**Decision Tree – Can I apply for a consent declaration?**

**Is your health research project current/ongoing or is it new?**

- **New research**
  - Ask: Does the public interest in the research significantly outweigh the public interest in requiring the explicit consent of the individual whose data is being processed?
  - If No: Do the data protection officer have the legal right to decide that the data is needed as part of a legal obligation in accordance with article 6(1)(c) GDPR?
  - If Yes: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
  - If No: Does the public interest in the research significantly outweigh the public interest in requiring the explicit consent of the individual whose data is being processed?
  - If Yes: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
  - If No: Do you have a legal right to process the personal data without explicit consent (In accordance with article 6(1)(c) GDPR)?
  - If Yes: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
  - If No: Are you a health research ethics committee where the research has been approved and the data is being used in the research study?
  - If Yes: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
  - If No: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
  - If Yes: Try the public interest test.

- **New research application**
  - Ask: Is the health research significantly outweighing the public interest in requiring the explicit consent of the individual whose data is being processed?
  - If No: Is the health research significantly outweighing the public interest in requiring the explicit consent of the individual whose data is being processed?
  - If Yes: Try the public interest test.

**Can I apply for a consent declaration?**

- **Yes**
  - Ask: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
  - If Yes: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
  - If Yes: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
  - If Yes: Try the public interest test.

- **No**
  - Ask: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
  - If Yes: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
  - If Yes: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
  - If Yes: Try the public interest test.

**To the public interest test**

- **Yes**
  - Ask: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
  - If Yes: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
  - If Yes: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
  - If Yes: Try the public interest test.

- **No**
  - Ask: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
  - If Yes: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
  - If Yes: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
  - If Yes: Try the public interest test.

**How do I know if the consent that I obtained has been revoked in accordance with Directive 95/46/EC and the Data Protection Acts 1998 and 2003?**

- **Yes**
  - Ask: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
  - If Yes: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
  - If Yes: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
  - If Yes: Try the public interest test.

- **No**
  - Ask: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
  - If Yes: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
  - If Yes: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
  - If Yes: Try the public interest test.

**Do you have a research ethics approval letter for your research project dated on or before 07 August 2018?**

- **Yes**
  - Ask: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
  - If Yes: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
  - If Yes: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
  - If Yes: Try the public interest test.

- **No**
  - Ask: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
  - If Yes: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
  - If Yes: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
  - If Yes: Try the public interest test.

**New research application**

- **Yes**
  - Ask: Do you have any relevant ethical approval from a research ethics committee for the health research?
  - If Yes: Do the ethical approval of the health research by a research ethics committee and the Data Protection Acts 1998 and 2003 sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
  - If Yes: Try the public interest test.

- **No**
  - Ask: Do you have any relevant ethical approval from a research ethics committee for the health research?
  - If Yes: Do the ethical approval of the health research by a research ethics committee and the Data Protection Acts 1998 and 2003 sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
  - If Yes: Try the public interest test.

- **Public interest test**

  - **Yes**
    - Ask: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
    - If Yes: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
    - If Yes: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
    - If Yes: Try the public interest test.

  - **No**
    - Ask: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
    - If Yes: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
    - If Yes: Is the public interest in the research sufficiently significant to warrant processing the personal data without explicit consent? (Including the process for determining the test)
    - If Yes: Try the public interest test.