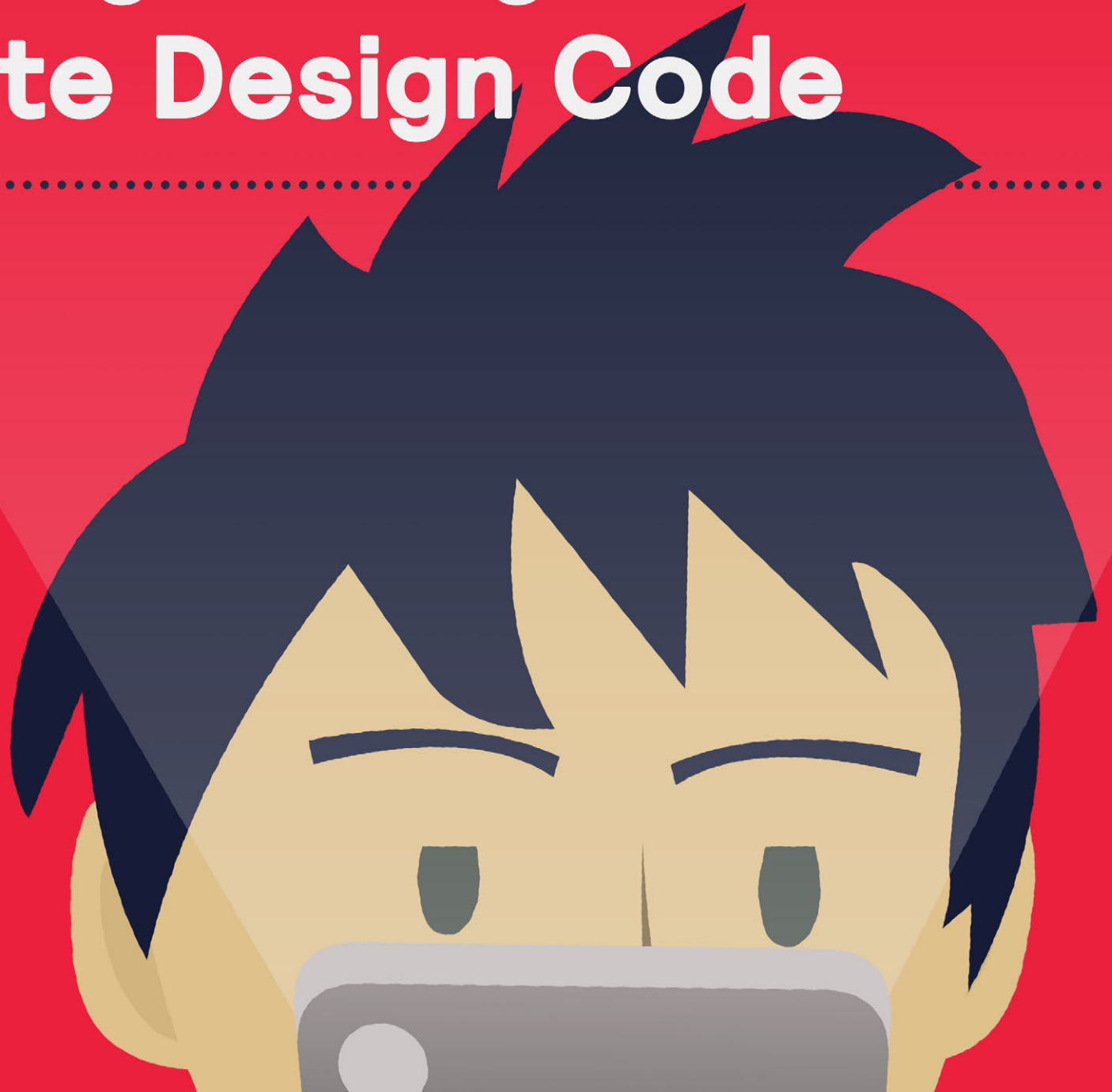


# Demystifying the Age Appropriate Design Code

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# Why is the Code important?

\* The rights of children are routinely ignored in the digital world

\* In many cases illegally

*(e.g. TikTok's Federal Trade Commission fine)*

\* In almost every case immorally

*(e.g. Facebook/Snap's evidence to Parliament on their failure to check if they are dealing with a minor or a child under 13)*



# Companies are actively creating ways to track behaviour

resulting in thousands of individual data points - that reveal a child's...



