

## Interviewing for Research - Copyright and Ethics

All information you collect from interviewees should be treated as confidential, and as a researcher you should be in a position to ensure that you are able to keep this information confidential, although there are limits. For example, you may not be able to keep the information from the police if it is germane to an investigation.

If at any point during the planning of an interview or project you are unsure about any legal or ethical issues you should refer to your supervisor.

- Informed consent and copyright
- Ethics
- University of Leicester Codes of Practice

### Informed Consent and Copyright

From a legal point of view you must have the informed consent of your interviewee before you can use the information contained in the interview. 'Informed consent' means that the interviewee is aware of all possible uses that may be made of the interview. They should also be correctly informed about the purpose of the study and the procedures the researcher is adopting.

Interviewees should also be aware that they may refuse to answer questions should they wish, and they have the right to restrict parts or all of the interview as they see fit.

Interviewees have a moral right for their words not to be used in a derogatory manner and for their name to be associated with the material should they wish. In circumstances where the interviewee wished to be anonymous, the researcher must ensure that no material is made available to the public from which the interviewee's identity could be inferred. This may include using pseudonyms.

When considering sound recordings there are in fact two copyrights:

1. Copyright in the spoken word of the person being interviewed belongs to that individual, and under the Copyright, Designs & Patents Act 1988 this expires 50 years from the end of the year in which the speaker dies. However from July 1995, copyright duration throughout the European Union was extended to expire 70 years from the end of the year in which the speaker dies.
2. Copyright in the recording itself belongs to the person making the recording, or the organisation on whose behalf it is made. Under the 1988 Act, this expires at the end of 50 years from the end of the year in which the recordings were made, unless the recordings are published or broadcast, in which case copyright expires fifty years from the end of the year of publication or first broadcast.

## Ethics

Particularly when the subject matter of the research deals with medical issues, you may have to seek the approval of an ethics committee before starting research. Ask your project supervisor, check your department's policy.

You also need to be aware of some of the ethical issues involved in interviewing, and preserving information for future use. These go beyond the legal requirements of copyright and data protection. They are basically a question of your relationship with your interviewees, how you treat them and their testimony, and of building a degree of trust.

Broadly, you should:

- Acquire sufficient technical knowledge to conduct an interview to the best possible standard.
- Treat interviewees with respect and courtesy.
- Be aware of the possible harm which may come from an interview.
- Not promise anonymity unless you are *certain* you can provide it.
- Warn the interviewee/ be aware of the possibility of defamation or libel.
- Be aware that the interviewee's well being should not be jeopardised for the interviewer's gain.
- Not break promises made to interviewees e.g. offering a copy of the transcript/recording.
- Inform interviewees of the arrangements made for the custody and preservation of the recordings.
- Ensure that the names and personal details of interviewees are not passed on to third parties without their consent.
- Ensure that the interview is documented, indexed, catalogued, and made available as agreed with the interviewee.
- Ensure that ownership of data and eventual access is made clear with funding/commissioning bodies.

Researchers at the University of Leicester should be aware of the University's Research Ethics Code of Practice:

<http://www2.le.ac.uk/institution/committees/research-ethics/code-of-practice>

You may also want to consult these websites:

The Oral History Society at: <http://www.oralhistory.org.uk/ethics/>

Qualidata's 'Ethical and legal considerations' at

<http://www.esds.ac.uk/aandp/create/ethical.asp>

The British Psychological Society's Code of Conduct, Ethical Principles and Guidelines at <http://www.bps.org.uk/documents/Code.pdf>

British Educational Research Association Ethical Guidelines:

<http://www.bera.ac.uk/guidelines.html>

## University of Leicester Data Protection

The University of Leicester's Data Protection Officer is Colin Atkinson (tel: 2412) and the University's website at <http://www.le.ac.uk/ua/rg/dataprotection/index.html> provides the following information:

- Data Protection Code of Practice  
*"The Data Protection Act 1998 places a number of new obligations on the University, which will require significant changes to many well-established practices and procedures. This document contains a general statement of the data protection policy adopted by the University. It also provides guidance on how the demands of the Data Protection Act 1998 can be met. It is expected that all members of staff will comply with this Code of Practice."*
- Dos and Don'ts  
*"This notice provides basic guidance on how you should handle personal data under the Data Protection Act 1998 ..."*
- The Data Protection Principles  
*"Anyone processing personal information is obliged to comply with the Data Protection Principles ..."*
- Transitional Arrangements  
*"The new Act is being phased in over a period extending to 23 October 2007"*

### **Data Protection Forms and Sample Statements**

- Data Protection Co-ordinators Audit Form
- Student Registration Form Data Protection Statements