



Information Commissioner's Office
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Investigation into the collection and use of identity information in pubs and clubs

Concerns were raised with the ICO by the Conservative Party Shadow Home Secretary, James Brokenshire MP, regarding the use of scanning equipment in pubs and clubs which captures information on documents, such as driving licences and passports, used for age and identification purposes.

The Commissioner responded to Mr Brokenshire saying that he recognised the importance of ensuring that such information is not collected unnecessarily or used inappropriately and is held securely. The Commissioner stated that he intended to carry out an investigation to find out exactly how the equipment concerned, and the information captured, was being used before issuing guidance to those using such equipment.

After consultation with Mr Brokenshire's office the ICO press office released a copy of this letter to the press.

The ICO were subsequently contacted by the Managing Director of a company supplying ID scanning equipment to pubs and clubs who was, quite understandably, concerned about the potential adverse effect on his business. He arranged to visit the ICO to demonstrate the equipment his company sells.

Having had the equipment demonstrated to us, seen some of the literature users are provided with reminding them of their data protection responsibilities, and had discussions with the Managing Director concerned, we are satisfied that the company takes data protection and privacy considerations seriously. The scanning equipment only captures selective information from an ID document such as a driving licence and, for example, does not capture details of driving entitlement or of any medical restrictions. Furthermore, considerable attention has been paid to seeking to ensure the data captured is held securely, and that only relevant information is available to door staff.

In summary, we are satisfied that it is certainly not the case that anyone using the equipment will inevitably be in breach of the Data Protection Act 1998. We are also pleased that the company concerned have agreed to consider ways in which they can further reduce the risk that the equipment can be used in a way which is unnecessarily privacy invasive. We anticipate a continued dialogue with the company on these matters as they refine and further develop their existing products and introduce new ones.

It is up to pubs and clubs using this equipment to ensure that their use of it is fully compliant with the Data Protection Act 1998. They need to make sure they explain clearly to customers what information is captured and how it will be used. They also need to ensure that access to the personal information collected is tightly controlled.

Over the next few weeks the Commissioner's staff intend to visit several establishments that are using the equipment to find out how it is being used in practice to enable us to produce informed, relevant guidance to users.

The guidance will be designed to help pubs and clubs use ID document scanning equipment to discharge their responsibility to avoid serving alcohol to those underage, and to ensure a safe environment for their customers, whilst minimising any intrusion on privacy and ensuring personal information is afforded proper security and is not used inappropriately.

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