By the time  
a child is 18 it  
is estimated that  
there will be **70000**  
**data points**  
**about them**

and they keep  
**and share** that  
information  
**forever (for**  
**their own gain)**

these  
companies **know**  
**your children**  
**better than**  
**you do**



# As it stands children are offered no specific data protections

Most online service providers **do not even try** to establish the age of their users. Those that do ask users to **'self-declare'** their age.

But when they do tick the box or self-declare - **nothing happens**



they are **simply treated** as if they were adults.


# Even underage children are treated as adult



- Some kids lie about their age... **but virtually 100% of companies fail to check their age...**
- Meanwhile millions of kids **tell the truth** ...but it makes no difference they still get an adult service

# The real problem....

is the failure of online services to offer age-appropriate data protection to children



...EVEN WHEN THEY SAY THEY ARE A CHILD!?

# That is why the regulator introduced The Age Appropriate Design Code



The answer is not to protect children from the digital world, but to protect them within it... This code provides practical guidance on how to design data protection safeguards into online services to ensure they are appropriate for use by, and meet the development needs of, children.

.....  
Elizabeth Denham CBE,  
UK Information Commissioner



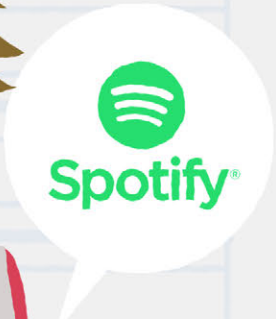


# The Code mandates data protection that:

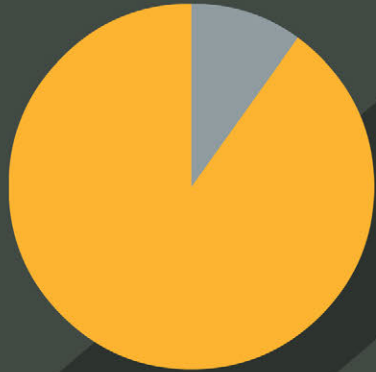
- \* Provides a high level of privacy by design and default
- \* Explains the nature of the service in child-friendly language
- \* Does not exploit children's data for purposes that aren't in their best interests
- \* Does not expose or share their location
- \* Does not use their data to auto-recommend harmful material
- \* Does not nudge children to make choices that reduce their privacy
- \* Upholds the terms and conditions that a child has signed up to
- \* Provides easy-to-use tools to allow children to exercise their data rights

\* the code applies to all children in line with the convention on the rights of the child (UNCRC) – that is everyone under the age of 18

\* ...and to all online services 'likely to be accessed' by children

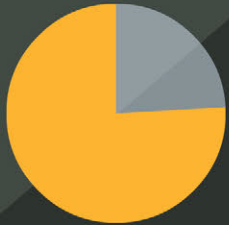


# Many people are delighted that there is finally action to protect children's data



**90%**

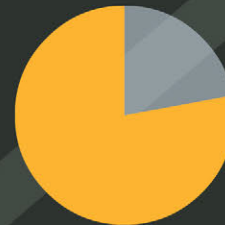
of parents think it is important internet companies are required to follow rules to protect children online



**76%**

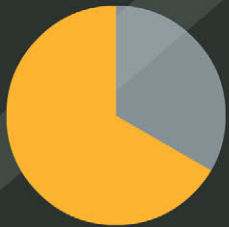
of parents think internet companies should establish the ages of the people who use their online services, to enable child specific protections to be put in place.

**Just 16% disagree**



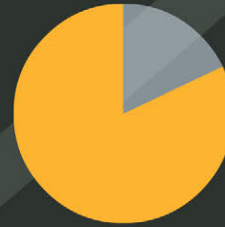
**78%**

of parents think regulation on the use of children's data should apply to all online services likely to be accessed by children, rather than just those services targeted at children specifically



