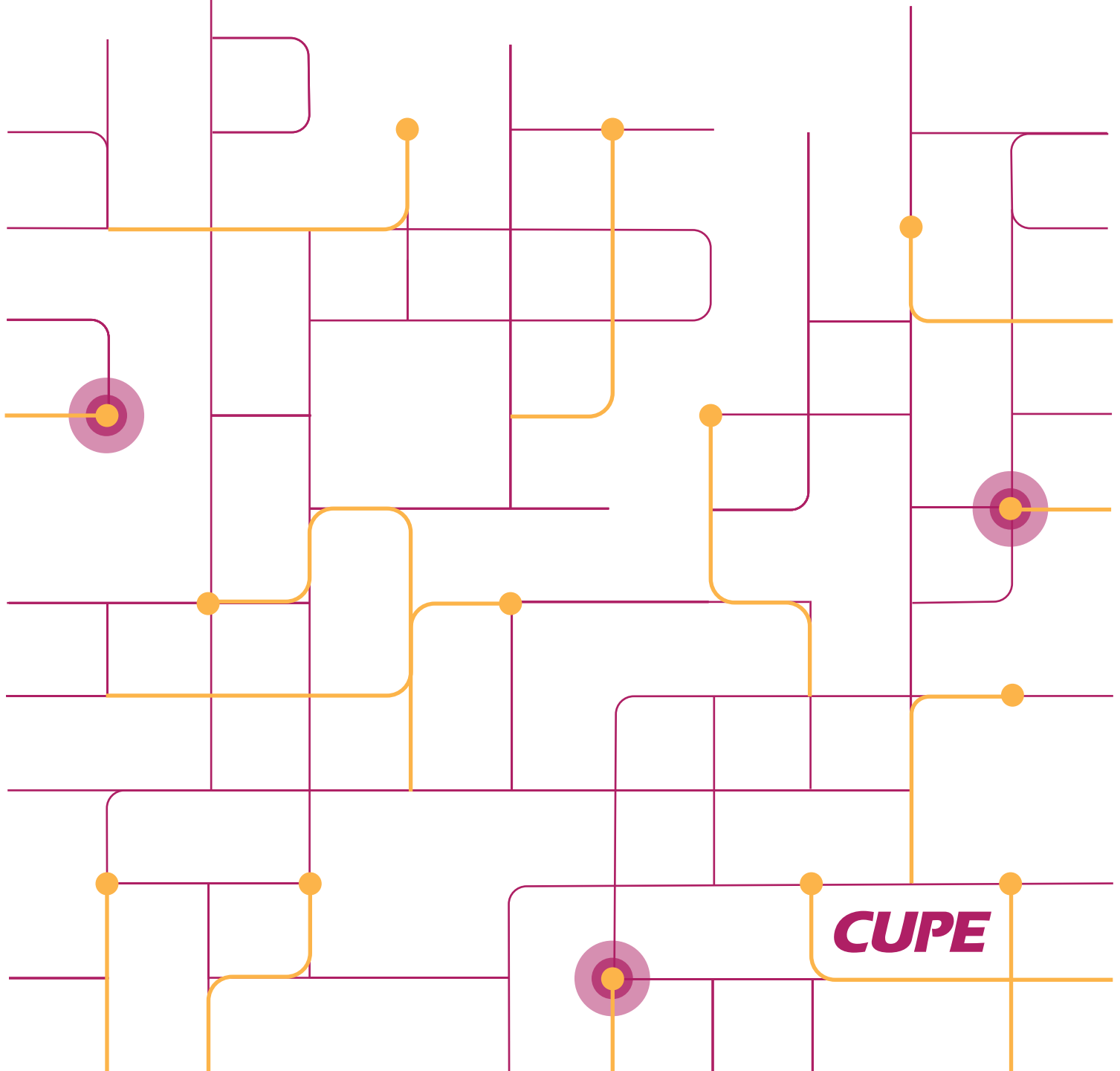


DIGITAL TECHNOLOGY AND AI IN MUNICIPALITIES:

IMPORTANT QUESTIONS



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IMPORTANT QUESTIONS TO ASK

Municipalities across the country are increasingly using digital technology and artificial intelligence (AI). Thoughtful implementation of AI systems that are controlled by people could help workers deliver quality public services. But, left unchecked, AI and other digital innovations can have harmful consequences for equity, fairness and transparency in public services.

