**Examples from the European Data Protection Board Guidelines 07/20 on the Concepts of Data Controller and Processor in the GDPR**

**Example: Clinical Trials (page 23)**

A health care provider (the investigator) and a university (the sponsor) decide to launch together a

clinical trial with the same purpose. They collaborate together to the drafting of the study protocol

(i.e. purpose, methodology/design of the study, data to be collected, subject exclusion/inclusion

criteria, database reuse (where relevant) etc.). They may be considered as joint controllers, for this

clinical trial as they jointly determine and agree on the same purpose and the essential means of the

processing. The collection of personal data from the medical record of the patient for the purpose of research is to be distinguished from the storage and use of the same data for the purpose of patientcare, for which the health care provider remains the controller.

In the event that the investigator does not participate to the drafting of the protocol (he just accepts

the protocol already elaborated by the sponsor), and the protocol is only designed by the sponsor, the investigator should be considered as a processor and the sponsor as the controller for this clinical trial.

**Over to you: -**

**Does this example resonate in respect of the research study you are planning?**

**Who is the data controller in your research study? Are there joint data controllers? Is there a processor?**

**Example: Research project by institutes (page 22)**

Several research institutes decide to participate in a specific joint research project and to use to that

end the existing platform of one of the institutes involved in the project. Each institute feeds personal data it already holds into the platform for the purpose of the joint research and uses the data provided by others through the platform for carrying out the research. In this case, all institutes qualify as joint controllers for the personal data processing that is done by storing and disclosing information from this platform since they have decided together the purpose of the processing and the means to be used (the existing platform). Each of the institutes however is a separate controller for any other processing that may be carried out outside the platform for their respective purposes.

**Over to you: -**

**Does this example resonate in respect of the research study you are planning?**

**Is your research institute (institution) a joint data controller?**

Full Guidelines available on: - [**https://edpb.europa.eu/system/files/2021-07/eppb\_guidelines\_202007\_controllerprocessor\_final\_en.pdf**](https://edpb.europa.eu/system/files/2021-07/eppb_guidelines_202007_controllerprocessor_final_en.pdf)