Age Check Certification Scheme

General Scheme Rules

ACCS 0: 2021

Superseded



Age Check Certification Services Ltd

UKAS PRODUCT CERTIFICATION 21037

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Introduction

These General Scheme Rules & Procedures set out the requirements for Scheme Clients and commitments to comply with the applicable standards for their business operations. These are set out in separate documents, but may be drawn from international or national standards (such as PAS 1296:2018), the standards of organisations that appoint the Scheme as their auditor (such as the Proof of Age Standards Scheme), or standards developed by this Scheme (such as those relating to Age Estimation Technologies).

The document then handles how audit, monitoring, certification decisions, impartiality and confidentiality are addressed by the Scheme. It sets out the different test capabilities available to the Scheme to assess the performance of Age Check Systems, both as a part of initial certification and for ongoing monitoring of continued claims of conformity.

This document also forms the Rules for the use of the Certification Mark, as required by the UK Intellectual Property Office under the registered certification mark UK 3467707.

The Age Check Certification Scheme Rules and these technical requirements have been designed to comply with ISO/IEC 17065:2012, the UK Information Commissioner's additional requirements for approved certification schemes, the relevant regulatory requirements for age verification service providers, the provisions of UK GDPR, the appropriate product and service standards and the requirements of the Trade Mark Rules 2008.

SO/IEC 17065:2012 is the recognised international standard for how a certification body conducts product and service certification. The Certification Assessment Body for these Scheme Rules, Age Check Certification Services Ltd is accredited by UKAS under ISO/IEC 17065:2012 with the registration number 21037.

Certification is conducted against the requirements of recognised individual age verification provider specifications, such as the requirements of PAS 1296:2018, the Proof-of-Age Standards Scheme and other standards. This is achieved through an initial appraisal of evidence against technical requirements, followed by ongoing monitoring once certification has been achieved. As this monitoring is carried out using a sampling process, certification does not guarantee the performance of any age verification product or service.

Specific technical assessment requirements, along with the applicable standards (such as PAS 1296:2018) are detailed in the individual scheme sections.

Any initial application for certification can be made by writing to the Age Check Certification Services Ltd, Unit 321B Broadstone Mill, Broadstone Road, Stockport, SK5 7DL or by visiting *www.accscheme.com.*

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1. Scope

The Age Check Certification Scheme (ACCS) Rules are applicable to any individual or organisation that is any of the following:

a) Proof-of-Age ID Providers that verify age attributes and issue a reusable physical ID card, token or app that an unknown third party (such as a retailer) can rely on with or without a pre-arranged contractual relationship with the Proof-of-Age ID Provider

b) Age Check Providers that verify age attributes on request by a third party on a transaction-by-transaction basis under a pre-arranged contractual relationship with the Age Check Provider

c) Age Check Exchange Providers or Brokers that provide an online gateway for Age Check Providers and Relying Parties to access user asserted, permissioned and verified attributes

d) Relying Parties (online or offline) that rely on results of an age check (either remotely or during a face-to-face encounter) to establish the age-related eligibility of an individual for the purposes of a transaction (such as sellers or providers of age restricted goods and services)

e) Information Society Services that are within scope for the Code of Practice issued under s.123 of the Data Protection Act 2018

Age Check Providers are likely to be providing at least one of the following services aimed at achieving age assurance about any citizen:

a) Age determination – an indication established that a citizen has a particular age stated to a specified level of confidence and by reference to information related to that citizen

b) Age categorisation – an indication established that a citizen is of an age that is within a category of ages, over a certain age or under a certain age to a specified level of confidence and by reference to information or factors related to that citizen

c) Age estimation – an indication by estimation that a citizen is likely to fall within a category of ages, over a certain age or under a certain age to a specified level of confidence by reference to inherent features or behaviours related to that citizen

The Scheme Rules include the provision for the certification services for the ISO Management Systems ISO 9001:2015 (Quality Management Systems) and ISO/IEC 27001: 2017 (Information Security Management Systems).

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Normative References

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2. Normative References

External standards are available for search, preview and purchase from:

- The British Standards Institute (BSI) website: *http://shop.bsigroup.com/*
- Any International Standards Organisation
- The specific organisation that has produced the standards (such as the Proof of Age Standards Scheme: *www.pass-scheme.org.uk.*

Internal standards are available for search, preview and purchase from:

- The Age Check Certification Scheme: *www.accscheme.com*

Legal Provisions

The process of gaining age assurance is governed by numerous statutes and legal provisions relating to the control of access to age restricted goods, content and services. These provisions differ between jurisdictions. The Scheme shall maintain a library of such legislation in the integrated management system. It is not practical to list all of the relevant legal provisions here and they are constantly changing. In general, however, the legal provisions are likely to relate to the sale or supply of goods, content or services such as:

- alcohol
- tobacco and nicotine vapour products
- gambling & lotteries
- weapons
- entertainment, including online content
- body modification, such as tattoos or special treatment services
- harmful products
- credit
- information society services

There are other legal provisions which have general applicability to all Scheme Clients, these include:

- Data Protection Act 2018
- Electronic Identification, Authentication and Trust Services Regulation (EU) 2014/910
- General Data Protection Regulation (EU) 2016/679

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Age Check Certification Scheme

The Age Check Certification Scheme is built on a modular approach to applicable standards and technical requirements. As a part of the Application Review Process, a Certification Officer assesses the applicable requirements for the business model of the Scheme Client. The suite of applicable requirements is constantly changing as new methodologies emerge, new standards are developed and new technical requirements are introduced. A full comprehensive current list can be found on the Standards Section of the Scheme website, but includes:

ACCS 0: 2021 – General Scheme Rules (covering the process of certification under ISO 17065:2012)

ACCS 1: 2020 – Technical Requirements for Age Estimation Technologies

ACCS 2: 2021 – Technical Requirements for Data Protection and Privacy*

ACCS 3: 2021 – Technical Requirements for Age Appropriate Design for Information Society Services*

ACCS 4: 2020 – Technical Requirements for Age Check Providers

ACCS 5: 2021 – Technical Requirements for Age Check System Penetration Testing and Vulnerability Scans (in development)

ACCS 6: 2021 – Technical Requirements for Parental Consent or Social Proofing for Age Gateway Technologies (in development)

* **ACCS 2:2021** *and* **ACCS 3:2021** *are technical requirements that have been approved by the Information Commissioner's Office in accordance with the Commissioner's tasks and powers under Articles 57(1)(n) and 58(3)(f) pursuant to Article 42(5) of the UK GDPR.*

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Proof of Age Standards Scheme

The Scheme is the appointed auditor for the UK's Proof of Age Standards Scheme operated by PASSCO cic – their applicable standards include:

PASS 0:2020 – Proof of Age Standards Scheme – General Requirements and Definitions

PASS 1:2020 – Proof of Age Standards Scheme – Requirements for Identity and Age Verification

PASS 2:2020 – Proof of Age Standards Scheme – Requirements for e-ID Validation Technology

PASS 3:2020 – Proof of Age Standards Scheme – Requirements for Data Protection and Privacy

PASS 4:2020 – Proof of Age Standards Scheme – Requirements for Proof of Age Card Design and Construction

National and International Standards

BS ISO/IEC 7810:2019 – Identification cards – Physical characteristics

ISO 17065:2012 – Conformity assessment – Requirements for bodies certifiying products, processes and services

ISO/IEC 19794–5:2011 + A2:2015 – Information technology – Biometric data interchange formats – Part 5: Face image data

