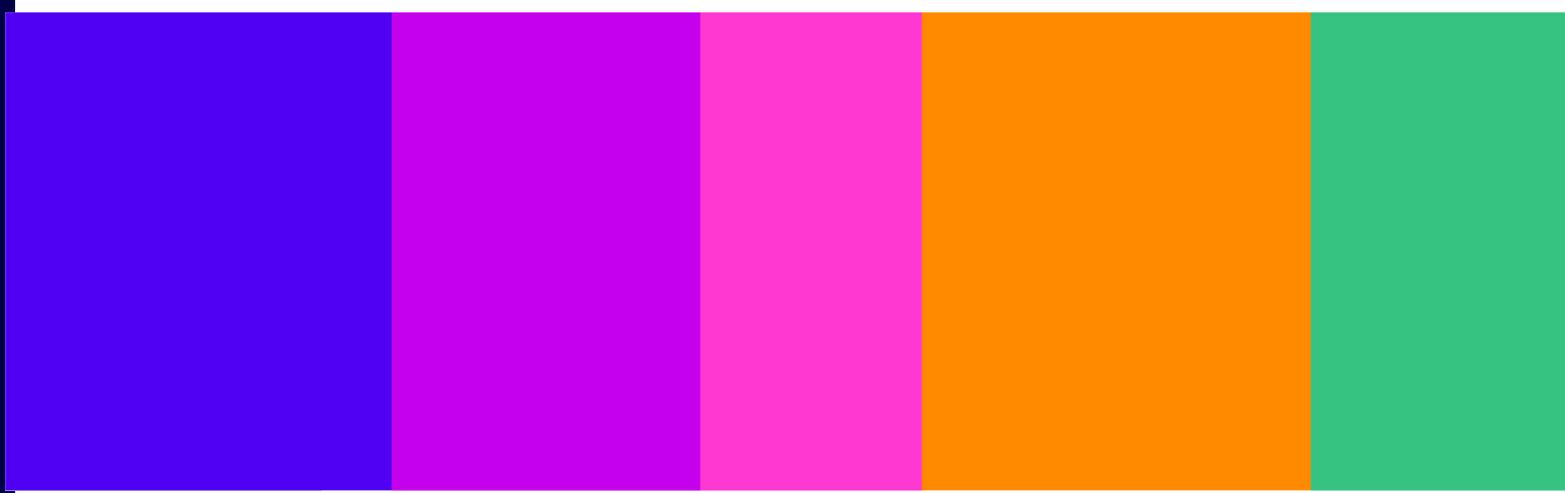


Regulating Video-Sharing Platforms (VSPs)

Our first 2023 report: What we've learnt about VSPs' user policies

VSP Report

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Overview

Ofcom is the United Kingdom's (UK) communications regulator, overseeing sectors including fixed-line and mobile telecoms, the airwaves on which wireless devices operate, post and TV and radio broadcasting. We regulate online video services established in the UK, including on-demand programme services (ODPS) and video-sharing platforms (VSPs). We are currently preparing to regulate online safety.

During our first year of regulating VSPs, we found that all VSPs had safety measures to protect users, but there was room for improvement. In [our first VSP report](#), we said that this year we would take a broader look at the way platforms set, enforce, and test their approach to user safety. We set out four strategic priorities, including our aim to ensure VSP providers have sufficient processes in place for setting and revising comprehensive user policies that cover all relevant harms.

This report shines a light on platforms' approaches to designing and implementing their terms and conditions to protect users and highlights what we consider to be examples of good practice. It is the first of a series of VSP reports we will publish in 2023.

Why terms and conditions matter

Terms and conditions provide the contract between service providers and their users. They set out the rules for using a platform, including who can access the service, the content and behaviours permitted (often referred to as Community Guidelines), and the consequences of breaking those rules.

Terms and conditions are crucial for protecting people from harm and creating safe and trusted communities online. They give people clarity on what they can expect when using a platform, enabling them to make informed choices about the services available. They also provide a foundation for other measures to improve online safety. For example, user reporting, appeals, and content moderation can only work in practice if there are clear rules for what is and is not allowed underpinning them. However, research shows that many users of online platforms do not engage with terms and conditions¹ and that even when they do, they do not always understand them.² Given their central role in safeguarding users, it is essential VSP providers make terms and conditions much more accessible and put measures in place to improve users' ability to understand them.

Online services generally have teams of moderators who review content and make sure rules are enforced. Moderators are given guidance and training to assist them in enforcing those rules. This guidance also helps content moderators take account of the rights and legitimate interests of users who create, upload and view material, and the general public interest. It is an important part of how VSP providers implement their terms and conditions consistently, accurately, and fairly.

We acknowledge the trade-offs that VSP providers face when increasing the transparency of their policies. For instance, highly detailed explanations of how terms and conditions are implemented may create opportunities for users to circumvent the rules and post harmful

¹ Ofcom, [Online Nation 2021 report](#), page 40.

² Ofcom, [Platform terms and accessibility poll 2023](#), Q4.

content, by providing them with information about how services tackle harmful content. If policies include more detail to achieve transparency, that may also make it more difficult for providers to make frequent and quick updates to them to respond to evolving harms.

What we have learnt

Earlier this year, we gathered and analysed information on VSPs' guidance for moderators and terms and conditions,³ to understand providers' different approaches to implementing their terms and conditions and to identify examples that we think are likely to be helpful to other providers. For the purposes of this report, we refer to these as examples of *good practice*.

Based on our analysis, our key learnings are:

- **Users need advanced reading skills to understand VSPs' terms and conditions.** This means they are not suitable for many users, including children.
- **VSPs' terms and conditions do cover most types of material harmful to children⁴ but several aren't clear about when they make exceptions to their rules.**
- **Users are unlikely to understand the consequences of breaking VSPs' rules.** Potential penalties for breaching rules should be made clear to all users in the terms and conditions and this information should be easy to find.
- **Moderators do not always have sufficient guidance on how to enforce VSPs' terms and conditions.** The quality of VSPs' internal resources and training for moderators varies significantly. We encourage VSP providers to ensure these resources are clear to help moderators remove harmful content and escalate very serious cases quickly.
- **Some VSP providers have innovative approaches to updating and testing their guidance for moderators and terms and conditions, but others could do more to make sure their processes are proactive and forward-looking.**

Our next steps

We will work with relevant VSP providers to drive forward improvements. We encourage providers to consider the examples of good practice identified in the next section and consider whether adopting any might improve user safety on their services.

Regulating VSPs and holding them to account will help us prepare for our broader online regulatory role set out in the Online Safety Bill.

³ We issued information requests to providers of six notified VSPs: BitChute, Brand New Tube, OnlyFans, Snap, TikTok and Twitch.

⁴ Under the VSP Regime, content harmful to children is referred to as 'restricted material'. 'Restricted material' is defined as videos which have, or would likely be given an R18 certificate, videos containing material not suitable for BBFC classification, and material that might impair the physical, mental or moral development of under-18s.

Resource: Examples of good practice

This report provides examples of VSP providers' approaches to writing and implementing terms and conditions that we consider to be good practice based on our analysis. These examples may help VSP providers improve their terms and conditions and assist with their implementation.⁵

This report does not provide a checklist for how Ofcom may assess compliance with the VSP Framework. We suggest VSP providers refer to our [VSP Guidance](#) for more information on how to comply and take legal advice as needed.

Examples of good practice

Help users understand VSPs' terms and conditions: VSPs' terms and conditions should be clear and easy to understand. Examples of achieving this include:

- having terms and conditions that can be easily found and accessed – for services with large numbers of child users, this could mean having a separate section explaining how children are protected on the platform,
- ensuring they can be understood by as many users as possible, including children and people who don't have advanced reading skills, and
- exploring techniques to measure and improve user engagement with and understanding of terms and conditions.

Make sure terms and conditions protect all users from harmful material: Ofcom considers having terms and conditions that prohibit relevant harmful material fundamental to achieving compliance with the VSP Regime.⁶ VSPs' terms and conditions should also be clear about what content children should be protected from. Examples include:

- covering the broad range of different types of restricted material⁷ that are likely to cause harm to children,
- clarifying what content is and is not allowed in a way that children can understand, and
- where maturity or sensitivity ratings are used, clearly explaining to users what sorts of content should be rated as inappropriate for children.

Help moderators make informed, consistent and accurate decisions about prohibited content:

We encourage VSP providers to give moderators clear and comprehensive internal guidance to help them apply their terms and conditions effectively. Examples include:

- setting out comprehensive definitions of key terminology, illustrated with case studies, to guide moderators when assessing whether content violates a service's terms and conditions,

⁵ By 'terms and conditions', we mean any document setting out the rules for using a VSP service, including both Terms of Service and Community Guidelines.

⁶ Ofcom's VSP Guidance, paragraph 4.26.

⁷ 'Restricted material' is defined in section 368Z1(8) of the Communications Act 2003. See also paragraphs 3.7-3.20 of Ofcom's [VSP Guidance](#) for more information.

- setting out examples of context, exceptions, and considerations that moderators should have regard to when determining whether content contains harmful material,
- providing audio and/or visual case studies of harmful content so that moderators can understand how it might appear on the service in practice, and
- providing detailed guidance on how moderators should respond to evolving harms and behaviours online that emerge in a crisis context.

Explain what happens when users break the rules: VSPs' terms and conditions should be clear about what content is not allowed and what happens when rules are broken (including action taken against users). Examples of achieving this include:

- setting out what content is and is not allowed on the platform (unless exceptional reasons apply for not doing so), and
- explaining all potential actions that could be taken if a user breaks the VSP's rules.

Update and test guidance for moderators and terms and conditions: VSP providers should keep their terms and conditions and guidance for moderators under review, and we encourage VSP providers to test their effectiveness. Examples of how to achieve this include:

- reviewing guidance for moderators and terms and conditions proactively and regularly, and having reactive processes for updating them when a new risk emerges,
- communicating changes to guidance for moderators and terms and conditions to relevant teams in a timely manner,
- considering both user safety and users' rights when developing their guidance for moderators and terms and conditions, to make sure the platform is both safe and fair to users,
- involving relevant internal and external experts in the policy development process, and
- having processes in place to test the effectiveness of guidance for moderators and terms and conditions.

