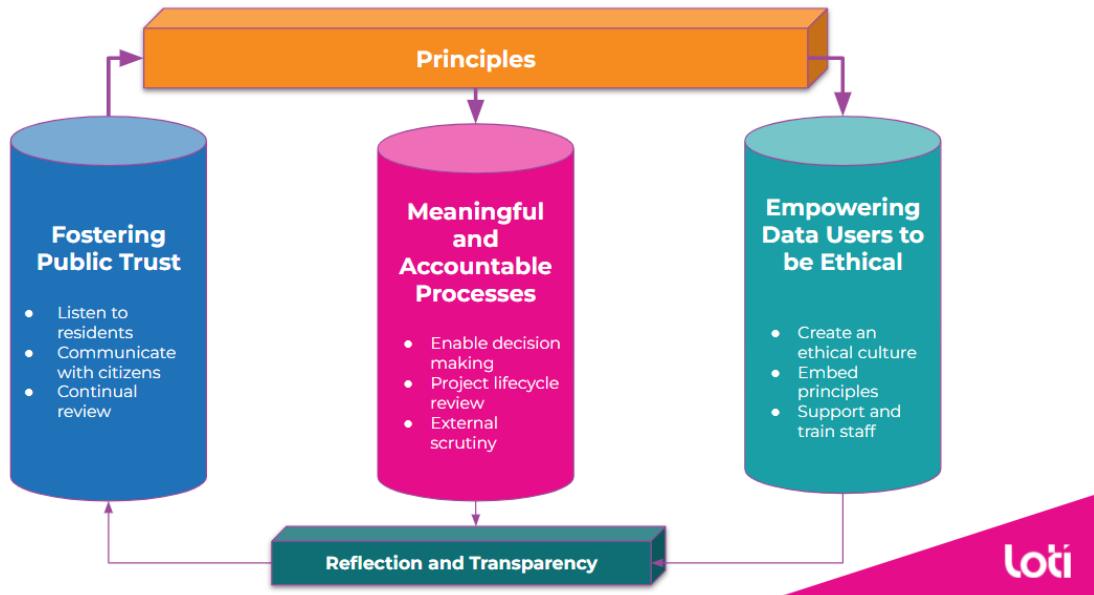


A Data Ethics Framework for Local Authorities [DRAFT]

1. What capabilities might a local government organisation need in order to 'do' data ethics meaningfully, in a way deserving of the trust of citizens? This document explores a model that LOTI is developing, based on our research with different organisations and ethics experts. So far, LOTI have assisted two LOTI boroughs, Brent and Camden, with their own data ethics initiatives, and have recently been interviewing organisations from around the world and from different parts of government, to hear their ideas and reflections, which we have shared as case studies.
2. Data ethics is vital because governments need to be able to use citizens' data confidently, in a way that deserves their trust of citizens, if they are to maximise its potential utility for social good. It's not enough to know if a data use is legal. Governments also need to understand if decisions are ethical. Without it, they risk serious reputational damage, as was seen with the Department for Education's A-Level algorithm in 2020, which (rightly) erodes the trust in government to use data in complex ways in the future.
3. LOTI wants to understand what an organisation needs to have in place to avoid this. Our initial model (below) has four components:
 - a. Principles or values, which should inform all the subsequent actions taken by boroughs in the other three pillars.
 - b. A pillar on engaging with citizens, both communicating to them as well as listening to them.
 - c. A pillar for the governance structures and processes in place that are the backbone for ethical decisions.
 - d. A pillar reflecting the need for ethics to be culturally lived and practised by individuals with appropriate skills.

