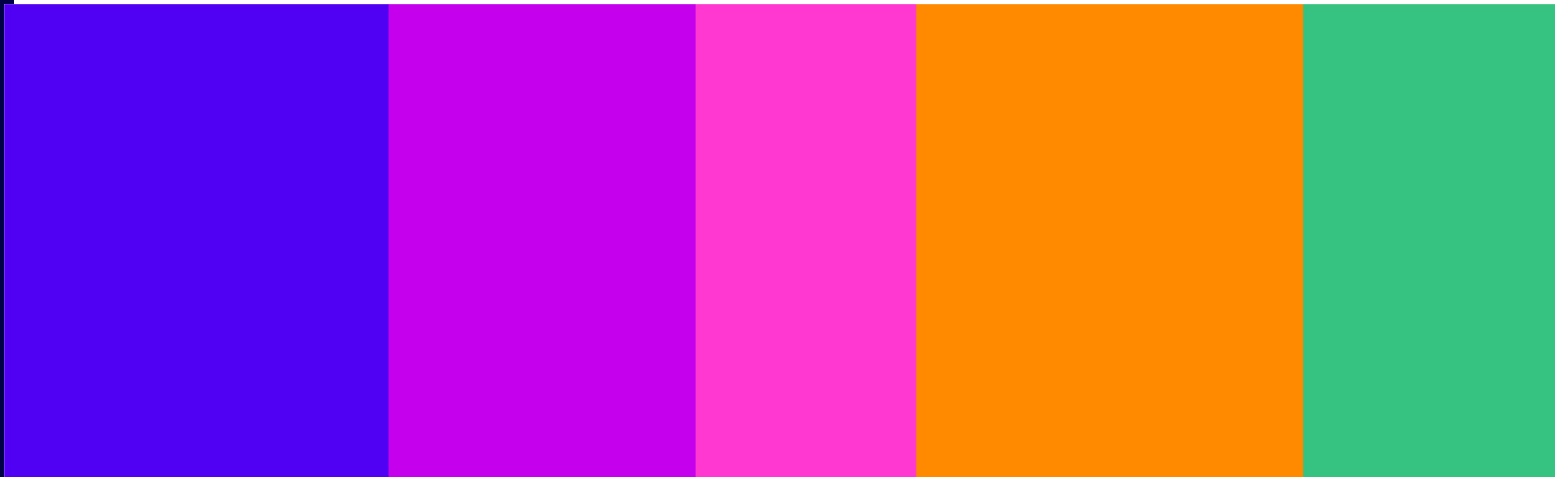


Protection of Children Code of Practice for user-to-user services

DRAFT FOR CONSULTATION

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1. Introduction

Regulatory and legal framework

- 1.1 Under the Online Safety Act 2023 (the 'Act'), Ofcom is required to prepare and issue Codes of Practice ('Codes') for providers of Part 3 services, describing measures recommended for compliance with specified duties. This document contains the Code applying to the providers of regulated user-to-user services (including to the providers of combined services to the extent that the duties applicable to user-to-user services apply to those services).
- 1.2 This Code is for the purpose of compliance with the following duties:
- a) the safety duties protecting children (section 12);
 - b) so far as it relates to the protection of children, the duty about content reporting (section 20); and
 - c) so far as it relates to the complaints set out in section 21(5), the duties about complaints procedures (section 21).
- 1.3 Ofcom must carry out its functions compatibly with the Human Rights Act 1998, including the rights to freedom of expression and privacy. In particular, any limitation on the right to freedom of expression must be prescribed by law, pursue a legitimate aim and be necessary in a democratic society. Any limitation on the right to privacy must be in accordance with the law, pursue a legitimate aim and be necessary in a democratic society. In order to be 'necessary', the restriction must correspond to a pressing social need, and it must be proportionate to the legitimate aim pursued. The legitimate aims pursued include national security, the prevention of crime, the protection of health and morals, and the protection of the rights of others. Ofcom has had careful regard to these rights in the development of this Code, both in terms of proportionality and appropriate safeguards around users' freedom of expression and privacy.
- 1.4 Ofcom is preparing Codes in three phases, as relevant to the full list of duties set out in section 41(10) of the Act. Recommendations for the purpose of compliance with the illegal content safety duties (section 10) will be found in our Illegal Content Codes, while user empowerment (section 15), content of democratic importance (section 17), journalistic content (section 19) and fraudulent advertising content (Chapter 5 of Part 3) duties will be considered in Codes for Category 1 services. Content reporting and complaints procedures, as regards these types of content specifically, may also feature in this Code.
- 1.5 This Code of Practice:
- a) relates to the design, operation and use of a user-to-user service—
 - i) in the United Kingdom, or
 - ii) as they affect United Kingdom users of the service; and
 - b) applies regardless of whether or not the person who provides the service is inside the United Kingdom.
- 1.6 So far as relating to a user-to-user service that includes regulated provider pornographic content, this Code does not extend to:
- a) the regulated provider pornographic content, or

- b) the design, operation or use of the service so far as relating to that content.¹
- 1.7 So far as relating to a user-to-user service that is a combined service, this Code does not extend to—
- a) the search content of the service,
 - b) any other content that, following a search request, may be encountered as a result of subsequent interactions with internet services, or
 - c) anything relating to the design, operation or use of the search engine.
- 1.8 This Code comes into force on [in our final Code, we will specify a day that is 21 days from the publication date].

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- 1.9 Recommended measures for search services are set out separately in the accompanying Code of Practice for search services relating to the children’s safety duties.
- 1.10 While a small number of recommended measures apply to providers in relation to all relevant regulated services likely to be accessed by children, including those provided by small and microbusinesses, the majority of our recommended measures apply only in relation to services that have identified certain risks or are of a certain size. The application of each recommendation is specified within the relevant measure, and an overview can be found in the **Index of recommended measures** in Section 2. The sub-section headed ‘User numbers’ (which begins at paragraph 4.5 below) in Section 4 explains how to count users for those measures which apply in relation to services of a certain size, and the definition of ‘large service’ is included in the definitions table in Section 4.
- 1.11 The definition of **highly effective age assurance**, which sets out the criteria that an **age assurance process** must fulfil in order to be considered “highly effective” is set out in paragraphs 4.10 to 4.15 below.

Enforcement of this Code

- 1.12 The recommended measures in this Code apply to providers in respect of the regulated user-to-user service(s) that they provide. If a person is the provider of more than one regulated user-to-user service, the recommended measures in this Code have effect in relation to each such service (so far as applicable). Each recommendation is accompanied by an ‘application’ section specifying the services in respect of which it applies.
- 1.13 The Act provides that service providers which implement measures recommended to them in this Code will be treated as complying with the relevant duty or duties to which those measures relate. We have mapped our recommended measures against the relevant duties in the Index of recommended measures.

¹ However, please see Ofcom’s [Guidance on age assurance and other Part 5 duties for service providers publishing pornographic content on online services](#), which will be relevant to services in scope of the duties in Part 5 of the Act

- 1.14 Where a service provider implements measures recommended to it in this Code which include safeguards for the protection of freedom of expression and/or for the protection of users' privacy, the Act provides that they will also be treated as complying with the duties set out in section 22(2) (in respect of freedom of expression) and section 22(3) (in respect of privacy).
- 1.15 Service providers may seek to comply with a relevant duty in another way by adopting what the Act refers to as alternative measures. If doing so, service providers would also need to comply with the duty to have particular regard to the importance of protecting users' rights to freedom of expression within the law, and of protecting the privacy of users.
- 1.16 Where they take alternative measures, service providers must also maintain a record of what they have done and how they consider that it meets the relevant duties, including how they have complied with the duty to have particular regard to the importance of protecting freedom of expression and privacy.
- 1.17 Alongside this Code, please refer to our separate guidance on:
- a) **Children's access assessments:** service providers will be required to carry out a children's access assessment to determine whether a service, or part of a service is likely to be accessed by children. Where this applies, a service will be required to comply with the children's risk assessment duties and the safety duties protecting children.
 - b) **Content that is harmful to children:** service providers should refer to our guidance on content harmful to children when making content judgements where applicable. This guidance sets out examples of, or kinds of content that Ofcom considers to be, or not to be primary priority content and priority content.
 - c) **Children's risk assessment:** some of the measures in this Code applies where a service provider has, through its children's risk assessment, identified a high- or medium- risk of harm on the service. We expect all service providers to conduct a suitable and sufficient children's risk assessment, referring to our children's risk assessment guidance for services.
 - d) **Highly effective age assurance:** some of the measures in this Code requires the use of age assurance that is highly effective at correctly determining whether or not a particular user is a child. Service providers should refer to our guidance on highly effective age assurance which sets out further criteria for service providers.
 - e) **Record-keeping:** under the Act, service providers are required to keep records of (1) steps that they have taken in accordance with this Code, or (2) any alternative steps they are taking to comply with their duties.
 - f) **Enforcement:** to find out more about Ofcom's approach to enforcement, please refer to our Enforcement guidance.

Other obligations on regulated service providers

1.18 The recommendations in this Code do not affect other regulatory and legislative requirements on providers of services regulated under the Act. They will also need to ensure that they comply with data protection law and, where relevant, the Privacy and Electronic Communications (EC Directive) Regulations 2003 (PECR). Users' rights to data protection are covered by UK GDPR and the Data Protection Act 2018 which are enforced by the Information Commissioner's Office (the 'ICO'). The ICO has a range of data protection and PECR compliance guidance which services may wish to consult. Services likely to be accessed by children should also ensure they conform with the ICO's Children's code. The ICO have also published an Information Commissioner's Opinion about the use of age assurance for their Children's code, and guidance on content moderation and data protection, which will be relevant to service providers in scope of a number of recommended measures in this Code.²

² See [Online safety and data protection](#)

2. Using this Code

Structure of the Code

- 2.1 The sub-sections of Section 3 of this Code refer to the thematic area of the recommended measures – for example, if they relate to governance and accountability, or content moderation functions.
- 2.2 The application of a recommendation is set out in the section under the subheading ‘Application’ in each measure.
- 2.3 Definitions of terms in **bold** are set out in Section 4 (definitions and interpretation).
- 2.4 We have also provided a table below indexing the recommended measures according to:
- a) the services in relation to which they apply; and
 - b) the duties to which they relate.
- 2.5 The grey column to the right of the recommendations shows which of the proposed measures referred to in the consultation document the legal text in this document reflects.

Index of recommended measures

Measure number in consultation	Recommended measure		Application	Relevant duties
Governance and accountability				
GA1	PCU A1	Annual review of risk management activities	Services likely to be accessed by children that are a large service	Section 12(2), 12(3), 12(8)(a)
GA2	PCU A2	Person accountable for the safety duties protecting children and reporting and complaints duties	All services likely to be accessed by children	Section 12(2), 12(3), 12(8)(a), 12(8)(h)

Measure number in consultation	Recommended measure		Application	Relevant duties
GA3	PCU A3	Written statements of responsibilities	Services likely to be accessed by children that are either a large service or multi-risk in relation to content that is harmful to children	Section 12(2), 12(3), 12(8)(a), 12(8)(h)
GA4	PCU A4	Internal monitoring and assurance	Services likely to be accessed by children that are both a large service and multi-risk in relation to content that is harmful to children	Section 12(2), 12(3), 12(8)(a)
GA5	PCU A5	Tracking evidence of new and increasing harm	Services likely to be accessed by children that are either a large service or multi-risk in relation to content that is harmful to children	Section 12(2), 12(3), 12(8)(a)
GA6	PCU A6	Code of conduct regarding protection of children from online harms	Services likely to be accessed by children that are either a large service or multi-risk in relation to content that is harmful to children	Section 12(2), 12(3), 12(8)(a), 12(8)(h)
GA7	PCU A7	Staff compliance training	Services likely to be accessed by children that are either a large service or multi-risk in relation to content that is harmful to children	Section 12(2), 12(3), 12(8)(a), 12(8)(h)
Content moderation				
CM1	PCU B1	Having a content moderation function that allows for swift action against content harmful to children	All services likely to be accessed by children	Section 12(2), 12(3), 12(8)(e)

Measure number in consultation	Recommended measure		Application	Relevant duties
CM2	PCU B2	Setting internal content policies	Services likely to be accessed by children that are either a large service or multi-risk in relation to content that is harmful to children	Section 12(2), 12(3), 12(8)(e), 12(8)(h)
CM3	PCU B3	Performance targets	Services likely to be accessed by children that are either a large service or multi-risk in relation to content that is harmful to children	Section 12(2), 12(3), 12(8)(e), 12(8)(h)
CM4	PCU B4	Prioritisation	Services likely to be accessed by children that are either a large service or multi-risk in relation to content that is harmful to children	Section 12(2), 12(3), 12(8)(e), 12(8)(h)
CM5	PCU B5	Resourcing	Services likely to be accessed by children that are either a large service or multi-risk in relation to content that is harmful to children	Section 12(2), 12(3), 12(8)(e), 12(8)(h)
CM6	PCU B6	Provision of training and materials to paid moderators	Services likely to be accessed by children that are either a large service or multi-risk in relation to content that is harmful to children	Section 12(2), 12(3), 12(8)(e), 12(8)(h)
CM7	PCU B7	Provision of materials to volunteer moderators	Services likely to be accessed by children that are either a large service or multi-risk in relation to content that is harmful to children	Section 12(2), 12(3), 12(8)(e), 12(8)(h)
Reporting and complaints				
UR1	PCU C1	Enabling complaints	All services likely to be accessed by children	Section 20(2),20(4), 21(2), 12(5)