Background

The VSP Regime

The VSP Regime is set out in Part 4B of the Communications Act 2003 (the Act)⁸ and derives from the European Audiovisual Media Services Directive (AVMSD) 2018.⁹ The requirements for platforms came into effect in November 2020. At the same time, Ofcom was appointed as the regulator for video-sharing platforms (VSPs) established in the UK.

VSP providers in UK jurisdiction are legally obliged to notify their platform to Ofcom.¹⁰ Providers must make their own assessment of whether their platform meets the legal criteria for notification.¹¹ Currently, 20 platforms are notified to Ofcom.¹²

VSP providers must take and implement¹³ appropriate¹⁴ Schedule 15A measures¹⁵ to protect all users from ‘relevant harmful material’.¹⁶ They must also protect children under-18 from ‘restricted material’.¹⁷ Ofcom refers to ‘relevant harmful material’ and ‘restricted material’, collectively, as ‘harmful material’. Where providers take Schedule 15A measures to protect users from harmful material, they are required to implement those measures effectively, and in a way that achieves the protection for which the measures are intended.¹⁸

⁸ In this report we refer to the regulatory framework set out in the Act as ‘the VSP Framework’ or ‘the VSP Regime’.

⁹ The Audiovisual Media Services Directive 2018 updated the existing EU legal framework for audiovisual media services, reflecting developments in the market since the 2010 directive, to include video clips and user-generated content and providers of video-on-demand services and video-sharing platforms. The 2018 Directive was transposed into UK law under regulations made by the Secretary of State, which introduced Part 4B of the Act.

¹⁰ Section 368V of the Act.

¹¹ We have published guidance to assist providers, [Video-sharing platforms: who needs to notify?](#).

¹² Many VSPs are not in scope because they do not meet the jurisdictional criteria but are likely to be regulated by EU member states under the AVMSD.

¹³ Section 368Z1(1) of the Act.

¹⁴ When VSP providers determine which of the measures listed in Schedule 15A are appropriate for their VSPs, they must do so having regard to the practicable and proportionate criteria listed under section 368Z1(4) of the Act. This includes taking into account their VSP’s size and nature, nature of material in question, harm the material may cause, characteristics of the people to protect, legitimate interests of the public and users, any other measures taken.

¹⁵ [Schedule 15A](#) to the Act lists measures that providers must take, as appropriate, to fulfil their duties to protect users from harmful material. Two of these measures are: a) include terms and conditions that if a person uploads to the service a video that contains any restricted material, that person must bring it to the attention of the service provider (paragraph 2 of Schedule 15A to the Act), and b) include terms and conditions that a person must not upload to the service a video containing relevant harmful material (paragraph 3 of schedule 15A to the Act).

¹⁶ Video content which would be considered a criminal offence under laws relating to terrorism; child sexual abuse material; and racism and xenophobia. Please refer to paragraphs 3.21-3.41 of our [VSP Guidance](#).

¹⁷ Restricted Material means video content which has or would be likely given an R18 certificate, or video-content not suitable for BBFC classification or material that might impair the physical, mental, or moral development of under 18s. For more information on the definition of Restricted Material please refer to paragraphs 3.7-3.20 of the [VSP Guidance](#).

¹⁸ Section 368Z1 (2) of the Act.

VSP providers may also take other measures, not listed in the VSP Framework, which they judge appropriate to meet their duties under the VSP Regime.¹⁹ Our [VSP Guidance](#) provides more information on the VSP Framework.

The VSP Regime does not focus on whether individual pieces of content are allowed on a platform. Ofcom's role is to ensure platforms have appropriate systems and processes in place to effectively protect their users from videos containing harmful material. Ofcom has powers to take the necessary steps to ensure that VSP providers comply with their obligations under the VSP Framework.²⁰ Our work to secure compliance with the VSP Framework includes ongoing policy development, supervisory engagement with VSP providers, publishing transparency reports, and taking enforcement action as appropriate.

In 2021, we published Ofcom's [VSP Guidance](#) alongside [our plan and approach for VSP regulation](#).

Ofcom's VSP reports

Ofcom has the power to publish reports about the measures that VSP providers take to protect users from videos containing harmful material and how they implement them.²¹

In October 2022, we published a report on [Ofcom's first year of video-sharing platform regulation](#). We found that all VSPs have safety measures in place, including rules on what kinds of video material is allowed, but that they generally provided limited evidence to demonstrate how well their safety measures were operating. In that report, we set out our strategic priorities for Year 2, including **ensuring VSP providers have sufficient processes in place for setting and revising comprehensive user policies (i.e., terms and conditions and guidance for moderators) that cover all relevant harms**.

We therefore decided to take a broader look at what VSP providers are doing to set, enforce, and test their safety measures. Our overall goal continues to be ensuring that VSP providers are taking appropriate measures to protect their users from harmful material.

This report

This report sets out our observations regarding VSP providers' different approaches to implementing their terms and conditions and identifies examples of good practice that we think are likely to be helpful to other providers. Throughout this report we use the following terms:

- **Terms and conditions** – this refers to any document setting out the rules for using an online platform. These can take various forms, including VSPs' **Community Guidelines** and **Terms of Service**, which are publicly available to users.
- **Community Guidelines** – these are usually shorter documents setting out the rules for using the service, what kinds of content are or are not permitted on the platform (e.g., hate speech), and the consequences for breaking those rules.
- **Terms of Service** – these are usually a legal agreement that users must consent to in order to use the service, and, for example, contain terms relating to the provider's commitments to users of their service.

¹⁹ Section 368Z1 (4) (g) of the Act.

²⁰ Section 368X of the Act.

²¹ Section 368Z11(1)(b) of the Act.

- **Guidance for moderators** – this refers to VSPs’ **internal guidance** (sometimes known as ‘internal operational guidelines’ or similar) and **training** for content moderators.

Earlier this year we requested information from providers of six notified VSPs: BitChute, Brand New Tube,²² OnlyFans, Snap, TikTok and Twitch. We selected these six VSPs because our previous work suggested that these platforms have particularly large numbers of users and/or tend to host higher-risk content.²³ We also conducted desk research into those VSPs’ publicly available terms and conditions. Our analysis was conducted between March and May 2023. Any changes to VSP providers’ terms and conditions and guidance for moderators after this date are not reflected in this report.

This report looks at:

1. The ease of use of VSPs’ terms and conditions,
2. VSPs’ terms and conditions to protect children,²⁴
3. VSPs’ guidance for moderators,
4. The transparency of VSPs’ guidance for moderators and terms and conditions, and
5. VSPs’ processes for writing, updating and testing their guidance for moderators and terms and conditions.

We chose not to focus on VSPs’ terms and conditions about relevant harmful material in this report because we considered these in detail in our first year of VSP regulation. We explained our observations in [our report](#) published in October 2022.

Ofcom considers that terms and conditions are central to compliance with the VSP Regime, as they help ensure effective protection of users from harmful material.²⁵ Terms and conditions should be effective, easy to use, transparent, fair, and evolving.²⁶ We recognise that VSP providers will need to find a balance between some of those qualities. For instance, being transparent with users without making terms and conditions excessively long and detailed or being so thorough that bad actors can game their systems.

In this report, based on the information we gathered from VSP providers, we set out our analysis of approaches they are currently using to implement their terms and conditions and highlight examples of good practice. We also discuss how VSP providers can balance ease of use, transparency and fairness. This report aims to shine a light on the challenges VSP providers face when implementing their terms and conditions, help them learn from each other’s approaches and give the public greater transparency on platforms’ terms and conditions.

This report describes the steps providers are taking to meet their duties to protect users and is not an assessment of VSP providers’ compliance with their legal duties. Where we describe the approach taken by a particular VSP provider, we do so as an example. In some cases, where we have outstanding questions or think there may be potential for concern, we will discuss these further with VSP providers as part of our ongoing work.

²² Brand New Tube has recently re-branded their platform as ‘Onevsp’.

²³ We did not include Vimeo in our analysis, despite the size of its userbase, because it primarily focuses on business-to-business content.

²⁴ When we refer to ‘children’, we mean users under the age of 18.

²⁵ [VSP Guidance](#), paragraph 4.26.

²⁶ [VSP Guidance](#), paragraphs 4.7-4.8.

Although our learnings are specific to the six VSPs that are the focus of this report, we would encourage all VSP providers to take note of the examples of good practice we identify, and to consider whether they might be helpful for improving user safety on their own platforms.

1. Ease of use of VSPs' terms and conditions

Summary

Our research shows that VSPs have long and complex terms and conditions that require advanced reading skills to understand.

This means they are not suitable for many users, including children. By ensuring terms and conditions are easily found and understood by most users, VSPs could drive better engagement and interaction with them.

Our approach

We measured how easy it is to find and understand VSPs' terms and conditions and whether VSP providers are using techniques to improve user engagement and understanding.

Learnings

- Terms and conditions take a **long time to read and require advanced reading skills** to understand.
- VSP providers are not using techniques that research suggests can improve **user engagement** with terms and conditions.
- VSP providers do use a few techniques that research suggests can improve **user understanding** of terms and conditions.

Introduction

- 1.0 One of the ways we monitor how effectively terms and conditions have been implemented is by examining how easy it is for users to find, engage with and understand them. In this chapter, we analyse the ease of accessing and reading VSPs' terms and conditions. We then discuss whether VSP providers are using techniques that can be used to improve user engagement with and understanding of terms and conditions. A summary of the relevant research literature used to inform the analysis discussed in this chapter can be found in Annex 1.

Learnings

- 1.1 For this report, we developed a set of metrics to measure ease of accessing terms and conditions and readability (see Annex 2 for a full description of our methodology). We also checked the extent to which techniques to improve user engagement and understanding of terms and conditions are being used by VSP providers (see Annex 1 for a full description of the techniques).

VSPs' terms and conditions are long and require advanced reading skills to understand

- 1.2 We examined how easy it was for users to find and read VSPs' terms and conditions. On ease of accessing, we found that all VSPs provided access to their terms and conditions within two clicks of the homepage. However, this does not necessarily mean they are easy to find. Users may still have difficulty scrolling or navigating to find the relevant links to access the documents.
- 1.3 We also looked at the readability of terms and conditions and found that many VSPs' terms and conditions take a long time to read and likely require advanced reading skills to understand.