ISO/IEC 19795–1:2006 – Information technology – Biometric performance testing and reporting – Part 1: Principles and framework

ISO 27001:2017 – Information technology – Security techniques – Information security management systems – Requirements

ISO/IEC 27701:2019 – Security techniques – Extension to ISO/IEC 27001 and ISO/IEC 27002 for privacy information management – Requirements and guidelines

ISO/IEC 29100:2020 – Information technology – Security techniques - Privacy

ISO/IEC 29101:2018 – Information technology – Security techniques - Privacy architecture framework

ISO/IEC 29109-5:2019 – Information technology – Conformance testing methodology for biometric data interchange formats defined in ISO/IEC 19794 Part 5: Face image data

ISO/IEC 29115:2013 – Information technology – Security techniques – Entity authentication assurance framework

ISO/IEC 30107-1:2016 – Information technology – Biometric presentation attack detection

ISO 9001:2015 – Quality management systems – Requirements

PAS 1296:2018 – Code of Practice for Age Check Services

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Other Documents

EDPB – Guidelines 1/2018 on certification and identifying certification criteria in accordance with Articles 42 and 43 of the Regulation 2016/679

EA 1/22 A:2016 – EA Procedure and Criteria For the Evaluation of Conformity Assessment Schemes by EA Accreditation Body Member

Accountability Framework, published by the UK Information Commissioner's Office

UK Additional Accreditation Requirements for Certification Bodies, published by the UK

Information Commissioner's Office

Guidance Notes, including checklists produced and published by the UK Information Commissioner's Office.

WP29 – Guidelines on the application and setting of administrative fines for the purposes of the Regulation 2016/679

WP29 – Guidelines on Automated individual decision-making and Profiling for the purposes of Regulation 2016/679

WP29 – Guidelines on Personal data breach notification under Regulation 2016/679

WP29 – Guidelines on Data Protection Impact Assessment (DPIA) and determining whether processing is "likely to result in a high risk" for the purposes of Regulation 2016/679

WP29 – Guidelines on Data Protection Officers ('DPOs')

WP29 – Guidelines for identifying a controller or processor's lead supervisory authority

WP29 – Guidelines on the right to data portability

WP29 – Guidelines on consent under Regulation 2016/679

WP29 – Guidelines on transparency under Regulation 2016/679

WP29 – Opinion 02/2012 on facial recognition in online and mobile services (WP 192).

United Kingdom's Data Ethics Framework (updated 30th August 2018).

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Terms and Definitions

Terms and Definitions

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3. Terms and Definitions

In this document:

"shall" indicates a requirement

"should" indicates a recommendation

"may" indicates a permission

"can" indicates a possibility or a capability

GUIDANCE NOTES are shown in italic text and are intended to assist the reader with understanding provisions.

When referring to the ACCS Standards, refer to the ACCS Standard, followed by the year of issue, followed by the provision – such as **ACCS 0:2021, 4.3.**

3.1 Accredited Certification Body	means a body that is accredited in accordance with ISO/IEC 17065 conformity assessment by UKAS or an equivalent Scheme and undertakes the assessment of ACCS applicants against the requirements of this Scheme.
3.2 Age Categorisation	means an indication established that a citizen is of an age that is within a category of ages, over a certain age or under a certain age to a specified level of confidence and by reference to information or factors related to that citizen.
3.3 Age Check Exchange	means an online internet gateway for age check providers and relying parties to assess user asserted, permissioned and verified attributes [PAS 1296:2018 – 2.1.2].
3.4 Age Check Practice Statement	means the document describing the operational practices and procedures of an age check service [PAS 1296:2018 – 2.1.1].
3.5 Age Check Provider	means an organisation responsible for all the processes with establishing and maintaining a subject's identity attributes [PAS 1296:2018 – 2.1.2].
3.6 Age Check Service	means the entity that makes available attributes for the purposes of age checking [PAS 1296:2018 – 2.1.5].
3.7 Age Determination	means an indication established that a citizen has a particular age stated to a specified level of confidence and by reference to information related to that citizen [PAS 1296:2018 – 2.1.4].

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3.8 Age Estimation	means an indication by estimation that a citizen is likely to fall within a category of ages, over a certain age or under a certain age to a specified level of confidence by reference to inherent features or behaviours related to that citizen.
3.9 Age Verification Process	means the inter-related or interacting activities that transforms a series of attributes into an age verification product [ISO 17065:2012 – 3.5].
3.10 Age Verification Product	means the result of an age verification process [ISO 17065:2012 – 3.4].
3.11 Certification Requirement	means a specified requirement that is fulfilled by the client as a condition of establishing and maintaining certification [ISO 17065:2012 – 3.7].
3.12 Certification Scheme	means the Age Check Certification Scheme [ISO 17065:2012 – 3.9].
3.13 Client	means an organisation that has applied for certification or been granted certification that is responsible to ACCS for ensuring that the certification requirements are fulfilled [ISO 17065:2012 – 3.1].
3.14 Consultancy	means the provision of services for: (a) the designing, specifying, maintaining, installing or providing an age check system or being a relying party for an age verification system; or (b) the designing, specifying, maintaining, installing or providing an age check system to be certified [ISO 17065:2012 – 3.2].
3.15 Evaluation	means the combination of the selection and determination functions of conformity assessment activities against the scheme rules [ISO 17065:2012 – 3.3].
3.16 ICO	means Information Commissioner's Office.

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3.17 ILAC Agreement	means an agreement that has been signed by various international accreditation bodies in order to allow mutual recognition.
3.18 Impartiality	means the presence of objectivity [ISO 17065:2012 – 3.13].
3.19 Initial Type Test	means a test or calculation against defined procedures to determine the performance characteristics of a product. In order to be accepted as part of the Scheme, Initial Type Testing shall meet the criteria set out in Section 6 of this document.
3.20 IPO	means Intellectual Property Office.
3.21 Scheme Owner	means the Age Check Certification Scheme Ltd [ISO 17065:2012 – 3.11].
3.22 Scope of Certification	means the identification of the age check functions for which certification is granted, the applicable scheme and the standard, code or regulations (including their date of publication) to which it is judged that the age check function complies [ISO 17065:2012 – 3.10].
3.23 UKAS	means United Kingdom Accreditation Service.
3.24 UK GDPR	means General Data Protection Regulation (EU) 2016/679, as it forms part of the law of England and Wales, Scotland and Northern Ireland by virtue of section 3 of the European Union (withdrawal) Act 2018 and section 205(4) of the Data Protection Act 2018.

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Regulations Governing the Use of the Certification Mark

Regulations Governing the Use of the Certification Mark

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4. Regulations Governing the Use of the Certification Mark

4.1 This section is for compliance with the Trade Mark Registrar's Regulations governing the use of the ACCS Certification Mark. These Scheme Rules also comply with the requirements of the Trade Mark Rules 2008 and have been assessed by the Intellectual Property Office. The condition of use of these marks by certified clients is given below. The format of the marks is given in Section 8 'Certification Marks'.

4.2 The ACCS Certification Mark UK 3467707 for the mark "Age Check Certified Scheme" is approved by the Intellectual Property Office (IPO).