Measure number in consultation	Recommended measure		Application	Relevant duties
UR2 (a)-(d)	PCU C2	Having an easy to find, easy to access and easy to use complaints system	All services likely to be accessed by children	Section 21(2), 21(5)
UR2 (e)	PCU C3	Provision of information prior to the submission of a complaint	All services likely to be accessed by children	Section 21(2), 21(5)
UR3 (a) and (b)	PCU C4	Appropriate action – sending information about how the complaint will be handled	All services likely to be accessed by children	Section 21(2), 21(5)
UR4(a)	PCU C5	Appropriate action for relevant complaints about content considered harmful to children	All services likely to be accessed by children	Section 21(2), 21(5)
UR4(b)(i)	PCU C6	Appropriate action for relevant complaints which are appeals (services that are large or multi-risk in relation to content that is harmful to children)	Services likely to be accessed by children that are either a large service or multi-risk in relation to content that is harmful to children	Section 21(2), 21(5)
UR4(b)(ii)	PCU C7	Appropriate action for relevant complaints which are appeals – determination (services that are neither large nor multi-risk in relation to content that is harmful to children)	Services likely to be accessed by children that are neither a large service nor multi-risk in relation to content that is harmful to children	Section 21(2), 21(5)
UR4(b)	PCU C8	Appropriate action for relevant complaints which are appeals – action following determination	All services likely to be accessed by children	Section 21(2), 21(5)
UR4(c)(i)	PCU C9	Appropriate action for relevant complaints about an incorrect assessment of a user's age	Services likely to be accessed by children and in scope of one or more of Recommendations PCU H4 to PCU H7	Section 21(2), 21(5)

Measure number in consultation	Recommended measure		Application	Relevant duties
UR4(c)(ii)	PCU C10	Appropriate action for relevant complaints about an incorrect assessment of a user's age	All services likely to be accessed by children and not in scope of any of Recommendations PCU H4 to PCU H7.	Section 21(2), 21(5)
UR4(d)	PCU C11	Appropriate action for relevant complaints about non-compliance with the safety duties protecting children	All services likely to be accessed by children	Section 21(2), 21(5)
Terms of service				
TS1	PCU D1	Substance of the terms (all services)	All services likely to be accessed by children	Section 12(9)-(12)
TS3	PCU D2	Substance of the terms (category 1 services)	Category 1 services likely to be accessed by children	Section 12(14)
TS2	PCU D3	Clarity and accessibility	All services likely to be accessed by children	Section 12(13)
User support for child users				
US6	PCU E1	Provision of age-appropriate user support materials for children	Services likely to be accessed by children that are multi-risk in relation to content that is harmful to children	Section 12(2), 12(3), 12(8)(g)
US4	PCU E2	Provision of information to child users when they restrict interactions with other accounts or content	Services likely to be accessed by children that are a large service and multi-risk in relation to content that is harmful to children	Section 12(2), 12(3), 12(8)(g)

Measure number in consultation	Recommended measure		Application	Relevant duties
US5	PCU E3	Signposting child users to support	Services likely to be accessed by children where there is a medium or high risk of bullying content, eating disorder content, self-harm content or suicide content	Section 12(2), 12(3), 12(8)(g)
Recommender systems				
RS1	PCU F1	Excluding content likely to be primary priority content from the recommender feeds of child users	Services likely to be accessed by children where the service has a recommender system and there is medium or high risk of one or more kinds of primary priority content	Section 12(3), 12(8)(b)
RS2	PCU F2	Limiting the prominence of priority content and content likely to be priority content in the recommender feeds of child users	Services likely to be accessed by children where the service has a recommender system and there is a medium or high risk of one or more kinds of priority content (other than bullying content), [OR one or more kinds of priority content (other than bullying content), body image content or depressive content]	Section 12(3), 12(8)(b)

Measure number in consultation	Recommended measure		Application	Relevant duties
RS3	PCU F3	Provision of negative feedback on recommended content	Services likely to be accessed by children that are a large service where the service has a recommender system and there is a medium or high risk of two or more kinds of primary priority content or priority content (other than bullying content) [OR two or more kinds of primary priority content or priority content (other than bullying content), body image content or depressive content]	Section 12(2), 12(3), 12(8)(b) and (f)
User controls				
US2	PCU G1	User blocking and muting	Services likely to be accessed by children where it has user profiles and relevant functionalities and there is a medium or high risk of one or more of abusive content, bullying content, content inciting hatred and violent content	Section 12(2), 12(3), 12(8)(f)
US3	PCU G2	Disabling comments	Services likely to be accessed by children where it has a functionality of commenting on content and there is a medium or high risk of one or more of abusive content, bullying content, content inciting hatred and violent content	Section 12(2), 12(3), 12(8)(f)

Measure number in consultation	Recommended measure		Application	Relevant duties
US1	PCU G4	Invitation to group chats	Services likely to be accessed by children where it has a group messaging functionality and there is a medium or high risk of one or more abusive content, bullying content, content inciting hatred, eating disorder content, pornography content and violent content	Section 12(2), 12(3), 12(8)(f)
Age assurance				
	PCU H1	Implementing highly effective age assurance	Services likely to be accessed by children that implement an age assurance process for the purpose of acting in accordance with any of Recommendations PCU H2 to PCU H7	Section 12(6), Schedule 4, paragraph 12
AA1	PCU H2	Use of highly effective age assurance	Services likely to be accessed by children whose principal purpose is the hosting or dissemination of one or more kinds of primary priority content	Section 12(3)(a), 12(4), 12(6)
AA2	PCU H3	Use of highly effective age assurance	Services likely to be accessed by children whose principal purpose is the hosting or dissemination of one or more kinds of priority content	Section 12(2), 12(3), 12(7)

Measure number in consultation	Recommended measure		Application	Relevant duties
AA3	PCU H4	Use of highly effective age assurance	Services likely to be accessed by children that do not meet the criterion in PCU H2.1 and whose terms of service do not prohibit every kind of primary priority content	Section 12(3)(a), 12(4), 12(6)
AA4	PCU H5	Use of highly effective age assurance – services that do not prohibit priority content	Services likely to be accessed by children that do not meet the criteria in PCU H3.1 and whose terms of service do not prohibit every kind of priority content and are medium or high risk of priority content	Section 12(2), 12(3), 12(7)
AA5	PCU H6	Use of highly effective age assurance – services with a recommender system that pose a risk of primary priority content	Services likely to be accessed by children that have a recommender system and are medium or high risk of primary priority content	Section 12(2), 12(3), 12(4), 12(6)
AA6	PCU H7	Use of highly effective age assurance – services with a recommender system that pose a risk of priority content	Services likely to be accessed by children that have a recommender system and are medium or high risk of priority content other than bullying content	Section 12(2), 12(3), 12(7)

3. Recommended measures

A. Governance and accountability

PCU A1 Annual review of risk management activities GA1

Application

PCU A1.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides that is a **large service**.

Recommendation

PCU A1.2 The provider's most senior **governance body** in relation to the service should carry out and record an annual review of risk management activities in relation to the management of risks of harm to **children** identified in the **children's risk assessment** and how developing risks are being monitored and managed.

PCU A2 Person accountable for the safety duties protecting children and reporting and complaints duties GA2

Application

PCU A2.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides.

Recommendation

PCU A2.2 The provider should name a person accountable to the most senior **governance body** for compliance with the **safety duties protecting children** and the **reporting and complaints duties**.

PCU A2.3 Being accountable means being required to explain and justify actions or decisions regarding **children's** online safety risk management and mitigation, and compliance with the relevant duties, to the most senior **governance body**.

PCU A3 Written statements of responsibilities

GA3

Application

PCU A3.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides that is either (or both):

- a) a **large service**; or
- b) **multi-risk in relation to content that is harmful to children**.

Recommendation

PCU A3.2 The provider should have written statements of responsibilities for senior members of staff who make decisions related to **children's** online safety risk management.

PCU A3.3 A statement of responsibilities is a document which clearly shows the responsibilities that the senior manager performs in relation to **children's** online safety risk management and how they fit in with the provider's overall governance and management arrangements in relation to the service.

PCU A4 Internal monitoring and assurance

GA4

Application

PCU A4.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides that is both:

- a) a **large service**; and
- b) **multi-risk in relation to content that is harmful to children**.

Recommendation

PCU A4.2 The provider should have an internal monitoring and assurance function to provide independent assurance that measures taken to mitigate and manage the risks of harm to **children** identified in the **children's risk assessment** are effective on an ongoing basis, reporting to either:

- a) the body that is responsible for overall governance and strategic direction of a service; or
- b) an audit committee.

PCU A4.3 This independent assurance may be provided by an existing internal audit function.

PCU A5 Tracking evidence of new and increasing harm

GA5

Application

PCU A5.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides that is either (or both):

- a) a **large service**; or
- b) **multi-risk in relation to content that is harmful to children**.

Recommendation

PCU A5.2 The provider should track evidence of:

- a) new kinds of **primary priority content; priority content and non-designated content** they become aware are present on the service; and
- b) unusual increases in particular kinds of **primary priority content; priority content and non-designated content** on the service.

PCU A5.3 For the purposes of paragraph PCU A5.2, relevant evidence may include, but is not limited to, that derived from:

- a) complaints processes;
- b) content moderation processes;
- c) information that may come to light following an investigation or inquiry by a coroner or procurator fiscal into the death of a child; and
- d) information from **trusted flaggers** and any other expert group or body the provider considers appropriate.

PCU A5.4 The provider should regularly report any:

- a) new kinds of **primary priority content; priority content and non-designated content** they become aware are present on the service; and
- b) unusual increases in particular kinds of **primary priority content; priority content and non-designated content** on the service;

through relevant governance channels to the most senior **governance body**.

PCU A5.5 To understand this, the provider should establish a baseline understanding of how frequently particular kinds of **primary priority content; priority content** and **non-designated content** appear on the service to the extent possible based on its internal data and evidence. The provider should use this baseline to identify unusual increases in the relevant data.

PCU A6 Code of conduct relating to safety duties protecting children GA6

Application

PCU A6.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides that is either (or both):

- a) a **large service**; or
- b) **multi-risk in relation to content that is harmful to children**.

Recommendation

PCU A6.2 The provider should have a code of conduct that sets standards and expectations for employees relating to the **safety duties protecting children**.

PCU A7 Staff compliance training GA7

Application

PCU A7.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides that is either (or both):

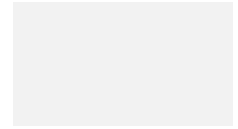
- a) a **large service**; or
- b) **multi-risk in relation to content that is harmful to children**.

Recommendation

PCU A7.2 The provider should secure that staff involved in the design and operational management of the service are trained in the service's approach to compliance with the **safety duties protecting children** and the **reporting and complaints duties**, sufficiently to give effect to them.

PCU A7.3

This does not affect Recommendation PCU B6 (provision of training and materials to paid moderators).



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B. Content moderation

PCU B1 Having a content moderation function that allows for swift action against content harmful to children

CM1

Application

PCU B1.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides.

Recommendation

PCU B1.2 The provider should have **systems or processes** designed to **protect children from harmful content of which the provider is aware** swiftly (a '**content moderation function**').

PCU B1.3 For this purpose, when the provider has reason to suspect that **content** may be **primary priority content**, the provider should:

- a) where the provider has reason to suspect that the content may be **primary priority content** of a kind which it is satisfied that its **terms of service** prohibit, consider whether the content is in breach of those terms of service and, if it is, swiftly take the content down;
- b) otherwise, consider whether the content is **primary priority content** and, if it is, swiftly take steps to prevent **child users** encountering that content by means of the service.

PCU B1.4 For this purpose, when the provider has reason to suspect that **content** may be **priority content**, the provider should:

- a) where the provider has reason to suspect that the content may be **priority content** of a kind which it is satisfied that its **terms of service** prohibit, consider whether the content is in breach of those terms of service and, if it is, swiftly take the content down;
- b) otherwise, consider whether the content is **priority content** and, if it is, swiftly take steps to prevent **child users** encountering that content by means of the service.

PCU B1.5 For this purpose, when the provider has reason to suspect that **content** may be **non-designated content**, the provider should:

- a) where the provider has reason to suspect that the content may be **non-designated content** of a kind which it is satisfied that its **terms of service** prohibit, consider whether the content is in breach of those terms of service and, if it is, swiftly take the content down;
- b) otherwise, consider whether the content is **priority content** and, if it is, swiftly take steps to prevent **child users** encountering that content by means of the service.

