# Data Analytics Ethics Policy

### 1. Purpose

1.1. The purpose of this policy is to ensure that all use of student data at the [organisation name] are carried out ethically and in accordance with all legal requirements and [organisation name] policy including the Te Tiriti o Waitangi Statute, Human Ethics Policy and Records Management and Security Policy and is aligned with the [organisation name]’s Privacy Notice (and Privacy Act 1993) and Strategic Plan.

1.2. Data use for any analytical purpose is covered by this policy and includes but is not restricted to where it is used for the purposes of student support, progress and success, student satisfaction and interventions, and where it is used for teaching, planning and institutional reporting purposes.

### 2. Organisational scope

2.1. This Policy applies to all staff members of the [organisation name]. Ref; Definition.

## Policy content

### 3. Principles

3.1. Data used for any analytical purposes must have a clearly articulated purpose and where possible be communicated to students. Students should be able to understand the [organisation name] purpose and approach and be confident that data is being used responsibly and by best practice. As far as possible, the [organisation name] will share its methodology and interpretation of data with students.

3.2. Only data that are fit for purpose, that are robust and accurate and to the minimum extent necessary to achieve the purpose of the data analytics activity are to be used for analytical purposes. Data used for analytical purposes must deliver clear benefits (e.g. improve the experience and outcomes) for students and the [organisation name], and to inform good practices and opportunities for improvement.

3.3. The people behind the data (the provider of the data) must be kept in mind and there must be appropriate human oversight and systems in place to ensure oversight is maintained during all stages of analytical purposes. The [organisation name] recognises that data analytics are a tool to inform human decision-making and will not wholly replace human decision-making.

3.4. The [organisation name] recognises that data used for any analytical purpose may contain a risk of actual or perceived bias and will take all reasonable steps to ensure bias is identified and managed appropriately.

3.5. All data use for any analytical purposes at the [organisation name] (including learning analytics) will reflect as far as possible the Statistics New Zealand Principles for the safe and effective use of data and analytics[[1]](#footnote-1) .

3.6. In accordance with the [organisation name] Te Treaty o Waitangi Statute[[2]](#footnote-2) [organisation policy], those using data for any analytical purpose must understand that Māori students, their whanau, hapu or iwi may be affected by the use of data analytics, and that Māori sovereignty (including Kowhiringa – The principle of Options) applies to all aspects of data analytics.

3.7. Reliable data must be used intelligently and sensitively, and in cultural context to support and help Pasifika students succeed.

3.8. Requests for data for analytics activities, tools and software (including testing and deployment of pilots, large project work and for data containing sensitive information) must be approved by the [organisation name] Data Governance Board (the Board) and must align with the [organisation name] Information and Records Management and Security Policy.

3.9. Data governance should include a process for assessing and approving data requests, consent and storage, and destruction requirements where applicable. The Board has authority to approve, decline or subject conditions on any application. Refer to the [organisation name] Records Management Policy for data classification: e.g. sensitive information will require Board approval – publicly accessible information requires no Board approval.

3.10. The data generated from data analytic purposes will not be used to evaluate staff performance without first discussing this with the individual staff member concerned.

### 4. Definitions

In this Policy, unless the context otherwise requires:

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| Data governance board | Board responsible for ensuring data analysis activities are approved and are carried out in line with policy. Terms of Reference, scope and name of governance board to be decided. |
| Information security classification | Determines the confidentiality of the material contained within a document or system. The information classification of a document may change throughout its lifecycle, however the information classification of data contained in a business information system is less likely to change throughout its lifecycle. |
| Information systems | Any computer system, telephone or peripherals owned or administered by the [organisation name], together with any associated electronic or mobile data storage systems; and any communication devices, wires or wireless network intended for the transfer of information, whether on [organisation name] campuses or to which users have access through [organisation name] facilities, including the Internet. |
| Intervention | Contact that may be in the form of referral to student services, academic advice, sending messages to students to spur certain actions[[3]](#footnote-3). |
| Learning analytics | Data generated pre-entry and during learning at the [organisation name] that can be used to indicate where an early intervention with the student may be appropriate to improve their experience, or the generation of data insights which enable the [organisation name] to target specific support to individual students. |

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| Learning analytics pilots | Time limited learning analytics activities that typically, apply to students and be experimental in nature and which must use test data or have Board approval or explicit consent from the individual to use their data for pilot purposes. |
| Staff member | Any employee of the [organisation name], employee of a controlled entity of the [organisation name], Council Members, independent contractors or consultants engaged by or working at the [organisation name], adjunct and visiting staff, visiting scholars and interns, emeritus professors and any other person providing services to or at the [organisation name]. |
| [organisation name] information | [organisation name] information is all information and records created by the [organisation name] covered by the Public Records Act 2005 and teaching and learning materials and research. |
| User | Anyone using any [organisation name] information system. |

### 5. Related documents and information

#### Legislative compliance

* [Bill of Rights Act 1990](http://www.legislation.govt.nz/act/public/1990/0109/latest/DLM224792.html)
* [Education Act 1989](http://www.legislation.govt.nz/act/public/1989/0080/latest/DLM175959.html?src=qs)
* [Health Information Privacy Code 1994](https://www.privacy.org.nz/the-privacy-act-and-codes/codes-of-practice/health-information-privacy-code-1994/)
* [Human Rights Act 1993](http://www.legislation.govt.nz/act/public/1993/0082/latest/DLM304212.html)
* [Privacy Act 1993](http://www.legislation.govt.nz/act/public/1993/0028/latest/DLM296639.html?src=qs)
* [Public Records Act 2005](http://www.legislation.govt.nz/act/public/2005/0040/latest/DLM345529.html?src=qs)

#### Related documents: (Examples of organisational policy)

* Academic Progress Statute
* Data Governance Board Policy
* Human Ethics Policy
* Information Security Policy
* Privacy Notice
* Records Management Policy
* Staff Conduct Policy
* Statistics NZ Principles
* Te Tiriti o Waitangi Statute
* Whistleblower Policy

### 6. Appendices

* Data Use for Analytics Ethics Procedure
* FAQs

### 7. Document management and control: (organisation format)

1. Privacy Commissioner, Principles for safe and effective us of data and analytics, 2018, [www.privacy.org.nz/news-and-publications/guidance-resources/principles-for-the-safe-and-effective-use-of-data-and-analytics-guidance/](http://www.privacy.org.nz/news-and-publications/guidance-resources/principles-for-the-safe-and-effective-use-of-data-and-analytics-guidance/) [↑](#footnote-ref-1)
2. Victoria University of Wellington Te Herenga Waka, Te Tiriti o Waitangi Statute, 2019, [www.victoria.ac.nz/documents/policy/governance/te-tiriti-o-waitangi-statute.pdf](http://www.victoria.ac.nz/documents/policy/governance/te-tiriti-o-waitangi-statute.pdf) [↑](#footnote-ref-2)
3. Institutions’ use of data and analytics for student success, Amelia Parnell, Darlena Jones, Alexis Wesaw, and D. Christopher Brooks 2018, [www.naspa.org/images/uploads/main/Data2018\_download.pdf](http://www.naspa.org/images/uploads/main/Data2018_download.pdf) [↑](#footnote-ref-3)