It's critical for municipal decision-makers to understand these digital technologies and how they may affect the rights of residents and workers. Here are some important questions to ask about data and technology when municipalities are considering AI systems.

General

- What is the purpose of the digital technology or data collection?
 - Is there another way to achieve the purpose of the digital technology or data collection?
- Who designed and owns the digital technology? Who is the developer and vendor?
- How do the contracts between the developer, the vendor and the municipality govern:
 - access to, control of, and security of data?
 - system monitoring, maintenance, and redesign?
- Does the digital technology make a decision, recommend a decision, or provide information that will influence a decision? What are the benefits and risks of the digital technology being involved in decision making?
- Has the municipality considered the [climate change impacts](#) of the digital system given the environmental consequences of AI?

Transparency and explainability

- How will the digital technology operate?
- What data does the digital technology have access to?
 - All organizational databases?
 - Some organizational databases?
 - External data sources (for example, the Internet)?
- How will the municipality regularly notify the public, workers and the union in a clear and accessible way about the digital technology being used and the types of data being collected?
- What data was used to train the digital technology?
- Is there a clear explanation of how the AI system reaches its conclusions?
- What mechanisms are in place to assess and review the outputs the digital technology generates?
- Will humans always be involved in all outputs the digital technology generates? What are the risks if a human is not involved?
- What algorithms will the digital technology use?
 - If municipal leaders do not have access to the algorithm that generates AI outputs, how does the municipality plan to address the potential risks and challenges in terms of transparency, accountability, and ensuring equitable outcomes for all residents?

NOTE:

Algorithms can be complex and require advanced IT knowledge to understand. Municipal leaders may not have access to the algorithms, as AI technology developers often keep this information secret.

Surveillance and privacy

- Will the digital technology or data collection, processing and use involve monitoring the public or workers?
- How will the municipality ensure any contract with technology vendors or third parties protects residents' and workers' privacy?

Bias and discrimination

- Has the municipality or a third party conducted a human rights review of the digital technology?
- What are the risks of the technology or data collection for equity-seeking workers and members of the public?
- What measures and protections has the municipality put in place to address any bias?
- How will the municipality assess whether the digital technology has different results based on one or more protected grounds including age, race, disability, gender and gender identity?

Impact on public services

- How reliable and accurate is the AI system? What measures are in place to ensure the AI system consistently delivers accurate results?
- What contingency plans are in place to handle AI service disruptions and failures?
 - What are the cost implications of a system failure?
 - Does the municipality have the in-house expertise to deal with AI system failure or will there be a need to bring in outside contractors?
- How will the AI system affect public trust in municipal services? What steps will be taken to build and maintain trust with residents around municipal technology usage?
- Has the municipality or a third party assessed the data collection or digital technology for risks to the public and workers?
 - Will these assessments be done at regular intervals? What are the intervals? What will trigger a new assessment?
 - Will the municipality disclose any previous and future assessments publicly?
- How will the municipality control for and monitor possible ways the digital technology harms the public or workers (for example, privacy risks, health and safety risks, discrimination and bias, and deskilling)?
- Who is accountable for the decisions and actions taken by the AI technology?

Impact on jobs

- Which job classifications will the digital technology or data collection affect?
- How does the municipality expect the digital technology or data collection to affect job classifications, job duties and departments (for example, job displacement, work restructuring, health and safety, work intensity)?
- Will any tasks currently completed by workers be automated?
- What is the municipality's plan to provide upskilling or re-skilling training to workers on the new digital technology? What type of training will workers require to use the AI technology? Will this training be provided on a continual basis?
- How does the municipality plan to educate new and returning workers about the risks and benefits of the new digital technology?

