

Data Research
Access and
Governance
Network

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Information governance in a federated world

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Session plan

- Equivalence
- Rules vs principles
- Equivalence, rules and principles

IG in a federated world

- How can organisations
 - work together?
 - minimise repeated requests to users?
 - develop national standards?
 - develop national tools?
 - get economies of scale?
- ⇒ By agreeing that something already done meets your needs: equivalence
- ⇒ By agreeing common rules and/or principles

Part 1: Equivalence

- Agreeing that A is equivalent to B for some purpose
 - A has the same qualities as B to allow a decision to be made without further reference
- Not necessarily
 - The same
 - Universal
- Equivalence = trust?
 - Depends what you mean by 'trust'
 - "I trust you to carry out your tasks as you said you would"
 - "I have reason to suppose you will act in the way you said you would"

Equivalence examples

- Universities agreeing that ethics committees in other unis are competent in decision-making
 - Implication: only one ethics review needed for a joint project
 - Not necessarily the same process/questions asked
 - Not necessarily universal across organisations and disciplines
- Social science TREs accepting Safe Research Training delivered by others
 - Implication: only one training scheme researchers need
 - Not exactly the same training style at each organisation
 - Not universal for all TREs or for other types of data access

Activity 1: equivalence

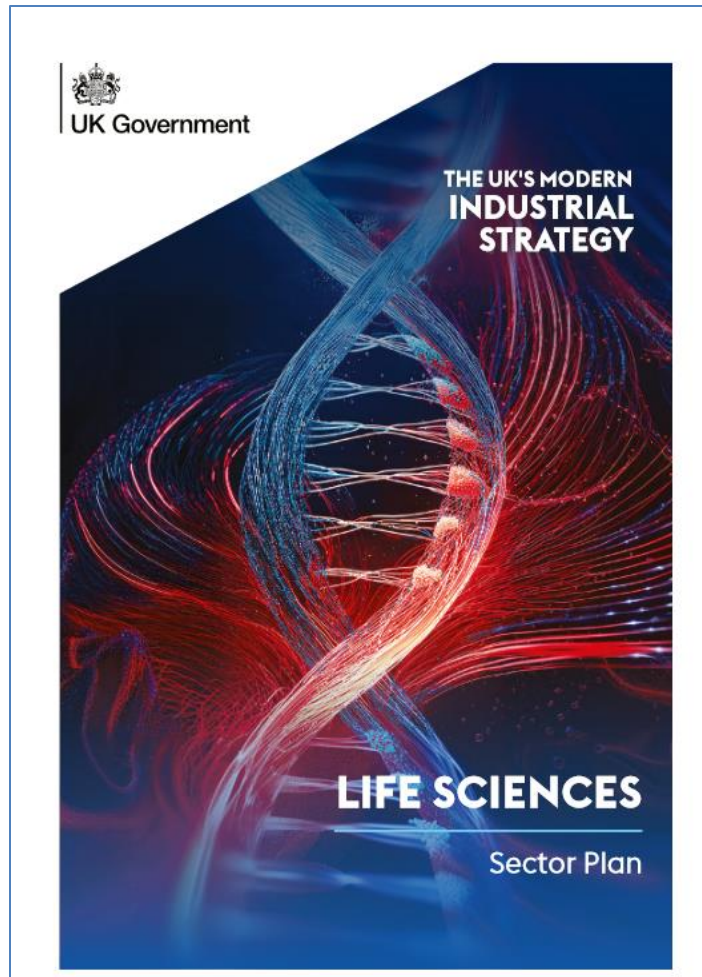
- On your tables
 - Say hello to everyone
 - Identify benefits of equivalence
 - Identify barriers

- As part of this, list examples of
 - Equivalence in practice
 - Places where equivalence would help

- 15 minutes

Equivalence	
Benefits	
<ul style="list-style-type: none"> • • • 	
Barriers	
<ul style="list-style-type: none"> • • • 	
Good examples	Gaps
X, y, z	A, b, c

