

Legal Research Brief

The Use of Artificial Intelligence in Local Authority 'Front Door' Triage Services

Warwick Law in the Community's Strategic
Social Justice Clinic

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1. Introduction

The Strategic Social Justice Clinic's 'Artificial Intelligence Discrimination Project' aimed to investigate the potential for discriminatory outcomes resulting from the use of artificial intelligence ('AI') in councils' initial point-of-contact services (often referred to as 'front door' triage systems) in the West Midlands.

This Project had three key objectives:

1. To map the current landscape and usage of AI-driven tools in frontdoor triage systems, customer service, advice lines, and information services across councils in the West Midlands.
2. To analyse wider academic literature, relevant case law, parliamentary records, publications by regulators and briefings from third sector organisations to identify emerging concerns, patterns, and policy debates surrounding the integration of AI in these public-facing roles.
3. To apply established discrimination law frameworks to the findings, in order to assess where and how AI systems may create or worsen disparities for individuals with protected characteristics under the Equality Act 2010 and/or Article 14 of the European Convention on Human Rights.

The research scrutinises risks such as digital exclusion, language inaccessibility, and barriers faced by disabled individuals when seeking to access essential public services through frontdoor triage systems, such as housing, social care, council tax assistance, and discretionary support. Sources of evidence include responses to Freedom of Information requests, Hansard parliamentary records, academic studies, and reports from regulators and civil society organisations.

Ultimately, the brief aims to evaluate both the legal and practical implications of algorithmic decision-making in public service delivery. It explores concerns around indirect discrimination, lack of reasonable adjustments, and procedural injustice, and provides recommendations for CELC to support changes locally, and

nationally, that could strengthen transparency, accountability, and regulatory protections in the deployment of AI by local government bodies.

2. Context

2.1. Why is AI being used?

2.1.1. Promotion of efficiency and cost-saving measures

AI is increasingly being used as a tool to promote efficiency and reduce costs across public services. Parliamentary debates on the 'AI Opportunities Action Plan' describe its role in enhancing productivity and the citizen experience across government departments, supported by public investment in frontier AI projects. The Parliamentary and Health Service Ombudsman has stated that AI could play a vital role in the future by helping to exploit both new and traditional datasets, ultimately maximising the efficiency and effectiveness of public service delivery. These aims align with efforts to reduce the burden on overstretched local authorities, which continue to face mounting demand with limited resources. While councils remain in the early stages of AI adoption, many are now trialling its use to automate triage systems and target resources more effectively. The increasing pressure on councils, due to staffing shortages and funding constraints, means that AI is being seen as a potential means of alleviating these systemic challenges.

2.1.2. Digitisation

Alongside these efficiency goals, AI is also being used to drive the digitisation of services. The Cabinet Office's Behavioural Insights Team, for example, employs AI to identify high-risk groups such as NEET (not in education, employment, or training) youth. Although often framed as a modernisation strategy, this trend reflects the broader pressure on councils to digitise service access in the face of insufficient funding for human-led support. However, the rapid pace of adoption often contrasts with the relatively limited focus on legal safeguards and the equity

implications of AI implementation. This shift is part of a wider national strategy: the government has identified AI as one of the "five technologies of tomorrow" that will contribute to stronger economic growth, improved job opportunities, and groundbreaking innovation. Ultimately, the UK aims to position itself as an AI superpower, promoting the development of trusted technologies that can be integrated across households, businesses, and public services.

2.2. Where is AI being used?

AI is being used in the NHS for triaging services, particularly in handling 111 calls. It is also being actively trialled and integrated into public services such as healthcare inspections and social housing management. The Care Quality Commission (CQC), for instance, is in the early stages of AI adoption. It uses AI for predictive risk modelling in adult social care, automated inspections, sentiment analysis from patient and staff feedback, and virtual audits. The CQC is also exploring the use of generative AI tools, including chatbots and Microsoft Co-pilot, to boost efficiency.

Beyond healthcare, AI is embedded in public service job-seeking platforms and administrative functions. There is growing enthusiasm among councils, which are increasingly piloting AI in resource allocation and triage systems.

To further assess local authorities' use of AI, we submitted FOIA requests to 14 councils (see table below).

