Terms of Reference for Regulator Forum: IFOW Sandbox

1. Background and Objectives

1.1 Context:

The Sandbox has been forged to respond to the accelerating pace of automation and in tandem the rich but fragmented landscapes of AI governance developed across public and private, domestic and international contexts.

Through the Sandbox we will work with industry partners who are designing, developing and or deploying data driven technologies to create, test, and evaluate the utility of different governance frameworks to promote Good Work through transition. Insights from these activities will inform the iterative improvement and refinement of governance methodologies.

The Regulator Plus Forum includes a range of regulators, and those who ‘soft regulate’ relevant professional behaviours and competencies, brought together to learn from these practical applications, to inform the development of future workplace AI governance tools, frameworks, and standards.

1.2 Objectives

The core objectives of the Sandbox are to ensure Good Work is prioritised as a goal and outcome through design, development, procurement, deployment and decommissioning of workplace AI and that impacts on Good Work are anticipated, assessed, mitigated and monitored.

Promoting responsible AI innovation and governance in the workplace, this will include:

- Centring human experience in the design, development and deployment of workplace AI tools and their governance, including the practice of participatory methods.
- Co-developing, testing, and implementing governance frameworks that identify, explore or address the challenges posed by AI deployment in the workplace
- Enhancing the transparency and visibility of the impact of AI on workers by documenting and reporting changes in employment terms, conditions, and job quality
- Evaluating the interoperability of varied AI governance regimes and supporting the integration of Good Work principles and practices into regulatory frameworks.
- Directly engaging Regulators Plus Forum in the development of workplace governance frameworks through observation, advisory and dissemination activities

Each test or other activity undertaken within the Sandbox will have an explicit purpose and remit to pursue one of these core objectives. These will ordinarily be conducted within a defined timeframe on a small scale.
2. Governance Structure

2.1 Regulator Plus Forum Structure:

- Regulator Members of the Regulator Plus Forum (‘the Forum’) are invited on the basis of holding a remit with relevance to the governance of workplace AI. Representatives on the forum are chosen within their organisations on the same basis.
- Professional association members and representative bodies which oversee professions which hold responsibility and/or provide professional guidance for the design, development or deployment of workplace AI are also included.
- Invitation to the Forum may be extended at the instigation of IFOW and proposals from existing members and partners.

2.2 Processes:

- IFOW will provide a secretariat function to the Forum; drawing up agendas to be circulated 7 days in advance of meetings; preparing briefings as necessary and summary notes circulated 14 days after, respecting individual views and identities.
- Forum members may highlight or request specific consideration of any particular matters or work by the Forum.
- IFOW or Forum members may request or provide written submissions on any matter to be considered.
- Where there are recommendations or decisions to be made the Forum aims to operate on a consensus-building model rather than through a voting process. This does not preclude IFOW or Regulator Plus Forum Members from requesting recommendation, decision or review on a specific matter.
- Throughout decision-making and related activities, all Regulator Plus Forum Members will endeavour to share and facilitate sharing of relevant information and knowledge.

3. Eligibility and Participation Criteria

3.1 Eligibility and Criteria of Regulator Members:

- Regulator Plus Forum members are eligible on the basis of having a regulatory responsibility for the deployment of AI at work. We understand regulation to include professional accreditation of those who may be responsible for deployment.
- Participation involves sharing key insights and the fostering of information sharing and collaboration among different initiatives in the AI governance landscape as it pertains to the workplace.
- Practical commitments include:
  - Commitment to attendance of up to 4 meetings per year.
  - Commitment to disseminate relevant findings from the Sandbox within the wider organisation.
  - Commitment to identify areas for future work and collaboration with other regulator plus forum members where appropriate.

- Regulator Plus Forum members have the right of veto for Industry Learning Partners.
- There is no responsibility for or accountability of Regulator Plus forum members regarding the approval of industry participants.
3.2 Eligibility Criteria for Industry Learning Partners

- Eligibility criteria for Industry Learning Partners are to be decided on the basis of specific projects, with members of the Regulator Plus Forum.

