

## Use of Social Media Data in Research Projects

This guidance document focuses on the **data protection** and **legal aspects** related to the use of **personal data** from social media platforms. Some **ethical elements** are also introduced; however, this document is not intended to be exhaustive regarding the ethical aspects. If you have doubts, please contact the **ethics board** from your faculty.

This document applies to all data collected from social media platforms. Examples of social media platforms are Facebook, Twitter, Snapchat, Youtube, Reddit etc.

### Terms and conditions of the platform

#### Have you checked the terms and conditions of the social media platform concerning the gathering and use of the data?

Before starting to collect data from a social media platform, it is essential to verify the terms and conditions defined by the platform concerning the gathering, processing, and sharing of data. Sometimes it is hard to collect data that is still meaningful. There are exceptions for research, and the DCC can help you balance executing the platform's requirements while still collecting significant data for your research.

### Copyright law

Articles 3 and 4 of the new [EU Copyright Directive](#) provide exceptions to the copyright default rule for Text and Data Mining (TDM) research. The new directive allows researchers to make copies of data, as long as the access is lawful, and the project is carried out for the purpose of scientific research.

The copies should be stored with an appropriate level of security and may be stored after the end of the research project for scientific purposes, including verification. The European legislature also encourages the Member States and institutions to define commonly agreed good practices. In the Netherlands, the directive is implemented in articles [15n and o](#) of the Dutch Copyright Act.

### Ethics considerations

The European Commission (DG Research and Innovation) in the document [Ethics and data protection](#) identifies the use of social media networks as "processing operations that may entail higher ethics risks". For information, see section VII pg. 12-14.

**Have you given due consideration to the level of risk the research poses to social media users, e.g. any potentially sensitive subject matter or potentially vulnerable social media users?**

The guidance document on Ethics in Social Science and Humanities published by the European Commission [2] enforces the sensibility of some of the personal data that may be disclosed on social media platforms "...consider the potential sensitivity of the data and whether the users could be harmed if their data are exposed to a new audience. Sensitive data postings relate to criminal offenses, use of illegal drugs, financial problems, mental health issues and suicidal feelings, extramarital sexual activity, controversial political opinions and activism".

For example, Twitter doesn't allow the use of Twitter data to profile people and their potential behavior on sensitive topics, such as health (including pregnancy); negative financial status or condition; political affiliation or beliefs; racial or ethnic origin; religious or philosophical affiliation or beliefs; sex life or sexual orientation; trade union membership; alleged or actual commission of a crime" ([Sensitive information](#)).

**Do you have a good understanding of the extent to which social media users are likely to perceive their posts to be public or private?**

The European Commission underlines the relevance of the reasonable expectation of privacy of the data subjects. "Ascertain whether the data you intend to access is public (open platform vs password protect fora); if the forum is closed, contact the site or group administrator. Closed group and fora: if there is an expectation of privacy, seek permission from users to use the data and obtain their informed consent" [2].

**Privacy & Security**

In the GDPR, there is no distinction between public and private data, only between personal and non-personal data. All personal data processed systematically falls under the GDPR. Most social media data can be considered as personally identifiable data under the GDPR.

Article 85 of the GDPR allows the processing of personal data for academic expressions. For researchers to meet the criteria for the [exceptions](#) it is necessary to demonstrate that the data are really necessary for academic expression and that the principles of the GDPR are taken into account.

**Have you made an informed decision about the need to ask consent from the data subjects about the use of personal data?**

When you are using personal data provided to you by a third party and the data subjects have not expressly consented to its use in research projects, you should inform them that you have acquired the data and what you will be using them for [1]. The information that you should provide are the contact details of the controller; the purposes of the processing for which the personal data are intended as well as the legal basis for the processing, and the categories of personal data concerned (full list in art. 14 GDPR).

### Have you considered the derogation in the case of the use of personal data for research purposes?

In the case of data processing for research purposes, the GDPR admits a derogation to this obligation. The exception only applies when providing the information to the data subjects requires a disproportionate effort or when the obligation is likely to render impossible or seriously impair the achievement of the objectives of the processing. In such cases, however, you must implement appropriate safeguards, including technical and organisational measures to achieve privacy by design and make the information that should be provided to the data subjects publicly available (for example having a project webpage).

### Have you given full consideration concerning storage, sharing, and archiving of the social media data?

The public information gathered from social media may contain personal and sensitive data. For that reason, they are subjected to the GDPR. Before processing personal data, you must guarantee that you have all the technical and organisational measures in place needed to ensure the freedoms and rights of the social media network. More information on [IT solutions](#) for data protection.

## FAIR data

### Did you consider how to make social media data FAIR?

FAIR stands for **F**indability, **A**ccessibility, **I**nteroperability, and **R**euse of data. The [FAIR principles](#) are the standard for responsible data management and practising open science. FAIR does not necessarily mean that your data is openly available to everyone. If you consider making the social media data you collected FAIR, it is specifically important to think about how you want to make the data available and under what conditions.

The new [EU Copyright Directive](#) as well as the GDPR provide exceptions for research, making it possible to collect data from social media platforms without asking for explicit consent from data subjects. This means that the reuse of the data is possible but limited to academic research. To facilitate this process, the DCC can help you design a procedure for restricted access that includes the terms and conditions under which the data can be accessed by third parties, as well as an assessment procedure to verify the responsible use of the data by third parties.

## References

[1] European Commission (DG Research and Innovation), [Ethics and data protection](#), Chapter VII, November 2018.  
[http://ec.europa.eu/research/participants/data/ref/h2020/grants\\_manual/hi/ethics/h2020\\_hi\\_ethics-data-protection\\_en.pdf](http://ec.europa.eu/research/participants/data/ref/h2020/grants_manual/hi/ethics/h2020_hi_ethics-data-protection_en.pdf)

[2] European Commission (DG Research and Innovation). [Ethics in Social Science and Humanities](#). October 2018.

[http://ec.europa.eu/research/participants/data/ref/h2020/other/hi/h2020\\_ethics-soc-science-humanities\\_en.pdf](http://ec.europa.eu/research/participants/data/ref/h2020/other/hi/h2020_ethics-soc-science-humanities_en.pdf)