Think …
Build …
Explain …
Share …

Ethics
#IamEthicALL

The Digital Ethics Charter

Context

All professionals working in health and social care must ensure that they comply with all relevant legislation and good practice to protect individuals' personal data and their wider human rights. In addition, professionals working with data need to be aware of how legislation, policy, and practice relevant to clinicians will impact on their involvement in improving how care is designed and delivered. Relevant law and policy include:

- Data Protection Act 2018 and the Information Commissioner's Office' guidance.
- Human Rights Act 1998, including peoples' right to life (Article 2), right to not be subject to inhuman or degrading treatment (Article 3), right to respect for private and family life, and right to lawful data confidentiality (Article 8).
- Equalities Act 2010, including the public sector duty to eliminate unlawful discrimination, advance equality of opportunities and foster good relations.
- Duty of candour (clinicians' responsibilities to identify and disclose errors in care) and employers' whistleblowing policies.
- General Data Protection Regulation (EU) 2016.
- Seven Caldicott Principles for using confidential information
- Professional codes of conduct.
- The Common Law of Confidentiality

Our opportunity

Digital transformation - and the adoption of newer technological capabilities - present health and care sector leaders, commissioners, and providers with a golden opportunity to transform the way in which services are provided. Digital transformation can help empower people to look after their own and their families' health and wellbeing, and to have their voices heard. It can give professionals in the NHS, local authorities, and the voluntary sector the chance to truly collaborate and deliver services seamlessly across organisational boundaries. It allows organisations to analyse and share data to understand the reasons for health inequalities. Also, it helps change the way services are commissioned and provided to benefit individuals and communities. We have achieved much in this area to date – and now we have an opportunity to do even more.

Our ambition

We want to create an environment where technology enables as well as enhances the provision of health and care services within our system. Today's health and care system has access to some innovative data programmes, apps, clinical decision support tools and electronic health records. In parallel, we are seeing advancements in technology and, in particular, artificial intelligence techniques. Artificial intelligence is being used on this data to develop insights and tools to help improve operational efficiency. This will lead to the provision of even better and safer care.

All these techniques are reliant on the use of data held within health and social care organisations, which must be gathered, stored and shared responsibly. Data-driven technologies must be harnessed in a safe, evidenced, and transparent way. As such, an agreed approach is needed to ensure digital professionals operate legally and ethically. We have therefore developed a *Digital Ethics Charter*, a set of common principles that digital professionals can adhere to which best promote the rights of people and the organisations they serve. This is a voluntary charter to promote best practice, and does not affect any other legal, contractual, or employment obligations.

We will work with partners to develop our Digital Ethics Framework and Network with a commitment to action.

Authors:

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Developing our Charter, Framework & Network

Our Charter was developed from the Hippocratic Oath (now known as the Geneva Charter), the 7 Principles of Public Life, and to complement initiatives such as the Local Digital Declaration.

The focus of the development of our Ethical Framework and Network is to support professionals working in or with Digital, Data or Technology services that enable Health, Care and Wellbeing for the populations we serve.

We acknowledge that our Digital Ethics Charter, our Framework and our Approach could apply to other areas of public services and industry, so we will aim to maintain applicability and relevance.

- We will build our framework on the core principles of ethical change, and ethical practice.
- We will collaborate to reflect different perspectives and landscapes.
- We will be vigilant to the ambitions of our commitment and our support for one another.

Ethics is not a set of problems to solve, it is a coping mechanism to deal with reality. Digital, data, and technology amplify that reality. As such:

- We will ensure this is not a tick box exercise
- We will ensure Ethics is not a 'department of no'

Ethics is about *How*

To get involved with the Digital Ethics Network please contact SNEEICS.EastAccord@nhs.net

Principles of the Digital Ethics Network

Think Ethics
Consider the implications on individuals and society of any given action or system.

Build Ethics
Enshrine ethical use of data within any development in the same way we do for privacy.

Explain Ethics
Accept the responsibility of sharing ethical thoughts, considerations, and concerns with those around to create learning safe spaces.

Share Ethics
Be transparent in the sharing of ethical concerns or findings with the broader public sector supply chain and the public

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The Core Principles underpinning Ethical Practice and Ethical Change

Developed in association with SocITM Digital Ethics, we will underpin our Framework with the attributes of ethical practice and ethical change as core principles:

- Beneficence: *do good*
- Non-maleficence: *avoid harm*
- Autonomy: *preserve human agency*
- Justice: *fair impacts*
- Explicability: *understandable, transparent*

Pledge

AS A PROFESSIONAL WHO WORKS WITH DATA:

1. I will always use data and digital technology to benefit the health and wellbeing and the rights of the people and families in the population I serve.
2. I will be honest and open, ensuring people and organisations know what data I am holding about them, how, and why, to protect their confidentiality, in accordance with data protection legislation and good practice. I will protect the security of people's and organisations' sensitive data.
3. I will draw on and share existing tools and best practice when developing innovations in data and digital technology.
4. I will ensure that when I select, analyse, or report on data, it is done in a fair, non-judgemental, and non-discriminatory way. I will promote equality and positive relationships in accordance with the Equality Act.
5. I will ensure that where I am involved in developing or operating data models or digital technology, I will identify and report any potentially harmful impact on the people or communities I serve.
6. I will contribute to the integration of health and care systems. I recognise the importance of data in helping agencies to work together to share information safely to identify need, target resources, and monitor effectiveness, both now and when predicting future demand.
7. I will collaborate with colleagues, partner organisations, people, and communities to promote ways for data and digital technologies to improve people's health and wellbeing. I will overcome silo working to achieve true partnership working.
8. I will continue to develop my own skills, and the skills of others, to enable me to be as effective as possible in improving the health and wellbeing of the population.
9. I will disclose any conflicts of interest or barriers that may affect my professional integrity or objectivity.
10. I will attend to my own health and wellbeing, and seek support with any challenges within my work, to ensure that I am an effective professional.

Signed: …………………………..………………………………...

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