

# Data Ethics Impact Assessment

Questionnaire

DataEthics.eu 2021

**DATAETHICS**

The questionnaire is developed by the independent think-do-tank DataEthics.eu.

DataEthics Principles and FAQ is available on <https://dataethics.eu/data-ethics-principles>

Supplementary questions on sustainability builds on EU HLEG AI Ethics Guidelines for Trustworthy AI

<https://ec.europa.eu/futurium/en/ai-alliance-consultation/guidelines#Top>

## The purpose of the questionnaire

The purpose of this Data Ethics Impact Assessment Questionnaire is to prepare your organization for integrating considerations on data ethics in development and operational processes with an impact on human beings and society.

The questionnaire is relevant when your organization:

- Collects and compiles large amounts of data for analyses
- Uses personal data for segmentation, profiling and prediction
- Shares and sells personal data
- Engages with social media platforms
- Applies artificial intelligence for decision support or automatization
- Procures new IT-systems and solutions
- Chooses new suppliers to process data on your behalf.

## How to use the questionnaire

The questionnaire contains 6 categories with a total of 56 questions:

- The human being at the centre (4)
- Individual data control (4)
- Transparency (13)
- Accountability (19)
- Equality (9)
- Sustainability (7)

When responding to each question you should:

- Explain your YES by describing the rationale for your choice
- Justify your NO by describing the nature of your activity and the rationale for leaving out considerations on data ethics.

# DATAETHICS' PRINCIPLES OF DATA ETHICS

## THE HUMAN BEING AT THE CENTRE

Human interests always prevail for institutional and commercial interests. People are not computer processes or pieces of software, but unique with empathy, self-determination, unpredictability, intuition and creativity and therefore have a higher status than machines. The human being is at the centre and have the primary benefit of data processing.

## INDIVIDUAL DATA CONTROL

Humans should be in control of their data and empowered by their data. A person's self-determination should be prioritised in all data processes and the person should be actively involved in regard to the data recorded about them. The individual has the primary control over the usage of their data, the context in which his/her data is processed and how it is activated.

## TRANSPARENCY

Data processing activities and automated decisions must make sense for the individual. They must be truly transparent and explainable. The purpose and interests of data processing must be clearly understood by the individual in terms of understanding risks, as well as social, ethical and societal consequences.

## ACCOUNTABILITY

Accountability is an organization's reflective, reasonable and systematic use and protection of personal data. Accountability is an integral part of all aspects of data processing, and efforts are being made to reduce the risks for the individual and to mitigate social and ethical implications. Sustainable personal data processing is embedded throughout the organisation and ensures ethical accountability in the short, medium and long term. An organisation's accountability should also apply to subcontractor's and partners' processing of data.

## EQUALITY

Democratic data processing is based on an awareness of the societal power relations that data systems sustain, reproduce or create. When processing data, special attention should be paid to vulnerable people, who are particularly vulnerable to profiling that may adversely affect their self-determination and control or expose them to discrimination or stigmatisation, for example due to their financial, social or health related conditions. Paying attention to vulnerable people also involves working actively to reduce bias in the development of self-learning algorithms.

## SUSTAINABILITY

Preventing harm and ensuring fairness are core aspects of sustainable personal data processing. Sustainability addresses both environmental and social concerns with the goal of benefitting all human beings, including future generations. To achieve this the two concerns should be seen as intertwined. Thus, by tackling a pressing social need by processing data in an environmentally friendly way, the process and its outcome is sustainable.

## 1. The Human Being at the Centre

Question	Yes	No	If yes, explain how. If no, justify why
<b>Primacy of the human being</b>			
1.1. Is your data processing based on the fact that you borrow data from the users?			
1.2. Do you ensure that the user's rights are prioritised, rather than commercial or institutional interests?			
1.3. Do you ensure that primarily users benefit from their own data - not just the organisation?			
<b>Privacy-by-design</b>			
1.4. Do you use privacy-by-design principles, and can you describe them clearly and transparently?			

## 2. Individual data control

Question	Yes	No	If yes, explain how. If no, justify why
<b>On device processing</b>  2.1. Do you ensure that users' data - as far as possible - is processed directly on the users' own device(s)?  2.2. When the processing of data is necessary other than on the user's own devices, such as your server or a cloud solution, is collected data not related to an identifiable person?			
<b>Profiling</b>  2.3. Do you use profiling? If so, do you allow the user to influence and determine the values, rules and input that underlie the profiling?			
<b>Predictions</b>  2.4. Do you use data to predict individual-level behaviour or only patterns?			

