ThinkPlace

Ethics toolkit for behavioural designers

ThinkPlace's approach for nudging behaviour for good

2024

Contents

About & how to use

Purpose

This toolkit is designed not as a prescriptive mandate but as a compass for navigating the ethical dimensions of behavioural design. It aims to give practitioners general guidelines that underpin the behavioural design process, complementing existing codes of conduct and standards such as legal, data and information privacy, research and so on.

This guide offers good practice principles and checklists to consider in your behavioural design projects. It does not (and cannot) guarantee ethical integrity but helps by giving a framework for deeper engagement with the multifaceted nature of ethics in behavioural design.

How to use

This toolkit is intended as a starting point - it requires critical reflection and adaptation to specific contexts and projects.

Ethics in behavioural design is not binary - it demands nuanced application sensitive to the unique contours of each situation. Use this guide as a scaffold for your ethical exploration and decision-making.

We believe this toolkit will enhance behavioural nudges and interventions and uphold high ethical standards

What this toolkit is:

- A set of general guidelines to inform ethical application of behavioural science
- A resource to support ethical decision-making throughout the design process
- A starting point for broader discussions about behavioural design ethics

What this toolkit is not:

- A prescriptive set of rules that apply in all contexts
- A checklist that, when followed, guarantees the ethical integrity of an intervention
- A replacement for professional, legal, and privacy standards

ThinkPlace

Introduction to ethics in behavioural design

Behavioural design is an applied science that leverages insights from psychology and behavioural economics to nudge human actions in a predictable way. It operates under the premise that people's choices are not always rational or made in their best interest due to cognitive biases, lack of information, or other factors. Nudging, a concept popularised by Richard H. Thaler and Cass R. Sunstein, is about subtly guiding individuals towards beneficial behaviours without restricting their freedom of choice.

The potential impact of nudging on individuals and society is profound. By making small changes in the way options are presented, nudges can lead to healthier, more financially healthy, and more environmentally friendly behaviours. For example, automatically enrolling employees in pension plans increases savings rates, and changing the layout of a cafeteria can lead to healthier eating choices.

However, the power of nudging also introduces significant ethical questions.

- When does influencing behaviour cross the line into manipulation?
- Who decides what is considered a 'beneficial' behaviour?
- Where is the line between helpful guidance and unethical manipulation, especially when nudges are used to influence decision-making covertly?
- To what extent is it acceptable for designers or policymakers to determine what is in the best interest of individuals or the public?
- Do nudges inadvertently benefit or disadvantage certain groups of people, thereby reinforcing inequalities within society?

The importance of ethical considerations in behavioural design cannot be overstated. With the capacity to shape behaviours comes the responsibility to ensure that such interventions are transparent, equitable, and in the best interest of those being nudged.

Ethical considerations must address respect for autonomy, consent, and the potential for unintended consequences. Nudges should be designed with the individual's welfare in mind, avoiding any form of exploitation or harm. As such, a fundamental aspect of ethical behavioural design is the commitment to evaluate the impact of nudges not just on business outcomes or policy goals, but on the well-being of individuals and the fabric of society as a whole.

At ThinkPlace, we embrace the complexity of human behaviour with the precision of design. The impact of nudges, when ethically applied, can be transformative. They guide without imposing, enhancing well-being and leading to outcomes that align with societal values.

This guide is for all designers of policy, products and services, user experiences, education and communications

ThinkPlace

An ethics paradigm for behavioural design

The first step in nudging ethically is to genuinely and truly commit to an ethos of designing for good. We encourage all designers to start with a clear paradigm.

Here is ours:

ETHICS PARADIGM

Fairness	Compassion	Sustainability

We evaluate behaviour change projects based on the following:

The individual. Does the behaviour change align with their values and beliefs? Does it cause net benefit?

The community, society and planet. How does this impact the community? How does it impact the environment now and in the future? Does it align with the SDGs?

The organisation. Does this align with our values? Are our designers psychologically safe?

The client. Will the project benefit the organisation? Is there value for money?

If the project and organisation do not pass our ethics screening process, we do not work with them. Simple as that. We only work with organisations and projects that have the potential to create good.

ThinkPlace

Six ethical nudge principles

1. **There are no simple solutions.** We design the whole system, and understand that every change has consequences.

