

Proof of Age  
Standards Scheme

**PASS**

**Summary of responses**

**Consultation on PASS Proposal to Develop  
UK Standards for the Physical Presentation  
of Digital Proof of Age (DPoA)**

**October 2020**

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### Introduction and outline of consultation approach

The Board of the Proof of Age Standards Scheme (PASS) launched its consultation on proposals to develop UK standards for the Physical Presentation of Digital Proof of Age (DPoA) on 14 February 2020.

For close to twenty years PASS has been accrediting proof of age card schemes based on an agreed set of verification standards so that those accepting PASS accredited cards can be confident they are valid documents. In more recent years a growing number of people want to prove their age through a digital system on a smart phone rather than, or as well as, using physical proof of age cards. The Expert Panel on Age Restrictions which is facilitated by the Office for Product Safety & Standards and is part of the Government's Department for Business, Energy and Industrial Strategy (BEIS), approached the Board of PASS in April 2019 with a view to PASS possibly developing a new set of standards in anticipation of an emerging need for appropriate proof of age standards using digital technologies.

The purpose of the consultation was to seek views on whether or not PASS should extend its remit to cover the use of DPoA as well as physical form of Proof of Age. The consultation included a set of proposals which would allow for the physical presentation of DPoA including the development of an open-source Retail Validation Interface (RVI) and a Retail App that would be free for retailers. PASS decided in advance of the consultation launch to limit its current proposals to 'in person' presentation only given the current focus of the Home Office's Mandatory Licensing Conditions for the sale of alcohol. But PASS also sees the development of proposals for standards which includes automated validation is a strategic goal given evolving technology solutions.

In order to seek as wide a range of views as possible the Survey Monkey consultation was emailed direct to well over 100 organisations and was included on the landing page of the PASS website.

In late March 2020 as the impact of the Covid-19 pandemic began to take real effect, especially for the retail and hospitality sectors, the PASS Board decided to extend the consultation period beyond the initial deadline of 30 April 2020. The deadline was subsequently confirmed as 24 July 2020 allowing more organisations and individuals the opportunity to respond.

The consultation process and analysis of all comments has been led by an independent consultant, with no financial interests in any of the organisations who are represented by PASS Board Directors.

Close to 250 responses were submitted, including from over 30 organisations (listed in Annex A) in advance of the July deadline. The Board of PASS wishes to place on record its thanks to all those who have shared their views about the proposals. It looks forward to continuing the dialogue and working constructively with relevant organisations as it builds on the comments received and takes forward the proposal.

## Rationale

The opening section of the consultation set out the rationale for the proposals, outlining that the Home Office's Mandatory Licencing Conditions do not permit use of any form of Digital Proof of Age (DPoA) in England and Wales and that in Scotland the use of DPoA is not sanctioned in any legislation, statutory guidance or regulations.

The principles of the proposals were set out, at high-level, for the development of a set of UK-wide standards to support retailers in the process of verifying DPoA. In particular, it asked respondents whether they supported a collective approach to the issue, whether they agreed that DPoA could be provided by any number of suppliers and whether they agreed with the concept of a Retail Validation Interface (RVI) to allow for open-source validation (questions 7-8). The consultation also sought information about any standards which may already exist in other countries (question 9).

Automated (non-human) Proof of Age validation and age estimation were explicitly excluded from these proposals, and this exclusion was made clear in the opening section.

## Summary of responses

A majority of respondents supported a collective approach, with a number stating that a collaborative approach with a high level of consistency and alignment would be essential, especially if the retail sector was to have confidence in this new approach for it to land operationally. If an approach was fragmented there was concern that the retail sector would not universally accept DPoA, thus rendering any standard, in effect, redundant. A number of respondents said that DPoA was a preferable alternative to the inconvenience of having to carry a valuable asset, particularly a passport in order to satisfy proof of age requirements within the Night Time Economy. Some also referred to a decreasing volume of people who actually possess a driving licence or passport, let alone a willingness to carry them into pubs or clubs.

There was majority support for the principle that DPoA could be provided by any number of suppliers, and many respondents were clear that diversity in the supply chain would lead to greater innovation and improved consumer choice. The design of a multi-supplier model from the outset would encourage a range of suppliers and the emergence of a competitive market in DPoA solutions.

A note of concern, however, did emerge about potential proliferation of suppliers, suggesting that if numbers ran into the hundreds or that there was a "myriad" of different systems, concerns would emerge about the legitimacy of some suppliers. For a small minority, the government remains the only body to be trusted with any information about identity or age. One respondent was clear that if there was to be a government recognised standard for all digital forms of ID, it would need to be developed and potentially also administered by a government appointed body.

