COMPLIANT AI IN RPL PROCESSES

LEARNING EDUCATIONAL SOLUTIONS PTY LTD

Kathryn McGilvray

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What is your biggest hope for AI in your RPL practice?





In one word, what is your biggest concern about AI in your RPL practice?

Core Legislation



Risk-Based Approach -

Article 6

Categorises AI systems based on potential risks, applying different rules accordingly.

Accountability

Article 16

Establishes responsibilities for Ai providers and deployers

Harmonisation -

Article 1

Ensures consistent standards across the EU for AI systems.

Innovation

Articles 57 & 62

Promotes AI innovation, especially for SMEs.

Fundamental Rights

Articles 7 & 5

Protects rights and environmental concerns from AI harms.

Conformity Assessment

Articles 43, 28-39

Assesses AI systems before market entry and monitors post-deployment.

Transparency -

Articles 13 & 50

Requires clear information about AI capabilities and limitations.

Robustness

Article 15

Ensures AI systems are resilient to errors and cyberattacks.

Data Governance -

Article 10

Emphasises high-quality datasets to minimise biases.

Core principles of the EU AI ACT



Transparency

Being open about when and how AI is used, ensuring candidates are informed.



Human oversight

Qualified humans maintain control, intervening or overriding AI decisions.



Accuracy & Robustness

AI performs reliably, handling diverse evidence and languages correctly.



Fairness & Non-Discrimination

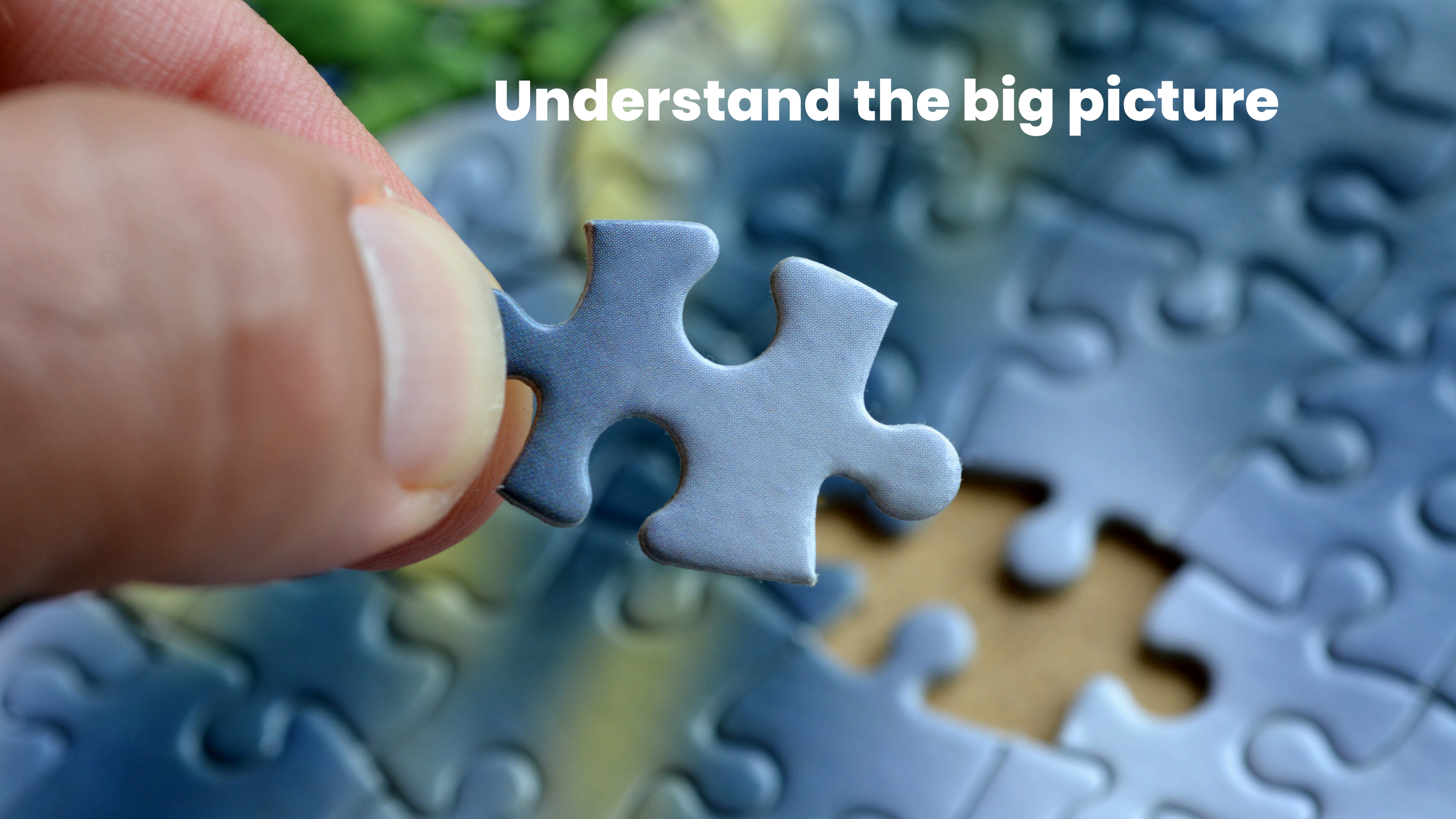
AI assesses candidates equitably, without bias based background or presentation.



