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CASE STUDY · MARLUC SYNOPSIS

Foodinho (Glovo) rider management algorithms and facial recognition

IMPLEMENTED 2020–2024 · TRANSPORT AND LOGISTICS · ITALY · BAND F · PROVED

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Italy's data protection authority fined Glovo's Italian delivery company twice over how its platform managed riders: €2.6 million in 2021 and €5 million in 2024, when it also banned facial recognition checks on riders.

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NOTICE WORDING LAST UPDATED 16 NOVEMBER 2026

AT A GLANCE

What went wrong: Unlawful or non-compliant use; Weak oversight or controls.

AI and automation used: AI and automation: facial recognition identity checks using Jumio software, alongside automated rider scoring, priority slot booking, order assignment and account blocking that the regulator describes as algorithmic.

Implemented: 2020–2024. Grade: band F, Failure, Proved.

Headline result, as reported: €5 million fine and a ban on facial recognition checks of riders in November 2024, after a €2.6 million fine in 2021, both from Italy's data protection authority

1 · The case

The facts, as reported by the 5 sources listed at the end. Where a source is silent, the field says "Not reported".

Organisation

Foodinho S.r.l. (Glovo). Foodinho runs the Glovo delivery service in Italy and is a subsidiary of the Spanish company GlovoApp23. Riders work through the Glovo app as self-employed collaborators: about 19,000 at the 2021 inspection and more than 35,000 by the 2024 decision, per the Garante. Canvas block: 8. Governance and risk. Also 4. Operations and process, 5. People and skills, 6. Data and technology.

Business challenge

The challenge. Not reported in the company's own terms for the rider algorithms. Foodinho told the Garante that facial recognition was meant to counter illegal labour intermediation (caporalato) in food delivery, describing it as an effective deterrent though not sufficient on its own.

How it was addressed. The Glovo platform scores riders, gives higher scorers priority when booking work slots, assigns orders within slots, and can block or deactivate accounts. In 2021 the Garante found the score relied on a mathematical formula that penalised riders who did not accept orders promptly or rejected them, taking into account acceptance within 30 seconds. From 23 November 2020 Foodinho tested facial recognition using software from Jumio Corporation: a scan of the rider's identity document, then selfies requested at random. It stopped the checks in July 2022 after internal bugs that could lead to unjustified blocks of rider profiles, restarted them in stages from February 2023, and told the Garante in September 2023 they were in use across the country. [1] [2] [3] [4] [5]

Who implemented it

Jumio Corporation (Software vendor): Supplied the facial recognition software and acted as data processor, per the Garante..
In-house (In-house): Owns the digital platform Foodinho uses to manage riders, per the Garante..
Who built the rider scoring and assignment algorithms is not reported beyond the platform being owned by the parent company.

Technology (SEAM pillar E)

SEAM types: T3 API integrations. Deployment: Not reported. Vendors and products: Jumio Corporation, Glovo rider platform, Jumio facial recognition identity verification.

Where it was built in: Built into the Glovo rider app: a selfie is matched against the photo on the rider's identity document at sign-up and then at random, and a failed or skipped check can block the rider's slot calendar, by Foodinho's account to the Garante. The platform is owned by the parent company GlovoApp23.

What changed

Before: access to slots and orders depended on automated scores and assignment, and any change in account status sent one standard automatic message. After the 2024 decision: Foodinho was ordered to stop processing and delete riders' biometric data, have algorithmic decisions checked by trained operators who can disregard the algorithm's output, rewrite deactivation messages, check its algorithms periodically and switch off GPS when the app runs in the background. Whether these changes were completed: Not reported. [1] [2] [3] [4] [5]

Cost of failure

Fines of €2.6 million (2021) and €5 million (2024) from the Garante. The 2024 decision allows the fine to be settled by paying half; in December 2024 Foodinho said it intended to pay in reduced form and not appeal. Cost of the platform changes, which Foodinho described as technically complex and a large investment: Not reported.

What it saved

Not reported [1] [2] [3] [4] [5]

Governance and control

The Garante found in 2021 and again in 2024 that riders had no way to obtain human intervention, give their view or contest automated decisions. In 2024 it found the biometric processing lacked a lawful basis, noting that a suspension of more than seven months showed it was not indispensable to food delivery. Foodinho argued the checks had a lawful basis in its duty to prevent caporalato and said it had carried out an impact assessment. Named owner: Not reported.

S2 · Accountable owner · Outside scrutiny (a regulator, court, auditor or similar body acted)
The Garante treated Foodinho, not the Spanish parent, as the controller answerable for rider data processing on the Glovo platform; no named owner of the systems is reported. [1] [2]

A1 · Safe use · Outside scrutiny (a regulator, court, auditor or similar body acted)
In 2021 the Garante found Foodinho had not properly informed riders how the system worked; in 2024 it found deactivation messages did not tell riders they could contest the decision. [1] [3]

A2 · Human in the loop · Outside scrutiny (a regulator, court, auditor or similar body acted)
The Garante found in 2021 and again in 2024 that riders could not obtain human intervention or contest automated decisions, and ordered algorithmic decisions to be checked by suitably trained operators. [1] [3] [4]

A3 · Monitoring and assurance · Outside scrutiny (a regulator, court, auditor or similar body acted)
The Garante ordered periodic checks of the accuracy of the algorithmic systems and of feedback-based ratings, repeated whenever the algorithm changes. [1] [4]

A4 · Vendor AI · Outside scrutiny (a regulator, court, auditor or similar body acted)
Facial recognition ran on software from Jumio Corporation acting as data processor; the Garante banned further processing of riders' biometric data and ordered its deletion. [2] [4]

A5 · Agent controls · Not reported
No agents described.