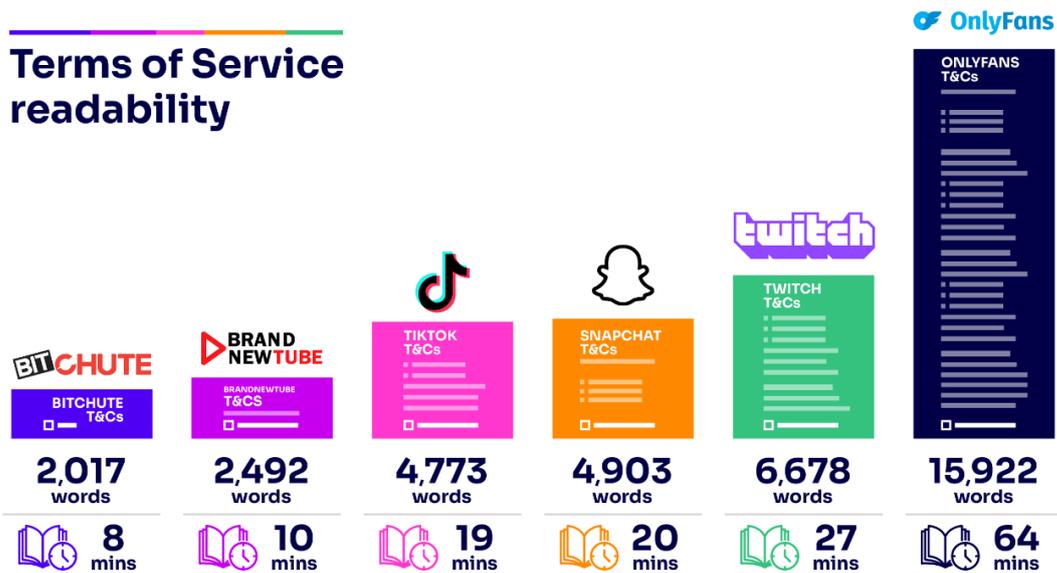


Figure 1: Readability of VSPs' terms of service

1.4 Table 1 shows a summary of our analysis of the ease of accessing and reading VSPs’ Terms of Service.

Table 1: Summary of our analysis regarding ease of accessing and reading Terms of Service

| | | Snapchat | TikTok | BitChute | Twitch | Brand New Tube ²⁷ | OnlyFans |
|-------------------|-----------------------------------------------------|----------|---------|----------|---------|------------------------------|----------|
| Ease of accessing | Click wrap ²⁸ | Yes | Yes | Yes | N/K | N/K | N/K |
| | Accessible from desktop home page (no. clicks) | Yes (1) | Yes (1) | Yes (2) | Yes (2) | Yes (1) | Yes (1) |
| | Accessible from mobile app home screen (no. clicks) | No | Yes (1) | No app | Yes (2) | No app | No app |
| Readability | Words | 4903 | 4773 | 2017 | 6678 | 2492 | 15922 |
| | Approx reading time ²⁹ | 20 mins | 19 mins | 8 mins | 27 mins | 10 mins | 64 mins |
| | Flesch reading ease score ³⁰ | 42 | 55 | 43 | 34 | 48 | 46 |
| | Average words per sentence | 20 | 16 | 20 | 21 | 15 | 25 |

Notes: N/K = this means ‘not known’. In these cases we were not able to review the Terms of Service because it required personal details to access the information.

1.5 Snapchat, TikTok and BitChute use click wrap agreements (i.e. where platforms make acceptance of the Terms of Service implicit in the act of signing up). A click wrap agreement does not prompt or encourage a user to access the Terms of Service and makes it easier for a user to agree to them without opening or reading.

²⁷ Brand New Tube’s Terms of Service and Community Guidelines were combined into one document entitled “Terms of Use”.

²⁸ A ‘click wrap’ is where platforms make acceptance of the Terms of Service implicit in the act of signing-up.

²⁹ Based on an average reading time of 250 words per minute; Mcdonald, A., and Cranor, LF (2008), [The Cost of reading Privacy Policies.](#)

³⁰ **0 – 30** = ‘Very difficult to read and best understood by university graduates’; **30-50** = ‘Difficult to read and best understood by high school graduates’; **50-60** = ‘fairly difficult to read’; **60-70** = ‘easily understood by 13- to 15-year-old students’. See Annex 2 for further information on the Flesch reading ease score.

- 1.6 The Terms of Service typically took between 8 and 27 minutes to read. OnlyFans, however, had the longest Terms of Service with nearly 16,000 words, taking over an hour to read. In some cases, the differences in length can be justified by the nature of the platform. For example, OnlyFans is a subscription service specialising in adult content and more information could be needed in their Terms of Service (e.g. about payment terms and age verification). TikTok’s Terms of Service had the highest reading ease score (55) and it was the only platform where the Terms of Service were likely to be understood by users without a high school or university education.³¹ However, the reading level required was still higher than the typical reading level of the youngest users permitted on the platform.
- 1.7 Table 2 shows a summary of our analysis regarding the ease of accessing and reading VSPs’ Community Guidelines.

Table 2: Summary of our analysis regarding ease of accessing and reading Community Guidelines

| | | Snapchat | TikTok ³² | BitChute | Twitch | Brand New Tube | OnlyFans |
|-------------------|------------------------------------------------|----------|----------------------|----------|---------|----------------|----------|
| Ease of accessing | Accessible from desktop home page (no. clicks) | Yes (1) | Yes (1) | Yes (2) | Yes (2) | Yes (1) | Yes (2) |
| | Accessible from app home page (no. clicks) | No | No | No app | Yes (2) | No app | No app |
| Readability | Words | 1107 | N/A | 1563 | 2682 | 2492 | N/A |
| | Approx reading time | 4 mins | N/A | 6 mins | 11 mins | 10 mins | N/A |
| | Flesch reading ease score ³³ | 28 | N/A | 37 | 30 | 48 | N/A |
| | Average words per sentence | 18 | N/A | 17 | 16 | 15 | N/A |

Note: N/A = not applicable due to the format and structure of the community guidelines

³¹ TikTok has informed Ofcom that it tests its Community Guidelines for reading ease but did not specify whether this also applies to the Terms of Service, or if it makes active attempts to use language that is easier for users to understand.

³² TikTok and OnlyFans had not structured their Community Guidelines as one continuous document and instead have used layered information and hyperlinks to signpost users to specific information. Because of this, we have not been able to perform the analysis of the readability of these documents.

³³ **0 – 30** = ‘Very difficult to read and best understood by university graduates’; **30-50** = ‘Difficult to read and best understood by high school graduates’; **50-60** = ‘fairly difficult to read’; **60-70** = ‘easily understood by 13- to 15-year-old students’. See Annex 2 for further information on the Flesch reading ease score.

- 1.8 As with the Terms of Service, none of the platforms in our research had Community Guidelines which were more than two clicks from the homepage. However, Snapchat and TikTok did not allow users to view their Community Guidelines if they were accessing via the app without an account.
- 1.9 The Community Guidelines were typically shorter than the Terms of Service, taking between 4 and 11 minutes to read. Snapchat had the shortest Community Guidelines, taking four minutes to read. However, the language used meant it had the lowest reading ease score (28) and would likely require a university education to understand. This was the lowest reading ease score of any of the documents analysed within this research.

VSP providers are not using many techniques to improve user engagement and understanding

- 1.10 We conducted a review of existing research to understand the types of techniques that can be used to improve user engagement and understanding of terms and conditions. These techniques include using icons for key terms or breaking terms and conditions into timely chunks. The majority of evidence for these techniques comes from the Behavioural Insights Team's (BIT) research on improving consumer understanding of contractual terms and privacy policies.³⁴
- 1.11 None of the VSP providers in this report use any of the techniques to improve user engagement and only make limited use of the techniques to improve user understanding.
- 1.12 Table 3 sets out which of these techniques each VSP currently uses. For context we have included the BIT's assessment of the strength of the evidence supporting each technique. Of the 15 techniques, three are used by VSPs. See Annex 1 for a full description of the techniques and an explanation of the evidence categories.

³⁴ The Behavioural Insights Team (BIT) is a global social purpose company that generates and applies behavioural insights to inform public policy. BIT conducted its own systematic literature review of research into techniques to improve user engagement and understanding of terms and conditions and assessed the strength of the evidence for the effectiveness of each technique; Behavioural Insights Team (2019), [Best practice guide: Improving consumer understanding of online contractual terms and privacy policies: evidence-based actions for businesses.](#)

Table 33: A summary of our analysis regarding the use of techniques to improve user understanding, grouped by the strength of the evidence for their effectiveness

| | Strong | | | | Mixed | | | | | | Weak | | | | |
|-----------------------|---------------------|---------------------|------|---------------|----------------|---------------|----------|------------|-------------------------------|-----------------------------|----------|--------|---------------------|----------------|---------------------|
| | Scrollable text box | Icons for key terms | FAQs | Timely chunks | Warning labels | Summary table | Examples | Shortening | Simple language ³⁵ | Visual slider ³⁶ | Layering | Emojis | Fictional character | Active choices | Icons in full terms |
| Snapchat | | | | | | | ✓ | | | | | | | | |
| TikTok | | | | | | | ✓ | | | | ✓ | | | | |
| BitChute | | | | | | | ✓ | | | | | | | | |
| Twitch | | | ✓ | | | | ✓ | | | | ✓ | | | | |
| Brand New Tube | | | | | | | | | | | | | | | |
| OnlyFans | | | ✓ | | | | ✓ | | | | ✓ | | | | |

1.13 OnlyFans structures their full Community Guidelines in the form of frequently asked questions ('FAQs'). These are segmented between general, fan and creator questions (see Annex 3 for screenshots) which would assist navigation. Twitch also uses FAQs within a layered format (i.e., a bespoke drop-down list that the user could choose to show/hide) for each sub-section of their Community Guidelines (see Annex 3 for screenshot).

1.14 Apart from Brand New Tube, every platform uses examples to illustrate information and to emphasise the consequences of breaking platform rules. For example, TikTok provides users with examples of harms such as 'hate speech' to demonstrate the type of content that is prohibited. We think that the use of examples in this way allows users to make better judgements about what they should post or report to the service. Twitch uses specific examples within a layered format for each subsection of their Community Guidelines (see Annex 3 for screenshot).

