



Research Policy applicable to Students

EU AFFAIRS, LABOUR MARKET ANALYSIS AND EMPLOYERS SERVICES DIVISION

This document has been prepared to provide information to students on the research policy being adopted by Jobsplus on granting access to customers for research purposes as well as for the provision of statistical data. The policy is intended to be followed by all those requesting data or information from Jobsplus for research purposes. Lack of adherence to this policy by the student/s concerned may result into the breaching of the Data Protection Act Cap 440.

Personal data is collected and held by Jobsplus and is used by Jobsplus and/or transferred to third parties in order to fulfil its functions according to the provisions of the Jobsplus Act CAP 343.

(i) Request for the provision of statistical data for research purposes

1. Any student who requests statistical data from Jobsplus must sign the Students' Research Policy and fill in the form included in **Appendix A**. Both documents are to be forwarded to the Labour Market Analysis Unit.
2. After submitting a request, the Labour Market Analysis Unit shall contact the student within five working days from the date of submission of the request.

(ii) Request to access Jobsplus customers or Jobsplus employees for research purposes

1. Any student who wishes to conduct research at Jobsplus shall contact the Labour Market Analysis Unit, which is in charge of research within the Corporation.
2. When making a formal request, students must attach an original letter on their educational institution's letterhead, signed by their supervisor together with the institution's rubber stamp, describing briefly their research proposal and the information required from Jobsplus, their

method of research, sampling description (including sampling population and sample size) as well as a detailed list of customers and/or staff which the student wishes to access. The student must declare that s/he shall assume responsibility on the processing of any personal data obtained through the assistance of Jobsplus in accordance with the Data Protection Act, CAP 440.

3. If students request data for other purposes, other than dissertation purposes, an original letter on their educational institution's letterhead, signed by their lecturer (including the institution's rubberstamp) is requested, describing what is being requested and why the data is needed. The student must declare that s/he shall assume responsibility on the processing of any personal data obtained through the assistance of Jobsplus in accordance with the Data Protection Act, CAP 440.
4. A copy of the original letter, signed policy and the duly filled in form could be forwarded to the Labour Market Analysis Unit by email, post or by hand.

(iii) Request to conduct job shadowing and/or job placement at Jobsplus

- Any student who wishes to conduct job shadowing and/or job placement at Jobsplus shall duly fill in the form found in **Appendix C** and forward it to the Labour Market Analysis Unit.
- If apart from job shadowing and/or job placement the student wishes to access data and Jobsplus customers and/or staff, other requirements as explained in this policy must be adhered to.

(iv) Approval from the Labour Market Analysis Unit

1. Upon submission of all information requested, the Labour Market Analysis Unit shall contact the student within five working days and not later than ten working days.
2. Approval or otherwise of the request is solely at the discretion of Jobsplus.
3. If the request is not approved, the Corporation shall provide an explanation of the main reasons for this decision.
4. If the Labour Market Analysis Unit does not receive any feedback from the student within four weeks from the date of submission of the original request, the request will be considered as closed.

(v) Request for Jobsplus to disseminate questionnaires to specific target groups

1. If the request involves the dissemination of questionnaires by Jobsplus, approval or otherwise shall be based on a number of factors:
 - (a) Whether research is related to the labour market;
 - (b) If target groups requested could be obtained from other available sources;
 - (c) If request is in line with the Data Protection Act;
2. If the request is approved:
 - (a) Jobsplus requests a copy of the final questionnaire before it is disseminated; Jobsplus has the right to accept or otherwise any information found in the questionnaire;
 - (b) Jobsplus requests a covering letter, to be sent with the questionnaire, which should include the following: research question and objective

of study, period of study, why target group was chosen, as well as researcher's contact details;

- (c) The Corporation shall send a link with the questionnaire (to include the covering letter) through its mail shot; the link is to be provided by the researcher and no reference to Jobsplus shall be made;
- (d) Sampling details should be explained clearly;
- (e) The Corporation is to inform the student about the size of the sample the questionnaire shall be distributed to;
- (f) Jobsplus shall not be held accountable for the level of responses received;
- (g) Responses, clarification queries or follow-up questions are to be handled directly by the student;
- (h) The following disclaimer shall be included in the mail shot sent by Jobsplus:

"The responsibility for this survey rests solely on the author(s), and the publication does not constitute an endorsement by Jobsplus of the questions, opinions and conclusions expressed in it".

