Should AI stay or should AI go?

David Lorimer

I'm David Lorimer, a partner at Lewis Silkin, and thanks for tuning in to our Should AI Stay or Should AI Go session, recorded live at our 2026 Managing and International Workforce Conference. In this session, David Regan, Jo de Fonseka from our very own Privacy team, Sam Howarth from Slalom and Marco Sideri from Toffoletto in Italy dug into the legal and practical challenges of AI in the workplace. Covering the full employment lifecycle from AI and recruitment and performance management to data monitoring and termination, they discuss the evolving regulatory landscape across the EU, the UK and the US, including the new Italian AI Act. If you're grappling with how to deploy AI responsibly, this one's for you.

David Regan

As you'll see, we have channelled our inner Mick Jones, and that is a reference for those of you who are 70s punk fans, and called it Shall AI stay or shall AI go? I think there is only one answer to that question, given everything you see in the news, because I don't think AI is going anywhere. I'm David Regan. I'm a partner in the team here at Lewis Silkin.

We have a fantastic panel today. I'm really pleased to be joined by Sam Howarth from Slalom. Sam is the director of Modern Workforce and has held roles at Slalom, Capgemini, and Barclays, working on various HR and organizational transformation elements. We've got Marco Sideri joining us as well from Toffoletto, the Ius Laboris partner firm in Italy. Marco will be covering the new Italian AI Act and various other elements from the EU as well. And last but not least, reminding us that this is not just about efficiencies, but there's quite a lot of important things like personal data involved in this, and keeping us on the straight and narrow, we've got Jo de Fonseka from our Privacy team.

So hopefully, you will know an awful lot of what we're talking about today, but hopefully you'll learn a little bit as well. So we've tried to distil this really large topic into four key areas for today. The first one is looking at starting employment, and when you might use AI there. Then what we've called management processes, basically the different use cases of AI during the employment lifecycle. A little bit on data monitoring and usage of data during employment, and then on termination. We will then do a little bit of future gazing and look at what's next.

So, Sam, I wonder if we could start with you. Could you spare a few minutes just talking to us about what you and your team are seeing in terms of how businesses are using AI?

Sam Howarth

Sure yeah, so we've worked with over 700 organisations globally on their HR transformation and talent strategy programs, and probably many more than that outside of HR. And I would say that in the last two to three years, pretty much every piece of work we've done has been related to AI in one way or another. And so, across our client base as a whole, I would say that we are seeing AI in every aspect of the employee lifecycle now. Talent acquisition and recruiting is where many organisations started. There are tools being used to optimize job ads, to screen CVs, or to schedule interviews, and in some cases also support the assessment process. It's also being used in onboarding. We're actually about to start designing and building an onboarding agent for a pharmaceutical client right now, so that's quite a popular use case. And HR agents are starting to be used more in HR service delivery more generally, particularly in tier zero, tier one service requests, processing and resolving queries. When we

look through to manage and develop, AI is being used to summarize performance feedback, to recommend development goals, to personalize learning experiences. Some clients are using sentiment analysis as well, so pulling in data sets from multiple sources to look at things like attrition risk or burnout risk in teams and across organisations and functions.

Also, workforce planning and talent management is an area that's really seeing a big impact from AI, and AI is actually enabling organisations to take a more skills-based approach to workforce planning, so being able to map skills to opportunities, better enabling organisations to re-skill and redeploy instead of defaulting to redundancy. AI itself and technological change is actually driving the need to make that shift.

And let's not forget as well that employees are using AI day to day in their jobs. So, whether that's a simple copilot or actually working alongside agents now that are doing parts of their job. And HR has been very much involved in monitoring that, upskilling workforces, and defining the policies around usage.

We're seeing a lot of positive impact in terms of efficiency gains in the areas that I previously outlined. But what I will say is that clients with the most impact and return on investment are the ones that are starting with the process and completely redesigning it rather than the ones who are introducing AI on top of an existing process. And that's because AI is not simply another technology tool, it's an opportunity to fundamentally redesign how work gets done.

And in fact, we'd advocate not just for starting with the process, but for starting with the human experience. So what is it that your organization needs and wants to be human by choice? And then designing the process and AI around that. And that is how to maximize benefit from our perspective.

And I suppose if we come then to transition and exit, whilst I'm not seeing tools used directly, I think what is becoming more apparent is the decisions made in regard to exit. It's entirely possible that those decisions are being made based on data that has been generated by AI of some kind at earlier stages of the employee lifecycle.

David Regan

Thank you. And I think that probably chimes with a lot of what everyone's hearing here.

There's a lot of information there. A lot of that's going to involve personal data. What should everyone be thinking about?

Joanna de Fonseka

Yeah, thanks, David and thank you, Sam. So building on what we've just heard about how organisations are deploying AI in the workplace, I just want to spend a moment framing the regulatory landscape for everyone, because it's moving quickly is the first thing that I'll say. But the picture also looks quite different depending on which part of the world you're operating in.

So, starting with the EU, we have the EU AI Act, which I'm sure many of you are very well aware of. It's currently being brought into force using a phased approach. It classifies AI systems in the employment context and recruitment context as generally being high risk, which means there are significant compliance obligations attached to those sorts of use cases. The act also has extraterritorial reach, and it covers AI that's placed on the market or put into service in the EU or affects those located in the EU. So if you're a UK headquartered business but you've got EU based employees, then you do still

need to be alive to it. And the penalties for non-compliance are significant, so up to 7% of global turnover or 35 million euros, whichever is greater. Having said that, the political reality and a bit of a backlash following delays to anticipated EU guidelines on certain aspects of the AI Act has caught up somewhat. So the EU Digital Omnibus, which is a package of proposals aimed at simplifying the EU digital rulebook and which reached political agreement earlier this year, defers many of the high-risk compliance obligations from this August until the 2nd of December 2027, and in some cases even August 2028, depending on the type of high risk system. So that does buy organisations a bit more time to comply. But importantly, it doesn't buy you permission to ignore the framework entirely. And it definitely shouldn't be read as a prelude to deregulation in the EU. You do still need to think about governance for AI in the employment and recruitment context now.

And importantly, the core architecture of the AI Act and the obligations that apply to high-risk systems fundamentally do not change as a result of the AI Digital Omnibus. So that's the EU position.