Data Ethics Capabilities for London Local Government



Principles for Data Ethics

1. For many public sector organisations, the creation of a set of principles that dictate what it means to be ethical in practice has been one of the most common first steps taken. Together, these principles articulate a vision of what an ethical approach should entail from the perspective of a public sector organisation. Whilst principles may vary in their specific form, or specificity, the most important thing is they do directly inform the decisions made by the organisation, and that the organisation is accountable to them.
2. A 2020 [Harvard paper](#) mapped 36 prominent AI principles documents from different organisations and sectors, and found a gradual convergence towards eight key themes (see below):

Theme	Encompassed issues	Frequency of Theme
Privacy	Consent; Control over the Use of Data; Ability to Restrict Processing; Right to Rectification; Right to Erasure; Privacy by Design; Recommends Data Protection laws	97%
Accountability	Verifiability and Replicability; Impact Assessments; Evaluation and Auditing Requirement; Right to Appeal; Creating Monitoring Bodies; Remedy for Automated Decisions	97%
Safety and Security	Safety; Security; Security by Design; Predictability	81%
Transparency and Explainability	Transparency; Explainability; Open Source (Data and Algorithms); Open Procurement; Right to Information; Notification when AI Present or Making Decisions	94%
Fairness and Non-Discrimination	Non-discrimination and Prevention of Bias; Representative and High Quality Data; Fairness; Equality;	100%
Human Control of Technology	Human Review of Automated Decisions; Ability to Opt out of Automated Decisions;	69%
Professional Responsibility	Accuracy; Responsible Design; Consideration of Long Term Effects; Multi-stakeholder collaboration;	78%
Promotion of Human Values	Human Values and Human Flourishing; Access to Technology; Leveraged to Benefit Society	69%

3. Frequently, these principles have emerged from engaging with citizens. As ethics are products of our social context, pioneering governments want to directly ensure that their principles reflect what society actually values. For example, in Camden, their [Data Charter](#) was created through a Citizen Panel (as well as extensive surveys). They have also emerged from expert consultation, and built on



pre-existing ethical standards, as was the case with the US [Data Ethics Framework](#).

4. LOTI have spoken to a number of organisations with their own principles from different countries. Whilst the principles remained similar, the organisations are using them differently. In Amsterdam, the [TADA](#) has been signed by member associations so staff hold themselves to these 'professional standards'. In Camden, their [Data Charter](#) directs them to do practical things to improve their organisation's ethical capabilities.

Pillar 1: Fostering Public Trust

1. Ethics is about making practical decisions about tradeoffs in the context of social values. Therefore, without a relationship to society, to the people from whom these values are derived, organisations cannot be certain that they will be able to interrogate the ethics of any particular issue. The less organisations communicate how decisions are made to the public, the less the public will have confidence that they are making the practical decisions about trade-offs in the right way.
2. From case studies around the world, there have been two cases when listening to citizens has been particularly useful. Firstly, for organisations still establishing their overarching values or principles. For example, in Camden, whose [data charter](#) was created through an extensive consultation and then deliberation via citizen jury.
3. Moving forwards, however, when organisations are more confident in their values and principles, we may see more participatory processes being used to find balanced policy positions on complex specific use cases for data. For example, the UK Algorithmic Transparency Standard was created with [input from deliberative workshops](#). Organisers noted that one outcome about having different tiers of information to share only emerged from the suggestions of citizens. In Portland, Oregon, they are using a refined participatory model of Community Champions to co-design their [policy for surveillance technologies](#).
4. The key principles of transparency and explainability also manifest in organisational capabilities to externally communicate with residents. Many organisations commit to being transparent to citizens about what algorithms they are using, and what decisions are being made. In the case of the UK Algorithmic Transparency Standard, they realised they need to communicate two tiers of information, which may emerge as good practice for similar future policies:
 - a. For directly affected citizens, who may lack technical expertise, a directly shared, understandable overview of the algorithm's function.
 - b. For interested researchers, journalists or activists, more detailed technical information is available on a public platform for them to access, as in the Amsterdam [Algorithm Register](#).
5. Lastly, the capabilities for an organisation's processes and structure described under Pillar 2 should align with certain expectations of citizens, including, but not limited to, the right to appeal the decision of an algorithm (to a human), and an appropriate level of human oversight or sign-off for decisions made by algorithms.



