

AI White Paper Consultation

Start of Block: About you

AI regulation consultation

This survey asks questions about our proposals for AI regulation in [A pro-innovation approach to AI regulation](#).

We recommend reading the relevant parts to give feedback.

Besides your name, organisational details, and privacy agreement, all questions are optional and can be skipped.

You can find further guidance on how to respond on [the consultation page](#).

Page Break

Privacy notice

The Government [Code of Practice on Consultation](#) states that, when a consultation closes, Government should provide a summary of who responded to the consultation exercise and a summary of the views expressed to each question.

As such, we will publish a list respondents in our consultation summary, naming organisations where possible and individuals where no organisation is represented. We will anonymise feedback and **your name and organisation will not be linked to any of your answers in the summary.**

You can find full details on our [privacy notice page](#).

Please confirm that you have read and accept this privacy notice:



I have read and accept the privacy notice

Page Break

What is your name?
(required)

_____Martin Shaw_____

What is your email address?

If you enter your email address then you will automatically receive an acknowledgement email when you submit your response and we will contact you with updates on our response.

___martin@financialmutuals.org_____

Are you responding on behalf of any of the following?
(required)



A regulator

Industry, business, trade union or association

A SME (Small or Medium sized Enterprise)

A research organisation, university, or think tank

A charity, non-profit or community interest organisation, social, civic or activist group

A legal services or professional advisory body

I am responding as an individual and do not represent an organisation

Other _____

If you are responding on behalf of an organisation, what is its name?
(required)

_____ Association of Financial Mutuals

About AFM and its members

The Association of Financial Mutuals (AFM) represents insurance and healthcare providers that are owned by their customers, or which are established to serve a defined community (on a not-for-profit basis). Between them, mutual insurers manage the savings, pensions, protection and healthcare needs of over 32 million people in the UK and Ireland, collect annual premium income of over £22 billion, and employ nearly 30,000 staff¹.

The nature of their ownership and the consequently lower prices, higher returns or better service that typically results, make mutuals accessible and attractive to consumers, and have been recognised by Parliament as worthy of continued support and promotion. In particular, FCA and PRA are required to analyse whether new rules impose any significantly different consequences for mutual businesses² and to take account of corporate diversity³.

¹ ICMIF and AFM, 2022: <https://financialmutuals.org/wp-content/uploads/2022/10/UK-Market-Insights-2022.pdf>

² Financial Services Act 2012, section 138 K: <http://www.legislation.gov.uk/ukpga/2012/21/section/24/enacted>

³ <http://www.legislation.gov.uk/ukpga/2016/14/section/20/enacted>

Which sector do you work in?

Please select the most representative industry or enter under 'Other'

- Primary sectors (Extraction of raw materials, farming, fishing)
- Secondary sector (Utilities, construction, manufacturing)
- Financial services & insurance
- Communications
- Hospitality and leisure
- Real estate
- IT
- Legal services
- Retail
- Transportation
- Healthcare
- Education
- Public sector
- Research and development
- Arts and entertainment
- AI, digital, and technology
- Regulation
- Other _____

End of Block: About you

Start of Block: Routing

This survey has three parts: 22 questions including the revised principles, central functions, and M&E - 10 minutes to complete 3 questions on legal responsibility for AI - 5 minutes to complete 3 questions on foundation models - 5 minutes to complete 4 questions on an AI regulatory sandbox - 5 minutes to complete All questions are optional and can be skipped.

Which questions would you like to answer? You can choose to answer any combination or all parts.



Questions including the revised principles, central functions, and M&E



Questions on legal responsibility for AI



Questions on foundation models



Questions on an AI regulatory sandbox

End of Block: Routing

Start of Block: The revised cross-sectoral AI principles

Our revised AI principles

Our framework is underpinned by five principles, which we expect to guide and inform the responsible development and use of AI in all sectors of the economy:

- 1) Safety, security and robustness
- 2) Appropriate transparency and explainability
- 3) Fairness
- 4) Accountability and governance
- 5) Contestability and redress

See section 3.2.3 in [A pro-innovation approach to AI regulation](#) for more details.

1: Do you agree that requiring organisations to make it clear when they are using AI would improve transparency?

	Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	Don't know
Please answer:	((((<input checked="" type="checkbox"/>	(

2: Are there other measures we could require of organisations to improve transparency for AI? Please limit your response to 1-2 sentences.