And then from a UK perspective, for the time being, the UK has taken a deliberately lighter touch approach. So we don't currently have an AI specific law in the UK and instead, the government is relying on existing regulators to apply current law to AI. But that doesn't mean that we should see the UK as a free for all. The ICO, the data protection regulator here, remains very interested in how AI is used in employment decisions. Most recently, they published draft guidance on automated decision making and profiling back in March, which will be very relevant to the employment context and we're expecting the final version of that later this year. And as we'll come onto later in the session, the Data Use and Access Act 2025, which brought in various reforms to UK data protection law, has introduced a new regime around automated decision making, which is slightly more permissive than the previous approach under Article 22 of the GDPR, but still comes with meaningful safeguards.

And then finally, across the pond in the US, while a number of states, such as Colorado, California, and New York, do now have AI-specific laws, there's been a significant shift in approach under the current administration with a very strong emphasis on deregulation and promoting innovation at the federal level, so the current government has passed a number of executive orders focused on removing barriers to American leadership in AI, their words, promoting AI literacy and emphasizing the need for a unified federal approach to AI governance, as well as announcing an AI action plan and various other initiatives to enhance US AI capabilities. So, I think it's fair to say the current US approach stands in quite stark contrast to the EU position and means that responsibility for AI governance is likely to fall back on US states in the absence of comprehensive federal regulation.

So I think the overarching message is that we do have quite a fragmented regulatory backdrop here and so the things we need to think about in different jurisdictions are potentially going to be different. The commercial reality, as we've already heard from Sam, is organisations are going to have to deploy AI in the workplace. And the regulation that we do have doesn't prevent you from doing that. But it's imperative that we think about how to do it responsibly, with proper governance structures in place, and an understanding of where the legal risks sit and we'll get into more of those over the course of the session.

David Regan

Thanks, Jo. We do a Future of Work report every year, which I'm sure most of you will have received and there are some very interesting stats which have come out of that in terms not so much of how much it's being used, but how prepared employers are and whether they feel that even if it is being used, they're across it. There are some really big capability gaps that employers are worried about there.

And that's not only a business issue, but that is also a legal issue, potentially, talking about some of the elements that Jo's talked about. And there's also a lot of businesses who are looking to invest in how they develop the workforce. And that's why Sam and her team are so busy at the moment. So Sam, with that in mind, could you tell us about the approaches or frameworks you're using and how you and the team identify where AI adds the most value. Also how you model the different scenarios for how roles might evolve or emerge, and ultimately how that feeds into a practical workforce blueprint that leaders can actually plan around?

Sam Howarth

This is becoming such a priority that we've built a proprietary tool for this, which we're using with our clients, which rapidly identifies where and how AI can enhance work. It's called Enhance IQ, and how it works is you have the ability to upload role profiles or process documentation or use off-the-shelf role profiles, and it breaks down each task and assesses it against multiple dimensions, such as the nature of the task. So is it an analytical task, is it a regulated task? Does it relate to a policy? Does it require collaboration with others, etc.? It then identifies where AI could be used and what type of AI. So whether it's an assist, augment, or fully agentised. The value in this is the ability to do this at scale across a whole department or organization and then roll it up and model various scenarios that explore how roles could evolve, merge, fall away, and where new roles, whether human or agent, could emerge.

And this is allowing our clients then to develop a future workforce blueprint to input into strategic workforce planning and begin to get clear on what their future organization looks like with AI in the mix.

David Regan

Now Marco, coming to you, we've heard a little bit about the EU AI Act from Jo. Italy is a bit ahead of the curve of everybody else. You've got your own AI Act, haven't you?

Marco Sideri

We have, and I am very surprised we have, because we've never cared about deadlines for implementing regulation. Now there's something very difficult, AI, no one knows what it is, and we run and we say we're first, and we've done that a lot of times. Italy has shown a distinctively middle-aged stake on technologies. When ChatGPT was first released, we banned it for 15 days. It was not baseless from a legal point of view, but just to show you that governments, and in general the EU has been an example, are legislating after the fact. And that's what Italy has been doing, which is not always the case. Usually, governments know what's going on and then legislate upon it. You put a limit to it, you put a sanction to it. With AI, we are all legislating and we're all using after the fact because it's a market first product.

Every day we open the paper and we have a different development, a different release, a different possibility. So, what happened, and what happened in Italy legally, I'll get to that in a sec, but what happened in general is we've now split AI in two. We have the general AI, the big principle, which are the ones we read about in the paper, the ones we discuss at the bar, and they're good, and we could discuss them all day and all night. We'll have a glass of wine later, we'll discuss them, and it's really interesting. But it's big principle. And then we have every day AI, which is there too, and it's in our phones, and it's in every workplace that is acting remote, not remote, in office. It's in my phone. I never asked for it. WhatsApp is sending me a message saying, here's your AI function, use it. What's AI? It's automated decision making. And what's agentic AI? That's the second and last technical concept I'll use this afternoon. It's a process that is regulated by AI. So not just one single move, but more moves.

And what's the Italian government doing? Back to David's point, they're saying label it. So let us know when it is AI assisted. Which is an approach, it's like when you tell your kids, don't break anything. You can have the party, you can have everything you want, but don't break anything, don't cry. And then you're back on Netflix. It doesn't work like that. So, it's a very high-level approach that shifts the obligation from the regulator to the companies, which is the point for HR people. So, governments by and large are saying, we know you have AI tools, there are some limits, facial recognition, sentiment reading, and so on. But in general, you need to be reporting what you're using, you need to be conscious of what you're using, and you need to communicate it to employees, clients, and third parties, which in principle is very fair. You have a tool, you're using it under your own responsibility. You need to be transparent about it. Transparency is another word we used for glass and now we use for legal concepts all the time, since a couple of years. Right? Transparent. Is it transparent? Yes, it is.

But it's very difficult to describe an AI system but it's an obligation. And that's what regulators are asking of companies. So the first thing that we're seeing on an HR person's table is, but really, where is AI in my operations? Where is AI in my system? Sam is probably the best person to answer that question. I'm the worst, so I'll shut myself up in a sec. But from a legal point of view, all these policy requirements that are imposed by the GDPR, that are imposed by the AI Act, that are imposed by local laws (in Italy we have a transparency law which is called transparency law, and we have other laws on monitoring which impose consultation and which impose policies). So, this is the first step, and it's a step that goes, in the end, with using the tools. It doesn't come after the fact, it comes from the very beginning, because the only question that regulators and claimants will get to in litigation in the end are not going to take is, I didn't do anything because I didn't know. Because it's your organization and you're going to be called to the test for it, and you have to be able to explain how you did it. As for the title legislation, one more word, yesterday the government approved two decrees that will be the implementation of the very general law that was passed in 2025. So far, I'm just basing myself on a press conference because, the text, I have a draft, but I don't even know if it's the right one. As far as employment, employment is very much at the centre of it. What we know is that dismissals which are solely based on AI decision making will be null and void by rule of law. So that's in line with being transparent with the use.