Council	Area of AI Use	Purpose	Stage of Adoption	Notes
Wolverhampton Council	Customer Services (triaging)	Chatbot integration using Microsoft Copilot for online contact	In the process of implementation, but this is not currently in use. For now, all calls are handled by human operators, and the only automated system is the payment line.	Covers 15+ services (e.g. Council Tax, Social Care, Housing, Parking) ¹ . Human handlers still available for most enquiries. Over 1 million calls received to frontdoor triage system in 2023–2024.
Herefordshire County Council	N/A	N/A	Currently no use of AI in frontdoor triage system.	All customers are transferred to a human call handler.
Solihull Metropolitan Borough Council	N/A	N/A	N/A	N/A
Stoke-On-Trent City Council	Interactive Voice Response used in frontdoor triage system	Assistance with initial customer contacts and triaging into	Interactive Voice Response has been used for over 17 years.	Covers 25 council service areas.

	across 25 different areas e.g. adult/children social care and births, deaths and marriages. Telephony chatbots used in the benefits department.	council services.	Telephony chatbots implemented in September 2024.	
Birmingham Council	City Telephone customer services (triaging). AI Chatbot for website. Developing an email automation system using AI.	Stated adoption of AI is part of their 'digital strategy' - use in triaging customer contacts and projected use in automating email responses.	Been in use for 18 months	Reported receiving around 2.5 million calls a year to customer contact services, so likely AI introduced for efficiency purposes. Council did not clarify in what circumstances a resident with complex needs would be switched from AI system to a human caller - but did confirm there was no one 'specific AI journey'.

¹ List of services triaged: Anti-Social Behaviour, Business Rates, Council Tax, Early Years, Electoral Services, Environmental Services (e.g. fly tipping, waste collection, pest services), Foster Care, Housing Benefits, Licensing Services, Parking, Registration Services, School Admission Enquiries, Social Care (Adults and Children)

Coventry Council	City	AI is not currently being used for triaging contacts made via telephone or online to customer services. Council is investigating introducing AI to front-end customer service contact centre.	N/A	N/A	Calls handled by Customer Services Spreadsheet.
Dudley Metropolitan Borough Council		No use of AI in telephone or online customer contact, front door, or portal triaging services at present.	N/A	N/A	N/A
Sandwell		No Substantive	N/A	N/A	N/A

Metropolitan Borough Council	Response Received			
Walsall Council	Substantive Response Outstanding - due 9 July 2025.	N/A	N/A	N/A
Warwickshire County Council	No use of AI in telephone or online customer contact, front door, or portal triaging services.	N/A	N/A	N/A
Worcestershire County Council	AI used in telephone customer services (trialoging) in 19 different areas.	Used for triaging telephone customer contacts.	Chatbots used since 1st July 2021	Covers 19 different areas (including finance, libraries, schooling, travel, social care, council tax & housing benefits, etc). 176,642 calls made to the council the last 2 years. Human call operators are

				available if requested by the customer, via the chatbot.
Shropshire County Council	Substantive Response Outstanding	N/A	N/A	N/A
Telford and Wrekin Council	Virtual assistant is used in triaging services, but this is not AI.	N/A	N/A	Does use a virtual assistant in triage and front door services, but this is not AI in anyway.
Staffordshire County Council	No use of AI in telephone or online customer contact, front door, or portal triaging services.	N/A	N/A	N/A

3. Problems and Challenges

3.1. Perpetuating Discrimination and Bias

The following sections outline the ways in which the use of AI in public services may reinforce existing inequalities.

3.1.1. Inherited Bias from Data

AI systems often replicate historical biases present in their training data, resulting in unfair outcomes in areas like welfare and policing (Kusman, 2022).

3.1.2. Ethnic and Language Disparities

Facial recognition tools are significantly less accurate for Black and Asian faces (NIST, *Face Recognition Vendor Test*, 2019).

In Aston, 14% of people speak little or no English—double the national average—making language-inflexible AI a barrier to access (Birmingham City Council, 2021). These outcomes may constitute indirect discrimination under *Equality Act 2010*, s 19.

3.1.3. Disability and Accessibility Challenges

AI tools that rely on voice commands or complex digital interfaces often exclude disabled users.

In Australia, automated disability assessments were scrapped over fears they would marginalise claimants (NDIS Review, 2020).

Failure to adapt systems may breach *Equality Act 2010*, s 20.

