# Children’s code strategy

**Form for responding to the Call for Evidence by email**

There are three sections within this [call for evidence](https://ico.org.uk/about-the-ico/ico-and-stakeholder-consultations/ico-consultation-on-the-children-s-code-strategy-call-for-evidence):

* **Section 1:** Use of children’s personal information in recommender systems.
* **Section 2:** Use of personal information of children under 13 years old.
* **Section 3:** Details about you, and views about what the Children’s code strategy should deliver. For industry bodies or organisations that need to comply with the Children’s code, there are also questions seeking high level views on the impact of the Children’s code more generally.

We provide further details on the first two areas in [our Children’s code strategy progress update](https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/childrens-information/childrens-code-guidance-and-resources/children-s-code-strategy-progress-update/).

**The call for evidence will remain open until 23:59 on 18 October 2024.** We may not consider responses received after this deadline.

Please note that **all questions are optional**, other than those that are used to route respondents to different sections of the call for evidence. Therefore, you do not need to respond to all questions.

Please email this form to ChildrensCodeCfe@ico.org.uk once completed. If you would like to provide any supporting documents alongside your responses, please attach these to your email.

You can also [respond to the call for evidence online](https://www.smartsurvey.co.uk/s/ChildrensCodeCfe/).

If you have any questions or difficulties, please contact: ChildrensCodeCfe@ico.org.uk.

**Privacy statement**

Your responses to the questions in this call for evidence are anonymous, unless you choose to include your contact information in the final two questions.

We may publish in full the responses received from organisations or a summary of responses for this call for evidence. If we do publish any responses, we will remove any personal information provided. This includes addresses, telephone numbers and email addresses. We will not publish responses from individuals acting in a private capacity.

Please avoid sharing any information you would not be happy for us to make publicly available. If you do want to share sensitive information or confidential commercial information, please contact us first before responding: ChildrensCodeCfe@ico.org.uk.

Should we receive an FOI request for your response, we will endeavour to consult with you for your views on the disclosure before any decision is made. Please note we can only consult with you if you choose to include your contact information in the final question.

For more information about what we do with personal data please see our [privacy notice](https://eur03.safelinks.protection.outlook.com/?url=https%3A%2F%2Fico.org.uk%2Fglobal%2Fprivacy-notice%2Fresponding-to-our-consultation-requests-and-surveys%2F&data=05%7C01%7CJames.Goodman%40ico.org.uk%7C172dbc098d394146016008dbe112fe77%7C501293238fab4000adc1c4cfebfa21e6%7C0%7C0%7C638351243924949736%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzIiLCJBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C3000%7C%7C%7C&sdata=PTmGEYoyALMGMFajlHjeJB%2BEwNeMVyow9KHs1zJdOmQ%3D&reserved=0).

I have read the introduction page, and I am happy to proceed: – Required

|  |
| --- |
|[ ]  Yes |
|[ ]  No |

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###

## Introductory question

1. While we are looking for responses to all sections of this call for evidence, we recognise that some stakeholders may only wish to respond on one of the two areas covered. Please indicate below which area(s) you would like to respond to, and then go to the appropriate sections to respond: – Required

|  |  |
| --- | --- |
| [ ]  | Use of children’s information in recommender systems *[Please go to Section 1: Use of children’s information in recommender systems]* |
| [ ]    | Use of personal information of children under 13 years old  |
|  | *[Please go to Section 2: Use of personal information of children under 13 years old]* |

## Section 1: Use of children’s information in recommender systems

1. We outlined the issues we are considering in relation to the use of children’s information in social media platform (SMP) and video sharing platform (VSP) recommender systems in the Children’s code strategy progress update. Platforms’ use of recommender systems is evolving and we would welcome new information or evidence in the following areas:
* how children’s personal information is used in the design and operation of recommender systems used by SMPs and VSPs;
* whether, and if so how, platforms are using children’s personal information to recommend content on SMPs and VSPs in ways that could lead to children spending extensive amounts of time on the platform; and
* good practice related to the collection and processing of children’s personal information in recommender systems on SMPs and VSPs, including:
	+ provision of transparent information relevant to and understandable by children;
	+ the use of online tools to allow children greater control over how their personal information is used; and
	+ instances where data minimisation principles are applied to children’s accounts, or where recommender systems are used to prevent access to harmful content.