And apparently, the Italian legislation at least will always ask for human oversight on final decision making. It is way more complicated than it looks because saying human oversight, again, very easy principle, very straightforward, very, very difficult. What does it mean? It means that someone gets the printout from the AI system and says, fine, it's Marco, and then dismisses me. Or it means that a human is going to be responsible step by step for the outcome of the AI reasoning, which is impossible because it's a black box system. Input, something happens, output. So, we'll have to see the test with the courts, we'll have to see the test with the regulators, but everyday AI is what we must be preoccupied with, so less philosophy and more looking at what happens in the workplace.

David Regan

Thank you. I will very briefly touch on the UK employment law situation. You will mostly all know it, I expect. But as Jo said, we have taken a very, very light touch to AI regulation. D-Masters, Casey, and Robin Allen, Casey, from Cloisters were asked by the TUC to draft an AI bill, which was produced in April 2024. It went out into the wild, and it has sat there. And the government has not taken that forward. I fear they have a few other things on the employment landscape to deal with at the moment, so that will stay where it is. But what that does mean is that the existing common law, the Employment Rights Act, the Equality Act, everything that we deal with on a day-to-day basis still applies.

So, if you use an AI tool in recruitment, for example, so from the very start of the employment process, the Equality Act applies. And if you use an AI tool which perpetuates or amplifies any kind of bias, you as the employer are potentially liable for that. Similarly, in an employment rights act situation, if you cannot explain the decisions that you have taken, if you cannot prove they are fair, you've still got these normal five fair reasons for dismissal, but you cannot put the AI on the stand and explain its own decision. So, you just need to bear all of these things in mind, and we'll talk about that in a little bit more as we go through this. But the short answer is the absence of an AI law does not mean there is no law.

Sam, could you walk us through how you're seeing AI reshape the recruitment process in practice — in particular the types of tools gaining traction, how they're changing the way organisations identify and engage talent, and where you think the most significant opportunities and risks lie for employers adopting them?

Sam Howarth

This is an area where many of the first AI tools came out, and there's definitely growth here with a lot of new providers coming to the market and some providers joining forces to better compete. So, for example, Harver have acquired PyMetrics, which are both assessment platforms. So our existing ATS and sourcing platforms are embedding LLM-based assistance, and bigger HRIS platforms are also building AI capability because they're looking to bring integrated insight and strategic talent planning to processes.

And in terms of how these tools are being used, intelligent sourcing tools for ad placement and targeting, tools such as LinkedIn Recruiter or Higher EZ, are auto-expanding searches and using AI to suggest lookalike candidates. So the tools are moving away from pure keyword or CV matching to skills graphs. So the ability to infer skills from roles, projects, learnings, and experiences. So thereby accessing a broader talent pool.

HireVue and PyMetrics are examples of tools that are being used for CV screening and candidate interviewing. Although there have been challenges here, which Jo can perhaps touch on later. And Workato is an example of a tool that's being used for admin and candidate engagement in the form of a chatbot.

So all of these tools are giving recruiters superhuman reach and taking a lot of the admin out of hiring. But there is more automated parsing and scoring, so there should be a focus on auditability to reduce risk. For example, it's possible to screen out good candidates without early human judgment. There's also a risk of inbuilt bias in how the AI is trained, a lack of explainability and transparency, and data privacy concerns. So, for example, if candidate data is being stored or used to train internal AI models.

David Regan

So that segways us into starting employment. Marco, I'm going to come back to you. Sam's talked about a lot of employers using AI, particularly in the recruitment process. And hey, the number of people out of work at the moment, the number of CVs everyone gets, that has to be a really good use case for it. But Marco, what are you seeing in Italy to do with this?

Marco Sideri

Well. Selection is one of the, is the place where AI and power tools have been most common from the starting line, for two reasons. One, it is something that happens at the door of employment. So also, from a legal perspective and the regulatory perspective, it's arguable if employment protection

applies. I won't get into Italian details because I don't think the room is interested. But that's something that happens in all jurisdictions. So, there are some protections that apply to employment and other general civil law protections that apply anyway. So selection sits outside this. AI sorts CVs.

So is sorting CVs a decision? That's the first legal question we need to answer. We know that one of the only or most famous cases on AI in employment is the Workday case, and that is a case on discrimination in employment, because AI can discriminate. But just by using the word discrimination, we miss the point, because AI cannot discriminate, like my car cannot discriminate. It's impossible. It can run someone over. That's a big problem, but it can't discriminate. Right? So, and we like the idea, because we do, of AI being sentient. Because that's the whole point. You know, it gets it wrong, it's a hallucination, because we know, hallucination, brain, okay? All the language that we use for AI, and discrimination included, is human, because that's the whole game. But AI is not human. Period.

Even if some, it might conquer us, and I might welcome my new overlords if the time comes, but it's not human. It's gonna be something else. Okay, so also discrimination, it has to do with the data set, and it has to do with how the tool is prepared and how the tool is trained.

I was at one of the countless AI panels, and that's bad to say, still, it's countless AI panels around the world. I was at that panel and there was a guy simply talking about automated driving and he says, you know, everyone has seen the example of the road accident with the car that drove itself and that's terrible. But how many people die on the road every year? A lot. They're just not comparable because we do not have the numbers of automated cars to compare with human driven cars. That's just a suggestion. And that's the same with discrimination claims. They can happen, they can happen, and an AI system can be inherently biased. And a human can be even more inherently biased. All of you will have made interviews for job applicants. Maybe there is something you didn't like about someone. Is that discrimination? I don't know. I have no idea. And maybe that's exactly what drove your decision. What we are looking at here, and we'll never recognize it, is something we cannot touch. It's our internal black box.