3.1.4. Gender and Class Bias

Recruitment algorithms have shown bias against women, as in Amazon's withdrawn hiring tool (Dastin, *Reuters*, 2018).

Automated systems in Nordic countries have reproduced social inequalities based on gender, race, and income (Blom Lussi et al, 2024).

3.1.5. Lack of Transparency and Oversight

The Equality and Human Rights Commission ('EHRC') has warned that AI can unlawfully discriminate if not properly monitored, and state many affected individuals may not even realise decisions are being made by machines (EHRC, 2023)

3.2. Lack of Transparency and Accountability

Through the legal research we have conducted over the Project, we have identified multiple government reports, as well as academic journals, that identify risks around the transparency of AI, as problems arising as a result of a lack of accountability regarding decision-making where AI is used.

A lack of transparency not only reduces trust in public bodies and impacts people's abilities to appeal or claim against AI decisions, but also breaches people's rights under Article 22 of the UK General Data Protection Regulation (GDPR), which states that people have a right *not* to be subject to decisions based solely on automated processes. If there is little transparency around AI, then people may not know how to access alternate forms of contact and may not know how to claim entitlements. The lack of transparency may deter vulnerable people from asserting

their rights. This is especially problematic where AI is the sole triage mechanism, and no human fallback exists. For CELC’s clients, many of whom face language, cognitive, or digital literacy barriers, reduction in transparency may make exclusion of certain demographics from any services triaged using AI difficult to detect or correct.

3.2.1. Evidence from government policy documents

We analysed government publications²³, which highlighted the importance of increased transparency, to increase public confidence and ensure fairness. Notably, a recent 2025 government document⁴ highlighted how a severe limitation of AI is the lack of transparency, especially the fact that many AI models are difficult to interpret, making it hard for public authorities to justify decisions made by AI, or to ensure accountability. This was echoed in our findings from Hansard Parliamentary Debates⁵.

The Centre for Data Ethics and Innovation released a 151-page report⁶ on the use of AI decision-making, and the report noted how people are often unaware that AI systems are even used and highlighted the confusion around appeals and claims against algorithmic decisions. The CDEI recommended much clearer communication to the public, as well as transparency obligations requiring the disclosure of how ADM tools influence decisions.

There are some positive steps forward, with the Equality and Human Rights Commission⁷ stating that AI usage by public bodies is to be monitored by Britain’s

² House of Lords, Public Authority Algorithmic and Automated Decision-Making Systems (2024, HL Bill 27)

³ House of Commons, Use of AI in Government (2023, HC 356)

⁴ Government Digital Service, Artificial Intelligence Playbook for the UK Government (2025)

⁵ Hansard Parliamentary Debates

⁶ Centre for Data Ethics and Innovation, Review into bias in algorithmic decision-making (2020)

⁷ Equality and Human Rights Commission, An update on our approach to regulating artificial intelligence (2024)

equality regulator to ensure technologies are not discriminatory, which is a positive step forward relating to transparency.

Recent case law such as the cases of *Manjang v Uber Eats (2023)*⁸, and *R v Secretary of State for the Home Department (2021)*⁹, which both highlight how there is little human accountability for AI systems making incorrect decisions, and similarly the cases highlight the lack of transparency around the usage of AI.

We have also looked at numerous academic journals and scholarly opinions that have given input into the transparency and accountability of AI. Kusman (2022)¹⁰, Scott et al (2022)¹¹ and Reamer (2023)¹² found that right now, there is little transparency around the usage, implementation or extent of AI. The majority of the public is very uninformed about what services use AI and the extent to which services use them. AI programs are also very hard for the average person to understand, and with little source code publicly available, it is very hard for people to gain an understanding of AI and its code. Kusman suggested making the source code available would increase transparency and allow the public to gain a greater understanding of what services use AI, and how they use them.

Wirtz et al (2018)¹³ highlighted the importance of the development of legal frameworks to clarify the role of AI, and increased transparency. Wirtz also noted that accountability gaps are not covered by traditional liability frameworks, and algorithm-driven decisions can become extremely problematic, as it is hard to

⁸ *Manjang v Uber Eats UK Ltd and Others* [2023]

⁹ *R (The 3Million Ltd) v Secretary of State for the Home Department* [2021] EWHC 1159

¹⁰ Anna Kusman, "Autonomation in the Public Sector and the Principle of Non-Discrimination" [2022] Proceedings from the first annual Fire Conference, 249-265.

