



RESTRAIL

REduction of Suicides and Trespasses on RAILway property **Collaborative project**

Ethical Framework

Deliverable D1.2

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RESTRAIL Consortium

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3	Trafikverket - TRV	TrV	SE
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5	MTRS3 Solutions and Services LTD	MTR	IL
6	Fundación CIDAUT, Fundación para la investigación y Desarrollo en Transporte y Energia	CIDAUT	ES
7	Helmholtz Zentrum München Deutsches Forschungszentrum für Gesundheit und Umwelt (GmbH)	HMGU	DE
8	Karlstad University	KAU	SE
9	Fundación de los Ferrocarriles Españoles	FFE	ES
10	Turkish State Railway Administration	TCDD	TK
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13	ProRail B.V	PR	NL
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1. INTRODUCTION

1.1 Purpose of the document

The purpose of this ethical framework is to establish a set of principles and procedures to guide the partners to achieve the goals and objectives of the RESTRAIL project. This framework outlines the obligations of each of the partners through all phases of the project, from the collection of data to the publication and communication of the experiences and outputs of the project.

Due to the importance of human aspects, (human factors, human behaviours, human decisions, human responses...) within the topic of "suicides and trespasses in railway property" addressed by the European Project RESTRAIL coordinated by the UIC Security Division, specific attention has to be paid to ethical aspects.

In order to better understand some motivations, data relating to individuals will have to be collected and analyzed in order to produce a common position. This output will enable the development of future organizations and decision making, supported by collective tools at the disposal of decision makers. However the collection of these data, their registration and analysis has to obey ethical principles respecting strict privacy and individual rights.

In accordance with the RESTRAIL Grant Agreement No. 285153 Annex 1 Description of Work Part B Section 4 Ethical Issues the members of the consortium who have to work on personal data have undertaken to apply strict confidentiality. No individual data shall be published and it shall not be possible to identify any individual after conclusion of the project.

The aim of this deliverable D1.2, "ethical framework" is to define these principles and guarantee the necessary confidentiality and respect of privacy

1.2 Definitions and acronyms

Data privacy: Data privacy involves the right of any individuals to expect that personal information collected about them shall be processed securely and any information that would enable them to be identified shall not be disseminated in any form, unless in exceptional circumstances with their written consent. Furthermore, data privacy must not be subject to "mission creep"(This means information being collected with permission for one purpose and being used without permission for another reason).

Data protection: Data protection consists of a framework of security measures designed to guarantee that data are handled in such a manner as to ensure that they are safe from unforeseen, unintended, unwanted or malevolent use.

2. ETHICAL FRAMEWORK

2.1 Data collection – General principles

- **Private Identification**

No private identification data or sensitive personal data shall be collected for the purpose of RESTRAIL project.

- **Personal Data**

Some personal data will be collected (e.g. gender and age), but this data shall be presented in a way that no individual is identifiable.

- **Sensitive Data**

No sensitive personal data (by which people can be identified) shall be published for the purpose of RESTRAIL project.

Example of sensitive data:

- Racial or ethnic origin
- Political opinion
- Religious or other beliefs
- Trade union membership
- Physical/mental health
- Sexual orientation
- Any offences committed or any criminal proceedings

- **European directive and national laws**

The European Directive (95/46/EC) on the protection of personal data and the respective national laws that could be even more restrictive than the European Directive are known by RESTRAIL partners and shall be respected during the whole project activities.

According to the European Directive the data shall be:

- fairly and lawfully processed
- processed for limited purposes
- adequate, relevant and not excessive
- accurate
- not kept longer than is needed
- processed in accordance with the data subject's rights
- not transferred between countries without adequate protection

In addition, the partners are bound by their respective ethical codes (as researchers at a University) or as part of their professional disciplines (as Ergonomists, Psychologists etc.).

It is an obligation for each partner to respect those laws/directives.