So what we're saying is, can a sorting system discriminate? Yes, it can, if it's engineered in a way that is faulty. We've touched upon the Amazon, we can say that because it's in the papers, example, and you'll see that it can discriminate even with the best intention. The main thing is be accountable, regulated. We were hearing this morning at the opening session that, pardon, I don't remember which American state banned the postal code in application and format documents. Why? Because the postal code is the single piece of information that tells us more about ourselves than anything we can put on a CV. Because where we live, with big match, with big data and AI, tells the system and therefore the company that is looking at our application what we like to eat, what we like to drink, how many times we go out to dinner, how many kids do we have, if any, in the big numbers. And that is why they've singled it out as the most relevant data on a CV. I'd never have guessed it before they told me. I'd guess that when we write personal stuff like, I love horse riding in summer, that's what defines me. Not in a million years, it's my postal code.

So, is AI in selection an ally or an enemy? It really depends on how the system is built and it really depends on how the information is put in the system and on how the system is trained. What we know is, either way, we're gonna face claims, and that's more for lawyers, but also for HR people. The fact that AI is inherently mysterious makes for a possible challenge to any outcome from a discrimination viewpoint.

David Regan

No, thank you, Marco.

Sam, before we move on I'd just like to ask if there is anything you'd like to add around what Marco mentioned, particularly about how you might go about finding out where AI is in your operations or systems.

Sam Howarth

Well, we could ask AI to tell us, but seriously, there are process mining tools which scan data to identify AI opportunities. So these kinds of tools could potentially be used to identify where the AI is currently being used as well. Tools such as Solonis could help here. But ultimately, when you're implementing these tools, you need to be planning up front how you will answer these questions and keeping a record. In simple terms, this is an old school process map, but you need to be keeping a record of design documentation and decision making around where you're implementing AI.

David Regan

And Joanna, obviously we implemented the GDPR here in 2018, and that had some quite strong protections around the automated data processing. Marco's talked about the new Italian AI Act and the need to have a human in the loop there. We've had the Data Use and Accessibility Act, and I keep having to remember the full name of it. But how has that impacted these types of processes moving forward?

Joanna de Fonseka

Thanks, David. Yeah, so as I touched on earlier, the Data Use and Access Act, which was brought in last year, makes various changes to UK data protection law, which is still based on the GDPR post-Brexit, but there are now various changes following that new piece of legislation. The most relevant change that we're concerned with when we're thinking about AI is there have been some changes to the rules around automated decision making.

So originally in the UK GDPR we had Article 22, based on the EU version from the original GDPR, which essentially required either explicit consent or contractual necessity before you could subject someone to a solely automated decision with legal or a similarly significant effect, which is going to be very relevant where you're using AI to make things like recruitment decisions.

That's now being replaced by a new framework under new Articles 22A to 22D, as they now are in the UK GDPR. And that new model is best described as, instead of the prohibition with exceptions which we had previously, we've now moved to a new regime which is essentially permission with safeguards. So that basically means that unless you're processing special category data like health data, from a UK perspective, you can now make automated decisions in a wider range of circumstances and relying on a wider range of lawful bases than was previously the case, provided that you put appropriate safeguards in place. So you do still have to inform the individuals, so transparency is still going to be key. You need to give them the right to obtain human intervention and allow them to contest the decision.

So in practical terms, if you're using an AI tool for CV sifting or initial screening, the data protection hurdle in the UK is now a little bit lower than it used to be. But and this is the critical but, that doesn't remove the discrimination risk. As David's already said, we do still have plenty of law in the UK around this. And one thing that we do very much still need to think about from a UK perspective is, if your AI recruitment tool has been trained on historical data that reflects, for example, existing patterns of underrepresentation, then there is still a risk that it will learn to replicate and possibly amplify those patterns. And just to highlight a couple of examples of that, many of you may already have heard of the example of an Amazon CV-sifting tool that was developed a number of years ago. This is really the

classic illustration of what can go wrong. So that was an internal CV-screening tool trained on about 10 years of historical hiring data during a period when successful candidates in the tech industry were overwhelmingly male, and therefore learned to penalize indicators associated with female applicants. So very obvious what the issues are there. And in the end, that tool had to be scrapped because it couldn't be made reliably gender neutral. There's other examples. In the US a few years ago, there was a lawsuit against ITUTA Group involving recruitment software that was programmed to automatically reject female applicants over 55 and male applicants over 60. That resulted in a settlement back in 2023 for $365,000. And the hiring platform, HireVue, attracted such criticism over facial analysis and video interviews that they had to discontinue it in 2021 after a complaint to the FTC. So that discrimination risk is still very much present when we're thinking about automated decision making.

And in addition to that, and this is a really important point as well, even with that slight relaxation of the ADM rules in the UK, data protection law more broadly does still apply, and the ICO remains very interested in this space. So you do still need, for example, to carry out a data protection impact assessment, or DPIA, before you deploy AI recruitment tools. You still need to make sure you're transparent by ensuring that your use of AI in recruitment is disclosed in your candidate-facing privacy notices.

And in addition, it's important to highlight that that new relaxation of the rules doesn't apply where special category data is involved. So if your tool is processing information relating to race, ethnicity, disability, health, or other special categories, the stricter regime still applies. So the overall message for recruitment, I would say, is that the framework around automated decision making in the UK has become somewhat more accommodating, but the discrimination framework hasn't changed, the data protection framework is still largely aligned with the EU GDPR, and the ICO is also watching closely. And then just a final point to note for those of you who may have businesses operating in both the UK and the EU: from an EU perspective, the original stricter version of Article 22 is still very much in place. So it may be that if you're looking to take a pan-European approach, you might just continue to follow the EU GDPR anyway.

David Regan

Thank you. So I think to bring that all together, Marco talked about the black box. And I think that is the challenge with AI, is to a certain extent it is a black box. And as we talked about at the beginning, you can't put it on the stand. So the important thing is, can you defend or can you explain the decisions that have been taken? Now, the first question is, and really this is the thing that, if you're going to look at that explainability answer, you need to be asking, or your HR teams need to be asking, what is the data that the tool is being trained on?

How do you know that any risk of historical bias is being ironed out as much as possible? We've heard the Amazon example; from memory, they tried to tweak that sort of seven, eight, nine, ten or more times and it just kept on producing biased answers and they couldn't work out why. How is the tool then applying those criteria to decide which individuals meet your needs and who you should be hiring? And again, quite hard to ask the AI that, and obviously hard to ask the AI company that because, well, that is their IP as well. So some very difficult conversations potentially there. The other piece is, is anyone actually spot checking all of this? So if you have 3,000 applicants, you're getting 50 CVs on your desk. Is anyone looking at the 2,950 that have been automatically rejected?

