

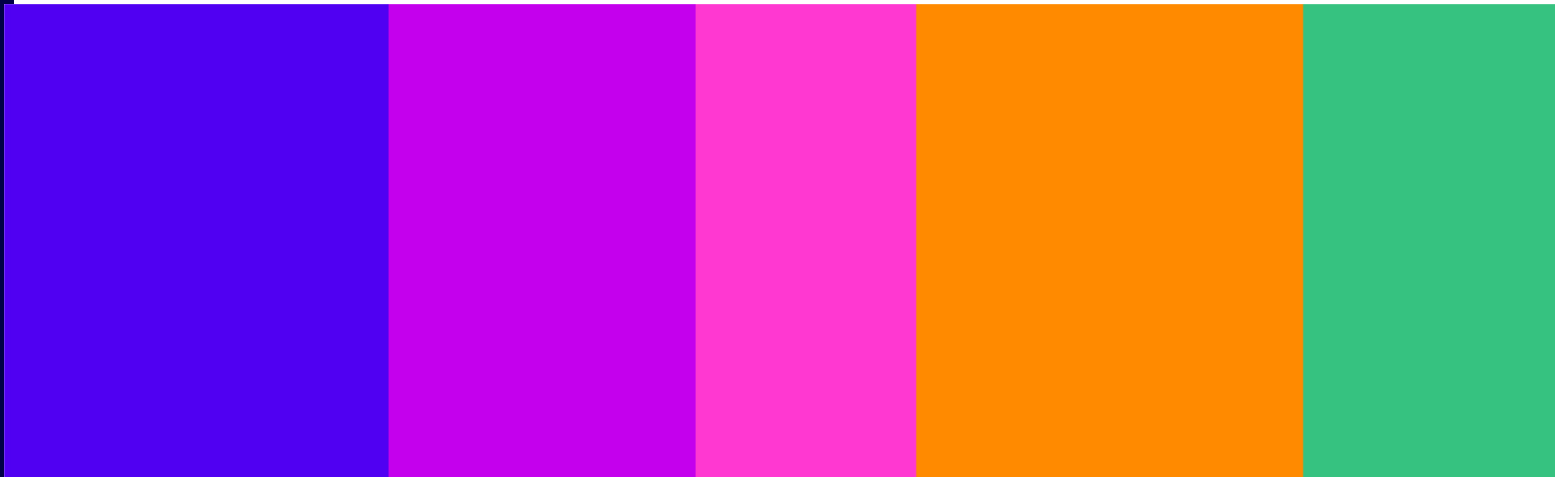
Protection of Children Code of Practice for search services

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 search services (and to the providers of combined services to the extent that the duties applicable to search services apply to them).
- 1.2 This Code is for the purpose of compliance with the following duties:
- a) the protection of children safety duties (section 29);
 - b) so far as it relates to the protection of children, the duty about content reporting (section 31); and
 - c) so far as it relates to the complaints set out in section 32(5), the duties about complaints procedures (section 32).
- 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 regulated search service or the search engine of a combined service —
 - i) in the United Kingdom, or
 - ii) as they affect United Kingdom users of the service or search engine; and
 - b) applies regardless of whether or not the person who provides the service is inside the United Kingdom.
- 1.6 This Code comes into force on [in our final Code, we will specify a day that is 21 days from the publication date].

Protection of Children Code of Practice

- 1.7 Recommended measures for user-to-user services are set out separately in the accompanying Code of Practice for user-to-user services relating to the children’s safety duties.
- 1.8 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) 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.

Enforcement of this Code

- 1.9 The recommended measures in this Code apply to providers in respect of the regulated search service(s) or search engine of the combined service(s) that they provide. If a person is the provider of more than one regulated search service or combined service, the recommended measures in this Codes 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.
- 1.10 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.
- 1.11 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 33(2) (in respect of freedom of expression) and section 33(3) (in respect of privacy).
- 1.12 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.
- 1.13 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.
- 1.14 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 these Codes apply 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) **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.
- e) **Enforcement:** to find out more about Ofcom's approach to enforcement, please refer to our Enforcement guidance.

Other obligations on regulated service providers

- 1.15 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 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.¹

¹ 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 search 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 recommendation reflects.

