

Seminar 3: Case Study – Privacy – Zihaad Khan

Please read the case below and answer the questions. You need to determine the ethical issues involved with this case.

The Case

Ricardo works for the records department of his local government as a computer records clerk, where he has access to files of property tax records. For a scientific study, a researcher, Beth, has been granted access to the numerical portion “but not the corresponding names” of some records.

Beth finds some information that she would like to use, but she needs the names and addresses corresponding with certain properties. Beth asks Ricardo to retrieve these names and addresses, so she can contact these people for more information and for permission to do further study.

Now consider, what are the ethical issues involved in deciding which of these options to pursue?

Q. If Ricardo is not responsible for determining allowable access, should he release the names and addresses?

A. Ricardo should not release the names and addresses as Beth has not been granted access to this information. It is Ricardo’s responsibility to protect the confidentiality of information so as to not breach GDPR regulations (GDPR 2023). Confidentiality and Data Protection are the ethical issues present.

Q. Suppose Ricardo were responsible for determining allowable access to the files. What ethical issues would be involved in his deciding whether to grant access to Beth?

A. Since Beth is an external researcher and not directly employed by the records department, she does not have the same access as Ricardo. If Ricardo was responsible for determining allowable access he would need to seek permission from the data subjects before granting access to Beth. Furthermore, if access is granted Ricardo should ensure that Beth follow ethical principles of confidentiality and privacy. Confidentiality and Data Privacy are the ethical issues present.

Q. Should Beth be allowed to contact the individuals involved? That is, should the Records department release individuals' names to a researcher? What are the ethical issues for the Records department to consider?

A. The Records department should consider the ethical issues related to the privacy and confidentiality of the data subjects. The department should not release the names and addresses of the individuals to Beth without their consent. The department should also ensure that Beth has a legitimate reason to access the information and that she follows the ethical principles of confidentiality and privacy. Privacy and informed consent are the ethical issues present.

Q. Suppose Beth contacts the individuals to ask their permission, and one-third of them respond giving permission, one-third respond denying permission, and one-third do not respond. Beth claims that at least one-half of the

individuals are needed to make a valid study. What options are available to Beth?

- A.** According to the GDPR (2023) consent is required from each data subject in order to be used in the study. Beth has the following options:
- a. Regarding the individuals that Beth has contacted to ask for permission, she should ensure that they are fully informed about the purpose of the study and how their personal data will be used. If possible, she should conduct the study with one-third of the individuals as her sample size and possibly raised this as a limitation in her research.
 - b. Regarding the individuals that denied permission, they have probably done so for a reason, Beth should respect their privacy and omit these individuals from the study. She would be violating their privacy if she contacts them again.
 - c. Regarding the individuals that did not respond, Beth should try contacting them again, if unsuccessful she should omit them from the study.

Privacy and informed consent are the ethical issues present.

References

GDPR (2023) General Data Protection Regulation. Available from: <https://gdpr-info.eu/art-7-gdpr/> [Accessed 20 February 2023].