2.2 Data collection in WP1

- **Police reports and death certificates**

These data include private identification data, but this information shall not be documented. The researchers making use of these sensitive documents and of the formed databases shall follow the key principles of the laws/directives as already mentioned

- **Interviews and questionnaires**

These shall be performed on a voluntary basis informing the individuals about the purposes and contents of the interview/questionnaire:

- Expert interviews: people who work in a personnel department or closely with accident management or investigation could be interviewed. Only statistical (e.g. total number of lost working hours of personnel) and qualitative (e.g. information concerning the legal aspects) data shall be collected during these interviews (no sensitive personal data is concerned).



- Train drivers can be interviewed (or sent a questionnaire) to learn their opinions on places where people frequently commit suicide or where people are frequently trespassing.
 - People who are trespassing will be interviewed, but having regard to the safety of the interviewer when approaching a potential trespasser. In these interviews the interviewers will go to trespassing hot-spots and interview people who are trespassing. Trespassers shall be approached and their participation to interview shall be voluntary. The trespassers shall be asked a few simple questions related to their movements in the railway area, their options and willingness to change their routes, how dangerous they think trespassing is, their awareness of regulations regarding walking in the railway area and their opinions on what would stop them from trespassing. The interviewer shall mark the gender and age of the trespasser in the corner of the questionnaire form. No private identification data shall be collected.
- **Some information may be collected using CCTV e.g. Trespassers: counting and characteristics with the help of cameras**

Recording, tracking of people and observations at hot-spots with the help of cameras that could be equipped with motion detectors shall be performed in order to count trespassers and to document the characteristics of trespassers such as gender, approximate age, the number of people who are trespassing in groups and whether they are carrying something. No private identification data shall be collected.

These recordings shall always be undertaken with the agreement of the relevant infrastructure managers and/or rail operators. **They shall also be performed in accordance with the respective national laws**, in the same way that other current recordings are made in railway environments for security purposes. For instance, in some countries the use of cameras must be identified with signs in order to let people know they are being recorded and to provide details of where they can ask for exercising their privacy rights: motivations of the record, deletion of their records, etc

If the collected pictures are to be used e.g. as part of the report, the researchers shall take care that no person shall be identifiable

- **Volunteers Recruitment**

When it is intended to recruit volunteers to undertake any kind of tests or experiments (during the field tests), an informed consent form (as contained in the Description of Work part B Section 4 Ethical Issues) shall be signed by the volunteers. This form shall be adapted for the specific purpose of the experiment and translated into the respective native language of the subjects. Volunteers will be told that they are free to withdraw from the

research activities at any time and do not have to answer specific questions if they do not wish to do so

2.3 Data processing

The researchers of each country shall follow a secure manner in data processing and they shall delete the original documents (including the private identification data) immediately after the database of required information (including anonymous persons) has been formed. The data shall be processed confidentially and as mentioned before, no single case/individual shall be identifiable.

The same principles shall be applied when consulting and analyzing other national/international databases and sources different from police reports and death certificates, for instance those coming from rail operators and infrastructure managers. No private identification data shall be collected. The researchers shall process the received data in accordance with the rules on the protection of personal data. Data shall be treated as means, statistical significance figures, percentage points, etc. and they shall not reveal anything about individuals. In fact, many of those national files already provide dissociated data (no personal identification data are stored).

2.4 Storage of data

The data and the formed databases shall be stored in a secure place and only a limited amount of researchers shall have an access to the data. For these new databases and if required by national law because some kind of personal data were stored (which is not the case), these datasets shall be declared to the competent national bodies (in some countries). The collected information shall only be used for the purposes of the RESTRAIL project. The formed databases that will be delivered to other RESTRAIL partners (in other countries) shall not include any private identification data. Therefore, the data transfer to and from non EU Member states is not considered as a problem. The data transfers between partners (and countries) shall be done with adequate protection (e.g. by using the project workspace with restricted access).

3. REFERENCES

- Directive 95/46/EC of the European Parliament and of the Council of 24 October 1995 on the protection of individuals with regard to the processing of personal data and on the free movement of such data :

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:31995L0046:EN:HTML>

- RESTRAIL Grant Agreement No. 285153 - Annex 1- Description of Work - Part B - Section 4 Ethical Issues