Concerns were expressed by a handful of respondents about the potential monopolisation of the supplier landscape of DPoA products.

The creation of an open-source platform, such as a Retail Verification Interface, was welcomed by many respondents who felt that it would bring numerous benefits to consumers, businesses and technology providers. A particularly vivid analogy was made about the risks of a disjointed approach by detailing current on-street parking payment solutions which vary across London boroughs, which means that there is no single solution across London and, thereby, creates needless inconvenience.

One respondent, however, felt that just as there should be an open market for suppliers and providers, there should ultimately be a competitive market for brokers which allows all accredited DPoA providers to work through a single accreditation process to access a range of brokers. There was a query as to whether it would be better to describe the RVI as standardised or open system, rather than open source which implies no restrictions of any kind in terms of access.

More generally, at least two respondents set out concerns that the approach in this PASS consultation was too narrow in its current focus. PASS had been explicit that these proposals only cover physical presentation, or in other words *in person* verification. This, however, excludes at least two elements of *online* channels, including online age checking for websites and online checking at self-checkouts and terminals. It was noted that there was no explanation for these omissions, and nor why no reference had been made to other technology solutions, such as age estimation. These gaps were a matter of concern to those respondents given the requirement to check for proof of age is widely regarded as a trigger in cases of abuse against retail workers and given the current pandemic has increased the desire for contact-less retail processes. Furthermore, it was noted that the PASS principles made little or no reference to important tenets of the digital economy such as inclusivity of access, transparency, identity assurance and trust frameworks, with limited reference to outcomes based regulatory approaches.

### *International perspectives*

Some respondents shared that various form of DPoA are currently in use in various countries in the European Union (Denmark, Estonia and Germany). It was noted that in Australia a digital driving licence existed but only operated in certain states. Furthermore, it was stated that in certain US states already allow for the use of DPoA, supported by a date of birth anchored to a photo ID, and for the use of age estimation.

Reference was made to a number of international standards including ISO 18013-5 mobile driving licences and PAS 1296, which was sponsored by the Digital Policy Alliance in work led by the British Standards Institute.

### *Basis for the physical presentation of Digital Proof of Age*

This section reiterated that a manual check of Proof of Age (PoA) currently underpins the existing Mandatory Licencing Conditions for age verification relating to alcohol sales, and proposed that this should form the basis for any development of standards for Digital Proof of Age (DPoA). The proposals set out that standards for DPoA should, in effect, mirror current PASS standards for card-based PoA including a manual, or in other words, in-person, verification process (question 10).

### *Summary of responses*

The majority of respondents supported this proposal, as set out in the consultation document.

No-one questioned the starting point that certain goods and services should be age-restricted and that it was right and proper to expect retailers to undertake rigorous checks. The existing 'due diligence' requirements are clearly understood and accepted by licensees.

Some respondents welcomed these proposals as an evolution of the current requirements, ensuring that a licensee must continue to satisfy themselves that the person presenting the DPoA is the person to whom the DPoA pertains. For some, it is important to keep as close to the existing framework as possible and to minimise change in order to ensure greater adoption by both consumers and businesses. The integrity of PASS, according to some respondents, would be best maintained by ensuring that all checks continued to be made in person. Physical checks, in their words, provided important safeguards.

A small number of respondents, however, reiterated concerns that the proposals were too limited, given the fast pace of change in the retail market and emerging technological solutions. The focus on physical presentation was seen as a restriction on the potential of remote verification and the increasing use of self-service check-outs in retail formats.

Some respondents referred to the rapid development of digital solutions for the process of age and identity verification including biometric (including fingerprint and facial) recognition and blockchain authorisation. Ideally checks would not just rely on visual comparison but make use of more sophisticated cryptographic security features, according to some respondents.

## Retailer Verification Interface (RVI)

This section (questions 11 – 15) set out in greater detail how the verification process would work through the creation of a new platform, called the Retailer Verification Interface (RVI). The RVI could be accessed by retailers either through a Retail App, which would be free to download by retailers, or through RVI integration, with the cost incurred by retailers, into other systems such as Electronic Point of Sale (EPOS), or payment or lottery terminals. The consultation provided indicative visuals of the process flow for use of the Retail App, including a proposal to deter the use of spoofed Digital Proof of Age (DPoA) and a proposal to record details of the App usage.

