



Project Bijou

Shift culture
Change behaviour
Reduce harm

A social initiative to effect positive cultural change in how individuals, groups and society understand and engage with the rights and responsibilities of data protection legislation.

Overview

This document outlines the Bailiwick of Guernsey's data protection regulator's (The Office of the Data Protection Authority 'ODPA') social initiative to explore activities which, in delivering its key statutory obligations, may support and nurture positive cultural change around the protection of personal data.

In recognising the role that human beings, their attitudes, values and aspirations have on all aspects of our society's culture, the aim is to harness the opportunities that provides to build a culture that delivers high quality data governance and therefore good outcomes for the whole community.

Changing attitudes and culture is challenging. How such work is approached is vastly more complex than measuring enforcement and fines. Whilst regulatory action will always be a key element of the regulatory toolkit, this project seeks to reframe and expand the data protection conversation in a way that is proactive, progressive and future-facing. In doing so, it seeks to achieve greater understanding of, and appreciation for, the protection of personal data and how it can serve to improve the quality of our lives and the economic well-being of our Islands.

Background

In the 1920s homeowners started noticing holes in milk bottle foil lids on their doorsteps. A small number of resourceful blue tits had made these holes because they had worked out that there was delicious cream beneath the foil. By the 1950s, blue tits all over Britain had learned this. *They had shared useful information that benefited their species by teaching each other how to reach the cream.*

This concept is the backdrop to Project Bijou, which seeks to explore how *effective sharing of specific information can benefit human society*. The 'cream' in Project Bijou is the benefit to our community, at an individual and collective level, of better use of personal data and the social and economic benefits that can result. The outcome of the project would be reducing data harms, and the project's willing participants are the blue tits.

What is Project Bijou?

Project Bijou is a social initiative that aims to get its participants to try to *positively influence and improve outcomes in how personal data about themselves and others are treated*.

Project Bijou invites its participants to use various gentle or 'nudging' approaches (such as having specific conversations, or sharing specific information at key points) to seek positive outcomes by shifting culture and improving behaviour to encourage better standards of data protection compliance across the whole community. This is fully in line with the ODPA's statutory role to raise awareness of data protection issues in the Bailiwick's regulated community, and in citizens of all ages.

What are Project Bijou's aims?

The project has four aims:

1. **To encourage understanding and positive engagement with data protection at a cultural level** to broaden the narrative beyond a tick-box approach.
2. **To create a positive shift in cultures and behaviours** within regulated organisations in their approach to data protection compliance.
3. **To counter mis-information** by providing access to high quality and relevant information to support data protection awareness and compliance.
4. To **normalise the desire and demand for ethical data handling practices** in our jurisdiction.

How would the project achieve these aims?

The project seeks to take greater account, and full advantage of, individuals' social and cultural interactions. Supporting and encouraging them to engage and behave in ways that benefit themselves and the society they are part of when handling their own and others' personal data.

This project seeks to make use of the 'social proof' heuristic, to encourage a positive 'herd instinct' in the community by enabling project participants to take ownership of, and have pride in, their knowledge and positive influence.

Who can take part?

Taking part in Project Bijou is entirely optional, and is open to any adults and children within the Bailiwick of Guernsey who wish to take part.

It is not restricted to only data, or other, professionals. Data is now a part of all aspects of our lives both personal and professional, so for data protection compliance to be culturally embedded, all members of society have a role to play:

- **Professionals** and others **working in the regulated community** play a vital role in ensuring their organisation handles data properly and there is a culture of compliance.
- **Individual citizens** can be powerful influencers by understanding their rights and challenging organisations who do not respect those rights.

Harnessing these two forces effectively has the potential to achieve positive cultural change that makes ethical data handling the norm, not a 'nice to have'.

Initially, the ODPA invited all attendees of its public events programme (which started in July 2019) to become the first Project Bijou participants. There is no obligation for anyone to take part. Those that opt-in to the project can sign up to a quarterly project newsletter found at odpa.gg/bijou.

Why use this approach?

The ODPA seeks to make the best possible use of its limited resources to achieve the best outcomes. Project Bijou was borne out of recognition that trusted human-to-human connection has a powerful impact in driving positive change, and deliberately making use of this effect allows the ODPA to achieve two key aspects of its statutory role, as defined in *The Data Protection (Bailiwick of Guernsey) Law, 2017*:

61.1.(c): to promote public awareness of risks, rules, safeguards and rights in relation to processing, especially in relation to children,

And

61.1.(d): to promote the awareness of controllers and processors of their duties under this Law,