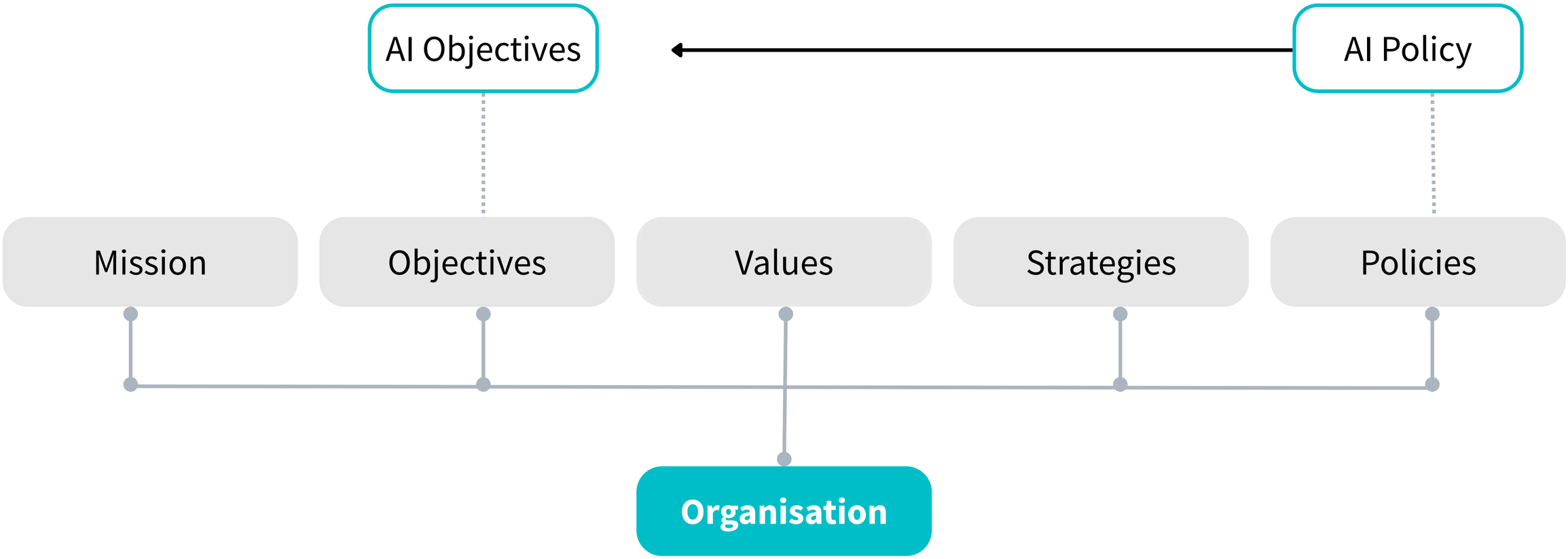
Accountability & Data Governance

Clear responsibility for AI actions and robust protection of sensitive data

Understand the big picture



Understand the Mission, Objective, Values and Strategies



AI Principles

1. Fairness
2. Transparency
3. Accountability
4. Reliability and safety
5. Privacy and security
6. Ethical values
7. Human control
8. Trustworthiness
9. Responsibility
10. Shared Benefit

PECB ISO/IEC 42001 : 2024

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Understand the Business Requirements

External

Laws and regulations



All laws and regulations that the organisation must comply with

Standards



International standards and codes of practice that are implemented voluntarily by the organisation