### *Summary of responses*

In terms of process flow, respondents had a range of sometimes opposing views. For some, the process, as described, appeared simple, clear and easy to follow. For others, where it is vital that the customer journey is as seamless as possible, the proposals appeared to include various friction points. Some respondents were concerned that the verification process could take longer and appears more complex than current checks of physical PoA cards, especially if there were connectivity outages. Others were concerned that the proposed anti-spoofing measures would be difficult to implement. How, for instance, would a retailer impress on a customer that they cannot move out of sight following the point where the QR code has been scanned and the proof of age reveal, or would a customer ever allow a retailer to handle their mobile phone to decide if it had been rooted? Simplifying and clarifying all such technical-use details would be vital before any roll-out.

Respondents were appreciative of the consideration given in the proposals to anti-spoofing measures given concerns that without an in-built verification process, there could be a surge either in Rogue Apps or fake digital IDs emerging. A number of respondents referenced the need to build additional functionality to prevent the use of any screenshots.

There was a mixed reaction to the proposal that the Retail App should log the premises and staff details of those using the App. For some, it could be a useful replication of the system of Challenge and Refusals Registers that many retailers currently keep, and so could form a useful audit trail. For others, such a log should not be by default and could be an option and some suggested that only employee numbers needed to be used rather than actual names. Much would depend on the user-experience of the Retail App to ensure that the process did not become too complicated.

For other respondents the RVI process, as described, was yet more confirmation that the enforcement culture needed to be re-thought, especially in the context of social-distancing. At least three respondents reiterated that manual intervention should not be a prerequisite for all age-checking in the retail environment, and instead advocated a move to 'exception-only' manual challenge given recent technological developments, not least biometric age estimation.

As for the issue of cost, the proposal that the Retail App would be made freely available to retailers was almost universally welcomed by respondents given any new or additional cost could be an obstacle. For many respondents, widespread take-up by the retail sector was seen as essential for the

success of DPoA and the free provision of the Retail App would be key to maximise accessibility. Some respondents also made clear that the introduction of any new system required significant additional colleague training which retailers would be expected to bear as a cost. If it were not free, widespread adoption by retailers could not be assured and without that, DPoA would not become an established form of check.

The consultation suggested that if individual retailers wished to integrate the RVI into their EPOS or other systems, they would be expected to bear the cost. Compared with the concept of a free Retail App, there was less consensus about where potential costs should sit if retailers wished to integrate RVI into EPOS or other systems. Some respondents were concerned that for many retailers, especially those in the multiple sector, the Retail App would be of limited use and so integration into EPOS or other systems would be the only feasible way to operationalise DPoA. Others were adamant that beyond any initial set-up cost, there should never be any on-costs for retailers who accept DPoA, in much the same way that they do not currently pay to accept physical PoA. For others, DPoA is a market solution and any discussion about integration costs is best left to commercial negotiation between retail users and technology providers.

Respondents were keen to see more detail, including details of any discussions with existing systems providers, and a fuller cost / benefit financial analysis. The financial implications of the proposed standards will be set out once technical specifications have been agreed.

### Accredited Digital Suppliers (ADS)

The consultation proposed that any organisation could apply to be an Accredited Digital Supplier (ADS) so long as they demonstrated compliance against existing PASS standards for verification of an applicant's identity, and compliance against new PASS digital standards which will require compliance against a new Visual Digital Proof of Age (DPoA) standard and a requirement to integrate with the Retail Verification Interface (RVI). The audit process would be 2-stage: pre-accreditation, and then at the point that an ADS links its userbase to the RVI (questions 16-17) Digital suppliers would meet the audit costs. In addition, ADSs would pay an annual Digital Licence Fee, determined by the size of user base, to connect securely into the RVI (question 18).

#### *Single accreditation process*

There was widespread support for the notion a single accreditation process which many respondents regarded as bringing efficiency and scheme integrity through the standards requirements. The vast majority of respondents felt that a single process would be optimum. However, one respondent, felt that the range of age restricted products was so vast with differing levels of severity that it was more appropriate to have schemes which were relevant to different product areas. Another respondent set out that the goal should be a set of standards which covers both in person and online proof of age, but that in the absence of such an all-encompassing scheme and standards, a single accreditation process for in person physical presentation was acceptable. One respondent believed that overall accreditation should be provided by a body such as the United Kingdom Accreditation Service (UKAS) whose role is to assess organisations which provide certification, testing, inspecting and calibration services against internationally agreed standards.

A significant majority of respondents agreed that independent audits were important to build trust, ensuring that data is stored safely and securely and to minimise fake digital accounts. Many saw the process of independent auditing against new PASS digital standards as a natural evolution of the current process for auditing PASS card providers. It was noted, however, that PASS standards should not be rigid given technological change and that the PASS Standards Group should include a wide range of sectors, including retail representative and digital providers. One respondent, however, made clear that many digital providers already are audited against various relevant and publicly available digital age verification standards, such as PAS 1296, and that it would be wrong – both in terms of unnecessary cost and curbs on innovation - to mandate that Accredited Digital Suppliers should be required to audit against yet another layer of standards. Only one respondent referred to the frequency of audit cycle, proposing that audit requirements for DPoA should be completed every three years.

