

Reference: 2088091

Information Requests
information.requests@ofcom.org.uk

5 November 2025

Freedom of Information request: Right to know request

Thank you for your request for information about the Online Safety Act 2023 and people with learning disabilities.

We received this request on 8 October 2025 and we have considered your request under the Freedom of Information Act 2000 (“the FOI Act”).

Your request and our response

(a) Details of organisations supporting people with learning disabilities which OFCOM has consulted (formally or informally) prior to the passing of the Act, and subsequently;

It was not Ofcom’s role to carry out information gathering to inform the drafting of the Online Safety Act (‘the Act’), and we therefore hold no information in response to your request for details of consultations conducted prior to the passing of the Act.

We can confirm that, in respect of Age Assurance measures, we carried out consultations regarding our [Guidance for service providers publishing pornographic content](#), and on [Protecting children from harms online](#). The consultations and responses can both be found on Ofcom’s website.

(b) Details of any analyses undertaken concerning the potential impact of the age verification elements of the Act on people with learning disabilities;

Ofcom carries out impact assessments to help us understand and assess the potential impact of our policy decisions before we make any such decisions and to help us explain the policy decisions we take. Our impact assessments provide a structured process for considering the potential effects of our proposals, including benefits, costs and risks. Our impact assessments include an assessment of the impacts on specific groups of persons including the need to eliminate discrimination against persons sharing protected characteristics and promote equality of opportunity in line with UK equality legislation. For further information on our approach to impact assessments, please see our published [impact assessment guidance](#).

Our age assurance policy decisions, and the corresponding Equality Impact Assessments, are set out in two key policy statements: [the Age Assurance and Children's Access Statement](#), and the [Protecting Children from Harms Online Statement](#). In the Age Assurance and Children's Access Statement and our Part 5 Highly Effective Age Assurance Guidance we confirmed our overall approach to highly effective age assurance and The Protecting Children from Harms Online Statement and Part 3 Highly Effective Age Assurance Guidance set out the age assurance measures we expect certain user-to-user services to take to protect children.

As part of the Age Assurance and Children’s Access Statement, we completed an Equality Impact Assessment which can be found [here](#). This assessed the impact of our regulatory approach in

relation to children’s access assessments, highly effective age assurance and Part 5 duties on persons sharing protected characteristics and, in particular, whether they may discriminate against such persons or impact on equality of opportunity or good relations. Full details of our Equality Impact Assessment can be found at [pages 154-157 of the statement](#), where various protected characteristics, including disabilities, are considered. This was an update to the proposed Equality Impact Assessment that was consulted on [for the Guidance for service providers publishing pornographic content](#). Please see pages 39-40 for the proposed assessment, which again included consideration of various protected characteristics, including disability.

In addition to this, we completed an Impact Assessment for the Statement: Protecting Children from Harms Online which is relevant to your request. The age assurance section of the Equality Impact Assessment is on pages 48-49 of [Volume 5](#), which involves consideration of accessibility and the impact of age assurance on children or adults with relevant protected characteristics. This updated the proposed Equality Impact Assessment that we consulted on; the age assurance section of this can be found at pages 63-64 of this [annex](#).

(c) Information concerning any specific information-gathering or other action taken prior to the passing of the Act to inform the debate and/or the drafting of the Act to mitigate the risk of a disproportionately negative impact on people with learning disabilities;

Please see the response to point a. It was not Ofcom’s role to carry out information gathering to inform the drafting of the Online Safety Act. Our role throughout the legislative process was to advise government and parliament on the implications of different amendments for the overall implementation of the Online Safety regime. We did not take a view on broader matters of policy.

(d) Information concerning your assessment of the availability of age verification technologies and their suitability for use by people with learning disabilities;

Please see in particular 4.62 – 4.67 of our published [guidance](#). In this guidance, we set out a non-exhaustive list of methods along with criteria and principles services should have regard to when implementing age assurance measures, including the principle of accessibility and the specific recommendations that service providers should:

- Assess the potential impact that their age assurance approach might have on users with protected characteristics
- Consider offering a variety of age assurance methods.
- Design the user journey through the age assurance process to be accessible for a wide range of abilities.
- Make information about the age assurance process available to the user prior to completing the age check.

(e) Information about measures OFCOM proposes to take to ensure that age verification measures operate in the interests of people with learning disabilities;

In the codes and guidance referenced above, we have set out how our measures are designed to secure better protections for children online, while not unduly restricting adult users from accessing legal content. In particular, these considerations are set out in the Equality Impact Assessment, linked above.

In July 2026, we will publish a statutory report on the use and effectiveness of highly effective age assurance. We are currently conducting a [Call for Evidence](#) to inform the findings of the July 2026 report. We are seeking evidence and input on how providers of regulated services have used age assurance to comply with their duties under the Online Safety Act, how effective it has been for that

purpose, and whether there are factors that have prevented or hindered the effective use of age assurance.

(f) OFCOM's views on the suitability of current age verification technologies for people with learning disabilities;

We note that this is a request for opinion, and we therefore do not consider that this amounts to a valid request for information in accordance with the FOI Act.

(g) Details of any discussions with technology providers (and their representative bodies) concerning the suitability (or otherwise) of age-verification technologies for people with learning disabilities.

Ofcom has not specifically discussed the suitability of age verification technologies for people with learning disabilities with individual technology providers. In 2022 Ofcom commissioned [ACE](#) to produce a report to review recent evidence, and data, ascertaining whether certain groups of adults and/or children may be less able to prove their age online. The research was commissioned to identify whether currently available age assurance techniques (as at the time the report was commissioned) may exclude, or discriminate, against certain groups of adults and/or children online, and what mitigations there are against this.

We enclose a copy of this report. This report contains personal information, which we consider is exempt from disclosure under Section 40(2) of the Act. Section 40(2) provides that personal information about persons other than the requester is exempt where, among other things, its disclosure would contravene any of the data protection principles in the UK General Data Protection Regulations and the Data Protection Act 2018. This includes the principle that personal data must be processed fairly and lawfully. Section 40 is an absolute exemption under the Act and does not require a public interest test. We have therefore redacted any personal information in the enclosed email accordingly.

(h) Information concerning the use of practical, cost-effective alternatives to remote, digital age-verification solutions.

Please see the response to point b, and Ofcom's published statements on Age Assurance and Children's access, and Protection of Children from Harms Online.

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](#).