Avantwerk | LEGAL AI

FREE RESOURCE · FOR SOLICITORS

Explaining AI use to clients: a planning record

For solicitors and small firms in England and Wales. This educational worksheet helps plan an explanation for a particular use of AI. It is not a complete privacy notice, engagement clause or request for consent. It does not cover Scotland or Northern Ireland. Keep the completed record in the firm's existing risk or engagement records, with matter-specific decisions on the matter file.

1. Establish the facts before writing

Proposed task and service: [complete]. **Responsible solicitor:** [name]. **Information involved:** [categories and people]. **Recipients and access:** [supplier, further providers, support and integrations]. **Retention and reuse:** [actual terms and settings]. **Existing documents affected:** [engagement letter, privacy information, procurement assessment].

Describe what the tool does in ordinary language: [prepares an initial summary / suggests draft wording / searches specified sources]. Explain who checks the output and who remains responsible. Avoid claims that all information stays on a device or that nothing is retained unless the actual flow supports them. The SRA AI warning is a useful prompt to examine safeguards rather than rely on a service label.

2. Separate the decisions

- **Service explanation:** [what the client needs to understand about how the work is done, its limitations and the human review]. Record the client's needs and how questions will be answered.
- **Confidentiality:** [proposed disclosure; basis under para. 6.3 SRA Code; any specific consent needed; scope and record]. An explanation of AI use does not itself authorise disclosure.
- **Privilege:** [assessment by the responsible solicitor; affected material; restriction until resolved]. Do not promise that consent or a confidentiality term automatically preserves legal professional privilege.
- **Data protection:** [existing assessment of purposes, roles, legal basis and additional conditions; owner]. Giving privacy information does not create a legal basis. A client's agreement cannot decide the rights of every other person mentioned in a file.

These are separate entries because one signature should not be treated as the answer to all four questions.

3. Map the information requirements

Use the revised art. 13 UK GDPR for information collected from the individual and art. 14 for other sources. For each relevant item record **current wording; factual evidence; proposed change; responsible person; when and how provided**:

- Firm identity and contact details, and representative or data protection officer details where applicable.
- Purposes, legal basis and any relevant legitimate interests.
- Recipients or categories, and international-transfer information where applicable.
- Retention period or criteria, relevant rights and withdrawal of consent where that is the basis.
- The complaint route to the controller and the right to complain to the Information Commission.
- For direct collection, whether information must be provided and consequences of not providing it.
- For other sources, the information categories and origin, including any public source.
- Any applicable information about automated decision-making subject to art. 22C safeguards.

This is a planning index; read the actual provisions rather than using it as notice text. Assess timing, any further purpose and any exception under the applicable article. Do not assume that every person in a legal file must receive the same message or that professional secrecy always removes the information duty. Record a reasoned decision for any exception relied on.

4. Prepare a task-specific explanation

Complete this drafting frame only after the assessments above:

"We propose to use [defined tool function] to assist with [task]. [Specified information] would be processed by [recipients or accurate categories] for [purpose]. [Describe material retention, reuse or access facts]. [Responsible role] will check [scope of output] before it is used. You can discuss this with [contact]. Further privacy information is available [location]."

Remove unsupported statements; add information needed for the particular client and use. Where consent is actually required, draft its scope separately after assessing whether it can properly be sought. Do not convert the frame into blanket consent to unknown services or future uses.

5. Record the outcome

Communication chosen: [document and version]. **Recipient and timing:** [complete]. **Questions or limitations:** [complete]. **Outstanding legal or factual issue:** [owner and affected use]. **Review triggers:** changed purpose, recipients, access, retention or client circumstances. Firm-specific

questions about lawful basis, exemptions, transfers or significant automated decisions require a data-protection assessment beyond this worksheet.

Edition 1.0.0. Law and guidance checked and native content reviewed: 9 November 2026. Next planned content review: 9 February 2027. Check for a newer edition; changes may require earlier review.