

Data Ethics & Privacy Law

2020



Presenters



John Brigagliano
Associate
Kilpatrick Townsend



Mark Surber
Senior Manager of Data Citizenship & Digital Ethics
Mailchimp

What we'll cover

- I. Ethics and Data Privacy
- II. Why and when to incorporate ethics
- III. Who is responsible
- IV. How privacy frameworks can be enhanced



Ethics and Data Privacy

What are ethics and how are they different from data privacy considerations?



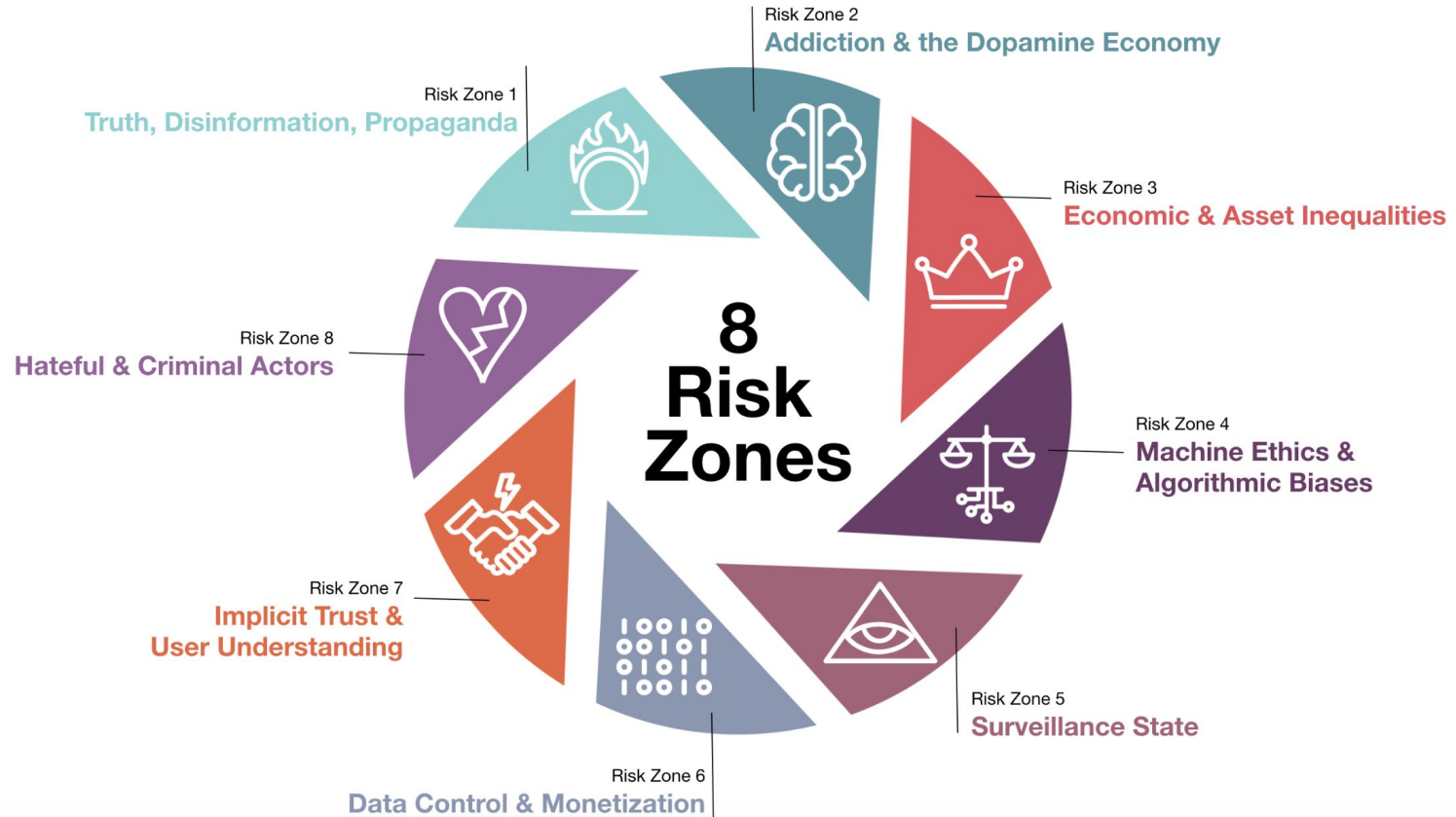
How are ethics defined?



“If today is yesterday’s
future, then tomorrow’s
risks are your problem.
Today.”

EthicalOS





Ethics are not static.



Ethical considerations \geq Privacy obligations



Incorporating Ethics

What is the value in doing this?



Let's consider the 7 principles of the GDPR

- Lawfulness, fairness and transparency
- Purpose limitation
- Data minimization
- Accuracy
- Storage Limitation
- Integrity and confidentiality (security)
- Accountability



Let's consider the 7 principles of the GDPR

- Lawfulness, fairness and transparency
- Purpose limitation
- Data minimization
- Accuracy
- Storage Limitation
- Integrity and confidentiality (security)
- Accountability



Consider

- Human rights/Consumer rights
- Temporal and cultural interpretations of harm
- Conflict of interests



When to discuss

What is the value in doing this?



When should data ethics be evaluated?

- Annual strategic planning and initiative development
- Employee onboarding
- Cultural guidelines and policies



Responsibilities and Ownership

Who in the organization is responsible for evaluating ethical implications of data use?



Who helps shape an organization's ethics?

- Executives
- Strategy
- Privacy/Legal
- Governance
- Diversity & Inclusion
- Employee-base
- Customers
- General public



Enhancing your Privacy Framework

Where and how to insert ethical considerations into your privacy practices.



Internal policies and documentation

- Data protection policies
- Codes of Ethics
- Cultural guidelines and policies



Operational methodologies and protocols

- Data Protection Impact Assessments
- Privacy by Design | Ethics by Design



Operational methodologies and protocols (cont.)

- Risk Assessments
- Value and Harm Assessments



Thank you!