In terms of the proposed funding model for the accreditation process, respondents had a range of views. There was clear consensus that any fees should be kept to an absolute minimum, and that the focus of PASS should be cost recovery rather than income stream. There was no disagreement that it was appropriate for Accredited Digital Suppliers cover their own audit costs, and the principle of a Digital Licence Fee was not disputed. For one respondent, it seemed similar to payment for a licence

from the Security Industry Authority. However, the more detailed suggestion that an annual Digital Licence Fee would be relative to size of user base was not attractive to the majority of respondents. A fee structure based on size of user base or volume of transaction was seen by a number of respondents as unfair penalisation of larger providers whose growth had been a direct consequence of bringing to market an attractive proposition. Others felt that the user base may differ in size so significantly between providers that smaller ADS may find themselves financially squeezed out of the scheme.

It was clear that more detail about the likely proposed costs was required, and respondents asked for greater granularity about all cost elements, including start-up, maintenance and infrastructure. Similarly, respondents were looking for more detail in terms of licence fee quantum and the ultimate funding formula, and that this should be market-tested in advance of launch.

## Retailers and other DPoA Acceptors

This section (questions 19-21) reiterated a key element of the PASS proposal that the retail industry should not be expected to incur additional cost through acceptance of Digital Proof of Age (DPoA) and reiterated that for the proposal to succeed, near universal acceptance by UK retailers is required. Aside from cost, the consultation also sought indication of whether any other factors would hinder or help retailer acceptance of DPoA.

### *Summary of responses*

Most respondents were against any suggestion that retailers should be required to make a financial contribution. Why, argued one respondent, would a retailer want to pay given they can accept driving licences, as Proof of Age, for free? Others pointed to a retail industry that is already under considerable financial pressure, especially those smaller businesses that only operate in a bricks-and-mortar environment, and that there must be no additional cost barrier for retailers from physical premises. On the other hand, one respondent thought that an effective and efficient DPoA scheme which had been integrated into EPOS would bring considerable benefits for retailers and that it was inappropriate for individuals who carried DPoA to cross-subsidise the retail industry for new efficiencies.

For another respondent, DPoA products and technologies are a solution serving both the business community and individual consumers and open market forces should prevail, allowing retailers to choose which product is right for them and on which investment basis. On the opposite extreme, one respondent felt that local and central government should cover any costs.

Respondents set out a range of issues which could hinder the take-up by retailers of DPoA. These challenges ranged from shops in locations where broadband coverage was low to retail workers whose IT confidence was limited. The speed and reliability of the technical solution was seen as a potential challenge, especially given different retailers use different in-store EPOS technologies.

For others, there remain more profound challenges around the culture of requiring proof of age for age-restricted products. Although PASS has been operating for over 20 years, some respondents claimed that acceptance of PASS approved cards is still not universal especially in pubs and clubs that make up the Night Time Economy. The challenge, therefore, remains to continue to raise awareness about proof of age solutions both amongst individuals and also for those who operate licenced premises.

In turn, this new iteration of the PASS scheme could become an opportunity for a much wider marketing, promotion and communications campaign focused on individuals and also businesses. It

would be important to provide generic training communications, making use of social platforms and webinar tools, as well as identifying potential retail champions. It is often retail colleagues who are at the front line of enforcing age restrictions which can serve as a trigger point for physical and verbal abuse. In the short-term any change can lead to new confusion and so a co-ordinated campaign needs to have a public-facing element to help condition consumer behaviour.

For another respondent, the overwhelming challenge remains that any requirement for in person checks will always involve additional time-lag and bring friction to the customer journey. It follows, therefore, that a challenge is to introduce only one element of Digital Proof of Age when others are available which provide contactless age verification solutions.

As for the suggestion that an open-source Retail Verification Interface (RVI) would encourage retailer take-up, the majority of respondents were in support. Some believe that it will allow retailers to have confidence in knowing that RVI will only accept PASS accredited digital suppliers. Its inherent advantage would be that it takes away the need for multiple validation systems and so would simplify the training and operational process for retailers.

On the other hand, one technology company which has had extensive engagement with larger retailers was clear that none have, to date, raised the issue of open-source solutions.