The threat, as stated by a range of tech leaders in March, that AI presents ‘profound risks to society and humanity’⁴ reinforce that the perils of underregulated AI remain acute. By relying on existing regulatory framework, one of the more obvious transparency risks is that a development in one industry, however successful, might have a significant impact on an entirely different sector (e.g. the healthcare example in Box 1.1 might also have consequences for the insurance industry: both healthcare and financial services are highly regulated, but in different ways by different regulators): there needs to be a basis where regulatory decisions are interwoven.

3: Do you agree that current routes to contest or get redress for AI-related harms are adequate?

	Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	Don't know
Please answer:	(<input checked="" type="checkbox"/>	((((

4: How could current routes to contest or seek redress for AI-related harms be improved, if at all?

Please limit your response to 2-3 sentences.

⁴ <https://www.nytimes.com/2023/03/29/technology/ai-artificial-intelligence-musk-risks.html>

Without greater transparency about when AI is being deployed, and with most financial services firms at this stage relying on external suppliers of AI solutions, a user or impacted third party may not have sufficient knowledge in order to contest a harmful outcome. An example is an AI extension to a packaged product that a firm buys, such as a telephony system, which has AI tools of which the purchaser was unaware and for which it therefore lacked a risk and governance control function.

5: Do you agree that, when implemented effectively, the revised cross-sectoral principles will cover the risks posed by AI technologies?

Our principles are: safety, security and robustness; appropriate transparency and explainability; fairness; accountability and governance; contestability and redress.

	Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	Don't know
Please answer:	(((<input checked="" type="checkbox"/>	((

6: What, if anything, is missing from the revised principles?

Please limit your response to 1-2 sentences.

We consider 'accessibility' to be a key opportunity within AI, and an important principle in its adoption, i.e. technology should be most readily supported when it generates broad societal benefits (including access to products or services, and enhancing connectivity), or where the application of AI is facilitated to enable it to become widely available to benefit businesses that are small as well as large, and well-established as well as start-ups.

We consider that principles need to be future-proofed, to ensure they can accommodate new AI platforms and applications as they emerge, and that regulation therefore facilitates, rather than hinders innovation.

End of Block: The revised cross-sectoral AI principles

Start of Block: A statutory duty to regard

A statutory duty to have due regard to the principles

The AI regulation framework will be implemented on a non-statutory basis at first. However, we anticipate that introducing a statutory 'duty to have due regard' on regulators might be needed to strengthen the framework at some point. A statutory duty would create a legal obligation on regulators to have due regard to the AI principles.

See section 3.2.4 in [A pro-innovation approach to AI regulation](#) for more details.

7. Do you agree that introducing a statutory duty on regulators to have due regard to the principles would clarify and strengthen regulators' mandates to implement our principles while retaining a flexible approach to implementation?

	Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	Don't know
Please answer:	((((<input checked="" type="checkbox"/>	(

8. Is there an alternative statutory intervention that would be more effective?

Please limit your response to 1-2 sentences.

We consider a statutory duty, to be placed on regulators, is an effective step forward; the document however is vague about the timing of this, and given the rapid adoption of AI and the risks that some people are stating, greater urgency should be given to implementing the duty.

We strongly agree with the principles, though consider the ethical nature and application of them is just as important, and in particular, that any loopholes in the ethics are closed off, to avoid AI rewriting its protocols in future, or else that an unscrupulous individual or rogue state seeks to circumvent them.

End of Block: A statutory duty to regard

Start of Block: New central functions to support the framework

New central functions

We intend to coordinate, monitor and adapt the framework through central mechanisms that will supplement and support the work of regulators without undermining their independence or duplicating existing activities. We will bring together a wide range of interested parties including regulators, international partners, industry, civil society organisations such as trade unions and advocacy groups, academia and the general public.

See section 3.3.1 in [A pro-innovation approach to AI regulation](#) for more details.

9: Do you agree that the functions outlined in section 3.3.1 would benefit our AI regulation framework if delivered centrally?

	Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	Don't know
Monitoring and evaluating the framework as a whole		(C	<input checked="" type="checkbox"/>	
Assessing and monitoring cross-economy risks arising from the use of AI		(<input checked="" type="checkbox"/>	C	
Scanning for future trends and analysing knowledge gaps to inform our response to emerging AI		(C	<input checked="" type="checkbox"/>	
Supporting AI innovators to get new technologies to market (see section 3.3.4 for more detail)		(<input checked="" type="checkbox"/>	C	
Promoting international alignment on AI regulation		(C	<input checked="" type="checkbox"/>	

10: What, if anything, is missing from the central functions?
Please limit your response to 2-3 sentences.