(vi) Approval from the respective institution's Ethics Committee, where applicable

Approval from the Ethics Committee is requested if the student's request involves the issuing of "personal data"¹, "sensitive personal data"² or "confidential data"³,

¹ "Personal Data" - "any information relating to an identified or identifiable natural person; an identifiable person is one who can be identified, directly or indirectly, in particular by reference to an identification number or to one or more factors specific to his physical, physiological, mental, economic, cultural or social identity" (Data Protection Act, Chapter 440, Part 1, Article 2)

² "Sensitive Personal Data" - "personal data that reveals race or ethnic origin, political opinions, religious or philosophical beliefs, membership of a trade union, health, or sex life." (Data Protection Act, Chapter 440, Part 1, Article 2)

³ "Confidential Data" - "data obtained by the National Statistics Office for the production of official statistics when such data allow statistical units to be identified directly or indirectly, thereby disclosing individual information". Malta Statistics Authority Act, Chapter 422, 2000)

which leads to the identification of individuals. The following procedures must be followed:

University students shall contact the University Research and Ethics Committee and seek its approval to conduct the research. Details of the University Research and Ethics Committee including an application form for students as well as dates of meetings of the Committee are available at the Committee's website address <https://www.um.edu.mt/urec>.

MCAST students shall follow MCAST's Research Ethics Policy and Procedure found in the following link:

http://www.mcast.edu.mt/Portals/0/DOWNLOAD%20FILES/RULES,%20POLICIES%20AND%20REGULATIONS/DOC-074-REV-C-RESEARCH%20ETHICS%20POLICY%20AND%20PROCEDURE_CORP.pdf

In the case of students who are not affiliated with the University of Malta, but who are reading for a foreign qualification and are carrying out research on sensitive personal data locally, ethical approval shall still be required from the University of Malta Research and Ethics Committee.

These procedures are being requested by the Data Protection Act Commission in order to safeguard the rights and welfare of human research subjects. More information can be found in the document "Processing of personal data for research and statistics" compiled by the Information and Data Protection Commissioner, downloadable at:

<http://idpc.gov.mt/en/Documents/DPCresearchguidelines.pdf> (a copy of this document can be found in the **annex**).

In cases where the educational institutions do not have a Research and Ethics Committee, ethical approval shall be sought from the Jobsplus⁴.

For the purpose of the ethics application, Jobsplus will contact the student and shall approve or otherwise the request based on whether what is being requested is in line with the Corporation's Research Policy. However, the approval or otherwise from Jobsplus shall be final when all requirements as explained in this policy are satisfied.

(vii) Access to data subjects

1. Before providing access to data subjects, provisional approval from Jobsplus will be provided to the student as part of the Ethics Committee requirements. Upon achieving ethical approval from the relevant Committee, the student should provide the related documents to the Labour Market Analysis Unit assisting him/her with the research. This is requested for the final approval from Jobsplus.
2. The Labour Market Analysis Unit shall then liaise with the Division/s responsible for providing access to the data subjects required by the student.

(viii) Provision of copies of letters of consent received from data subjects

1. If the research involves meeting data subjects face to face by the interviewer, the student is requested to present a consent form to be reviewed by the Labour Market Analysis Unit. **Appendix B** presents a sample consent form which can be updated accordingly by the student and returned to the Unit.

⁴ This policy will be reviewed officially every year. If other educational institutions request ethical approval, this policy will be updated accordingly.

The student may choose to use a different consent form from that presented in this Policy.

2. Following approval from Jobsplus, consent forms shall be distributed by the student to the data subjects prior to the research. Data subjects must be provided with an original copy of the consent form, signed by both the interviewee and the interviewer. Copies of duly signed consent forms, in either soft or hard format are to be sent to the Labour Market Analysis Unit within five days of the interview.
3. If research is of a sensitive nature, Jobsplus will forward the consent form to the data subjects. In exceptional instances, the consent of parents/legal guardians shall also be requested. The list of data subjects who agree to participate in the research shall then be forwarded to the researcher.
4. Consent forms are required for reference in case any of the data subjects contacts Jobsplus requesting further information on the research. In addition, the data subject is also entitled to retract his/her information. If the data subject were to make this request, the student shall be obliged to remove any information that is related to the subject in question.

