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## PREFACE - MCAST'S POSITION STATEMENT ON THE USE OF AI SYSTEMS

### i. Introduction

- a) Artificial Intelligence is a field of scientific research and development. It includes subfields such as machine learning that uses algorithms to analyse vast amounts of data. AI systems are examples of neural networks trained on massive datasets to generate new content from simple prompts. Large language models (LLMs), such as ChatGPT (Open AI), Bard (Google), or Claude (Anthropic), and others, can generate text in multiple languages and styles. Other generative programs generate images, video, audio and code from text instructions.
- b) As AI Systems become more widespread, accessible and easy to use, it will continue to impact life in general, including the way those involved in further and higher education engage in teaching, learning and assessment.

### ii. MCAST's Position on AI Systems

- a) MCAST considers these tools to be transformative. Since they feature in many academic and professional workplaces, MCAST will support all its community members to use these tools effectively, ethically and transparently. While these tools are powerful and easy to use, they can also provide misleading or incorrect information. Users of AI Systems should always be strongly encouraged to take a critical approach to the use of any output from such a program, as these tools can generate superficial, inaccurate and unhelpful outputs.
- b) AI Systems may also undermine the learning process by creating shortcuts that reduce the need for a student's critical engagement, which is key to deep and meaningful learning. It is important that all AI Systems' users understand the difference between reasonable and unreasonable use of these technologies.
- c) If AI Systems are used properly, it can offer a myriad of opportunities, not only as a tool for life, but also as a pedagogical tool which aids learning, teaching and assessment. On the other hand, there is no simple solution to the challenges created by AI Systems in learning, teaching and assessment.
- d) It is important that staff familiarise themselves with the opportunities and risks posed by these technologies and discuss with students within their disciplinary and educational context, and learn how to adapt their pedagogical approaches to this new reality.
- e) The following seven ethics principles outlined in the *AI Ethics Guidelines for Trustworthy Artificial Intelligence, prepared by the European Commission's High Level Expert Group on AI*, will guide the use of AI at MCAST: **Human Agency and Oversight; Technical Robustness and Safety; Privacy and Data Governance; Transparency; Diversity, Non-Discrimination and Fairness; Societal and Environmental Wellbeing; and Accountability.**
- f) In addition, MCAST collaborates with the Malta Digital Innovation Authority (MDIA), the national authority on AI governance, to ensure compliance with local standards and best practices.
- g) MCAST is committed to continuously monitoring developments in artificial intelligence, including legislative, ethical, and technological advances. MCAST will maintain an active review cycle of its AI-related policies to ensure that governance, safeguards, and educational practices remain aligned with emerging standards and best practice.



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- Malta Digital Information Authority, (2019) *Strategy and Vision for Artificial Intelligence in Malta 2030*, <https://www.mdia.gov.mt/malta-ai-strategy/>
- Chandler and Prevatt-Goldstein, (2023) Using generative AI (GenAI) in learning and teaching UCL
- JISC. (2023) [A Generative AI primer](#)
- Regulation (EU) 2024/1689 (Artificial Intelligence Act)
- UNESCO. (2023) [AI in Education: Guidance for Policy Makers.](#)
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## MCAST POLICY ON THE PROPER AND ETHICAL USE OF AI SYSTEMS

### 1. INTRODUCTION

- 1.1. This policy sets out the parameters for the use of AI Systems by the Malta College of Arts, Science and Technology (MCAST) and should be read in conjunction with MCAST's Position Statement on the use of AI Systems.
- 1.2. It applies to all MCAST community members, third-party suppliers and partner stakeholders engaged in using or developing such systems within or on behalf of MCAST.
- 1.3. The purpose of this policy is to support the proper and ethical use of AI Systems at MCAST and help prepare MCAST's community members for its widespread use in education and across industry, commerce and the professions.
- 1.4. This policy is informed by the following;
  - a) Ethical principles outlined in the *AI Ethics Guidelines for Trustworthy Artificial Intelligence*, prepared by the European Commission's High Level Expert Group on AI;
  - b) EU Artificial Intelligence Act (Regulation (EU) 2024/1689
  - c) OECD AI principles;
  - d) Malta's AI Strategy and Vision; and
  - e) UNESCO Recommendation on the Ethics of Artificial Intelligence;
  - f) [Malta Ethical AI Framework, 'Malta – Towards Trustworthy AI'](#).