Persons Authorised to Use the Mark

4.3 The persons authorised to use the mark are any individuals or companies having achieved a certificate of conformity and demonstrating ongoing compliance with the Scheme Rules that are:

- Proof-of-Age ID Providers
- Age Check Providers
- Age Check Exchange Providers
- Relying Parties that rely on results of an age check
- Information Society Services

Superseded

Characteristics Being Certified

4.4 Use of the mark certifies that the products, processes and systems of the certified provider can, within the scope of their certification, meet the relevant requirements of appropriate standards or regulations regarding age verification and the protection of children from harm from access to age restricted content, goods or services.

How the Certification Body Tests those Characteristics

4.5 The certification body will test the characteristics by performing initial type testing in relation to the relevant individual criteria, covering the age verification service provider type to be certified.

4.6 Further details of this can be found at Section 6 of these General Scheme Rules & Procedures.

4.7 How the certification body supervises use of the mark:

- following an initial audit and issuance of a certificate of conformity
- regular monitoring based on a randomised sampling approach

- accelerated sampling because of persistent non-conformances
- recertification at defined intervals not exceeding two years

Fees to be Paid

4.8 Details on the fees can be found at Section 14 of these General Scheme Rules & Procedures.

Procedure for Resolving Disputes

4.9 Any initial appeals specifically dealing with the refusal of an authorised user to become part of the certification scheme can be found at Section 11 of these General Scheme Rules & Procedures.

Condition of the Regulations

4.10 It is a condition of use that the mark shall not be used without indicating that it is a Certification Mark.

Amendment of the Regulation not Without the Consent of the Register

4.11 An amendment of this Section 4 of the General Scheme Rules & Procedures governing the use of the registered certification mark shall not take effect unless and until the amended regulations are filed with the Trade Marks Registrar and accepted. Any significant amendments to these Scheme Rules may be subject to stakeholder review and input.

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Requirements for Age Check Best Practice

Requirements for Age Check Best Practice

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5. Requirements for Age Check Best Practice

5.1 The Scheme aims to achieve the following:

a) to provide appropriate validated tools to help prevent harm to children and nuisance caused by young people from access to age-restricted content, goods and services

b) to improve the quality, consistency and performance of age verification systems and procedures both online and offline

c) to provide consumers, purchasers, specifiers, regulators, law enforcement authorities, content providers, service providers and goods retailers with the assurance for them to identify suitable companies for conducting age verification

d) to help companies and individuals to demonstrate that their services or products meet an appropriate standard

e) to enable companies to demonstrate compliance with UK GDPR of processing operations by controllers and processors

f) to mitigate the risks of non-compliance with age-restricted content, goods or services legislation including mitigating the risks of:

a. criminal or disciplinary sanctions

b. civil or criminal action against the business and individual staff

c. damage to reputation leading to a loss of business

d. licensing action, conditions or restrictions imposed by Licensing Authorities

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Commitment to Age Restrictions Best Practice

5.2 All Scheme Clients shall:

a) have a publicly stated commitment to supporting measures of best practice to reduce the access children have to age-restricted goods, content and services

b) act in a manner that is consistent with that commitment

c) co-operate and support other parties in acting in a manner that is consistent with that commitment

Commitment to Age Checking Policies

5.3 All Clients that are Age Check Providers shall develop and adopt an age checking policy which includes as a minimum:

a) a commitment to continual improvement of age checking practices

b) age bands that users are to be checked against and data sources suitable for age checking that age band

c) any legal and regulatory age checking requirements that might apply to the relying party's service

d) whether user anonymity is a significant factor for the relying party's users

e) frequency of age re-checks needed

f) the quality levels required for the accuracy of the age check, including the minimum trust capability categories of any data sources used, given the nature of the online service, its users and regulatory environment

g) where consent to age check personal data processing might be required and other data protection requirements

h) any known exploits to circumvent age checks with any associated security measures needed to ensure more valid age checks

i) any communication needed about the relying party's age checking policy for regulators, users and the general public

j) need for awareness of other considerations relevant to the relying party's service and regulatory regime [PAS 1296:2018 – 3.1]

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Commitment to Quality

5.4 All Scheme Clients shall either:

a) establish and maintain a management system, in accordance with the provisions of ISO 9001:2015 that is certified by an accredited certification body or

b) establish and maintain a management system that meets, as a minimum, the requirements of section 5.5

5.5 The minimum requirements referred to in section 5.4 (b) are as follows:

a) a statement of the Scheme Client's 'top management' to establish, document and maintain a commitment to quality

b) the appointment of a Senior Person who, irrespective of other responsibilities, shall have responsibility and authority that include the following:

a. ensuring that processes and procedures needed for the management system are established, implemented and maintained

b. reporting to 'top management' on the performance of the management system and any need for improvement

c) procedures for the control of documents (internal and external) including:

a. the controls needed to approve documents for adequacy prior to issue

b. review and update (as necessary) and re-approve documents

c. ensure that changes and the current revision status of documents are identified

d. ensure that relevant versions of applicable documents are available at points of use

e. ensure that documents remain legible and readily identifiable

f. ensure that documents of external origin are identified, and their distribution controlled

g. prevent the unintended use of obsolete documents, and apply suitable identification to them if they are to be retained for any purpose

d) procedures for the control of records

e) procedures for the Scheme Client's 'top management' to review its management system at planned intervals, in order to ensure its continuing suitability, adequacy and effectiveness in meeting the 'top management's' commitment to quality

f) to establish, document and maintain a process of internal audit conducted by knowledgeable, qualified and suitable personnel and ensuring the internal auditors do not audit their own work, any corrective actions identified are implemented and any appropriate opportunities for improvement are identified

g) to establish procedures for the identification and management of non-conformities in its operations

h) to establish procedures for taking preventative measures to eliminate the causes of potential non-conformities

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Commitment to Data Protection & Privacy

5.6 All Scheme Clients shall, as far as is relevant to their activities, comply with the requirements of ACCS 2:2021 – Technical Requirements for Data Protection and Privacy approved by the Information Commissioner's Office in accordance with the Commissioner's tasks and powers under Articles 57(1)(n) and 58(3)(f) pursuant to Article 42(5) of the UK GDPR.

5.7 The Scheme will take into account any recent, current or unresolved regulatory action against Scheme Clients by the Information Commissioner's Office and Scheme Clients shall

be required to notify the Scheme within 72 hours of any reportable data breach or serious nonconformity under UK GDPR or any matter in relation to their certification under UK GDPR that could affect the status of their certification.

Commitment to Age Appropriate Design

5.8 Scheme Clients that provide information society services may apply for certification of their age appropriate design and shall comply with the requirements of ACCS 3:2021 – Technical Requirements for Age Appropriate Design of Information Society Services approved by the Information Commissioner's Office in accordance with the Commissioner's tasks and powers under Articles 57(1)(n) and 58(3)(f) pursuant to Article 42(5) of the UK GDPR.

Subcontracting

5.9 All Scheme Clients are responsible for the activities of any sub-contractors or providers where they are directly relevant to securing compliance with these Scheme Rules. Contracts and memoranda of understanding with any service providers or their sub-contractors shall be available for inspection by the auditors (commercially sensitive information such as pricing can be redacted). Contracts should demonstrate security and probity and shall in particular follow stringent diligence processes in accordance with these Scheme Rules.

