

Ethical Guidelines for Generative AI

Update

The responsible use of AI in public relations should continue to focus on serving our clients, supporting our teams and advancing the public interest.



Introduction

Generative AI likely will again be the year's most talked-about technology. Most industry leaders agree that it will have a transformative effect on our industry and will certainly cause significant shifts in our workflows and capabilities in the short and long term. The technology is rapidly evolving, with issues such as copyright infringement, the sources of the training data and confidentiality concerns beginning to be addressed on multiple fronts. While the mantra remains "trust but verify" when it comes to the current use of generative AI platforms, many firms are actively moving from experimentation to implementation.

The responsible use of AI in public relations should continue to focus on serving our clients, supporting our teams and advancing the public interest. The use of human judgment and oversight to avoid bias, misuse, and infringement will always be required and are critical in these experimental and early implementation stages. This is particularly true as regulatory frameworks, court decisions and enforcement mechanisms remain in the preliminary stages of development.

What's New in this Version?

- A continuum has emerged that delineates phases in AI's evolution within firms highlights its implications for serving clients, supporting teams and advancing the public interest.
- While AI use cases, especially among Creative teams, has expanded greatly, the outputs are not final, client-ready work due to copyright and trademark issues and the acknowledgment that human creativity is essential for producing unique, on-strategy outputs.
- With AI being integrated into many existing tools and platforms, agency professionals should stay informed about new capabilities, challenges and biases.
- Establishing clear policies regarding the use of generative AI, including transparency requirements, is an increasing need for agencies and clients. This applies to all vendors, including influencer or creator relationships.
- Despite predictions that large language models will eliminate hallucinations within 18 months, proper sourcing and fact-checking remain crucial skills.
- Experts continue to advise caution when inputting confidential client information, due to mistrust of promised security and confidentiality measures.
- Given the persistent risk of bias, adhering to a checklist to identify and mitigate bias is critical.

In PR Council focus groups held in late 2023 with leaders across the industry—representing creative, digital, DEI (Diversity, Equity and Inclusion), ethics and corporate reputation, and operations—a continuum has become clear:

- When the guidelines were first published, public relations talent at all levels was very much in an **experimental phase** marked by caution. Prompt writing and fact checking were new skills being developed by team members as they sought to produce first draft quality work while protecting client information.
- Today, many agencies are using generative AI for **behind-the-scenes** purposes beyond drafting copy and content—often for foundational research, analysis, idea generation or other work that may not be client-facing. Common use cases include developing questions for client and media briefs, jumpstarting the creative process across mediums, synthesizing large documents or research studies, and helping generate a greater volume of ideas or angles for brainstorming. Training for teams (both agency and client) and fact-checking of outputs seem to be accelerating.
- Experts predict that in the next stage of the continuum, generative AI tools will **create stronger outputs, yet agency pros will apply their human ingenuity and creativity, communications expertise and cultural relevancy to create client-ready outputs**. We anticipate potential gains in efficiency in this phase as overall facility with the platforms, prompt-writing skills and fact-checking improve, as the platforms themselves become more sophisticated in their abilities, and as AI is “baked in” across the many technologies/tools already leveraged by agencies today and agency pros at all levels will be able to devote more time to adding the strategic value clients need. Companies will require more counseling and reputation support from agencies as generative AI completely changes recommendation and customer service and floods society with mis- and dis-information. During this phase, many firms will continue to combine off-the-shelf offerings with their own proprietary tools, with some firms training their own exclusive large language models with legally cleared data and content, that is selected relevant to their clients.

We are seeing many industries negotiate around the use of AI and put processes in place on the business side. The recent agreement between Writers Guild of America and the Hollywood studios specified that generative AI tools are not people and therefore cannot be writers. The final agreement provided protections around minimum compensation and credits for writers even when working with materials generated using AI tools. These discussions underscoring the value of human artistry and the ethical consequences of using technology in place of human labor are likely to inform and shape the future of creative work in our industry as well.