Is anyone even just doing a quick bit of analysis and saying, well, hey, what proportion of male versus female candidates do we have in the final pool versus the rejected pool? Is there anything that jumps out there that makes us think we need to take a closer look? And do you feel confident that you could

defend a discrimination claim if you don't know the answer to those questions? And if the answer is no, then it doesn't mean don't use the tool.

At the end of the day, the tools are going to make things more efficient. They need to be used. But let's just think about how they're being used and what questions are being asked. And one of the things that Marco touched on that I find really interesting is, depending what type of AI tool it is and how it works, you don't actually know how it is reaching the decision that it's reached. And Marco talked about postcode and the fact that postcodes are excluded. But there was a really quite famous case where someone was training a neural network to identify a husky versus a wolf. And some of you may have heard this already. And it was really, really good at identifying wolves. Except there were some glaringly obvious errors where it misidentified what was quite clearly a wolf, a more wolfy wolf than you've ever seen before, and calling it a husky. And they couldn't work out why. And eventually when they dug into the reasoning that the model was doing, they realized it wasn't looking for wolves at all. And it wasn't looking for huskies. It was looking for snow.

So that's why you need to understand what is happening and what the tool is doing. We did mention the Workday case. That is the most significant live case that is out there. Now, that is a US class action that's ongoing. We don't know where it's going to go. But what that is alleging is that the AI hiring tools discriminate on the grounds of race, age, and disability, and is testing whether an AI vendor can be an agent of the employer. We all know what the US class action process can be like and the amount of money that people put into those things. So I suspect that will run and run. But we also know from things like the equal pay claims and the Volkswagen claims that we have a burgeoning class action system coming here in the UK as well. So expect all of the usual suspects, and I won't name names, to be looking at that case with interest and seeing where that goes and how they can test that in the UK.

We're going to move on now to management process. And I suspect for a lot of you, this is where you are seeing a lot of the use of AI by employees and also potentially by your HR teams in response to employees. And before I ask Sam to talk about that in a bit more detail, I read a newsletter from the FT yesterday talking about AI and AI content. And it came up with a delightful new phrase, which, if you'll pardon it, is called bot-shitting. So not bullshitting, but bot-shitting, for just the sheer incredibly overconfident crap that comes out of AI and the confidence it then gives employees when they are pushing back on management processes. So, Sam, let's talk about managing employees and what you're seeing, and if there's anything that you're seeing that makes you as nervous as it makes the rest of us.

Sam Howarth

Yeah so I think that the agentic HR service model is probably where we're seeing the most traction right now, and there's quite a lot of big investment in this as well from the big players like Workday and their acquisition of Sana, but also ServiceNow have acquired Moveworks, and we're actually seeing new providers as well who are traditional employee service platforms kind of start to move into this space, with the likes of Salesforce Agentforce for HR and AWS and Zendesk. So it's definitely a lot happening here, and I think that's symptomatic of the fact that a lot of organisations are going to be looking to introduce this HR service model. And what does that mean? I think a lot of companies are starting with chatbots. And it's quite a basic example to try and improve employee experience. But that's really just the start. An agentic service model means multiple agents always on, orchestrating work across systems, across processes.

The vision is that those agents will be able to resolve routine queries and maybe even slightly more complex queries, and then free up the HR humans for more strategic work, which is very exciting and

offers a lot of benefit in terms of efficiency and better experience. But there's obviously a lot of watch outs and risks that we've already heard that go alongside that.

David Regan

Yeah, thank you. And we'd just be really interested, whilst we're continuing to talk about this subject, to know how positive you found the impact of AI on your people processes, and particularly thinking about, as Sam was saying, the agentic AI that's coming into that people service element. Jo, we've talked about the black box nature of the tools that are used, and agentic feels like something else that's quite black box as well. Perhaps you can talk about that a little bit more. Do you think we'll see an expansion of HR using AI, or do you think the EU AI Act might have a bit of a chilling effect on all of that?

Joanna de Fonseka

Thanks, David. I think that's a really good question and a really interesting question. I mean, certainly there is quite a bit to think about from an EU AI Act perspective. So, when we are thinking about ongoing workforce management, as Sam's touched on, we're seeing AI being used for things like identifying skills gaps, matching internal candidates to roles in succession planning. And from a data protection perspective, inherently those tools are going to be processing often large volumes of employee personal data, and often at scale, and potentially making inferences about things like capability, potential and suitability. So, from a data protection perspective, lots of things to think about there. We need to identify a lawful basis to process that personal data. Again, do a good robust DPIA, and really important as well to be transparent with employees about how those systems are being used.

Then from an EU AI perspective, again, HR-related AI systems being used for ongoing workforce management are again likely to be considered high risk, especially where they relate to things like promotion, task allocation, or performance monitoring, or indeed anything that affects the terms of the employment relationship. And on that point, the EU Commission has recently published some draft guidelines on high-risk AI systems with some quite helpful examples around when HR AI systems are or aren't likely to be considered high risk, although in the majority of cases they will be. And where they are considered high risk, that will bring more obligations around risk management, data governance, transparency, again, human oversight, and record keeping.

One governance challenge that I just want to highlight here is the distinction between being a deployer or a provider under the AI Act. That's an important distinction because it determines what your specific compliance obligations will be. Now most organisations using AI in the workplace will be deployers, meaning you're just a user of the system and you're deploying an AI tool that's been developed by a third-party vendor in most scenarios. Deployers do still have meaningful obligations, including once again, transparency, human oversight, monitoring requirements, and you'll notice quite a few of those overlap with what you already have to do from a GDPR perspective, which is quite helpful. But conversely, if you're a provider, so if you are involved in developing, training, or placing an AI system on the market, which is interpreted quite broadly, that brings a significantly heavier compliance burden with many additional obligations, a lot of which are focused around product safety. So doing things like conducting conformity assessments and maintaining detailed technical documentation in relation to the use of the tool. And the practical point there is that companies do need to be careful about that distinction, because if you're doing any development work on an AI tool, so if you're doing things like fine-tuning models, building bespoke tools, or training systems on your own data, that could tip you

over the line into being a provider, with the substantially increased compliance burden that comes with that.

As I said earlier, many of the obligations for high-risk systems have been pushed back to December 2027, August 2028 under the AI Digital Omnibus, but they haven't gone away. And so that compliance burden is still absolutely something that you should be considering now and using the additional time to prepare.