¹¹ Scott J. Shackelford, Isak Nti Asare, Rachel Dockery, Anjanette H. Raymond and Alexandra Sergueeva, "Should We Trust a Black Box to Safeguard Human Rights?" (2022) *UCLA Journal of International Law and Foreign Affairs* 26(1), 35-88

¹² Frederic Reamer, "Artificial Intelligence in Social Work: Emerging Ethical Issues" (2023) *International Journal of Social Work Values and Ethics* 20(2), 52-71

¹³ Berard Wirtz, Jan Weyerer, Carolin Geyer. "Artificial Intelligence and the Public Sector—Applications and Challenges" (2018) *International Journal of Public Administration*, 42(7), 596–615

identify the directly responsible person or body. Mikhaylov et al (2018)¹⁴ also highlighted the need for human accountability.

All of these findings highlight the limited accountability of AI. The majority of people do not know that AI operates in a large number of services, and even those who are aware may not know the extent, usage or power of an AI system. This can make it challenging for people to pursue claims against discriminatory systems. Furthermore, even if an AI system is found to be discriminatory, there is very little accountability, and it is very hard to find where the problem originated: whether it was intentional programmer bias, incorrect data fed to the system, bias drawn from systemic discrimination, or a lack of available data leading to discriminatory conclusions. This can mean it is hard to hold the perpetrators accountable.

The information we received from Wolverhampton Council, for example, highlighted how little transparency there is in their AI based decision-making, nor is there seemingly much collaboration between internal AI based systems.

3.3. The limits of the prioritisation of efficiency over accountability

3.3.1. The argument for efficiency

Councils are under time and resource constraints when it comes to delivering their services. This is evident in the FOIA request responses wherein Telford and Wrekin Council confirmed that in the month of August 2024 alone they received 26,216 calls to their frontdoor services, Worcestershire County Council received 176,642 calls in the last two years and Birmingham City Council reported receiving around 2.5m calls each year. It is clear that in order for councils to respond to

¹⁴ Slava Mikhaylov, Marc Esteve and Averill Campion, *Artificial Intelligence for the Public Sector: Opportunities and Challenges of Cross-Sector Collaboration* [2018]

as many of these calls/issues as possible, they need to prioritise efficiency. However this prioritisation of efficiency has led some councils to rely on AI usage.

As outlined by Henman (2020), AI usage can improve the efficiency of councils by employing three methods 1) detecting patterns, 2) sorting populations and 3) making predictions.¹⁵ These methods help to expedite screening processes, meaning more people can be reached without putting a strain on resources. However, this prioritisation of efficiency often comes at the cost of reduced human oversight. But this section seeks to understand whether the maximisation of efficiency can justify the potential loss of human oversight.

3.3.2. Lack of human oversight

The importance of human oversight is extremely apparent when it comes to services such as housing care and welfare support. Though as outlined in the "State of Digital Local Government" report "Digital tools are delivering services more efficiently and effectively";¹⁶ Some of the evidence collected suggests that this prioritisation of speed and cost over inclusion may result in people being disconnected or misclassified by AI without access to human support.

For example, when AI is used to identify high risk individuals in need of housing support, a support decision will be based on responses to prompts. However this can lead to individuals being routed incorrectly, when they fail to engage with particular digital prompts. When comparing human feedback to digital prompts, it is clear there is less space for harm when human oversight is there. Where AI replaces human contact at the point of triage, minor inefficiencies may lead to major harm. Councils must balance automation with human intervention,

¹⁵ Paul Henman, 'Improving Public Services Using Artificial Intelligence: Possibilities, Pitfalls, Governance' 209

<<https://www.tandfonline.com/doi/abs/10.1080/23276665.2020.1816188%4010.1080/tfocoll.2024.0.issue-digital-transformation-in-public-administration>> accessed 20 June 2025.

¹⁶ 'This Report Outlines the Local Government Digital Landscape, Including the Breadth of the Opportunities and Unique Challenges' (2025) <<https://www.local.gov.uk/publications/state-digital-local-government>> accessed 15 June 2025.

otherwise, service users may be denied redress simply because the system does not allow it. Though this may not directly discriminate against those with protected characteristics, this may come in the form of indirect discrimination. For example service users may struggle with responding to prompts due to age or disability – both of which are protected characteristics under the Equality Act 2010.