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| --- |
|  Please respond here: |

1. We are keen to understand whether the use of children’s information in recommender systems might have particular impacts on children belonging to specific groups, including children with protected characteristics (eg disability, gender reassignment, political opinion, race, religion or belief, sex or sexual orientation). Please share any evidence on how the use of children’s personal information in recommender systems may have specific impacts on children with one or more protected characteristics.

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|  Please respond here: |

1. Do you have any further comments or evidence you would like to bring to our attention regarding the use of children’s information in recommender systems that have not been captured elsewhere?

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|  Please respond here: |

## Section 2: Use of personal information of children under 13 years old

1. Please provide any additional information or evidence you have regarding recent developments in age assurance technologies, in particular:
* evidence about the effectiveness of profiling techniques to identify users under 13 years old on a platform;
* evidence of approaches by social media platforms (SMPs) or video sharing platforms (VSPs) to reduce the potential risk that under 13s try to circumvent age assurance; and
* evidence of innovative new age assurance practices for (i) services that require users (including children) to be logged in; and (ii) services that do not require users to be logged in.

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|  Please respond here: |

1. Do you have any further comments or evidence you would like to bring to our attention regarding use of personal information of children under 13 years old that have not been captured elsewhere?

|  |
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|  Please respond here: |

## Section 3: Final views and details about you and your organisation

To assist our understanding of the areas we regulate, we would like to know about you. Your information will be processed in accordance with our [privacy notice](http://ico.org.uk/global/privacy-notice/responding-to-our-consultation-requests-and-surveys/).

1. Are you responding to this call for evidence on behalf of an organisation? – Required

|  |  |
| --- | --- |
| [ ]  | Yes *[Please go to subsection “About your organisation”]* |
| [ ]    | No  |
|  | *[Please go to subsection “About you”]* |

### About your organisation

1. If you are answering as an organisation, please indicate below the type of organisation you are responding on behalf of: (please tick all that apply)

|  |
| --- |
|[ ]  A business |
| [ ]    | An organisation or person processing children's data |
| [ ]    | A trade association or industry body  |
| [ ]    | An organisation representing the interests of children  |
| [ ]    | A trade union |
| [ ]    | A university |
| [ ]    | Other (please specify):

|  |
| --- |
|   |

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1. How many staff does your organisation have globally?

|  |
| --- |
|[ ]  0 to 9 members of staff |
|[ ]  10 to 49 members of staff |
|[ ]  50 to 249 members of staff |
|[ ]  250 to 499 members of staff |
|[ ]  500 to 999 members of staff |
|[ ]  1,000 to 2,499 members of staff |
|[ ]  More than 2,500 members of staff |
|[ ]  Unsure / don’t know |

1. Approximately, what percentage of your staff are based in the UK?

|  |
| --- |
|[ ]  81% to 100% |
|[ ]  61% to 80% |
|[ ]  41% to 60% |
|[ ]  21% to 40% |
|[ ]  0% to 20% |
|[ ]  Unsure/ don't know |

1. If you have UK based staff, where are they based? Please tick all that apply.

|  |
| --- |
|[ ]  England |
|[ ]  Northern Ireland |
|[ ]  Scotland |
|[ ]  Wales |
|[ ]  Unsure/ don't know |
|[ ]  Not applicable |

1. Is your organisation: (please tick all that apply)

|  |
| --- |
|[ ]  Headquartered in the UK |
|[ ]  A multinational organisation with a UK presence  |
|[ ]  Solely based in the UK  |
|[ ]  Unsure/ don’t know |
| [ ]    | Other (please specify):

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*[Please go to subsection “Impacts”]*

### About you

1. Are you answering as: (tick all that apply)

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| --- |
|[ ]  An academic |
| [ ]    | An individual acting in a professional capacity |
| [ ]    | An individual acting in a private capacity (eg someone providing their view as a member of the public) |
| [ ]    | Other (please specify):

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*[Please go to subsection “Impacts”]*

### Impacts

The ICO is committed to making timely, informed and impactful decisions, drawing on evidence and insight, and understanding the impacts of our interventions to ensure that we are making a material difference. As such, we are keen to understand the impacts that the Children’s code has generated, and any changes you would like to see the ICO’s Children’s code strategy drive for children that use social media and video sharing platforms in the UK.

Please note, the impact questions have been designed based on the type of respondent. **Please only respond to those that are** **relevant to you or the organisation you are responding on behalf of**.

