



# The Clean Data Charter - DRAFT

## Preamble

The **Clean Data Charter** is a set of self-governing principles to be used by companies that wish to use consumer data commercially in a responsible and sustainable manner. The Charter is underpinned by the 1980 *OECD Guidelines on the Protection of Privacy and Transborder Flows of Personal Data*, the *European Data Protection Act*, the *US Consumer Privacy Bill of Rights*, the *EU Cookie Directive* and pending legislation such as the European Commission's *General Data Protection Regulation*. The Charter also goes further than current and pending law to include principles that acknowledge that value should be attributed to personal data, value which people should be empowered to transfer from themselves to others in a fair and equitable manner. At heart the *Clean Data Charter* embodies three core principles: Privacy, Ownership and Consent. It takes its definition of personal data from the European Commission's definition of: "any information relating to an individual, whether it relates to his or her private, professional or public life," which can be anything from a name, a photo, an email address, bank details, posts on social networking websites, medical information, a computer's IP address to non-operational meta data for any of the aforementioned.

## The Clean Data Charter

### 1) Ownership and co-ownership (O)

Companies must respect personal data as people's owned or co-owned property

### 2) Access & Portability (O)

Companies must allow people to easily access their data and freely move it to third party platforms should they so wish

### 3) Control (C)

Companies must enable people whose personal data they hold to restrict and control who can access, process and use it

### 4) Consent (C)

Companies must receive explicit consent before processing a person's data, transferring it to a third party or using it for new purposes other than those declared at the time of collecting it

### 5) Value (O)

Companies must acknowledge and recognise the value of people's data objectively or enable it to be valued by market forces

### 6) Fair reward (O)

Companies must fairly reward people for sharing their data

## **7) Transparency & Notification (C)**

Companies must be transparent and notify people of changes in their data's use

## **8) Fair and lawful (P)**

Companies must process personal data with people's consent in accordance with their rights and use it in non-discriminatory ways

## **9) Privacy (P)**

Companies must be respectful of privacy, anonymity and pseudonyms and not re-identify people who have chosen to use anonymous or pseudonymous identities

## **10) Secure and protected (P)**

Companies must protect and securely manage people's data that they collect

## **11) Purposeful (P)**

Companies must obtain personal data for declared and lawful purposes only

## **12) Contextual (P)**

When acquiring data companies must collect data that is adequate, relevant and not excessive for the declared purpose of collection

## **13) Accurate (C)**

Companies must endeavour to collect data that is accurate as determined by the data owner and people must have the ability to correct data and bring it up to date

## **14) Finite (C)**

Companies must not keep data any longer than necessary and must remove and delete it on request from the data owner

## **15) Arbitration (O)**

When data disputes cannot be resolved companies must empower a recognised independent third party to arbitrate on behalf of the consumer and enterprise to reach resolution as quickly as possible.

Legend: (O) Ownership | (P) Privacy | (C) Consent