1.15 Although it is not one of the techniques mentioned in the literature, we observed that TikTok and Twitch also have separate sections of their terms and conditions explaining how children are protected on their platforms.³⁷ We think this could be an effective way of making it easier for parents and children to find those rules. This may be particularly important for services with large numbers of child users.

1.16 Although we did not formally test for the use of simpler language in this part of the research, we did observe that BitChute and Brand New Tube provide users with more legalistic definitions of the content prohibited on their platforms. Snapchat, TikTok and Twitch appear to use simpler language to explain to users what is and is not allowed. We

³⁵ We did not formally test for the use of simpler language during this part of the research as this had already been tested with the readability metrics.

³⁶ Not applicable to VSPs' terms and conditions.

³⁷ TikTok: [Community Guidelines – Youth Safety and Well-Being](#); Twitch: [Community Guidelines – Youth Safety](#).

think that this could be good practice as it makes it easier to understand the content that is prohibited on the platform, particularly for children.

Good practice

- 1.17 Our research shows that VSPs have long terms and conditions that require advanced reading skills to understand. We also observed that VSP providers do not use any techniques to improve user engagement with terms and conditions and use few to help users understand them.
- 1.18 We consider it good practice for VSP providers to:
- a) have terms and conditions that can be easily found and accessed – for services with a large number of child users, this could mean having a separate section explaining how children are protected on the platform,
 - b) ensure terms and conditions can be easily understood by as many users as possible, including children and people who don't have advanced reading skills, and
 - c) explore techniques to measure and improve user engagement with and understanding of terms and conditions.
- 1.19 VSP providers may have access to their own internal data and metrics (e.g., time actually spent on the Terms of Service or Community Guidelines) that would also provide insight into user engagement and understanding. We encourage providers to collect these metrics as one way to measure the effectiveness of their terms and conditions.
- 1.20 Ofcom welcomes further discussion with VSP providers regarding the metrics that they consider to be relevant for ease of use of terms and conditions. We would support VSP providers including such metrics in their future transparency reports.³⁸

³⁸ We are referring to the transparency reports that some VSPs currently choose to publish voluntarily. There will be new transparency reporting requirements for services under the Online Safety Bill.

2. VSPs' terms and conditions to protect children

Summary

VSPs' terms and conditions set out rules for most types of restricted material (content harmful to children) on their platforms. However, several VSP providers could be clearer with their users about these restrictions and any exceptions to these rules.

Our approach

We conducted desk research into the publicly available terms and conditions that five VSPs (BitChute, Brand New Tube, Snapchat, TikTok, Twitch) use to protect children.

Learnings

- All five VSPs mention **minimum age requirements** for users to access their platforms in their terms and conditions.
- VSPs' terms and conditions include rules for harmful content that should be restricted for children (referred to as **restricted material** in the [VSP Guidance](#) and Framework).
- All five VSPs explain **exceptions to their rules** about sexually explicit content. However, only TikTok and Twitch explain exceptions and considerations for other types of potential restricted material.
- Twitch and Brand New Tube both ask users to tag content. Twitch provides detailed **guidance for users on how to tag videos** with the appropriate maturity rating. Brand New Tube also requires users to tag 'sensitive' content but does not explain what sort of material should be tagged.

Introduction

- 2.0 Last year we looked at VSPs' terms and conditions about relevant harmful material. In this chapter we build on that work by considering how VSP providers use their terms and conditions to protect children from restricted material.³⁹ VSPs' terms and conditions generally outline the types of content not permitted on their platforms. For platforms which have users under the age of 18, their rules may also specify how they treat content which may be uniquely harmful to children. In some cases, platforms choose to allow this content for adults, and restrict access for users under 18. Clearly explaining the rules around restricted material in their terms and conditions helps users to understand what is and what is not allowed on the platform when uploading content and to decide what to flag, report or post.

³⁹ [VSP Guidance](#), paragraphs 3.7-3.20.

- 2.1 Restricted material is content which has or would be likely to be given an R18 certificate, or video-content not suitable for BBFC classification or material that might impair the physical, mental, or moral development of under 18s. For example, it could include pornographic content (often referred to as sexually explicit content); self-injurious content; mental health and wellbeing content; aggression; and manipulation intended to harm.

Learnings

- 2.2 We looked at the publicly available terms and conditions that five VSPs have in place to protect children from restricted material namely: Snapchat, TikTok, Twitch, BitChute and Brand New Tube. We did not include OnlyFans in this part of our report because it has age verification in place and requires users to be at least 18 years old to access the platform. Brand New Tube also requires users to be at least 18 years old but, as there is no age assurance in place on the platform, we have included them in this chapter.
- 2.3 We analysed VSPs' terms and conditions to gauge whether platforms have minimum age requirements. Our analysis did not cover the effectiveness of platforms' age assurance measures, as this will be explored in a future report. We also looked at VSPs' coverage of restricted material, any exceptions to their rules on prohibited content, and their guidance on the tagging of mature content. Given that the definition of restricted material in VSP Framework (as explained in the [VSP Guidance](#)) includes most types of content harmful to children that are also set out in the [Online Safety Bill](#), this report may be a useful resource for platforms preparing for compliance with their duties under the future Online Safety Regime.

All five VSPs include rules in their terms and conditions about the minimum age requirements to use the platform

- 2.4 All five platforms stated in their terms and conditions that users are required to be above a certain age to use the platform.

Table 4: Age requirements on platforms

| Platform | Minimum age requirement |
|----------------|-------------------------|
| Snapchat | 13 |
| TikTok | 13 |
| Twitch | 13 |
| BitChute | 16 |
| Brand New Tube | 18 |

- 2.5 Snapchat and Twitch - both platforms with a minimum age requirement of 13 - also say in their Terms of Service that parental consent is required before children can access the platform. Snapchat says that users under the age of 18 need to be sure that their parent or legal guardian has reviewed and discussed the terms and conditions with them before they start using the platform. In contrast, Twitch says that children can only access the platform

under the supervision of a parent or legal guardian who agrees to be bound by the Terms of Service.

VSPs' terms and conditions generally prohibit restricted material for all users

- 2.6 As mentioned in the Background to this report, VSP providers may take other measures not listed in the VSP Framework, which they judge to be appropriate to meet their duties under the VSP Regime. Although it is not a measure listed in the VSP Framework, we observed that in order to protect children, many VSP providers choose to prohibit certain types of restricted material in their terms and conditions for all users, regardless of age.
- 2.7 TikTok's terms and conditions include prohibitions about the largest range of harms to children, including all those suggested in the [VSP Guidance](#). Snapchat and Twitch also include rules prohibiting most of those harms (below we discuss how Twitch requires users to tag certain types of restricted material as mature). For example, we noted that all three VSPs explicitly prohibit self-injurious content and content relating to eating disorders. BitChute and Brand New Tube also prohibit most of this content (below we discuss how both require users to tag certain types of restricted material as sensitive), but their terms and conditions do not include explicit rules about eating disorders (although this may be covered by their prohibitions of harmful activities).
- 2.8 We recognise that the risk of harm to children posed by content is highly contextual and dependent on a range of factors, including the age and demographic of users. Therefore, services that require all users to be over 16 may deem it appropriate to permit different types of content to those that allow users to be 13 or older.
- 2.9 Whatever the demographic of a VSPs' users, providers must ensure that all users, and particularly children, are afforded adequate protection through their terms and conditions. One effective way of doing this is including rules (although not necessarily prohibitions) about all relevant types of restricted material in their terms and conditions.

All five VSPs explain when they make exceptions to their rules about nudity, but they do not consistently do so for all forms of restricted material

- 2.10 VSPs' terms and conditions generally set out what content is not allowed on their services. As discussed above, in many cases this includes certain types of restricted material. However, we observed that in some cases VSP providers choose to make an exception to those rules, for example, on the basis of counter-speech, educational purposes, or newsworthiness. All the VSP providers included in our analysis provide some context in their terms and conditions about when they make these exceptions.
- 2.11 For example, all platforms restrict children from accessing sexually explicit content. However, they also all make exceptions for nudity in certain non-sexual contexts, including for reproductive and sexual health content; regional exceptions for body exposure in limited situations, such as common cultural practices; and depictions of nudity in certain non-sexual contexts including breastfeeding. Other depictions of nudity in certain non-sexual contexts may also be permitted.
- 2.12 Additionally, TikTok and Twitch provide examples in their terms and conditions about when they permit videos relating to self-injurious content, such as content aimed at

preventing self-injury and content that includes personal experiences of these issues to educate and raise awareness.

- 2.13 In contrast, Snap only provides details about exceptions to its rules for sexually explicit content. The approach taken by both Brand New Tube and BitChute is to provide a generalised statement to cover all harms, rather than specifying when and why they make exceptions for specific types of harm.
- 2.14 We observed that clearly explaining exceptions to the rules is likely to be beneficial for users' freedom of expression, as it means they will understand when it is permitted to post content in specific exceptional contexts.

VSPs do not always provide guidance for users on when to tag content as mature

- 2.15 Some VSP providers do allow certain types of restricted material on their platforms, even though it is not appropriate for children. To protect children from this content and help users control what they see, providers may choose to include terms and conditions requiring users to tag such content as sensitive, mature or graphic.
- 2.16 Twitch, BitChute and Brand New Tube require users to tag content in this way. Twitch provides detailed guidance to users on how to tag videos with the appropriate rating. Brand New Tube also requires users to tag content but asks them to do so without providing guidance on what sort of content should be tagged. BitChute does provide some guidance for users, explaining that 'normal sensitivity' content should be considered equivalent to the BBFC '12' rating.
- 2.17 Clear guidance is essential for ensuring consistency, objectivity, and clarity. If VSP providers require users to tag their videos depending on their personal interpretation of the content, this may lead to inconsistency and ineffective implementation of the terms and conditions. This in turn could reduce protections for children from age-inappropriate material. Providing users with guidance on how to tag videos allows users to develop a clearer understanding of the content that should be tagged and is likely to better protect children from viewing restricted material.

Good practice

- 2.18 We have observed the following examples of good practice:
 - a) covering the broad range of different types of restricted material that are likely to cause harm to children,
 - b) clarifying what content is and is not allowed in a way that children can understand, and
 - c) where maturity or sensitivity ratings are used, clearly explaining to users what sorts of content should be rated as inappropriate for children.
- 2.19 Ofcom will publish another report by the end of 2023 on VSPs' measures to protect children.