5.10 The Contract specification shall include provisions for:

a) A commitment to quality equivalent to or exceeding the provisions of Section 5.4 to 5.5

b) A commitment to data privacy, protection and security equivalent to or exceeding the provisions of Section 5.6 to 5.7

c) Compliance with the relevant area of certification that is equivalent to or exceeding those standards

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Approach to Evaluation and Assessment

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6. Approach to Evaluation and Assessment

Certification Body

6.1 The certification body shall operate the certification schemes covering the certification activities. The certification body shall be:

Age Check Certification Services Ltd
321B Broadstone Mill, Broadstone Road, Stockport, SK5 7DL
UKAS Accreditation Number 21037

6.2 The requirements against which the products of a client are evaluated shall be those contained in the specified standards and other normative documents (including those set out in Section 2 of these Rules) as appropriate.

6.3 The certification body may produce and make available on request such explanations about the requirements as have been appropriately formulated by relevant and impartial persons or committees, possessing the necessary technical competence, such as the Scheme Certification Panel.

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Applications

6.4 A completed application in writing shall include:

a) the legal entity making the application for certification, where they are, what they do and the markets they operate in

b) which certification scheme(s) are relevant to their activity including a description of the products, processes or services to be certified and the standards and/or other normative documents that the client is seeking certification on

c) the significant aspects of the applicant's process and operations, including any legal obligations that they are under

d) a detailed description of the object of certification (Target of Evaluation) including any interfaces and transfers to other systems and organisations, protocols or other assurances

e) general information about the business relevant to the certification scheme, such as their human or technical resources and any functions or relationships that they have within or with a larger corporation

f) information concerning any outsourced processes that will affect conformity to the requirements of the certification scheme, including the contractual controls for third party outsourcing and including whether processors are used

g) if the applicant is a data processor (rather than a data controller) their responsibilities and tasks together with a copy of the contract or agreement between the relevant data controller and processor

h) if the applicant is a joint controller with any other organisation their responsibilities and tasks together with a copy of the contract or agreement between the relevant data controllers

i) whether or not the applicant is the subject of any recent investigation or regulatory action by any law enforcement body including, but not limited to, Police, Financial or Fraud Investigators, Data Protection Supervisory Authorities, any Sectoral Regulator, Trading Standards or Licensing Authorities

j) any other information that is relevant for initial evaluation and ongoing monitoring activities, including their technical ability to participate in electronic monitoring

Application Review

6.5 An application review through a telephone interview with the applicant, shall be undertaken within 7 days of receiving a completed application in writing.

6.6 There is no fee charged for an application review.

6.7 The purpose of the application review is to ensure that the information about the client and the product, process or service is sufficient for the conduct of the certification processes. As a result of the application review an auditor shall:

a) define the scope of certification

b) confirm the means available to perform all evaluation activities

c) confirm the ACCS competence and ability to perform the certification activity

d) confirm the technical and legal expertise in relation to data protection to an appropriate extent

e) confirm a plan for pre-assessment, if this has been requested

f) confirm a plan for audit and evaluation

g) confirm that the applicant is not presently subject to regulatory action by the Data Protection Supervisory Authority, including by confirmation with the relevant authority

h) determine that the applicant is a fit candidate for certification

i) provide a Quotation for the Certification Services

6.8 The auditor shall draw to the attention of the Senior Certification Officer (or if they are the Senior Certification Officer, to the attention of the Chief Certification Officer) any application for

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certification for a type of product, process or service; normative document or certification scheme that ACCS has no prior experience of.

6.9 In cases under 6.8 above, ACCS shall ensure that it has the competence and capability for all the certification activities it is required to undertake and shall maintain a record of the justification for the decision to undertake certification. Such decisions shall be undertaken by at least two of the Senior Certification Officer, Chief Certification Officer, Chief Technical Officer or Chief Executive of ACCS.

Certification Agreement

6.10 Once the Application Review has been completed, ACCS shall ensure that a legally enforceable agreement for the provision of certification services to the client is in place. This agreement shall be in the form of the template agreement **ACCS Supply of Certification Services Agreement.**

6.11 The Certification Agreement shall be signed by the client prior to the commencement of pre-assessment or evaluation activities.

Pre-Assessment

6.12 At the request of the applicant, an auditor may undertake a pre-assessment visit and provide a gap analysis. Auditors may not provide consultancy services, but can help the applicant to understand the certification requirements.

Evaluation

6.13 Auditors shall prepare a plan for each evaluation activity, which shall be agreed with the client.

6.14 Auditors shall be satisfied on objective evidence that the applicant meets the requirements of the relevant standards. Auditors shall be granted permission, even if supervised, to the applicant's facilities including any data centres, clean rooms, file storage or secure locations wherever they are. If cloud-based approaches are utilised, auditors may need to review the security arrangements for these. It is the responsibility of the applicant to facilitate that authorisation.

6.15 Auditors shall take into consideration independently assessed and certified evidence of conformity by any accredited conformity assessment body (accredited by an ILAC member accreditation body) including, but not limited to:

a) **ISO 27001:2017 –** Information technology – Security techniques – Information security management systems - Requirements

b) **ISO/IEC 27701:2019 –** Security techniques – Extension to ISO/IEC 27001 and ISO/IEC 27002 for privacy information management – Requirements and guidelines

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c) **ISO/IEC 29100:2020 –** Information technology – Security techniques – Privacy

d) **ISO/IEC 29101:2018 –** Information technology – Security techniques – Privacy architecture framework

e) **ISO/IEC 29109-5:2019 –** Information technology – Conformance testing methodology for biometric data interchange formats defined in ISO/IEC 19794 Part 5: Face image data

f) **ISO/IEC 29115:2013 –** Information technology – Security techniques – Entity authentication assurance framework

g) **ISO/IEC 30107-1:2016 –** Information technology – Biometric presentation attack detection

h) **ISO 9001:2015 –** Quality management systems – Requirements

6.16 Auditors shall undertake an assessment of a model approach to demonstrate the methodology and outcome anticipated by the applicant's age check process. The model approach shall include model outcome attributes (for proof-of-age ID providers, age check services or age exchange services) or the model input attributes (for relying parties). These model attributes can be used for comparative purposes for the real-time intelligent certification monitoring.

6.17 Auditors shall ensure that all necessary information and/or documentation is made available for performing the evaluation tasks.

6.18 Auditors shall undertake a company-based site assessment for each location that is critical to demonstrating compliance with the Scheme Rules. It is possible that an auditor may determine that an on-site assessment is not necessary in the specific circumstances of the application. The auditors shall ensure that:

a) the staff carrying out work for the applicant are appropriately trained and monitored

b) the activities at the company-based site are undertaken in accordance with the documented procedures which are implemented to control all operations that are to be covered by the certification

c) training requirements are documented for any staff that are to conduct the activities to be certified

d) specific personnel are responsible for monitoring the training requirements of staff and the evaluation and approval of their competence

e) an internal audit process is in place to monitor site activities carried out under the Scheme, on a sampling basis

Superseded

f) records (not individual IDs) are retained for each activity undertaken as part of the Scheme

6.19 Auditors shall apply the requirements of the Scheme Rules concerning Data Protection and Privacy to ensure that:

a) a method for assessing the necessity and proportionality of processing operations in relation to the Scheme Client's purpose and data subjects is in place

b) a method for evaluating the coverage, composition and assessment of all risks considered by the data controller or processor with regard to the legal consequences of UK GDPR and with regard to the definition of technical and organisational measures in UK GDPR in so far as they apply to the object of certification is in place

c) a method for assessing the remedies, including guarantees, safeguards and procedures to ensure the protection of personal data in the context of the processing to be attributed to the object of certification and to demonstrate that the legal requirements as set out in the criteria are met is in place

Management Systems Audit

6.20 For any applicants that do not have a management system that is certified by an accredited certification body in accordance with the provisions of ISO 9001:2015, the auditor shall undertake a management systems audit. This is to ensure that the applicant has in place the policies and procedures to meet the appropriate scheme requirements to consistently operate the certified service to the required quality.