The Public Sector Equality Duty ('PSED') under s149 of the Equality Act 2010 requires public authorities to consider how their decisions *may* discriminate against individuals with protected characteristics. AI usage with a lack of human oversight may inadvertently fail to meet the standards set by this duty. Thus, the desire for efficiency needs to be balanced with the need for councils to comply with the PSED.

3.4. Lack of council resources, training, and capacity

Resource constraints in funding, talent, leadership, structure, and standardised metrics in UK councils severely limit responsible AI adoption. With only 2% of staff being digital professionals (the lowest in the public sector) working with staff that undergoes limited digital training, councils lack the expertise to assess, implement, or monitor AI systems effectively¹⁷. Limited cloud adoption hinders AI potential through poor scalability, security gaps, fragmented data, and inflated costs. There is also a heavy reliance on temporary contractors, affecting the retention of institutional knowledge of AI applications¹⁸, and obstructing transparency due to a lack of configurability. The compensation in the public sector for specialists fails to attract and retain digital talents as well, which contributes to a lack of training for personnel in developing AI systems¹⁹.

¹⁷ United Kingdom, Department for Science, Innovation and Technology, State of Digital Government Review (CP 1251, 2025) <<https://www.gov.uk/government/publications/state-of-digital-government-review/state-of-digital-government-review>> Accessed 20 June 2025.

¹⁸ Ibid. Accounting for 55% of public sector digital and data spending in 2023.

¹⁹ Ibid. Hays (2024), UK Salary & Recruiting Trends 2024

It should also be noted that councils often adopt AI-driven triage systems as a reactive measure to manage overwhelming caseloads and shrinking budgets, rather than as part of a carefully planned, long-term digital transformation strategy. Councils under financial pressure lack the resources to properly design, test, or monitor AI systems, heightening the risk of poorly adapted tools. So while many councils are actively piloting AI, they lack governance frameworks or staff with the digital skills required to manage risks.

Successful AI deployment requires collaboration across the government, academia, and industry. Yet, such partnerships often fail due to underinvestment and cultural barriers, as they are unable to mitigate the equity implications of AI implementation by enhancing AI literacy, recruiting talents, arranging effective leadership and infrastructure, or setting up good quality benchmarks for evaluating AI use.

This leads to poor compliance with equality duties, exacerbated by a heavy reliance on outsourcing, which exposes councils to supply chain risks and unrepresented digital leadership, leaving them dependent on outdated infrastructure ill-suited for the deployment of ethical AI. Poor compliance is also contributed to by AI deployment without meaningful equality impact assessments or stakeholder consultation. Without adequate in-house capacity or funding, ensuring transparency, fairness, and accountability, principled AI use becomes significantly harder.

3.5. Privacy and Security Concerns

AI triage systems adopted by councils in the West Midlands process large volumes of sensitive personal data, which poses concerns about the adequacy of transparency and data safeguards. Birmingham City Council confirmed in its FOIA response that its AI tools are used for frontdoor customer contact services (including Voice Automation and Chatbot Systems); processing data across 25 services such as housing, homelessness, adult and children's services, and

revenues and benefits²⁰. Information processed includes full names, contact details, household composition, vulnerability indicators, and personal identifiers².

Despite the use of automated technologies to sort or direct enquiries involving such data, Birmingham City Council did not provide copies of any Data Protection Impact Assessment ('DPIA') on request, nor did other councils using some AI such as Wolverhampton Council²¹. This omission raises legal concerns under Article 35 of the UK General Data Protection Regulation²² and Section 64 of the Data Protection Act 2018²³, which mandate a DPIA where processing is likely to result in a high risk to individuals.²⁴

Several councils responding to FOIA requests failed to confirm whether service users are informed that AI tools are involved in processing their data. No privacy notices or transparency statements were included in the FOIA disclosure, and there was no indication that users could opt out or access an equivalent human-only route. These omissions risk breaching Article 5(1)(a) of the UK GDPR, which requires that data be processed lawfully, fairly and in a transparent manner.²⁵

In addition to privacy risks, unresolved questions about security safeguards remain. Most councils did not disclose how personal data is stored, who retains access to system outputs, or whether any independent cybersecurity review has been conducted. However, the Local Government Association Report in 2024, did confirm that 63% of local councils relied on third-party vendors to manage the AI triage tools.²⁶ As such, the use of AI without clear third-party safeguards, particularly in systems that serve high-risk individuals (e.g. those at risk of eviction

²⁰ Birmingham City Council, *Freedom of Information Response – Use of AI in Customer Services* (3 June 2025) Ref 74504827.