Safeguards for freedom of expression and privacy

PCU B1.6 The following measures, where applicable, are safeguards to protect **users'** and **interested persons'** rights to freedom of expression and privacy:

- a) Recommendation PCU B3 (performance targets) so far as it relates to the accuracy of decision making;
- b) Recommendation PCU B6 (provision of training and materials to paid moderators);
- c) Recommendation PCU B7 (provision of materials to volunteer moderators);
- d) Recommendations PCU C6 and PCU C8 (appeals); and
- e) Recommendations PCU C9 and PCU C10 (incorrect assessment of age).

PCU B2 Setting internal content policies

CM2

Application

PCU B2.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides that is either (or both):

- a) a **large service**; or
- b) **multi-risk in relation to content that is harmful to children**.

Recommendation

PCU B2.2 The provider should set and record (but need not necessarily publish) internal content policies setting out rules, standards and guidelines around:

- a) how **content that is harmful to children** is to be dealt with on the service, including whether or not any kinds of **content that is harmful to children** are or are not allowed on the service; and
- b) how policies should be operationalised and enforced.

PCU B2.3 [Intentionally left blank]

PCU B2.4 The provider should:

- a) have regard to the **children's risk assessment** of the **service** in setting these policies; and
- b) have processes in place to update these policies in response to evidence of new and increasing harm on the service (as tracked in accordance with Recommendation PCU A5).

PCU B3 Performance targets

CM3

Application

PCU B3.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides that is either (or both):

- a) a **large service**; or
- a) **multi-risk in relation to content that is harmful to children**.

Recommendation

PCU B3.2 [intentionally left blank]

PCU B3.3 The provider should set and record performance targets for its **content moderation function** covering at least:

- a) the time taken to carry out the steps described in paragraphs PCU B1.3, PCU B1.4 and PCU B1.5; and
- b) the accuracy of decision making.

PCU B3.4 In setting its targets, the provider should balance the desirability of taking steps to **protect children from harmful content of which the provider is aware** swiftly against the desirability of making accurate moderation decisions.

PCU B3.5 The provider should effectively measure and monitor its performance against those targets.

PCU B4 Prioritisation

CM4

Application

- PCU B4.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides that is either (or both):
- a) a **large service**; or
 - b) **multi-risk in relation to content that is harmful to children.**

Recommendation

- PCU B4.2 The provider should prepare and apply a policy in respect of the prioritisation of **content** for review. In setting the policy, the provider should have regard to at least the following:
- a) the virality of **content**: the provider should prioritise **content** for review in a way which minimises circumstances in which the number of **child users encountering** a particular item of **content that is harmful to children** increases exponentially over a period of time;
 - b) the severity of potential harm to **child users** that may arise if they **encounter** the **content**, including whether the **content** is suspected to be **primary priority content, priority content** or **non-designated content**, and taking into account the **children's risk assessment** of the service; and
 - c) the likelihood that the **content** is **content that is harmful to children**, including whether it has been reported by a **trusted flagger**.

PCU B5 Resourcing

Application

- PCU B5.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides that is either (or both):
- a) a **large service**; or
 - b) **multi-risk in relation to content that is harmful to children.**

Recommendation

- PCU B5.2 The provider should resource its **content moderation function** so as to give effect to its internal content policies and performance targets having regard to at least:

CM5

- a) the propensity for external events to lead to a significant increase in demand for content moderation on the service; and
- b) the particular needs of its **child user** base as identified in its **children’s risk assessment**, in relation to languages.

PCU B6 Provision of training and materials to paid moderators

CM6

Application

PCU B6.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides that is either (or both):

- a) a **large service**; or
- b) **multi-risk in relation to content that is harmful to children**.

Recommendation

PCU B6.2 The provider should ensure people working in content moderation receive training and materials that enable them to moderate **content** in accordance with Recommendation PCU B1 and the internal content policy set in accordance with Recommendation PCU B2. This measure does not apply in relation to **volunteers**.

PCU B6.3 The provider should ensure that in doing so:

- a) It has regard to at least the **children’s risk assessment** of the service and evidence of new and increasing harm on the service (as tracked in accordance with Recommendation PCU A5); and
- b) where the provider identifies a gap in moderators’ understanding of a specific kind of **content that is harmful to children**, it gives training and materials to remedy this.

PCU B7 Provision of materials to volunteer moderators

CM7

Application

PCU B7.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides that is either (or both):

- a) a **large service**; or

- b) **multi-risk in relation to content that is harmful to children.**

Recommendation

PCU B7.2 The provider should ensure **volunteers** have access to materials that enable them to moderate **content** in accordance with Recommendation PCU B1 and the internal content policy set in accordance with Recommendation PCU B2.

PCU B7.3 The provider should ensure that in doing so:

- a) it has regard to at least the **children's risk assessment** of the service and evidence of new and increasing harm on the service (as tracked in accordance with Recommendation PCU A5); and
- b) where the provider identifies a gap in **volunteers'** understanding of a specific kind of **content that is harmful to children**, it gives materials to remedy this.

DRAFT FOR CONSULTATION

C.Reporting and complaints

PCU C1	Enabling complaints	UR1
	Application	
PCU C1.1	This measure applies to a provider in respect of each service likely to be accessed by children it provides.	
	Recommendation	
PCU C1.2	The provider should have complaints processes which enable United Kingdom users and affected persons to make each type of relevant complaint in a way which will secure that the provider will take appropriate action in relation to them.	
PCU C2	Having an easy to find, easy to access and easy to use complaints system	UR2 (a)-(d)
	Application	
PCU C2.1	This measure applies to a provider in respect of each service likely to be accessed by children it provides.	
	Recommendation	
PCU C2.2	The provider's systems and processes for making relevant complaints should be operated to ensure that: <ul style="list-style-type: none">a) for relevant complaints regarding a specific piece of content, a reporting function or tool is clearly accessible in relation to that content;b) processes for making other kinds of relevant complaints should be easy to find and easily accessible;c) the number of steps necessary (such as the number of clicks or navigation points) to submit (i) a relevant complaint using the reporting function or tool; and (ii) any other kind of relevant complaint are as few as is reasonably practicable; andd) United Kingdom users and affected persons have the ability when making relevant complaints to give the provider relevant information or supporting material.	

PCU C2.3 In designing its complaints processes for **relevant complaints**, including its reporting tool or function, the provider should have regard to the particular needs of its **United Kingdom user** base as identified in its **children's risk assessment**. This should include the particular needs of:

- a) **children** (considering the likely age of the **children** using that service); and
- b) disabled people.

PCU C2.4 For the purposes of paragraph PCU C2.3 a), any written information for **users** comprised in the **system or process** should be comprehensible based on the likely reading age of the youngest person permitted to use the service without the consent of a parent or guardian.

PCU C2.5 For the purposes of paragraph PCU C2.3 b), the **system or process** should be designed for the purpose of ensuring usability for those dependent on assistive technologies, including:

- a) keyboard navigation; and
- b) screen reading technology.

PCU C3 Provision of information prior to the submission of a complaint

UR2 (e)

Application

PCU C3.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides.

Recommendation

PCU C3.2 The provider should ensure that the reporting function or tool for **relevant complaints** regarding a specific piece of **content** enables **United Kingdom users** and **affected persons** to easily access information on the following matters prior to the submission of a complaint:

- a) whether the provider discloses (either routinely, upon request or otherwise) the fact that a complaint relating to a specific piece of **content** has been submitted to:
 - i) the **user** that generated, uploaded or shared the content complained about; or
 - ii) any other **user** other than the person that submitted the complaint;

and, if so,

- iii) the circumstances in which the provider makes the relevant disclosure; and
- iv) the information disclosed about the complaint and the person that submitted the complaint; and
- b) the information about the complaint, and the person that submitted the complaint, that the provider discloses to a person bringing a **relevant complaint** which is an **appeal**.

PCU C4 Appropriate action – sending information about how the complaint will be handled

UR3 (a)
and (b)

Application

PCU C4.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides.

Recommendation

PCU C4.2 The provider should acknowledge receipt of each **relevant complaint** and provide the person that submitted the complaint with:

- a) an indicative timeframe for deciding the complaint;
- b) the possible outcomes; and
- c) confirmation of whether the provider will inform the person that submitted the complaint of its decision whether to uphold the complaint and details of any action taken as a result.

PCU C5 Appropriate action for relevant complaints about content considered harmful to children

UR4(a)

Application

PCU C5.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides.

Recommendation

PCU C5.2 When the provider receives a **relevant complaint** about suspected **content that is harmful to children**:

- a) if the provider has established a process for **content** prioritisation and applicable performance targets, it should handle the complaint in accordance with them;
- b) if the provider has no process for **content** prioritisation and applicable performance targets it should consider the complaint promptly; and
- c) in either case, the provider should act in accordance with Recommendations PCU B1 (having a content moderation function), PCU F1 (excluding content likely to be primary priority content from the recommender feeds of child users) and PCU F2 (limiting the prominence of priority content and content likely to be priority content in the recommender feeds of child users) in relation to the suspected **content that is harmful to children**.

PCU C6 Appropriate action for relevant complaints which are appeals – determination (services that are large or multi-risk in relation to content that is harmful to children)

UR4(b)(i)

Application

- PCU C6.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides that is either (or both):
- a) a **large service**; or
 - b) **multi-risk in relation to content that is harmful to children**.

Recommendation

- PCU C6.2 For the determination of **relevant complaints** which are **appeals**, the provider should set, and monitor its performance against, performance targets relating to at least the time it takes to determine the **appeal** and the accuracy of decision making, and should resource itself so as to give effect to those targets.

- PCU C6.3 The provider should have regard to the following matters in determining what priority to give to review of a **relevant complaint** which is an **appeal**:
- a) the seriousness of the action taken against the **user** or in relation to the **content** (or both) to which the **appeal** relates;

- b) whether the decision that the **content** was **content that is harmful to children** was made by **content identification technology** and, if so:
 - i) any information that Ofcom has recommended the provider collect about the likelihood of false positives generated by the specific **content identification technology** used; and
 - ii) any other information available about the accuracy of the **content identification technology** at identifying similar types of **content that is harmful to children**; and
- c) the past error rate on the service in relation to judgements about similar kinds of **content that is harmful to children**.

PCU C7 Appropriate action for relevant complaints which are appeals – determination (services that are neither large nor multi-risk in relation to content that is harmful to children)

UR4(b)(ii)

Application

- PCU C7.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides that is neither of the following:
- a) a **large service**; or
 - b) **multi-risk in relation to content that is harmful to children**.

Recommendation

- PCU C7.2 The provider should determine **relevant complaints** which are **appeals** promptly.

PCU C8 Appropriate action for relevant complaints which are appeals – action following determination

UR4(b)

Application

- PCU C8.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides.

Recommendation

PCU C8.2 If, in relation to a **relevant complaint** that is an **appeal**, the provider reverses a decision that **content** was **content that is harmful to children**, the provider should:

- a) reverse the action taken against the **user** or in relation to the **content** (or both) as a result of that decision (so far as appropriate for the purpose of restoring the position to what it would have been had the decision not been made);
- b) where necessary to avoid similar errors in future, adjust the relevant content moderation guidance; and
- c) where applicable, and necessary to avoid similar errors in future, take such steps as are within its power to secure that the use of automated content moderation technology does not cause the same **content** to be taken down, **downranked** or otherwise restricted again.

PCU C9 Appropriate action for relevant complaints about an incorrect assessment of a user's age – services in scope of Recommendations PCU H4 to PCU H7

UR4(c)(i)

Application

PCU C9.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides that in within scope of one or more of Recommendations PCU H4 to PCU H7.

Recommendation

PCU C9.2 The provider should have regard to the following matters in determining what priority to give to review of a **relevant complaint** about incorrect assessment of a **United Kingdom user's** age:

- a) the seriousness of the restriction applied to the **user's** ability to access **content** on the service as a result of the assessment of their age;
- b) whether the decision to restrict access to **content** on the basis of the **user's** age was made without human oversight and, if so, information available about the accuracy of the specific technology used in making age assessments of the type concerned;
- c) the past error rate on the service in relation to age judgements of the type concerned; and

- d) any representations made by the **user** as part of the complaint as to the effect of the decision on their livelihood.

PCU C9.3 For the determination of **relevant complaints** about incorrect assessment of a **United Kingdom user's** age, the provider should set, and monitor its performance against, performance targets relating to at least the time it takes to determine the complaint and the accuracy of decision making, and should resource itself so as to give effect to those targets.

PCU C9.4 If the provider decides that an incorrect assessment of the **user's** age led to an incorrect conclusion that the **user** was a **child**, the provider should reverse the restriction applied to the **user's** ability to access **content** on the service as a result of the incorrect assessment of the **user's** age (so far as appropriate for the purpose of restoring the position to what it would have been had the assessment been correct).