An impact assessment and regular re-evaluation of the effectiveness of the regulatory approach, to ensure the benefits proposed have been realised.

11: Do you know of any existing organisations who should deliver one or more of our proposed central functions?
Is there, for example, an academic research group that conducts AI horizon scanning or a think tank that gathers evidence on regulatory impact.

Yes (please describe)



12: Are there additional activities that would help **businesses** confidently innovate and use AI technologies?
Please limit your response to 2-3 sentences.

Yes (please describe)

No
 Unsure

12.1: If so, should these activities be delivered by government, regulators or a different

organisation?

If selecting multiple please describe which activities each group should deliver.

Government _____

Regulators _____

Other _____

Unsure

13: Are there additional activities that would help **individuals and consumers** confidently use AI technologies?

Please limit your response to 2-3 sentences.

Yes (please describe)

There is a role for active marketing of AI opportunities, both to UK consumers and internationally. Some AI developments will be more readily adopted by consumers than others: use of medical data is an example of where the AI benefits may outstrip risks, but consumers may need extra persuasion to act (in their own interests). The existential threat of AI in some industries though, also means there is a need for an international body to coordinate controls and to identify the threats posed by bad actors.

No

Unsure

13.1: If so, should these activities be delivered by government, regulators or a different

organisation?

If selecting multiple please describe which activities each group should deliver.

Government _____

Regulators _____

Other _____

Unsure

14: How can we avoid overlapping, duplicative or contradictory guidance on AI issued by different regulators?

Over-coordination of regulators will be unhelpful, as this would delay important guidance and impact on UK competitiveness, particularly for industries that present no existential or systemic risk. Part of the duty placed on regulators must be to ensure they have taken account of broader implications, without the need for continuous central oversight.

End of Block: New central functions to support the framework

Start of Block: Monitoring and evaluation of the framework

Monitoring and evaluation of the framework We will need to monitor the implementation of the framework closely to make sure that it is working as designed. We will monitor the regime to ensure it aligns with 6 key characteristics, these being: pro-innovation, proportionate, adaptable, trustworthy, clear and collaborative.

See box 3.2 in [A pro-innovation approach to AI regulation](#) for more details.

15: Do you agree with our overall approach to monitoring and evaluation?

	Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	Don't know
Please answer:					<input checked="" type="checkbox"/>	

16: What is the best way to measure the impact of our framework?
 Please limit your response to 1-2 sentences.

Whatever method is chosen, we would like to see open and regular reporting of progress. We consider that the nature of collaboration explored in Box 3.2 is important, and that engagement by government and regulators is not solely restricted to the IT and AI industry: all industries need to be involved, if not through the central risk function itself, then through the individual regulators involved within it. An example of an effective approach is the co-ordination effort undertaken by NCSC, which does an exemplary job in providing consistent advice and support on cyber security.

17: Do you agree that our approach strikes the right balance between supporting AI innovation; addressing known, prioritised risks; and future-proofing the AI regulation framework?

	Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	Don't know
Please answer:				<input checked="" type="checkbox"/>		

18: Do you agree that regulators are best placed to apply the principles and government is best placed to provide oversight and deliver central functions?

- Yes
- No (please expand)

- Unsure

End of Block: Monitoring and evaluation of the framework

Start of Block: Regulator capability

Regulator Capability
 While our approach does not involve extending any regulator’s remit, regulating AI uses

effectively will require many of our regulators to acquire new skills and expertise.

19: As a regulator, what support would you need in order to apply the principles in a proportionate and pro-innovation way?

Please limit your response to 2-3 sentences.

n/a

20: Do you agree that a pooled team of AI experts would be the most effective way to address capability gaps and help regulators apply the principles?

	Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	Don't know
Please answer:			((<input checked="" type="checkbox"/>	

End of Block: Regulator capability

Start of Block: Assurance and Standards

Tools for trustworthy AI

Assurance techniques and technical standards will play a critical role in enabling the responsible adoption of AI and supporting the proposed regulatory framework. These techniques include impact assessment, audit, and performance testing along with formal verification methods.

See part 4 in [A pro-innovation approach to AI regulation](#) for details.

21: Which non-regulatory tools for trustworthy AI would most help organisations to embed the AI regulation principles into existing business processes?

Please limit your response to 2-3 sentences.

We have noted recent open letters from AI specialists, such as the 'Statement of AI Risk'⁵, calling for effective regulation of AI. Amongst there calls are for regular and effective audit of AI products, and for training of AI developers on common standards, and on the ethics of AI.

