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Generative AI

in the

Workplace Policy (UK)

CONTENTS

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CLAUSE

[1. About this policy 2](#_Toc256000000)

[2. Who does this policy apply to? 2](#_Toc256000001)

[3. Who is responsible for this policy? 2](#_Toc256000002)

[4. Terminology used in the policy 3](#_Toc256000003)

[5. Scope of the policy 3](#_Toc256000004)

[6. Authorised generative AI applications 4](#_Toc256000005)

[7. Permitted use 5](#_Toc256000006)

[8. Guidelines for use 5](#_Toc256000007)

[9. Monitoring 7](#_Toc256000008)

[10. Record keeping 8](#_Toc256000009)

[11. Training and technical support 8](#_Toc256000010)

[12. Costs 8](#_Toc256000011)

[13. Breach of this policy 8](#_Toc256000012)

SCHEDULE

[Schedule 1 [Authorised AI Applications] 10](#_Toc256000013)

1. About this policy
   1. The use of generative artificial intelligence (generative AI) is transforming the way individuals are working. Informed and responsible use of generative AI has the potential to increase efficiency in the workplace, improve decision making and foster innovation. With these benefits come potential risks, including data protection breaches, copyright issues, the protection of confidential information, ethical considerations and compliance with wider legal obligations.
   2. We [encourage **OR** permit **OR** [OTHER]] the informed and responsible use of authorised generative AI applications by the workforce in carrying out identified business activities. The terms of this policy must be complied with when using generative AI to carry out business activities, whether in relation to your particular role or otherwise.
   3. The purpose of this policy is to set out our rules on the use of generative AI in the workplace and how it should be adopted by the workforce to ensure we maximise the benefits of generative AI while minimising any risks or concerns.
   4. [This policy has been [agreed **OR** implemented following consultation] with the [NAME OF TRADE UNION, WORKS COUNCIL OR STAFF ASSOCIATION].]
   5. This policy does not form part of any contract of employment or contract to provide services, and we may amend it at any time [([subject to agreement with **OR** following consultation with] the [NAME OF TRADE UNION, WORKS COUNCIL OR STAFF ASSOCIATION])].
2. Who does this policy apply to?
   1. This policy covers all employees, officers, consultants, contractors, volunteers, interns, casual workers and agency workers (collectively referred to in this policy as workforce).
3. Who is responsible for this policy?
   1. The [board of directors (the Board) **OR** [COMMITTEE] **OR** [POSITION]] has overall responsibility for the effective operation of this policy. The [Board **OR** [COMMITTEE] **OR** [POSITION]] has delegated responsibility for overseeing its implementation to [[POSITION] **OR** the Head of the IT Department]. Questions about the content of this policy or suggestions for change should be reported to [[POSITION] **OR** the Head of the IT Department].
   2. In order to address evolving uses and understanding of generative AI, this policy is reviewed at least annually by [[POSITION] **OR** the Head of the IT Department]] [in consultation with [NAME OF UNION, WORKS COUNCIL OR STAFF ASSOCIATION]].
4. Terminology used in the policy
   1. Terminology used in relation to generative AI can be confusing. We set out below some common terms used when describing AI and what they mean:

* **Generative AI.** This refers to a type of artificial intelligence which can be used to create new content (for example, text, code, images, videos or music) (referred to as the output). The AI uses machine learning algorithms to analyse large data sets.
* **GPT.** This is short for "generative pre-trained transformer", which is a type of LLM that uses deep learning to produce natural language texts based on information requested in the input. ChatGPT is an example of a GPT model which can be used to generate text.
* **Hallucination.** LLMs can produce outputs which may initially appear to be believable but are in fact highly inaccurate or fabricated. This is known as a hallucination**.**
* **Large language models (LLMs).** LLMs are a type of generative AI that can generate human like text in response to a prompt. They use deep learning techniques and massive data volumes to generate a response.
* **Prompts.** These are the inputs or queries that a user provides to the generative AI application to receive the required output. Prompts can be used by the generative AI application to further train the LLM.
* [OTHER]

1. Scope of the policy
   1. This policy applies to any use by the workforce of generative AI for business purposes. It applies to use of generative AI both during and outside normal hours of work and whether or not use of generative AI is on an individual's own device or one of our devices, and whether at home, in the office or from a remote working location, provided it is for business purposes.
   2. This policy supplements and should be read in conjunction with our other policies and procedures in force from time to time, including without limitation our:
      1. [Bring Your Own Device to Work policy];
      2. [Diversity, Equity and Inclusion policy];
      3. [Code of Conduct policy];
      4. [Data Protection policy];
      5. [IT and Communications Systems policy]; and
      6. [OTHER]

These are available [on the intranet **OR** from your line manager **OR** from the HR Department **OR** in this Staff Handbook].