Data management

- Who controls the data lifecycle? The data lifecycle covers the process of data collection, data analysis, data storage and data offboarding.
 - Does the municipality maintain control, or are certain data rights transferred to the vendor or a third party?
- Has the municipality developed policies about access to workers' and residents' personal data?
- Will the digital technology use residents' or workers' personal data?
- Who has access to residents' or workers' personal data?
- Where will the data be stored?
- How long will the data be stored to fulfill its purpose?
- Will the data be used to fulfill other purposes?
- How often will the data be reviewed?
- When and how will the data be destroyed? Who will destroy the data?
- What is the recourse if the vendor or any third party refuses or cannot destroy the data?

Health and safety

- Has the municipality considered the health and safety impacts of the technology for residents and workers?
- Is there a Risk Assessment for assessing and responding to the existing or potential hazards from digital technology?
- Are there processes and procedures for investigating and responding to the hazards from digital technology (for example, cyber bullying and harassment)?

Personal data protection and rights

- Who owns residents' and workers' data?
- Will residents' or workers' data be shared or sold to third parties or transferred between vendors?
 - If yes, what are the privacy protections for that data?
- How is any personal data or personally identifiable information that is processed in this digital technology protected?
 - What additional protections are needed?
 - Can residents or workers opt out?
- What is the process for notifying the residents, workers and the union if the digital technology is compromised?
 - How will residents and workers be protected?
- How will residents and workers be informed about decisions that are made based on their personal data?
- Is the technology collecting biometric data about residents or employees?
 - If yes, is there a less invasive way to achieve the purpose?
- Will the data be stored within Canadian jurisdiction, so it is subject to Canadian privacy legislation?
 - If not, in what jurisdiction will the data be stored?
 - What are the privacy risks for data storage outside of Canada?

NOTE:

Privacy laws in every Canadian jurisdiction dictate how the personal data of individuals must be protected.

Adjustments and right of redress

- What are the mechanisms and procedures for amending the digital technology?
 - Does the municipality or the technology provider amend the digital technology?
- How will the municipality ensure residents and workers have the right to access, edit and erase personal data and personally identifiable information?
- How will the municipality ensure residents and workers have the right to challenge actions and decisions that are assisted by the digital technology?
- What support plan does the vendor offer if there are problems with the digital technology?
- Are there processes for opting out, cancelling contracts, or changing contracts with the vendor?
- How will the municipality track assessments of the digital technology and adjustments to the digital technology?
- What problem resolution mechanism or mechanisms will the municipality put in place to deal with issues that arise from the technology or data collection?

Responsibility

- How will the municipality oversee the digital technology?
 - Which department and manager(s) are accountable and responsible for the technology?
- What is the process for raising a concern or making a complaint about the digital technology?
- How will the municipality ensure the data collection or digital technology complies with existing laws and collective agreements?
- What remedies are in place if the technology fails to meet its objectives, harms members of the public or workers, or if the municipality fails to ensure the technology is used in a safe and ethical way?

Consultation

- Has the municipality consulted the union, affected workers and the public about the digital technology or data collection?
- How will the municipality ensure workers and the public have a voice in the introduction and maintenance of this digital technology or data collection?
- What skills and competencies do municipal managers and workers need to implement, govern and assess the digital technology responsibly and knowledgeably?

Language

- Can the digital technology be used in French, or only in English?
 - If only in English, how will French-speaking workers be trained in French so they have all the information they need on the system, including any health and safety protections?
- If the municipality is in a jurisdiction where the right to work in French exists, how will this be respected?

NOTE:

In some jurisdictions, there are legal requirements to provide access to documents and working tools in French (for example, *Charter of the French Language* in Quebec).

Developed based on *Co-Governance of Algorithmic Systems - A Guide* by the Why Not Lab, PSI, FES: <https://publicservices.international/resources/publications/co-governance-of-algorithmic-systems---a-guide?id=12600&lang=en>