What Do Bidders Need to Know About Artificial Intelligence (AI)?

Sensitive Information

You, as a bidder, must ensure that any information that has been included in any tender documentation and that is:

- personal
- classified
- sensitive or
- reveals the intent of government or the public body (which may not otherwise be publicly available)

must not be input into any AI tools.

AI systems share and use information and data that users input e.g. into AI tools or any systems that make use of AI for any purpose. As a result you should be aware of this and actively manage the risk of sensitive information or copyrighted material being shared inappropriately.

Checking Your Bid is Accurate

You should already ensure your bids are accurate, whether you produce them in-house or with external support.

As AI develops as a tool, some bidders may use AI to assist in the production of their bids. **Bidders should remember that, in all instances, they remain responsible for ensuring the accuracy of any bid they submit.**

Benefits in using AI

There are potential benefits to using AI responsibly, including:

- producing an initial draft bid outline before tailoring it to the specific procurement

- further efficiencies - AI Tools can help with formatting, grammar checking and general submission quality

- enabling businesses to increase their capacity to submit bids when they would have previously prioritised resource elsewhere

Further considerations

- AI generated responses tend to provide generic information that will be unlikely to provide an accurate response to the specific bid requirements. You must ensure you provide a tailored response to a the specific procurement

- AI generated Information may be inaccurate. This can be as a result of either the requests made by the user, or the AI system selecting incorrect source data

- AI requested Information is available to others, including other potential bidders. This could mean similar bids are generated from others. Your bid should be tailored for your organisation to the specific contract

- Be cautious in sharing your own organisation’s data and information in generative AI tools, as they could be made public.

An Example of AI Being Used in a Bid

The following is an example of what can be generated by AI with minimal input from the bidder. This same example is also shown on An Example of AI Being Used to Write Bid Content.

An Example of AI Being Used to Write Bid Content

Scenario

A bidder uses AI to construct a bid response on Fair Work First for a tender.

Prompts provided by the bidder in an AI system:

- can you tell me how I can ensure that Scottish Government Fair Work First criteria are written into my bid to work as a catering supplier?
- can you tell me how to add in a reference to the Scottish Government and equality?
- can you help me write the bid?

The AI could produce the following response:

Of course! Here's a draft of your bid incorporating references to the Scottish Government's equality requirements:

Bid: Catering Services with a Commitment to Equality and Fair Work

Introduction: At [Your Company Name], we are dedicated to providing exceptional catering services while upholding the highest standards of equality, diversity, and fair work practices. With a firm commitment to promoting inclusivity and supporting the Scottish Government's equality agenda, we are proud to submit our bid for consideration as your catering supplier.

Our Commitment to Equality: [Your Company Name] recognizes the importance of equality in the workplace and is committed to ensuring that all employees are treated with dignity, respect, and fairness. We align our practices with the principles set forth by the Scottish Government, including those outlined in the Equality Act 2010 and the Fair Work Framework.

Key Features of Our Equality Policies:

1. Inclusive Recruitment: We employ inclusive recruitment practices to ensure that our workforce reflects the diverse communities we serve. We actively encourage applications from individuals of all backgrounds and identities, including those from underrepresented groups.
2. Diversity Training: We provide regular diversity and inclusion training to all employees to foster a culture of understanding, respect, and acceptance. This training covers topics such as unconscious bias, cultural competence, and LGBTQ+ inclusion.
3. Equal Opportunities: We are committed to providing equal opportunities for career development and advancement to all employees, regardless of their background, gender, race, age, sexual orientation, or disability status. Promotion decisions are based solely on merit and performance.

4. Work-Life Balance: We support work-life balance initiatives, such as flexible working arrangements and parental leave policies, to accommodate the diverse needs of our employees and promote their well-being.
5. Accessibility: We strive to ensure that our workplace and facilities are accessible to employees of all abilities. Reasonable accommodations are provided to employees with disabilities to enable their full participation and inclusion in the workplace.
6. Monitoring and Reporting: We regularly monitor and report on our equality performance to identify areas for improvement and track progress over time. We are transparent about our practices and welcome feedback from employees and stakeholders.

Alignment with Scottish Government's Equality Agenda: [Your Company Name] is fully aligned with the Scottish Government's commitment to promoting equality, diversity, and inclusion in the workplace. Our fair work policies reflect the principles outlined in the Scottish Government's equality legislation and initiatives, and we are dedicated to supporting the government's efforts to create a fairer and more inclusive society.

Conclusion: In choosing [Your Company Name] as your catering supplier, you can trust that you are partnering with a company that shares your values and is committed to promoting equality, diversity, and fair work practices. We look forward to the opportunity to work with you and contribute to the success of your organization.

Should you require any further information or clarification, please do not hesitate to contact us.

Sincerely, [Your Name] [Your Position] [Your Company Name] [Contact Information]

While the above example provides a reasonable generic response to the Fair Work and Equality aspects of the request, there is no substantive detail as to how the catering company in the example would deliver the service.

This illustrates the fact that bidders should not rely solely on AI to produce a bid. It is always essential that there is human intervention and contribution by bidders prior to submitting their bids.

It is the bidders' responsibility to check their bid before it is submitted to ensure accuracy and completeness.

Useful Links and Guidance

- **Scotland's AI Strategy** - sets out the ambition to build on Scotland's unique strengths, delivering tangible benefits for its people, businesses and communities. It shows how government, industry and academia will work together to shape the national response, and to ensure Scotland remains at the forefront of this new technology in the years ahead.
- **The Scottish AI Register** - use of the Scottish AI Register is now mandatory, initially on a non-statutory basis, for all Scottish Government Departments and Agencies. The register provides information on AI systems in use or in development with the Scottish public sector. Using the register, you can get to know the basics of those systems, or examine them in more detail, based on your own interests. You are also invited to ask questions and give feedback, to help develop trustworthy, ethical and inclusive AI systems. For each use case of AI, citizens can read on the register's website a short summary in plain English of why and how AI is used, as well as more technical details if they wish.
- **The Scottish AI Playbook** - an open, practical guide to how we do AI in Scotland. It is a shared and living asset, embodying Scotland's AI Strategy ethos of openness, transparency and collaboration. With this in mind, the first iteration of the Scottish AI Playbook is available in a Wiki format, hosting accessible and dynamic content. It allows all users to participate and contribute to the existing resources they find relevant and useful.
- The UK is a member country of the Organisation for Economic Co-operation and Development (OECD) - you can read more on their **principles for using AI**.
- **ICO: How to use AI and personal data** – guidance from the Information Commissioner's Office on responsible use of AI and personal data