End of Block: Assurance and Standards

⁵ <https://www.safe.ai/statement-on-ai-risk>

Start of Block: Final thoughts on the framework

Final thoughts on the framework

22: Do you have any other thoughts on our overall approach? Please include any missed opportunities, flaws, and gaps in our framework.

We welcome the Government's ambition for the UK to be a global leader in the AI market, as well as some of the more recently cautious language about the risks of an unregulated approach. As a trade body that represents a range of small and medium-sized businesses, we recognise that AI changes the market environment substantially:

- on the one hand, the accessible nature of AI solutions offer opportunities for smaller businesses to compete with larger organisations, in contrast to the cost and scale problems they normally incur;
- on the other, AI will make it easier for disruptive new players to enter markets and undermine the business model of established players.

We consider there is scope for new AI-driven suppliers and existing businesses to co-exist successfully, though much will depend on the regulatory approach taken, and the need to create balance. For example, the headlong enthusiasm of regulators to welcome new technology-driven suppliers into the energy supply industry creates a range of failures, caused by lack of management experience and access to capital, and there is a risk that regulators elsewhere destabilise markets by prioritising the interests of fledgling AI suppliers without a proper regard for the wider market.

Potential benefits and risks of AI in the insurance sector

Amongst some of the emerging benefits of AI to insurance are individualising cover, assessing risk, detecting fraud, enhancing standards of service and claims-handling, and reducing error. The adoption of AI in underwriting is improving turnaround times, whilst research indicates consumers are more likely to disclose more information on application and during a claim, and this is enhancing their experiences.

AI is also helping to transform operations in many insurers, to reduce costs and streamline policy administration. ChatGPT offers the opportunity to create enhanced Chat facilities for customers, and to generate engaging material for marketing and education purposes for customers.

Also, the increasing amount of data available to insurers has the potential to facilitate improvements in decision-making in firms, to advance innovation in product design and to heighten customer satisfaction. For example, AI is at the core of plans by some health insurers to focus on helping customers stay well, rather than on supporting them when they're ill. During the height of the pandemic, AI was used to predict high-risk Covid patients⁶, demonstrating the relevance and breadth of its applications in the insurance and healthcare sectors.

⁶ [https://www.thelancet.com/journals/landig/article/PIIS2589-7500\(22\)00093-0/fulltext](https://www.thelancet.com/journals/landig/article/PIIS2589-7500(22)00093-0/fulltext), August 2022

In Sweden, the mutual insurer AMF was able to reduce complexity and lower costs on eight million pension policies, across many generations of platform, by adopting a single, AI-enabled platform. That resulted in increased transparency and reduced charges for customers as a result of the firm's mutual business model⁷. In the UK, Babylon Health works with a range of insurers, and seeks to add value through its AI, "from attracting and engaging customers through to improving clinical pathways, lowering claims costs and capturing invaluable insights⁸".

The consequences of AI may be positive on the whole in achieving good outcomes for consumers, alongside enhanced business efficiencies for firms, but there are also risks and potential downsides. In particular, the inappropriate use of AI, or ineffective controls on its adoption, will cause a range of ethical problems, including the risks of (unintended) bias and discrimination. This might result in further disenfranchising of vulnerable consumers, for whom data is lacking or implies a greater degree of risk. As a result, it becomes crucial to ensure that the data used to build AI systems is diverse and representative of the target population. Additionally, these systems' outputs must be continuously monitored and audited, since they might become biased or invalid, as the data they use changes.

End of Block: Final thoughts on the framework

Start of Block: Legal responsibility for AI

Legal responsibility for AI

We recognise the need to consider which actors should be responsible and liable for complying with the AI principles. The ideal distribution of legal responsibility for AI may not be the same as the burden under current legal frameworks.

L1: What challenges might arise when regulators apply the principles across different AI applications and systems? How could we address these challenges through our proposed AI regulatory framework?

Please limit your response to 3 sentences.

We consider that a firm utilising AI will, as it does with other outsource services, retain responsibility for ensuring the safety and soundness of its implementation (for example, if they use ChatGPT to inform research over alternatives that use more current sources of data). However, where we all grapple with the uncertain capabilities AI will gain in coming years, it is important that the legal framework can assess systemwide issues and give confidence to firms that outsourced services mean key ethical and delivery standards.

⁷ <https://www.lumera.com/en/customers/amf/>

⁸ <https://www.babylonhealth.com/en-gb/business-hub/babylon-for-business>

L2.i: Do you agree that the implementation of our principles through existing legal frameworks will fairly and effectively allocate legal responsibility for AI across the life cycle?