### 2. DEFINITIONS

- 2.1. MCAST adopts the following definition as stated in Article 3(1) of the EU Artificial Intelligence Act (Regulation (EU) 2024/1689):

- Artificial Intelligence System (AI System): A machine-based system designed to operate with varying levels of autonomy, which may exhibit adaptiveness after deployment, and that, for explicit or implicit objectives, infers from input how to generate outputs such as predictions, recommendations, content, or decisions, which can influence physical or virtual environments.
- Market Surveillance Authority: The national authority carrying out the activities and taking the measures pursuant to Regulation (EU) 2019/1020;
- General-Purpose AI Model (GPAI): AI model, including where such an AI model is trained with a large amount of data using self-supervision at scale, that displays significant generality and is capable of competently performing a wide range of distinct tasks regardless of the way the model is placed on the market and that can be integrated into a variety of downstream systems or applications, except AI models that are used for research, development or prototyping activities before they are placed on the market.

For the purposes of this policy, and drawing from relevant international frameworks and sectoral practice, MCAST further defines the following:

- User: Refers to any natural or legal person, public authority, agency, or other body using an AI system. In the MCAST context, this includes staff, students, researchers, contractors, or administrative entities that operate or interact with AI tools as part of teaching, learning, research or institutional processes. Any other third-party suppliers and



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partner stakeholders engaged in using or developing such systems within or on behalf of MCAST.

- Data Subject: A person whose personal data is processed by an AI system.

### 3. PRINCIPLES

- 3.1. All users of AI Systems must consider the ethical and legal implications of their work and output. This includes being mindful that AI Systems, explicitly GenAI, can generate harmful, misleading, biased or discriminatory content. AI Systems must not be used to promote discrimination, bias or harm. The following seven ethics principles outlined in the *AI Ethics Guidelines for Trustworthy Artificial Intelligence, prepared by the European Commission's High Level Expert Group on AI*, will guide the use of AI at MCAST:
- 3.2. Human Agency and Oversight: AI tools must remain subject to human judgment and must not override individual autonomy, educational intent or academic integrity. AI systems are a support tool not decision-makers. In doing so one will assure reliability of any generated outputs.
- 3.3. Technical Robustness and Safety: AI tools must be used responsibly, with full awareness of their limitations, inaccuracies, and potential for misuse. Appropriate safeguards should be in place to ensure reliable outcomes.
- 3.4. Privacy and Data Governance: No personal, identifiable or sensitive data is to be shared with AI systems unless fully compliant with MCAST's Data Protection Policy and General Data Protection Regulation (EU) 2016/679) (GDPR). Responsible data handling is mandatory. The use of AI should respect the privacy of all data subjects and should not be used to collect, store, access or share their personal data without their consent. This includes not generating a likeness of others in images, videos, audios or written form without consent. Such activities may lead to a breach of GDPR as specified in MCAST's Data Protection Policy.
- 3.5. Transparency: Users must clearly disclose when AI tools have been used. Outputs should be attributed accordingly in all use case scenarios. Users should understand the capabilities and limitations of GenAI-generated content.
- 3.6. Diversity, Non-Discrimination and Fairness: AI must not be used to produce or reinforce discriminatory, biased or unfair content. Users must vet all outputs to respect diversity and promote equitable access to education and services.
- 3.7. Societal and Environmental Wellbeing: AI should be deployed in ways that contribute positively to society, including promoting inclusive learning, reducing barriers and respecting environmental sustainability. MCAST supports the development and use of AI systems that are:
  - energy-efficient, transparent about computational resources; and
  - aligned with broader environmental and sustainability goals, in line with the EU Green Deal.
- 3.8. Accountability: All users of AI systems are expected to exercise due diligence and sound judgment in their use of AI tools. Accountability relates to the responsible application of such tools, ensuring that outputs are critically evaluated for accuracy, used ethically, and assessed for their potential impact before being adopted or shared.
- 3.9. MCAST's approach to AI is also guided by the Charter of Fundamental Rights of the EU, ensuring that all users of AI uphold dignity, non-discrimination, privacy, academic freedom and the right to education. In light of this, any users of AI must ensure that they also take into



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consideration and be in compliance with the following: Art. 24: Rights of the child; Art. 27: Workers' rights to information and consultation; and, Art. 38: Consumer protection.