## Regulatory Endorsement

Cards which are currently issued by PASS approved providers contain the logos of the National Police Chiefs' Council and the Security Industry Authority. The consultation (questions 22–24) proposed that any future PASS approved Digital Proof of Age (DPoA) products would contain these logos and potentially those of equivalent organisations in Scotland. A central premise of the PASS proposals for DPoA is that the support of regulators and enforcement bodies is a prerequisite.

The consultation also sought views on whether the proposals would be likely to have a positive impact on compliance objectives.

### *Summary of responses*

Without government support for these proposals, the vast majority of respondents believed that the development of any new standards would be futile and provide little benefit.

Many respondents were keen that a future PASS DPoA is an evolution of the current PASS physical POA, and that the use of logos should echo between both to reinforce the legitimacy of the schemes. On the other hand, some questioned whether the use of numerous logos added significant value, certainly as far as the consumer is concerned.

The most important issue for all respondents is that for DPoA standards to be effective, the UK Government needs to be unequivocal in its support. Many were concerned that regulation has not kept pace with technology and were clear that there was an urgent need for legislation to be amended to allow for the acceptance in-store of standards-based DPoA. One respondent described the current legislation relating to the sale and supply of alcohol as “anachronistic”.

Whether or not the logos of various enforcement bodies is included in the standards design is seen as a side-issue. Building trust in the new proposals is important and the explicit support of a range of bodies would be important in the process of building awareness and acceptance. One respondent was clear that retailers should only be encouraged to accept a new form of proof of age in-store if it has government support so that individual retailers can be confident that they will not face enforcement action, and that DPoA could be used as a form of ‘due diligence’.

Most crucial, according to many, is that government commits to legislative change to allow for Digital Proof of Age in the sale of alcohol products, either through the Licensing Act 2003, or Guidance issued under section 182 of the Licensing Act 2003.

## Data Privacy

The final section of the consultation outlined proposals (questions 25-27) to ensure that the privacy of users would be maintained at all times.

Accredited Digital Suppliers (ADS) would be required to obtain the consent of users through Terms & Conditions to create a Digital Proof of Age for its reveal. None of the user's personal details would be transferred via the Retailer Verification Interface (RVI) to the Retail App or EPOS system, and the retailer or other DPoA acceptor would only receive confirmation that: 1) the DPoA is legitimate, 2) the name of the ADS and 3) that the user is the required age.

Audit trails of checks made, including details of the product / service type and the date and time of the check, would be available to registered users of the Retail App and / or EPOS system. It was also proposed that aggregated anonymised information about the checks made might be made available to retail trade organisations and also to government and regulatory bodies for the purpose of monitoring the implementation of the standards.

## *Summary of responses*

Respondents were clear that principles of data minimisation should apply. It was agreed that ADS should not communicate users' personal details as part of an age check, especially given some retailers, especially those that are small, do not currently hold any customer data and so are not subject to GDPR regulations.

However some respondents made clear that some ADS may also be providers of a greater range of Digital ID solutions and in those cases, some Digital ID users may choose to consent to the sharing of more personal details, such as their date of birth and quite possibly their name and address too which is sometimes a requirement within the Night Time Economy. Subject to clear user consent and operational compliance with GDPR, some respondents stated that consumers were increasingly willing to share more personal information, beyond simple confirmation of age threshold, and that technologies existed to support that providing a greater level of interoperability.

It was agreed that an audit trail of checks made would be useful, and that there should also be scope for an audit of checks made against the framework of Challenge 21 and Challenge 25. A refusals audit was also suggested, including more detail about how it would fit with requirements for refusals registers.

Respondents did not feel that there was a compelling case for the sharing of anonymised aggregated data, and one specified that there should be no difference in the collection of statistical information about the use of DPoA than currently exists for the PASS physical card.

Annex A: List of respondents

In addition to over 200 individuals, the following organisations responded to the survey. During the consultation period, meetings were held with members of the Age Verification Providers Association, Expert Panel on Age Restrictions and the Retail Alcohol Standards Group.

1account	Portman Group
4stop.com	Post Office Ltd
Age Verification Providers Association (AVPA)	Pure Training Solutions Enterprise
Asda Stores Ltd	Retail Alcohol Standards Group
Assist Security	Rolls-Royce Leisure
Association of Convenience Stores (ACS)	Safer Business Network
Beruku Identity	Sainsbury's Stores Ltd
British Retail Consortium (BRC)	Tates
CitizenCard	UK Hospitality
Consult Hyperion	Validate UK
LB Bexley	Validate My Age Ltd
Marston's Plc	Warrington Borough Council
Midcounties Co-op	Worthingtons Licensing Solutions
Mitie Security / GMB union	Yoti
MyDiiD Ltd	You Check
NCPH Licensing – South West	Young Scot