**67%**

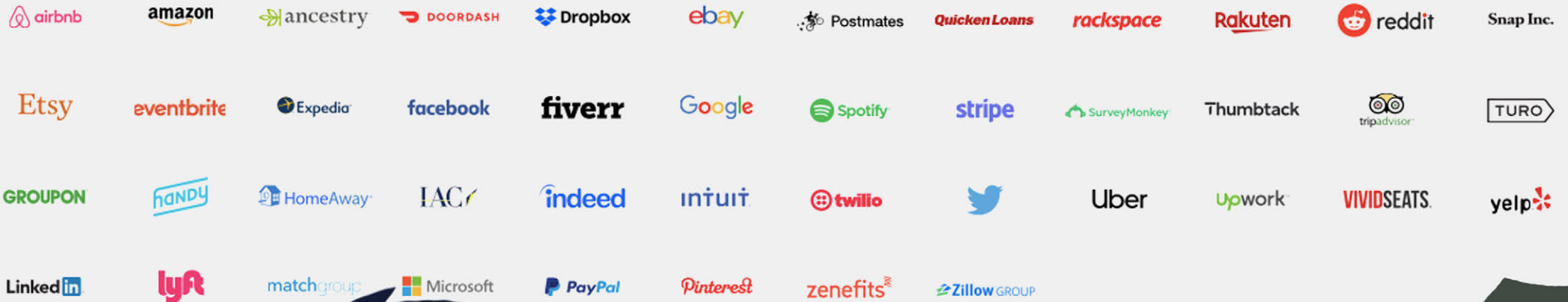
of parents think an official regulator or government should decide the rules for how internet companies should use children's personal data. **Just 15% thought this should be left to internet companies themselves**



**82%**

of parents think internet companies should be held accountable in law for how well they uphold their own community guidelines, terms and conditions and privacy notices

# There has been lobbying against the code... most notably from the Internet Association - which represents



who have  
a vested interest in  
commoditizing  
children's data

And the **Society of Editors**, which represents nearly 400 national, regional and local newspapers, magazines, radio, television and digital media.

Who have a duty to report fairly on matters affecting children

# So if children must be offered data protection... HOW?

You can use **hard identifiers**, such as a passport or photo ID

You can use a **verification service**, such as Yoti, Heidi (the post office), Verify

You can run a **capacity test**, that indicates the approximate age of the user

You can give all your users the **same high level** of data protection that the Code requires

I'm **14**

**or**

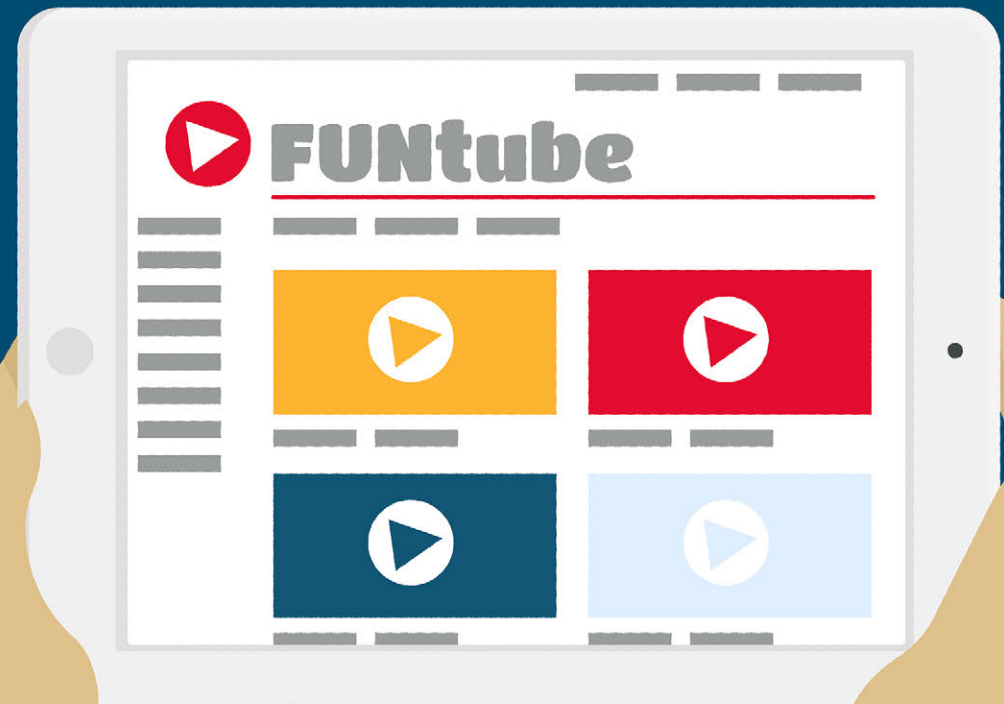
**You could just let them say they are a kid and you do the rest...**





# A different experience for kids

.....



