

# Appendix

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## Questions to support the application of data ethics principles

The following questions aim to assist forces in implementing the principles.

### Public good

- What outcomes will be delivered to enhance public good by the data process?
- Is there anything further that could be done to ensure that the process advances the public good, while reducing any interference with individual human rights, such as the right to private life?

### Respect and dignity

- What steps have been taken to ensure that the data processes respect the dignity of all individuals and groups?
- Is there any way in which the process could undermine the dignity of individuals and groups? If so, how? Are the benefits of the process proportionate, and how can this be determined?
- What steps could be taken to reduce any negative impact?
- Could the benefit of the data process be achieved by different means that have a less intrusive impact?
- Are there any inadvertent adverse outcomes for others (for example, the potential for gathering personal data of people unconnected with the data processes)?
- What can be done to mitigate any deliberate or inadvertent adverse outcomes of the data processes on people or on society in general?

### Fairness and impartiality

- Is the data process consistent with the public sector equality duty?
- Would the process lead to differential treatment of a person based on protected characteristics?

- What could be done to ensure that the data processes do not deliberately or inadvertently target, or selectively disadvantage, people or groups based on protected characteristics?
- Does the process have disproportionate impact on any groups or communities not included as a protected characteristic (for example, people living in a particular area)? What could be done to reduce this impact?
- Would human rights be interfered with by the process? If so, in what way?
- Are the human rights of any group or section of the community likely to be especially adversely affected?

## Transparency and accountability

- What steps have been taken to respect all human rights?
- How has public protection been reconciled with the respect for all human rights?
- What steps could be taken to reduce any interference in human rights without jeopardising the process itself? Could its benefits be achieved by different, less invasive means?
- Has information concerning the data processes been made publicly accessible? If so, how?
- If information concerning the project cannot be made public, have efforts been made to engage with relevant external committees and/or oversight bodies?
- Does this information explain the scope and circumstances of when this process may be used?
- Is consent required or not?
- Does this information also explain and set out relevant safeguards, including:
  - authorisation of the process
  - who has access to any data
  - what the data storage limits are
  - who is responsible for its monitoring and oversight
- To what extent is there 'algorithmic transparency' and how much of this can be made public?
  - The **Algorithmic Transparency Recording Standard (ATRS)** provides a clear and accessible format and mechanism designed to support public sector bodies in delivering information about the algorithmic tools they use in decision-making processes that affect members of the public. This can be referred to when deciding how transparent an individual can be with the public.
- Has a data protection impact assessment (DPIA) identified any risks to transparency and proportionality?

- What role should communities have in influencing the use of this technology by the force, and how can their perspectives and concerns be considered?
- Has the involvement of external experts in assessing algorithmic transparency been considered?

## Robust evidence

- What is the evidential basis for the process?
- How has it been tested?
- Has it been subject to peer review?
- Has the evidential basis been challenged?
- What is the error rate?
- What are the quality control mechanisms?
- What evidence is available of the likely impact of the process on those to whom it is applied and to any others who could be affected by it?
- What ethical criteria and deliberative processes have been applied to the procedure and what conclusions have been drawn?

## Evaluation

- Have any impact assessments that specifically embody ethical criteria been performed on the procedure? What modifications have the impact assessments resulted in? Are these assessments publicly available?
- To what extent has the police and crime commissioner for the force been involved in testing? Could there be greater police involvement?

## Human decisions, supported by technology

- What processes are in place to ensure that staff are trained on how to collect, store, handle and deliver data?
- What are the potential risks in data management without human intervention and how can they be lowered?
- How can data users be made aware of the possible consequences of their interventions?
- How can humans make decisions, use technology and use data ethically to avoid risk of harm to individuals or groups?
- What safeguards are in place to ensure that individuals retain ultimate accountability for the decisions made on the basis of data-driven analysis?

# Tags

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