#### REFERENCE DOCUMENT

- MOP\_ADM\_001\_14 \_DATA PROTECTION POLICY AND PROCEDURE
- DOC\_074\_CORP\_RESEARCH ETHICS POLICY AND PROCEDURE
- Regulation (EU) 2024/1689 (Artificial Intelligence Act)
- The Charter of Fundamental Rights of the European Union 2000/9

## 4. RISK CLASSIFICATION

4.1. Four-tier risk classification: MCAST acknowledges and endorses the four-tier risk classification set out in the EU AI Act for the approval and classification of any AI-related project, with some examples of each risk tier provided below:

- Unacceptable risk: AI Systems that, among other use-cases, manipulate human behaviour, exploit vulnerabilities, or use real-time biometric identification in public spaces;
- High-risk: AI Systems, such as those used in education for assessing student eligibility for courses, scoring, evaluation and profiling necessitate conformity assessment and logging requirements;
- Limited risk: AI Systems such as chatbots interacting directly with persons require transparency mechanisms to be in place; and,
- Minimal risk: Productivity tools with minimal risk to health, safety and fundamental rights such as spam filters.

4.2. In line with the EU Artificial Intelligence Act, MCAST does not engage in the development, deployment, procurement or testing of AI systems that fall within the unacceptable-risk category. These systems are expressly prohibited under EU law due to their inherent potential to adversely affect fundamental rights, safety or democratic values.

4.3. Real World Testing: MCAST recognises that real-world testing is a necessary and valuable phase in the development and evaluation of high-risk AI systems, particularly in applied research and innovation contexts. AI Systems, particularly GenAI, are used in ways that may affect individuals' academic, professional or personal outcomes. Hence, a formal risk assessment must be undertaken. Any such activity must align with the obligations outlined in the EU Artificial Intelligence Act (Regulation 2024/1689).

Real-world testing may occur in, but not be limited to, the following contexts:

- Applied research or innovation projects involving AI Systems;
- Collaborative projects with third-party AI developers (e.g., tech providers, start-ups, public-private partnerships); and,
- Controlled pilot deployments of AI systems that may qualify as high-risk, including those impacting students' rights, opportunities or wellbeing, etc.

4.4. Each MCAST project involving an AI system or component must be classified according to the EU AI Act's risk categories. Research-based projects must undergo review and approval by the MCAST Research Ethics Committee, in line with College procedures, and by the College's Data Protection Officer (DPO) for any data-related matters.





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- 4.5. Collaborative engagement with the relevant authorities may also be undertaken, where necessary, as part of this review.
- 4.6. Any approved projects classified as high risk will be disclosed and coordinated with the relevant authorities. Following risk classification, limited or minimal risk systems may also be disclosed, as appropriate.
- 4.7. Any projects carried out at MCAST that involve real-world testing of AI systems as part of innovation, research or operational development must adhere to strict ethical, legal and data protection protocols in line with the EU Artificial Intelligence Act (Regulation (EU) 2024/1689).
- 4.8. For high-risk AI systems, projects that are not operating within an approved AI regulatory sandbox must obtain prior authorisation from the relevant market surveillance authority (in Malta, that authority would be the MDIA) before commencing real-world testing.
- 4.9. MCAST shall take reasonable steps to prevent interested parties from exposure to untested or potentially harmful AI. The College upholds the principle of transparency and ensures that all testing is fully disclosed, monitored and evaluated in accordance with applicable legal and ethical requirements.
- 4.10. Data subjects who have concerns regarding the use of their data in AI projects may seek the assistance of the College DPO via their Institute Management.