Part 2: rules and principles

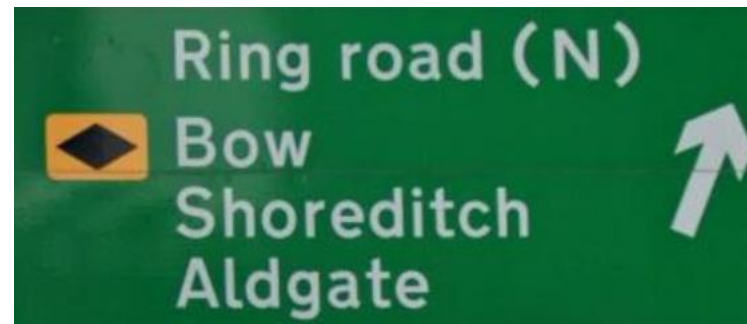


- By the end of 2026, parliament permitting, pass regulations reforming the current Health Service (Control of Patient Information, COPI) Regulations of 2002 to provide a clearer, more flexible rules-based legal basis for health and care organisations (and their data processors), to access, use and share de-identified information for secondary purposes.

Principles vs rules

Rule

- You must not drive at more than 30mph in a built-up area



Too slow?

Principles vs rules

Principle

- You must drive at an appropriate speed for the road conditions



Activity 2: rules vs principles

- On your tables
 - Identify the pros and cons of each
- As part of this, list examples of
 - Good and bad rules and principles
- 30 minutes

Rules v principles

Rules are great because

•
•
•
•

Principles are great because

•
•
•

Examples

Good rules

Bad rules

Good
principles

Bad
principles

Why does all of this matter?

1. Operational effectiveness

- Rules affect operations
- Rules not always (often?) derived from principle
 - History (output checking in TREs)
 - Outside interests (RAP)
- Without core principles
 - How do you know if the rules are good?
 - Who do you appeal to when the rules fail?

Part 3: Principles and rules

Rule

- You must not drive at more than 30mph in a built-up area

Rules

- 30mph is an appropriate max for *this* road
- 20mph is an appropriate max for *that* road
- 40mph is an appropriate max for *these* roads

Principle

- You must drive at an appropriate speed for the road conditions



- 'Appropriate' will be determined an expert review body looking at road conditions, road use, etc.
- Speed limits have a limited number of values to clarify communication

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2. Equivalence is easier with principles

- Building tolerance into the system

Tolerance in a Federation

England:

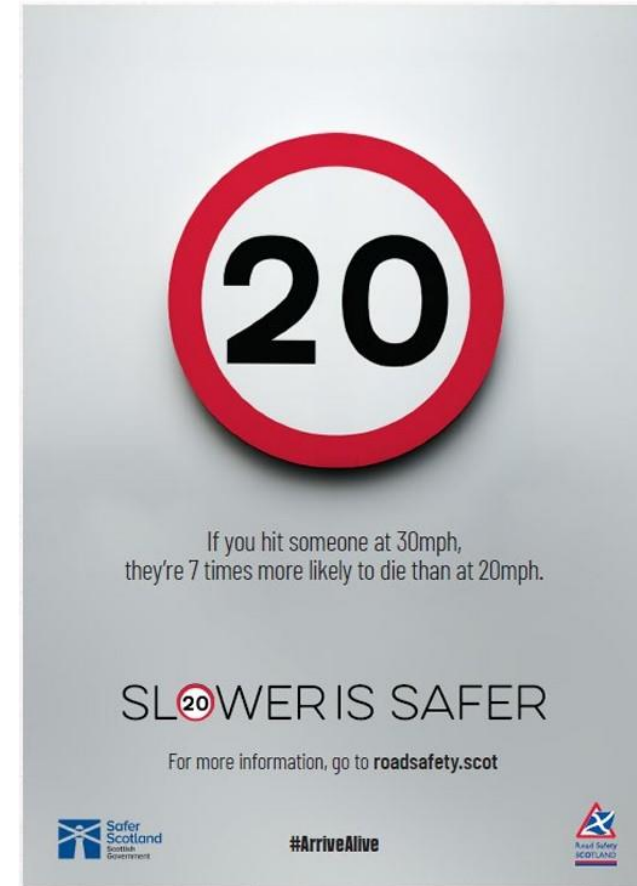
- You must not drive at more than 30mph in a built-up area