There's also an important threshold question, I think, which is that not every automated tool you might use is necessarily an AI system for the purposes of the AI Act. Under Article 3.1, an AI system is defined as a machine-based system designed to operate with varying levels of autonomy that may exhibit adaptiveness after deployment and that infers from the input it receives how to generate output. So the key elements there are autonomy, adaptiveness, and the capability to infer. And that means that a purely rules-based system involving simpler automation that applies deterministic pre-programmed logic and doesn't learn, adapt, or infer potentially wouldn't satisfy that definition.

A useful practical point to think about is, before you get into the weeds of mapping against high risk obligations, it's worth asking, does this tool actually meet that test under Article 3.1? And then just the final point to note is, don't forget about the AI literacy obligation under the AI Act. So this is a requirement under Article 4. It requires both providers and employers to take measures to ensure a sufficient level of AI literacy among their staff. That's critical from a legal risk management perspective.

But it's also imperative from a commercial perspective when it comes to having an AI enabled workforce that knows how to maximize the opportunities that AI presents as well. And I'll just say on that note, Lewis Silkin have actually recently developed a new AI literacy e-learning course specifically designed to help our clients comply with that particular obligation.

But just to come back to the original question, do I think regulation will have a chilling effect? My view is that, despite everything I've just said and the fact that there's lots of things to think about there, it should not and it need not. The regulatory landscape is complex. It does differ between the UK and the EU.

But it is navigable. And particularly if you're a deployer, I would expect you can leverage off a lot of your existing GDPR compliance to prepare for the EU AI Act obligations. And so once again, the message is that the commercial reality is you are going to have to deploy AI in some shape or form. And you can. We just need to think about how we can do that responsibly.

David Regan

No, thank you, Jo. So very, very mixed views of how AI is impacting the HR processes, which I feel might bring us back to the bot-shitting. And to the next couple of things that we're going to talk about, where, from talking to quite a few of you today, it's what we're seeing, it's what you're seeing. It's the use of AI in disciplinaries and grievances and just the sheer nonsense and time and challenge that we all have to deal with that. Now, I could bore you rigid and I'm sure we could all bore each other rigid with the stories that we've seen with it.

Sam, I wonder if you can touch on where, from an organisational perspective, you are seeing AI used in disciplinaries and grievances?

Sam Howarth

On grievances and disciplinaries, I think this comes back to what things should be human by choice. So we advise clients to consider three things when thinking about this. The first is what differentiates you in terms of your IP, your brand, your strategic position. Secondly, what is distinctly human for you? In terms of your culture and your values so what do your people and your customers expect a human to hold and a human to lead and thirdly what is consequential so what are the areas of the business where a failure would cause real harm or would be very hard to course correct.

And I think that grievances and disciplinaries probably fall into that third category, right? We know it's an area of high risk in terms of liability. So, I think that there is a case for using AI, but it's probably more on the assist end of the spectrum in terms of gathering data, summarising notes, helping with write-ups, but it should not be used to autonomously make decisions.

The vision is that those agents will be able to resolve routine queries and maybe even slightly more complex queries and then free up the HR humans for more strategic work, which is very exciting and offers a lot of benefit in terms of efficiency and a better experience. But there's obviously a lot of watch outs and risks which we've already heard about that go alongside that. And those are things like hallucination, data quality, privacy, compliance and the need for human in the loop controls for critical actions.

And as I look at some of the other use cases, fast gaining traction, such as assessing annual performance and recommending training needs, I'd say it's not one particular use case that makes me most nervous. What makes me nervous is organizations looking to deploy AI tools without fully understanding how they work and how they need to be maintained and controlled. Done well, AI offers huge promise for HR. It's actually quite an exciting time for the function. But done badly, things can fall apart very quickly.

David Regan

But Marco, this is not a UK problem, is it? This is something that even in as relaxed a place as Italy is happening.

Marco Sideri

Yeah, yes, I'll bore you rigid. And thanks for bot-shitting, that made my day. I think that, even if everything goes, that word is going to stick. So, I think that the key point here is very legal and it's called accountability. And it's called accountability towards third parties, so internal, towards employees, and towards third parties. So, what we have here is systems that are good because, by and large, you might not like the impact of it, but AI systems work. And if you ask them to reply or to give you a summary or to do a presentation, they do that, and they do that well. Because otherwise we wouldn't be bothering with this. It would just be, you know, like the mini disc, something that existed for two years and then fell off by the wayside and no one heard of it, possibly never to be seen again. So, another failed revolution. This is going to stay simply because it works. I have no idea in which way, but it's there.

And how do we preoccupy ourselves with it? So how do we regulate it? Because it creeps into reality by the wayside. I'll give you two examples, one from a legal perspective and another from my lawyer practice. Today I got an email from a client who was not in this room because I don't kiss and tell. And

the email very openly said, we decided to do A and B, you advised two, and then there was a report from a call we had, with timing, with seconds and stuff I said, and it was not taken by an AI agent. And then it said, given the above that you told me during our conversation, now what do I do? What's the risk? Blah, blah, blah. If I just reply, fine, this means that my legal advice comes from a bot taking notes during a telephone call. And it's now legal advice.

And this is something that never happened to me before, and it was not hidden. It was just Marco, then the time with seconds, and then the legal bit. Same thing, lawyers making up precedents. In Italy we've had case law occupied with this because lawyers simply go to ChatGPT and say, I want to say that this dismissal is fair or unfair, and the chatbot will bot shit you and just tell you, yes, you're right. And then I'd say, how do you know? And I'd say, that's a decision from the tribunal of whatever on that day. If I don't double check, and this lawyer I'm going to tell you about didn't double check, I'll just write it. And that's good.

If you get caught, then you lose the case, you might be fined, responsibility before the bar, who cares? But the worst-case scenario is you don't get caught. And that's what happened. So, the judge liked it, liked that fake argument, and said, wait a second, I'll base my decision on that precedent. So, it now becomes a real precedent. And it happened, so it's something that I saw. And you have to go to the Court of Appeal and say, wait a second, Court of Appeal, you know, this reasoning is based on a fake precedent made up by a bot. But on the other end, the real judge in the flesh said that that argument is valid and is now part of our jurisprudence.

And that's the same in the life of a company. Your employees are using AI to do their chores. People are using it all the time, either public, either a closed system, either company, either out. And that's why regulating the use and giving directions is a key point because, A, it protects the company from a health and safety perspective. So not overusing AI. When people are working from home, that's a big thing. All those systems are designed based on technology that hooks you to the screen. That's the same thing as social networks. It's just their thing. A chatbot will never say, enough, I want to go to bed. And that's serious because you get in the vortex and you just go, and it's spiral down.