3. VSPs' guidance for moderators

Summary

While some VSP providers have clear and comprehensive internal guidance to help their moderators enforce terms and conditions, this is not always the case.

The quality of internal guidance and training for moderators varies significantly. We encourage VSP providers to ensure their guidance for moderators is sufficiently comprehensive to help them identify and remove harmful content and escalate very serious cases quickly.

Our approach

We asked VSP providers for their internal guidance and training for moderators. The VSP Regime does not require platforms to proactively moderate all videos that are uploaded onto the service. However, Ofcom considers moderation to be an important means by which a VSP provider can implement its terms and conditions effectively as well as take account of the rights and legitimate interests at stake, including those of service providers and users who create, upload or view material, as well as the general public interest. Our analysis was informed by our experience of assessing potentially harmful content under Ofcom's Broadcasting Code.

Learnings

- Most VSP providers provide **comprehensive definitions** of key terminology.
- Guidance on identifying **relevant contextual factors** varies significantly.
- Some VSP providers don't show moderators **how** harmful content might **appear on the service in practice**.
- Only some VSP providers provide detailed guidance on what to do in a **crisis situation**.

Introduction

- 3.0 This chapter sets out Ofcom's analysis of the six VSP providers' internal guidance and training for their content moderators. Internal guidance for moderators often contains more detailed guidance on how a moderator should apply a platform's terms and conditions when moderating particular content on a service in a variety of contexts.
- 3.1 For example, internal guidance may include both descriptions of definitions found in the terms and conditions, such as what a "protected characteristic" means, as well as guidance on how to apply the rules in specific contexts, such as when otherwise violative content is shared in the context of raising awareness or journalism.
- 3.2 Our aim is to understand the resources given to moderators to help them apply a platform's terms and conditions in practice. Some VSP providers may need to do more to ensure moderators have the resources they need to implement and enforce terms and conditions in an accurate, consistent, and timely manner.

Learnings

- 3.3 We asked VSP providers for their internal guidance and training resources for moderators. Our analysis of the guidance given to moderators was informed by our experience in the broadcasting sector of assessing potentially harmful content under Ofcom’s Broadcasting Code. Through this work, Ofcom recognises the difficult and nuanced judgements that are often involved in determining whether content contains material that could be harmful to users.
- 3.4 We have illustrated our discussion of these learnings with examples based on the responses we received from VSPs to our information requests. These examples were chosen in order to show the different approaches taken by VSP providers.

Most VSP providers provide comprehensive definitions of key terminology

Example 1: TikTok

- TikTok has comprehensive and nuanced training documents for each of its policies for different types of content. These resources include comprehensive definitions – for example, definitions of content that amounts to hate speech and hateful behaviour, violent and graphic content, nudity and sexual activity, suicide, self-harm and dangerous acts.

Example 2: Snapchat and Twitch

- Snap provides definitions of some types of harmful material (e.g. hate speech, violent and disturbing content, terrorist content and violent extremism) and provides visual case studies for each. It also encourages its moderators to look at external sources to assist them with identifying material that may fall within these definitions.
- Twitch provides its Safety Specialists⁴⁰ with definitions of a range of harmful material and written descriptions of the type of material that may fall within each category.

- 3.5 Most VSP providers give moderators resources that contain definitions of content prohibited under their terms and conditions. Our analysis identified that most providers also set out broader definitions of terminology that go beyond the wording contained in their terms and conditions.
- 3.6 For example, for policies that prohibit material likely to incite violence or hatred, some VSP providers include examples of pejorative or prejudicial terms referring to protected characteristics (often referred to as a list of “slurs”). Policies relating to terrorist content

⁴⁰ Twitch refers to its employees who review content internally as ‘Safety Specialists’. It uses the term ‘moderators’ to refer to users of the service who are enlisted by creators to help moderate their channel but are not employed or trained by Twitch.

often included the list of proscribed Terrorist Organisations designated by the United Nations.

- 3.7 Providing such broader definitions of relevant terminology provides moderators with additional guidance to assist them to identify harmful content consistently and accurately. As we discuss below, we consider it good practice for VSP providers to illustrate these definitions with case studies which show moderators how to apply terms and conditions in different contexts.

Guidance on identifying relevant contextual factors varies significantly

Example 3: TikTok

- TikTok's internal training materials set out factors and criteria that moderators must consider when deciding whether content may constitute an "exception" to a particular policy, with examples and case studies.
- Guidance for moderators takes account of cultural and regional variations. For example, its internal guidance relating to hate speech describes how slurs may be used self-referentially by a member of a group with the relevant protected attribute as counter-speech, satire or in educational contexts.

Example 4: Twitch

- Twitch provides Safety Specialists with a list of identifying criteria for each harm policy, which sometimes includes contextual factors that its Safety Specialists may consider to make a judgement on the strength of the material and the appropriate enforcement decision.
- There is limited reference to geographical and regional variation. However, Twitch says it escalates to a language specialist if a Safety Specialist is unsure about the meaning of a word in a different language.

Example 5: Snapchat

- Snap provides moderators with some contextual factors which might affect whether content breaks its rules. For example, Snap specifies that moderators should "approve" content in certain circumstances, for example, a harmful "slur" within music lyrics.
- We saw limited evidence of moderators being asked to consider social, cultural, or geographical contexts when assessing content.

- 3.8 A range of contextual factors can either increase or lessen the likelihood that content on a service contains harmful material. We welcome the approach of TikTok and Twitch in providing moderators with detailed guidance on contextual and mitigating factors, alongside illustrative case studies. Building moderators' awareness of UK-relevant cultural, linguistic, historical, and political context, for example, is likely to help give moderators the

localised context they need in order to protect UK users. We also welcome Twitch’s suggestion that moderators escalate cases to a language specialist if they are unsure whether a word or phrase falls within the definitions of harmful material set out in training materials.

- 3.9 It is for VSP providers to decide the appropriate and proportionate approach to training their moderators, and we recognise that creating guidance for moderators that refers to nuanced contextual factors may have significant resource implications for smaller VSP providers.
- 3.10 We also appreciate that providers may need to strike an appropriate balance between quality and speed of decision making. However, providing limited guidance on how to consider contextual factors when applying terms and conditions may make it challenging for moderators to identify important nuances arising from potentially harmful content and could lead to either over or under-enforcement.
- 3.11 VSP providers do not have statutory obligations regarding freedom of expression but they are required to take into account the rights and legitimate interests of users, as well as the general public interest, when considering which measures are appropriate for their platform.⁴¹ However, we encourage VSP providers to ensure that moderators are not enforcing terms and conditions in a manner that unduly discriminates between users, introduces bias against users, or results in an inconsistent outcome on the basis of users’ opinions and ideas.⁴²
- 3.12 In our VSP Guidance we also encourage providers to work with third party specialists (such as charities and NGOs) to develop and implement their policies and procedures.⁴³

Several VSP providers show moderators how harmful content appears on the service in practice

Example 6: TikTok

- TikTok says that its guidance for moderators includes short videos, which are used as examples of harmful material that moderators may see on the platform.⁴⁴
- TikTok also provides moderators with detailed training materials for each of its content policies. These resources include written descriptions of harmful content alongside screenshots which illustrate how this content might appear on the service in practice. Audio-visual case studies were also provided as part of a quiz, so that moderators could test their learning.

⁴¹ Section 368Z1(4)(f) of the Act.

⁴² In Chapter 5, we describe as an example of good practice how some providers consider the rights of their users when writing their guidance for moderators and terms and conditions.

⁴³ [VSP Guidance](#), paragraphs 7.16 – 7.25.

⁴⁴ TikTok said that given that these videos contain content that some people may find distressing, it did not include them in the versions of the training materials provided to Ofcom.

Example 7: Snapchat and OnlyFans

- Snap provides its moderators with screenshots of examples of potentially violative content, as it appeared in practice on the platform.
- OnlyFans’ guidance for moderators sets out written examples of content that would be considered a violation of its terms and conditions. OnlyFans told Ofcom that it also provides visual case studies from users’ accounts.

Example 8: BitChute

- BitChute provided Ofcom with some internal documents which help moderators identify terrorist content. However, these documents were limited in scope and only gave one example of a designated terrorist group. BitChute explained that its moderators largely receive on-the-job training from more experienced colleagues on how to interpret its terms and conditions, although we understand that training videos are in development for delivery later this year.

- 3.13 We welcome TikTok’s highly nuanced approach, although we recognise the potential challenges that moderators may face when navigating large amounts of information while having to make rapid content moderation decisions. Audio and/or visual case studies are likely to give moderators more clarity on the range of contextual factors which might be relevant to an individual piece of content. This format will likely assist moderators to understand how harmful content appears on the service in practice. We consider that providing moderators with video case studies of potentially violative content, accompanied by quizzes to test learning, is likely to be a particularly effective approach.
- 3.14 We consider that giving written descriptions of harmful content to moderators provides some guidance. However, providing resources in this format only, may mean that moderators are not appropriately trained to recognise important visual references in potentially harmful content, for example, imagery and/or symbols.
- 3.15 We recognise the benefits of content moderators receiving “on the job” training from more experienced colleagues. However, not complementing this approach with comprehensive written resources presents a significant risk that moderators may not have the information they need to understand how harmful content appears on the service and to implement robust and consistent moderation in practice.

Only some VSP providers provide detailed guidance on what to do in a crisis situation

Example 9: Twitch

- Twitch provides its Safety Specialists with definitions of violative content that requires escalation internally, written examples of this content and details of the process they should follow.

Example 10: Snapchat and Brand New Tube

- Snapchat’s training for moderators on hate speech and violent content explains that if content poses an imminent threat to human life or shows murder or grave bodily harm, then it should be escalated.
- Brand New Tube ask moderators to call law enforcement immediately if a moderator thinks someone is in imminent danger.