Technical Evaluation

6.21 Auditors or a suitably qualified technical evaluator acting under the instructions of the auditors shall undertake technical evaluation of the certified system as appropriate. The evaluation methods shall be standardised and applied consistently. This means that comparable evaluation methods are used for comparable targets of evaluation. Any deviation in methodology shall be recorded and justified by the technical evaluator and reviewed by the Certification Officer. The Technical Evaluation can include any of the following activities, or any other relevant activities for the system submitted for evaluation:

a) **Bona Fide Test Crew Presentation –** The Scheme can utilise a test crew for bona fide presentation to age verification systems. This can include for false/accurate accept rates; skin tone analysis; gender; age grouping; disfigurement etc.

b) **Presentation Attack Detection –** The Scheme can assess PAD for human-likeness (but not liveness analysis) and also for identity assets presentation (both genuine and false identity assets). The Scheme can utilise different presentation attack instruments, PAI species, and PAI series. The Scheme can test for 2D and 3D presentation objects. This is sometimes more commonly known as anti-spoofing testing

Superseded

c) **Detection Device Analysis –** The Scheme can assess performance on multiple forms of detection devices – webcams, tablets, cameras, mobile telephones – different operating systems (such as Android, iOS, etc.) and at different presentation intensity, distance and angles. The Scheme can also test device integrated equipment, such as gaming machines or till systems, subject to them being made available to the Scheme at the testing studio

d) **Ambient and Directed Lighting Analysis –** The Scheme can assess system capabilities under different types of ambient light, either presented at the presentation object or at the detection device. This includes for different light levels from supermarket-style overhead LED lighting, to pub-style sodium lighting, to casino-style multi coloured lighting, to strobe lighting and anything in between. We also have the capability for internal and outdoor lighting. The lighting can be directed ambient to the presentation object (i.e. the person being age estimated) or the detection device (i.e. the camera) or both

e) **Electronic Identity Document Validation Technologies –** The Scheme can test system capabilities on identifying ID documents (such as Passports, Driving Licences or other official ID Cards), being able to extract relevant data from those documents (such as through Machine Readable Zones (MRZ) or Near Field Communication (NFC)) and present that data accurately to enable effective Age Determination

f) **Social Proofing –** The Scheme can assess the analysis, with a user's consent, of their digital footprint and the related social graphs, which can be interrogated to determine the veracity of a self-asserted identity. This is the ability of systems to gain proof of age through analysis of the social contacts a citizen has and asking those social contacts to verify or confirm the age attributes of the citizen

g) **Parental Consent –** The Scheme can assess the process of identifying and verifying a digital parent or capable guardian related to or responsible for a citizen and gaining verification of the age group of the citizen through information provided by that parent or capable guardian

h) **Biometric Subject Behaviours –** The Scheme can assess systems deployed for identifying and analysing subject behaviours (such as squeezing together one's fingers in hand geometry and a biometric presentation in response to a directive cue which are both voluntary reactions)

i) **In Situ Testing –** The Scheme can test deployed units in real world scenarios. Typically, this comes after the initial certification and is part of the certification monitoring that is put in place to make sure that systems continue to perform as expected

Superseded

Non-Conformances on Audit

6.22 The auditor shall inform the client of all non-conformities. All non-conformities shall be notified through the Scheme Certification Management System and be tracked and monitored. Non-conformities shall be notified to the Scheme Client at the latest in the closing meeting of the audit.

6.23 Any non-conformity raised during an initial audit shall be responded to and closed prior to certification being granted. Where non-conformities are raised during a surveillance/ recertification audit, corrective action shall be taken in line with the following schedule:

a) category 1 NCRs shall be closed within 4 weeks of the NCR being raised

b) category 2 NCRs shall be closed within 8 weeks of the NCR being raised

c) opportunities for improvement are advisory only, but where possible shall be dealt with prior to the next surveillance audit

Review

6.24 The auditor shall document the evaluation activities for review by a Certification Officer.

6.25 A Certification Officer, being a person that was not an auditor or technical evaluator, shall review all information and results related to the evaluation to make a certification decision, which shall be completed concurrently with the review.

6.26 The Certification Officer shall be employed by ACCS. This decision cannot be outsourced.

6.27 The Certification Officer shall notify the client if they make a decision not to grant certification, and shall identify the reasons for the decision. Otherwise, the Certification Officer shall cause a Certificate of Conformity to be issued in accordance with Section 7.

Data Protection Supervisory Authority

6.28 The Certification Officer shall provide a draft certification decision to the Information Commissioner's Office together with an executive summary of the draft grounds for certification and shall:

a) Take into consideration any recent, current or previous regulatory action by ICO against the Scheme Client

b) Take into consideration any comments received from the ICO on the draft certification decision

Superseded

7

Certificates of Conformity

Superseded



7. Certificates of Conformity

7.1 ACCS shall be responsible for all its decisions and will not outsource or delegate responsibility for decision making.

7.2 The applicant will be issued with an Evaluation Report and, where it demonstrates conformity with the required standards, a Certificate of Conformity. That report and certificate can be used to gain approval or accreditation from others (such as the PASS Board or Regulators).

7.3 The Certificate of Conformity remains the property of ACCS.

7.4 The Certificate of Conformity will contain:

a) the name and address of the certification scheme

b) the date certification is granted (which shall not precede the date of the certification decision)

c) the name and address of the client

d) the scope of the certification (which may be set out in a Schedule that is clearly referenced in the certificate of conformity)

e) the object of certification (including any version status or similar characteristics)

f) the term or expiry date of certification (which shall not exceed two years)

g) a unique reference number

h) the signature and authorisation of the Certification Officer (this can be an electronic signature)

7.5 The Certificate of Conformity shall only be issued to the client if:

a) the decision to grant or extend the scope of certification has been made

b) certification requirements have been fulfilled and

c) the Certification Agreement has been completed and signed

7.6 ACCS shall maintain a public registry of current certifications at **www.accscheme.com/registry.** The public registry shall include the certification mechanism, period of validity and under which framework or conditions certification is issued, an executive summary of the scope of certification, object of certification, applicable certification criteria used, evaluation methods used, tests conducted and results.

7.7 A copy of the Certificate of Conformity shall be provided to the Information Commissioner's Office.

Superseded

8

Certification Marks

Certification Marks

Superseded



8. Certification Marks

8.1 Each Scheme Client shall be issued with a relevant certification mark for the activity certified, shown below, that shall only be used in accordance with the Regulations Governing the Use of the Certification Mark set out in Section 4:









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8.2 The Certification Mark shall appear (once a Certificate of Conformity has been granted) on all policies required by the Scheme and publicly available explanations of the policies and practices of the Scheme Client relating to their scope of certification.

8.3 The Scheme exercises control over the ownership, use and display of certificates, marks of conformity and any other mechanisms indicating that the product, process or service is certified through the Certification Agreement and these Scheme Rules.

8.4 A Certification Officer shall take appropriate action if the use or display of a Certification Mark is not consistent with the terms of certification.