PCU C9.5 The provider should monitor trends in complaints about incorrect assessments of age and use this information to help ensure the **age assurance process** used on the service fulfils the criteria necessary to be considered **highly effective age assurance**.

PCU C10 Appropriate action for relevant complaints about an incorrect assessment of a user's age – services not in scope of Recommendations PCU H4 to PCU H7

UR4(c)(ii)

Application

PCU C10.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides that is not within scope of any of Recommendations PCU H4 to PCU H7.

Recommendation

PCU C10.2 The provider should determine **relevant complaints** about incorrect assessment of a **United Kingdom user's** age promptly.

PCU C10.3 If the provider decides that an incorrect assessment of a **United Kingdom user's** age led to an incorrect conclusion that the **user** was a **child user**, the provider should reverse the restriction

applied to the user's ability to access **content** on the service as a result of the incorrect assessment of the **user's** age (so far as appropriate for the purpose of restoring the position to what it would have been had the assessment been correct).

PCU C11 Appropriate action for relevant complaints about non-compliance with the safety duties protecting children

UR4(d)

Application

PCU C11.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides.

Recommendation

PCU C11.2 The provider should establish a triage process for **relevant complaints** about non-compliance with the **safety duties protecting children** with a view to protecting **child users** from harm. A responsible person, team or function should be nominated to lead this triage process and ensure **relevant complaints** reach the most relevant function or team.

PCU C11.3 **Relevant complaints** should be dealt with:

- a) in a way that protects **child users** and the provider's compliance with other applicable laws in question;
- b) within timeframes the provider has determined are appropriate; and
- c) in accordance with Recommendations PCU C1 to PCU C10 (where applicable).

D. Terms of service

PCU D1 Terms of service: substance (all services)

TS1

Application

PCU D1.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides.

Recommendation

PCU D1.2 The provider should include the following in the **terms of service**:

- a) Provisions specifying how **children** are to be protected from **content that is harmful to children**, addressing:
 - i) separately for each kind of **primary priority content**, how the **provider** will prevent **children** of any age encountering that kind of **primary priority content** by means of the service;
 - ii) separately for each kind of **priority content**, how the **provider** will protect **children** from encountering **priority content**, that they are not prevented from encountering, by means of the service; and
 - iii) how the **provider** will protect **children** from encountering **non-designated content**, that they are not prevented from encountering, by means of the service;
- b) Provisions giving information about any **proactive technology** used for the purposes of compliance with any of the duties in sections 12(2) and 12(3) of the **Act** (including the kind of technology, when it is used, and how it works);
- c) Provisions specifying the policies and processes that govern the handling and resolution of **relevant complaints**; and
- d) Provisions providing details about the operation of any measure taken by the **provider** to prevent **children** under a certain age accessing the whole or part of the service.

PCU D1.3 The provider should apply the provisions referred to in paragraph PCU D1.2(d) consistently.

PCU D2 Terms of service: substance (category 1 services)

TS3

Application

PCU D2.1 This measure applies to a **provider of a category 1 service** in respect of each **category 1 service likely to be accessed by children** it provides.

Recommendation

PCU D2.2 The provider should summarise the findings of the **children's risk assessment** (including as to levels of risk and as to nature, and severity, of potential harm to **children**) in the **terms of service**.

PCU D3 Terms of service: clarity and accessibility

TS2

Application

PCU D3.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides.

Recommendation

PCU D3.2 The provider should ensure that the provisions included in the **terms of service** in accordance with Recommendation PCU D1 are:

- a) easy to find, such that they are:
 - i) clearly signposted for the general public regardless of whether they have signed up to or are using the service; and
 - ii) locatable within the **terms of service**;
- b) laid out and formatted in a way that helps **users**, including **children**, read and understand them;
- c) written to a reading age comprehensible for the youngest person permitted to use the service without the consent of a parent or guardian; and
- d) designed for the purpose of ensuring usability for those dependent on assistive technologies, including:
 - i) keyboard navigation; and
 - ii) screen reading technology.

E. User support for child users

PCU E1 Provision of age-appropriate user support materials for children US6

Application

PCU E1.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides that is **multi-risk in relation to content that is harmful to children**.

Recommendation

PCU E1.2 The provider should publish materials, such that they are available to the general public regardless of whether they have signed up to or are using the service, which explain, so far as the service makes available the following functionalities, features and processes:

- a) how **users** or **child users** (as applicable) may ensure that they only become **part of a group chat**, and as such able to view and send messages within that **group chat**, once the relevant **user** or **child user** (as applicable) has actively confirmed that they wish to be part of that **group chat**, and that **users** or **child users** (as applicable) have the option of declining to become **part of a group chat**;
- b) a **user** or **child user's** (as applicable) options to **block** or **mute** other **user accounts** on the service;
- c) a **user** or **child user's** (as applicable) options to prevent any other **users** of the service from **commenting on content** posted on the service by the **child user** concerned;
- d) how to report content present on a part of a service that it is possible for children to access, which the person making the **report** considers to be **content that is harmful to children**; and
- e) the processes for making **relevant complaints**.

PCU E1.3 The materials referred to in paragraph PCU E1.2 should have:

- a) a section designed to explain the relevant matters referred to in paragraph PCU E1.2 to **children** which should include at least one of the following:
 - i) visual elements;
 - ii) audio-visual elements; and
 - iii) interactive elements; and

- b) a section designed to explain the relevant matters referred to paragraph PCU E1.2 to the parents or guardians of **children**.

PCU E1.4 The provider should ensure the materials referred to in paragraph PCU E1.2 do not themselves constitute **primary priority content, priority content** or **non-designated content**.

PCU E1.5 If it is possible to register with the service, the provider should ensure that the materials referred to in paragraph PCU E1.2 are made available to **users** during the process of signing-up to the service.

PCU E1.6 If the service has a functionality which allows **users** to search for **content** on the service, the provider should ensure that the materials referred to in paragraph PCU E1.2 are presented to **users** in response to **search requests** relating to them.

PCU E2 Provision of information to child users when they restrict interactions with other accounts or content

US4

Application

PCU E2.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides that is both:

- a) a **large service**; and
- b) **multi-risk in relation to content that is harmful to children**.

Recommendation

PCU E2.2 Paragraph PCU E2.3 applies when a relevant user seeks to do one or more of the following:

- a) **block, mute, report** or take equivalent action against another **user**; or
- b) report **content** or apply a **content restriction tool**.

PCU E2.3 The provider should provide the following information to the relevant user:

- a) the effect of the action, including the types of interactions or access to **content** that it would restrict;
- b) in relation to actions under paragraph PCU E2.2 a), whether that other **user** would be notified; and
- c) the further options available to limit interaction with that other **user** or **content** (as the case may be), or otherwise increase their safety.

PCU E2.4 The provider should either use **highly effective age assurance** to establish which **users** are **child users** for the purpose of taking the action described in paragraph PCU E2.2 or else should take the action described in that paragraph for all **United Kingdom users** on the service and the reference to “relevant user” in paragraph PCU E2.2 should be construed accordingly.

PCU E3 Signposting child users to support

US5

Application

PCU E3.1 The measures set out in paragraphs PCU E3.4, PCU E3.8 and PCU E3.10 apply to a **provider** in respect of each **service likely to be accessed by children** it provides where the **children’s risk assessment** of the service identified a medium or high risk of harm to children arising from one or more of the following kinds of **content**:

- i) **bullying content;**
- ii) **eating disorder content;**
- iii) **self-harm content;**
- iv) **suicide content.**

PCU E3.2 The measures set out in paragraphs PCU E3.6, PCU E3.8 and PCU E3.10 apply to a **provider** in respect of each **service likely to be accessed by children** it provides that fulfils all of the following criteria:

- a) the service is a **large service;**
- b) the **children’s risk assessment** of the service identified a medium or high risk of harm to children arising from one or more of the following kinds of content:
 - i) **bullying content;**
 - ii) **eating disorder content;**
 - iii) **self-harm content;**
 - iv) **suicide content;**
- c) the provider has a means of identifying when a **user** uploads, generates or shares one or more of the kinds of

content for which it has a medium or high risk in accordance with sub-paragraph b).

- PCU E3.3 The measures set out in paragraph PCU E3.7, PCU E3.8 and PCU E3.10 apply to a **provider** in respect of each **service likely to be accessed by children** it provides that fulfils all of the following criteria:
- a) the **children's risk assessment** of the service identified a medium or high risk of harm to children arising from one or more of the following kinds of **content**:
 - i) **eating disorder content**;
 - ii) **self-harm content**;
 - iii) **suicide content**;
 - b) the service has a functionality which allows **users** to search for **regulated user-generated content** on the service; and
 - c) the provider has a means of identifying when a **user** searches for one or more of the kinds of content for which it has a medium or high risk in accordance with sub-paragraph a).

Recommendation

- PCU E3.4 The provider should ensure that relevant users who submit a report relating to **regulated user-generated content** are signposted to appropriate support as quickly as possible after submitting the report. This paragraph does not apply where the provider determines that the report does not relate to any of the kinds of content listed in paragraph PCU E3.1 for which the provider has a medium or high risk in accordance with that paragraph.
- PCU E3.5 If the provider becomes aware that a relevant user has uploaded, generated or shared a kind of content for which the service has a medium or high risk in accordance with paragraph PCU E3.2, the provider should ensure that the relevant user is signposted to appropriate support as quickly as possible after the provider becomes so aware.
- PCU E3.6 If the provider becomes aware that a relevant user has searched for **regulated user-generated content**:
- a) using one or more search terms relating to suicide, an eating disorder or behaviours associated with an eating disorder, or an act of deliberate self-injury; or
 - b) containing specific, practical or instructive information regarding suicide methods, relating to an eating disorder or behaviours associated with an eating disorder, or relating to an act of deliberate self-injury,

the provider should ensure that the relevant user is signposted to appropriate support as quickly as possible after the provider becomes so aware.

- PCU E3.7 For the purposes of paragraphs PCU E3.4, PCU E3.5 and PCU E3.6 “appropriate support” is support that:
- a) can be accessed by **children**;
 - b) is comprehensible and suitable in tone and content for the youngest person permitted to use the service without the consent of a parent or guardian;
 - c) is either produced by, or in consultation with, one or more third-party organisations that have expertise relating to the type of harm to which the support relates;
 - d) relates to the type of harm associated with relevant content, and the way that children are affected by it.
- PCU E3.8 The provider should only signpost relevant users to helplines, webchat services or other support services where support is provided by a representative of the support service to the person contacting the service, that are provided by a third-party if:
- a) that third-party is able to provide any support offered to **children**; and
 - b) where the third-party is not a **public body**, the provider has obtained the consent of the third-party to do so.
- PCU E3.9 In this Recommendation, “relevant content” means:
- a) for the purpose of paragraph PCU E3.4:
 - i) where the provider identifies that a relevant user’s report relates to a particular kind or kinds of content for which it has a medium or high risk in accordance with paragraph PCU E3.1, that kind or kinds of content;
 - ii) otherwise, all of those kinds of content (except so far as the provider determines that the report does not relate to one or more of those kinds of content);
 - b) for the purpose of PCU E3.5, all of the kinds of content listed in paragraph PCU E3.2 b) for which the service has a medium or high risk in accordance with paragraph PCU E3.2 which were identified as being uploaded or shared by the relevant user;
 - c) for the purpose of paragraph PCU E3.6, all of the kinds of content listed in paragraph PCU E3.3 a) for which the service has a medium or high risk in accordance with

paragraph PCU E3.3 that the provider becomes aware the relevant user has searched for.

- PCU E3.10 The provider should either use **highly effective age assurance** to establish which **users** are **child users** for the purpose of taking the action described in paragraphs PCU E3.4 to PCU E3.8 or else should take the action described in those recommendations for all **United Kingdom users** on the service, and the references to “relevant users” in paragraphs PCU E3.4 to PCU E3.9 should be construed accordingly.

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F. Recommender systems

PCU F1 Excluding content likely to be primary priority content from the recommender feeds of child users

RS1

Application

PCU F1.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides that that fulfils both of the following criteria:

- a) the service has a **recommender system**; and
- b) the **children's risk assessment** of the service identified a medium or high risk of harm to children arising from one or more kinds of **primary priority content**.

Recommendation

PCU F1.2 The provider should ensure that the **recommender system** used on the service operates in such a way that **content likely to be primary priority content** does not appear on the **recommender feeds of child users**.

For this purpose, the provider should take at least the following steps:

- a) identify **relevant available information**;
- b) use **relevant available information** to identify **content likely to be primary priority content**; and
- c) configure the **recommender system** and any associated **systems or processes** used as part of recommending **content to users** so that any identified **content likely to be primary priority content** does not appear on the **recommender feeds of child users**. (See also Recommendation PCU H6.)