Index of recommended measures

| Measure number in consultation | Recommended measure | | Application | Relevant duties |
|--------------------------------------|---------------------|--|--|--|
| Governance and accountability | | | | |
| GA1 | PCS A1 | Annual review of risk management activities | All services likely to be accessed by children that are a large general search service | Section 29(2), 29(3), 29(4)(a) |
| GA2 | PCS A2 | Person accountable for the safety duties protecting children and reporting and complaints duties | All services likely to be accessed by children | Section 29(2), 29(3), 29(4)(a), 29(4)(f) |

| Measure number in consultation | Recommended measure | | Application | Relevant duties |
|--------------------------------|---------------------|--|--|--|
| GA3 | PCS A3 | Written statements of responsibilities | Services likely to be accessed by children that are either a large general search service or multi-risk in relation to content that is harmful to children | Section 29(2), 29(3), 29(4)(a), 29(4)(f) |
| GA4 | PCS A4 | Internal monitoring and assurance | Services likely to be accessed by children that are both a large general search service and multi-risk in relation to content that is harmful to children | Section 29(2), 29(3), 29(4)(a) |
| GA5 | PCS A5 | Tracking evidence of new and increasing harm | Services likely to be accessed by children that are either a large general search service or multi-risk in relation to content that is harmful to children | Section 29(2), 29(3), 29(4)(a) |
| GA6 | PCS A6 | Code of conduct regarding protection of children from online harms | Services likely to be accessed by children that are either a large general search service or multi-risk in relation to content that is harmful to children | Section 29(2), 29(3), 29(4)(a), 29(4)(f) |
| GA7 | PCS A7 | Staff compliance training | Services likely to be accessed by children that are either a large general search service or multi-risk in relation to content that is harmful to children | Section 29(2), 29(3), 29(4)(a), 29(4)(f) |

| Measure number in consultation | Recommended measure | Application | Relevant duties |
|---------------------------------|---------------------|--|---|
| Search moderation | | | |
| SM1A and SM1B | PCS B1 | Having a search moderation function designed to downrank and/or blur content that is harmful to children | All services likely to be accessed by children Section 29(2), 29(3), 29(4)(d) |
| SM2 | PCS B2 | Filtering out primary priority content for users believed to be child users | All services likely to be accessed by children that are a large general search service Section 29(2), 29(3), 29(4)(d), 29(4)(e) |
| SM3 | PCS B3 | Setting internal content policies | Services likely to be accessed by children that are a large general search service or multi-risk in relation to content that is harmful to children Section 29(2), 29(3), 29(4)(d), 29(4)(f) |
| SM4 | PCS B4 | Performance targets | |
| SM5 | PCS B5 | Prioritisation | |
| SM6 | PCS B6 | Resourcing | |
| SM7 | PCS B7 | Provision of training and materials to moderators | |
| Reporting and complaints | | | |
| UR1 | PCS C1 | Enabling complaints | All services likely to be accessed by children Section 31(2), 31(4), 32(2), 32(5) |
| UR2 (a)-(d) | PCS C2 | Having an easy to find, easy to access and easy to use complaints system | All services likely to be accessed by children Section 32(2), 32(5) |
| UR3 (a) and (b) | PCS C4 | Appropriate action – sending information about how the complaint will be handled | All services likely to be accessed by children Section 32(2), 32(5) |

| Measure number in consultation | Recommended measure | | Application | Relevant duties |
|--------------------------------------|---------------------|--|---|----------------------|
| UR5(a) | PCS C5 | Appropriate action for relevant complaints about content considered harmful to children | All services likely to be accessed by children | Section 32(2), 32(5) |
| UR5(b)(i) | PCS C6 | Appropriate action for relevant complaints which are appeals – determination (large or multi risk) | 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 32(2), 32(5) |
| UR5(b)(ii) | PCS C7 | Appropriate action for relevant complaints which are appeals – determination | 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 32(2), 32(5) |
| UR5(b) | PCS C8 | Appropriate action for relevant complaints which are appeals – action following determination | All services likely to be accessed by children | Section 32(2), 32(5) |
| UR5(c) | PCS C10 | Appropriate action for relevant complaints about an incorrect assessment of a user's age | All services likely to be accessed by children | Section 32(2), 32(5) |
| UR5(d) | PCS C11 | Appropriate action for relevant complaints about non-compliance with the safety duties protecting children | All services likely to be accessed by children | Section 32(2), 32(5) |
| Publicly available statements | | | | |
| TS1 | PCS D1 | Publicly available statements: substance (all services) | All services likely to be accessed by children | Section 29(5)-(7) |

| Measure number in consultation | Recommended measure | | Application | Relevant duties |
|---|---------------------|---|---|--------------------------------|
| TS3 | PCS D2 | Publicly available statements: substance (category 2A services) | Category 2A services likely to be accessed by children | Section 29(9) |
| TS2 | PCS D3 | Publicly available statements: clarity and accessibility | All services likely to be accessed by children | Section 29(8) |
| Features, functionalities and user support | | | | |
| US6 | PCS 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 29(2), 29(3), 29(4)(e) |
| SD1 | PCS E2 | Removal of predictive search suggestions | Services likely to be accessed by children that are a large general search service and use a predictive search functionality | Section 29(2), 29(3) |
| SD2 | PCS E3 | Provision of suicide, self-harm and eating disorder crisis prevention information | Services likely to be accessed by children that are a large general search service | Section 29(2), 29(3) |