## 5. USAGE GUIDELINES

- 5.1. AI Systems must be used responsibly and not used to deliberately deceive or falsify.
- 5.2. Inappropriate uses of AI systems, such as generating manipulative or deceptive content, are strictly prohibited.
- 5.3. Content generated by AI is to be verified in order to confirm that the outputs are accurate and non-biased. The responsibility and liability for any content generated via AI lies with the user who generated it.
- 5.4. All users must always clearly disclose the use of AI when sharing or publishing AI generated/supported content.
- 5.5. The use of AI by students in coursework is permissible, provided that the following conditions are met:
- 5.5.1 The use of AI is clearly disclosed and appropriately acknowledged by the student.
- 5.5.2 The use of AI does not conflict with, or compromise, the intended Learning Outcomes and/or Assessment Criteria of the specific unit.
- 5.5.3 The use of AI adheres to the seven Ethical Principles outlined in the *EU Ethics Guidelines for Trustworthy Artificial Intelligence*.
- 5.5.4 AI is utilised as a research, creative or brainstorming tool to support the development of the student's ideas, rather than to define or replace them.
- 5.5.5 AI does not substitute the student's own skills, critical thinking or knowledge.
- 5.5.6 AI is not used to fabricate, falsify or manipulate data or evidence.





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5.5.7 Students must be able to clearly identify how AI contributed to their learning and reflect on what was learned through its use.

5.5.8 All AI use must comply with MCAST's *Academic Integrity Policy* (DOC\_099) and *Data Protection Policy* (MOP\_ADM\_001\_14), as referenced in this document.

5.5.9 Any submission of AI-generated content as your own original work without declaration is considered an act of misconduct.

5.5.10 In the absence of an AI use declaration, it shall be understood that the student formally declares that no AI tools were used in the completion of the work.

5.6. The use of AI by academic and administrative staff in the design and delivery of learning materials, assessment and research activities is permissible, provided that it upholds academic integrity, transparency and accountability, and that the following conditions are met:

5.6.1 AI shall not replace professional academic judgement or moderation; staff retain full responsibility for evaluating student performance.

5.6.2 AI tools may be used to enhance learning design and assessment development, provided that academic standards, fairness and student privacy are maintained.

5.6.3 Any AI-generated content used in teaching, assessment or research must be transparently acknowledged and comply with *DOC\_085 Intellectual Property Policy* and *MOP\_ADM\_001\_14 Data Protection Policy*.

5.6.4 Academic staff must clearly communicate to students the permitted level of AI use for each assignment, in accordance with the three-tier categorisation outlined in MCAST AI Resource 1: Applying AI to Learning and Teaching.

5.6.5 When using AI, staff must verify the accuracy of outputs and refrain from uploading personal data, commercially sensitive information or any intellectual property belonging to the College to external systems unless authorised.

5.6.6 MCAST staff are encouraged to explore the pedagogical, research and administrative benefits of AI responsibly, in alignment with institutional values and this policy.

5.6.7 MCAST staff are expected to model ethical and responsible AI use and guide students in developing critical and reflective engagement with AI tools.

5.6.8 Academic staff should also make a proactive effort to directly include the use of AI in coursework (where appropriate) to further minimise cases of undisclosed AI use.

5.7. AI system users who use AI in their research and/or discipline of work must ensure that the use is in line with the seven Ethical Principles outlined in the EU's Ethics Guidelines for Trustworthy Artificial Intelligence.

5.8. The College owns all intellectual property that is created using AI through corporate systems unless otherwise agreed to in writing as per MCAST's Intellectual Property Policy referenced below.

5.9. AI literacy and Capacity Building

5.9.1 MCAST recognises that the responsible and effective use of AI depends on a strong foundation of AI literacy. In accordance with the EU AI Act (Regulation (EU) 2024/1689), MCAST commits to promoting AI literacy and competence among all staff, students and relevant stakeholders. MCAST acknowledges the role of the national supervisory authorities in overseeing AI-related activity. In alignment with the EU AI Act and Malta's Strategy and



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Vision for Artificial Intelligence, the College will engage with the Malta Digital Innovation Authority (MDIA) and other relevant bodies as needed to ensure legal compliance, transparency and responsible innovation.

