Yoti

Age Appropriate Design Code Audit Report

December 2021

Executive summary

Background & Scope

Under section 123(1) of the Data Protection Act 2018 (DPA18), the Information Commissioner produced a code of practice on standards of age appropriate design ("the Code"). The Code applies to "relevant information society services which are likely to be accessed by children" in the UK. This includes many apps, programs, connected toys and devices, search engines, social media platforms, streaming services, online games, news or educational websites and websites offering other goods or services to users over the internet. It is not restricted to services specifically directed at children.

The Code sets out 15 headline standards of age appropriate design that companies need to implement to ensure their services appropriately safeguard children's personal data and process children's personal data fairly. The Code came into force on 2 September 2021.

More widely, the Information Commissioner is also responsible for enforcing and promoting compliance with the UK General Data Protection Regulation (UKGDPR), the Data Protection Act 2018 (DPA18) and other data protection legislation. Section 129 of the DPA18 allows the ICO to carry out consensual audits. The ICO sees auditing as a constructive process with real benefits for controllers and so aims to establish a participative approach.

Yoti agreed to a consensual audit of the measures, processes and policies they have in place to demonstrate conformance with the Code and data protection legislation.

The purpose of the audit is to provide the ICO and Yoti with an independent assurance of the extent to which Yoti, within the scope of this agreed audit, is complying with data protection legislation.

The scope areas covered by this audit are determined following a risk-based analysis of Yoti's processing of children's personal data. The scope may take into account any data protection issues or risks which are specific to

Yoti, identified from ICO intelligence or Yoti's own concerns, and/or any data protection issues or risks which affect their specific sector or organisations more widely. The ICO has further tailored the controls covered in each scope area to take into account the organisational structure of Yoti, the nature and extent of Yoti's processing of children's personal data, and to avoid duplication across scope areas. As such, the scope of this audit is unique to Yoti.

It was agreed that the audit would focus on the following area(s):

- Governance and Accountability
- Data Protection Impact Assessments
- Transparency
- Children's Rights Implementation
- Due Diligence
- Artificial Intelligence
- Data Minimisation
- Data Sharing
- Default Privacy Settings
- Change Management

Audits are conducted following the Information Commissioner's audit methodology. The key elements of this are normally a desk-based review of selected policies and procedures, on-site visits including interviews with selected staff, and an inspection of selected records.

However, due to the outbreak of Covid -19, and the resulting restrictions on travel, this methodology was no longer appropriate. Therefore, Yoti agreed to conduct the audit on a remote basis. A desk-based review of selected policies and procedures and remote telephone interviews were conducted from 1 November to 12 November 2021. The ICO would like to thank Yoti for its flexibility and commitment to the audit during difficult and challenging circumstances.

Where weaknesses were identified recommendations have been made, primarily around enhancing existing processes to facilitate conformance with the Code and data protection legislation. In order to assist Yoti in

implementing the recommendations each has been assigned a priority rating based upon the risks to children that they are intended to address. The ratings are assigned based upon the ICO's assessment of the risks involved. Yoti's priorities and risk appetite may vary and, therefore, they should undertake their own assessments of the risks identified.

Overview of Service and Processing

Yoti is a global digital identity and biometric technology company which was founded in 2014, Yoti has over 300 staff and is headquartered in London with offices in Bangalore. Yoti provides verified digital ID through the Yoti app.
The Yoti app is a global identity platform which aims to create a safer way for individual consumers to prove who they are by providing a reusable digital ID on their smart phone. The app is free to individual consumers and, to date, has been downloaded over 10 million times globally.

Yoti's identity platform offers business users a simple and reliable way to confirm a service users' identity and other data such as age or nationality. Over 12 thousand companies and stores use Yoti's product to verify identities.

The Yoti app can be used by anyone 13 or over in the United Kingdom which means that Yoti provide an online service which can be accessed by children and as such should adhere to the principles laid out in the Age Appropriate Design Code.

Yoti has seven ethical principles, including the requirements to enable privacy and anonymity, and keep sensitive data secure which guide their decision making and an independent Guardian Council, made up of influential individuals from relevant fields, whose purpose is to ensure Yoti remains true to the principles.

In order to create an account to build a digital identity with the Yoti app users need to provide personal data in the form of the country they live in, whether they are 13 or over, provide a mobile number and allow the app to take a

scan of the users face. Once an account is created users can choose to upload scans of identity documents such as passports and driving licenses. Once the account has been created and any documents provided have been verified the data is encrypted on Yoti's servers in such a way that only the user can then access this data, Yoti are unable to access the data.

When a business wants to verify a Yoti app users' data they will request verification of the data they need to provide their service, for example proof of age. If the app user has previously had their age verified the user's app will ask the user if they are happy to share this information with the requester, the user will then actively confirm they are happy for this information to be shared with the business in question, once the user has confirmed this the app with generate a QR code for the business to scan to receive confirmation of the user's age.

