



## ESRC Studentship Description and Selection Criteria

<b>Title</b>	<b>DPhil Socio-Legal Studies: 'Impact of new EU data protection regulations'</b>
<b>Reference Code</b>	<b>RD_LS1A</b>
<b>Division</b>	<b>Social Science</b>
<b>Department</b>	<b>Socio-Legal Centre, Faculty of Law</b>
<b>Location</b>	<b>Centre for Health, Law and Emerging Technologies (HeLEX)</b>
<b>Funding</b>	<b>Fully- funded University Fees and Stipend</b>
<b>Principal Supervisor</b>	<b>Professor Jane Kaye</b>
<b>Advertising Code</b>	<b>JOB</b>
<b>Start Date</b>	<b>October 2016</b>
<b>Deadline for applications</b>	<b>Friday 17<sup>th</sup> June 2016</b>

### Introduction

This studentship is one of two studentships (RD\_LS1A and RD\_LS1B) that are being funded by the Economic and Social Science Research Council (ESRC) as part of the Administrative Data Research Network (ADRN). The Centre for Health, Law and Emerging Technologies (HeLEX) at the University of Oxford led by Professor Jane Kaye, carries out the legal research for the ADRN. The aim of these studentships is to address key legal issues that have emerged out of the activities of the ADRN and the research conducted in HeLEX. The studentships will be located within the HeLEX Centre as part of the ADRN team and will be supervised by Professor Jane Kaye. They will also be a student in the Doctoral Training Programme in the Centre for Socio-Legal Studies in the Faculty of Law at the University of Oxford and a member of St Cross College.

This studentship provides funding for either 1) a three year doctorate or for 2) a one year research Masters followed by a three year doctorate (1+3). On the 1+3 route, a candidate will start as a student on the MSt in Socio-Legal Research and (subject to passing the necessary Qualifying Test) will then be admitted to DPhil status. However, if a candidate has completed an ESRC-approved research Masters qualification, they can go straight to a doctorate. They will start as a Probationary Research Student, and depending upon the achievement of successful milestones will proceed to a Doctor of Philosophy (DPhil). These studentships are appropriate for undergraduate students who have not yet completed a further degree or applicants that already have a Masters degree because of their flexible funding structure.

To be eligible to apply you must satisfy the residential requirements

<http://www.esrc.ac.uk/skills-and-careers/studentships/prospective-students/am-i-eligible-for-an-esrc-studentship/>. For students who satisfy the UK residential requirements, the studentship covers all University home fees, college fees and provides a yearly stipend starting at £14,057 per year at 2015-16 rates. For EU residents, the award will only cover fees. An ESRC-funded student is also entitled to a number of other opportunities provided by the ESRC such as eligibility to apply for additional funding - RTSG, overseas fieldwork expenses, extensions for difficult language training, ESRC internships, DTC internship support scheme funding.

## **The University**

The University of Oxford is a complex and stimulating organisation, which enjoys an international reputation as a world-class centre of excellence in research and teaching. It employs over 10,000 staff and has a student population of 22,600, including 11,603 undergraduates and 10,499 postgraduates. In the 2015 National Student Survey, 91% of Oxford students said they were satisfied with the quality of their course, compared to a national average of 86%. Over 95% of Oxford leavers are employed or in further study six months after graduating. The University, including the colleges and Oxford University Press, is the largest employer in Oxfordshire, supporting around 17,000 jobs and injecting more than £750 million annually into the regional economy. Oxford is also an innovative and entrepreneurial university with income from external research contracts exceeding £409m p.a., with more than 80 spin-off companies have been created based on University research. For more information please visit <http://www.ox.ac.uk/admissions>

## **The Centre for Socio-Legal Studies**

For over forty years the Centre for Socio-Legal Studies (CSLS) has been at the forefront of research into the nature and role of law in society. The Centre currently has over dozen researchers who combine multi-disciplinary expertise to study law as a historical and culturally specific mode of social organisation that takes different forms within and across different types of society. They are often engaged in comparative and cross-cultural inquiries. Their expertise is complemented by Associate Research Fellows and Academic Visitors, who often engage in joint research with the Centre's staff and contribute to its extensive programme of academic activities. The CSLS is an ESRC Doctoral Training Centre and has a thriving community of postgraduate students. <https://www.law.ox.ac.uk/centres-institutes/centre-socio-legal-studies>

## **Centre for Health, Law and Emerging Technologies**

The Centre for Health, Law and Emerging Technologies at Oxford (HeLEX) is based in the Nuffield Department of Population Health. Since its inception five years ago, HeLEX has come to be one of the leading centres in understanding the ethical, legal and social implications (ELSI) of scientific research. It is directed by Professor Jane Kaye. The aim of the Centre is to carry out evidenced-based research and analysis that can be used to inform the development of new forms of governance, policy and best practice in areas of innovation. We investigate the impact of new technologies, such as the use of next generation sequencing technologies in the clinic and the implications for privacy of big data approaches in research. Our current international research focuses on the governance of research infrastructures such as biobanks, information law, privacy, access to administrative data, data-sharing frameworks, global governance, personalised medicine, and translational research. The activities of HeLEX are organised around three themes: Patient Partnerships, Information Governance, and Personalised Medicine. For further information <http://www.ndph.ox.ac.uk/research/centre-for-health-law-and-emerging-technologies-helex>

