

UK Government lays new statutory rules for children's privacy

5Rights Foundation welcomes first step forward in protecting children's privacy online.

- The Age-Appropriate Design Code has been laid before Parliament today, and will come into force this summer.
- The statutory Code forces online services to give children's data high levels of privacy protection by default.
- 5Rights Foundation Chair, Baroness Kidron, led a cross-party group of peers in introducing the Code as an amendment to the Data Protection Act 2018.

The UK Government has now laid the Age-Appropriate Design Code before Parliament, taking a major step forward in protecting children's privacy online.

The Code is the first of its kind anywhere in the world and sets out the specific protections that children and young people require for their data.

Data drives many norms of the digital world, and the way children's data are collected, shared, and used impacts significantly not just on their digital experience, but also on their wider lives. The Code offers a significant and welcome change in how children are protected and supported in the digital age. This is particularly important now, as the coronavirus pandemic has brought more children online for more time, deepening their dependence on digital technology in more areas of their lives.

The Code was developed by the Information Commissioner's Office (ICO) in consultation with industry, civil society, and the public. The ICO will now be responsible for enforcing the Code, after a transition period of 12-months to help online services comply.

5Rights Foundation has welcomed the Government's decision to lay the Code and looks forward to working constructively with both the ICO and industry in ensuring it delivers for children and young people.

Baroness Beeban Kidron said:

"I am delighted that the Code has been laid. It is an important first step in creating a digital world that finally meets the needs of children, protects their data and enables them to flourish online."

The COVID pandemic has put a spotlight on the urgent need for multiple online protections for children. I urge the Government to build on this statutory Code, and bring forward a comprehensive Online Harms Bill that puts children's safety at the heart of tech policy.

The tech sector now has a year to make their platforms compliant. I look forward to working with them so that together we can deliver a better digital world for children."

Notes for editors

For further comment or information, please contact 5Rights Director of External Engagement, Tony Stower, on 07528 722015 or tony@5Rightsfoundation.com.

About the Code

The Code contains 15 provisions for the protection of children and young people's data. It requires all online services likely to be accessed by children to do the following.

- Provide a high level of privacy to all under 18s by design and default.
- Avoid using children's data for purposes that aren't in their best interests.
- Not broadcast or share a child's location by default, and indicate clearly whenever location settings are activated.
- Ensure that children's data are not used to auto-recommend harmful material.
- Turn behavioural advertising 'off' by default for children and young people.
- Not nudge children to make choices that reduce their privacy.
- Uphold the community guidelines that a child has signed up to.
- Establish the age of users to a level of certainty that is appropriate given the risks arising from the data processing.
- Explain the nature of the service in child-friendly language.
- Provide easy-to-use tools to allow children to exercise their data rights.

The ICO has a history of reasonable, proportionate regulation and the Code's requirements are proportionate to the risks arising from each service's processing of data.

Next steps

The Code has now been laid before Parliament for 40 days and will then take effect after an additional 21-day period. The ICO has also provided for a 12-month transition period to help industry comply with the Code's provisions.

About 5Rights Foundation

5Rights Foundation exists to make systemic changes to the digital world to ensure it caters for children and young people, by design and default. We advocate for enforceable regulation that allow children and young people to thrive online. We

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develop technical standards to help businesses redesign their digital services with children and young people in mind.