(ix) Assistance required during the period of research at Jobsplus

The Labour Market Analysis Unit shall act as the primary focal point to the student during the course of his/her research at Jobsplus and shall assist him/her in accessing data subjects and by providing, where available, the information required for undertaking the research. The Division responsible for research shall further liaise with the student should assistance with the research be required.

Jobsplus may be entitled to halt any ongoing process if it deems or suspects that the student is making use of the information for purposes other than those declared to

the Corporation. Jobsplus shall stop the research process with immediate effect if there is an infringement of any law committed by the student.

(x) Interview with Jobsplus employees

In the case where a student requests to interview Jobsplus employees, **before** submitting the thesis/analysis/report, the Labour Market Analysis Unit requests to validate those areas in the thesis/analysis/report where Jobsplus' employees are referenced. Jobsplus has the right to seek clarification, accept or otherwise any referenced information.

The same applies if Jobsplus' employees are referenced after a job placement and/or job shadowing at Jobsplus.

(xi) Submission of thesis/research analysis

When the analytical study is finalized, a maximum period of one month is being provided for the student to provide the Labour Market Analysis Unit with a copy (either a soft copy or a hard copy) of the report containing the research analysis or thesis.

If a student's request is to be utilized as part of a presentation, a copy of the slide/s (either a soft copy or a hard copy) is to be presented to the Labour Market Analysis Unit.

If there are instances in which Jobsplus is interested in utilizing part/s or the whole analytical study, the student's consent will be requested.

(xii) Publication

When a thesis is published, the following disclaimer must be included:

“The responsibility for the opinions and conclusions expressed in this publication rests solely on the author(s), and the publication does not constitute an endorsement by Jobsplus of the questions, opinions and conclusions expressed in it”

The Corporation's contribution is to be given credit in the thesis and any information/data provided must be cited as being provided by Jobsplus.

(xiii) Charges

All the services described above shall be provided free of charge.

(xiv) Terms and Conditions:

- Data shall only be collected and processed for the specific research purpose.
- Anonymity, confidentiality and privacy shall be ensured throughout the whole study.
- Personal identifications shall be replaced with pseudonymous data (Data Protection Act CAP 440).
- Information shall only be processed for the research purpose and shall be deleted or rendered anonymous once the purpose of the study has been achieved (Data Protection Act CAP 440).
- Personal data shall not be disclosed to other third parties.
- Caution and good practice is to be used when processing personal or sensitive information for research purposes.

Disclaimer: Requests shall be handled according to the exigencies of the Corporation. Students are advised to submit their requests in a timely manner.

(xv) Research Information and Attachments

Students' Research Policy

Kindly fill in the information hereunder:

Name:	Surname:
Telephone:	Mobile:
Email/s:	Research Start date:
Research End date:	To provide finalized analysis by:
Jobsplus assistance is requested in order to disseminate questionnaires (kindly tick accordingly)	Yes No

Attachments: (kindly tick appropriately)

Research Form for the provision of statistical data for research purposes (Appendix A)	
Research Proposal	
Original letter on educational institution's letterhead signed by supervisor/lecturer	
Questionnaire/Interview guidelines	
Ethical approval	
Updated Consent form (Appendix B)	
Request Form to conduct job placement and/or job shadowing at Jobsplus (Appendix C)	
Others (kindly specify)	

(xvi) Agreement: Adherence with Jobsplus Research Policy

Dear Student,

Kindly sign in the space indicated below, together with your name and I.D. card number, to be able to utilise Jobsplus data within your research and thereby confirm agreement with the above mentioned guidelines.

'Mr. /Ms. / Dr. of I.D. (.....) binds himself/herself with the conditions outlined in this policy'.

"I hereby declare that all information provided in this information form is true and correct. I agree to abide by the policies outlined by Jobsplus. I further agree that all information collected shall be used solely for this research and deleted once the purpose of this research has been achieved."

Signature: _____ Date: _____

NB: Please send a copy of the agreement and relevant forms to the following address:

Jobsplus

Labour Market Analysis Unit

EU Affairs, Labour Market Analysis and Employers Services Division

Hal Far Road

Hal Far BBG 3000

Or scanned copy to: **research.jobsplus@gov.mt**

You may also wish to contact us on 21654940/22201124 and ask for the Labour Market Analysis Unit for further enquiries.