That's on the employer if it's work related. One thing, health and safety. Another thing, third parties. If you don't check the outcome of whatever your employees are doing and you send it around, you have intellectual property exposure, you have liability exposure. Because again, you'll never be able to trace back where this came from. You'll never be able to check it.

So, in a nutshell, the key point is focusing on output, focusing on instruction, owning the process, even if we can't describe it. Because if you wait to be able to really tell how the system works, we'll never do that, never be able to do that. But if we are clear and simple about what to do and what not to do, when something happens, we'll at least be able to say, I thought about that and I told you so. Which is a very good phrase, I told you so. It's very fulfilling.

David Regan

And just to kind of pick up on a couple of points there. Privilege is a big issue, and clearly we need to think about, we need to think about as lawyers, and you need to think about as lawyers as well, where the advice you give is being put into AI and is that a closed system or an open AI system? And we have had a case in the UK, it is a first tier immigration tribunal case, where legal advice was put into an open AI system rather than a closed system. The decision was that privilege, because it had been published publicly, had been lost. And if you think about the number of times that you might be having a call with someone, you might use, I mean, Otter is a good example. And actually, I don't know if Otter is a

closed system or not, but you might have an open system that is transcribing your legal advice to your internal clients on a call.

And in that case, are you confident that privilege is retained? Until we have a decision on it, I'm not confident that it would be. I'm not going to talk about disciplinaries and grievances because I'm conscious of time, but I think there are just four key things to take away in the broader context of the challenges, both around the increase in tribunal claims and the increase in management time dealing with AI bot-shitting. So firstly, and we talked about this a couple of us over lunch, think about informal resolution. Grievance processes, and particularly following an ACAS process, is very adversarial. Because if you don't follow the ACAS process, you don't put the full details of your grievance out there immediately, then you start adding things when you issue a claim. As a claimant, you're opening yourself up to charges of changing your grievance, all of those things. But obviously, the moment you put your grievance down, that becomes adversarial. If you're using AI, AI will then help you draft it in the clearest, most adversarial way. Now that opens up other angles to respondent employment lawyers because prompts that are used to prompt AI by a litigant in person, and there is new judicial guidance out which does flag this to litigants in person, could well be disclosable.

So, there's lots of little things to think about with grievances and disciplinaries. Could you start off with an informal meeting? Could you start off trying to push people down an informal route? What do your internal policies say about the use of AI during a grievance process? What do your internal policies say about the use of other people's personal data or company confidential information on an open AI system, even if you're raising a grievance? Have you updated your gross misconduct examples in your contracts? So, lots of things to think about there with all of those, but we won't go into them because I want to keep moving on. And actually, Jo, this is something I want to talk to you about. I'm sure lots of you will have seen that the Metropolitan Police have got a little bit of an issue going on. I mean, they've got many issues. But one of them that is going on at the moment is they brought in Palantir to review all of the data held on all of their employees' devices. And they've got over 500 people being investigated, 40-odd senior managers being suspended for breach of the working from home policy, et cetera, et cetera. It is a little bit minority report. Jo, do you think we're going to see more of this big data spying on employees and pulling out information, and what are the issues?

Joanna de Fonseka

I mean, potentially, but it's an area where you have to be so, so careful from a data protection perspective. I think that the Met Police example is certainly a very striking illustration about covert deployment of AI on that very extensive scale. And it does raise significant issues from a data protection perspective. Covert deployment of AI tools is inherently much more intrusive and considerably more difficult to justify from a data protection perspective, not least because of the concerns around transparency. If you're not telling people that you were using the tool, you need to have a very good reason to do that. And it is going to be very, very challenging to justify that in many cases, particularly on that kind of scale. One point that I just particularly want to flag here is the impact of AI on workplace monitoring generally and the concept of intrusiveness in that context. So, I would say, as a general rule, if you're layering AI onto existing monitoring practices, and I mean all businesses do some degree of employee monitoring by and large.

But if you're using AI to do things like analyse people's communications, track productivity, flag behavioural anomalies, those sorts of things, you can significantly increase the intrusiveness of that monitoring. So something that might have been relatively BAU, low impact, when done manually, becomes far more intrusive once AI is thrown into the mix. And that has real implications for your policies, your DPIAs, your governance. So if you're introducing AI into your monitoring, then I would say

you should be going back to look at your existing DPIAs and your employee-facing policies, because the risk profile there has likely changed materially. You may need to update your privacy notices and your staff monitoring policies to clearly disclose the use of AI in that context, and you're likely to need to revisit any DPIAs that you've done in relation to monitoring as well. And just another point to highlight is that if you're bringing in AI tools to engage in employee monitoring, that very often would also involve the use of third-party vendors to do that, in which case it would also be very important to conduct thorough due diligence on those tools, including how the model's been trained and tested, very, very important, and also to ensure that there are appropriate contractual terms in place.

David Regan

And I think the other element to think about there, and we're certainly hearing it a lot now, even before AI tools were implemented, is where are your unions? Where are your works councils? Where are your EWCs? Because in lots of jurisdictions, before you implement any of these tools, you are going to have to inform, and sometimes consult. Sometimes they may have co-determination rights on these issues, given the level of intrusiveness.

Sam looking to the future what technologies do you see coming down the line and how might employers utilize them bearing in mind the risks we've identified? For example, I've had a few clients talking to me about the desire to develop agents to assist with pay reporting and contract drafting, et cetera. But what are you seeing?

Sam Howarth

Yes, those are examples of things that already happening. So, as I mentioned earlier, the agent HHR service models are being considered or implemented in many organizations now with big players investing heavily here and new competitors emerging.

These technologies will enable more integrated AI tooling and more joined up processes so that AI can operate across multiple HR domains and workflows. So, as I mentioned before, there's lots of potential benefits here, but also a lot of risk. It's really important that organizations consider the wider operating model and not just the technology when deploying these tools. This means getting the right knowledge management and data governance in place, being clear what responsibility various human roles have for managing and controlling AI agents and upskilling HR humans in AI literacy and judgment. There should be clear AI usage decisions and controls where humans decide what AI agents will assist versus guide versus initiate versus resolve. Just because it's possible to automate doesn't always mean that you should. Consciously deciding that certain tasks will remain human by choice will be a competitive differentiator as much as efficiency will be. And those things need to be balanced. If I had to summarize it,

We often talk about human in the loop, but that's not actually enough. What we also need is human in the lead, how humans are leading and defining how these tools will work, how they use and how they're controlled. Ultimately, organizations will end up being a mixture of humans and agents in terms of roles that are performed. In fact, I heard recently that our Chief People Officer has been retitled as Chief People and Agent Officer. So, HR is going to be the architect and manager of work, not just people.

