

12 September 2024

██████████
██████████@psa.org.nz

Dear ██████████

LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT Request: 2024-39

Thank you for your email of Friday 6 September 2024 to the Carterton District Council (CDC) requesting the following information:

- *“Is the Council currently using any AI applications/tools? If yes, please list:*
 - *The name of the application*
 - *The use of the application*
- *A copy of any policies or procedures Council has relating to the introduction or use of AI applications/tools.”*

Your request has been considered under the Local Government Official Information and Meeting Act 1987 (the Act).

Council does not subscribe to, or actively use, AI specific applications or tools. We are aware AI technology is becoming more embedded into mainstream business-as-usual applications such as Microsoft, Adobe, Alphabet and others. Council will continue to upgrade these applications as required to remain current and ensure our data is secure.

With the rapid changing world of technology and the use of “Artificial Intelligence” in the delivery of more services and information, CDC has adopted a new policy, attached as **Appendix One**, with respect to the use of these technology.

Any use of an Artificial Intelligence Language Model (*e.g ChatGPT, Microsoft Edge CoPilot, and some of the tools within Adobe PhotoShop*), is covered by the Policy with respect to the use of such tools, including how information generated is applied and considered. We note some of these services are available via the internet and staff have access to them outside of business-as-usual applications.

Please note, the Council proactively publishes LGOIMA responses on our website. As such, we may publish this response on our website after five working days. Your name and contact details will be removed.

Thank you again for your email. You have the right to ask an Ombudsman to review this decision. You can do this by writing to info@ombudsman.parliament.nz or Office of the Ombudsman, PO Box 10152, Wellington 6143.

Yours sincerely



Geoff Hamilton
Chief Executive
Carterton District Council

RELEASED UNDER LGOIMA

Use of Artificial Intelligence Language Models including ChatGPT

Purpose

The purpose of this policy is to establish guidelines for the use of an artificial intelligence language model (AIlM) such as ChatGPT, Bard, Bing or other similar tools, by employees, contractors, temporary staff, or other third parties, hereafter referred to as 'employee' of our Council. This policy is designed to ensure that the use of AI is ethical, lawful, and in compliance with all applicable laws, regulations, and Council policies.

Scope

This policy applies to all employees, contractors, temporary staff, or third parties with access to AIlM, whether through council-owned or BYOD (bring your own device) in pursuit of Council activities.

Use of AIlM

Employees are authorized to use AIlM for work-related purposes. This includes tasks such as generating text or content for reports, emails, presentations, images and customer service communications.

Copyright

Employees must adhere to copyright laws when utilizing AIlM. It is prohibited to use AIlM to generate content that infringes upon the intellectual property rights of others, including but not limited to copyrighted material. If an employee is unsure whether a particular use of AIlM constitutes copyright infringement, they should contact the legal advisor or IT/IM for guidance.

Accuracy

All information generated by AIlM must be reviewed and edited for accuracy prior to use. Employees using AIlM are responsible for reviewing output, and accountable for ensuring the accuracy of AIlM generated output before use/release. If an employee has any doubt about the accuracy of information generated by an AIlM, they should not use an AIlM.

Confidentiality

Confidential information must not be entered into an AIlM tool, as information may enter the public domain. Employees must follow all applicable data privacy laws and organisational policies when using AIlM. If an employee has any doubt about the confidentiality of information, they should not use an AIlM.

Ethical Use

AIlM must be used ethically and in compliance with all applicable legislation, regulations, and organisational policies. Employees must not use AIlM to generate content that is discriminatory, offensive, or inappropriate. If there are any doubts about the appropriateness of using AIlM in a particular situation, employees should consult with their supervisor or Human Resources.

Label

Content produced via AILM must be identified and labelled or footnoted as containing AILM information.

Footnote example: *Note: This document contains AI generated content.*

Risks

The use of AILM has inherent risks that employees should be aware of. These risks include, but are not limited to:

Legal

Information entered AILM may enter the public domain. This can release non-public information and breach regulatory requirements, customer, or vendor contracts, or compromise intellectual property. Any release of private/personal information without the authorisation of the information's owner could result in a breach of the principles of the Privacy Act 2020, specifically:

- Principle 5 – Storage and security of information
- Principle 9 – Limits on retention of personal information
- Principle 10 – Use personal information
- Principle 11 – Disclosing personal information
- Principle 12 - Disclosure outside New Zealand

Any unauthorised release of public information and records may result in a breach of the principles of the Information and Records Management Standard issued under s27 of the Public Records Act 2005.

- Information and records must be protected from unauthorised or unlawful access, alteration, loss, deletion and/or destruction.
- Access to, use of and sharing of information and records must be managed appropriately in line with legal and business requirements.

Accuracy

AILM that relies upon algorithms to generate content. As with AILM technology, there is a risk that AILM may generate inaccurate or unreliable information. Employees should exercise caution when relying on AILM generated content and should always review and edit responses for accuracy before utilizing the content.

If an employee has any doubt about the accuracy of information generated by an AILM, they should not use an AILM.

Bias

AILM may produce bias, discriminatory, or offensive content. Employees should use AILM responsibly and ethically, in compliance with Council policies and applicable laws and regulations.

Security

AILM may store sensitive data and information, which could be at risk of being breached or hacked.

Data sovereignty

While an AILM platform may be hosted internationally, information created or collected in New Zealand, under data sovereignty rules, is still under jurisdiction of New Zealand laws. The reverse also applies. If information is sourced from an AILM hosted overseas for use in New Zealand, the

laws of the source country regarding its use and access may apply. AILM service providers should be assessed for data sovereignty practice by any organisation wishing to use an AILM.

Compliance

Any violations of this policy should be reported to Human Resources or senior management. Failure to comply with this policy may result in disciplinary action, up to and including termination of employment.

Review

This policy will be reviewed periodically and updated as necessary to ensure continued compliance with all applicable legislation, regulations, and organisational policies.

Acknowledgment

By using AILM, employees acknowledge that they have read and understood this policy, including the risks associated with the use of AILM. Employees also agree to comply with this policy and to report any violations or concerns to Human Resources.

Guidelines

Do use

Do use ALIM for presentations

Do use

Do use ALIM for analysing public data

Do use

Do use a footnote advising ALIM has been used to generate information for this document

Do use

Do use ALIM responsibly and ethically

Don't use

Don't use ALIM for confidential information

Don't use

Don't use ALIM to store public records

Don't use

Don't use ALIM for private customer records

Be

Be careful when analysing data the ALIM is only using the data you have provided/specified

Be

Be careful the use of ALIM does not breach copyright or intellectual property rights

Be

Be aware of ALIM risks around confidentiality, accuracy, bias and security