1. Authorised generative AI applications
   1. [We allow access to the [following publicly available generative AI applications for business purposes: [LIST PERMITTED APPLICATIONS] **OR** publicly available generative AI tools listed in the Schedule to this policy] (referred to as authorised AI applications).

**OR**

Other than the prohibited applications listed in this paragraph, we allow access to any reputable publicly available generative AI tool for business purposes (referred to as authorised AI applications). The prohibited applications are: [LIST PROHIBITED APPLICATIONS].]

* 1. The list of authorised AI applications may be updated at any time by us. If you think there is any generative AI application that should or should not be on the [permitted list **OR** prohibited list], please contact [[POSITION] **OR** the Head of the IT Department].
  2. Use of authorised AI applications is subject to you selecting the opt-out option before first use. This will prevent the data you enter into the prompt being used by the LLM to train itself. If the opt out selection is unclear [or is not available] on the authorised AI application, please contact [[POSITION] **OR** the Head of the IT Department] for further clarification.
  3. [When using any of the authorised AI applications, you [must **OR** may] use your work email address for log-in purposes.]

1. Permitted use
   1. Authorised AI applications must only be used by the workforce for the following business purposes (and always in accordance with the Guidelines for use provided in paragraph 8):
      1. [drafting internal memoranda and presentations;][and]
      2. [conducting research][; and]
      3. [producing marketing materials][; and]
      4. [developing code][; and]
      5. [summarisation][; and]
      6. [idea generation][; and]
      7. [LIST ANY OTHER AUTHORISED USE]

Even if use is permitted, the fact that something is permissible does not mean it will necessarily be an appropriate business use of an authorised AI application.

* 1. All other purposes must be authorised in advance [in writing] by [[POSITION] **OR** the Head of the IT Department]. Requests for authorisations in relation to the following purposes will not be considered or approved: [INSERT PROHIBITED PURPOSES (FOR EXAMPLE, WHERE GENERATIVE AI OUTPUT WILL INTERACT WITH A CUSTOMER OR CLIENT)].
  2. [Before first using any authorised AI applications for business purposes, you must first complete the mandatory training.]