Appendix A

Research Form for the provision of statistical data for research purposes	
(i) Personal Details of Student	
Name:	
Surname:	
ID:	
(ii) Contact Information of Student	
Telephone/ Mobile:	
Email:	
(iii) Research Information	
Research Title:	
Purpose of Research: <i>(Describe the reason for carrying out your research or attach an existing research proposal)</i>	
Requested Statistical Data:	
(iv) Submission of Thesis/ Research Analysis to Jobsplus	
<p>When the analytical study is finalized, a maximum period of one month is being provided for the student to provide the Labour Market Analysis Unit with a copy of the finalized analysis (either a soft copy to: research.jobsplus@gov.mt, or a hard copy to the: Jobsplus, Labour Market Analysis Unit, EU Affairs, Labour Market Analysis and Employers Services Division, Hal Far Road, Hal Far, BBG 3000).</p>	

(v) Publication of thesis/analysis

When including data/information collected from Jobsplus, the student must include the following disclaimer in his/her study:

'The responsibility for the opinions expressed in this publication rests solely on the author(s), and the publication does not constitute an endorsement by Jobsplus of the opinions expressed in it'.

(vi) Declaration by Student

"I hereby declare that all information provided in this information form is true and correct. I agree to abide by the policies outlined by Jobsplus.- All information requested is to be utilized solely for research purposes"

Signature

Date

(vii) Declaration by tutor/lecturer

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'I hereby declare that all information requested is to be utilized by the student for research purposes in relation to his/her studies'.

Tutor/Lecturer's name:

Date:

Signature:

Faculty Rubber Stamp:

Appendix B

Consent Form

Name of Study: _____

Purpose of Study: _____

I confirm that I have read and understood the information provided for the above study. I am aware that by signing the consent form I am agreeing to participate in this research on a voluntary basis and that I can withdraw from the research at any time. I understand that any information I provide during the research is confidential and shall not be used for any purpose other than the research project outlined above. The data shall not be shared with any other third-parties and shall be deleted once the purpose of the research has been achieved.

Tick as appropriate	Yes	No	Not applicable
I hereby agree to take part in the above mentioned project.			
I agree that my personal details appear in the final analysis			
I agree that the person named below records my interview. It has been explained to me how this material will be used.			

Date: _____	Signature: _____
Name of Interviewer: _____	
Name of Interviewee: _____	

Appendix C

<u>Students Request Form to conduct job placement and/or job shadowing at Jobsplus</u>	
Request submitted by:	
On behalf of (if applicable):	
Request to conduct (tick accordingly):	
Job Placement	
Job Shadowing	
Student/s Details:	
ID Number:	
Name:	
Surname:	
Telephone/Mobile number:	
Email:	
Educational Institution Details:	
Name of Educational Institution:	
Course Name:	
Lecturer/Supervisor's Name and Surname:	
Lecturer/Supervisor's Contact Number:	
Lecturer/Supervisor's Email Address:	
Explain the reason for your request:	
Job Shadow/Job Placement request information:	
Department name/area of interest:	

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Occupation/s chosen:	
Requested date/s:	
Proposed duration of experience (in hours):	
Learning objectives expected to be reached:	
Declaration by student:	
<i>"I hereby declare that all information provided in this request form is true and correct. I agree to abide by the policies outlined by Jobsplus. All information requested is to be utilised solely for research purposes".</i>	
Signature:	
Date:	
Declaration by lecturer/supervisor:	
<i>"I hereby declare that all information requested is to be utilized by the student for research purposes in relation to his/her studies".</i>	
Lecturer/Supervisor's Name and Surname	
Date:	
Signature:	
Faculty Rubber Stamp:	

ANNEX



Data Protection Commissioner

2, Airways House
High Street
Sturges SLM 15
Makau

Processing of personal data for research and statistics

Where personal data is used for research or statistics purposes, similar processing involving identifiable data falls under the parameters of the Data Protection Act (Cap 440 – hereinafter 'the Act') and therefore shall be carried out in compliance with the general obligations contained therein. However, the law gives special considerations to the processing of data for the research and statistics.

University related research

Where in the course of academic studies, students or academics undertake research projects involving personal data, such information may be processed being considered necessary on public interest grounds.

The information shall only be processed for the research purpose and should be deleted or rendered anonymous once the purpose of the study has been achieved or where the identity of the research subjects is no longer necessary.

