

No. 226/26

11<sup>th</sup> August 2026

**To: All Branches**

Dear Colleagues,

## **Guidance on the Use of Artificial Intelligence [AI] Applications and Data Protection**

The purpose of this LTB is to issue important guidance to all CWU Branches in using AI applications when carrying out their trade union functions.

The proliferation of consumer AI products [such as Claude, Gemini, Copilot and ChatGPT etc] has become widespread in recent times, and there is every indication this trend will continue as these applications are often now commonly available on PCs, laptops and mobile phones.

There is no doubt that this development is controversial for many reasons, not least its harmful effects on CWU members where it has been introduced by employers and the labour market generally.

AI applications are promoted on the basis that they can increase efficiency and assist to make tasks less onerous and time consuming, such as by summarising or distilling a substantial document.

So, there may be an inclination to consider their use when confronted with, for example:

- An employer HR Policy
- A tribunal judgment
- An occupational health report
- An employer's disciplinary or grievance decision
- Lengthy email chains or documents.

These are just a small number of potential uses and there are likely to be other ways that AI may be able to assist with what might be considered laborious tasks – especially so when we all seem to have more to do with less time available.

While trade unions will of course want to innovate and utilise the latest technology in support of their members, it has been well documented that AI search results are notoriously unreliable. They are prone to 'hallucinations' which involves their output being inaccurate, misleading or fabricated, and this should always be taken into account.

**From a data protection standpoint, it is vitally important that we never paste members' personal data into AI tools.**

*This is because once this is done, the CWU loses sovereignty over this data. AI applications reserve the right to store all data submitted and furthermore, to use that data to improve the service. They reserve the right to use all data submitted to 'train' the application and there is a strong likelihood that it will appear in the public domain and be open to other users of the application.*

The Information Commissioner's Office (ICO) says that 'personal data' means any information relating to a person who can be identified, directly or indirectly, in particular by reference to an identifier such as a name, an identification number, location data, an online identifier or to one or more factors specific to the physical, physiological, genetic, mental, economic, cultural or social identity of that person.

Therefore, the scope of 'personal data' is very wide and while anonymisation or redaction may offer a solution, a combination of factors, when taken together, could make a person identifiable. For example, by referring to an attendance pattern and a workplace location, we could make a specific person identifiable.

It is even more important in the case of trade union members because a person's status as a trade union member is considered 'Special Category Data', and as such requires a heightened level of privacy, confidentiality and security.

The CWU is obliged, both regulatorily and morally, to treat our members' data with the utmost caution and security, while at the same time continuing to carry out all the functions that trade unions have always done so well. Developments in new technology can bring benefits as well as risks, but if we proceed with caution and consideration at all times then we can avoid any potential harm to the union.

If you have any questions or comments on the above, please feel free to contact Denis Lenihan [dlenihan@cwu.org](mailto:dlenihan@cwu.org).

Yours sincerely



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