1. Guidelines for use
   1. When using authorised AI applications for business use, you must comply with the following guidelines:
      1. **Employer data.** Ensure that confidential, sensitive, or proprietary employer or third-party customer, supplier or employee-related data is not entered into the application as a prompt.
      2. **Data protection.** Ensure that personal data and sensitive personal data is not entered into the application as a prompt in breach of the [Data Protection policy and ]data protection legislation.
      3. **Intellectual property rights and licensing.** Be aware of any intellectual property rights owned by third parties, such as copyright, database rights or trade mark rights. Abide by any relevant licensing conditions regarding intellectual property rights in the authorised AI application's terms of use and ensure that third party proprietary data or material is not entered into the application as a prompt without the third party's permission. This includes ensuring, for example, that all or any substantial part of any copyright work owned by a third party is not inputted into the application as a prompt without the third party's consent.
      4. **Discriminatory language.** Never input offensive, discriminatory or inappropriate content as a prompt. [You must always remember the principles set out in the Diversity, Equity and Inclusion policy when using any authorised AI application.]
      5. **Be secure.** You must apply the same security measures we apply to all our IT applications[ and comply at all times with our IT and Communications Systems policy]. This includes using strong passwords, updating applications as required and not installing software from external sources without authorisation from [[POSITION] **OR** the Head of the IT Department].
      6. **Review outputs.** Generative AI has the potential to produce inaccurate outputs or hallucinations. There is also a risk that the output is biased, inappropriate or otherwise offensive. This means that critical thought must be applied to all outputs of authorised AI applications; they must always be fact and sense checked before being relied upon for business purposes and reviewed to ensure content is appropriate.
      7. **Ethical and responsible use**. Always use authorised AI applications ethically and responsibly. You must not generate content to impersonate, bully, or harass another person, or to generate explicit or offensive content. [You must always remember the principles set out in the Code of Conduct policy when using any authorised AI application.]
      8. [**INSERT NAME OF ANY SPECIFIC REGULATOR IN THE SECTOR**] **guidance.** Be aware of, and abide by, the guidance issued by [INSERT NAME OF ANY SPECIFIC REGULATOR] in respect of generative AI use.
      9. **Third-party add-ons.** Be aware that third parties may build a service on top of generative AI applications. Avoid inputting any information or data into these add-ons. If in doubt about how add-ons may be operating in relation to an authorised AI application you are using, speak with [[POSITION] **OR** the Head of the IT Department] in the first instance.
   2. This policy must be read in conjunction with our other policies, as highlighted in paragraph 5.2. In particular, you are referred to the terms of [the Bring Your Own Device to Work policy,] [the Diversity, Equity and Inclusion policy,] [the Code of Conduct policy,] [the Data Protection policy] [and] [the IT and Communications Systems policy].
   3. We recognise that some members of the workforce may access generative AI applications via an application programming interface rather than a web browser. Where appropriate, we may issue specific guidelines to workforce members gaining access via application programming interfaces.
2. Monitoring
   1. We reserve the right to monitor all content (including but not limited to any prompts, or outputs) on any generative AI application used for business purposes. This will only be carried out to the extent permitted by law, in order for us to comply with a legal obligation or for our legitimate business purposes, including, without limitation, in order to:
      1. prevent misuse of the content and protect our confidential information (and the confidential information of our customers, clients and suppliers);
      2. ensure compliance with our rules, standards of conduct and policies in force from time to time (including this policy);
      3. monitor performance at work;
      4. ensure that our workforce does not use our facilities or systems for any unlawful purposes or activities that may damage our business or reputation;
      5. comply with legislation for the protection of intellectual property rights and to support proprietary rights in the output; [and]
      6. [OTHER]
   2. [This provision operates alongside our right to conduct monitoring under our IT and Communications Systems policy and Bring Your Own Device to Work policy.]
3. Record keeping
   1. To ensure compliant use of authorised AI applications and enhance usage by the workforce, you must track and document any use of authorised AI applications for business purposes using the [AI Usage Tracker **OR** [NAME OF RECORD KEEPING TOOL]].
   2. [If using the outputs of authorised AI applications either directly or with minor alterations, you must clearly cite this in the work produced, for example as a footnote, by providing the web address and any sources used as prompts.]
   3. We will implement an audit system to monitor and document all prompts and output received from authorised AI applications.
4. Training and technical support
   1. We provide the following [mandatory] training for use of authorised AI applications: [SPECIFY TRAINING PROVIDED OR PROVIDE DETAILS OF WHERE THIS TRAINING CAN BE ACCESSED (FOR EXAMPLE, THE EMPLOYER'S INTRANET)]].
   2. [Failure to complete the mandatory training may be treated by us as a breach of this policy. ]
   3. For technical support in accessing and using authorised AI applications, please [contact [[POSITION] **OR** the Head of the IT Department] **OR** refer to our staff guidance which can be found on the [intranet **OR** [LOCATION]]].
5. Costs
   1. Any cost incurred in accessing and using authorised AI applications must be met by you. The employer is not responsible for any costs associated with use of authorised AI applications.
6. Breach of this policy
   1. Breach of this policy may, where appropriate, result in disciplinary action up to and including dismissal or termination of your employment or engagement with us. Where disciplinary action is appropriate, it may be taken whether the breach is committed during or outside normal hours of work and whether or not use of generative AI is on an individual's own device or one of our devices, and whether at home, in the office or from a remote working location.
   2. You are required to co-operate with any investigation into suspected breach of this policy. This may involve providing us with access to any generative AI application (whether or not this is an authorised application) and any relevant passwords and login details.
   3. You must report any breach of this policy (this includes your own breach or that of another member of the workforce) immediately to [your line manager **OR** the IT Department] in the first instance.
7. [Authorised AI Applications]