pseudonymised data to be personal data and therefore covered by the provisions of the GDPR, meaning that the same care has to be taken with it as with identifiable data.

Whilst the implementation of the GDPR can seem daunting, from the perspective of researchers and writers of case reports, all that the GDPR is doing, essentially, is to give current best ethical practice a legal standing.

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