You're probably used to seeing something like this when you visit a website

We use cookies and other technologies to collect user data from your device, so that:

- \* We can deliver content and advertising that's relevant to you
- \* We give you the best experience

Got it!

Control how cookies are used, and view more info in our [Privacy settings](#) and [Policy](#)

What if it looked more like this...?

Give the child or young person the opportunity to self-declare for the purposes of data protection

We use cookies and other technologies to collect user data from your device, so that:

- \* We can deliver content and advertising that's relevant to you
- \* We give you the best experience
- \* If you're under 18, we give you greater protection for your data. Click **Accept** or read our [Under 18s Privacy Policy](#)

Got it!

Accept  
(Under 18)

Control how cookies are used, and view more info [Privacy settings](#) and [Policy](#)





# FUNtube

**GREAT!**

Because you are under 18 we have given you EXTRA protection for your data. You can now enjoy our site in **PRIVACY**

Do you want to know more?

But when you self-declare  
**SOMETHING ACTUALLY  
HAPPENS!!**



## Our under 18s Privacy Policy

- \* Provides a high level of privacy by design and default
- \* Explains the nature of the service in child-friendly language
- \* Does not exploit children's data for purposes that aren't in their best interests
- \* Does not expose or share their location
- \* Does not use their data to auto-recommend harmful material
- \* Does not nudge children to make choices that reduce their privacy
- \* Upholds the terms and conditions that a child has signed up to
- \* Provides easy-to-use tools to allow children to exercise their data rights



Watch a video that explains  
what THIS REALLY MEANS

# \* Change cookie settings

SET ALL TO  
DEFAULT

All visitors under 18 are given the highest level data protection. You can switch back to this default at any time.

## Essential / necessary cookies

COOKIE NAME	PROVIDER	PURPOSE	DATA COLLECTED
complianceCookie	FUNtube	Checks whether you have agreed to our privacy policy	A Yes value if you've agreed
testCookie	FUNtube	This tests whether saving cookies is possible on your device	Yes means this is possible

## Preference cookies

Enable / disable these cookies

COOKIE NAME	PROVIDER	PURPOSE	DATA COLLECTED
date	FUNtube	tracks the current date in your timezone	current date <input checked="" type="checkbox"/>
time	FUNtube	tracks the time in your timezone	current time

If a child or a young person does want to change something **THEY MUST MAKE IT CLEAR** and offer **WARNINGS**

**THEY MUST NOT NUDGE A CHILD TO LOWER THEIR SETTINGS**

## \* Change cookie settings

SET ALL TO  
DEFAULT

All visitors under 18 are given the highest level data protection by default on our service. You can switch back to this default at any time.

Essential / n

COOKIE NAM

complianceCoo

testCookie

Preference

Enable

COOKIE NAM

date

time

Analytics cookies

Enable / disable these cookies

COLLECTED

as if you've agreed

as this is possible

COLLECTED

### Warning!

Enabling these cookies will **REDUCE** your privacy on our site.

Are you sure you want to enable them?

No, keep protecting my data

Yes, enable advertising cookies

# Online services that comply with the code will...

**1** give the child high privacy settings

**2** turn off all the nudges like autoplay, excess notifications, endless feeds

**3** stop sharing or making the child's data accessible to anyone else

**4** provide tools, like save buttons, opportunities to quit, child-friendly explanations

**5** take the **LEAST** amount of data for the **LEAST** amount of time and get rid of it at the **FIRST OPPORTUNITY**

**6** disable auto-recommend for material that is detrimental (fyi, self harm, pro-anorexia)

**7** **TURN OFF GPS** - unless they need it

**8** fill out a form that shows they have thought about a child's need in advance

**9** make choices about their service that always put the **BEST INTERESTS** of the child first

**10** make sure that a child can be treated like a child



# So... What next for the code?

The information Commissioner submits the final draft of the code...



It is checked by the Secretary of State



It is laid before Parliament...



40 sitting days later  
**IT'S THE LAW!**



Sounds great!  
...what are we  
waiting for!?

# 5Rights

FOUNDATION

**Working with children to create  
a digital world fit for childhood**

**5rightsfoundation.com**

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