## **Administrative Data Research Network**

The Administrative Data Research Network (ADRN) is a UK- wide partnership between universities, government departments and agencies, national statistic authorities, the third sector, funders and researchers. The ADRN provides a bespoke service for researchers so they can carry out social and economic research using administrative data for the benefit of society. The Administrative Data Service (ADS) coordinates the Network, and is the first point of contact for researchers who want access to administrative data. This is a significant funding commitment by the ESRC to support researchers in the UK by the development of a national research infrastructure. For further information <https://adrn.ac.uk/about/what-we-do/>

## **St Cross College**

St Cross College is a graduate college of the University of Oxford. It offers an outstanding academic environment dedicated to the pursuit of excellence within the Collegiate University. St Cross is home to scholars from a wide spectrum of academic disciplines and is atypical of the Oxford tradition in that the College does not have separate common rooms for its Senior and Junior Members or a high table in hall. Instead there are central common rooms to be used by all College Members and open seating in Hall. The College believes that this egalitarianism fosters a productive intellectual environment where Senior and Junior Members can form meaningful relationships to the betterment of their research. The Fellowship of St Cross College has the highest proportion of Professors of any of the Oxford graduate colleges, thus offering our students unequalled access to some of the University's greatest minds. Situated on St Giles, right in the very heart of Oxford City, St Cross College is conveniently located for a large number of departments, libraries and Institutes. <http://www.stx.ox.ac.uk/about-st-cross>

## **Overview of the Studentship**

The purpose of the studentship is to analyse the Impact of the new EU Data Protection Regulations on UK public bodies' powers to allow researchers access to their data. This studentship will contribute to the Administrative Data Services fourth objective, 'A central point of expertise for advice and guidance for ADRCs on issues related to data access,' by analysing the evolving legal framework for data sharing.

### **Research aim**

A future of widespread, automatic individual-level data gathering and concurrent linkage of individual health records with administrative and wider health-related records is not too far away. However, at the same time, there is a regulatory turn in Europe towards increased digital privacy and a renewed focus on data protection, manifest in the General Data Protection Regulation of the EU. The focus of this research is how the new regulations will impact on public bodies current legal powers to share data, within the countries of the UK. It will make recommendations for public bodies on meeting these new legal obligations as well as considering the overall state of the law in this area and any recommendations for reform.

### **Methods**

Legal research techniques will be used to identify and critically analyse the new EU Data Protection Regulations when they are applied to administrative research. It will assess whether there will be differences in implementation between the countries of the UK. It will assess the powers of the current government departments that ADRN liaises with to establish how the new Regulations will impact on their ability to allow access to administrative data that they collect. This research will inform the activities of the ADRN as a whole as well as government departments that allow researchers access to administrative data.

### **Key questions**

In particular, this research will consider the following key questions:

1. How does the forthcoming Data Protection Regulation differ from the current law?
  - What is the legal distinction between research based on consent and governed by data protection and research based on anonymisation?
  - Have the requirements for fair processing and information for use of administrative data been affected by the new Data Protection Regulation?
  - What are the similarities and differences in the legal framework across the four countries of the UK and how do these impact data linkage and access?
2. What are the Implications of new EU data protection law on the powers of current government departments to allow researchers access to administrative data?
  - Do these differ between the different countries within the UK?
  - How will proposed legislation such as the Cabinet Office legislation interact with the Data Protection Regulations?
3. How does this incoming law affect the gateways that have been developed for administrative law?

In what ways does ADRN policy have to change?

Do additional policies, procedures, advice or guidance need to be written and implemented to accommodate the requirements of the new law?

## Selection criteria

### Essential Criteria

Candidates will be judged on the basis of the following criteria and should try to ensure that their covering letter shows how they meet the following criteria.

- First degree in law with final degree award of 2.1 'or equivalent' (please see NARIC <http://ecctis.co.uk/naric/>)
- Interest in data protection law;
- Ability to work unsupervised and prioritise own workload;
- Ability to establish and maintain good working relationships with a range of people;
- Excellent standard of written and spoken English;
- Excellent interpersonal and communication skills.

### How to apply

You will need to apply for both the programme and this studentship via the main University online graduate application form, and pay an application fee of £60. The application form, all supporting materials required for the programme (including references) and payment must be submitted by the appropriate studentship deadline. To access the application form and application guide please visit our website at [www.graduate.ox.ac.uk/apply](http://www.graduate.ox.ac.uk/apply).

On the application form, in the section headed 'Departmental Studentship Applications', you must indicate that you are applying for a studentship and enter the reference code for this studentship **RD\_LS1A DPhil Socio-Legal Studies: 'Impact of new EU data protection regulations'**. Please note that you should still use this code even if you are intending to take the 1+3 route, but should state in your covering letter that you intend to undertake the MSt in Socio-Legal Research before proceeding to the DPhil. If you are accepted to the 1+3 route, your application will then be moved over to the MSt.

For your application to be considered you must include the following:

- a completed online application form
- transcript of your highest academic degree
- contact details of 3 referees
- an uploaded CV
- an uploaded covering letter describing why you would like to apply for this studentship and how you meet the essential criteria
- an uploaded sample of your academic writing (maximum of 5,000 words).

Please save all uploaded documents to show your name and the document type.

### Deadline:

All applications must be received by **12noon BST on Friday 17<sup>th</sup> June 2016**.

Interviews will be held by web-conferencing the following week.  
If you would like further details that are not contained in this information form please contact Professor Jane Kaye [jane.kaye.pa@dph.ox.ac.uk](mailto:jane.kaye.pa@dph.ox.ac.uk) .

Please note that you will be notified of the progress of your application by automatic e-mails from our e-system. Please check your spam/junk mail regularly to ensure that you receive all e-mails.