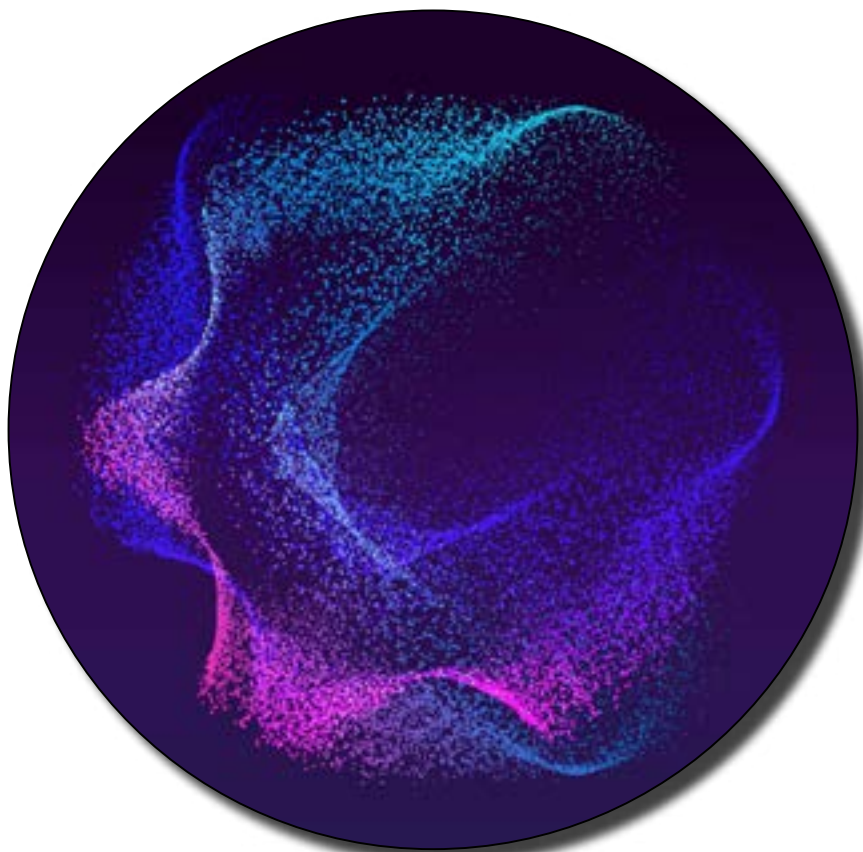
Leaders across the industry see generative AI as increasingly allowing agency teams to move at the speed their clients expect. As more enterprise software platforms routinely used by agencies incorporate AI tools and processes (notably Adobe among many others), agencies and clients are becoming more confident in their understanding of the legal and ethical uses. While their teams are excited to tap these tools as thought starters and idea testers, agency creative leaders caution that without the proper human intervention, outputs will be generic and could result in legal risks.

Accordingly, the PR Council does not foresee a time when human curation, review and editing is not required.

The following is updated guidance on the responsible use of generative AI in our work for clients and our agencies based on the PR Council Code of Ethics and Principles and on learnings over the past year. The PR Council strongly encourages agencies and their teams to continue to actively engage in internal testing and learning relative to generative AI within a proper ethical and legal framework. Following these guidelines will help ensure that the use of generative AI aligns with our Members' core commitment to the highest level of professionalism, decision-making and ethical conduct.

While these guidelines have been created with the input of a group of leaders across our Membership and reviewed by our legal partners at Davis+Gilbert, we continue to strongly encourage leaders to consult with their legal counsel as they tailor these guidelines and implement specific policies and training most appropriate for their clients, employees and vendors.

Employee training in the ethical use of generative AI is critical. While the PR Council offers sessions, agencies are encouraged to devote time to continuous peer-to-peer learning opportunities. If an agency has not yet established a cross-disciplinary task force (including operations and client-facing staff) to regularly review tools, set policy and provide ongoing trainings, they should do so immediately. And we believe it is critical that agencies have (and regularly update) clear policies on generative AI use for their employees and with clients and vendors. The following is intended to serve as a guide in developing those policies.



Guidelines

We protect the integrity of client information.

Use caution when putting confidential client or internal information into a generative AI tool or platform. While some generative AI platforms now offer closed versions or options, we continue to encourage caution. For example, do not use it to create the first draft of a press release about a new product or to draft confidential internal memos for staff. Other examples of confidential information include, but are not limited to:

- Client business plans,
 - Client or prospect PPTs or documents,
 - Paid or confidential analyst reports that you would like summarized,
 - Paid market insights to detail key findings,
 - Confidential research data, and
 - Text related to sensitive internal employee communications.
- Why? Many distinct types of generative AI tools and platforms exist, and some tools may use the information you enter as prompts for written or visual content to train future iterations of their model and be incorporated into future output it generates. Due to legal and regulatory pressures, many AI providers are now offering the choice to opt out of data collection, ensuring their materials will not be used for AI training without their consent. Some AI companies are now offering information about their training data to eliminate copyright concerns. Agencies should still be careful: unless specifically stated or identified as a closed tool or platform, anything entered as a query may enter the public sphere and release information and intellectual property into someone else's database not under your control.

