

Reference: 02291588

Information Requests

information.requests@ofcom.org.uk

26 October 2026

Freedom of Information request: Right to know request

Thank you for your request for information concerning the Under-16s Social Media Ban and Age Verification.

We received this request on 26 September 2026 and we have considered your request under the Freedom of Information Act 2000 ("the FOI Act").

Your request

"I am writing under the Freedom of Information Act 2000 to request information concerning Ofcom's work on age assurance in relation to the proposed under-16 social-media restrictions. For each question, please provide the substantive conclusion, position or decision recorded by Ofcom, rather than only meeting notes or correspondence. Where relevant, please also provide the documents recording that outcome.

- 1. Age assurance for adults: What position has Ofcom reached on whether adults will be able to demonstrate that they are over 16 without disclosing their civil identity to the social-media service, and whether they will have a choice of methods including a non-biometric, non-government-ID and non-financial method?*
- 2. Anonymity and tracking: What position has Ofcom reached on whether age assurance can operate without creating persistent identifiers or allowing a person's age-assurance activity, identity or use of different online services to be linked? What safeguards has Ofcom identified as necessary?*
- 3. Non-biometric alternatives: Has Ofcom considered or reached a position on whether adults should be provided with at least one age-assurance method that does not require facial scanning or other biometric processing, does not require submission of a government-issued identity document, and does not rely on a financial transaction or financial information? If so, please provide the recorded conclusion or position, including any methods Ofcom considers capable of providing highly effective assurance that a user is over 16.*
- 4. Privacy-preserving technology: Has Ofcom assessed or considered technical approaches that allow someone to prove they are over 16 without disclosing their identity or unnecessary personal information? If so, what conclusions did Ofcom reach regarding their suitability for highly effective age assurance?*
- 5. Biometric information: What is Ofcom's recorded position concerning whether facial age estimation involves the creation or retention of biometric information or templates, and what position has it reached concerning the retention or deletion of facial images and other data used by age-assurance providers?*

6. *Third-party providers: Which third-party age-assurance providers has Ofcom engaged with or assessed, and what conclusions has Ofcom reached concerning their privacy and data-protection characteristics, including whether providers can link a person's identity with the services they access?*

7. *Other relevant assessments: Has Ofcom considered the French CNIL's work on privacy-preserving online age verification, particularly its separation of proving age from identifying the service being accessed? If so, what conclusions did Ofcom reach (see <https://www.cnil.fr/fr/verification-de-lage-en-ligne-trouver-lequilibre-entre-protection-des-mineurs-et-respect-de-la-vie>)."*

Our response

In response to questions 1 to 5, we can confirm that we hold some information in response to your request. By way of background, in June 2026, the UK Government announced a package of age restriction measures intended to strengthen protections for children online. These include banning social media providers from offering services to under-16s.¹ To help inform Parliament's consideration of the forthcoming regulations, the Secretary of State requested that Ofcom undertake a rapid assessment of what highly effective age assurance looks like for determining whether someone is 16 or over.²

This rapid assessment includes some information in scope of your request. We intend to publish relevant rapid assessment by the end of October 2026. Ofcom does not intend to release the requested documentation in advance of the date of intended publication. Ofcom considers that the advanced release of the requested information would be against the public interest because it may prejudice consideration of the issues regarding age restriction measures.

Ofcom therefore considers that the information requested is exempt from disclosure under section 22 of the FOI Act, namely that the information is intended for future publication and that it would be against the public interest to release the information at this time. The attached annex to this letter sets out the exemption in full, as well as the factors Ofcom considered when deciding where the public interest lay.

We otherwise note that the Information Commission (**ICO**) is the regulator responsible for information rights and data protection. You may wish to read the ICO's guidance on [data protection principles](#) and [information rights](#) for more detailed information.

In general, we have worked closely with the ICO to adopt a cohesive approach supporting compliance with our respective regulatory regimes. Our [Joint Statement with the ICO on age assurance](#) outlines the main areas of interaction between online safety and data protection laws as they relate to age assurance in a practical way to support compliance with both online safety and data protection obligations.

We also refer you to the following information we have published on age assurance:

- Highly Effective Age Assurance Guidance for [Part 3](#) and [Part 5](#) services published in 2025.
- The [Report](#) on the use of age assurance published in July 2026.

¹ Department of Science, Innovation and Technology (DSIT), 2026. [Social media to be banned for under-16s in landmark government move to give kids their childhood back](#).

² DSIT, 2026. [June progress statement: letter from DSIT Secretary of State to Ofcom Chair and CEO](#).

In response to question 6 we can confirm that we have engaged with third-party age assurance providers as part of our evidence gathering for the rapid assessment. However, we are unable to disclose any information about this engagement with third-party assurance providers as it is exempt under the FOI Act. In particular, under section 44(1)(a) of the FOI Act, information is exempt from disclosure if its disclosure is prohibited by or under any enactment. The enactment that prohibits the disclosure of this information is section 393(1) of the Communications Act 2003 (“the Communications Act”). Under this section, we are prohibited from disclosing information with respect to a particular business that has been obtained in the course of exercising a power conferred by the Communications Act among others, unless that business consents or one of the statutory gateways under section 393(2) of the Communications Act is met, neither of which apply here. Section 44 of the FOI Act is an absolute exemption and therefore is not subject to the public interest test.

In response to question 7 we confirm that Ofcom is aware of this work. However, we do not hold any information in scope of this question.

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 Commission Office](#).

Annex A

Section 22: Information Intended for Future Publication

Section 22 may apply if there is an intention to publish the requested information at some future date. This ensures that the FOI Act does not force public authorities into premature publication of information.

Key points:

- Section 22 may apply even if the specific date for publication has not yet been determined but the proposed publication timetable must be reasonable in all the circumstances;
- Section 22 will only apply if a public authority has decided, before the request is received, to publish the information concerned;
- Section 22 is subject to a public interest balance.

Factors for disclosure	Factors for withholding
<ul style="list-style-type: none">• Ofcom recognises that age assurance in relation to the proposed under-16 social-media restrictions might be a matter of interest to the wider public. Releasing such information could be said to increase transparency in our work and allow for discussion in a public forum.	<ul style="list-style-type: none">• Ofcom intends to publish the requested documentation by the end of October 2026.• The rapid assessment is still underway.
Reasons why public interest favours withholding information	
<ul style="list-style-type: none">• Ofcom is currently finalising its rapid assessment into considering what highly effective age assurance looks like for determining whether someone is 16 or over. This work is being done at the request of the Secretary of State in order to assist Parliament in considering forthcoming regulations.• It is in the public interest that Ofcom publishes this assessment in line with its previously determined timeline, otherwise it may prejudice consideration of the issues.	