9

Certification Monitoring

Certification Monitoring

Superseded



9. Certification Monitoring

9.1 It is a condition of certification that Scheme Clients participate in real-time intelligence certification monitoring. The purpose of certification monitoring is to ensure the ongoing validity of the demonstration of fulfilment of the process or service requirements. Certification Monitoring shall be proportionate, risk based and documented.

9.2 All Scheme Clients that are processing age checks shall have a process in place for counting the number of age check decisions that they make. An age check decision is made every time that:

a) a Proof-of-Age ID Card is issued or reissued

b) a Proof-of-Age Electronic Token or App is activated for use by the individual

c) an age-related eligibility assurance (AREA) is provided to a third party

d) an individual crosses a threshold into an area that is age-restricted by law

e) an individual enters a domain with content that is age-restricted by law

f) an individual accesses a service that is age-restricted by law

g) an individual purchases or attempts to purchase content, goods or services that are age-restricted by law

h) any other circumstances where age-related eligibility is required to be determined by law

9.3 All Scheme Clients shall have in place real-time intelligent monitoring for age check decisions, which shall include for a randomised sample (using a true random number generator (TRNG)) to be made available to an ACCS Auditor through a secure portal for review.

9.4 The randomised sample shall include the age attributes used by the Scheme Client to determine the age-related eligibility and is reviewed against the model approach identified in accordance with the Scheme Rules.

9.5 Monitoring activities take place in parallel and at the same time as the Scheme Client's age check activities based on a randomised sampling process. The methodology for sampling is agreed with the applicant prior to the certification decision being made. Monitoring does not hinder or replace the age check decisions. As a part of the requirements for data minimisation, Scheme Clients are not required to keep evidence of age check records for a future audit.

9.6 For all situations except monitoring in physical outlets by relying parties, certification monitoring takes the form of sharing the basis and grounds for the age check decision for the randomly selected sample electronically with the ACCS Certification Officer at the same time as the age check decision is made through a secure portal. It is then reviewed by the ACCS Certification Officer and a notification of conformance or non-conformance is issued within

Superseded

7 days. This does not prevent, hinder or delay the age check decision. Once reviewed, the attributes reviewed are permanently deleted from the portal. ACCS do not download or keep the evidence of age checks.

9.7 For all situations in physical outlets by relying parties (i.e. ID checks in retail premises) the certification monitoring takes the form of sending a person aged 18 or 19 into the premises to carry out a test purchase. The frequency of test purchases is determined based on the monitoring frequency for age checks completed per outlet. The test purchasing can be undertaken by a contractor approved by ACCS. Following a test purchase, a notification of conformance or non-conformance is issued within 7 days.

9.8 The frequency of certification monitoring is based on several factors:

a) the number of age checks that the Scheme Client undertakes

b) the number of outlets or domains that the Scheme Client operates from

c) if the age check decisions are automated or involve individual human judgements to be made

d) the vectors of trust that are adopted for age checking by the Scheme Client

e) the type of age check business (Proof-of-Age ID Provider, Age Check Provider, Age Check Exchange Provider or Relying Party)

f) any regulatory requirements or considerations

Superseded

9.9 Information Society Services certified for age appropriate design shall (in addition to the monitoring of age check systems implemented by them as required above) be subject to random monitoring of publicly available policies, manuals or other materials at intervals not exceeding monthly to secure continued compliance with the requirements of the scheme.

9.10 Certification Monitoring will result in a notification of conformity or non-conformity as appropriate. A notification of non-conformity will include the actions required to be taken to achieve conformity.

9.11 A Scheme Client with persistent non-conformity may be placed on accelerated monitoring, or certification may be suspended, withdrawn or cancelled.

9.12 The length of the certification period is determined by several factors:

a) whether the Scheme Client reaches a number of age checks that are permitted within certification (called the 'age check cap')

b) the number of outlets or domains that a relying party operates

c) if the age check decisions are automated or involve individual human judgements to be made

d) the type of age check business (Proof-of-Age ID Provider; Age Check Provider Age Check Exchange Provider or Relying Party)

e) the availability of public information about the approach of the Scheme Client – including policies and processes for securing age appropriate design

f) any regulatory requirements or considerations

9.13 The certification period will not last for more than two years. Any certification monitoring shall not be more than 12 months apart at the most.

Superseded

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Issues After Certification

Superseded



10. Issues after Certification

Changes affecting certification

10.1 If a change takes place to the Scheme, the relevant technical requirements, the normative documents or legal provisions, a Certification Officer shall ensure that those changes are communicated to all affected clients. The Certification Officer shall verify the implementation of the changes by the affected clients and shall take actions required by these Scheme Rules. In addition, the Scheme shall take appropriate action in response to any changes as a result of:

a) any personal data breach or infringement of UK GDPR or the DPA18 reported by the client or the ICO

b) amendments to data protection legislation

c) decisions, opinions, or guidance issued by the ICO

d) court decisions related to data protection

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10.2 The Scheme may be amended from time to time in order to keep up to date with legislation, changes to standards, industry practice, or in order for ACCS to run the Scheme more effectively. Where possible, agreement will be sought prior to any changes, however ACCS retains the final decision on whether a modification to the Scheme is acceptable. The change procedures adopted shall include suitable transition periods, approvals process with the ICO, reassessment of the relevant object of certification and appropriate measures to revoke the certification if the certified processing operation is no longer in compliance with the updated criteria.

10.3 ACCS will communicate the Scheme Amendments to the Client and ensure that the communication has been received and understood. ACCS will then verify that the changes have been implemented by the Client. This may be by means of testing, surveillance, audit or any other means that ACCS consider appropriate in order to ensure that the change has been implemented. This will be a contractual arrangement.

10.4 ACCS may need to withdraw the Scheme from the market. Where this is the case, ACCS will give 6 months' notice, after which the Certification Scheme will be inactive, and no longer be supported. At the end of the six-month period, the Client shall immediately cease to promote or claim compliance with the Scheme and remove all references to the Scheme from its promotional literature.

10.5 If other changes affecting certification occur, including changes initiated by the Scheme Client, a Certification Officer shall consider the changes and shall decide upon the appropriate action to take. This could include, if required, the following to be conducted in accordance with the relevant provisions of these Scheme rules:

a) evaluation

b) review

c) a new certification decision

d) issuance of revised certificates of conformity

e) a revision to monitoring activity

f) such other actions that are necessary and proportionate to maintain confidence in the integrity of the certificates of conformity issued.

Termination, Reduction, Suspension or Withdrawal of Certification

10.6 When a nonconformity with the requirements of the Scheme, including these Scheme Rules, is identified and substantiated, by whatever means, a Certification Officer shall decide on appropriate action, which can include the following:

a) continuation of certification under conditions specified by the Certification Officer (such as enhanced monitoring or submission of revised objective evidence of conformity)

b) reduction in the scope of certification to remove nonconforming product, process or service variants, but this should not result in a misleading impression being formed of the scope of certification

c) suspension of the certification pending remedial action by the Scheme Client or

d) withdrawal of the certification

10.7 Notwithstanding the generality of the appropriate actions described in 10.6, a Certification Officer may issue a 'Minded to…' notice to a Scheme Client where the Certification Officer is minded to take a particular course of action, but wishes to give the Scheme Client appropriate opportunity to rectify the nonconformity.