- 3.16 Our [report on the 2022 Buffalo Attack](#) highlighted the importance of VSPs having appropriate moderation measures and internal processes in place to respond quickly to crisis events when they arise. We consider that content moderators who have access to high quality resources will be better equipped to identify harmful content quickly, as well as consistently and accurately.
- 3.17 Ofcom considers that providing moderators with the resources they need to understand when it is appropriate to escalate harmful content is an important consideration for equipping moderators to respond to emerging risks and crises. This includes internal escalation, for example, to other colleagues or teams, and external escalation to third parties, such as law enforcement. We understand that escalation at some platforms may occur automatically, for instance once a moderator adds a particular “tag” to violative content.
- 3.18 Ofcom considers Twitch’s approach to be an example of good practice: providing information on the types of violative content that requires escalation internally and providing guidance on which process a moderator should follow.
- 3.19 Some VSPs, such as Snapchat and Brand New Tube, refer more generally to circumstances which might require escalation. We consider that general references to escalation, without also providing definitions or case studies, may raise a potential risk that content requiring escalation may be missed.

Good practice

- 3.20 We have observed the following good practice from our analysis of VSP providers’ guidance for moderators:
- a) comprehensive definitions of key terminology, illustrated with case studies which show moderators how to apply terms and conditions in different contexts,
 - b) examples of context, exceptions and considerations that moderators should have regard to when determining whether content contains harmful material,
 - c) audio and/or visual case studies of violative content so that moderators can understand how harmful content might appear on the service in practice, and
 - d) detailed guidance on how moderators should respond to evolving harms and behaviours online that emerge in a crisis context.

4. Transparency of VSPs' guidance for moderators and terms and conditions

Summary

VSPs' terms and conditions and guidance for moderators are not always consistent, and on several VSPs users are unlikely to understand the consequences of breaking rules.

Transparency about both what content is prohibited on the platform, and associated penalties, helps inform users' behaviour, increases fairness and makes it easier for moderators to enforce the rules. Alignment of terms and conditions and guidance for moderators is the first step to achieving this transparency.

Our approach

We compared each VSP's terms and conditions with their guidance for moderators in relation to what they say about different types of harmful content, noting where the terms and conditions and the guidance differ significantly. We also looked to see how the terms and conditions and guidance aligned in what they say about the penalties that may be applied for breaking those rules.

Learnings

- OnlyFans', Snapchat's, TikTok's and Twitch's **terms and conditions align closely with their guidance for moderators**. However, OnlyFans and Snap provide little detail externally about prohibited content, meaning they are less transparent with users.
- Brand New Tube's terms and conditions and guidance for moderators are **inconsistent** in several places.
- TikTok and Twitch have **separate pages providing information on strikes and penalties**. Other VSP providers give users little information on the range of actions moderators may take if they break the rules.
- There is a challenge for VSP providers regarding how to be transparent with users, without sharing information that bad actors can use to get around the rules.

Introduction

- 4.0 This chapter considers how transparent VSPs' terms and conditions are with users about what content is prohibited on their platforms and the penalties for breaking those rules. As part of this work, we looked at whether VSPs' terms and conditions are aligned with the guidance VSP providers give to moderators about how to enforce those rules.
- 4.1 This alignment is important for transparency, since it helps to ensure users understand how terms and conditions are applied in practice. It is also important for reasons of fairness, helping users to have confidence that when action is taken against their account or content, it is consistent with terms and conditions and the experiences of other users. If terms and conditions and guidance for moderators do not align, or moderators are provided with inadequate guidance, it can lead to inconsistent moderation decisions and unfair application of the rules. Explaining to users the potential penalties for breaking the rules can discourage them from doing so deliberately, creating safer spaces online. It also helps users who may use other online safety measures (such as appeals processes), when they believe their content may have been unfairly or inappropriately enforced against.

Learnings

- 4.2 We compared the six VSPs' English language terms and conditions and their guidance for moderators on how to enforce them to see how they aligned. We analysed what each VSP's terms and conditions and guidance for moderators said about different types of harmful content and the rules relating to them, noting where they differed. We also compared the level of detail in which VSPs' terms and conditions and guidance for moderators describe the penalties that may be applied when a user breaks those rules.
- 4.3 Our analysis highlighted a key challenge for VSP providers – how to be transparent and fair with users about their guidance for moderators, without providing bad actors with information they can use to evade terms and conditions and post harmful material.
- 4.4 Below we describe the approaches of the VSP providers whose guidance for moderators and terms and conditions we analysed, grouping them where similar conclusions can be drawn about their approaches.

Some VSPs' terms and conditions align closely with their guidance for moderators

Example 1: TikTok and Twitch

- Generally, both VSPs have very close alignment of terms and conditions and guidance for moderators on prohibited content, with lots of detail provided to both users and moderators about what types of content are and are not permitted on their platforms.
- TikTok and Twitch have dedicated external pages containing detailed information about their strikes, enforcements and banning policies.⁴⁵

⁴⁵ TikTok: [Content violations and bans](#); Twitch: [About Account Enforcements and Chat Bans](#).

Example 2: Snapchat and OnlyFans

- Snapchat and OnlyFans also achieve alignment in descriptions of prohibited content between their guidance for moderators and terms and conditions. However, their terms and conditions contain little detail, meaning they are less transparent about the types of content that are and are not permitted.
- Their Terms of Service or Community Guidelines cover most penalties mentioned in their guidance for moderators, but we could not find much detail about how these may be applied in practice.

- 4.5 We noted that TikTok, Twitch, Snapchat and OnlyFans all achieve alignment between internal and external documentation for most of their policies. Based on the information we have seen, we consider TikTok’s and Twitch’s approach of providing detailed information to users to be an example of good practice.
- 4.6 We recognise that VSP providers need to strike a balance between being open with users and ensuring bad actors cannot adjust their behaviour to post harmful content and avoid detection. Further, we understand it may sometimes be necessary to withhold information from users to ensure their rules work effectively or to ensure the safety of staff. For example, we recognise that it may not be appropriate to share lists of specific prohibited slurs or proscribed groups publicly (see Chapter 3 for further analysis on providing such information to moderators). However, explaining what moderators will consider violent extremism or sexually explicit content would help users to comply with the rules, without providing them with information they can use to circumvent them.
- 4.7 We are also aware that producing and updating detailed guidance for moderators and terms and conditions may require significant resources, which could pose a challenge for smaller providers. We discuss different approaches for keeping terms and conditions and guidance for moderators up to date in the following chapter.

But other VSPs’ terms and conditions are inconsistent with their guidance for moderators

Example 3: BitChute

- BitChute has very limited written resources for moderators and does not currently provide them with any guidance on how to enforce BitChute’s terms and conditions (although they told us this is in development) which makes it harder to ensure moderation decisions are consistently applied.
- BitChute’s terms and conditions provide little detail of penalties. In its response to our information request, BitChute mentioned several potential penalties not included in its terms and conditions.

- 4.8 Since BitChute does not provide its moderators with guidance, they are reliant on the terms and conditions for information about what content is prohibited on the platform. This is the same information that BitChute provides to users. However, given BitChute’s terms and conditions lack detail, it seems likely that moderators may lack the more detailed guidance they need to reach consistent and accurate judgements about content. We believe that as a result, moderators in practice will be required to rely significantly on their own discretion to reach judgements. This information is not shared with users and

could increase the risk of inconsistent decision making (see Chapter 3) and misapplication of the rules. VSP providers will need to find a balance between providing their moderators with additional detail to help them make decisions about content, while also being appropriately transparent with users.

Example 4: Brand New Tube

- Brand New Tube’s guidance for moderators and terms and conditions regarding prohibited content are very inconsistent. There are several types of relevant harmful material prohibited in terms and conditions not covered in the internal guidelines.⁴⁶ In one place where a type of harmful content is covered in both, the rules are contradictory: the terms and conditions state that that type of content is prohibited on the platform, but the guidance for moderators explains it may be allowed in certain contexts.
- The terms and conditions do not contain much detail about the types of harmful content prohibited on the platform.
- They also provide little detail on strikes and penalties, not mentioning the strikes system described in guidance for moderators.

- 4.9 Inconsistencies and contradictions between terms and conditions and guidance for moderators make it harder for users and moderators to understand what is prohibited on the platform. Therefore, it can make it more difficult for users to comply with the rules and moderators to enforce them, leading to more harmful material remaining on the platform. It is also unlikely to be fair and transparent for users.
- 4.10 These inconsistencies also underline the importance of having robust processes for updating terms and conditions and guidance for moderators so that they remain aligned (see Chapter 5).
- 4.11 We will be engaging further with BitChute and Brand New Tube about their plans to improve their guidance for moderators and terms and conditions.

Good practice

- 4.12 We have observed the following examples of good practice:
- a) setting out clearly in the terms and conditions what content is and is not allowed on the platform in all but the most exceptional cases (e.g. where it is essential for effective application of the VSPs’ rules or the safety of their staff), and
 - b) explaining all potential actions that could be taken if a user breaks the VSP’s rules clearly in the terms and conditions, including any strikes systems. This information should be easy for users to find, for example by having a clearly titled, dedicated page explaining strikes and penalties.

⁴⁶ Relevant harmful material is defined as: video content which would be considered a criminal offence under laws relating to terrorism; child sexual abuse material; and racism and xenophobia.

5. VSPs' processes for writing, updating and testing guidance for moderators and terms and conditions

Summary

Some VSP providers have innovative approaches to writing, updating, and testing their guidance for moderators and terms and conditions, but others could do more to make sure their processes are proactive, effective and forward looking.

Our approach

We asked VSP providers about their processes for writing and updating their guidance for moderators and terms and conditions, and how they test their effectiveness.

Learnings

- Most VSP providers have reactive processes for **updating their guidance for moderators and terms and conditions** as needed. Some also review them proactively at set times throughout the year.
- VSP providers **communicate changes and re-train their moderators** at different stages of the policy development process.
- Most VSP providers told us they focus on **user safety** when developing their guidance for moderators and terms and conditions, but some place more emphasis on considering **users' rights**.
- Some VSP providers **consult widely with internal and external experts** when developing their guidance for moderators and terms and conditions, but others provided Ofcom with less detail about who they consult with.
- VSP providers take different approaches to **testing their guidance for moderators and terms and conditions** – several gather feedback from users, moderators or experts; others measure how well moderators are performing.

