Red House Legal Briefing

- Artificial Intelligence in the workplace

Red House Legal

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AI is now very much at our fingertips if we want to use chatbots such as Chat GPT or the many alternatives. This sentence may make sense to you or be total gibberish, such is the pace of change in new technologies, our access to them and their impact on our lives.

Even if you don't really understand what it is, you can guarantee some of your staff and colleagues are using it.

AI is no longer something from Science Fiction films and is being widely used within business without any guidance, training or policies on risk and usage.

This, rather than, AI itself, is actually the most concerning thing.

Aside from the bigger picture about how business can thrive using these new technologies, in my view, you should start to look to consider how employees' use of AI can affect your business and what risks its use could bring.

What is Chat GPT or its equivalent?

It is a simulated chatbot (similar to the kind you get for customer service) but with a huge potential for other purposes such as:

- writing business plans, PowerPoint presentations, articles, letters and emails,
- making recommendations,
- brainstorming ideas etc
- giving pros and cons on proposals
- providing feedback
- roleplaying
- asking it how it can help you work better
- acting as a mentor

In the workplace, it could theoretically provide an input on decisions regarding grievances and disciplinaries, redundancies etc. It could even assist with appraisals, training and recruitment.

GDPR is a big risk if decisions are automated.

The more context and specific prompts and information given to it, the more accurate the response.

In theory it seems to be the perfect virtual assistant but of course it's not infallible and there are plenty of examples where it gets even the most basic questions and demands wrong.

It's also not up to date and it's not accountable.

Should you be concerned?

You need to be aware that AI is being widely used to assist people to carry out their roles and without any limits, guidance or supervision. It is important that it is used lawfully and appropriately.

Concerns have been raised in particular about its use and Data Protection. There is also the potential for bias in its responses which can in turn lead to discrimination.

Next steps

Every business will have a different take on this and how they seek to control employees' use of AI however the bare minimum must be a policy which sets out:

- what Chat GPT and similar apps are
- what use is allowed and what is not allowed
- risks, dangers and problem areas such as data protection, GDPR, privacy, confidentiality and bias /discrimination
- how generated content is used, controlled, monitored and checked
- interplay with intellectual property
- ensuring staff are provided with training

If you have any questions or want to discuss this topic further please get in touch

Best regards

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