3. Recommended measures

A. Governance and accountability

| | | |
|----------|---|-----|
| PCS A1 | Annual review of risk management activities | GA1 |
| | Application | |
| PCS 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 general search service . | |
| | Recommendation | |
| PCS 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. | |
| PCS A2 | Person accountable for the safety duties protecting children and reporting and complaints duties | GA2 |
| | Application | |
| PCS A2.1 | This measure applies to a provider in respect of each service likely to be accessed by children it provides. | |
| | Recommendation | |
| PCS 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 . | |
| PCS 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 . | |
| PCS A3 | Written statements of responsibilities | GA3 |
| | Application | |
| PCS 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 general search service ; or b) multi-risk in relation to content that is harmful to children . | |

Recommendation

PCS 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.

PCS 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.

PCS A4 Internal monitoring and assurance

GA4

Application

PCS 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 **large general search service**; and
- multi-risk in relation to content that is harmful to children.**

Recommendation

PCS 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:

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

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

PCS A5 Tracking evidence of new and increasing harm

GA5

Application

PCS 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 **large general search service**; or
- multi-risk in relation to content that is harmful to children.**

Recommendation

PCS 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.

PCS A5.3 For the purposes of paragraph PCS 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.

PCS 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**.

PCS 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.

PCS A6 Code of conduct regarding protection of children from online harms

GA6

Application

PCS 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 general search service**; or
- b) **multi-risk in relation to content that is harmful to children**.

Recommendation

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

PCS A7 Staff compliance training

GA7

Application

PCS 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 general search service**; or
- b) **multi-risk in relation to content that is harmful to children**.

Recommendation

PCS 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.

PCS A7.3 This does not affect Recommendation PCS B7 (provision of training and materials to paid moderators).

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B. Search moderation

PCS B1 Having a search moderation function designed to downrank and/or blur content that is harmful to children

SM1A and SM1B

Application

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

Recommendation

PCS B1.2 The provider should have **systems or processes** designed to take appropriate action in respect of **content that is harmful to children** for the purpose of complying with the **safety duties protecting children**.

PCS B1.3 The provider should **downrank, blur or downrank and blur** all **search content** that is **primary priority content** of which the provider is aware in the **search results** of all **users**, other than those **users** in respect of which the provider has reasonable grounds to believe are **adult users**.

The provider should have regard to the factors set out in paragraph PCS B1.5 when deciding the extent to which **search content** that is **primary priority content** of which the provider is aware should be **downranked, blurred** or both **downranked and blurred**.

PCS B1.4 The provider should decide whether, and if so to what extent, to **downrank, blur or downrank and blur content** that is **priority content** or **non-designated content** of which the provider is aware in the **search results** of all **users** other than those **users** in respect of which the provider has reasonable grounds to believe are **adult users**. The provider should have regard to the factors set out in paragraph PCS B1.5 when so deciding.

PCS B1.5 The factors are:

- a) the prevalence of **content that is harmful to children** hosted by the person responsible for the website or database concerned;
- b) the interests of all **users**, and in particular **users** who are not **children**, in receiving any material that is not **content that is harmful to children** that would be affected; and
- c) the severity of harmfulness of the **content that is harmful to children** identified.

Safeguards for freedom of expression

- PCS B1.6 The following measures, where applicable, are safeguards to protect **users'** and **interested persons'** rights to freedom of expression:
- a) Recommendation PCS B4 (performance targets) so far as it relates to the accuracy of decision making;
 - b) Recommendation PCS B7 (training and materials); and
 - c) Recommendations PCS C6, PCS C7 and PCS C8 (appeals).

PCS B2 Filtering out primary priority content for users believed to be child users

SM2

Application

- PCS B2.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides that is a **large general search service**.

Recommendation

- PCS B2.2 The provider should ensure that **search content** that is **primary priority content** of which the provider is aware does not appear in the **search results** of any **users** the provider believes are **child users**.

- PCS B2.3 The provider should take steps to ensure that any default setting applied to achieve the outcome described in paragraph PCS B2.2 cannot be switched off by **users** the provider believes are **child users**.