Safeguards for freedom of expression and privacy

PCU F1.3 The following measures, where applicable, are safeguards to protect **users'** and **interested persons'** rights to freedom of expression and privacy:

- a) Recommendation PCU B3 (performance targets) so far as it relates to the accuracy of decision making;
- b) Recommendation PCU B6 (provision of training and materials to paid moderators);

- c) Recommendation PCU B7 (provision of materials to volunteer moderators);
- d) Recommendations PCU C6 and PCU C8 (appeals); and
- e) Recommendation PCU C9 (incorrect assessment of age).

PCU F2 Limiting the prominence of priority content and content likely to be priority content in the recommender feeds of child users

RS2

Application

PCU F2.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides that fulfils both of the following criteria:

- a) the service has a **recommender system**; and
- b) the **children’s risk assessment** of the service identified a medium or high risk of harm to children arising from one or more kinds of **priority content**, other than **bullying content**, present on the service [OR *the children’s risk assessment of the service identified a medium or high risk of harm to children arising from one or more of the following, present on the service:*
 - a. *one or more specific kinds of priority content, other than bullying content,*
 - b. *body image content;*
 - c. *depressive content*].³

Recommendation

PCU F2.2 The provider should ensure that the **recommender system** used on the service operates such that: (i) **content** the provider has decided is **priority content [or non-designated content]**⁴ through its **content moderation function**; and (ii) **content likely to be priority**

³ As explained in paragraph 20.103 of this *Consultation: protecting children from harm online*, we are currently consulting on whether depressive content and body image content should be classified as non-designated content. If they are so classified, then we propose that the second form of proposed drafting in square brackets be adopted (and definitions of “body image content” and “depressive content” would be added). Otherwise, we propose that the first set of proposed drafting be adopted.

⁴ As explained in paragraph 20.103 of this *Consultation: protecting children from harm online* we are currently consulting on whether depressive content and body image content should be classified as non-designated content. If they are so classified, then we propose to insert additional references to non-designated content, specifically, body image content and/or depressive content as applicable.

content [or non-designated content]⁵ is given a low degree of **prominence** in the **recommender feeds** of **child users**.

For this purpose, the provider should take at least the following steps:

- a) identify **relevant available information**;
- b) use **relevant available information** to identify **content likely to be priority content [or non-designated content]**; and
- c) configure the **recommender system** and any associated **systems or processes** used as part of recommending content to **users** so that any identified **content likely to be priority content [or non-designated content]** is given a low degree of **prominence** in the **recommender feeds** of **child users**. (See also Recommendation PCU H7.)

Safeguards for freedom of expression and privacy

PCU F2.3 The following measures, where applicable, are safeguards to protect **users'** rights to freedom of expression and privacy:

- a) Recommendation PCU B3 (performance targets) so far as it relates to the accuracy of decision making;
- b) Recommendation PCU B6 (provision of training and materials to paid moderators);
- c) Recommendation PCU B7 (provision of materials to volunteer moderators);
- d) Recommendations PCU C6 and PCU C8 (appeals); and
- e) Recommendation PCU C9 (incorrect assessment of age).

PCU F3 Provision of negative feedback on recommended content

RS3

Application

PCU F3.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides that fulfils all of the following criteria:

- a) the service is a **large service**;
- b) the service has a **recommender system**; and
- c) the **children's risk assessment** of the service identified a medium or high risk of harm to children arising from two or more specific kinds of **primary priority content** or **priority content** other than **bullying content**, present on

⁵ See footnote 4.

the service [OR *the **children’s risk assessment** of the service identified a medium or high risk of harm to children arising from:*

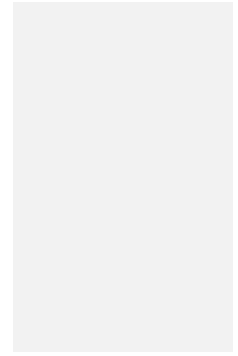
- i) *two or more specific kinds of **primary priority content** or **priority content** other than **bullying content**, present on the service; or*
- ii) *two or more of the following, present on the service:*
 - 1. *one specific kind of **primary priority content** or **priority content** other than **bullying content**;*
 - 2. ***body image content**; or*
 - 3. ***depressive content**].⁶*

Recommendation

- PCU F3.2 The provider should ensure that **child users** are able to signal negative sentiment towards a specific piece of **regulated user-generated content** present on any of that child user’s **recommender feeds**.
- PCU F3.3 The provider should ensure that:
- a) the fact that a **specific child user** has signalled negative sentiment towards a **specific piece of regulated user-generated content** present on any of their **recommender feeds** is not visible to **any user** of the service except the **child user** that has signalled the negative sentiment;
 - b) the **number of times** that **child users** have signalled negative sentiment towards a specific piece of **regulated user-generated content** present on their **recommender feeds** is not visible to **users** of the service when viewing that piece of **regulated user-generated content**.
- PCU F3.4 The provider should ensure that, where a **child user** has signalled negative sentiment towards a specific piece of **regulated user-generated content** present on any of their **recommender feeds** that piece of **regulated user-generated content**, and any other piece of **regulated user-generated content** that shares significant

⁶ As explained in paragraph 20.138 of this *Consultation: protecting children from harm online* we are currently consulting on whether depressive content and body image content should be classified as non-designated content. If they are so classified, then we propose that the second form of proposed drafting in square brackets be adopted (and definitions of “body image content” and “depressive content” would be added). Otherwise, we propose that the first set of proposed drafting be adopted.

characteristics with it, is given a low degree of **prominence** in that **child user's recommender feeds**. (This does not affect the application of Recommendations PCU F1 or PCU F2.)



DRAFT FOR CONSULTATION

G. User controls

PCU G1 User blocking and muting

US2

Application

PCU G1.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides that fulfils all the following conditions:

- a) the **children's risk assessment** of the service identified a medium or high risk of harm to children arising from one or more of the following kinds of content:
 - i) **abusive content**;
 - ii) **bullying content**;
 - iii) **content inciting hatred**;
 - iv) **violent content (instructions for an act of serious violence against a person)**;
 - v) **violent content (person)**;
 - vi) **violent content (animal)**;
- b) the service has **user profiles**; and
- c) the service has at least one of the following functionalities:
 - i) **user connection**;
 - ii) **posting content**;
 - iii) **user communication**, including but not limited to:
 - (1) **direct messaging**; and
 - (2) **commenting on content**.

Recommendation

PCU G1.2 The provider should offer every registered relevant user options to **block** other **user accounts** on the service. A relevant user (the "**blocking user**") should have the option to **block** each of:

- a) a specific **user account**, whether or not **connected** to the **blocking user**; and
- b) all **user accounts** which are not **connected** to the **blocking user**,

(referred to together as "**blocked users**").

PCU G1.3 Blocking means that:

- a) **blocked users** cannot send direct messages to the **blocking user** and vice versa;
- b) the **blocking user** will not **encounter** any **content posted** by **blocked users** on the service (regardless of where on

the service it is posted) and vice versa, including but not limited to: (i) **reactions** to and ratings of **content posted** by the **blocked user**; and (ii) **content** originally posted by a **blocked user** which is subsequently posted by another **user**; and

- c) the **blocking user** and **blocked user**, if they were **connected**, will no longer be **connected**.

PCU G1.4 The provider should offer every registered relevant user the option to **mute** other **user accounts** on the relevant service. A relevant user (the “**muting user**”) should have the option to **mute** individual **user accounts** (“**muted users**”), whether or not **connected** to the **muting user**.

PCU G1.5 **Muting** means that the **muting user** will not **encounter** any **content posted** by **muted users** on the service, including: (1) **reactions to content** and ratings of **content posted** by the **muted user**; and (2) **content** originally posted by a **muted user** which is posted by another **user**, unless the **muting user** visits the **user profile** of a **muted user**, in which case the **muting user** will experience that **muted user’s user profile** as if they had not **muted** the **muted user**.

PCU G1.6 For the avoidance of doubt:

- a) **muted users** should continue to **encounter** the **muting user’s** content;
- b) functionality from the **muted users’** perspective should continue as if the **muting user** has not **muted** them; and
- c) **providers** should not at any time notify **muted users** or otherwise make them aware that they have been **muted** by the **muting user**.

PCU G1.7 The provider should either use **highly effective age assurance** to establish which **users** are **child users** for the purpose of taking the action described in paragraphs PCU G1.2 to PCU G1.6 in respect of **child users** only or else should take the action described in those recommendations for all **United Kingdom users** on the service and the references to “relevant user” and “relevant users” in paragraphs PCU G1.2 to PCU G1.6 should be construed accordingly.

PCU G2 Disabling comments

Application

US3

PCU G2.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides that meets the following conditions:

- a) the **children’s risk assessment** of the service identified a medium or high risk of harm to children arising from one or more of the following kinds of content:
 - i) **abusive content**;
 - ii) **bullying content**;
 - iii) **content inciting hatred**;
 - iv) **violent content (instructions for an act of serious violence against a person)**;
 - v) **violent content (person)**;
 - vi) **violent content (animal)**;
- b) the service has the functionality of **commenting on content**.

Recommendation

PCU G2.2 The provider should offer every registered relevant user the option of preventing any other **users** of the service from **commenting on content posted** on the service by the relevant registered user concerned.

PCU G2.3 Registered relevant users should be able to exercise the option referred to above:

- a) when **posting content**; and
- b) after having **posted content**.

PCU G2.4 The provider should either use **highly effective age** assurance to establish which **users** are **child users** for the purpose of taking the action described in paragraphs PCU G2.2 and PCU G2.3 in respect of **child users** only or else should take the action described in those recommendations for all **United Kingdom users** on the service and the references to “relevant user” and “relevant users” in paragraphs PCU G2.2 and PCU G2.3 should be construed accordingly.

PCU G3 [Not used]

PCU G4 Invitation to group chats

Application

US1

PCU G4.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides that fulfils all of the following conditions:

- a) the **children’s risk assessment** of the service identified a medium or high risk of harm to children arising from one or more of the following kinds of content:
 - i) **abusive content**;
 - ii) **bullying content**;
 - iii) **content inciting hatred**;
 - iv) **eating disorder content**;
 - v) **pornographic content**;
 - vi) **violent content (instructions for an act of serious violence against a person)**;
 - vii) **violent content (person)**;
 - viii) **violent content (animal)**;
- b) the service has **group messaging functionality**.

Key definitions

PCU G4.2 For the purposes of this Recommendation and Recommendation PCU E1:

- a) a **user** is “**part of a group chat**” if that **user** is able to view and send messages within that **group chat**; and
- b) a “**group chat notification**” is a message sent to a **user** (the “**invited user**”) informing the **invited user** that another **user** (the “**inviting user**”) has sought to make the **invited user** part of a **group chat**.

Recommendation

PCU G4.3 The provider should ensure that relevant users only become **part of a group chat**, including a **group chat** that the relevant user has previously been part of, once the relevant user has received a **group chat notification** relating to that **group chat** and has actively confirmed that they wish to be part of that **group chat**.

PCU G4.4 A **group chat notification** should include any relevant publicly available information about:

- a) the **inviting user**;
- b) the **group chat** the **inviting user** has sought to make the **invited user** part of.

PCU G4.5 A **group chat notification** should:

- a) be laid out and formatted in a way that helps **children** read and understand the information in it; and
- a) be written to a reading age comprehensible to the youngest person permitted to use the service without the consent of a parent or guardian.

- PCU G4.6 The provider should ensure that the **group chat notification** does not include design features intended to lead or encourage the **invited user** to confirm that they wish to be part of that **group chat**.
- PCU G4.7 The provider should ensure that the recipient of a **group chat notification** is given a reasonable period of time after receiving the **group chat notification** to decide whether they wish to be part of that group chat (and if so to provide the relevant confirmation).
- PCU G4.8 The provider should either use **highly effective age assurance** to establish which **users** are **child users** for the purpose of taking the action described in paragraphs PCU G4.3 to PCU G4.7 in respect of **child users** only or else should take the action described in those recommendations for all **United Kingdom users** on the service and the references to “relevant user” and “relevant users” in paragraphs PCU G4.3 to PCU G4.7 should be construed accordingly.

H. Age assurance

PCU H1 Implementing an age assurance process

Application

PCU H1.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides that implements an **age assurance process** for the purpose of acting in accordance with any of Recommendations PCU H2 to PCU H7.

Recommendation

PCU H1.2 The provider should have regard to the following when implementing the **age assurance process** on the service:

- the principle that **age assurance** should be easy to use, including by **children** of different ages and with different needs;
- the principle that **age assurance** should work effectively for all **users** regardless of their characteristics or whether they are members of a certain group;
- the desirability of ensuring interoperability between different kinds of **age assurance**;
- the **age appropriate design code** and the Information Commissioner's Opinion entitled "Age Assurance for the Children's code" published on 18 January 2024.⁷

PCU H1.3 The provider should ensure that **users** are able to easily access information about what a provider's **age assurance process** is intended to do and how the provider's **age assurance process** works prior to commencing the **age assurance process** for the service.

PCU H1.4 The provider should not publish **content** that directs or encourages **United Kingdom users** to circumvent the **age assurance process** or **access controls** used on the **service**.