So as a function, I think they need to be thinking about what that means and how they set themselves up for success.

David Regan

We're going to just sort of very briefly touch on ending employment. We talked about termination at the beginning. And the key point is you still have five fair reasons for termination, but you've got to be able to explain the decision. As we talked about it, you have to be able to.

So, we don't have a lot of cases on AI termination in the UK. So anecdotally, I do a lot with the Employment Lawyers Association, and all of us have heard of lots of cases coming through. The big case that everyone's heard of is the MAC and Estée Lauder case, which was where people, makeup artists, were video doing makeup and then assessed based upon an AI algorithm's view of whether they had made up someone properly or not. I think there were 15,000 data points, and the termination letter talked about the algorithm having assessed them across the 15,000 data points. Very unfortunately for those of us geeky employment lawyers, the case settled before it could be heard, because I think that would have been a really interesting one. But there are lots of cases coming through the pipeline.

Transparency and explainability are really key with that. Jo, do you want to talk about just some of the data elements in relation to termination?

Joanna de Fonseka

Yes, absolutely. It's interesting. I can't say this is something I get asked about very much, actually, at least at the moment. I would say certainly on the data and AI governance side, I get asked about recruitment, ongoing workforce management, and monitoring far, far more than termination or redundancy. But I would say if you're using AI to inform redundancy selection or dismissal decisions, the stakes are clearly going to be very high there. And a dismissal that's based on inaccurate AI output, or if the model has been trained on a biased data set, then the outcome is quite likely to be challenged as unfair. From a data protection point of view, any decision about termination that's significantly informed by automated processing is clearly going to need very careful thought about transparency, as we've mentioned, safeguards, human review, which again keeps coming up again and again, and also the individual's right to contest the decision.

And then similarly, from an AI Act perspective, any AI systems used in relation to terminating employment are explicitly classified as high risk under the Act. So that means that the full suite of obligations around risk management, data quality, transparency once again, and human oversight are going to come into play there.

David Regan

Our Future of Work report. There were some very interesting things there where only 41% of respondents said they felt very well prepared for development in AI and technology, which I think chimes with the feeling in this room. But interestingly, 60% identified cybersecurity and data privacy risks as a top challenge, with much lower numbers talking about employment law being a challenge. And when you think about some of the employment laws around the world that touch on AI, for those

of you that operate in New York, you've got NYC Law 144 where you have to do an annual bias audit. I'm quite surprised that businesses aren't thinking about employment law, which possibly chimes with the feeling that businesses are thinking this will make life fairer and not thinking about the potential for inherent bias.

On the question of bias, it was almost like I meant to lead into that, wasn't it? The question is, are you seeing any standards for bias testing being adopted by companies or products? And if products are making statements about bias testing, how are these being evaluated? Sam, I'm going to throw that to you because that feels the sort of thing that you and your team deal with.

Sam Howarth

It is. I would say that I'm not seeing the details around this. I know that a lot of the big players that I mentioned earlier are certainly looking at this and certainly thinking about how they're building that in and how they're making the decisions that their agentic models are making auditable and explainable. I haven't got a specific example on how they're testing for that, but I know that is something that is top of mind for a lot of those, for obvious reasons.

David Regan

And Jo, is that anything that you and the data team have come across?

Joanna de Fonseka

Again, I would actually say my experience accords with Sam. So I haven't necessarily seen a lot of questions around specific standards for bias testing or products making statements about bias testing. I know there are various companies out there that offer bias audits, bias testing, those sorts of services. What I would say is, if you are involved in the procurement of an AI tool, then bias testing and understanding how the model's been trained and what mitigations are in place against bias is a really, really key element of the due diligence that you do on that tool. And as part of your procurement, you should have a due diligence process as you would for any other IT system that you are procuring.

And I wouldn't necessarily take any statements made by the vendor on that at face value. I think it's really important to get detailed information, especially if it is a tool in the employment or recruitment context. Independently verify anything that they're saying, and don't be afraid to ask questions and to challenge, because that, for me, is one of the really key risk areas. And it's important to probe in sufficient detail to give you the comfort that you need around that, I would say.

David Regan

And I wonder if a lot of the tools that say they will do AI bias testing are themselves probably AI tools that are putting lots of automated CVs and things that they've generated through. So then do you then need to do a bias test on the bias testing tool to see what that data is? I mean, where do you possibly end up? We're going to wrap up with just some key takeaways. So, the takeaways from all of us are,

first of all, retain a human in the loop. One, obviously you're legally required to in Italy, but two, if you have enough involvement that you can explain the decisions that you have made and that they are reasonable and as non-discriminatory as you can possibly make them, that is a good starting point.

Secondly, if you have any concerns about how your AI is operating, don't wait. Investigate, dig into it, see what answers you can get. If you're getting fluffy answers back from your vendors, press them on it or get your commercial team to press them on it. As we said, depending on where you operate, be aware of the different laws where you operate, because in some places there is this requirement, as we talked about in New York, requirement for an annual bias audit. So, you just need to be aware of all of those obligations and make sure that you are complying with them. Think about your internal AI usage policies. I feel like we've been saying this to most of you for about 18 months, so hopefully I don't need to say any more about that. Remember the employment law in all of the different jurisdictions that you're in still applies.

So don't forget it. Whether that means consulting with your works councils or your trade unions, whether that means it's governed by the CBA, whether it just means thinking about the Equality Act and the Employment Rights Act, wherever we end up with that in the UK, just remember those.

Finally, I guess the question is, as we talked about at the beginning, the Mick Jones reference, for those of you, that's the Clash, 70s punk band, Shall I Stay or Shall I Go? I think if we leave you with the chorus, which from memory was, if I go there will be trouble, but if I stay there will be double. Hopefully they weren't talking about AI. But if you could just thank the panel, I think you've been brilliant. Thank you.

David Lorimer

That's all for this episode, thank you for listening. This session was recorded live at our 2026 Managing an International Workforce Conference, and we hope you found it as insightful as the audience in the room did. If you'd like to explore any of the topics covered in more detail do get in touch or visit our website where you'll find further resources, articles, and details of upcoming events.

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