Safeguards for freedom of expression

- PCS B2.4 The following measures, where applicable, are safeguards to protect **users'** and **interested persons'** rights to freedom of expression:
- a) Recommendation PCS B4 (performance targets) so far as it relates to the accuracy of decision making;
 - b) Recommendation PCS B7 (training and materials);
 - c) Recommendations PCS C6 and PCS C8 (appeals); and
 - d) Recommendation PCS C10 (incorrect assessment of age).

PCS B3 Setting internal content policies

SM3

Application

- PCS 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 general search service**; or
 - b) **multi-risk in relation to content that is harmful to children**.

Recommendation

- PCS B3.2 The provider should set and record (but need not necessarily publish) internal content policies setting out rules, standards and guidelines around:
- a) how **search content** that is **content that is harmful to children** is to be dealt with on the service, including whether or not any kinds of **search content** that is **content that is harmful to children** are or are not allowed on the service; and
 - b) how policies should be operationalised and enforced.
- PCS B3.3 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 PCS A5).

PCS B4 Performance targets

SM4

Application

- PCS 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 general search service**; or
 - b) **multi-risk in relation to content that is harmful to children**.

Recommendation

- PCS B4.2 For the purposes of paragraphs PCS B4.3 and PCS B4.4, **search content** is “actioned” when:
- a) the provider takes the steps set out in paragraph PCS B1.3;
 - b) the provider has decided to take the steps set out in paragraph PCS B1.4; or
 - c) a provider that is a **large general search service** takes the steps set out in paragraph PCS B2.2,
- (as applicable) in respect of the **search content**.
- PCS B4.3 The provider should set and record performance targets for its **search moderation function**, covering at least:
- a) the time that **search content** that is **content that is harmful to children** remains on the service before it is **actioned**; and
 - b) the accuracy of decision making.
- PCS B4.4 In setting its targets, the provider should balance the desirability of **actioning search content** that is **content that is harmful to children** swiftly against the desirability of making accurate moderation decisions.

PCS B4.5 The provider should effectively measure and monitor its performance against its performance targets.

PCS B5 Prioritisation

SM5

Application

PCS 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 general search service**; or
- b) **multi-risk in relation to content that is harmful to children**.

Recommendation

PCS B5.2 The provider should prepare and apply a policy in respect of the prioritisation of **search content** for review. In setting the policy, the provider should have regard at least to the following:

- a) how frequently **search requests** for the **search content** are made;
- b) the severity of potential harm to **child users** that may arise if they encounter the **search content**, including whether the content is suspected to be **primary priority content** or **priority content** or **non-designated content**, and taking into account the **children's risk assessment** of the service; and
- c) the likelihood that the **search content** is **content that is harmful to children**, including whether it has been reported by a **trusted flagger**.

PCS B6 Resourcing

SM6

Application

PCS 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 general search service**; or
- b) **multi-risk in relation to content that is harmful to children**.

Recommendation

PCS B6.2 The provider should resource its **search moderation function** so as to give effect to its internal content policies and performance targets having regard to at least:

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

PCS B7 Provision of training and materials to paid moderators

SM7

Application

- PCS 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 general search service**; or
 - b) **multi-risk in relation to content that is harmful to children**.

Recommendation

- PCS B7.2 The provider should ensure people working in search moderation receive training and materials that enable them to moderate in accordance with Recommendation PCS B1, where applicable Recommendation PCS B2, and the internal content policy set in accordance with Recommendation PCS B3. This measure does not apply in relation to **volunteers**.
- PCS 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 PCS 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.

C. Reporting and complaints

| | | |
|---------------|---|-------------|
| PCS C1 | Enabling complaints | UR1 |
| | Application | |
| PCS C1.1 | This measure applies to a provider in respect of each service likely to be accessed by children it provides. | |
| | Recommendation | |
| PCS 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. | |
| PCS C2 | Having an easy to find, easy to access and easy to use complaints system | UR2 (a)-(d) |
| | Application | |
| PCS C2.1 | This measure applies to a provider in respect of each service likely to be accessed by children it provides. | |
| | Recommendation | |
| PCS 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 search content, a reporting function or tool is clearly accessible in relation to that search 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, affected persons and interested persons have the ability when making relevant complaints to give the provider relevant information or supporting material. | |
| PCS 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: | |