PCU H2 Use of highly effective age assurance – services whose principal purpose is the

AA1

⁷ [Information Commissioner's Opinion - Age Assurance for the Children's Code](#)

hosting or dissemination of primary priority content

Application

PCU H2.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides whose **principal purpose** is the hosting or dissemination of one or more kinds of **primary priority content**.

PCU H2.2 For the purposes of paragraph PCU H2.1, the principal purpose of a service is the hosting or dissemination of one or more kinds of **primary priority content** if the information about the nature and purpose of the service that would be available to a **user** of the service (including, but not limited to, whether the service promotes the kind of **primary priority content**, the types of **content** on the service and how **content** on the service is presented and described) suggests that the main activity or objective pursued by the service is the hosting or dissemination of one or more kinds of **primary priority content**.

Recommendation

PCU H2.3 The provider should use **highly effective age assurance** combined with **access controls** to prevent all **United Kingdom users** that the **age assurance process** used on the service has determined are **child users** accessing the entire service. For this purpose of this measure, the “entire service” means any part of the service on which **regulated user-generated content** is or may be present.

Safeguards for freedom of expression and privacy

PCU H2.4 The following measure is a safeguard to protect **users’** and **interested persons’** rights to freedom of expression and privacy:

- a) Recommendation PCU H1 (implementing an age assurance process).

PCU H3 Use of highly effective age assurance – services whose principal purpose is the hosting or dissemination of priority content

AA2

Application

PCU H3.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides that fulfils both of the following criteria:

- a) the **principal purpose** of the service is the hosting or dissemination of one of more kinds of **priority content**; and
- b) the **children’s risk assessment** of the service identified a medium or high risk of harm to children arising from one or more of the kinds of **priority content** that it is the **principal purpose** of the service to host or disseminate.

PCU H3.2 For the purposes of paragraph PCU H3.1, the principal purpose of a service is the hosting or dissemination of one of more kinds of **priority content** if the information about the nature and purpose of the service that would be available to a **user** of the service (including, but not limited to, whether the service promotes the kind of **priority content**, the types of **content** on the service and how **content** on the service is presented and described) suggests that the main activity or objective pursued by the service is the hosting or dissemination of one of more kinds of **priority content**.

Recommendation

PCU H3.3 The provider should use **highly effective age assurance** combined with **access controls** to prevent all **United Kingdom users** that the **age assurance process** used on the service has determined are **child users** accessing the entire service. For this purpose of this measure, the “entire service” means any part of the service on which **regulated user-generated content** is or may be present.

Safeguards for freedom of expression and privacy

PCU H3.4 The following measure is a safeguard to protect **users’** and **interested persons’** rights to freedom of expression and privacy:

- a) Recommendation PCU H1 (implementing an age assurance process).

PCU H4 Use of highly effective age assurance – services that do not prohibit primary priority content

Application

AA3

PCU H4.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides that fulfils both of the following criteria:

- a) the service does not fulfil the criterion set out in Recommendation PCU H2.1; and
- b) the **terms of service** do not prohibit (for all users and regardless of the form of words used) every kind of **primary priority content** on the service (all kinds of **primary priority content** which are not prohibited as specified here are “relevant primary priority content”).

Recommendation

PCU H4.2 The provider should use **highly effective age assurance** to establish which **users** are **child users** for the purpose of preventing such users encountering, by means of the service, **relevant primary priority content** which the provider of the service identifies on the service.

Safeguards for freedom of expression and privacy

PCU H4.3 The following measures, where applicable, are safeguards to protect **users'** and **interested persons'** rights to freedom of expression and privacy:

- a) Recommendation PCU H1 (implementing an age assurance process);
- b) Recommendation PCU B3 (performance targets) so far as it relates to the accuracy of decision making;
- c) Recommendation PCU B6 (provision of training and materials to paid moderators);
- d) Recommendation PCU B7 (provision of materials to volunteer moderators);
- e) Recommendations PCU C6 and PCU C8 (appeals); and
- f) Recommendation PCU C9 (incorrect assessment of age).

PCU H5 Use of highly effective age assurance – services that do not prohibit priority content

AA4

Application

PCU H5.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides that fulfils all of the following criteria:

- a) the service does not fulfil the criteria set out in Recommendation PCU H3.1;
- b) the **terms of service** do not prohibit (for all users and regardless of the form of words used) every kind of **priority content** on the service (all kinds of **priority content** which are not prohibited as specified here are “relevant priority content”);
- c) the **children’s risk assessment** of the service identified a medium or high risk of harm to children arising from one or more kinds of **relevant priority content**.

Recommendation

PCU H5.2 The provider should use **highly effective age assurance** to establish which **users** are **child users** for the purpose of protecting such users from encountering, by means of the service, **relevant priority content** which the provider identifies on the service.

Safeguards for freedom of expression and privacy

PCU H5.3 The following measures, where applicable, are safeguards to protect **users’** and **interested persons’** rights to freedom of expression and privacy:

- a) Recommendation PCU H1 (implementing an age assurance process);
- b) Recommendation PCU B3 (performance targets) so far as it relates to the accuracy of decision making;
- c) Recommendation PCU B6 (provision of training and materials to paid moderators);
- d) Recommendation PCU B7 (provision of materials to volunteer moderators);
- e) Recommendations PCU C6 and PCU C8 (appeals); and
- f) Recommendation PCU C9 (incorrect assessment of age).

PCU H6 Use of highly effective age assurance – services with a recommender system that pose a risk of primary priority content

AA5

Application

PCU H6.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides that fulfils both of the following criteria:

- a) the service has a **recommender system**; and

- b) the **children's risk assessment of the service** identified a medium or high risk of harm to children arising from one or more kinds of **primary priority content**.

Recommendation

PCU H6.2 The provider should use **highly effective age assurance** to establish which **United Kingdom users** are **child users** for the purpose of securing the outcome set out in Recommendation F1.

Safeguards for freedom of expression and privacy

PCU H6.3 The following measures, where applicable, are safeguards to protect **users'** and **interested persons'** rights to freedom of expression and privacy:

- a) Recommendation PCU H1 (implementing an age assurance process);
- b) Recommendation PCU B3 (performance targets) so far as it relates to the accuracy of decision making;
- c) Recommendation PCU B6 (provision of training and materials to paid moderators);
- d) Recommendation PCU B7 (provision of materials to volunteer moderators);
- e) Recommendations PCU C6 and PCU C8 (appeals); and
- f) Recommendation PCU C9 (incorrect assessment of age).

PCU H7 Use of highly effective age assurance – services with a recommender system that pose a risk of priority content

AA6

Application

PCU H7.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides that fulfils both of the following criteria:

- a) the service has a **recommender system**; and
- b) the **children's risk assessment** of the service identified a medium or high risk of harm to children arising from one or more kinds of **priority content**, other than **bullying content**, present on the service [OR *the children's risk*

assessment of the service identified a medium or high risk of harm to children arising from one or more of the following, present on the service:

- a. *one or more specific kinds of **priority content**, other than **bullying content**,*
- b. ***body image content**;*
- c. ***depressive content**].⁸*

Recommendation

PCU H7.2 The provider should use **highly effective age assurance** to establish which **United Kingdom users** are **child users** for the purpose of securing the outcome set out in paragraph Recommendation PCU F2.

Safeguards for freedom of expression and privacy

PCU H7.3 The following measures, where applicable, are safeguards to protect **users'** and **interested persons'** rights to freedom of expression and privacy:

- a) Recommendation PCU H1 (implementing an age assurance process);
- b) Recommendation PCU B3 (performance targets) so far as it relates to the accuracy of decision making;
- c) Recommendation PCU B6 (provision of training and materials to paid moderators);
- d) Recommendation PCU B7 (provision of materials to volunteer moderators);
- e) Recommendations PCU C6 and PCU C8 (appeals); and
- f) Recommendation PCU C9 (incorrect assessment of age).

⁸ As explained in paragraph 20.103 of Consultation: protecting children from harm online we are currently consulting on whether depressive content and body image content should be classified as non-designated content. If they are so classified, then we propose to amend the scope of Recommendation PCU F2 to encompass non-designated content. Should we do that, we would update this definition to insert additional references to non-designated content, specifically, body image content and/or depressive content as applicable.

4. Definitions and interpretation

- 4.1 This section sets out definitions of **terms in bold** used in this Code.
- 4.2 Terms not in italics have the meanings given in the table below. This is the case even if the term is also used in the **Act**.
- 4.3 *Terms in italics* have the same meanings as in the **Act**. The table provides a reference to the relevant provision in the **Act** and sets out the relevant extract for ease of reference only. The definitions in the **Act** take precedence over these extracts, including any further relevant provision in the **Act** that has not been included in the extract.
- 4.4 If a term defined in the **Act** is not included in the table below, this is not intended to imply that the definition in the **Act** does not apply.

Term	Meaning
Abusive content	Section 62(2) <i>Content which is abusive and which targets any of the following characteristics—</i> <ul style="list-style-type: none"> a) <i>race,</i> b) <i>religion,</i> c) <i>sex,</i> d) <i>sexual orientation,</i> e) <i>disability, or</i> f) <i>gender reassignment.</i>
Access control	A means of restricting certain user's access to content on or parts of a service .
Act	The Online Safety Act 2023 (c.50).
Affected person	Section 20(5) <i>A person, other than a user of the service in question, who is in the United Kingdom and who is—</i> <ul style="list-style-type: none"> a) <i>the subject of the content,</i> b) <i>a member of a class or group of people with a certain characteristic targeted by the content,</i> c) <i>a parent of, or other adult with responsibility for, a child who is a user of the service or is the subject of the content, or</i> d) <i>an adult providing assistance in using the service to another adult who requires such assistance, where that other adult is a user of the service or is the subject of the content.</i>
Age appropriate design code	The code of practice issued under section 123 of the Data Protection Act 2018 dated 17 October 2022.
Age assurance	Age verification and age estimation .
Age assurance process	A system or process designed to determine whether a particular user is, or is not, a child that is comprised of one or more age assurance measures.

Term	Meaning
Age estimation	Section 230 Any measure designed to estimate the age or age-range of users of a regulated service . A measure which requires a user to self-declare their age (without more) is not to be regarded as age estimation.
Age verification	Section 230 Any measure designed to verify the exact age of users of a regulated service . A measure which requires a user to self-declare their age (without more) is not to be regarded as age verification.
Appeal	A complaint by a user about any of the following actions, if the action concerned has been taken by the provider on the basis that content generated, uploaded or shared by the user is content that is harmful to children : <ul style="list-style-type: none"> a) the content being taken down, b) access to the content being restricted; c) the user being given a warning; d) the user being suspended, banned, or in any other way restricted from using the service.
Block	As defined in paragraph PCU G1.3 of Recommendation PCU G1 (user blocking and muting).
Blocked user	For the purposes of Recommendation PCU G1 (user blocking and muting), as defined in paragraph PCU G1.2.
Blocking user	For the purposes of Recommendation PCU G1 (user blocking and muting), as defined in paragraph PCU G1.2.
Bullying content	Section 62(12) content may, in particular, be “bullying content” if it is content targeted against a person which— <ul style="list-style-type: none"> (a) conveys a serious threat; (b) is humiliating or degrading; (c) forms part of a campaign of mistreatment.
Category 1 service	Section 95(10)(a) A regulated user-to-user service for the time being included in the part of the register established under [section 95(2)(a) of the Act].
Category 1 service likely to be accessed by children	A category 1 service that is likely to be accessed by children .
Challenge age	The estimated age below which further steps will be taken to estimate or verify the exact age of the user before determining whether the user is a child as part of a challenge age approach .
Challenge age approach	An age assurance process comprised of two stages whereby if, at the end of the first stage of process, the estimated age of a user is found to be below a specified age, further steps are taken to estimate or verify the exact age of the user before determining whether the user is a child .
Child user	A United Kingdom user who is under the age of 18.

Term	Meaning
Children	People under the age of 18 in the United Kingdom.
Children’s risk assessment	The most recent risk assessment carried out by the provider of a service pursuant to section 11 of the Act.
Commenting on content	User-to-user service functionality that allows users to reply to content , or post content in response to another piece of content , visually accessible directly from the original content without navigating away from that content .
Connected	Describes where two users have a user connection .
Content	Section 236(1) Anything that is communicated by means of an internet service , whether publicly or privately, including written material or messages, oral communications, photographs, videos, visual images, music and data of any description. For the avoidance of doubt, comments, titles and descriptions are considered to be ‘content’ within this definition, as are livestreaming videos or audio, and hyperlinks.
Content identification technology	Section 231(2) “Content identification technology” means technology, such as algorithms, keyword matching, image matching or image classification, which analyses content to assess whether it is content of a particular kind (for example, illegal content).
Content inciting hatred	Section 62(13) Content which incites hatred against people— a) of a particular race, religion, sex or sexual orientation, b) who have a disability, or c) who have the characteristic of gender reassignment.
Content likely to be primary priority content	Regulated user-generated content where, based on relevant available information , there are reasonable grounds to suspect the content may be primary priority content (but the content has not been the subject of a final decision by the service’s content moderation function).
Content likely to be priority content [<u>or non-designated content</u>]	Regulated user-generated content where, based on relevant available information , there are reasonable grounds to suspect the content may be priority content [<u>or non-designated content</u>] ⁹ (but the content has not been the subject of a final decision by the service’s content moderation function).
Content moderation function	Has the meaning given in PCU B1.2.