Introduction

- 5.0 In this chapter, we focus on four key aspects of the relevant VSP providers' processes for writing, updating, and testing the effectiveness of their guidance for moderators and terms and conditions. These are how providers:
- keep guidance for moderators and terms and conditions up to date while ensuring moderators are informed of changes and are adequately trained,
 - balance user safety with consideration of users' rights when developing their guidance for moderators and terms and conditions,

- consult internal and external stakeholders and experts in the policy development process without causing delays to that process, and
 - test the effectiveness of their guidance for moderators and terms and conditions.
- 5.1 We found that some VSP providers take innovative approaches to writing, updating, and testing their guidance for moderators and terms and conditions, but others could do more to make sure their processes are proactive, effective, and forward looking.

Learnings

- 5.2 We asked VSP providers about their processes for writing and updating their guidance for moderators and terms and conditions. We also asked them how they test the effectiveness of both their guidance for moderators and terms and conditions.
- 5.3 We have illustrated our discussion of these questions with examples based on the responses we received. These examples were chosen as they demonstrate different approaches to the key aspects outlined above.

Most VSP providers have reactive processes for updating guidance for moderators and terms and conditions as required, and some also review them proactively

Example 1: Snap, Twitch and OnlyFans

- Snap, Twitch and OnlyFans review their guidance for moderators and terms and conditions reactively whenever it is needed. Snap and Twitch also review them proactively at set times throughout the year.
 - The policy development processes at Snap and Twitch have several stages and moderators are trained towards the end of the processes.
 - When there are minor changes to guidance for moderators and terms and conditions, moderators at Snap are not necessarily trained on these changes. However, when more substantive changes are made, training is carried out.
 - In the case of a new emerging harm, Twitch rolls out training to its moderators on an accelerated timeline.
 - OnlyFans told us that changes are not always reflected in written guidance for moderators, but rather communicated to moderators by team leads in training sessions and throughout the moderation process.
- 5.4 Reviewing guidance for moderators and terms and conditions reactively, whenever it is needed, means VSP providers will likely be able to respond to new harms as they emerge on their platforms and protect users from encountering them so that they can use the platform safely. Also reviewing guidance for moderators and terms and conditions proactively at set times throughout the year means providers can make updates that may have been missed in other reviews. Some providers work to find a balance that ensures moderators are trained at appropriate times to avoid too much interruption to their day-to-day jobs.
- 5.5 Communicating changes to moderators in a timely way is key for ensuring that both guidance for moderators and terms and conditions are updated effectively. Although it can be time-consuming, it is important that changes are reflected in writing in guidance for

moderators to ensure consistency and that new moderators have access to fully updated written resources.

- 5.6 Carrying out training for moderators on an accelerated timeline in the case of new emerging harms or significant global events may help minimise the issues that arise from this challenge and could be a good way to make sure moderators stay up to date and know how to moderate evolving harmful content.

Most VSP providers told us they focus on user safety when developing their guidance for moderators and terms and conditions but some place more emphasis on users' rights

Example 2: BitChute

- BitChute told us it focuses on users' rights, paying particular regard to users' legitimate interests, freedom of expression, privacy and security when developing its terms and conditions.

Example 3: Twitch

- Twitch demonstrated in its response that it focuses on user safety and factors such as the physical, emotional, financial, and societal harm of content when developing guidance for moderators and terms and conditions.
- In its terms and conditions, Twitch states it "seek[s] to balance user expression with community safety".⁴⁷

Example 4: OnlyFans

- OnlyFans told us that it considers both emerging risks to user safety and users' legal rights and legitimate interests when developing its guidance for moderators and terms and conditions.

- 5.7 Under the VSP Regime, providers do not have statutory obligations regarding freedom of expression but they are required to take into account the rights and legitimate interests of users and the general public when considering which measures are appropriate for their platforms. However, Ofcom must have regard to freedom of expression when carrying out its duties.⁴⁸
- 5.8 Striking a balance between considering users' safety and their rights is an ongoing challenge for VSP providers. Solely focusing on user safety could mean a platform might infringe on users' right to express themselves through content they create or upload, whereas solely focusing on users' legitimate interests or freedom of expression could result in the platform being unsafe for users.

⁴⁷ [Twitch: Community Guidelines – Introduction to Safety on Twitch.](#)

⁴⁸ As a public body, Ofcom must have regard to Article 10 of the European Convention on Human Rights.

- 5.9 Under the Online Safety Regime, there will be new duties for services relating to users' rights. VSP providers are therefore encouraged to pay regard to users' rights and legitimate interests when writing and updating their guidance for moderators and terms and conditions as it will help them prepare for compliance with those new duties.

Some VSP providers consult widely with internal and external experts when developing guidance for moderators and terms and conditions

Example 5: Brand New Tube

- Brand New Tube told us that it consults external experts in the policy development process but did not provide much detail about who it consults or how this works in practice.

Example 6: TikTok and Twitch

- TikTok and Twitch told us they consult internal and external experts and stakeholders at several stages of the policy development process. They provided explanations of how this works in practice.
- They consult internal senior stakeholders at the approval stage of the policy development process. Based on what they told us, TikTok consults particularly widely at the approval stage, including internal senior stakeholders from numerous teams.
- If the person responsible for final sign-off is unavailable at Twitch and a policy needs to come into place urgently, it has a designated person as backup who is able to give final approval to ensure the process is not delayed.

- 5.10 It is important for VSP providers to have robust policy development processes in place that involve both internal and external experts, while mitigating the potential risk of the process getting delayed and harmful content being left on platforms for longer than it should. Consulting experts is key to making sure guidance for moderators and terms and conditions are fit for purpose as it allows providers to consider the nuance and complexity of the harms they need to cover.
- 5.11 Consulting a wide range of internal stakeholders at the approval stages of a policy development process means a new or updated policy is likely to be effectively communicated with most relevant teams before it is rolled out and includes appropriate consideration of other key factors such as operational feasibility and cost. Ofcom considers Twitch's approach of having one person as backup for final sign-off to avoid unnecessary delays an example of good practice.

Providers take different approaches to testing their guidance for moderators and terms and conditions, and some do not test them at all

Example 7: Snap

- To test the effectiveness of its guidance for moderators, Snap told us that it analyses moderation decisions to discover discrepancies or where precision levels are low.
- To test the effectiveness of its terms and conditions, Snap consults external experts such as research communities, civil society, and think tanks.

Example 8: BitChute

- BitChute does not have any guidance for moderators, however it told us that it tests the effectiveness of the training of their moderators by using metrics. BitChute did not provide any evidence of the metrics used.
- To test the effectiveness of its terms and conditions, BitChute primarily seeks feedback from relevant team members, legal experts, and its users.

Example 9: TikTok

- To test the effectiveness of its guidance for moderators, substantive policy changes at TikTok are tested in a simulated testing environment where some moderators are asked to make decisions on content using the current policy and others look at the same content using the new or revised one.
- To test the effectiveness of its terms and conditions, TikTok gathers feedback from users by asking whether they have found them helpful and conducting focus groups with users.

- 5.12 In order for a VSP's rules to be effective, users and moderators need to be able to understand them. VSP providers are therefore encouraged to test the effectiveness of their guidance for moderators and terms and conditions by monitoring how easily they can be understood. There are several ways VSP providers are currently doing so, however, we understand that some processes will be more demanding on providers' resources and budgets. We acknowledge VSP providers need to find ways to test their guidance for moderators and terms and conditions that are both workable and affordable.
- 5.13 Ofcom considers that TikTok's and Snap's approaches to analysing moderators' performance are likely to be an effective way of testing guidance for moderators. Based on the information we have received, we would consider simulated testing environments an effective way for VSP providers to test the effectiveness of their guidance for moderators, although we recognise it may be resource-heavy and may put financial strain on VSP providers with smaller budgets. We believe that individual VSP providers are best placed to judge whether they can introduce such a process.

- 5.14 Although user feedback is valuable when testing the effectiveness of terms and conditions, seeking further feedback from external experts is also likely to be helpful, as it will allow VSP providers to gain a better insight into the effectiveness of their terms and conditions.

Good practice

- 5.15 We have observed the following examples of good practice:
- reviewing guidance for moderators and terms and conditions proactively and regularly, and having reactive processes for updating them when a new risk emerges,
 - communicating changes to guidance for moderators and terms and conditions to relevant teams in a timely manner,
 - considering both user safety and users' rights when developing their guidance for moderators and terms and conditions, to make sure the platform is both safe and fair to users,
 - involving relevant internal and external experts in the policy development process, and
 - having processes in place to test the effectiveness of their guidance for moderators and terms and conditions.

Future regulation

This report is the first in a series of VSP reports that Ofcom is publishing this year. Later reports will focus on other topics, such as how VSP providers approach protecting children from harm. We also expect to publish a plan for our next phase of regulation of the VSP Regime in early 2024.

Longer term, the Online Safety Regime will replace the VSP Regime. The Online Safety Bill includes provisions allowing the Secretary of State to repeal the VSP Regime, once Online Safety regulation is fully live. The timing for the repeal of the VSP Framework and details of the transitional period for VSPs will be set out by Government. Earlier this year we published an [update on repeal of the VSP Regime](#) on our website.

In June 2023, we published an [update on how Ofcom is preparing to regulate Online Safety](#). Ofcom will begin consulting on the guidance and codes of practice that will be needed for our broader online safety role as soon as the Online Safety Bill receives Royal Assent. We expect this to be in autumn 2023.

Although the two regimes have different requirements, our experience of VSP regulation will inform our approach to regulating Online Safety, and we are likely to be guided by similar considerations, notably: improving platforms' systems and processes to protect users from harm; proportionality; and the importance of ensuring our approach is consistent with safeguarding users' rights to freedom of expression and privacy. Therefore, the examples of good practice set out in this report are likely to help services prepare for compliance with their duties in the Online Safety Regime.