10.8 Examples of nonconformities include any of the technical requirements relevant to the scope of certification, but also include any:

a) refusal to accommodate audits for the Scheme

b) failure to modify processes to meet the Scheme requirements

c) failure to resolve non-conformities within the required timescales

d) misuse of the Certification Scheme Marks

e) making false claims about services which are covered by the scheme

f) failure to settle any ACCS invoices within the required timescales

g) failure in the Client's duty of candour to the Scheme

Superseded

10.9 If certification is terminated (by request of the client), suspended or withdrawn, the Certification Officer shall take action to:

a) cancel the Certificate of Conformity issued

b) remove the record of certification from the Scheme Registry

c) ensure that all indications known to the Scheme that the product, process or service is certified are removed, including any made by the client and any that may appear on third party sources – such as trade associations, regulators, consumer or business information services

d) ensure that authorisations for the use of the certification mark are revoked

e) issue a 'certification bulletin' to any relevant regulators that the certification is suspended, withdrawn or cancelled (this includes notification to the ICO in accordance with the requirements of the certification agreement)

10.10 If certification is suspended, the Certification Officer shall communicate to the Scheme Client the actions needed to end suspension and restore certification for the products, processes or service in accordance with the Scheme and any other actions required by the Scheme.

10.11 If certification is reduced, the Certification Officer shall take action to make all necessary modifications to the Certificate of Conformity and the Scheme Registry (including any requirements to cease or reduce the use of the Mark of Conformity) in order to ensure the reduced scope of certification is clearly communicated to the Scheme Client and is clearly specified in the Certificate of Conformity and Scheme Registry. The Certification Officer shall also issue a 'certification bulletin' to any relevant regulators that the certification is suspended, withdrawn or cancelled (this includes notification to the ICO in accordance with the requirements of the certification agreement).

10.12 Any evaluations, reviews, decisions or reinstatements of certification following a period of suspension, shall be completed in accordance with the relevant sections of these Scheme Rules.

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Records

10.13 ACCS shall retain records to demonstrate that all certification process requirements have been effectively fulfilled.

10.14 Save as for the personnel conducting the evaluation or representing the client, the records retained by the certification shall not contain Personally Identifiable Information (PII) relating to any member of the public. Where audit records include reference numbers relevant to a process involving a member of the public, that shall not be considered PII unless the audit record also contains information enabling that record to be linked to an individual member of the public.

10.15 ACCS records shall be kept for not less than 4 years and thereafter shall be destroyed in accordance with the records destruction requirements of the ACCS information governance procedures. The 4 year period is intended to cover at least the current cycle of recertification (every 2 years) and the previous cycle.

11

Complaints and Appeals

Superseded



11. Complaints and Appeals

11.1 The Scheme shall maintain a publicly available complaints process at **https://www.accscheme.com/make-a-complaint-against-us.**

11.2 The Scheme regards:

a) a complaint against the service as being any expression of dissatisfaction by any person with the service provided by the Scheme, its Conformity Assessment Body, any staff or contractors or any of the systems or processes involved, excluding any decision or determination of a Certification Officer

b) a complaint against a certified client or applicant as being any expression of dissatisfaction by any person about the conduct or behaviour of a Scheme Client specifically related to either the scope of certification of that client or the potential to bring the Scheme into disrepute

c) an appeal as being against any decision or determination made by a Certification Officer

Note: *Decisions made or positions adopted by auditors or technical evaluators are not subject to appeal until after they have been reviewed and a decision is made by a Certification Officer, but the behaviour or conduct of auditors or technical evaluators can give rise to a complaint against the service.*

11.3 The person assigned to deal with the complaint or appeal shall not have either worked for or provided consultancy relating to the certification of the complainant for at least 2 years. They shall also not have been involved in the activity which the complaint or appeal relates to.

Complaints Against the Service

11.4 Complaints shall be dealt with in accordance with the documented complaints process of the Scheme. A record and tracking of all complaints shall be maintained in accordance with the ACCS Integrated Quality Management System.

11.5 In many cases, a complaint is best resolved by the person responsible for the issue being complained about. If the complaint has been received by that person, they may be able to resolve it swiftly and should do so if possible and appropriate. However, if this is not possible, the complaint should then be reviewed and approved by person(s) not involved in the certification activities related to the complaint.

11.6 All complaints shall be acknowledged in writing by the person handling the complaint within a maximum of two weeks, and will say who is dealing with the complaint and when the complainant can expect a reply. A definitive reply should be provided within four weeks. If this is not possible because, for example, an investigation has not been fully completed, a progress report will be provided to the complainant with an indication of when a full reply will be given.

Superseded

11.7 Where appropriate, the person handling the complaint should describe the action taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint.

11.8 If the complainant is of the view that the problem has not been satisfactorily resolved, they can appeal the outcome and request that the complaint is reviewed at Chief Officer level. The Chief Officer concerned should provide confirmation of the escalation of the complaint, who is dealing with it and when the Complainant can expect a reply, within two weeks, and a formal response within a maximum of four weeks.

11.9 The determination of a Chief Officer may be reviewed by an Independent Mediator if the complainant remains dissatisfied. The Scheme will facilitate this process and the Mediator will be appointed by the Centre for Effective Dispute Resolution. The Scheme will pay 50% of the cost of an Independent Mediator. In its absolute discretion, the Scheme may pay the other 50% of the cost of an Independent Mediator where a Chief Officer determines that:

a) the complaint is not frivolous or vexatious

b) the complainant is a private individual and

c) the complaint raises an important point for consideration by an Independent Mediator

Superseded

Complaints Against a Scheme Client

11.10 All Scheme Clients shall maintain their own effective consumer or public complaints procedure. Where a complaint is received by ACCS, the complainant will initially be directed to deal with the Scheme Client in the first instance. If this does not resolve the complaint, ACCS may provide an independent assessment of the complaint using its Complaints Procedure set out in Section 11.3 – 11.9. Failure of the Scheme Client to implement any corrective actions because of the complaint may result in suspension or withdrawal of certification.

11.11 A record of all complaints made against a Scheme Client shall be kept and tracked.

11.12 A Chief Officer of the Scheme may decide it is appropriate to seek external assistance with resolution. Irrespective of this, the complainant has the right to challenge the decision by referral to an Independent Mediator as set out in Section 11.9.

Appeals Against a Certification Officer's Decision

11.13 An applicant or holder of certification may appeal against a Certification Officer's decision. An applicant or holder of certification cannot appeal against a Certification Officer issuing a 'Minded to…' notice to the Scheme Client under section 10.7 until such time as the Certification Officer has reached a final decision.

11.14 The Scheme Client may submit their appeal in writing or by visiting https://www.accscheme.com/appeals-against-certification-decisions.

11.15 An appeal against a Certification Officer's decision shall initially be considered by that Certification Officer to determine whether or not new information or objective evidence is disclosed by the appeal that could cause the Certification Officer to review the decision appealed.

11.16 Thereafter, the appeal shall be considered by a Senior Certification Officer, Chief Certification Officer or Chief Executive. All appeals shall be acknowledged in writing by the person handling the appeal within a maximum of two weeks, and will say who is dealing with the appeal and when the appellant can expect a reply. A determination of the appeal should be provided within four weeks. If this is not possible because, for example, an investigation has not been fully completed, a progress report will be provided to the appellant with an indication of when a determination of the appeal will be completed.

11.17 Where appropriate, the person handling the appeal should describe the action taken to investigate the Certification Officer's decision, the conclusions from the investigation, and any action taken as a result of the appeal.

11.18 If the appellant remains dissatisfied, they can ask to refer their appeal to our Certification Panel who can review the Certification Officer's decision. The members will have industry or technical competence in the relevant product category, will be independent from the Age Check Certification Scheme and their decision on the merits of the appeal will be considered as final.