- Researchers have classified processes of data driven system review into first, second, or third-party models, to differentiate the entities and incentives at play.
  - **First-party or internal audits** are those conducted by teams within an organization.
  - **Second-party audits** involve contracted vendors who offer auditing-as-a-service which includes traditional forms of consulting.
  - **Third-party audits** are conducted by entities with no financial dependence upon or contractual relationship to the audit target.

- All three of these models will inform Sandbox activities.

- First party or internal auditors may be engaged through a select and direct forum to elicit insights into the strengths and limitations of current corporate approaches and strategy.

- Across forms of engagement, industry partners will be required to comply with the terms of Learning Partners.

- Key insights from Learning Partnerships will be published in accordance with terms of involvement. Terms of involvement aim to safeguard industry partners from reputational harm while promoting information and knowledge sharing and ensuring the independence of IFOW and partner research and publications.

- We intend to publish our standard MoU for Learning Partners will be published on our site. The publication of involvement of industry partners will be subject to agreement reached with each organisation.

3.2.1 Independent Learning Partnerships

- We believe rigorous, independent review is critical to the development of knowledge and understanding of AI risks and impacts, and to achieving the objectives of the Sandbox. Work conducted in this stream will be funded by research councils or philanthropy.

- Learning partnerships in this stream will respond to pre-defined research questions. Partnerships will be chosen on the basis of meeting the specific needs of the research project, such as relevance of a given sector; technology; or geography.

- Projects will be developed and agreed by IFOW on a case by case basis, subject to Regulator Plus forum power of veto – see below.

3.2.2 Advisory Learning Partnerships

- Advisory Learning Partnerships will respond to dedicated calls, based on set research criteria, but also respond to bespoke opportunities.

- IFOW will charge for these services.
• Learning partner organisations receiving advice will be required to sign agreements to include the anonymous sharing of key insights for future regulatory developments as appropriate.
• In these partnerships we will also provide tailored support to organisations who are seeking to establish, develop and implement better AI governance with a view to improve good work.
• Projects will be agreed by IFOW on a case by case base, subject to the power of veto – see below.

3.3 Exemptions

• Recommendations and references from Regulator Plus Forum Members for Sandbox Participants are welcomed and will be considered.

• There are no regulatory exemptions required or granted to sandbox participants to deliver on the mission and remit of the Sandbox, as set out above.
• Sandbox Participants remain subject to regulation as it exists and are responsible for all compliance matters. Participants will therefore be liable for any breaches of the law and their involvement in the Sandbox does not provide any leniency from this.
• IFOW aims to facilitate communication relating to the work and mission of the Sandbox between Regulators and Industry in pursuance of this MoU and IFOW’s charitable purpose by use of the IFOW Exploratory, Observatory and otherwise. This does not substitute for or affect the obligations of any party to comply with applicable regulatory obligations.

4. Monitoring and Reporting

4.1 Monitoring Framework:

• Sandbox activities will be monitored and evaluated in line on a case by case basis. This could include a range of action research activities supported by different funding regimes, with different monitoring and evaluation requirements.
• The details of successful funding applications defining evaluation criteria will be shared with Regulator Plus Forum members.
• Regulator Plus forum members may be invited to advise on the development of evaluation criteria, metrics and methodology.
• The efficacy of the IFOW Sandbox in achieving its set objectives will be subject to an ongoing developmental evaluation, through reflexive reporting by project staff, academic partners, and feedback from Regulator Plus Forum members.

4.2 Reporting:

• Meetings of the Regulator Plus forum will be Quarterly. Summary reports on the progress of Sandbox activities will be provided in advance of each meeting for the information and review by members.

5. Amendments and Termination

5.1 Amendments:

• Terms of Reference will be reviewed annually by members of the Regulator Plus Forum. Majority approval for any amendment will see it passed.
5.2 Termination:
  • Regulator Plus Forum members are entitled to exit the forum at any time.

6. Communication and Public Relations

6.1 Communication Strategy:
  • TBD

6.2 Public Statements:
  • TBD

This ToR has been approved by the those currently represented on the Forum. It will be subject to review at regular intervals including the incorporation of additional organisations.