

Ethical Assessment Tool

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IAF history with ethical assessments

At the end of 2013, the [Information Accountability Foundation](#) (IAF) was challenged to develop a process for assessing whether big data projects were appropriate. The companies that made the challenge were companies that had very successful privacy impact assessments but felt those assessments were missing the emerging issues related to big data. In order to respond to the challenge, a brainstorming team was created. The key issue that emerged from the brainstorming was that big data touches many stakeholders and that these stakeholders had conflicting ethical frames. The intersection of those ethical frames was the spot where data serves people, rather than people serving data. The result of that brainstorming is the Unified Ethical Frame (UEF).²

Development of the UEF began with European concepts that data protection assures the full range of fundamental rights and freedom. It is fundamental to the UEF that ethical processing facilitate those rights and not abridge them.

However, criteria are needed in order to measure progress. Since data protection is broader than privacy, criteria are needed that go beyond privacy. The brainstorming team adopted five values for assessment. Those values, which are described more completely in the attached document, are:

- Beneficial
- Progressive
- Sustainable
- Respectful
- Fairness

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² The UEF was reviewed in a plenary session at the International Conference of Data Protection and Privacy Commissioners in Mauritius in October 2016. Link to UEF:

<http://informationaccountability.org/publications/a-unified-ethical-frame-for-big-data-analysis/>

The product of the assessment is a set of questions that guides decision makers and documentation to facilitate oversight.

To be effective, the UEF needed to be translated into tools organizations could use to conduct actual assessments. The first experimental tool was developed in 2015 with questions based on the five values listed above. That initial “strawman” tool was then customized for digital marketing through a multi-stakeholder process. As part of that process, IAF learned the assessment tool works best if it follows normal business process, with the values integrated throughout the questionnaire. This shortened the questionnaire because some questions reference more than one value.

As the time of this submission, the IAF is in the midst of customizing the assessment process yet again for big data processing that would comply with Canada’s private sector privacy law, the Personal Information Privacy and Electronic Documents Act (PIPEDA). Working with approximately twenty Canadian organizations or Canadian offices of multinational companies and Access Privacy, the Osler Hoskins Harcourt privacy and data management consulting service, the IAF customized the assessment document created by the IAF for Canadian law. This draft document then will be finalized in a multi-stakeholder session, which is being funded by a grant from the Office of the Privacy Commissioner of Canada. (See [project overview page](#) for more information.) That multi-stakeholder session is scheduled for December of 2016.

A Customized Ethical Assessment

The document that is attached is the draft Canadian assessment document current as of September 20, 2016. It consists of a preamble and a questionnaire. The final report for the Canadian project will be posted to the IAF website in March 2017. While customized for Canadian big data activities, this assessment document may be used to assess any activities within an organization where data is collected, used and disclosed in a manner that may not have been anticipated by the individuals to whom the data pertains.