

Using Audio, Video, or Digital Recordings in Research

Audio, video, and digital recordings (AVD) of research participants are considered identifiable data as they include images and/or voices of research participants. Investigators are expected to use procedures to protect the confidentiality of any participants who are recorded.

Along with following Federal guidelines and ETSU policies and procedures, investigators should be familiar with ethical guidelines from any relevant professional organizations, such as the American Psychological Association, American Educational Research Association, and/or the American Anthropological Association.

Since AVD contains identifiable data, any research involving AVD will not be considered eligible for exempt status.

What to tell the IRB: When using AVD recordings, you must tell the IRB how you intend to maintain confidentiality of the participant(s). For example, be sure that your IRB submission clearly identifies:

- Who will have access to the recordings
- Who will have access to information about the recordings, such as the names of the participants or the locations where the recording will occur
- Specifics about where and how the recordings will be stored
- How long the recordings will be retained. Research records are generally required to be maintained for 5 years following completion of the study. However, for recordings, researchers are encouraged to destroy the recordings once the information needed for your research has been obtained.

What to tell a potential participant: It is important for you to determine how you will use AVD in your research and to clearly state that information in the Informed Consent Document (ICD). The ICD must inform a potential participant:

- That you will be making recordings of the participant, including specification of the type of recording (Audio, Video, or Digital)
- How you will use the data
- Who will have access to the data

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- How you will protect the participant's identity
- Where the recordings will be stored
- How the recordings will be kept secure
- When recordings will be destroyed

SAMPLE TEXT FOR INFORMED CONSENT DOCUMENT INVOLVING AVD

This study involves the use of audio or video recordings (specify which) for the purpose of _____. Only _____ will have access to this data. Neither your name nor any other identifying information will be associated with the audio or video recording or the transcript. This data will be kept secure by _____ and will be destroyed _____.

If your study will allow recording to be an optional part of the research, then a suggested approach is to include checkboxes similar to those indicated below.

- I DO NOT agree to audio (video) taping.
- I agree to audio (video) taping.

USES OF THE RECORDING BEYOND SINGLE ANALYSIS FOR A RESEARCH STUDY

Using the recording for presentations/education: If you intend to use the AVD in presentations and education, you must include this information in the original ICD. The ICD should list all the possible ways you would like to use the recordings. These options might include:

- Conference presentations
- Education of future investigators
- Publications (both physical and digital)

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Participants should have the option to choose whether the investigator can use all or segments of AVD in any of these ways. You may also decide to give the participant the opportunity to review the recording after it is complete. This is particularly important if the material is of a sensitive nature.

Recordings cannot be used in any manner other than those consented to by the participant.

SAMPLE CHECKBOXES FOR INFORMED CONSENT DOCUMENT INVOLVING AVD AND USE OF AVD FOR EDUCATION/PRESENTATIONS

In addition to the requirements above, the IRB recommends including applicable checkboxes, with instructions in the ICD for the participant to select the boxes in accordance with their wishes. An example follows.

In addition to analyzing your recording for this research study, we would like to ask your permission to use excerpts from your recording for other purposes. You can choose whether you want to allow your recording to be shared. If you choose to allow us to share your recording, we will not use your name or other identifying information in any report, publication, or presentation. Please tell us your decision(s) by placing a check beside your choice(s).

- The recording can ONLY be studied by the research team for use in the research project and CANNOT be published or used in any presentations.
OR if you agree to share your recordings, please mark your choice(s) below:
- I agree that my recording can be shown in public presentations to scientific/nonscientific groups.
- I agree that my recording can be shown to participants in other research studies.
- I agree that my recording can be used for scientific publications.
- I agree that my recording can be shown in classrooms to students for education and training

Your signature indicates that you have read the information and made a decision about how your recording may be used.

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Please note that if the recordings will be posted and or distributed in such a manner that others could access, use and/or disclose the recordings, this must be included in the ICD and agreed to by the participant. See the section below.

Using the recording for broader purposes or in settings with limited or no control (i.e., internet, distribution to non-ETSU archive):

If possible, filtering and masking should be used in order to allay concerns regarding confidentiality and privacy. However, the IRB recognizes that these techniques are often prohibitively expensive or may obscure the necessary information.

We recommend meeting with the IRB Chair/Vice-Chair to prospectively plan a project that would include asking permission of participants to share their recordings on internet sites, etc. Many sites, such as Databrary, have a template data release and other related information items that are helpful to researchers and the IRB in planning these studies. AVD may not be used or distributed in any way that is not approved by the IRB.

ARCHIVING AVD

Sometimes, in addition to analyzing AVD for a specific research project and/or specific use as noted above, researchers want to maintain the AVD for future use.

Will your project include any of the following elements?

- the storage of AVD for future research projects
- an intent for the AVD to be used repeatedly for research purposes
- an intent to maintain the AVD to share the data and/or specimens with other investigators

If so, then your study includes what the IRB calls a “repository”.

If your project will include a repository aspect, you have two options for submitting to the IRB:

1. You can include relevant information about the repository in your new protocol submission
2. You can submit a separate new protocol submission, and obtain a separate approval for the repository. While this is more work in the beginning, it often results

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in more clarity. If you will be adding data from other studies to the repository, you must choose this option.

With either option, you will need to include detailed information about the 3 stages of a repository:

1. Collection of data
2. Storage of data
3. Distribution of data

See Repository Guidance for more detailed information about what to include in your submission to the IRB. Please note that each future analysis of private identifiable information for research purposes must be presented to the IRB as separate protocols that may not commence until IRB review and approval (e.g., separate IRB approval/determination will be required for each specific project that uses identifiable data/specimens). The IRB will need to determine whether new use of the archived AVD is related to the original protocol and informed consent and ensure that it does not put the participant in any greater risk.

The IRB will include consideration of the following when reviewing any new protocols involving archived AVD:

- Whether the new use increases risk
- Whether the participants consented to possible future use of this data
- How the participants' confidentiality is being maintained and whether this new use would compromise their confidentiality

The IRB may require the investigator to contact the participants to obtain informed consent for the proposed new use.

If you want to ask permission to allow AVD to be archived in a repository, the IRB will be happy to assist you in designing your informed consent. The ICD should include disclosure of the following (in addition to other requirements):

- a general description of the concept and purpose of repositories
- conditions under which information will be released to investigators
- information about whether participants would be able to withdraw their materials from further study
- description of the provisions for protecting privacy/confidentiality

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- statement describing the future use of the data as specifically as possible
- specific risks related to a breach of confidentiality relative to the information being collected
- indication of whether the participants would be contacted with incidental findings or re-contacted in the future for future research

Please contact the IRB for additional assistance and/or information.

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