| | | |
|----------|--|----------------|
| | <ul style="list-style-type: none"> a) children (considering the likely age of the children using that service); and b) disabled people. | |
| PCS C2.4 | For the purposes of paragraph PCS 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. | |
| PCS C2.5 | For the purposes of paragraph PCS C2.3 b), the system or process should be designed for the purpose of ensuring usability for those dependent on assistive technologies, including: <ul style="list-style-type: none"> a) keyboard navigation; and b) screen reading technology. | |
| PCS C3 | [Not used] | |
| PCS C4 | <p>Appropriate action – sending information about how the complaint will be handled</p> <p>Application</p> | UR3(a) and (b) |
| PCS C4.1 | <p>This measure applies to a provider in respect of each service likely to be accessed by children it provides.</p> <p>Recommendation</p> | |
| PCS C4.2 | <p>The provider should acknowledge receipt of each relevant complaint and provide the person that submitted the complaint with:</p> <ul style="list-style-type: none"> 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. | |
| PCS C5 | <p>Appropriate action for relevant complaints about content considered harmful to children</p> <p>Application</p> | UR5(a) |
| PCS C5.1 | This measure applies to a provider in respect of each service likely to be accessed by children it provides. | |

Recommendation

PCS 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 search moderation prioritisation and applicable performance targets, it should handle the complaint in accordance with them;
- b) if the provider has no process for search moderation prioritisation and applicable performance targets, it should consider the complaint promptly; and
- c) in either case, the provider should act in accordance with Recommendations PCS B1 (having a search moderation function designed to downrank or blur content that is harmful to children) and PCS B2 (filtering out primary priority content for users believed to be child users) in relation to the suspected **content that is harmful to children**.

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

UR5(b)(i)

Application

PCS 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 general search service**; or
- b) **multi-risk in relation to content that is harmful to children**.

Recommendation

PCS 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.

PCS 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 **interested person** as a result of the decision that the **search content** was **content that is harmful to children**;

- b) whether the decision that the **search content** was **content that is harmful to children** was made by **content identification technology** and, if so:
 - a. any information that Ofcom has recommended the provider collect about the likelihood of false positives generated by the specific **content identification technology** used; and
 - b. 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**.

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

UR5(b)(ii)

Application

PCS 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 general search service**; or
- b) **multi-risk in relation to content that is harmful to children**.

Recommendation

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

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

UR5(b)

Application

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

Recommendation

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

- a) reverse the action taken against the **interested person** or in relation to the **search 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 search 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 **search content** to no longer appear in **search results** or be given a lower priority in **search results** again.

PCS C9 [Not used]

PCS C10 **Appropriate action for relevant complaints about an incorrect assessment of a user's age**

UR5(c)

Application

PCS C10.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides.

Recommendation

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

PCS 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 any restrictions on the user's ability to access **search content** imposed 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).

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

UR5(d)

Application

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

Recommendation

PCS 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.

PCS 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 PCS C1 to PCS C10 (where applicable).

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D. Publicly available statements

PCS D1 Publicly available statements: substance (all services)

TS1

Application

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

Recommendation

PCS D1.2 The provider should include the following in its **publicly available statement**:

- a) Provisions specifying how **children** are to be protected from **search content** that is **content that is harmful to children**, addressing:
 - i) separately for each kind of **primary priority content**, how the provider will protect **children** from **primary priority content**;
 - ii) separately for each kind of **priority content**, how the provider will protect **children** from **priority content**;
 - iii) how the provider will protect **children** from encountering **non-designated content**;
- b) Provisions giving information about any **proactive technology** used for the purposes of compliance with any of the duties in sections 29(2) and 29(3) of the **Act** (including the kind of technology, when it is used, and how it works); and
- c) Provisions specifying the policies and processes that govern the handling and resolution of **relevant complaints**.

PCS D2 Publicly available statements: substance (category 2A services)

TS3

Application

PCS D2.1 This measure applies to a **provider of a category 2A service** in respect of each **category 2A service likely to be accessed by children** it provides.

Recommendation

PCS D2.2 The provider should summarise the findings of the most recent **children's risk assessment** (including as to levels of risk and as to nature, and severity, of potential harm to children) in its **publicly available statement**.

