# Unit 4

# Case Study on Privacy

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?

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

No ricardo should not release those names and addresses as it goes against GDPR protocols

* 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?
* 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?
* 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?

**Answer:**

If Ricardo is not responsible for determining allowable access, he should not release the names and addresses. Doing so would violate privacy and confidentiality principles, as the individuals whose data is being shared have a right to control how their personal information is used (GDPR, 2018). Releasing this information without proper authorisation would also breach Ricardo's professional responsibility to follow the protocols and policies of his organisation. Additionally, it could undermine public trust in the records department and the government’s ability to protect sensitive information (ICO, 2020). Therefore, Ricardo must refrain from releasing the data to Beth.

If Ricardo were responsible for determining allowable access to the files, several ethical issues would arise in his decision-making process. He would need to balance the potential benefits of the scientific study against the privacy rights of the individuals whose data is being requested (GDPR, 2018). Transparency and accountability would be critical, as Ricardo must ensure that any decision to grant access is based on clear, justifiable criteria and complies with legal and organisational policies (ICO, 2020). He must also avoid any conflict of interest, such as a personal or professional relationship with Beth, that could influence his decision (BMA, 2021). Additionally, Ricardo should consider whether Beth truly needs the names and addresses or if the study can be conducted using anonymised data (GDPR, 2018). Ultimately, Ricardo must carefully evaluate the request to ensure that granting access aligns with ethical principles, legal requirements, and the public interest.

The question of whether Beth should be allowed to contact the individuals involved raises significant ethical concerns for the Records Department. The individuals whose data is being shared have the right to informed consent, meaning they should know how their information will be used and have the opportunity to give or withhold consent (GDPR, 2018). The Records department must also adhere to the principle of purpose limitation, ensuring that the data is only used for the specific purpose for which it was collected (property tax records) and not repurposed for research without proper authorisation (ICO, 2020). Releasing names and addresses could expose individuals to risks such as identity theft, harassment, or unwanted contact, which raises concerns about data security (BMA, 2021). Furthermore, the Records department has a responsibility to maintain public trust by safeguarding sensitive information (ICO, 2020). Therefore, the Records Department should not release the names and addresses unless there is a clear legal basis, and the individuals have provided explicit consent.

If Beth contacts the individuals to ask for their permission and receives mixed responses—one-third granting permission, one-third denying permission, and one-third not responding—she faces ethical dilemmas in deciding how to proceed. Beth must respect the decisions of those who deny permission and exclude their data from the study (GDPR, 2018). Non-responses cannot be assumed as consent, and ethically, Beth must treat non-responses as a refusal to participate (ICO, 2020). If Beth cannot obtain sufficient data without violating ethical principles, she may need to reconsider the scope or feasibility of her study. Her options include proceeding with only the individuals who gave consent, even if this reduces the sample size; seeking alternative data sources or populations that meet her research needs without compromising ethical standards; revising the study design to work with a smaller sample size or anonymised data; or abandoning the study altogether if it cannot be conducted ethically (BMA, 2021). Beth must prioritise ethical principles over the convenience or validity of her study and cannot use data from individuals who denied permission or did not respond.

In summary, the key ethical principles at play in this case include respect for privacy, informed consent, transparency and accountability, data minimisation, and maintaining public trust (GDPR, 2018; ICO, 2020; BMA, 2021). By adhering to these principles, Ricardo, Beth, and the Records department can navigate the ethical challenges posed by this case. Ricardo should not release the data unless authorised and justified. The Records department must protect individuals' privacy and ensure proper consent, and Beth must respect the decisions of individuals and avoid using data from those who did not consent. Ethical considerations must always take precedence over the goals of the research or the convenience of accessing data.

**References**

BMA (2021) *Medical ethics today: The BMA’s handbook of ethics and law*. 3rd edn. London: BMJ Books.

GDPR (2018) General Data Protection Regulation (GDPR). Available at: <https://gdpr-info.eu/>

ICO (2020) Guide to the UK General Data Protection Regulation (UK GDPR). Available at: <https://ico.org.uk/>.