Do not use generative AI images as final creative for a client campaign. The AI-generated work may be at risk of copyright infringement and the work itself cannot be entirely protected under current U.S. copyright laws (since humans did not create it), according to current court rulings and U.S. Copyright Office policies. Moreover, certain generative AI tools may limit the user's ownership rights in the work the platform generates. That said, the incorporation of generative AI into enterprise creative platforms like Adobe's Firefly provides greater legal protection to agencies and their clients.

We honor our role in society.

Do not use generative AI to create or spread deepfakes, nor misinformation or disinformation.

We are committed to accuracy.

Always check and source the data generative AI tools provide. Always validate the claims with your own search of the source. Just because the tool says it came from a source does not mean it did, as some generative AI chat tools are exceptionally good at fabricating information.

Always check for inadvertent plagiarism, copyright infringement or trademark infringement in AI-generated output. Plagiarism and AI detectors are available and should be used to review work before it is presented to the client.

Ask vendors about how they use AI in their tools (such as sentiment analysis) and work to eliminate biases and improve accuracy. Ask vendors to provide transparency around their prompts and inputs used to generate the desired output to help mitigate the risk of inadvertent infringement of third-party rights.

We believe that our clients and the public are best served when third-party relationships with spokespeople, bloggers, partners and allies are open and transparent.

We recommend disclosure to clients and in some cases members of the public if generative AI tools are used in any part of the creative process.

- Flexibility can be applied to determining how and when to disclose. We recommend agencies include wording as part of their contract and scope of work if this is a common occurrence. If generative AI is being used infrequently, agencies should call out its use on individual pieces of work in which it played a substantive role. We encourage agency leaders to set policies on what requires written disclosure versus verbal.
- Why? The PR Council encourages transparency. Additionally, most of our Members have contracts that state that all materials we produce on behalf of clients are “work for hire” meaning we assign the ownership rights of those materials to our clients. However, that is currently impossible to do with solely AI-generated materials which could put us in violation of our contracts. We would also be exposed to increased legal risks due to dual indemnification clauses, which are common in most agency contracts. Clarify with your staff when disclosure needs to be in writing and when verbal disclosure is sufficient.

Employees should disclose to their manager if they use generative AI tools as part of the drafting or creation process.

Agencies should provide their AI policies to influencers and subcontractors, and influencers and subcontractors should disclose if they use generative AI tools as part of their content creation on behalf of clients and in their posts. (Hashtags such as #poweredbyAI and #createdwithAI are growing in popularity.) The disclosure should be on every sponsored post they create. Influencers should be transparent with the agency about how AI-generated content was

developed and should be responsible to the agency and client if the content results in a legal claim.

Voice/music generating AI tools should never be used to mimic the voice or style of a real person for external release without permission of the person. Voice-generating AI may sometimes be used as proof of concept and to secure necessary approvals (legal and otherwise) with the approval of talent. If there is a need to correct a voiceover and it is mutually agreed upon with the talent that AI can be used for such correction, then that will require a signed agreement before proceeding. If the voiceover talent is a union member, or if the agency or client are signatories to a union contract, additional requirements may apply as well.

Respect the rights of other creators and do not prompt generative AI to develop creative content like that of a specific artist.

We value diversity and inclusion in our profession.

Beware of biases incorporated in AI-generated output, both in writing and in developing imagery for a campaign. Some key questions to ask when evaluating an AI platform or tool to better understand potential bias can be found attached.

Do not rely on generative AI tools to translate or transcreate documents into other languages for client-ready work. The quality of the translation or transcreation might not be accurate; specifically, it may lack the cultural nuance that only humans can ensure.

Do not use generative AI as a replacement for diverse experiences, insight or engagement.

It is essential that diverse perspectives within the agency be tapped to review content created by generative AI tools to ensure no bias is accidentally overlooked or shared externally.

Do not use generative AI tools to create imagery, likenesses or avatars that create the appearance of diversity instead of working with diverse talent.

We are committed to agency practices that increase society's confidence in the practice of public relations.

Agencies should establish clear guidance and conduct regular, firm-wide training on best practices and the proper ethical and legal use of AI to protect their brands and their clients' brands. Training should focus on the following, to avoid ethical and legal risks:

- Best practices for using AI in workflows,
- Avoiding or mitigating potential algorithmic biases,
- Enhancing client and stakeholder transparency,
- Proper and full sourcing,

- How to identify inaccurate results, and
- Maintaining the integrity of intellectual property.

Agencies should establish or expand their internal reporting frameworks to clearly define how staff can raise concerns.

Generative AI and its uses are evolving rapidly, and as such, agency leadership should update guidelines, training and discussion at least quarterly. The PR Council will continue to support Members by providing regular updates and trainings.