⁹As explained in paragraph 20.103 of this *Consultation: protecting children from harm online* we are currently consulting on whether depressive content and body image content should be classified as non-designated content. If they are so classified, then we propose that definitions in square brackets of “body image content” and “depressive content” would be added.

Term	Meaning
Content posted	Content uploaded and/or shared on open channels of communication by a user of a service .
Content restriction tool	A tool which enables a user to express a negative sentiment on a specific piece of content in a manner that is not visible to any user of the service except the user that has signaled the negative sentiment, and which results in that piece of content or any other piece of content that shares significant characteristics with it, no longer being visible in the user's feed(s) or given lower prominence.
Content that is harmful to children	<ul style="list-style-type: none"> a) Primary priority content, b) priority content, or c) non-designated content.
Direct messaging	User-to-user service functionality that allows a user to send a message to one recipient at a time and which can only be immediately viewed or read by that specific recipient.
Eating disorder content	Section 61(5) <i>Content which encourages, promotes or provides instructions for an eating disorder or behaviours associated with an eating disorder.</i>
Encounter (in relation to content)	Section 236(1) <i>Read, view, hear or otherwise experience content.</i>
Governance body	A body which makes decisions within an organisation. These may vary by organisation type and size, but boards of directors are commonly the most senior governance forums in corporations.
Group chat	An online space in which users communicate by means of group messaging functionality .
Group chat notification	As defined in paragraph PCU G4.2 of Recommendation PCU G4 (invitation to group chats)
Group messaging functionality	User-to-user service functionality that allows a user to send a message, through a closed channel of communication, to more than one recipient at a time and which can be immediately viewed or read by all recipients.
Highly effective age assurance	Has the meaning set out in paragraphs 4.10 to 4.15.
Internet service	Section 228(1) <i>A service that is made available by means of the internet. [See also the rest of the section.]</i>
Invited user	As defined in paragraph PCU G4.2 of Recommendation PCU G4 (invitation to group chats)
Inviting user	As defined in paragraph PCU G4.2 of Recommendation PCU G4 (invitation to group chats)

Term	Meaning
Large service	A service which has more than 7 million monthly United Kingdom users . (See also paragraphs 4.5 to 4.9)
Likely to be accessed by children	<p>Section 37</p> <p><i>(1) For the purposes of this Part, a Part 3 service is to be treated as “likely to be accessed by children” in the following three cases [...].</i></p> <p><i>(2) The first case is where a children’s access assessment carried out by the provider of the service concludes that—</i></p> <p style="padding-left: 40px;"><i>(a) it is possible for children to access the service or a part of it, and</i></p> <p style="padding-left: 40px;"><i>(b) the child user condition is met in relation to—</i></p> <p style="padding-left: 80px;"><i>(i) the service, or</i></p> <p style="padding-left: 80px;"><i>(ii) a part of the service that it is possible for children to access.</i></p> <p><i>This subsection is to be interpreted consistently with section 35.</i></p> <p><i>(3) In that case, the service is to be treated as likely to be accessed by children from the date on which the children’s access assessment is completed.</i></p> <p><i>(4) The second case is where the provider of the service fails to carry out the first children’s access assessment as required by section 36(1).</i></p> <p><i>(5) In that case—</i></p> <p style="padding-left: 40px;"><i>(a) the service is to be treated as likely to be accessed by children from the date by which the first children’s access assessment was required to have been completed (see Part 1 of Schedule 3), and</i></p> <p style="padding-left: 40px;"><i>(b) the service is to continue to be treated as likely to be accessed by children by reason of subsection (4) until such time as the provider completes the first children’s access assessment of the service.</i></p> <p><i>(6) The third case is where, following an investigation into a failure to comply with a duty set out in section 36, OFCOM determine that a service should be treated as likely to be accessed by children: see section 135(4) and (5).</i></p> <p><i>(7) In that case, the service is to be treated as likely to be accessed by children from the date of, or specified in, the confirmation decision given to the provider of the service (as the case may be: see section 135(5)).</i></p>
Monthly (in relation to a number of United Kingdom users)	See paragraphs 4.5 to 4.9.
Multi-risk in relation to content that is harmful to children	The children’s risk assessment of the service identified a medium risk of harm or a high risk of harm to children arising from two or more specific kinds of content that is harmful to children .

Term	Meaning
Mute	As defined in paragraph PCU G1.5 of Recommendation PCU G1 (user blocking and muting).
Muted user	For the purposes of Recommendation PCU G1 (user blocking and muting), as defined in paragraph PCU G1.4.
Muting user	For the purposes of Recommendation PCU G1 (user blocking and muting), as defined in paragraph PCU G1.4.
Non-designated content or non-designated content that is harmful to children	<p>Section 60(2)(c) Content [that is not primary priority content or priority content] of a kind which presents a material risk of significant harm to an appreciable number of children in the United Kingdom.</p> <p>Section 60(3) Content is not to be regarded as [non-designated content that is harmful to children] if the risk of harm flows from—</p> <p>(a) the content’s potential financial impact,</p> <p>(b) the safety or quality of goods featured in the content, or</p> <p>(c) the way in which a service featured in the content may be performed (for example, in the case of the performance of a service by a person not qualified to perform it).</p> <p>Section 60(5) Subsection (6) applies in relation to a regulated user-to-user service (but, in the case of a combined service, does not apply in relation to the search content of the service).</p> <p>Section 60(6) References to “[...] “non-designated content that is harmful to children” are to be read as—</p> <p>(a) limited to content within the definition in question that is regulated user-generated content in relation to the service, and</p> <p>(b) including material which, if it were present on the service, would be content within paragraph (a) (and this section [...[is]] to be read with such modifications as may be necessary for the purpose of this paragraph).</p>
Part of a group chat	As defined in paragraph PCU G4.2 of Recommendation PCU G4 (invitation to group chats).

Term	Meaning
Pornographic content	<p>Section 236 and sections 61(2) and 61(6) Content of such a nature that it is reasonable to assume that it was produced solely or principally for the purpose of sexual arousal, other than content that:</p> <ul style="list-style-type: none"> a) consists only of text, or b) consists only of text accompanied by— <ul style="list-style-type: none"> i) identifying content which consists only of text, ii) other identifying content which is not itself pornographic content, iii) a GIF which is not itself pornographic content, iv) an emoji or other symbol, or v) any combination of content mentioned in subparagraphs (i) to (iv).
Posting content	<p>User-to-user service functionality allowing users to upload and share content on open channels of communication.</p>

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Term	Meaning
<p>Primary priority content</p>	<p>Section 61</p> <p>(1) “Primary priority content that is harmful to children” means content of any of the following kinds.</p> <p>(2) Pornographic content, other than content within subsection (6).</p> <p>(3) Content which encourages, promotes or provides instructions for suicide.</p> <p>(4) Content which encourages, promotes or provides instructions for an act of deliberate self-injury.</p> <p>(5) Content which encourages, promotes or provides instructions for an eating disorder or behaviours associated with an eating disorder.</p> <p>(6) Content is within this subsection if it—</p> <ul style="list-style-type: none"> (a) consists only of text, or (b) consists only of text accompanied by— <ul style="list-style-type: none"> (i) identifying content which consists only of text, (ii) other identifying content which is not itself pornographic content, (iii) a GIF which is not itself pornographic content, (iv) an emoji or other symbol, or (v) any combination of content mentioned in sub-paragraphs (i) to (iv). <p>(7) In this section and section 62 “injury” includes poisoning.</p> <p>Section 60(5) Subsection (6) applies in relation to a regulated user-to-user service (but, in the case of a combined service, does not apply in relation to the search content of the service).</p> <p>Section 60(6) References to “primary priority content that is harmful to children” [...] are to be read as—</p> <ul style="list-style-type: none"> (a) limited to content within the definition in question that is regulated user-generated content in relation to the service, and (b) including material which, if it were present on the service, would be content within paragraph (a) (and [section 60] and sections 61 and 62 are to be read with such modifications as may be necessary for the purpose of this paragraph).

Term	Meaning
Principal purpose	<p>For the purposes of paragraph PCU H2.1 (use of highly effective age assurance – services whose principal purpose is the hosting or dissemination of primary priority content), as defined in paragraph PCU H2.2.</p> <p>For the purposes of paragraph PCU H3.1 (use of highly effective age assurance – services whose principal purpose is the hosting or dissemination of priority content), as defined in paragraph PCU H3.2.</p>

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Priority content

Section 62

(1) *“Priority content that is harmful to children” means content of any of the following kinds.*

(2) *Content which is abusive and which targets any of the following characteristics—*

- (a) race,*
- (b) religion,*
- (c) sex,*
- (d) sexual orientation,*
- (e) disability, or*
- (f) gender reassignment.*

(3) *Content which incites hatred against people—*

- (a) of a particular race, religion, sex or sexual orientation,*
- (b) who have a disability, or*
- (c) who have the characteristic of gender reassignment.*

(4) *Content which encourages, promotes or provides instructions for an act of serious violence against a person.*

(5) *Bullying content.*

(6) *Content which—*

- (a) depicts real or realistic serious violence against a person;*
- (b) depicts the real or realistic serious injury of a person in graphic detail.*

(7) *Content which—*

- (a) depicts real or realistic serious violence against an animal;*
- (b) depicts the real or realistic serious injury of an animal in graphic detail;*
- (c) realistically depicts serious violence against a fictional creature or the serious injury of a fictional creature in graphic detail.*

(8) *Content which encourages, promotes or provides instructions for a challenge or stunt highly likely to result in serious injury to the person who does it or to someone else.*

(9) *Content which encourages a person to ingest, inject, inhale or in any other way self-administer—*

- (a) a physically harmful substance;*
- (b) a substance in such a quantity as to be physically harmful.*

(10) *In subsections (2) and (3)—*

Term	Meaning
	<p>(a) “disability” means any physical or mental impairment;</p> <p>(b) “race” includes colour, nationality, and ethnic or national origins;</p> <p>(c) references to religion include references to a lack of religion.</p> <p>(11) For the purposes of subsection (3), a person has the characteristic of gender reassignment if the person is proposing to undergo, is undergoing or has undergone a process (or part of a process) for the purpose of reassigning the person’s sex by changing physiological or other attributes of sex, and the reference to gender reassignment in subsection (2) is to be construed accordingly.</p> <p>(12) For the purposes of subsection (5) content may, in particular, be “bullying content” if it is content targeted against a person which—</p> <p>(a) conveys a serious threat;</p> <p>(b) is humiliating or degrading;</p> <p>(c) forms part of a campaign of mistreatment.</p> <p>(13) In subsection (6) “person” is not limited to a real person.</p> <p>(14) In subsection (7) “animal” is not limited to a real animal.</p> <p>Section 60(5) Subsection (6) applies in relation to a regulated user-to-user service (but, in the case of a combined service, does not apply in relation to the search content of the service).</p> <p>Section 60(6) References to {...} “priority content that is harmful to children” [...] are to be read as—</p> <p>(a) limited to content within the definition in question that is regulated user-generated content in relation to the service, and</p> <p>(b) including material which, if it were present on the service, would be content within paragraph (a) (and [section 60] and sections 61 and 62 are to be read with such modifications as may be necessary for the purpose of this paragraph).</p>

Proactive technology

Section 231

Means—

- a) content identification technology
- b) user profiling technology, or
- c) behaviour identification technology,

but this is subject to subsections (3) and (7).

(2) “Content identification technology” means technology, such as algorithms, keyword matching, image matching or image classification, which analyses content to assess whether it is content of a particular kind (for example, illegal content).

(3) But content identification technology is not to be regarded as proactive technology if it is used in response to a report from a user or other person about particular content.

(4) “User profiling technology” means technology which analyses (any or all of)—

- a) relevant content
- b) user data, or
- c) metadata relating to relevant content or user data,

for the purposes of building a profile of a user to assess characteristics such as age.

(5) Technology which—

- a) analyses data specifically provided by a user for the purposes of the provider assessing or establishing the user’s age in order to decide whether to allow the user to access a service (or part of a service) or particular content, and
- b) does not analyse any other data or content, is not to be regarded as user profiling technology.

(6) “Behaviour identification technology” means technology which analyses (any or all of)—

- a) relevant content,
- b) user data, or
- c) metadata relating to relevant content or user data,

to assess a user’s online behaviour or patterns of online behaviour (for example, to assess whether a user may be involved in, or be the victim of, illegal activity).