PCS D3 Publicly available statements: clarity and accessibility

TS2

Application

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

Recommendation

PCS D3.2 The provider should ensure that the provisions included in a **publicly available statement** in accordance with Recommendation PCS 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 **publicly available statement**;
- 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. Features, functionalities and user support

| | | |
|----------|---|-----|
| PCS E1 | Provision of age-appropriate user support materials for children | US6 |
| | Application | |
| PCS 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 | |
| PCS 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 the following processes available: a) how to report predictive search suggestions ; b) how to report search content which the person making the report considers to be content that is harmful to children ; and the processes for making relevant complaints . | |
| PCS E1.3 | The materials referred to in paragraph PCS E1.2 should have: a) a section designed to explain the relevant matters referred to in paragraph PCS 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 in paragraph PCS E1.2 to the parents or guardians of children . | |
| PCS E1.4 | The provider should ensure the materials referred to in paragraph PCS E1.2 do not themselves constitute primary priority content, priority content or non-designated content . | |
| PCS E1.5 | If it is possible to register with the service, the provider should ensure that the materials referred to in paragraph PCS E1.2 are made available to users during the process of signing-up to the service. | |
| PCS E1.6 | The provider should ensure that the materials referred to in paragraph PCS E1.2 are presented to users in response to search requests relating to them using the search engine of the service. If | |

the service has a separate functionality which allows **users** to search material relating to the service, the provider should also ensure that the materials are presented to **users** via that functionality.

PCS E2 Removal of predictive search suggestions SD1

Application

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

- a) is a **large general search service**; and
- b) uses a **predictive search functionality**.

Recommendation

PCS E2.2 The provider should offer **users** a means to easily report **predictive search suggestions** which they consider increase the risk of **user** exposure to either, or both, of **primary priority content** and **priority content**.

PCS E2.3 Where a report is received, the provider should:

- a) review the reported **predictive search suggestion** in light of the services' **publicly available statement**;
- b) consider whether the wording of the reported **predictive search suggestion** presents a clear and logical risk of users encountering **search content** that is either, or both, of **primary priority content** and **priority content**; and
- c) if a risk is identified, take appropriate steps to ensure that the reported **predictive search suggestion** is not recommended to any **user**.

PCS E3 Provision of suicide, self-harm and eating disorder crisis prevention information SD2

Application

PCS E3.1 This measure applies to a **provider** in respect of each **service likely to be accessed by children** it provides that is a **large general search service**.

Recommendation

PCS E3.2 The provider should employ means to detect and provide crisis prevention information in response to **search requests** that contain:

- a) general queries regarding suicide, an eating disorder or behaviours associated with an eating disorder, or an act of deliberate self-injury; and
- b) queries seeking specific, practical or instructive information regarding suicide methods, about suicide, relating to an eating disorder or behaviours associated

with an eating disorder, or relating to an act of deliberate self-injury.

PCS E3.3

The crisis prevention information should:

- a) be prominently displayed to **users** in the **search results**;
- b) be comprehensible and suitable in tone and content for as many **users** as possible, including **children**;
- c) provide the following:
 - i) a helpline associated with a reputable mental health organisation, suicide prevention organisation, or organisation with expertise in acts of deliberate self-injury or eating disorders (as appropriate given the nature of the **search request** in question) that is able to provide support relevant to **children**; and
 - ii) link(s) to information and support that is freely available and relevant to **children** through a reputable mental health organisation, suicide prevention organisation, or organisation with expertise in acts of deliberate self-injury or eating disorders (as appropriate given the nature of the **search request** in question).

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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 |
|--|---|
| Act | The Online Safety Act 2023 (c.50). |
| Actioning search content / search content is actioned | Has the meaning set out in Recommendation PCS B4.2. |
| Adult user | A user who is age 18, or over the age of 18. |
| Affected person | <i>Section 31(5) 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> |
| Appeal | Complaints by an interested person if the provider of a service takes or uses measures in order to comply with the safety duties protecting children that result in content relating to that interested person no longer appearing in search results or being given a lower priority in search results . |
| Blur | Obscuring the view of image-based search content . |
| Category 2A service | <i>Section 95(10)(b) A regulated search service or a combined service for the time being included in the part of the register established under [section 95(2)(b) of the Act].</i> |
| Category 2A service likely to be accessed by children | A category 2A service that is likely to be accessed by children . |
| Child user | A user who is under the age of 18. |
| Children | People under the age of 18 in the United Kingdom. |

| Term | Meaning |
|--|---|
| Children’s risk assessment | The most recent risk assessment carried out by the provider of a service pursuant to section 28 of the Act. |
| Combined service | Section 4(7) <i>A regulated user-to-user service that includes a public search engine.</i> |
| Content | Section 236(1) <i>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.</i> 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) <i>“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).</i> |
| Content that is harmful to children | <ul style="list-style-type: none"> a) Primary priority content, b) priority content, or c) non-designated content. |
| Downrank | Altering the ranking algorithm such that a particular URL or other search content appear lower in the search results returned in response to a search request . |
| General search services | A service that enables users to search the internet by inputting search requests . It derives search results from an underlying search index and presents search results using algorithms that rank based on relevance to a search request . (For the avoidance of doubt, this term includes combined services , the public search engine part of which enables users to search the internet in the manner described above.) |
| 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. |
| Interested person | Section 227(7) <i>In relation to a search service or a combined service, means a person that is responsible for a website or database capable of being searched by the search engine, provided that— (a) in the case of an individual, the individual is in the United Kingdom; (b) in the case of an entity, the entity is incorporated or formed under the law of any part of the United Kingdom.</i> |
| Internet service | Section 228(1) <i>A service that is made available by means of the internet.</i> <i>[See also the rest of the section.]</i> |