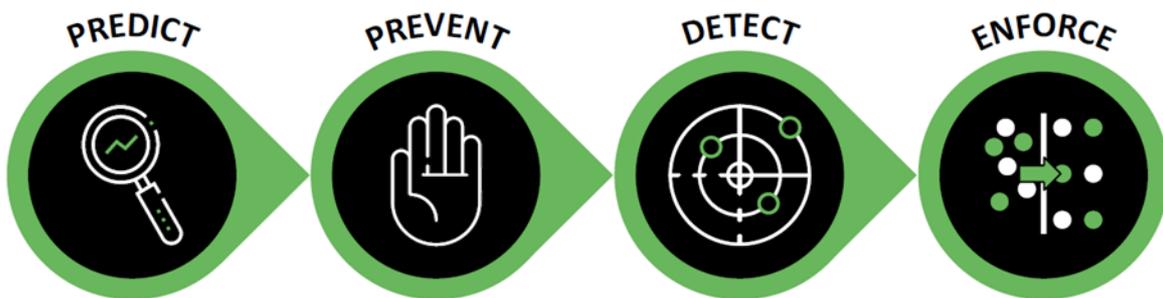
Individuals are at the heart of data protection. How individuals' data can now be used has the potential to impact and redefine humans and society in ways we are only now beginning to understand.

Emerging and maturing technologies promise economic and social benefits, they also pose significant risks and in the knowledge that data harms are real, the aim must be to prevent those harms that arise when personal data is mis-used.

Because many such harms are hidden, or slow-acting, and do not manifest themselves in obvious ways, a more enlightened and thoughtful approach to regulation is required if we are to avoid becoming exclusively reactive in the face of increasing harms.

The scale of data processing activities in the digital era requires a regulatory approach that is innovative, bold, and outcomes focussed. This project sits alongside other key areas of activity, recognising the profound effect that culture and the behaviour of individuals and groups in our society has in securing those outcomes.

The ODPA's [strategic plan](#) focuses on the following 4 areas of regulation in the context of data harms:



1. **predict** harms
2. **prevent** harms
3. **detect** harms
4. **enforce** the rules when harms have occurred.

Project Bijou sits within the ‘**predict**’ and ‘**prevent**’ activities.

The ODPA believes that Project Bijou participants are strongly placed to reach (and positively influence) **individuals within the regulated community and beyond, encouraging them to actively engage with their legal responsibilities** to look after personal data (and by extension, people) well. In doing this well, the principle of privacy by design can be embedded as participants and those they influence have an important guiding effect on the actions and behaviours of those handling personal data.

A specific population, however, will be those who are reluctant to engage, or absent in their engagement. These are the people who could be subject to harm or themselves cause harm, to individuals, organisations and the jurisdiction. If the project participants reach those people there is a better chance of successful harm prevention.

Those who are dis-engaged from data protection are often simply unaware of what it is seeking to achieve (preventing harms to people) as opposed to being wilfully negligent. Project Bijou participants could reach these dis-engaged people, engage with them positively, and share knowledge with them.

The Bailiwick is an ideal environment for this kind of initiative to work well as it makes use of the Bailiwick’s high network density (i.e. people who know each other and share views and information with each other).

International relevance

In October 2019 the 41st International Conference of Data Protection and Privacy Commissioners (ICDPPC) passed a resolution for participating national authorities to ‘address the role of human error in personal data breaches’.

The resolution², sponsored by the Office of the Australian Information Commissioner, calls on all ICDPPC members (including the ODPA) to ‘*promote appropriate security safeguards to prevent human error that can result in personal data breaches*’.

The resolution identifies the role of ‘*building workplace cultures where privacy and personal data security are organisational priorities, including through the periodic implementation of **training, education and awareness programs** for employees on their privacy and security obligations and the detection and reporting of threats to the security of personal data.*’

Project Bijou gives the ODPA a novel approach to addressing this international resolution which recognises the crucial role workplace culture plays in looking after personal data well.

Method

People who wish to take part in the project will be asked to take the following steps:

1. Agree to the **Bijou Code***
2. Use the activities outlined in the **Bijou Toolkit*** or try their own approaches that are in line with the Code.

Timescale

Culture change requires a sustained and long-term approach. The project launches in May 2021.

Stories

The project focuses on storytelling as an intervention method.

Human beings have passed on culture and behaviours through storytelling for thousands of years and there is good reason for this. Stories connect people with each other in ways that data, information and other delivery methods don’t; by engaging our emotions and feelings that drive positive behavioural change.

Avoiding unintended consequences

The ethos behind the project is one of sharing knowledge, stories, and expertise for the benefit of everyone with the aim of reducing harm.

To avoid the unintended consequence of participants in the project behaving officiously or aggressively to **force others to behave in a certain way**, the ODPA have written The Bijou Code (see Appendix 1): a series of short phrases that describe how ideal participants in the project could conduct themselves. This is not about imposing a set of rules to conform to, its aim is to shift the ‘norm’ by giving the project participants a clear idea of how to set a good example that others feel able to emulate.

