Browne Jacobson

NHS announces artificial intelligence fund

📅 26 June 2023

On the 23ʳᵈ June the Government announced a £21 million fund to support the deployment of AI within hospitals, with a focus on those tools that will "help treat people more quickly this winter".

£21 million to roll out artificial intelligence across the NHS funding for the AI Diagnostic Fund is ring-fenced and described as a "fitting celebration of [the NHS's] 75ᵗʰ anniversary". Bids for funding will need to demonstrate how deployment of the proposed AI tool will represent value for money.

Although there are ongoing questions about the use of AI and what shape any domestic regulation will take, the Government's announcement signals a clear commitment to facilitating deployment of AI within a health and care setting.

For those interested in taking advantage of the fund, whether as a developer or a deployer, the new resource library the AI and Digital Regulations Service Regulations and guidance for adopters - AI regulation service - NHS (innovation.nhs.uk) for health and social care will be a helpful tool to assist in navigating the regulatory landscape for AI.

However, while these are a great starting point, there are other important issues that will need to be considered, especially those relating to AI bias and the resulting public law implications for organisations such as NHS Trusts deploying AI tools. The guidance summarised on the AI and Digital Regulations Service does not currently go into this level of detail. Ensuring that these important issues are built-into the process for determining when and how to deploy AI will be essential in making sure that AI is deployed effectively and that the legal risks associated with deployment are minimised/mitigated as appropriate.

We await further details around how value for money will be assessed in the context of the fund. To date this hasn't always been an easy point to evidence with AI tools and so it will be interesting to see how robustly this will be analysed as part of the funding application process.

If you'd like to discuss please get in touch with Charlotte Harpin or Gerard Hanratty.

Key contacts

Charlotte Harpin

Partner

charlotte.harpin@brownejacobson.com

+44 (0)330 045 2405

Gerard Hanratty

Partner

gerard.hanratty@brownejacobson.com

+44 (0)330 045 2159

Related expertise

Sectors

Government

Health

HealthTech

NHS acute trusts

NHS mental and community
health trusts

Social care

Technology