| Term | Meaning |
|---|--|
| <p>Large general search service</p> | <p>A general search service which has more than 7 million monthly United Kingdom users.</p> <p>(See also paragraphs 4.5 to 4.9. In relation to a combined service that is a general search service, it should be noted that only the users of the public search engine of the service should be counted: see paragraph 4.7.)</p> |
| <p>Likely to be accessed by children</p> | <p>Section 37</p> <p>(1) <i>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>(2) <i>The first case is where a children’s access assessment carried out by the provider of the service concludes that—</i></p> <ul style="list-style-type: none"> <i>(a) it is possible for children to access the service or a part of it, and</i> <i>(b) the child user condition is met in relation to—</i> <ul style="list-style-type: none"> <i>(i) the service, or</i> <i>(ii) a part of the service that it is possible for children to access.</i> <p><i>This subsection is to be interpreted consistently with section 35.</i></p> <p>(3) <i>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>(4) <i>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>(5) <i>In that case—</i></p> <ul style="list-style-type: none"> <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> <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>(6) <i>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>(7) <i>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> |

| Term | Meaning |
|--|---|
| 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 or harm or a high risk of harm to children arising from two or more specific kinds of content that is harmful to children . |
| Non-designated content | <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> |
| Paid-for advertisements | <p>Section 236 an advertisement is a “paid-for advertisement” in relation to an internet service if—</p> <p>a) the provider of the service receives any consideration (monetary or non-monetary) for the advertisement (whether directly from the advertiser or indirectly from another person), and</p> <p>b) the placement of the advertisement is determined by systems or processes that are agreed between the parties entering into the contract relating to the advertisement.</p> |
| Predictive search functionality | An algorithmic feature embedded in the search field through which a search service predicts a user’s search request and provides a list of predictive search suggestions . |
| Predictive search suggestions | Search request suggested to users by means of a predictive search functionality . |

| 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> |

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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)—

- (a) "disability" means any physical or mental impairment;
- (b) "race" includes colour, nationality, and ethnic or national origins;
- (c) references to religion include references to a lack of religion.

| Term | Meaning |
|------|--|
| | <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> <ul style="list-style-type: none"> (a) conveys a serious threat; (b) is humiliating or degrading; (c) forms part of a campaign of mistreatment. <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> |

DRAFT FOR CONSULTATION

| Term | Meaning |
|--|---|
| Proactive technology | <p>Section 231</p> <p><i>Means—</i></p> <ul style="list-style-type: none"> a) content identification technology b) <i>user profiling technology, or</i> c) <i>behaviour identification technology,</i> <p><i>but this is subject to subsections (3) and (7).</i></p> <p><i>(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).</i></p> <p><i>(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.</i></p> <p><i>(4) “User profiling technology” means technology which analyses (any or all of)—</i></p> <ul style="list-style-type: none"> a) <i>relevant content</i> b) <i>user data, or</i> c) <i>metadata relating to relevant content or user data,</i> <p><i>for the purposes of building a profile of a user to assess characteristics such as age.</i></p> <p><i>(5) Technology which—</i></p> <ul style="list-style-type: none"> a) <i>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</i> b) <i>does not analyse any other data or content, is not to be regarded as user profiling technology.</i> <p><i>(6) “Behaviour identification technology” means technology which analyses (any or all of)—</i></p> <ul style="list-style-type: none"> a) <i>relevant content,</i> b) <i>user data, or</i> c) <i>metadata relating to relevant content or user data,</i> <p><i>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).</i></p> <p><i>(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.</i></p> <p><i>[See also the rest of the section.]</i></p> |
| Provider | A provider of a service . |
| Provider of a category 2A service | A provider of a category 2A service . |