Audit Summary

Assurance Rating	Overall Opinion
High	There is a high level of assurance that processes and procedures are in place, that the organisation is in conformance with the AADC and are delivering data protection compliance. The audit has identified only limited scope for improvement in existing arrangements and as such it is not anticipated that significant further action is required to reduce the risk of non-conformance with AADC and data protection legislation.

*The assurance ratings above are reflective of the remote audit methodology deployed at this time and the rating may not necessarily represent a comprehensive assessment of compliance.

Graphs and Charts

Priority of Recommendations by Theme
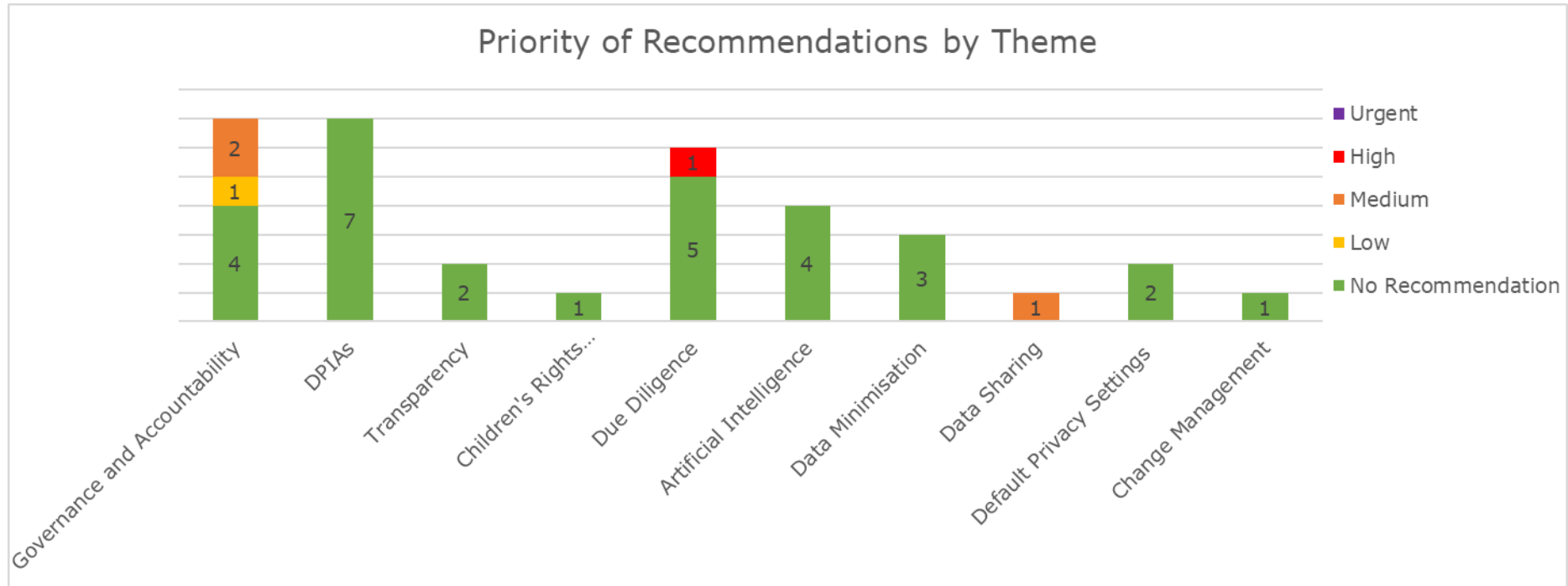
Good Practice

Yoti have carried out usability testing with children from diverse backgrounds on the functionality of the Yoti app, this included the accessibility of the privacy information within the app. The aims of the testing were centred around the standards of the code, including best interests of the child and transparency. As a result, Yoti have made a number of changes to the presentation of privacy information, utilising just-in-time notices, and explaining complex terms using images. Yoti have plans to continue to conduct usability testing with children as part of their compliance with the Code and UK GDPR transparency requirements.

Key Feedback Actioned

The audit highlighted the need for Yoti to review the App biometric consent screen during the app registration process, because from a Children's Code perspective this may have been unclear for younger users. Since receiving this feedback Yoti acted swiftly to redesign their registration process to clearly differentiate between the consent requested for processing biometric data within the app and the information they provide in relation to their research and development data processing (for which Yoti rely on legitimate interests).

Yoti also acted swiftly to update their privacy notice following audit feedback to include information for data subjects on the transfer to on the transfer to and processing of personal data outside of their UK based security centres. Occasionally Yoti will share information with their security centre that is based in India for further checks.