



Can you RFID your bag?

That lonely feeling of being stood at the airport, waiting at the luggage carousel for a bag that never arrives could soon be over following a trial of Radio Frequency Identification (RFID) technology at Heathrow airport. The scheme, being run by BAA and set to last for 6 months, will use RFID to tag passenger luggage. This will enable airport staff to quickly identify the whereabouts of each piece of luggage at the airport and thereby reduce the number of bags lost each year. It might even be possible for customers with mobile phones to receive text messages confirming the location of their luggage when they land. With customers currently losing 12 bags per day, and airport delays continuing to be a factor when deciding how to travel, the trial, if successful, would be a welcome introduction.

RFID is not a new phenomenon, examples range from Oystercards on the London Underground, to chips being inserted into family pets for scanning by Vets and shops keeping track of stock such as CDs and DVDs. RFID technology continues to advance, and the variety of its possible application continues to increase. However, with this advancement come concerns regarding the threats that such technology poses to an individual's privacy.

Hitachi, the Japanese electronics firm, last year unveiled what was said to be the world's smallest RFID tags – measuring just 0.05mm by 0.05mm (a spot of powder to the naked eye). Although Hitachi made it clear that they do not imagine such use, concerns have been raised that the technology could be used for covert monitoring schemes, with individuals being monitored and their lives being studied in ways that they are neither aware of nor consent to.

What is clear is that RFID is here to stay. The examples referred to above are just some of the technology's uses for businesses seeking a competitive advantage. For those businesses wanting to embrace RFID technology, they will need to ensure that their use does not fall foul of information governance laws. This will include complying with applicable obligations under the Data Protection Act 1998. For example, if the use of RFID technology involves the processing of an individual's personal data, the business (as controller of that personal data) must ensure that all such processing is carried out fairly and lawfully, and in accordance with the various principles set out in the DPA 1998. This would include ensuring that the individual has consented to such processing or that the processing falls within one of the available exceptions to enable it to continue. Ignore these obligations and not only could businesses find themselves on the receiving end of enforcement action from the Information Commissioner, but they might also have to deal with the negative publicity of mishandling personal data (something that has

been of particular public concern recently following the loss of personal records by HM Revenue and Customs).

For further details contact Darren Curtis.



Darren Curtis
Associate

e: darren.curtis
@morgan-cole.com
t: 0118 9553054