Book Industry Communication Advisory on EU Mandate M/436 on RFID Privacy
Part 1 (Version 6) EN 16570

Disclaimer: BIC is not a legal advisor and cannot give legal advice. Libraries and all other affected organisations should seek their own legal advice to enable them to fully comply with UK Law.

1. Introduction

This advisory relates to the first part of the EU Mandate M/436 on Privacy in RFID implementations: EN 16570. (Note that there is a second part dealing with the requirements of EN 16571.) This is intended for librarians and any organisations involved in programming RFID tags and placing them into library books e.g. RFID Vendors or Library Stock Suppliers etc. This advisory details BIC's advice for libraries wishing to understand EU mandate M/436. At the time of writing (April 2015), this has not yet become UK law, it is therefore not binding on any UK library services and even if it does become UK law, it may be implemented differently from what is set out in the EU mandate and EN 16570 and EN 16571.

EN 16570 and EN 16571 are the two standards which are designed to implement the mandate's recommendations. EN 16570 is primarily about library signage and the need to alert individuals to the presence of RFID. EN 16571 requires that the library undertake a Privacy Impact Assessment exercise to assess the risk to privacy from using RFID and any steps that the library has taken, or should take, to mitigate this risk.

2. EN 16570

- EU citizens have a right to be protected from invasion of privacy
- RFID has been identified as a privacy concern
- The EU wants citizens to be warned wherever RFID is in use e.g. in libraries

Library RFID may in some circumstances lead to an invasion of privacy. This could be by revealing personal data on an individual e.g. information on a person's characteristics such as religious or philosophical beliefs, race, political opinions, health, sexual orientation, membership of a trade union etc. or the RFID tag may lend itself to tracking the movements or activities of an individual.

Any organisation which is an "RFID operator" (that is an organisation which puts RFID tags in library books) will have to warn citizens where RFID is in use. Many types of organisation could be RFID Operators e.g. library service, Council/Local Authority, RFID systems vendor, commercial RFID tagging organisation, library stock supplier

It may be necessary to display signage featuring a standardised RFID logo

This logo may also have to be displayed on any RFID related equipment such as RFID kiosks, hand held readers, RFID security gates etc.

Libraries may have to produce an information policy describing its use of RFID and any risks to

privacy and this policy may have to be made available to users on request. This may be via the telephone, website etc. A member of staff may have to be assigned responsibility for making this policy available on request and this job title should be displayed with other information about how to obtain a copy of the policy.

This information on the RFID policy and the person responsible should form part of a clearly displayed sign which will also include the name of the RFID operator (the organisation) and a brief statement of the purpose to which RFID is put on the premises e.g.

"RFID systems operate in this area to improve availability of lending items"

One potentially difficult and significant provision may be that all RFID tagged library books may have to display an RFID logo (minimum size 5mm by 5mm). This is likely to be very problematic for libraries in the short to medium term and it would have a significant cost implication. In the longer term the RFID logo could be added to standard servicing.

For now, BIC would advise librarians to raise this issue to their senior management so that the necessity for this measure can be reviewed against the costs. It may then be possible during the legal implementation process to point out the significant negative aspects of this requirement for libraries against the potentially only small extra gain in privacy protection and to lobby for this requirement to be dropped. BIC will be involved in lobbying the UK authorities in the event that this requirement is expected to become law.

3. EN 16571 Privacy Impact Assessment
A further advisory has been published by BIC. This covers the other main part of the EU mandate:

EN 16571 requires libraries to undertake a Privacy Impact Assessment (PIA). This assessment is designed to show that the library has analysed any risk to privacy from its RFID solution and the steps it has taken to mitigate this risk. The output of this PIA process will form part of the library's information policy document. BIC recommends that the two advisories are studied together to provide a complete picture.

4. Summary
- EN 16570 is not UK law but the requirements are fairly clear
- Display a notice containing logo and job title and how to access RFID Policy
- Signage wherever RFID is used
- Logo to be affixed to all RFID tagged items and RFID equipment

5. BIC Recommendation
- Don't panic
- Don't undertake costly consultancy work or purchase software to calculate the risks
- Inform staff and senior management
- Talk to RFID Vendors and Stock Suppliers
- Stay up to date by referring to updates on BIC website at www.bic.org.uk

BIC

The book industry's supply chain organisation