Pillar 2: Meaningful and Accountable Processes

1. Ethics is only a meaningful part of your organisation if projects and actions can be stopped for ethical reasons. This requires making an organisation truly accountable for their technologies and the decisions made with them, hence the common principle of accountability.
2. To do this, and to consistently make meaningful ethical decisions, requires a fully-thought through process that considers ethics throughout a project's lifecycle. It also means having mechanisms in place to receive external and/or independent feedback on projects, not to mention the means to review, challenge and hold responsible an organisation for the decisions they make using data.
3. At the start of a project's life-cycle, project managers will have to decide if there may be any ethical risks with a project. Whilst it may not always be necessary where the risks are evidently minimal or non-existent, a number of tools are available for users to understand the potential ethical risks of using data:
 - a. For largely data-related ethics, the Open Data Institute has a [Data Ethics Canvass](#), the UK Statistics Authority has a [self-assessment tool](#), and the Government Digital Service's Data Ethics Framework has a [template document](#) to work through ethical issues.
 - b. The Danish Design Council's [Digital Ethics Canvass](#) (and workshops) is suitable for digital product development more broadly;
 - c. Tools like Algorithmic Impact Assessments (AIAs) also help assess potential impacts of advanced data usage, as has been seen in the [NHS](#) in the UK, and also in the Canadian Government, for [visas](#) and [employment](#).
4. Once a data project has been initialised, it may still require continued monitoring, checks and guidance,. In such circumstances, external advisory boards, such as [the one set up by Brent Council](#), may be particularly useful. On top of this, to review an algorithm, to check it for things such as biases, tools like [Algorithm Audits](#) may also be worth exploring.
5. Lastly, some organisations might want to consider assigning particular responsibilities to staff for data ethics. The Met Police and [Scottish Police](#) are both hiring for Data Ethics Officers, cognisant of the importance of ethics for the police. Similarly, Camden's citizen jury proposed creating a data ethics officer position. However, as cases from the private sector have taught us, with [Google's Ethical AI Team](#), organisations should ensure by design that any data ethics professionals are able to meaningfully challenge, shape, and ultimately stop practices they deem unethical, otherwise these positions can be perceived as ethics-washing.

Pillar 3: Empowering data users to be ethical

1. Ultimately, data users and managers will have to make ethical decisions every single day during their job. Furthermore, with decisions being made so frequently, which may be individually simple, but cumulatively impactful, simply having good processes in place isn't enough. We need these people to be confident and comfortable navigating ethical issues. We need our organisations to be full of ethical actors. Indeed, some principle documents may classify this under the principle of 'Professional Responsibility'. Therefore it is vital for organisations to actively foster a combination of both culture and skills amongst their staff as individuals.
2. In terms of individual skills needed to empower staff working with data, organisations may need to fund training as these are often very new skills. These skills may come around the tools as set out in Pillar 2, such as the ODI Data Ethics Canvas or the DDC Digital Ethics Compass. Fortunately, both the [ODI](#) and [DDC](#) have training courses if organisations want to upskill their staff. More broadly, the ODI also offers training for [Data Ethics Professionals](#), and modules to train people to run data ethics workshops themselves, which might be worth exploring.
3. To understand what an ethical culture might look like, the DDC's short piece on what makes an '[ethical organisation](#)' is a good starting point. It posits how an ethical organisation might be structured in order to allow individuals to flourish making ethical decisions. For example, it writes that employees need trust between them and management (and vice versa) so employees can voice doubts and concerns without repercussions for their career. Organisations who are serious about ethics might consider how their management systems function to enable this.
4. Lastly, some principles frameworks work to arm employees with the knowledge and tools (and confidence) to have conversations about data ethics in their job. The US Data Ethics Framework does just this: it is about encouraging individuals to take responsibility to raise ethical issues as they arise, to discuss them in their contexts, rather than complete a checklist. At their extreme, these efforts might also be adopted by associations of digital and data staff, as almost a 'hippocratic oath' for data users. So far, the closest to this at a city level has been in Amsterdam, where their Guild of Developers has adopted the locally-created DEDA principles.