#### Questions for those responding on behalf of a business or organisation that processes personal data

1. To what extent do you agree that your organisation’s products or services are in scope of the Children’s code?

|  |
| --- |
|[ ]  Strongly agree |
|[ ]  Agree |
|[ ]  Neither agree nor disagree |
|[ ]  Disagree |
|[ ]  Strongly disagree |
|[ ]  Unsure/ don’t know |

1. Has your organisation encountered any challenges and/ or barriers to implementing changes in relation to Children’s code standards relevant to your organisation?

|  |
| --- |
|[ ]  Yes, significant challenges/ barriers |
|[ ]  Yes, minor challenges/ barriers |
|[ ]  No challenges/ barriers  |
|[ ]  Unsure/ don’t know |
| [ ]  | Not applicable |

1. If so, please can you provide details below on the type of challenges and/ or barriers encountered and how these have been addressed.

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| --- |
| Please respond here:  |

1. Has the implementation of the Children’s code led to any benefits for your organisation to date? If so, please outline these.

For example, this could include changes in: levels of customer confidence; existing or introduction of new processes; level of knowledge or awareness of data protection and data privacy; investment in expertise, customers, internal skills or staffing etc.

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|  Please respond here: |

1. What changes would you like to see the ICO’s [Children’s code strategy](https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/childrens-information/childrens-code-guidance-and-resources/protecting-childrens-privacy-online-our-childrens-code-strategy/) deliver for children that use social media and video sharing platforms in the UK?

Please provide details below about the type and scale of changes you would like to see, and what impact (positive or negative) these changes would have.

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| Please respond here:  |

#### Questions for those responding on behalf of a trade association or industry body

1. Has your sector encountered any challenges and/ or barriers to implementing changes in relation to the Children’s code standards?

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| --- |
|[ ]  Yes, significant challenges/ barriers |
|[ ]  Yes, minor challenges/ barriers |
|[ ]  No challenges/ barriers  |
|[ ]  Unsure/ don’t know |
| [ ]  | Not applicable |

1. If so, please can you provide details below on the type of challenges and/ or barriers encountered and examples of how these have been addressed.

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| Please respond here: |

1. Has the implementation of the Children’s code had any positive impacts on your sector to date?

For example, this could include changes in: levels of customer confidence; existing or introduction of new processes; level of knowledge or awareness of data protection and data privacy; investment in expertise, customers, internal skills or staffing etc.

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|  Please respond here: |

1. What changes would you like to see the ICO’s [Children’s code strategy](https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/childrens-information/childrens-code-guidance-and-resources/protecting-childrens-privacy-online-our-childrens-code-strategy/) deliver for children that use social media and video sharing platforms in the UK?

Please provide details below about the type and scale of changes you would like to see, and what impact (positive or negative) these changes would have.

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| Please respond here:  |

#### Questions for all other respondents (i.e. those responding as an individual, or on behalf of an organisation that has not already responded to questions 14-22 above)

1. What changes would you like to see the ICO’s [Children’s code strategy](https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/childrens-information/childrens-code-guidance-and-resources/protecting-childrens-privacy-online-our-childrens-code-strategy/) deliver for children that use social media and video sharing platforms in the UK?

Please provide detail of the type and scale of changes you would like to see, and what impact (positive or negative) these changes would have.

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| Please respond here:  |

### Final reflections (for all respondents)

1. To what extent do you support the action that the ICO is taking to ensure that social media and video sharing platforms comply with data protection law and conform with the standards of the Children’s code, as outlined in the [Children’s code strategy progress update](https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/childrens-information/childrens-code-guidance-and-resources/children-s-code-strategy-progress-update/)?

|  |  |  |
| --- | --- | --- |
| [ ]    |  | I am fully supportive of the action that the ICO is taking in this area |
| [ ]    |  | I am partially supportive of the action that the ICO is taking in this area |
| [ ]    |  | I am neither supportive nor unsupportive of the action that the ICO is taking in this area |
| [ ]    |  | I do not support the action that the ICO is taking in this area |
| [ ]    |  | Unsure/ don’t know |

1. Please explain your response.

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| Please respond here:  |

1. Do you have any final comments you would like to share that have not been captured elsewhere?

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| Please respond here:  |

1. If you are happy for your organisation’s name to be viewed alongside your feedback, please provide the name of your organisation below.

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1. We may wish to contact you for further information on your responses. If you are happy to be contacted, please provide an email address below.

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