2. Our interventions must cause **no harm** to individuals, communities, society, and planet.

3. We **engage diligently** and understand the intervention for those who will experience it.

4. We **apply a risk lens** to the consequences, transparency of disclosure, and trial and scale.

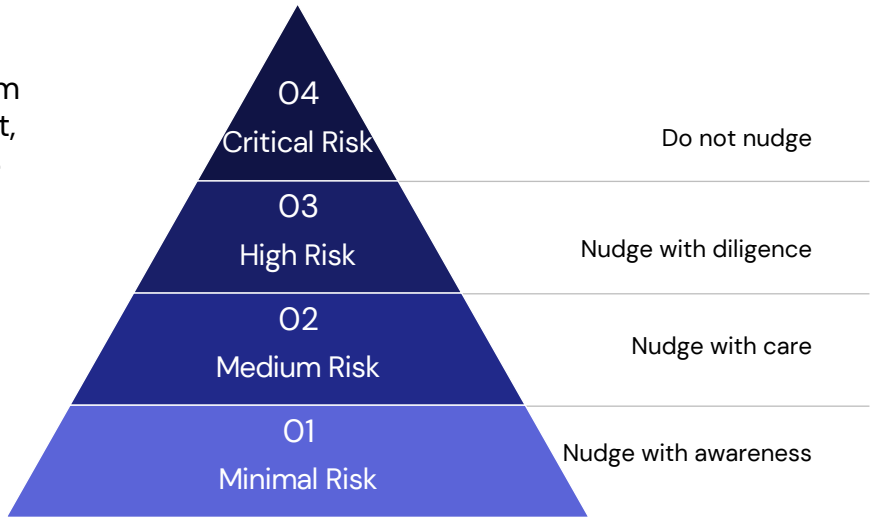
5. We **control for bias**, including that of the designer and the intervention.

6. We **create the right governance**, including assurance, measurement and evaluation.

ThinkPlace

Taking a risk-based approach to nudging ethically

Having screened projects from the get-go for positive impact, we then assess the risk of the project and intervention. We take a risk-based approach, meaning we respond according to the level of risk the intervention and nudge can pose.



Each project is assessed on the level of risk it poses to individuals; community, society and planet; the organisation; and the client. Designers can then respond accordingly throughout the behavioural design project.

1. For minimal risk, apply the standard methodology and approach.
2. For medium risk, apply extra care.
3. For high risk, nudge with additional care and diligence in the research, design and implementation.
4. And do not nudge when there is a potential critical risk.

What falls under each level of risk will vary depending on the project and circumstance, but for example:

- **A minimal risk** nudge might be a poster to encourage people to recycling (i.e. very low risk of a person being harmed, low risk of bias, the action being encouraged is clearly for good)
- **Medium risk** may be applying small nudges to financial decision-making (i.e. potential risk of wrong decision, but the amounts are small and the nudges are towards well-recognised good)
- **High risk** might include vulnerable groups such as health nudges for people with a disability (i.e. a vulnerable person and health pathways can result in serious consequences for quality of life).
- **Critical risk** could be a decision that might work against the person's best interest and take away autonomy (i.e. people with very severe vulnerabilities or on topics that could pose a risk of serious harm)

Treatment approaches

Throughout the life cycle of a behavioural design project, there are several areas to which a risk treatment is applied. For each of these aspects, three treatment types are applied.

TREATMENT APPROACHES

Aware

The focus on this is mainly on the project and client team being actively aware of risks. This involves raising questions of ourselves and clients. Encouraging and actively speaking up and asking questions.

Proactive

The focus is on taking deliberate action when there is some risk and doing this in a targeted way. This includes having structures and processes in the project specifically for risk, and involves engaging with a wider audience, both project, client, and user.

Highly proactive

The focus is on a comprehensive approach to risk and risk management. This includes having structured project processes, workshops and meetings to proactively find and address potential risks. A larger group of people is engaged with, including experts, people within the system, the target audience with the lived experience, as well as the broader system.

Ethics at every step

Designing ethically means embedding it across every step of the design process. Below is a typical five-step behavioural design process. We've developed an ethical checklist for each stage to guide designers.

1. **INTENT**

   The first step is about getting clear on the intent of the intervention, the context in which is occurs, and the larger outcome.

2. **DISCOVERY**

   This stage is about conducting literature, desktop and primary research to identify target behaviours, map the behavioural context, and identify psychological theories on which the nudges will be based.

3. **DESIGN**

   This stage is about developing and selecting interventions, nudges, choice architecture and strategies.

4. **TRIAL**

   This stage is about designing experiments to evaluate the effectiveness of the proposed nudges and typically involved experimental design.

   Based on the trial evaluation, the nudges are then refined and iterated.

5. **SCALE**

   The final stage is about planning for implementation and scaling the interventions, as well as measurement and evaluation.