Where personal data is used for university related research, the Act does not require the specific approval of the Data Protection Commissioner, unless such information involves sensitive data revealing race or ethnic origin, political opinions, religious or philosophical beliefs, membership of a trade union, health, or sex life. If one of the abovementioned categories is processed, the Act stipulates that similar research requires the approval of the Commissioner upon advice from a research ethics committee recognised for such purposes. The Commissioner recognises the University Research Ethics Committee (UREC) as his advisory body entrusted to approve university related research involving sensitive data.

Given that every project involving human subjects always requires an ethical approval from UREC, the Commissioner reached an agreement whereby UREC approves projects both in terms of ethical and data protection considerations in order to speed up the research process. Such approval is granted on the condition that the researcher abides by the necessary data protection requirements which are contained in the application form submitted by the researcher.

Research projects are primarily evaluated by the respective faculty research ethics committee and then if the application fulfils the necessary criteria, this is forwarded to UREC for approval. Where in the evaluation of specific projects, there is uncertainty on complex data protection issues the Commissioner is always consulted.

In the case of students who are not affiliated with the University of Makau, but who are reading for a foreign qualification and are carrying out research on sensitive personal data locally, these shall still be required to obtain ethical approval from UREC.



Data Protection Commissioner

2, Airways House
High Street
Stena SLM 16
Malta

Every six months the UREC shall forward a list of approved projects to the Commissioner for formal endorsement. Meanwhile, the researcher is allowed to proceed with his project immediately upon approval from UREC.

- ~ The application form and further information about UREC is available on the following website: <http://www.um.edu.mt/urec/>

Non-academic research

In cases of non-academic research involving personal data (e.g. research carried out by a business institution or a regulatory body) similar processing is acceptable provided that it satisfies one of the legal criteria contained in the Data Protection Act. If the research is undertaken for business or marketing purposes, under normal circumstances, such processing would require the consent of individuals unless the data is rendered anonymous at collection stage. In cases where an entity carries out research in the exercise of a public or regulatory function, and is therefore legally empowered or obliged to collect such information, the consent from individuals would not be necessary.

Where the research involves sensitive data, similar processing may occur with the explicit consent of the individual or where such research is in the public interest, and with the approval of the Commissioner after consulting a research ethics committee.

For the purposes of approving medical research which is not related to a University (or similar institution), the Commissioner recognises the Health Ethics Committee (HEC), falling under the Superintendent of Public Health, as his advisory body. The HEC is also responsible for the approval of Clinical Trials. The same procedure adopted with UREC for academic research has been applied with HEC. This implies that the researcher submits an initial application at the HEC which is evaluated by the Committee both on ethical and data protection aspects. Every six months the HEC should forward a list of approved projects to the Commissioner for formal endorsement.

Click here for further information about HEC and the relevant application forms: https://ehealth.gov.mt/HealthPortal/others/regulatory_councils/health_ethics_committee/health_ethics_committee.aspx

Use of sensitive data for statistics

In the case of sensitive data processed for the compilation of statistics, this would in principle only be permitted with the explicit consent of participants. However, where similar statistics are necessary in the public interest, such statistics may be collected subject to the direct approval of the Commissioner himself.



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2, Airway, House
High Street,
Siema SLM 15
Malta

Basic principles and exceptions

Given the above premise, researchers should always use due caution and good practice when processing personal or sensitive information for research and statistics. In those cases where direct one-to-one contact will be made with the participant, the informed consent should always be sought. Where consent is not a prerequisite (e.g. in cases where the researcher is empowered by a specific law), participants should at least be informed on the purposes for which their personal data will be processed and also any recipients to whom it may be disclosed. Participants should also be informed about the right to request access to the personal data and where applicable, the erasure or deletion of such information.

In those cases where personal data is not directly collected from the individual himself, but from other sources, the law provides an exception from the aforementioned requirement to inform the participants if it proves impossible or a disproportionate effort. Another exception relates to the right of access of an individual, which could be inapplicable if the data is solely processed for scientific research and only kept for the necessary period to compile statistics.

Safeguards

Personal details should only be kept for the necessary period of compiling the research. Information should be rendered anonymous at the earliest possible especially once that the research purpose has been achieved. In cases where the identification is necessary even after completion of a specific study (e.g. follow-up research), the use of pseudonyms or coding techniques or even segregation of data should be considered in order to render the information partially anonymous during the period where the identification is not required.

Adequate security mechanisms should also be implemented in order to protect the information from unauthorised access, use or disclosure.