**CIPL Response to the UK Department for Science, Innovation and Technology (DSIT)'s Consultation on the AI Management Essentials (AIME) Tool**

**Submitted January 29, 2025**

The Centre for Information Policy Leadership (CIPL) welcomes the opportunity to respond to the UK Department for Science, Innovation and Technology (DSIT)'s consultation on its AI Management Essentials (AIME) tool. CIPL has closely followed and commends the UK's efforts to encourage the responsible development and deployment of AI. CIPL's most recent engagements include our responses to the UK Information Commissioner's Office's (ICO) consultation series on generative AI and data protection.[1]

For more than 20 years, CIPL has been a thought leader on organisational accountability and a risk-based approach as key building blocks of smart regulation, responsible governance, and use of data, as well as accountable development and deployment of AI.[2] CIPL's "Ten Recommendations for Global Regulation" proposes a layered, three-tiered approach to AI regulation that would protect fundamental human rights and minimise the potential risks of harm to both individuals and society, while enabling the responsible development and deployment of AI.[3] Our benchmarking "report, "Building Accountable AI Programs: Mapping Emerging Best Practices to the CIPL Accountability Framework", outlines best practices and case studies on how 20 leading organisations are responsibly developing and deploying AI through the lens of CIPL's Accountability Framework.[4] CIPL's most recent discussion paper, "Applying Data Protection Principles to Generative AI: Practical Approaches for Organizations and Regulators",

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[1] CIPL, "Responses to UK Information Commissioner's Office's Consultations on Generative AI and Data Protection", 2024, https://www.informationpolicycentre.com/uploads/5/7/1/0/57104281/cipl_-_compilation_of_uk_ico_generative_ai_responses.pdf; CIPL, Response to the ICO's Fifth Consultation on Allocating Controllership across the Generative AI Supply Chain", October 2024, https://www.informationpolicycentre.com/uploads/5/7/1/0/57104281/cipl_response_to_the_5th_ico_genai_consultation-c.pdf

[2] The Centre for Information Policy Leadership (CIPL) is a global privacy and data policy think tank in the law firm of Hunton Andrews Kurth LLP and is financially supported by the law firm and 85+ member companies that are leaders in key sectors of the global economy. CIPL's mission is to engage in thought leadership and develop best practices to ensure the responsible and beneficial use of data in the modern information age. CIPL's work facilitates constructive engagement between business leaders, data governance and security professionals, regulators, and policymakers around the world. For more information, please see CIPL's website at https://www.informationpolicycentre.com/. Nothing in this document should be construed as representing the views of any individual CIPL member company or of the law firm Hunton Andrews Kurth LLP. This document is not designed to be and should not be taken as legal advice.

[3] CIPL, "Ten Recommendations for Global AI Regulation", October 2023, https://www.informationpolicycentre.com/uploads/5/7/1/0/57104281/cipl_ten_recommendations_global_ai_regulation_oct2023.pdf.

[4] CIPL, "Building Accountable AI Programs: Mapping Emerging Best Practices to the CIPL Accountability Framework", February 2024, https://www.informationpolicycentre.com/uploads/5/7/1/0/57104281/cipl_building_accountable_ai_programs_23_feb_2024.pdf

considers key privacy and data protection concepts and explores how they can be effectively applied to the development and deployment of generative AI models and systems.[5]

1. What are your general impressions of the AIME tool?
   - CIPL commends DSIT's efforts to create a self-assessment tool to help organisations assess and implement responsible management systems and processes. CIPL believes that the AIME tool provides a practical, actionable, and well-structured approach for organisations to quickly evaluate their internal AI governance practices. As DSIT states in its guidance for using the AIME tool, it is "primarily intended for small to medium-sized enterprises (SMEs) and start-ups that encounter barriers when navigating the evolving landscape of AI management standards and frameworks."[6] CIPL agrees that AIME may be particularly helpful for organisations that may have less experience with or limited resources to dedicate to AI governance. The questionnaire is framed in plain language and is easy to use, which we believe can facilitate greater adoption, especially from SMEs and start-ups. CIPL also believes it may be helpful for DSIT to further clarify the tool's intended audience and position AIME as a starting point for such companies, rather than a tool for organisations of different sizes.
   - From our own research on more established organisations with mature AI governance programs for our benchmarking report, "[Building Accountable AI Programs: Mapping Best Practices to the CIPL Accountability Framework](#)", we would submit that AIME is not comprehensive enough to cover all facets of AI management that organisations must consider. For example, the questionnaire does not include questions on accountability and responsibility, or traceability of data across the cycle. It also does not include sufficient questions to assess compliance with high-risk AI requirements, such as technical documentation, controls, and human oversight. Furthermore, while DSIT notes that for these companies, AIME can be used to assess individual business divisions, operational departments, or subsidiaries, such entities within companies would most likely already have to adhere to established policies and procedures.
   - We appreciate DSIT's efforts to enable interoperability by basing the AIME tool on 3 currently prominent frameworks: the ISO/IEC 42001, the NIST AI Risk Management Framework, and the EU AI Act. We encourage DSIT to engage directly with those bodies, as well as other international entities that have created similar frameworks (e.g., OECD AI Principles, OECD G7 Hiroshima Process International Code of Conduct for Organizations Developing Advanced AI Systems, PDPC Model AI Governance Framework, etc.) to further