Market



All contractual obligations that the organisation has signed with interested parties.

Internal

Internal Policies



All internal requirements; internal policies, codes of ethics, rules etc.

EU AI Act: Risk Categories

1

UNACCEPTABLE RISK

BANNED ENTIRELY

- Social Scoring
- Manipulative Techniques
- Exploiting Vulnerabilities
- Real-time Biometric ID (Public)

2

HIGH-RISK

STRICT OBLIGATIONS

- Education/RPL
- Employment
- Critical Infrastructure
- Essential Services
- Law Enforcement

3

LIMITED RISK

TRANSPARENCY

- Chatbots (Disclose AI)
- Deepfakes (Label Content)
- Emotion Recognition

4

MINIMAL / NO RISK

LARGELY UNREGULATED

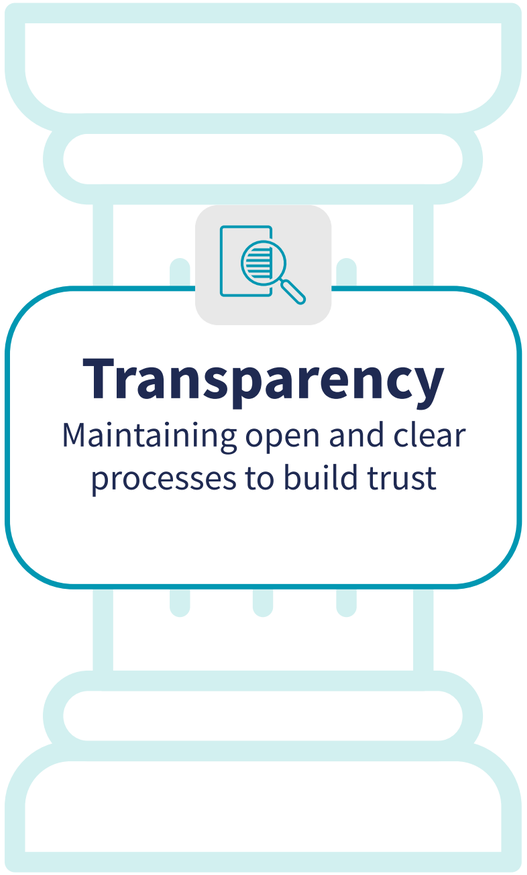
- Spam Filters
- AI Video Games
- Inventory Management

