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The EU AI Act: A checklist for L&D teams

What to check, what to ask for, and who to bring in before you buy an AI learning tool.

1 Work out what the tool actually does

- [ ] Ask whether the tool evaluates people, rather than whether it uses AI.
- [ ] List the features that score or assess a learner, such as placement, scoring, or adaptive sequencing. List the features that only generate practice without scoring anyone.
- [ ] Agree the intended use with your vendor in writing.
- [ ] Check how you plan to use it. Feeding practice scores into reviews, promotions, or role decisions changes the picture.
- [ ] If a vendor says the tool reads learners' emotions, ask further questions. That use is banned in workplaces and education.

2 Ask the vendor for five pieces of evidence

- [ ] **Classification:** which features evaluate learners, how the vendor classifies each one, and on what basis.
- [ ] **Roles:** who is the provider and who is the deployer, written down.
- [ ] **Models:** which third-party AI models sit underneath, and who is responsible for them.
- [ ] **Data protection:** a signed data processing agreement, a public sub-processor list, a confirmed hosting region, and written confirmation that your data is not used to train models.
- [ ] **Assurance:** recognised certifications such as ISO 27001 for security and ISO 42001 for AI management.

3 Questions covering the EU AI Act & data protection separately

EU AI Act

- [ ] What is the intended use of the tool?
- [ ] How does the vendor classify each feature that evaluates learners?
- [ ] What transparency and human oversight are in place?
- [ ] Can a learner tell they're dealing with an AI?
- [ ] Can a person step in and review the outcome?

Data protection, security & GDPR

- [ ] Where is the data stored?
- [ ] Who can see it?
- [ ] Who are the sub-processors?
- [ ] Is there a data processing agreement in place?

4 Get the right people in the room early

- [ ] Legal, or your data protection officer.
- [ ] IT and security.
- [ ] Procurement.
- [ ] The people team or HR.
- [ ] Employee representatives, wherever the tool evaluates or monitors employees. Works councils in Germany and Spain may need to be involved sooner than the act itself requires.

5 Build the case for sign-off

- [ ] Lead with the business problem the tool solves. Committees approve outcomes.
- [ ] Bring the evidence pack with the pitch, not after someone asks for it.
- [ ] Frame it as risk management rather than risk-free, and name who will keep an eye on it. Check your dates. Reviewers will, and the timelines have moved before.

See how Busuu answers these questions – book a demo at business.busuu.com/en/demo