### 3. Transparency I

Question	Yes	No	If yes, explain how. If no, justify why
<b>Data Storage</b>			
3.1. Is your data stored in a country outside the EU/EEA?			
3.2. Is the storage solutions provider headquartered outside the EU/EEA?			
3.3. Does the transmission of data go through countries outside of the EU?			
<b>Artificial Intelligence</b>			
3.4. Do you use machine learning / artificial intelligence? If so, can you explain the algorithms - the criteria and parameters?			
3.5. Do you inform the users about their interaction with a robot?			
<b>Open Source</b>			
3.6. Do you operate with opensource software, so others can use it and possibly develop it further?			

### 3. Transparency II

Question	Yes	No	If yes, explain how. If no, justify why
<b>Behavioural Design</b>			
3.7. Do you use personal data to influence user behaviour?			
3.8. Do you ensure that it is transparent when the use of personal data may influence a user's behaviour?			
3.9. Do you ensure that the design does not create addiction and thus influences the person's self-determination and empowerment?			
<b>Unintended surveillance</b>			
3.10. Can the technology be used to monitor a human throughout his or hers life cycle?			
3.11. Is data used exclusively for societal or research purposes?			
3.12. Does data processing affect the individual's reputation?			
3.13. Is data used to consciously influence the individual's future possibilities?			



#### 4. Accountability I

Question	Yes	No	If yes, explain how. If no, justify why
<b>Anonymity</b> 4.1. Do you anonymise personal data? 4.2. Do you use end-to-end encryption of data? 4.3. Do you minimise the use of metadata and explain how it is done?			
<b>Zero-knowledge</b> 4.4. Do you use zero knowledge as a design principle?			
<b>Sales of Data</b> 4.5. Do you sell data to third parties? 4.6. Do you sell data as personal identifiable data? 4.7. Do you sell data as patterns on an aggregated level? 4.8. If you sell data, are you making sure that it is fully anonymised information only describing patterns, not individuals?			

#### 4. Accountability II

Question	Yes	No	If yes, explain how. If no, justify why
<b>Data Sharing</b> 4.9. Do you use third-party cookies? 4.10. Does this include SoMe (social media) cookies and SoMe logins? 4.11. Do you use Google Analytics or similar tracking tools? 4.12. If you use third-party cookies, are your users fully aware that your cookie use leads to sharing of data about your users with third parties and do they agree with it?			
<b>Data Enrichment</b> 4.13. Do you enrich data with external data, such as social media data, bought data or web scraping? 4.14. Does this enrichment occur in response to, or in cooperation with, your users?			

#### 4. Accountability III

Question	Yes	No	If yes, explain how. If no, justify why
<b>Organisational Anchoring</b>			
4.15. Do you have an individual or a department responsible for the ethical managing of data?			
4.16. Is the work with data ethics embedded in the organisation?			
4.17. Do you ensure that your data ethics guidelines are respected?			
<b>External Control</b>			
4.18. Can the processing of data be audited by an independent third party?			
4.19. Do you require and control the data ethics of your subcontractors and partners?			

## 5. Equality I

Question	Yes	No	If yes, explain how. If no, justify why
<b>Public Platforms</b>			
5.1. Do you engage in dialogue with your users on a public platform?			
5.2. Do you have guidelines for using the platform?			
5.3. Do you moderate the platform in order to remove sensitive personal data?			
5.4. If your services are offered to children, do you ensure parental consent?			
<b>Reuse of data</b>			
5.5. Is data used to develop or train an algorithm?			
5.6. Do you ensure that the use of data does not lead to discrimination?			
5.7. Do you ensure that the use of data does not expose the vulnerabilities of individuals?			

## 5. Equality II

Question	Yes	No	If yes, explain how. If no, justify why
<b>Artificial Intelligence</b>			
5.8. Do you ensure that the use of artificial intelligence / machine learning is to the benefit of the individual?			
5.9. And does not cause physical, psychological, social, or financial harm to the individual?			

## 6. Sustainability I

Question	Yes	No	If yes, explain how. If no, justify why
<b>Society and democracy</b>  6.1. Did you assess the broader societal impact of the AI system's use beyond the individual (end-)user, such as potentially indirectly affected stakeholders?			
<b>Sustainable and environmentally friendly AI</b>  6.2. Did you establish mechanisms to measure the environmental impact of the AI system's development, deployment, and use (for example the type of energy used by the data centres)?  6.3. Did you ensure measures to reduce the environmental impact of your AI system's life cycle?			

## 6. Sustainability II

Question	Yes	No	If yes, explain how. If no, justify why
<b>Social impact</b>			
6.4. Did you assess whether the AI system encourages humans to develop attachment and empathy towards the system?			
6.5. Did you ensure that the AI system clearly signals that its social interaction is simulated and that it has no capacities of “understanding” and “feeling”?			
6.6. Did you ensure that the social impacts of the AI system are well understood?			
6.7. Have you assessed the risk for loss of jobs/workplaces or disqualifying the workforce? If so, which mitigating measures have been adopted?			

DataEthics is a politically independent ThinkDoTank based in Denmark with a European and Global outreach.

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Read about our work on:

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