Core Principles



Fairness

Ensuring equitable treatment and opportunities for all participants



Transparency

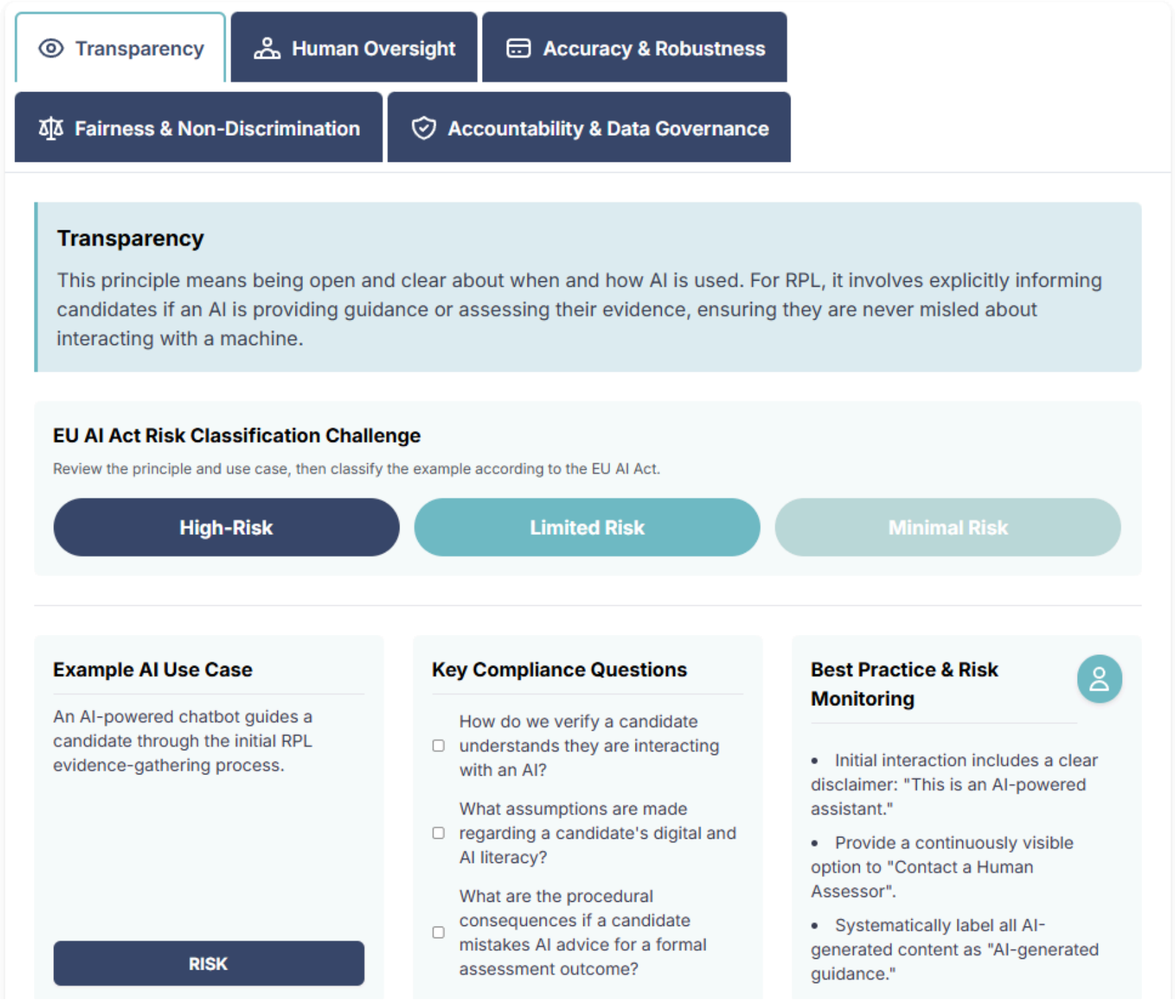
Maintaining open and clear processes to build trust



Accountability

Holding individuals and systems responsible for their actions

Learning Activity 1



AI EU ACT
Classification Challenge

https://bit.ly/3WwrxM1

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Key Takeaways?



Learning Activity 2

Prompt

Gemini Gem

Candidate Evidence **https://bit.ly/48FSwMI**

Marking Rubric **https://bit.ly/4hoXvne**

Trainer Marking Assistant

https://bit.ly/3J8LHsv

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Learning Activity 2

EU AI Act Compliance Assessment: Trainer Marking Assistant

Having viewed the Trainer Marking Assistant, in small groups discuss the compliance rating and concerns. Decide on your risk rating, mitigations and controls before revealing the suggested answer.