The Code details the soft approach that is essential to the success of Project Bijou, whereby participants give gentle nudges toward the correct behaviours rather than telling people how to

* See end of this document for both.

behave: showing them the path and inviting them to join the participant on it rather than forcing them down it against their will.

Story behind the project's name

The ODPA devised this project after being inspired by Dr Lucy Aplin's research into how blue tits share information: Aplin et al. [Experimentally induced innovations lead to persistent culture via conformity in wild birds](#). *Nature volume 518, pages 538–541 (26 February 2015)*.

In 2020 the ODPA created a blue tit character as a way of illustrating this concept of positive sharing of knowledge for the common good, for use in its Schools Programme. The blue tit character was given the name 'Bijou', which means 'small and elegant' as well as 'jewel'. The use of the word bijou recognises that we all have a small yet invaluable potential to choose to communicate what data protection laws are for and how they benefit us individually and collectively.

The ODPA believes that communicating and sharing that knowledge in a collaborative and positive way, just as blue tits do, is the key to success and helping each other, our colleagues, friends and family to spread the message that 'you matter, your data matters, spread the word'.

Bijou in action

Here is a real-life² example of the Project Bijou concept in action, where a staff member created a powerful moment during a leadership team meeting, and helped them to focus on the human beings whose personal information they were processing:

An analytics team for a company providing 'people-based marketing' developed a model of '10,000 audience propensities'. This model included scores for very private information including references to sexual performance. The leadership team were discussing whether the use of such scores would be too invasive. One member of the team came prepared to read the actual scores on these sensitive topics for each of the leadership team in the meeting. Once confronted with the imminent disclosure of their own very personal information, the leadership team agreed these types of scores were 'too sensitive' to be made available as a product to customers.

This demonstrates how important colleagues can be in raising awareness and connecting us back to the reality that we may have become detached from: that modern data processing can be very personal, and therefore we must all take it very personally.

We must not laugh off, or diminish concerns that people may raise about how people's data is being used, it is on all of us to connect with the real world implications of using people's data.

No less than our dignity and autonomy as human beings is at stake.

You matter.

Your data matters.

Spread the word.



Visit odpa.gg/bijou for more.

² See: testimony of Sheila Colclasure (Global Public Policy and Privacy, Acxiom) to the [National Committee on Vital and Health Statistics Hearing on De-identification and the Health Insurance Portability and Accountability Act \(HIPAA\)](#) (25 May 2016)

The Bijou Code

These short phrases point to ideals for project participants to keep in their minds. The Bijou Code seeks to inform an approach to modelling ideal behaviour, which will encourage positive cultural change to happen:

Treat all people's data with respect

Share stories to connect with people on an emotional, human-to-human, basis

Demonstrate your care for others

Focus on human dignity and autonomy

Create an environment where everyone benefits

Be accountable for your actions

Prevent harm by challenging where you see wrongdoing

Be consistent, gently tenacious, and approachable



The Bijou Toolkit

1. LEAD BY EXAMPLE



Participants are invited to **lead the change in behaviour** by choosing to always do the right thing with people's data (using an ethical approach to data handling).



2. START A CONVERSATION

Participants are invited to talk with colleagues about Project Bijou, to **share its aims and ambition**. Shifting culture is hard, but when people talk with each other, listen to all viewpoints, and address issues constructively, a change which benefits everyone can become possible.

Participants could start conversations with colleagues about any data or privacy-related story they find interesting. The focus is on shifting how data protection is **talked about and perceived**, so that its real purpose (reducing harms) is in the forefront of people's minds.

3. SHARE YOUR EXPERIENCE



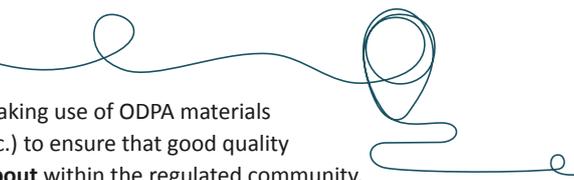
This activity is predominantly aimed at participants who have entered the project after attending an ODPA event. Ideally participants will **proactively share** what they learned at the event with their colleagues, in order to **combat mis-information** that circulates around data protection. This could include myth-busting, sharing best practice, relaying information related to new developments, innovative data protection practices, data ethics etc.



4. TALK WITH YOUR LEADERS

Participants are invited to engage with the people who lead their workplace, to encourage them to think about data protection positively: to see that respecting people's data can **differentiate them from their competitors**, and that their leadership could help shift organisational culture (and staff behaviour) in the right direction and for the benefit of everyone.

5. SHOW THE PATH



This activity would involve participants making use of ODPA materials (posters, leaflets, social media content etc.) to ensure that good quality information is being **shared and talked about** within the regulated community.