

Reference: 2053425

Information Requests
information.requests@ofcom.org.uk

26 August 2025

Freedom of Information request: Right to know request

Thank you for your request for information about age verification, data protection and access rights.

We received this request on 28 July 2025 and we have considered your request under the Freedom of Information Act 2000 ("the FOI Act").

Your request and our response

Under the Freedom of Information Act 2000, I am requesting the following information regarding the implementation of age verification systems mandated under the Online Safety Act 2023:

1. A copy of any internal policies, guidance documents, or frameworks used by Ofcom to assess the privacy and data protection implications of third-party age verification systems, particularly those requiring users to submit government-issued ID, biometric data (e.g. facial scans), or banking information.

The Information Commissioner's Office has worked with us throughout the production of our Age Assurance Guidance and Codes of Practice. Where possible we have signposted to the [Information Commissioner's Opinion](#) which sets clear expectations on data protection matters arising out of the use of age assurance. You can see our published guidance here: [Guidance on highly effective age assurance and other Part 5 duties](#).

2. Any documentation showing how Ofcom has evaluated the compliance of these systems with the UK General Data Protection Regulation (UK GDPR), including but not limited to Data Protection Impact Assessments (DPIAs), risk assessments, or third-party audits.

We have investigated your request and we do not hold this information. The obligation for complying with the UK GDPR rests with the regulated services implementing age assurance and the age assurance vendor.

Matters related to privacy and data protection compliance arising out of age assurance in the UK is primarily a matter for the Information Commissioner who is responsible for assessing the data protection compliance of age assurance vendors and, more broadly, Data Controllers. This would

include, for example, the requirements around the completion of DPIAs, the analysis of risk assessments or the carrying out of audits for the purposes of evaluating compliance with the UK GDPR and associated legislation.

The Online Safety Act at s81(4)(b) makes it clear that services which make available provider pornographic content must have “regard to privacy and data protection”. Ofcom, in accordance with its duties under the Online Safety Act, has given examples in its Guidance on Highly Effective Age Assurance around how a provider can look to fulfil this duty.

3. A list of approved or recommended third-party age verification providers (if any), and any memoranda of understanding or contractual terms that exist between Ofcom and these providers.

We do not hold this information. Whilst Ofcom has provided a non-exhaustive list of methods of age assurance which we consider are capable of being highly effective at determining whether a user is an adult or a child as part of our duties under the Online Safety Act, Ofcom does not certify or approve any specific age assurance providers. No contractual relationship or memorandum of understanding exists between Ofcom and the vendors of specific age assurance technologies.

*4. Clarification on who has access to the data submitted through age verification processes:
- Is any personal data (e.g. ID, biometric info) accessible to Ofcom or any other UK government departments? Do platforms hosting content (e.g. Reddit, Discord, X) gain access to the underlying personal data, or is it retained solely by the verification provider?*

Ofcom has no access to any personal data submitted through age verification processes to age assurance providers. Details of who has access to this personal data may be held by the service providers and you may wish to redirect this question to those entities. In any case, service providers, using an age assurance process, are subject to the requirements of the UK’s data protection regime and should follow a data protection by design approach. Ofcom is unable to comment on information held by other public authorities.

5. A summary of any formal guidance or legal interpretation produced by Ofcom regarding UK users’ rights to refuse or reject third-party age verification – for example, whether users must be granted alternative methods of access, or whether denial of access is permissible under the law.

We do not hold this information. Under the Online Safety Act, services in the scope of regulation are required by law to use highly effective age assurance to prevent children from accessing pornography, suicide, self-harm, and eating disorder content, while preserving adults’ rights to access legal content. To be clear, there is no general requirement for people in the UK to complete an age check to access legal content on the internet. The obligation to implement highly effective age assurance rests with the service provider, and is only applicable on certain services in scope of age assurance duties in the Online Safety Act, where needed to protect children from content harmful to them.

For each of our recommended Codes measures pertaining to Age Assurance, Ofcom has undertaken a rights impact assessment which can be found [here](#).

We hope this information is helpful. If you have any further queries, then please send them to information.requests@ofcom.org.uk – quoting the reference number above in any future communications.

Yours sincerely,

Information Requests

Request an internal review

If you are unhappy with the response you have received to your request for information, or think that your request was refused without a reason valid under the law, you may ask for an internal review. If you do, it will be subject to an independent review within Ofcom. We will either uphold the original decision, or reverse or modify it.

If you would like to ask us to carry out an internal review, you should get in touch within two months of the date of this letter. There is no statutory deadline for us to complete our internal review, and the time it takes will depend on the complexity of the request. But we will try to complete the review within 20 working days (or no more than 40 working days in exceptional cases) and keep you informed of our progress. Please email the Information Requests team (information.requests@ofcom.org.uk) to request an internal review.

Taking it further

If you are unhappy with the outcome of our internal review, then you have the right to [complain to the Information Commissioner's Office](#).