5.9.2 MCAST will ensure that both academic and non-academic staff are equipped with the knowledge and confidence to use, evaluate and supervise AI tools effectively in their respective areas of responsibility through training and awareness programmes. This includes:

- Understanding the capabilities and limitations of AI tools;
- Promoting critical thinking and responsible use;
- Addressing ethical and legal implications (e.g., bias, data protection, transparency).

5.9.3 To achieve this, the College will:

- Embed AI literacy in ongoing staff training and continuous professional development (CPD);
- Develop an AI Toolkit, Resource Guides and other AI related templates as applicable;
- Offer conferences, workshops and seminars to foster dialogue on the pedagogical, ethical and operational use of AI;
- Support awareness campaigns and resources to help all stakeholders make informed decisions about AI use in education.

These actions will ensure MCAST's community can responsibly leverage AI as part of a future-ready, inclusive and ethical learning environment.

5.10. All users of AI should seek to complete training programmes on the use of AI thereby constantly keeping abreast with current developments on the responsible use of AI, ethical considerations, privacy, data protection and compliance with this policy.

5.11. Information Sharing

5.11.1 **Disclosure to Students, Employees and Third Parties:** MCAST recognizes the importance of transparency and open communication. Therefore, information about the use of AI should be disclosed to all involved and relevant parties. Such disclosure should include the nature of the AI System being used, the purpose for which it is being used and any potential impact on individuals' data or privacy.

5.11.2 **Disclosure Requirements:** Users who use AI to generate content through systems or software that they would not be expected to be using within their academic or work context must disclose this fact when submitting or sharing the generated content. They should clearly indicate that AI was involved in the creation process. Hence,

- *Any undisclosed use of AI will be considered an act of misconduct (Doc 099 referenced below).*
- *All use of AI is to be referenced (Refer to reference guidelines).*
- *It is highly recommended that the application and use of AI is critiqued by the user.*

5.12. Monitoring

5.12.1 MCAST reserves the right to monitor the use of AI by its community to ensure compliance with this policy, gauge adherence to ethical guidelines and identify areas for improvement.



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5.12.2 Employees and students should be aware that the use of AI and, particularly, external public facing systems, without due consideration of the legal and ethical implications of their work/output, may result in disciplinary action.

5.12.3 Any suspected misuse of AI should be reported in the first instance to the institute/centre/campus/department management team.

## 6. DATA PROTECTION AND INFORMATION SECURITY

- 6.1. The College undertakes to protect the privacy of data subjects when using and training AI Systems. This includes not collecting, storing, accessing or sharing personal data without consent and using or ensuring appropriate security measures to protect data from unauthorised access (see below).
- 6.2. All data used in the development and operation of AI Systems must respect the privacy and rights of data subjects and be securely transmitted, stored and managed in accordance with MCAST's Data Protection Policy (referenced below) and relevant data protection laws.
- 6.3. In the case of the development of AI Systems by researchers for research and the creation of datasets to train such a system, this should also be affected in accordance with MCAST's Research Ethics Policy and Procedure (referenced below).
- 6.4. The College will take appropriate steps to protect the security of its computer systems and networks when AI is being used through corporate systems. This includes using appropriate security measures to protect against malicious attacks and ensuring that users are aware of the risks associated with using the technology. Similarly, the College will work with third-party suppliers to ensure that services used by the College are equally secure.

### REFERENCE DOCUMENT

- *DOC\_099 ACADEMIC INTEGRITY POLICY AND PROCEDURE*
- *MOP\_ADM\_001\_14\_DATA PROTECTION POLICY AND PROCEDURE*
- *DOC\_074\_CORP\_RESEARCH ETHICS POLICY AND PROCEDURE*
- *DOC\_487\_Code of Good Research Practice*
- *Regulation (EU) 2024/1689 (Artificial Intelligence Act)*
- *The Charter of Fundamental Rights of the European Union 2000/9*

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