(7) But behaviour identification technology is not to be regarded as proactive technology if it is used in response to concerns identified by another person or an automated tool about a particular user.

[See also the rest of the section.]

Term	Meaning
Produce(s) reproducible results	Produce(s) the same or similar outputs when given the same or similar inputs.
Prominence	The position of a piece of content in a recommender feed relative to other content in the same recommender feed .
Protect children from harmful content of which the provider is aware	<p>To:</p> <ul style="list-style-type: none"> a) prevent children of any age encountering primary priority content, that the provider of the service is aware of, on the service; b) protect children at risk from priority content from encountering priority content, that the provider of the service is aware of, on the service; and c) protect children at risk from non-designated content from encountering relevant non-designated content, that the provider of the service is aware of, on the service.
Provider	A provider of a regulated user-to-user service .
Provider of a category 1 service	A provider of a category 1 service .
Public body	A public authority within the meaning of section 6 of the Human Rights Act 1998.
Reacting to content	A user-to-user service functionality. Described by user communication functionality type. Includes functionalities such as 'liking' or 'loving' content .
Reaction(s) to content	The output generated by a user reacting to content .
Recommender feed	A content feed such as a newsfeeds or reel on which the relative ranking of an identified pool of content that includes regulated user-generated content is determined by a recommender system .

Term	Meaning
Recommender system	<p>An algorithmic system which, by means of a machine learning model, determines the relative ranking of an identified pool of content that includes regulated user-generated content on content feeds such as newsfeeds and reels. Content is recommended based on factors that it is programmed to account for, including but not limited to:</p> <ul style="list-style-type: none"> a) User feedback, such as interactions with a piece of content by means of likes, views and shares; b) Predicted engagement with content based on their consumption history, such as likelihood of liking, sharing, and commenting on a piece of content; c) Profile and contextual characteristics, such as age and location; d) Content liked by users with a similar consumption and engagement history; e) Popularity of a certain piece of content. <p>References to recommender systems in this Code do not include those employed by providers in search functionalities or network recommender systems that suggest users and groups to follow.</p>
Regulated user-generated content	<p>Section 55 <i>In relation to a regulated user-to-user service, means user-generated content, except—</i></p> <ul style="list-style-type: none"> a) <i>emails,</i> b) <i>SMS messages,</i> c) <i>MMS messages,</i> d) <i>one-to-one live aural communications (see subsection (5) [of section 55]),</i> e) <i>comments and reviews on provider content (see subsection (6) [of section 55]),</i> f) <i>identifying content that accompanies content within any of paragraphs (a) to (e), and</i> g) <i>news publisher content (see subsection (8) [of section 55]).</i>
Regulated user-to-user service	<p>A user-to-user service as defined in section 3 of the Act, which is a regulated user-to-user service under section 4 of the Act (subject to the disapplication in section 5 of the Act).</p>

Term	Meaning
Relevant available information	<p>Information which:</p> <ul style="list-style-type: none"> a) is reasonably available to the provider through the operation of the service; this may include, but is not limited to: (i) user reports, (ii) tags, labels or classifications applied by users to content when it is generated, uploaded, shared or re-shared on the service, (iii) labels, classifications or other indicators generated by content identification technology used on the service; and b) can be used to identify content likely to be primary priority content or content likely to be priority content [or non-designated content]¹⁰ (as the case may be) for the purpose of achieving the outcome set out in [paragraph PCU F1.2 of Recommendation PCU F1 or paragraph PCU F2.2 of Recommendation PCU F2], as relevant.
Relevant complaint	<p>The following kinds of complaint:</p> <ul style="list-style-type: none"> (a) complaints (including reports) by users and affected persons about content, present on a part of a service that it is possible for children to access, which they consider to be content that is harmful to children; (b) complaints by users and affected persons if they consider that the provider is not complying with a duty set out in section 12 of the Act; (c) complaints by a user who has generated, uploaded or shared content on a service if that content is taken down, or access to it is restricted, on the basis that it is content that is harmful to children; (d) complaints by a user of a service if the provider has given a warning to the user, suspended or banned the user from using the service, or in any other way restricted the user's ability to use the service, as a result of content generated, uploaded or shared by the user which the provider considers to be content that is harmful to children; (e) complaints by a user who is unable to access content because measures used to comply with a duty set out in section 12(2) or (3) of the Act have resulted in an incorrect assessment of the user's age.
Relevant primary priority content	<p>As defined in paragraph PCU H4.1 b) of Recommendation PCU H4 (use of highly effective age assurance - services that do not prohibit primary priority content).</p>

¹⁰ As explained in paragraph 20.103 of this *Consultation: protecting children from harm online* we are currently consulting on whether depressive content and body image content should be classified as non-designated content. If they are so classified, then we propose to amend the scope of Recommendation PCU F2 to encompass non-designated content. Should we do that, we would update this definition to insert additional references to non-designated content, specifically, body image content and/or depressive content as applicable.

Term	Meaning
Relevant priority content	As defined in paragraph PCU H5.1 b) of Recommendation PCU H5 (use of highly effective age assurance - services that do not prohibit priority content).
Reporting and complaints duties	The duties in sections 20 and 21 of the Act , so far as applicable to services likely to be accessed by children .
Reports	Complaints by users and affected persons about content present on a service which they consider to be content that is harmful to children , made using a reporting function or tool provided by the service.
Safety duties protecting children	The duties in section 12 of the Act.
Search or search request	Section 57(4) <i>Search by any means, including by input of text or images or by speech, and references to a search request are to be construed accordingly.</i>
Self-harm content	Section 61(4) <i>Content which encourages, promotes or provides instructions for an act of deliberate self-injury.</i>
Service	A regulated user-to-user service .
Service likely to be accessed by children	A regulated user-to-user service that is likely to be accessed by children .
Suicide content	Section 61(3) <i>Content which encourages, promotes or provides instructions for suicide.</i>
Systems and/or processes	Section 236 <i>any reference to systems and/or processes is to human or automated systems and/or processes, and accordingly includes technologies.</i>
Terms of service	Section 236(1) <i>all documents (whatever they are called) comprising the contract for use of the service (or of part of it) by United Kingdom users.</i>
Trusted flagger	Any entity for which the provider has established a separate process for the purposes of enabling the reporting of content which may include content harmful to children , based on the entity's expertise.
United Kingdom user	Section 227(1) <ol style="list-style-type: none"> a) where the user is an individual, the individual is in the United Kingdom; b) where the user is an entity, the entity is incorporated or formed under the law of any part of the United Kingdom.

Term	Meaning
User	<p>Section 227</p> <p>(1) [See definition of United Kingdom user above]</p> <p>(2) For the purposes of references in this Act to a user of a service it does not matter whether a person is registered to use a service.</p> <p>(3) References in this Act to a user of a service do not include references to any of the following when acting in the course of the provider’s business—</p> <ul style="list-style-type: none"> a) where the provider of the service is an individual or individuals, that individual or those individuals; b) where the provider is an entity, officers of the entity; c) persons who work for the provider (including as employees or volunteers); d) any other person providing a business service to the provider such as a contractor, consultant or auditor. <p>(4) [defines “acting in the course of the provider’s business”]</p> <p>(5) [defines “service”]</p> <p>(6) [defines “officer”]</p>
User account	<p>Representations of a user in a service’s information system. They may contain information required for registration to a particular service that are often attributes of a user’s identity such as name, age, contact details and preferences.</p>
User communication	<p>User-to-user service functionality type that describes functionalities by means of which users can communicate with one another either synchronously or asynchronously. Includes communication across open and closed channels.</p>
User connection	<p>A functionality that allows users to follow or subscribe to other users. Users must sometimes be connected to view all or some of the content that each user shares.</p>
User profiles	<p>User-to-user service functionality that represents a collection of identifying information about a user conveyed to other users of the service. This can include information that may be displayed to other users such as images, usernames, and biographies.</p>

Term	Meaning
User-generated content	<p>Section 55(3) <i>User-generated content</i>, in relation to a user-to-user service, means content—</p> <ul style="list-style-type: none"> a) that is— <ul style="list-style-type: none"> i) generated directly on the service by a user of the service, or ii) uploaded to or shared on the service by a user of the service, and b) that may be encountered by another user, or other users, of the service by means of the service. <p>Section 55(4) For the purposes of subsection (3)—</p> <ul style="list-style-type: none"> a) the reference to content generated, uploaded or shared by a user includes content generated, uploaded or shared by means of software or an automated tool applied by the user; b) a bot or other automated tool is to be regarded as a user of a service if— <ul style="list-style-type: none"> i) the functions of the bot or tool include interacting with user-generated content, and ii) the bot or tool is not controlled by or on behalf of the provider of the service.
User-to-user part (of a service)	<p>Section 236(1) ... the part of the [user-to-user] service on which content that is user-generated content in relation to the service is present.</p>
User-to-user service	<p>Section 3(1) An internet service by means of which content that is generated directly on the service by a user of the service, or uploaded to or shared on the service by a user of the service, may be encountered by another user, or other users, of the service.</p> <p>[See also section 3(2)]</p>
Violent content (animal)	<p>Section 62(7) Content which:</p> <ul style="list-style-type: none"> a) depicts real or realistic serious violence against an animal; b) depicts the real or realistic serious injury of an animal in graphic detail; c) realistically depicts serious violence against a fictional creature or the serious injury of a fictional creature in graphic detail.
Violent content (instructions for an act of serious violence against a person)	<p>Section 62(4) Content which encourages, promotes or provides instructions for an act of serious violence against a person.</p>

Term	Meaning
Violent content (person)	<p>Section 62(6) Content which:</p> <ul style="list-style-type: none"> a) depicts real or realistic serious violence against a person; b) depicts the real or realistic serious injury of a person in graphic detail.
Volunteer	<p>A person involved in content moderation who, in relation to that involvement, is not:</p> <ul style="list-style-type: none"> a) employed by the provider or anyone else; b) remunerated; or c) acting by way of a business.

User numbers

- 4.5 This section applies for the purpose of determining whether a service is to be treated as having more than a particular number of **monthly United Kingdom users**.
- 4.6 A **service** is to be so treated from such time as the number of monthly **United Kingdom users** of the **user-to-user part** of the service is more than the number in question.
- 4.7 The **service** is to continue to be so treated until such time as the number of monthly **United Kingdom users** of the **user-to-user part** of the **service** is at or below the specified number for a continuous period of six months.
- 4.8 Paragraph 4.6 may apply again to a **service** that has ceased to be so treated in accordance with paragraph 4.7.
- 4.9 The number of monthly **United Kingdom users** of the **user-to-user part** of the **service** is the mean number of **United Kingdom users** per month, calculated for:
- a) the period of 12 months ending with the month preceding the time in question; or
 - b) if the service not been in operation for that period, the period for which the service has operated.

Highly effective age assurance

- 4.10 This section contains the definition of highly effective age assurance.
- 4.11 Highly effective age assurance is an **age assurance process** that fulfils the criteria of technical accuracy, robustness, reliability and fairness.
- 4.12 The technical accuracy criterion is fulfilled if:
- a) the **provider** has ensured that the measures forming part of the **age assurance process** for the **service** have been evaluated against appropriate metrics to assess the extent to which they can correctly determine the age or age range of a person under test lab conditions;

- b) where the **age assurance process** used on the service involves the use of **age estimation**, the provider uses a **challenge age approach**; and
- c) the **provider** periodically reviews whether the technical accuracy of the **age assurance process** for the service could be improved by making use of new technology and, where appropriate, makes changes to the **age assurance process**.

4.13 The robustness criterion is fulfilled if:

- a) The **provider** has:
 - i) taken steps to identify methods **children** use to circumvent the **age assurance process** used on the service to determine that the relevant individual is not a **child**; and
 - ii) taken feasible and proportionate steps to prevent **children** using those methods; and
- b) the **provider** has ensured that the **age assurance** measures forming part of the **age assurance process** for the service have been tested in multiple different environments during the development of the **age assurance process**.

4.14 The reliability criterion is fulfilled if:

- a) where **age assurance** measures forming part of the **age assurance process** rely on artificial intelligence or machine learning, the **provider** has taken steps to ensure that:
 - i) the artificial intelligence or machine learning has been suitably tested during the development of the **age assurance process** to ensure it **produces reproducible results**;
 - ii) the artificial intelligence or machine learning is regularly tested to ensure it **produces reproducible results**;
 - iii) the outputs of the artificial intelligence or machine learning used are monitored and assessed against key performance indicators designed to identify whether the artificial intelligence or machine learning **produces reproducible results**;
 - iv) in circumstances where the artificial intelligence or machine learning used are observed to be producing unreliable or unexpected results, the root cause of the issue is identified and rectified.
- b) The provider has taken steps to ensure that any data relied upon as part of the **age assurance process** comes from a reliable source.

4.15 The fairness criterion is fulfilled if:

- a) The **provider** has ensured that any elements of the **age assurance process** for a **service**, which rely on artificial intelligence or machine learning have been tested and trained on data sets which reflect the diversity in the target population.