	Strongly disagree	Somewhat disagree	Neither agree nor disagree	Somewhat agree	Strongly agree	Don't know
Please answer:			((<input checked="" type="checkbox"/>

L2.ii: How could it be improved, if at all?
Please limit your response to 1-2 sentences.

The nature of AI is that it amasses huge amounts of information and works across cohorts of businesses. A difficulty emerges in the duty as a firm owes a responsibility to each individual, and the risk that a legal case or an Ombudsman might undermine systemwide adoption of AI by placing the rights of the individual above the benefits of the whole.

L3: If you work for a business that develops, uses, or sells AI, how do you currently manage AI risk including through the wider supply chain? How could government support effective AI-related risk management?
Please limit your response to 3 sentences.

n/a

End of Block: Legal responsibility for AI

Start of Block: Foundation models

Foundation models Foundation models are an emerging type of general purpose AI that are trained on vast quantities of data and can be adapted to a wide range of tasks. The fast-paced development of foundation models brings novel challenges for governments seeking to regulate AI.

See section 3.3.3 in [A pro-innovation approach to AI regulation](#) for detail.

F1: What specific challenges will foundation models such as large language models (LLMs) or

open-source models pose for regulators trying to determine legal responsibility for AI outcomes?
Please limit your response to 2-3 sentences.

We consider these are well-covered in case study 3.9.

F2: Do you agree that measuring compute provides a potential tool that could be considered as part of the governance of foundation models?

	Please answer:
Strongly disagree	<input type="radio"/>
Somewhat disagree	<input type="radio"/>
Neither agree nor disagree	<input type="radio"/>
Somewhat agree	<input type="radio"/>
Strongly Agree	<input checked="" type="radio"/>
Don't know	<input type="radio"/>

F3. Are there other approaches to governing foundation models that would be more effective?
Please limit your response to 1-2 sentences.

We are not aware of any.

End of Block: Foundation models

Start of Block: Artificial intelligence sandboxes and testbeds

Artificial intelligence sandboxes and testbeds Government is committed to supporting innovators by addressing regulatory challenges that prevent new, cutting-edge products from getting to

market. To deliver an effective sandbox, we would like to understand more deeply what service focus would be most useful to industry.

S1: To what extent would the sandbox models described in [section 3.3.4](#) support innovation?

	Strongly prevent innovation	Somewhat prevent innovation	No impact on innovation	Somewhat support innovation	Strongly support innovation	Don't know
<p>Single sector, single regulator <i>(support innovators to bring AI products to the market in collaboration with a single regulator, focusing on only one chosen industry sector).</i></p>				<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<p>Multiple industry sectors, single regulator <i>(support AI innovators in collaboration with a single regulator that is capable of working across multiple industry sectors).</i></p>				<input checked="" type="checkbox"/>	<input type="checkbox"/>	
<p>Single sector, multiple regulator <i>(establish a sandbox that operates in only one industry sector, but is capable of supporting AI innovators whose path to market requires interaction with one or more regulators operating in that sector).</i></p>				<input type="checkbox"/>	<input checked="" type="checkbox"/>	

Multiple sectors, multiple regulators (a sandbox capable of operating with one or more regulators in one or more industry sectors to help AI innovators reach their target market. The DRCF is piloting a version of this model).



S2: What could government do to maximise the benefit of sandboxes to AI innovators?
Please limit your response to 2-3 sentences.

Where the decision is to focus on a pilot approach, focused on one sector, it would be helpful to select one that covers wide ground, with the capacity for broader application and learning: healthcare for example would provide significant societal benefits, but also offer opportunities for a transfer to other industries.

S3: What could government do to facilitate participation in an AI regulatory sandbox?
Please limit your response to 1-2 sentences.

Ensure that the parties involved include practitioners and users, as well as AI champions and manufacturers.

S4: Which of the following industry sectors do you believe would most benefit from an AI sandbox?

Please select from this list the sectors your organisation works in or interacts with that would most benefit from a sandbox.

Primary sectors (extraction of raw materials, farming, fishing)

Secondary sector (utilities, construction, manufacturing)

Financial services & insurance

Communications

Hospitality and leisure

Real estate

IT

Legal services

Retail

Transportation

Healthcare

Education

Public sector

Research and development

Arts and entertainment

AI, digital, and technology

Regulation

Other _____

End of Block: Artificial intelligence sandboxes and testbeds