support efforts toward convergence and interoperability. We also offer our benchmarking report, as well as CIPL's Accountability Framework, as an additional resource for demonstrating accountability in the development and deployment of AI.[7] Finally, CIPL recommends that AIME remain outcomes-based, rather than overly prescriptive, which has been a primary source of concern from organisations as a potential inhibitor of innovation. A principles-based approach will ensure that organisations' AI governance practices are flexible enough to accommodate changes in a rapidly evolving technology and regulatory landscape.

2. Does the overall structure of the tool make sense? Why/why not?

   - Yes, CIPL believes that the overall structure and length of the tool are fit for purpose for the needs of SMEs and startups. It is concise yet assesses for critical baseline principles and requirements for effective AI management. We also recognize similarities between AIME and some ICO assessment templates (e.g., for data protection impact assessments) and appreciate DSIT's efforts to improve upon existing templates through its simplicity, provision of clear examples, and practical actions for improvement.

3. Would you change the order of any of the sections/questions? If yes, which questions and why?

   - CIPL believes it may be helpful for organisations if the self-assessment sections were divided into 2 major sections: technology-oriented questions (e.g., data management, impact, and risk assessment, bias mitigation, issue reporting, algorithmic fairness) and legal/policy-oriented questions. This would help separate out more technical questions that may require the help and support of engineering/data science teams and make AIME more easily implementable for its target organisations. Furthermore, CIPL has long advocated for greater inclusion of technologists from the outset of any discussion regarding AI governance. Starting the assessment with its more technical questions would signal the importance of grounding accountability in the management of AI in management of the technology itself.

   - For greater clarity, CIPL recommends that the elements under Section 7 (on Bias Mitigation) be placed within Section 3 (on Fairness) as they aim to identify mitigations for issues related to fairness. CIPL also suggests that Section 6 (on Data Management) should be placed closer to the beginning of the assessment as its questions are relevant broadly to the use of data within AI systems.

   - Questions 6.6 (Do you sign and retain written contracts with third parties that process personal data on your behalf?) and Question 7.2 (If you procure AI as a Service (AIaaS) or pretrained AI systems from third party providers to use or develop upon, do you have records of the full extent of the data that has been used to train these systems?) should

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[7] CIPL, "Building Accountable AI Programs: Mapping Emerging Best Practices to the CIPL Accountability Framework", February 2024, https://www.informationpolicycentre.com/uploads/5/7/1/0/57104281/cipl_building_accountable_ai_programs_23_feb_2024.pdf

ideally sit with other questions regarding interactions with third parties. One way to address this would be to expand the scope of Section 10 (on Third Party Communication) beyond communication to address relationships with third parties more generally.

4. We are planning to format the final version of the tool as an interactive decision tree (loosely based on the [Cyber Essentials readiness tool](#)). Do you agree that this format is intuitive/easy to use? Why/why not?

    - CIPL believes that an interactive decision tree format will likely make the tool more intuitive to use and can aid in further streamlining the assessment process. However, DSIT should ensure that both the decision tree format and a PDF or a more accessible version with the entire assessment will be available as this will provide flexibility for organisations to utilize the tool in a way that best suits their unique circumstances and organisational structure.
    - CIPL suggests DSIT also add an optional free notes or text section after each question so that organisations can clarify or add context to their responses. CIPL believes this can be helpful for both internal and external uses of AIME.

5. Are there any questions that you think are difficult to answer? If yes, what are they? Why are they difficult to answer?

    - **Question 3.1 (Do you develop or use AI systems that directly impact individuals?)** - In the definition box provided for further guidance, the evaluator is encouraged to judge the "directness" of their AI systems' impact, and the box provides 3 categories of such systems. While it highlights examples of predictive AI (e.g., profiling algorithms or systems that process personal data), it also includes generative AI tools (e.g., chatbots, image generators). The examples imply that any AI product integrated with an LLM may fall into the category of "direct impact", thus significantly expanding the scope of systems addressed by the question. CIPL suggests that DSIT consider an alternative framing that is more closely aligned with other frameworks, such as systems that play a part in legal, consequential, or similarly significant decisions."[8]
    - **Question 7.2 (If you procure AI as a Service (AIaaS) or pretrained AI systems from third party providers to use or develop upon, do you have records of the full extent of the data that has been used to train these systems?)** - CIPL believes that this question is generally unlikely to be answered affirmatively given that many AI providers do not provide comprehensive model cards or datasheets for the data sets used to train their models. The exception is LLM providers, which do generally provide such transparency documentation— although even in those cases, the providers might not meet a "full extent" standard, depending on how it is defined and interpreted. Particularly if the assessment were to only be provided in the decision tree format, a negative answer to this question would impact the rest of an organisation's results. It could be useful to remove the phrase "the full extent"