Risk-based ethical nudging across project lifecycle

Summary of the level of treatment applied for each level of risk in a behavioural design project:

		Minimal Risk Nudge	Medium Risk Nudge with transparency	High Risk Nudge with care and diligence	Critical risk Do not nudge
INTENT	Map the system and consequences, including unintended consequences				–
DISCOVER	Identify and challenge assumptions to inform research				–
	Conduct research to build on best practice and ensure no unintended negative consequences				–
	De-bias the research approach and researchers				–
DESIGN	Design with people and tailor interventions to the individuals				–
	De-bias the intervention design				–
TRIAL	Use appropriate and ethical data collection and analysis				–
	Test the intervention with end users				–
	Make explicit any limitations of the research				–
SCALE	Measure for impact, from simple data and inferences to using triangulated data over time				–
	Check value over time for individuals and society, and value for money				–
	Share the details of the project and intervention to strengthen the field and industry				–

TREATMENT APPROACH  Aware  Proactive  Highly Proactive

Checklist

Ethics checklist: INTENT

MINIMAL

1.1 Clarify behavioural design project outcome

- ❑ Clearly articulate the current state challenges.
- ❑ Define the desired future state and how it impacts individual, community, society, planet.

1.2 Map the system and consequences, including unintended consequences

MINIMAL

- ❑ List all the stakeholders involved throughout the journey of the behaviour change.
- ❑ Consider which of the stakeholders need to be consulted to ensure there are minimal consequences and the interventions are tailored.
- ❑ Use a framework for mapping unintended consequences, such as IN CASE framework (Intended behaviour, Non-target audiences, Compensatory behaviours, Additional behaviours, Signalling, and Emotional impact)

MEDIUM

- ❑ Identify secondary stakeholders who might be indirectly affected by the behaviour change.
- ❑ Engage with a subset of stakeholders to gauge potential medium-level consequences.
- ❑ Apply the IN CASE framework, giving particular attention to Compensatory behaviours and Signalling that might lead to medium-level risks.

HIGH

- ❑ Conduct comprehensive stakeholder analysis, including those indirectly affected.
- ❑ Consult with all primary stakeholders and consider forming an ethics advisory group.
- ❑ Use the IN CASE framework rigorously, with in-depth analysis of each component, especially Intended behaviour and Emotional impact, to pre-empt critical risks.

Checklist

Ethics checklist: DISCOVER

2.1 Identify and challenge assumptions to inform research

MINIMAL

- ❑ List all underlying assumptions about the target behaviour.
- ❑ Challenge assumptions by exploring alternative explanations or scenarios.
- ❑ Verify assumptions with empirical evidence from recent studies or expert consultation.

MEDIUM

- ❑ Document any changes in assumptions based on new findings to inform the ongoing research process.
- ❑ Regularly update and refine these assumptions based on stakeholder feedback and emerging data.

HIGH

- ❑ Conduct qualitative research, such as interviews or focus groups, to test assumptions against diverse perspectives.

2.2 Conduct research to build on best practice and ensure no unintended consequences

MINIMAL

- ❑ Conduct desktop research to understand what research and interventions have already been implemented in this place.
- ❑ Review case studies and previous interventions for similar behavioural challenges and analyse their effectiveness.
- ❑ Strategise to apply lessons learned to avoid past pitfalls and replicate successes.

MEDIUM

- ❑ Engage relevant stakeholders early in the design process to understand their perspectives and needs.
- ❑ For primary research, take steps to prevent unfairness in participant selection and recruitment.
- ❑ Obtain informed consent, ensuring participants are fully aware of the research nature and have the option to withdraw without penalty.
- ❑ Maintain strict confidentiality of participant data, employing measures to prevent unauthorised data sharing.

HIGH

- ❑ Have the research process be observable and publicly available (keeping in line with confidentiality and privacy standards and laws).

Ethics checklist: DISCOVER

2.3 De-bias the research approach and researchers

MINIMAL

- ❑ Use a diverse research team to bring multiple perspectives to the research and design.
- ❑ Ensure research questions and hypothesis are peer-reviewed to check for potential biases

MEDIUM

- ❑ Use control groups where appropriate to distinguish between the effect of the intervention and researchers' expectations
- ❑ Provide training for researchers on recognising and mitigating unconscious biases

HIGH

- ❑ Apply double-blind methods in the study to prevent researchers' biases from influencing outcomes

Checklist

Ethics checklist: DESIGN

3.1 Design with people and tailor interventions to the individuals

MINIMAL

- ❑ Be transparent about the outcome of the project.
- ❑ Engage with a diverse range of stakeholders in the design process.
- ❑ Ensure stakeholder engagement is inclusive, representing the demographics of the target population.