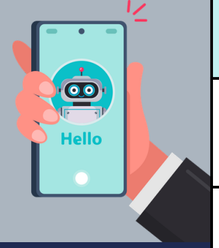
EU AI ACT PRINCIPLE	HUMAN INTERVENTION: ENSURING TRUSTWORTHINESS AND RELIABILITY	RISK RATING	MITIGATIONS AND CONTROLS
1. Human Oversight	**Does the system enforce the "human-in-the-loop" requirement?** At which point in the assessment workflow is the assessor required to **actively review and validate** the AI's competency recommendation to ensure the final judgment remains human-led?	Risk Rating	Mitigations and Controls
2. Transparency	**How confident is the candidate that the assessor has the final say on the mark?** What documentation or notification is required to ensure the **candidate** is aware of the AI's involvement, and that the **final assessor** has access to the AI's full rationale?	Risk Rating	Mitigations and Controls
3. Accuracy and Robustness	**How is the system validated to ensure it performs reliably across diverse inputs?** What **real-time mechanisms** are in place to alert the assessor to low input quality (e.g., poor audio or limited evidence) and ensure **consistent output** when viewed by different markers, preventing reliability issues?	Risk Rating	Mitigations and Controls
4. Fairness and Non-Discrimination	**Does the system avoid bias against protected characteristics?** How is the assessor empowered to **directly compare the AI's recommendation against the raw evidence** to detect and override potential bias relating to protected characteristics (e.g., accent or cultural presentation)?	Risk Rating	Mitigations and Controls
5. Accountability and Data Governance	**Are data security and clear roles/responsibilities established?** What **explicit steps** must the assessor take to log their final decision and justification, ensuring a robust and immutable audit trail for accountability?	Risk Rating	Mitigations and Controls

Trainer Marking Assistant

https://bit.ly/3J8LHsv

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AI INTEGRATION



GUIDING YOUR AI STRATEGY

PURPOSE / OBJECTIVE

- What am I trying to achieve?
- What is the problem/opportunity?
- How could AI help?



DESIGN & CONSTRUCT

- What AI tool will I use?
- Do I need other inputs?
- What is the output?



AI'S ROLE - AMPLIFY & ENHANCE

DEPLOY & INTEGRATE

- Is the process transparent?
- Is there an ethical review process?
- Ensure human testing / checks.



OBSERVE AND MONITOR

- Is the AI performing as intended?
- Does it align with other frameworks?
- Is it demonstrating bias & fairness?



CONTINUOUS IMPROVEMENT



Policy - Organisation and AI Policy compliance



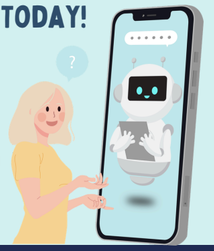
Organisation Goals - Alignment with business goals



Relevance & Performance - Accurate and reliable output

TAKE ACTION TODAY!

- ✓ Implement robust feedback loops.
- ✓ Complete lots of testing.
- ✓ Check for bias and hallucinations.
- ✓ Always keep the purpose, context and the audience in mind.
- ✓ Garbage in, garbage out. Write good prompts.



HUMAN LED, AI ASSISATED

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AI for teachers / trainers
Develop RPL resources and assessments (Portfolio, verifer's report, Observation, Competency Questions)
Identify gaps in student learning
Conducts a preliminary assessment evaluation of evidence and maps against criteria
Summarises student evidence
Assists in crafting emails and feedback to students
Analyses student evidence
Write interview questions based on student gaps
Map student evidence
Map an RPL assessment document againse standards or curriculum
Analyse different types of evidence documentation and media
Assist in deepening understand of RPL through research
Develop an industry consultation or validation tool
Develop a marking guide
Uplift an assessment if the qualification is superseded or changed. Identifies gaps and makes suggestions.
Checks student evidence against the principles of evidence.

Recap

- Human-centered
- Don't forget the big picture
- Ask the hard questions
- AI role is to amplify and enhance
- Monitor and test

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