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[8] For example, in the EU AI Act, a "high-risk" AI system is defined as posing a significant risk of harm to the health, safety or fundamental rights of a natural person.

to point to the utility of summaries or metadata about the datasets. Another possibility would be to replace this question with one that asks if organisations have reviewed the available documentation for the AI system (e.g., technical specifications, model cards, release notes, etc.).

- **Question 7.3 (If you procure AIaaS or pretrained AI systems from third party providers, do you conduct appropriate due diligence on the data used to train or develop these systems to mitigate against foreseeable harmful or unfair bias?)** - Consistent with the comment above, it may be infeasible in some instances for organisations to access information needed to thoroughly inspect a third-party AI system's training data set. Furthermore, smaller organisations may lack the expertise required to conduct such due diligence. Organizations would benefit from guidance on how to conduct due diligence well when such constraints are present. As mentioned previously in #4, it would be particularly helpful for questions such as 7.3 to provide a free notes or text section that organisations can use to clarify or add context to their response. For 7.3, they could explain the extent of due diligence that was done and how it was (or is being) performed by the organisation.

- **Section 9 on Issue Reporting** – The AI management practices in this section, particularly Question 9.2 (Do you provide reporters with options for either anonymity or confidentiality or both?) may be difficult to enact in SMEs and startups that have relatively small teams with multiple or flexible roles and responsibilities. The tool might ask something to the effect of: "where anonymity or confidentiality is not possible, does the organisation ensure that individuals who report concerns do not face negative consequences for doing so?"


6. Are there any questions that you think are superfluous/unnecessary? If yes, what are they? Why are they superfluous/not needed?
    - **Section 10 on Third Party Communication** is only relevant for AI providers, and DSIT should clarify that this section is unnecessary for AI deployers.


7. Are there any questions that you particularly liked or would find helpful for improving your internal processes? If yes, what are they? Why are they helpful/appealing?
    - CIPL appreciates DSIT's inclusion of "Section 1 on AI system record" as the first section, which encourages organisations to take stock of their inventory of AI systems and ensure an up-to-date record before moving further in the self-assessment. As suggested above in Question 3, this section could be followed by the technology-oriented questions (e.g., data management, impact and risk assessment, bias mitigation, issue reporting, algorithmic fairness), then the legal/policy-oriented questions.
    - Throughout the self-assessment and particularly in "Section 9 on Issue Reporting", there are questions focused on continuous monitoring of AI systems. CIPL believes this can be useful when developing a long-term AI governance plan that is iterative and ongoing. Especially as

an organisation's AI program matures, it is imperative to consider continuous monitoring and compliance with internal procedures.[9]

8. Are there any necessary conditions, statements, or processes that you feel are missing that organisations should be implementing? What are they?

- CIPL recommends that the definition for "AI systems" be more closely aligned with the most frequently used international standards, such as the OECD definition.[10] This would be particularly helpful for SMEs and startups hoping to scale the deployment of their solutions across multiple jurisdictions and may be grappling with differing definitions in guidance and regulation across them. CIPL recommends that the terms "legal position" and "life opportunities" in Section 4 (on Impact Assessment) be defined for further clarity, and we suggest aligning to existing frameworks to ensure interoperability and convergence around key terms.

- Section 3 (on Fairness) asks organisations if their AI systems directly impact individuals and subsequent questions regarding their fairness measures. However, the concept of fairness often also addresses concerns about potential effects on members of vulnerable social groups. DSIT should consider clarifying this point, which would also help better align AIME with other existing frameworks.

- A preliminary question, asking why AI has been chosen as the solution to the issue at hand – This question can prompt organisations to thoughtfully consider other alternatives, such as traditional software, before deciding to use an AI solution.

- A question about the accuracy of the AI system – Accuracy is addressed to some extent in Section 6 within the concept of "data completeness", but it could be useful to add a more specific question as to whether the system has been tested for accuracy of the results it produces.

- A question aimed to help organisations assess the risk of AI systems and use cases, with guidance on how to effectively do that.

- A more comprehensive section on third party relationships – Currently in the self-assessment, there are only a few questions directed at this subject (i.e., 6.6 on contracts, 7.2-7.3 on bias considerations), but as stated earlier, there are other questions within the self-assessment that can be pulled into an expanded section.

