

West Lothian Council “behind the curve” on use of Artificial Intelligence

West Lothian Council is “behind the curve” on the use of Artificial Intelligence (AI), councillors have been warned.

A month after the council was first advised on the development of AI in local government the council’s legal team is looking at implications for the future.

The council’s chief solicitor Carol Johnston assured councillors they would use AI on its terms rather than the AI’s world’s terms.

She told councillors: “Are we behind the curve? The answer for everyone, regardless, is yes we are. The technology is moving faster than humans are in terms of managing it.”

“We are not looking to use AI at the moment, but it will come because if it is happening out there, it will happen in here.”

An “AI Playbook” was published by the Westminster Government in February. Ms Johnston told the Performance Committee said the title belied “the content and detail” of the document.

She added: “It has been Intended to support government and public sector bodies in terms of harnessing the power of AI in an effective, safe and responsible way.

“It covers a broad range and legal use of data protection

intellectual property and copyright issues and equality issues and the application of public law principles around acting rationally, fairly and reasonably”.

The Chief Solicitor added: “Some implications for council will be seen most significantly around recruitment, management of staff performance management and perhaps the way we use it in terms of customers and automated decisions.

“We currently have a review of licensing systems involving storage and use of personal data we gather and use .

The AI Playbook is a 118 page document offering guidelines on public sector use of AI.

In one section entitled ‘Fairness, bias and discrimination’ it suggests: “AI systems should not undermine the legal rights of individuals or organisations, discriminate unfairly against individuals or create unfair market outcomes.

“You must ensure fairness in the development and use of AI solutions to comply with legal and human rights requirements, including consumer and competition law, public and common law, and rules protecting vulnerable people. In the context of AI, fairness has many facets. It means ensuring that a system’s outputs are unprejudiced and do not amplify existing social, demographic or cultural disparities.”

Councillor Maria MacAulay asked how AI would be used in terms of recruitment.

Ms Johnston replied “For now we are not looking at the introduction of AI around recruitment but, as with all things, there will be elements that we make use of. The main issue for the council is that we understand where the benefits in that technology lie and how we are going to use them to suit our business needs, rather than having the external AI world influence and direct how we have to undertake business.”

Ms Johnston added: "It is obviously critical that as a legal service we understand what the digital landscape is out in the wider world but also we move forward with digitisation and automation of processes and approaches to business."

A clear part of that work for the council's legal team is in managing customer expectations as technology speeds up the world. The Chief Solicitor sounded a note of caution that "just because things can be done in the blink of eye doesn't mean we should."

Ms Johnston told the meeting "Like everyone else we are learning what's happening out there in the digital world, new technology and the legislation that fits around it even though there's not one body currently dealing with such things as AI.

"We are grappling with the bolt ons that fit around the technical advances whilst we wait for useful legislation and guidance around the use of AI and wider technology."

After the meeting, a spokesperson told the Local Democracy Reporting Service: "A working group has been established to develop an AI policy for the council and a report outlining the council's position on use of AI will be presented to a future council meeting for approval."

By Stuart Sommerville, Local Democracy Reporter