Scotland & Wales:

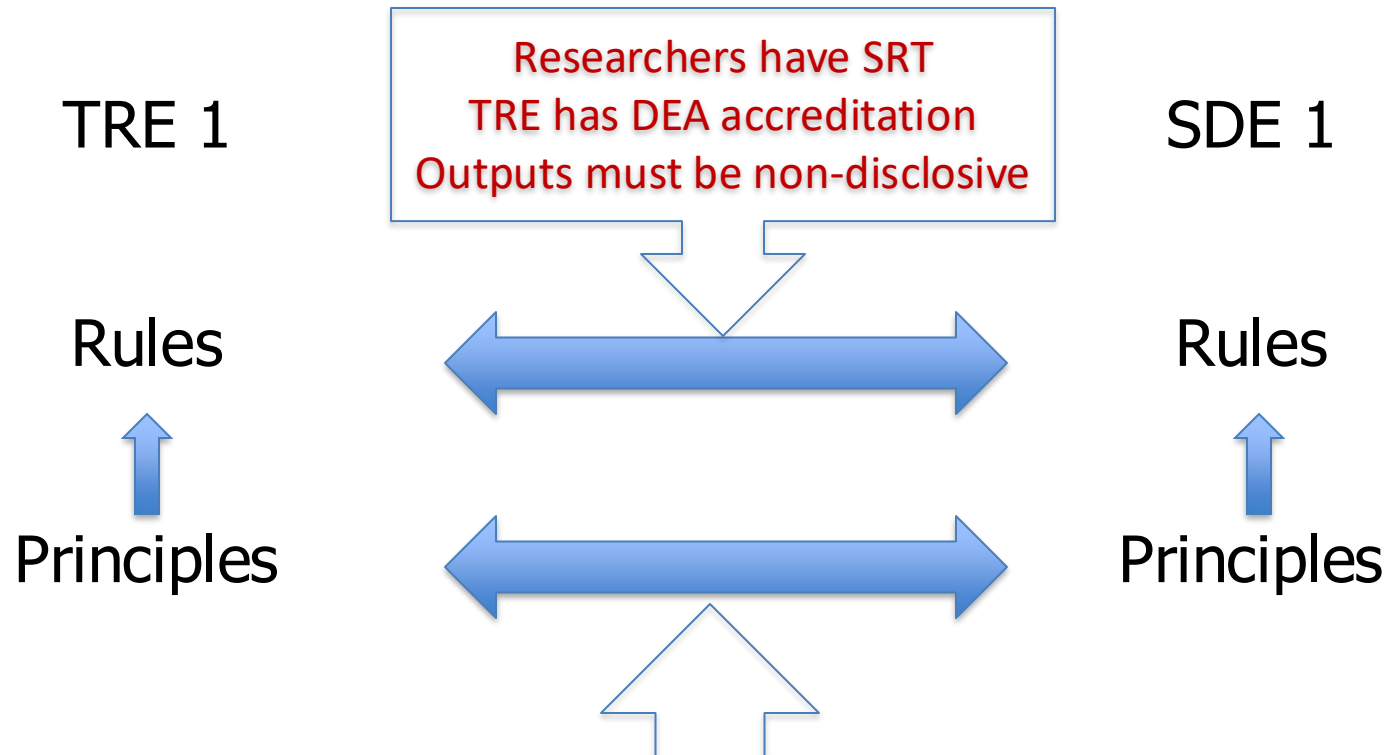
- You must not drive at more than 20mph in a built-up area

Everywhere:

- Use the same style of traffic sign



Equivalence



Activity 3: rules and principles

- On your tables, discuss
 - Is equivalence more likely to be achieved through rules or principles?
 - Give examples if you can
- 20 minutes

Rules and principles

So...

- a) Rules: good for planning, conformity, violation
 - b) Principles: good for flexibility, tolerance, understanding
 - Let's derive (a) from (b)
 - Let's derive equivalence from (b) if we can
 - How does this work in practice?
 - SATRE, safeGUARDS
- ⇒ Parallel session 1b: *From Rules to Principles*

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