11.19 The Panel shall only be able to consider the evidence available to the Certification Officer at the time of the decision. If additional evidence is required or provided, this may result in the decision being remitted to the Certification Officer for re-evaluation.

11.20 The Panel may:

a) uphold any final decision of the Certification Officer

b) remit any final decision of the Certification Officer back to them with directions to obtain or consider additional evidence and/or

c) revoke any final decision of the Certification Officer

Superseded

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Complaints and Appeals

Impartiality

Superseded



12. Impartiality

12.1 ACCS is committed to ensuring impartiality, independence, transparency, consistency and fairness and avoiding any conflict of interest. Information about securing impartiality is available at https://www.accscheme.com/governance.

12.2 ACCS has put in place policies and procedures to manage impartiality and to ensure that the certification activities are undertaken impartially. Certification will not be restricted to applicants on the grounds of undue financial or other limiting conditions. Applications and procedures have been designed so as not to unfairly impede or inhibit access by applicants, candidates or clients. All ACCS employees, contractors or committees shall act impartially.

12.3 ACCS has developed an Impartiality and Independence Policy Statement that is publicly available without request. It will not allow commercial, financial or other pressures to compromise impartiality. In order to analyse, document and eliminate or minimise the potential for conflict of interest arising from its certification activities, ACCS has developed an Impartiality Risk Register. The Risk Register is an ongoing working document, used to continually assess threats to impartiality. It is used in conjunction with other documentation, such as Interview Assessment Records, CVs, Contracts, etc.

12.4 ACCS has established an Impartiality Panel to provide independent review and oversight of quality management certification activities. The Panel consists of the Chief Executive of the Scheme and at least two independent members. The role of this Panel is to review our certification activities and verify that they are performed impartially without undue influences that might affect the impartiality of services offered.

12.5 The main responsibilities of the Impartiality Panel are:

a) to assist with the development of policies relating to the impartiality of our certification services

b) to periodically review the impartiality of our certification processes

c) to advise on matters affecting confidence in certification, including openness and public perception

d) to prevent commercial or other considerations from affecting the objective provision of certification services and

e) to ensure that the actions of the panel itself do not present any risks to impartiality

12.6 ACCS Employees will not be certified under this Scheme. ACCS management, review and certification officers shall not be involved in the activities of any legal entity that offers or produces the certified product, process or service. In addition, personnel of a client or applicant shall not be involved in the management of ACCS, the review, or the certification decision.

Superseded

12.7 ACCS, its employees or any part of its corporate structure shall not:

a) be the designer, manufacturer, installer, distributor or maintainer of the certified product

b) be the designer, implementer, operator or maintainer of the certified process

c) be the designer, implementer, provider or maintainer of the certified service

d) offer or provide consultancy services to its clients

e) offer or provide management system consultancy or internal auditing to its clients

12.8 ACCS may implement, maintain or operate a product, process or service where this is necessary for the purpose of evaluation of the product, process or service.

12.9 ACCS shall not be marketed or offered as linked with the activities of any organisation that provides consultancy, nor shall ACCS state or imply that the use of any particular consultancy organisation would make certification simpler, easier, faster or less expensive.

12.10 Access to services provided by ACCS shall be available to all applicants whose activities fall within scope of the scheme. No application shall be conditional upon the size of the client or membership of any association or group, nor shall certification be conditional upon the number of certifications already issued.

12.11 A Certification Officer or any ACCS employees involved in the review or decision making process shall not have worked for or provided consultancy to any Scheme Client for a period of at least two years prior to their activity for ACCS.

12.12 ACCS shall confine its requirements, evaluation, review, decision and monitoring to those matters specifically related to the scope of certification.

Superseded



Superseded



13

Confidentiality

Superseded



13. Confidentiality

13.1 Except for information that the applicant makes publicly available, or when agreed between the applicant and ACCS, or where outlined in the requirements of the Scheme(s), or as required by an oversight body, ACCS agree to treat as confidential all information obtained or created during the performance of the certification activities. This includes information about the applicant obtained from sources other than the applicant, provided however that ACCS may release confidential information as required by law or authorised by contractual arrangements, in which case, unless prohibited by law, ACCS will provide the applicant details of the information released.

13.2 The applicant provides ACCS with a specific confidentiality waiver in order to share information about them or their product, process, people or services with:

a) any certification body that had previously certified the Age Check Scheme

b) any certification body to whom they wish to apply for certification of a product, process, people or services that ACCS currently or have previously certified and

(c) any regulator (including the Information Commissioner's Office) that is responsible for age restricted content, goods or services enforcement

13.3 Where the applicant discloses details of any of ACCS's reports or certification decisions to any third party, they shall be presented in full and shall not be amended or presented in any format that may mislead the recipient.

13.4 ACCS shall maintain and make available on request:

a) information about (or reference to) the certification schemes (available at https://www.accscheme.com/services/policy-development/standards)

b) information about (or reference to) evaluation procedures, rules and procedures for granting, for maintaining, for extending or reducing the scope of, for suspending, for withdrawing or for refusing certification; this includes a high-level explanation of the certification procedures and the respective periods of validity (contained in these Scheme Rules, which are available at https://www.accscheme.com/guaranteed-independence-impartiality)

c) the current and previous versions of any technical requirements approved under Article 42(5) of UK GDPR

d) a description of the means by which ACCS obtains financial support (available at https://www.accscheme.com/governance)

e) general information on the fees charged to applicants and to clients (available by submitting a request at https://www.accscheme.com/contact)

f) a description of the rights and duties of applicants and clients

Superseded

(contained in these Scheme Rules, which are available at https://www.accscheme.com/guaranteed-independence-impartiality)

g) a description of the requirements, restrictions or limitations on the use of the certification body's name and certification mark and on the ways of referring to the certification granted (available in the Scheme Brand Guidelines provided to applicants on the issuance of a Certificate of Conformity)

h) information about procedures for handling complaints, including the information required by Article 43(2) of UK GDPR (available at https://www.accscheme.com/make-a-complaint-against-us)

i) information about procedures for handling appeals, including the information required by Article 43(2) of UK GDPR (available at https://www.accscheme.com/appeals-against-certification-decisions)

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14

Certification Fees

Certification Fees

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14. Certification Fees

14.1 The Scheme Client will be charged fees based on the schedule of fees provided to applicants. The cost of certification will be estimated during the application review and the applicant will be required to pay 40% of that estimate to proceed with the application. The remaining 60% (or remaining fee if the estimate proved inaccurate) is due prior to a certification decision being made.

14.2 The applicant will also be charged the reasonable travel and accommodation expenses at the rate set out in the Schedule of Fees.

14.3 Scheme Clients will receive an invoice for any fees and charges, setting out VAT registration details and the amounts due. All invoices shall be settled within 30 days. If the Scheme Client requires ACCS to quote a purchase order reference on an invoice, they shall supply this in advance.

14.4 Fees are subject to annual review.

14.5 General information about the fees chargeable to applicants and clients for certification are available on request.

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Internationally recognised standards

Our scheme provides evidence that identity and age check practices meet international standards.



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Our locally trained certification officers are highly qualified professionals in each jurisdiction.



Evidence you can use to demonstrate compliance

Our certificates of conformity are internationally recognised by law enforcement.



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Our independent board, impartiality committee and ISO processes guarantee impartial certification.

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