²¹ Ibid

²² UK General Data Protection Regulation, art 35

²³ Data Protection Act 2018, s 64

²⁴ Ibid

²⁵ Ibid

²⁶ Local Government Association, *Local Government: State of the Sector AI Research Report 2024 – UPDATED* (2024)

https://www.local.gov.uk/sites/default/files/documents/Local%20Government%20State%20of%20the%20Sector%20AI%20Research%20Report%202024%20-%20UPDATED_3.pdf

accessed 25 June 2025

or experiencing disability), raises significant risks of unauthorised access, misuse, or profiling.

Although some of the councils researched stated that their final decisions rest with human officers, the use of algorithmic tools to score or rank cases before human review constitutes a hybrid decision-making model. Such systems may still fall within the scope of Article 22 of the UK GDPR, which restricts solely automated decisions with legal or similarly significant effects unless specific conditions are met²⁷. As the Justice and Home Affairs Committee Report 2022 has noted, AI systems operating in triage often function opaquely, embedding assumptions or biases into early-stage assessments and structuring how human decision-makers perceive urgency or eligibility²⁸.

In this context, the absence of published DPIAs, public-facing privacy explanations, and meaningful oversight poses a serious risk to individual rights. The continued reliance on opaque AI systems in housing and welfare triage without clear legal safeguards undermines both public trust and the legitimacy of council decision-making.

3.6. Gaps in Regulation

3.6.1. Current guidance and its limitations

At present, there is no dedicated legal framework governing the use of artificial intelligence (AI) by councils in England. Councils are expected to comply with a patchwork of existing legal duties drawn from data protection, equality, and public

²⁷ UK GDPR, arts 22(1)–(3); see also European Data Protection Board, *Guidelines 05/2021 on the Interplay between the Application of Article 3 and the Provisions on International Transfers as per Chapter V of the GDPR* (2021) 9. https://edpb.europa.eu/our-work-tools/our-documents/guidelines/guidelines-052021-interplay-between-application-article-3_en accessed 20 June 2025

²⁸ House of Lords, *Technology Rules? The Advent of New Technologies in the Justice System* (HL 179, 30 March 2022) paras 46,49

law. These frameworks were not designed with AI in mind, making regulatory compliance both fragmented and unclear.

Under the UK GDPR and the Data Protection Act 2018, AI systems that process personal data must be transparent, fair, and accountable. This is especially important for fully automated decisions with significant effects. Article 22 gives individuals the right to know how decisions are made, to seek human involvement, and to challenge outcomes. But the law does not define what counts as meaningful human oversight. As a result, councils may technically comply while offering only nominal review, undermining accountability in practice.

Councils must comply with the Equality Act 2010 and the Human Rights Act 1998. They are legally required to avoid discrimination, both direct and indirect. In practice, under the Public Sector Equality Duty, councils must assess how AI-driven decisions affect different groups and take steps to mitigate any disproportionate impacts. The Centre for Data Ethics and Innovation has stressed that public bodies should be actively monitoring algorithmic bias and justifying how their systems are designed and tested.

In terms of transparency, the 'Algorithmic Transparency Recording Standard' encourages councils to disclose what AI tools they use, what decisions they affect, and how risks are managed. However, this is only mandatory for the government. While councils are encouraged to adopt it, the CDEI has called for mandatory transparency requirements across the public sector.

Although there is a range of governmental resources, such as the AI Playbook, there is a lack of standardised or reliable evaluative criteria for measuring whether AI actually improves the quality and effectiveness of public services. There is also no clear guidance on where the threshold lies between efficiency and harm, for example, the point at which AI replacement no longer offers service improvement but instead increases the risk of discrimination, sustainability concerns, or privacy violations.