MEDIUM

- ❑ Actively monitor risks throughout the research process.
- ❑ Implement protocols for ongoing ethical risk assessment and mitigation.

HIGH

- ❑ Consult with an internal or ideally external ethics review board.
- ❑ Establish oversight by an ethics review board that includes members from diverse backgrounds.

3.2 De-bias the intervention design

MINIMAL

- ❑ Use participatory design methods to include end-users in the creation process.
- ❑ Implement iterative testing to identify and address biases in the intervention's effects across different groups.

MEDIUM

- ❑ Review and adapt the intervention design based on feedback from unbiased third-party evaluations.

HIGH

- ❑ Review the intervention design to check that it aligns with behavioural principles and scientific evidence.

Checklist

Ethics checklist: TRIAL

HIGH MEDIUM MINIMAL

4.1 Use appropriate and ethical data collection and analysis

- ❑ Document the objectives, procedures, and projected timelines of the data collection.
- ❑ Establish clear data collection protocols that respect privacy and confidentiality.
- ❑ Ensure data analysis methods are transparent and replicable.
- ❑ Maintain data integrity and security throughout the trial.

HIGH MEDIUM MINIMAL

4.2 Test the intervention with end users

- ❑ Conduct pilot studies to observe the intervention's real world effects.
- ❑ Prioritise interventions that leverage positive reinforcement over punitive measures.
- ❑ Ensure participants can opt out of the trial.
- ❑ Collect feedback directly from end users to refine the intervention.
- ❑ Adjust the intervention based on user feedback and pilot test results.

4.3 Make explicit any limitations of the research

MINIMAL

- ❑ Document and communicate the scope and boundaries of the research findings.
- ❑ Identify any potential biases in the trial design or sample selection.
- ❑ Acknowledge uncertainties and the need for further research.

MEDIUM

- ❑ Provide stakeholders with written limitations and potential environmental variables that may affect the intervention's effectiveness.

Checklist

Ethics checklist: SCALE

MINIMAL

5.1 Measure for impact, from simple data and inferences to using triangulated data over time

- ❑ Consider ethical concerns that may result from scaling the trialled interventions.
- ❑ Implement a mixed-methods approach for measurement and evaluation to capture both quantitative and qualitative impacts.

HIGH MEDIUM

- ❑ Use triangulation to validate data from multiple sources over time to ensure reliability.
- ❑ Provide partners and other institutions involved in implementation and scaling with advice or guidelines to ensure the project intent is clear and ethics are observed.

MINIMAL

5.2 Check value over time for individual and society, and value for money

- ❑ Establish metrics for assessing individual and societal value as well as cost-effectiveness.

MEDIUM

- ❑ Continuously monitor for desired outcomes and be prepared to iteratively improve or halt the intervention based on data.

HIGH

- ❑ If data indicate that desired outcomes are not being realised, they actively assess the situation and take appropriate corrective action.

MINIMAL

5.3 Share the details of the project and intervention to strengthen the field and industry

- ❑ Document and disseminate the intervention's methodology, results, and insights to contribute to industry-wide knowledge.
- ❑ Share results publicly, contributing to the body of knowledge and allowing for peer evaluation.

MEDIUM

- ❑ Encourage peer review and external evaluation to enhance credibility and foster collaborative improvement.

HIGH

Conclusion

We recognise the profound impact behavioural design can have on creating thriving futures. However, it also comes with the ethical responsibility to nudge for good and prevent causing harm.

Nudging, when grounded in evidence and strong ethical principles, can significantly benefit society and the planet.

We hope this toolkit provides practical guidance for designers on how to embed ethics not only into their behavioural design projects, but also as a paradigm.

Designing for a future that works for all is a collaborative effort based on shared knowledge and open dialogue. We invite you to join this aim by contributing your insights and reaching out as we collectively strengthen and grow the field of behavioural design.

hello@thinkplace.com.au

ThinkPlace

References & further reading

Jachimowicz, J., Matz, S., & Polonski, V. (2017, October 23). The behavioural Scientist's Ethics Checklist. behavioural Scientist. https://behaviouralscientist.org/behavioural-scientists-ethics-checklist/

Organisation for Economic Co-operation and Development. Good Practice Principles for Ethical Behavioural Science in Public Policy

Sunstein, C. R. (2015). The ethics of nudging. *Yale Journal on Regulation*, *32*(2), 413-450.

Thaler, R. H., & Sunstein, C. R. (2008). "Nudge: Improving Decisions About Health, Wealth, and Happiness."

UK Government Communication Service. IN CASE: A behavioural approach to anticipating unintended consequences. UK Government Communication Service.

ThinkPlace

Let’s design a future that works for all

www.thinkplace.com.au