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The PR Council's cross-disciplinary team of experts has created and updated these guidelines primarily as a service to our Member agencies, but also communicators at-large. Please feel free to tap and customize this guidance to meet your organization's needs. We politely ask that you attribute the work to the PR Council.

A Generative AI Continuum in PR Agencies

In PR Council focus groups with leaders representing creative, digital, DEI (Diversity, Equity and Inclusion), ethics and corporate reputation, and operations—a continuum has become clear:

Experimentation ▶	Tactical Implementation ▶	Strategic Adoption
<p>Big picture</p> <p>When the PR Council's guidelines were published in April 2023, PR talent was very much in an experimental phase marked by cautious experimentation.</p>	<p>Big picture</p> <p>As teams become more comfortable deploying generative AI, its use cases expand to fulfill an array of tactical needs. Protecting client confidentiality and ownership are better understood issues.</p>	<p>Big picture</p> <p>In this stage, agencies are using AI to eliminate time-consuming, mundane tasks and have more time to apply human ingenuity, communications expertise, risk mitigation and cultural insights to more effectively solve problems.</p>
<p>In practice</p> <p>Generative AI is largely used for first drafts of copy and content, and data compilation. Prompt writing and fact checking are new skills in development.</p>	<p>In practice</p> <p>Many agencies are using generative AI for foundational research, analysis, idea generation or other work that may not be client-facing. Training for teams and fact-checking of outputs seem to be accelerating. Agencies and clients are becoming more confident in their understanding of the legal and ethical uses. This is a period of heavy time and money investment as agencies bring their talent and clients on the journey.</p>	<p>In practice</p> <p>While policies and trainings are often set at this stage, the intense investment of time and money continues. Many firms combine off-the-shelf offerings with proprietary tools, with many firms training their own exclusive large language models.</p>

PR Council Disclaimers

1. The PR Council does not foresee a time when human curation, review and editing is not required.
2. The information and guidance presented are based on the PR Council Code of Ethics and Principles and on learnings over the past year.
3. The PR Council strongly encourages agencies and their teams to continue to actively engage in internal testing and learning relative to generative AI within a proper ethical and legal framework.

Maximizing Generative AI: A Toolkit for PR Professionals

You're eager to put generative AI technologies to work for your firm and your clients. Here's what you need to know:

Area	Recommendation	Why?
<p>Client Information</p>	<p>Use caution when putting confidential client or internal information into a generative AI tool or platform. While some generative AI platforms now offer closed versions or options, we continue to encourage caution.</p>	<p>Anything entered as a query may enter the public sphere and release information and intellectual property into someone else's database not under your control.</p>
<p>Accuracy</p>	<p>Always check for inadvertent plagiarism and copyright or trademark infringement in AI-generated output. Ask vendors about how they use AI in their tools (such as sentiment analysis) and work to eliminate biases and improve accuracy.</p>	<p>Just because the tool says it came from a source does not mean it did, as some generative AI chat tools are exceptionally good at fabricating information. This is being corrected but not yet there.</p>
<p>Value Creation</p>	<p>Provide value to our clients beyond a tool's AI output that they could easily access on their own. We should be thinking about and applying the human ingenuity, communications counsel and/or cultural relevancy we can bring to every output to create a better outcome.</p>	<p>We believe agency pros will always be equipped to improve the outputs of AI platforms, which are fairly generic. Otherwise, clients will simply purchase the platforms and create outputs themselves.</p>
<p>Disclosure</p>	<p>We recommend disclosure to clients and in some cases members of the public if generative AI tools are used in any part of the creative process. Flexibility can be applied to determining how and when to disclose. We recommend agencies include wording as part of their contract and scope of work if this is a common occurrence.</p>	<p>It is not possible to protect content generated solely by AI. We would also be exposed to increased legal risks due to dual indemnification clauses.</p>
<p>Bias</p>	<p>Beware of biases incorporated in AI-generated output, both in writing and in developing imagery for a campaign. It is essential that diverse perspectives be tapped to review content created by generative AI tools to ensure no bias is accidentally overlooked or shared externally.</p>	<p>The data or information used to train AI can lack inclusivity and exhibit bias towards certain populations.</p>
<p>Training</p>	<p>Agencies should establish clear guidance and conduct regular, firm-wide training on best practices and the proper ethical and legal use of AI to protect their brands and their clients' brands. Balance experimentation and discovery with risk management, legal considerations and industry best practices.</p>	<p>Generative AI and its uses are evolving rapidly, and as such, agency leadership should update guidelines, training and discussion at least quarterly.</p>

AI Bias Questions

Beware of biases incorporated in AI-generated output, both in writing and in developing imagery for a campaign. Some key questions to ask when evaluating an AI platform or tool to better understand potential bias can be found below.