3.6.2. Emerging guidance

The Information Commissioner’s Office is currently developing a statutory AI Code of Practice, due to be published in 2025. This will apply to both public and private organisations and should offer clearer, legally enforceable standards for AI design and deployment. The ICO, alongside The Alan Turing Institute, has stated that “explaining decisions made with AI is not optional. It is required to meet legal duties.”

There are also legislative developments underway. The Artificial Intelligence (Regulation) Bill proposes an independent AI Authority. The Data (Use and Access) Act 2025 governs how training data can be shared. The AI Safety Bill, expected in 2026, will further define obligations for public sector AI use.

The EHRC has made clear that the Public Sector Equality Duty applies to AI systems in the same way it applies to other decision-making processes. It has issued guidance advising public authorities to assess the discriminatory impact of automated systems and to take steps to mitigate these risks. However, this guidance is not enforceable and sits alongside, rather than within, the emerging legislative framework.

Thus, while councils are subject to existing duties, the lack of a clear, unified legal framework leaves them navigating complex, overlapping obligations with limited regulatory certainty. Stronger national regulation is expected, but for now, local authorities are largely left to interpret their responsibilities within a shifting and incomplete legal landscape.

4. Conclusions/Recommendations

AI triaging poses significant risks of discrimination, digital exclusion, and a lack of human fallback for minority and disabled groups. While evidence of direct discrimination is limited, FOIA request findings²⁹ show triaging by AI, posing a risk of indirect discrimination, which exacerbates existing inequalities.

Based on our research, we recommend 5 key areas which can be targeted to eliminate the risk of AI discrimination in front-door services in public sector services:

1. Advocate for Coherent and Accountable AI Regulation

General Recommendation:

AI technologies in public services are currently governed by fragmented legal frameworks, with significant variation in oversight and implementation. While the UK government's proposed regulatory frameworks - based on five guiding principles (safety, transparency, fairness, accountability, and contestability) - lacks enforceable duties, it provides a foundation for ethical AI use.

The Law Centre could:

Engage with local regulators and authorities to advocate for AI implementation that prioritises legal compliance, fairness, and rights protection.

Monitor the development of national policy and push for stronger legal obligations and enforcement mechanisms within AI governance.

²⁹ See the table in section 2B

2. Promote Ethical Oversight for Public Sector AI Systems

General Recommendation:

High-risk AI systems in public services should be subject to ethical review and ongoing scrutiny. While the Law Centre may not have the resources to lead oversight efforts directly, it can play an influential role by promoting better governance practices.

The Law Centre could:

Encourage councils to establish independent ethics panels or review boards for AI deployment and suggest that civil society or academic experts be included.

Recommend the use of sunset clauses by councils in procurement contracts—requiring AI systems to be reviewed periodically (e.g., every 3 years) with the potential for discontinuation if risks outweigh benefits.

Offer legal insight or guidance where fundamental rights are engaged, particularly in the early stages of panel formation or policy drafting.

3. Support Council Capacity for In-house AI Tools

General Recommendation:

Heavy reliance on third-party AI vendors limits transparency and accountability. Councils need the skills and infrastructure to scrutinise AI tools and manage their own data effectively.

The Law Centre could:

Encourage councils to invest in in-house data expertise and governance capacity.

Facilitate partnerships or co-host learning workshops with academic institutions or data ethics organisations to share best practices and promote responsible AI development.

4. Embed Ethics into Education and Training

General Recommendation:

Work with councils, universities, and training providers to co-produce ethics training modules that include rights-based content and practical case studies. Emphasise context-specific risks (e.g., around discrimination or due process) to help front-line staff recognise when Human Rights are engaged.

The Law Centre could:

Encourage councils to invest in in-house data expertise and governance capacity.

Facilitate partnerships or co-host learning workshops with academic institutions or data ethics organisations to share best practices and promote responsible AI development.

5. Support Clear Routes for Challenge

General Recommendation:

People affected by harmful or discriminatory AI decisions often face unclear or inaccessible complaint routes.

The Law Centre could:

Advocate for a guaranteed right to human review of automated decisions in all council services.

Where clients raise concerns about automated decision-making, practitioners should request and review council policies on AI use, ensuring transparency and legal compliance.

Map and publicise available redress mechanisms for key local AI systems, helping clients understand how to challenge decisions and assert their rights.