A6 · Standards and regulation · Outside scrutiny (a regulator, court, auditor or similar body acted)
The Garante fined Foodinho €2.6 million in 2021 and €5 million in 2024 under the GDPR and Italian rules on platform work, and noted the 2024 decision coincided with publication of the EU Platform Work Directive. [1] [3]

What worked, what did not, what is unproven

WORKED

– Not reported

DID NOT

– Facial recognition checks: Foodinho reported internal bugs that could lead to unjustified blocks of rider profiles, and paused the checks.

– Deactivation messages: the platform sent one standard message on every change of status, including to a rider who had died in a road accident in October 2022; the Garante found this breached accuracy and fairness principles and rejected Foodinho's explanation of human error.

– Safeguards on automated decisions: found missing in 2021 and still missing in 2024, after the first fine.

UNPROVEN

– Whether the facial recognition reduced illegal account sharing or caporalato: Not reported.

– Whether Foodinho completed the changes ordered in 2024: Not reported.

Timeline

Nov 2020 Foodinho starts processing riders' biometric data in tests of facial recognition log-in checks [2]

Jun 2021 Garante fines Foodinho €2.6 million over its rider algorithms and orders changes [1]

Apr 2022 Milan tribunal annuls the 2021 decision on Foodinho's appeal [2]

Jul 2022 Foodinho stops facial recognition checks after internal bugs [2]

Oct 2022 A rider dies in a road accident during a delivery; press reports of his account deactivation prompt a new Garante inquiry [2]

Sept 2023 Court of Cassation sets aside the Milan ruling; facial recognition back in use across Italy, by Foodinho's account [2]

Nov 2024 Garante fines Foodinho €5 million and bans further processing of riders' biometric data [3]

Dec 2024 Foodinho says it will not appeal and asks for more time; Garante grants 90 extra days [4]

May 2026 Under judicial control in a separate labour investigation, Foodinho proposes higher pay and stricter rider identity checks [5]

2 · Grade and SEAM assessment

MarLuc's opinion, made on the evidence above. How cases are graded: marluc.co.uk/case-studies/how-we-rate

Level of change and impact

Claimed: Not applicable. Grade: F, Failure. Proof: Proved. Level of change: Not graded.

No level assessed: band F, regulator findings of unlawful automated management of gig workers, with two fines and a ban on biometric checks.

Band F because a regulator twice found unlawful automated management of riders, fined the company and banned its facial recognition checks. Marker Proved: these are regulator findings that the company did not overturn. The AI element is the facial recognition software; the regulator describes the rider score as a mathematical formula, so the case is labelled AI and automation.

The SEAM view and lessons learnt

The findings centre on the controls around automated decisions: riders could lose priority or be blocked with no route to a person, and a biometric check was run as a workforce-wide test. The regulator's decisions let the AI part (facial recognition) be separated from the formula-based scoring, and both were found unlawful in how they were governed. Before copying the approach, a leadership team should ask what lawful basis it has for biometric checks on contractors, and who reviews and can reverse an automated block.

1. Give every worker affected by an automated decision a route to a person who can reverse it.
2. Settle the lawful basis before testing biometric checks on a workforce.
3. Close the findings of a first regulator decision before the regulator returns.

Evidence

Score 3 of 4. Independent: two regulator decisions with written reasons, based on inspections and direct access to the company's systems.

Evaluation method. Regulator findings: Garante orders of 10 June 2021 and 13 November 2024 (n. 675), with a follow-up decision of 19 December 2024 (n. 818).

Sources disagree. The Milan tribunal annulled the 2021 decision in April 2022; the Court of Cassation set that ruling aside in September 2023, and the Garante says the decision became final when Foodinho did not resume the case. Foodinho said the message to the rider who died was sent because of human error; the Garante found it was sent automatically, as on every change of status.

Status. Closed at the Garante: in December 2024 Foodinho said it would not appeal and was given 90 more days to comply. Separately, in 2026 Milan prosecutors placed Foodinho under judicial control, alleging exploitation of riders; in May 2026 Foodinho proposed a plan including higher pay, a collective contract and stricter identity checks on riders, per Il Post.

3 · Original sources

Read these in full. To challenge a fact or a grade, use the contact form at marluc.co.uk or the link on https://marluc.co.uk/case-studies/foodinho-glovo-rider-algorithms-garante

[1] Garante per la protezione dei dati personali: Riders: Italian SA says no to algorithms causing discrimination (5 July 2021)
https://www.garanteprivacy.it/home/docweb/-/docweb-display/docweb/9677377

[2] Garante per la protezione dei dati personali: Provvedimento del 13 novembre 2024 [10074601], order against Foodinho s.r.l.
https://www.garanteprivacy.it/home/docweb/-/docweb-display/docweb/10074601

[3] Garante per la protezione dei dati personali: Rider, Garante privacy: no all'algoritmo incontestabile dai lavoratori (22 November 2024)
https://www.garanteprivacy.it/garante/doc.jsp?ID=10074840

[4] Garante per la protezione dei dati personali: Provvedimento del 19 dicembre 2024 [10105535]
https://www.garanteprivacy.it/home/docweb/-/docweb-display/docweb/10105535

[5] Il Post: Il piano di Glovo per evitare di sfruttare i rider (20 May 2026)
https://www.ilpost.it/2026/05/20/glovo-proposta-tutele-controllo-giudiziario/

Foodinho S.r.l. (Glovo) website: https://glovoapp.com

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