- Adding sector-specific questions that may be helpful for certain startups/SMEs operating in specific circumstances (e.g., financial services, insurance, health, etc.).

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[9] For additional best practices, please see Section 6 ("Monitoring and Verification") of CIPL's "Building Accountable AI Programs: Mapping Emerging Best Practices to the CIPL Accountability Framework".

[10] The updated 2024 OECD "Recommendation of the Council on Artificial Intelligence" defines "AI systems" as "a machine-based system that, for explicit or implicit objectives, infers, from the input it receives, how to generate outputs such as predictions, content, recommendations, or decisions that can influence physical or virtual environments."

- Addition of more questions in Section 8 (on Data Protection) - CIPL has long advocated that holistic data management is an enabler of responsible, accountable AI practices.[11] We believe that building a strong foundation of data protection and management practices from the outset is necessary not only to ensure compliance to relevant regulatory requirements, but also to allow organisations to demonstrate accountability that goes beyond compliance. Thus, CIPL recommends expanding Section 8 to include questions to guide organisations in assessing their current data protection and management practices. We encourage the addition of questions that ask if the organisation is complying with relevant data protection laws, including with respect to the provenance of training data; the extent to which data being used by the AI systems may be subject to special rules, such as those for "sensitive data" in some jurisdictions; if the organization has established a legal basis for processing personal data; and if there could be additional, appropriate opportunities to utilize privacy-enhancing or privacy-preserving technologies. More broadly, the organization questions might gauge the extent to which core principles of sound data protection are in place, such as those addressed by the OECD Privacy Guidelines[12] and the Global Cross-Border Privacy Rules (CBPR) Framework.[13]

9. Is the tool overly burdensome or unrealistic for the target audience, (i.e., organisations with limited resources to extensively engage with AI governance frameworks, for example, start-ups and SMEs)
   - No, CIPL believes that the tool is not overly burdensome or unrealistic for target organisations, with the exception of previously mentioned questions that may be difficult for SMEs or startups to answer (please refer to question 5). CIPL believes that DSIT should underscore that AIME is chiefly intended for use by SMEs and startups as a helpful starting point in assessing their AI management practices. CIPL also appreciates that the tool is voluntary so that organisations can exercise discretion in determining if it is appropriate for their particular circumstance.

10. We are exploring the possibility of embedding AIME in government procurement frameworks. In this model, organisations supplying government with AI products and services would be required to complete the tool to demonstrate baseline responsible AI management processes. Do you agree that this would incentivise organisations to implement responsible AI management systems?

[11] CIPL, "What Good and Effective Data Privacy Accountability Looks Like: Mapping Organisations' Practices to the CIPL Accountability Framework", May 2020, https://www.informationpolicycentre.com/uploads/5/7/1/0/57104281/cipl_accountability_mapping_report__27_may_2020__v2.0.pdf; AvePoint (with contributions from CIPL), "AI & Information Management Report: The Data Problem That's Stalling AI Success), April 2024, https://cdn.avepoint.com/pdfs/en/shifthappens/AI-IM-Whitepaper-v4.pdf

[12] OECD, "Recommendation of the Council concerning Guidelines Governing the Protection of Privacy and Transborder Flows of Personal Data", November 2013, https://legalinstruments.oecd.org/en/instruments/OECD-LEGAL-0188

[13] Global Cross-Border Privacy Rules (CBPR) Framework, 2023, https://www.globalcbpr.org/wp-content/uploads/Global-CBPR-Framework-2023.pdf

- Yes, embedding AIME in government procurement frameworks could incentivise adoption as responsible practices are often adopted to satisfy customers' demands. As stated above, CIPL encourages DSIT to consider how AIME can more fully converge with other existing international standards. Furthermore, DSIT might consider enabling organisations to use certification to one of these other, existing standards as an alternative to completing the AIME tool to qualify for government procurements.
- CIPL would also underscore that the AIME tool should be seen as a useful point of departure for AI risk management rather than a comprehensive evaluation tool.

11. Do you believe that embedding AIME in government procurement processes could have an adverse effect on competition (e.g., add disproportionate burden on SMEs, who may have less resources/capacity to fill out a tool like this, compared to larger organisations)?
    - CIPL believes that generally, it is reasonable to expect that suppliers of AI systems to government agencies should be held to a high standard for responsible AI management practices to ensure accurate, secure delivery of public service. To minimize unintended negative effects on organizations with limited capacity, we recommend:
        i. Adopting a risk-based approach, where adoption of the AIME and other risk management frameworks is weighted more heavily in procurement decisions for higher-risk systems. For example, for the lowest-risk systems, adoption might be treated as voluntary.
        ii. Accepting certification to other, high-standard international frameworks as an alternative to completing the AIME, as per our recommendation above.