| Term | Meaning |
|--|---|
| Publicly available statement | The statement that providers are required to make available to members of the public in the United Kingdom pursuant to section 27 of the Act . In relation to a combined service , references to a publicly available statement include the service's terms of service (consistent with section 25(2)(a) of the Act). |
| Recognised news publisher | An entity defined in section 56 of the Act . |
| Regulated search service | An internet service that is, or includes, a search engine (subject to section 3(5) to (7) of the Act) that is a regulated search service under section 4 of the Act (subject to the disapplication in section 5 of the Act). |
| Regulated user-to-user service | 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). |
| Relevant complaint | The following kinds of complaint: <ul style="list-style-type: none"> (a) complaints (including reports) by users and affected persons about search content 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 the safety duties protecting children; (c) complaints by an interested person if the provider of a service takes or uses measures in order to comply with the safety duties protecting children that result in content relating to that interested person no longer appearing in search results or being given a lower priority in search results; (d) complaints by a user who is unable to access content because measures used to comply with a duty set out in section 29(2) or (3) of the Act have resulted in an incorrect assessment of the user's age. |
| Reporting and complaints duties | The duties in sections 31 and 32 of the Act , so far as applicable to services likely to be accessed by children . |
| Reports | Complaints by users and affected persons about search content 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 29 of the Act . |

| Term | Meaning |
|-----------------------------------|--|
| Search content | <p>Section 57(2) Content that may be encountered in or via search results of a search service, except—</p> <ul style="list-style-type: none"> a) <i>paid-for advertisements,</i> b) <i>content on the website of a recognised news publisher, and</i> a) <i>content that—</i> <ul style="list-style-type: none"> i) <i>reproduces in full an article or written item that was originally published by a recognised news publisher (and is not a screenshot or photograph of that article or item or of part of it),</i> ii) <i>is a recording of an item originally broadcast by a recognised news publisher (and is not an excerpt of such a recording), or</i> iii) <i>is a link to a full article or written item originally published by a recognised news publisher, or to a full recording of an item originally broadcast by a recognised news publisher.</i> <p>(5) The reference to encountering content “via search results”—</p> <ul style="list-style-type: none"> a) <i>is to encountering content as a result of interacting with search results (for example, by clicking on them);</i> b) <i>does not include a reference to encountering content as a result of subsequent interactions with an internet service other than the search service.</i> |
| Search engine | <p>Section 229</p> <ul style="list-style-type: none"> a) <i>includes a service or functionality which enables a person to search some websites or databases (as well as a service or functionality which enables a person to search (in principle) all websites or databases);</i> b) <i>does not include a service which enables a person to search just one website or database.</i> |
| Search index | A collection of URLs that are obtained by deploying crawlers to find content across the web, which is subsequently stored and organised. |
| Search moderation function | Systems or processes designed to take appropriate action in respect of content that is harmful to children of which a service is aware, in line with Recommendations PCS B1.3, PCS B1.4 and PCS B2 as applicable (and related expressions are to be read accordingly). |
| Search or search request | Section 57(4) 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. |
| Search results | Section 57(3) in relation to a search service, means content presented to a user of the service by operation of the search engine in response to a search request made by the user. |

| Term | Meaning |
|---|---|
| Service | A regulated search service or a combined service , to the extent that the safety duties protecting children or the reporting and complaints duties apply in relation to such a service by virtue of section 7(6) of the Act. This includes (but is not limited to) general search services and vertical search services . |
| Service likely to be accessed by children | A service that is likely to be accessed by children . |
| Systems and/or processes | Section 236 any reference to systems and/or processes is to human or automated systems and/or processes, and accordingly includes technologies |
| 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 | <p>Section 227(1)</p> <p>(a) where the user is an individual, the individual is in the United Kingdom;</p> <p>(b) where the user is an entity, the entity is incorporated or formed under the law of any part of the United Kingdom.</p> |
| URL | Uniform Resource Locator, meaning a reference that specifies the location of a resource accessible by means of the internet. |
| 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> <p>a) where the provider of the service is an individual or individuals, that individual or those individuals;</p> <p>b) where the provider is an entity, officers of the entity;</p> <p>c) persons who work for the provider (including as employees or volunteers);</p> <p>d) any other person providing a business service to the provider such as a contractor, consultant or auditor.</p> <p>(4) [defines "acting in the course of the provider's business"]</p> <p>(5) [defines "service"]</p> <p>(6) [defines "officer"]</p> |

| Term | Meaning |
|--------------------------------|---|
| User-to-user service | 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. [See also section 3(2)] |
| Vertical search service | A service that enables users to search for specific topics, or products or services offered by third party providers. Unlike general search services , they do not return search results based on an underlying search index . Rather, they use an API or equivalent technical means to directly query selected websites or databases with which they have a contract, and to return search results to users . |
| Volunteer | A person involved in search moderation who, in relation to that involvement, is not: <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 **search engine** 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 **search engine** 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 **search engine** 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.