A1 Summary of relevant research

A1.1 Research from a range of online settings (not specific to VSPs) suggests that very few users access terms and conditions. For example, Ofcom’s consumer research found that 66% of adults say they often accept terms and conditions without reading them and only 6% reported always reading them.⁴⁹

A1.2 However, there is also research suggesting that improving users’ engagement with, and understanding of terms and conditions has the potential to make them a more effective measure for protecting users from harm:

- a) First, research found that users who broke online platforms’ rules were often unaware of the rules in the first place. Users who understood the rules and why they were in place were more likely to perceive the moderation process as fair. Increased perceptions of fairness meant users reported being less likely to break platforms’ rules in the future.⁵⁰
- b) Secondly, research indicates that clearly defined rules can create safe and trusted online communities. These rules help establish community norms where users are more likely to positively contribute to the community. A study conducted on the r/science sub-Reddit showed that early reminders of the community rules increased newcomer compliance and boosted their participation in the discussion.⁵¹

Research on techniques to improve engagement and understanding

A1.3 The Behavioural Insights Team (‘BIT’) conducted a systematic literature review to identify techniques that could be used to improve engagement with and understanding of terms and conditions (see Table 5 for definitions). A sample of these techniques were tested within an online experiment to further contribute to the evidence base regarding their effectiveness.⁵²

A1.4 BIT used the findings from their literature review and online experiments to categorise the techniques in terms of the strength of evidence regarding their effectiveness and to form a ‘best practice’ guide for organisations aiming to improve engagement with and understanding of their terms and conditions. See Table 6 for explanations of the evidence category. See Table 7 and Table 8 for full descriptions of the techniques to improve engagement and understanding respectfully.

A1.5 In addition, Ofcom recently carried out an online experiment to look at the impact of ‘boost’ techniques (in the form of micro tutorials) to help improve the capability of users to report content

⁴⁹ Ofcom, [Online Nation 2021 report](#), page 40.

⁵⁰ Katsaros, M., et al. (2022) [Procedural Justice and Self Governance on Twitter: Unpacking the Experience of Rule Breaking on Twitter.](#); Jhaver, S., et al. (2019). [“Did You Suspect the Post Would be Removed?”: Understanding User Reactions to Content Removals on Reddit](#); We note that this research relied on users’ self-reported understanding of the rules and their future behavioural intentions, rather than tracking what the users understood or how they actually behaved.

⁵¹ Matias, J. (2019). [Preventing harassment and increasing group participation through social norms in 2,190 online science discussions.](#)

⁵² Behavioural Insights Team (2019). [Best practice guide: Improving consumer understanding of online contractual terms and privacy policies: evidence-based actions for businesses.](#)

online. It is possible that this sort of technique could be extended to improve the effectiveness of other online safety measures such as terms and conditions. ⁵³

Table 5: Definitions of user engagement and understanding of terms and conditions.

| | |
|----------------------|----------------------------------------------------------------------|
| Engagement | Opening and reading terms and conditions |
| Understanding | A user being able to comprehend the contents of terms and conditions |

Table 6: Explanations of the three categories of evidence that BIT used to assess the potential effectiveness of techniques that could improve user engagement and understanding of terms and conditions.

| Evidence category | Description |
|--------------------------|--------------------------------------------------------------------------------------------------|
| Strong | There is consistent research evidence that these techniques are effective |
| Mixed | There is research evidence that these techniques are effective in some situations but not others |
| Weak | There is little or no research evidence that <u>suggests these techniques are effective</u> |

Table 7: Descriptions of the techniques, present in the research literature, that could be used to improve user engagement with terms and conditions, alongside BIT’s assessment of the strength of evidence regarding their effectiveness.

| Technique | Description | Evidence |
|-----------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------|
| Cost cues | Including an estimate for how long it would take to read the policy. For example, “reading the terms and conditions takes less than five minutes” | Strong |
| ‘Last chance’ message | The link to the policy document includes the message indicating that it is their last chance to read it e.g., “this is your last chance to read our privacy policy before signing up...” | Strong |
| User control | The link to the policy document includes a message that emphasizes that the user is in control e.g., “Hi [name], you are in control of who you give your data to. Read our privacy notice to understand how we use your data...” | Mixed |

Table 8: Descriptions of the techniques, present in the research literature, that could be used to improve user understanding of terms and conditions, alongside BIT’s assessment of the strength of evidence regarding their effectiveness.

| Technique | Description | Evidence |
|----------------------------|-----------------------------------------------------------------------------------------------------------|-----------------|
| Scrollable text box | Rather than having to click to access the terms, they are visible by default within a scrollable text box | Strong |
| Icons for key terms | Additional text box that summarises key terms with icon bullet points | Strong |

⁵³ Ofcom (2023). [Boosting users’ safety online: Microtutorials.](#)

| Technique | Description | Evidence |
|-------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| Frequently Asked Questions (FAQs) | Additional text box that summarises key terms as frequently asked questions | Strong |
| Timely chunks of information | Pop up explanations of relevant terms when the user encounters them. For example, explanations of how the platform would use their data as they typed each piece of information | Strong |
| Warning label for unexpected terms | A warning label for the terms that a user is most likely to be unaware of or are more specific to that service | Strong |
| Summary table | A table at the top of the document which summarises the key terms | Mixed |
| Examples | Providing examples of how the terms would operate across different scenarios | Mixed |
| Shortening | A shortened version of the full terms | Mixed |
| Simple language | Using simpler language to reduce the estimated reading age | Mixed |
| Visual slider | An interactive slider that helped demonstrate how the terms work. For example, to see how the cancellation charges change as you get closer to the check in date of a room booking service | Mixed |
| Layering information | Headings that expand when clicked to reveal a second layer of information | Weak |
| Emojis | Adding emoji symbols at key points across the terms | Weak |
| Fictional character | Additional text boxes that explained how the terms would affect a fictional character | Weak |
| Active choices | Allowing participants to opt in and opt out of key terms as they read through | Weak |
| Icons to full terms | Adding icons to illustrate headings, table of contents and selected concepts | Weak |

A2 Methodology

- A2.1 The Flesch-Kincaid calculator was used to create a reading ease score. The Flesch-Kincaid calculator creates a score based on the average number of words per sentence and average number of syllables per word, with a lower score denoting a greater reading difficulty. The Flesch reading ease score is widely accepted as a relevant measure in academic literature and is used by a wide range of organisations (including the CMA and BIT in their research).⁵⁴
- A2.2 We analysed Terms of Service and Community Guidelines (English language versions only) on both desktop and mobile versions of each platform. This was conducted using Ofcom-issued desktops and mobile devices. We did not sign up to any platforms and did not provide the platforms with any personal information. In some cases, this prevented us from accessing and analysing VSPs’ terms and conditions. TikTok’s Community Guidelines were inaccessible via the app without creating a user account. BitChute, OnlyFans and Brand New Tube do not have an app version so we could not record any app analysis for those platforms.
- A2.3 A second reviewer was used to ensure the consistency and reliability of our identification and categorisation of the use of techniques to improve engagement and understanding. This helped to provide assurances that the categories were being interpreted consistently.

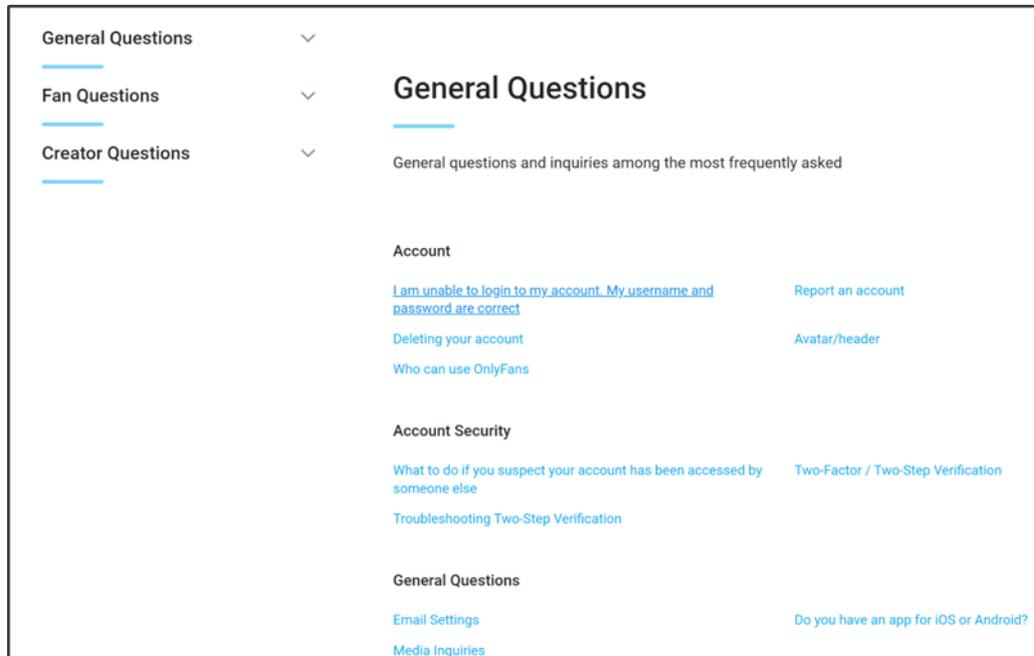
Table 9: A full description of the metrics used to assess ease of accessing and readability.

| | Metric | Description |
|--------------------------|-----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| Ease of accessing | Click wrap | Where platforms make acceptance of terms and conditions implicit in the act of signing up |
| | Accessible from desktop home page (no. clicks) | Is the document directly accessible from the desktop homepage without creating an account (number of clicks required to access the document) |
| | Accessible from mobile app home screen (no. clicks) | Is the document directly accessible from the app homepage without creating an account (number of clicks required to access the document) |
| Readability | Words | Total number of words in document |
| | Approx reading time | Based on 250/words per minute |
| | Flesch reading ease score | Calculated using the words, sentences, and syllables a document contains: 1-100 (100 = extremely easy to read) |
| | Average words per sentence | - |

⁵⁴ Competition and Markets Authority (2020). [Online platforms and digital advertising market study](#); Behavioural Insights Team (2019). [Best practice guide: Improving consumer understanding of online contractual terms and privacy policies: evidence-based actions for businesses.](#)

A3 Screenshots of techniques to improve user understanding

OnlyFans Community Guidelines in the form of FAQs



Twitch's use of specific FAQs in Community Guidelines



Attire

In order to set consistent standards that allow creators to express themselves without exposing our community to inappropriate content, **we have an attire policy, with detailed examples below.** We aim to be transparent around our standards and expectations to empower creative expression and boost creators' confidence with a clear understanding of our guidelines.

The list of contextual exceptions, outlined below, is not exhaustive. If you find yourself in a situation that is not described by an exception, then we expect you to follow the standard guidelines.

+ Standard guidelines

+ Contextual exceptions

- Attire FAQ

What clothing is appropriate for my stream?

Given the variety of content and activities creators engage in, an explicit dress code would be unreasonably restrictive. Streaming is a public activity that reaches a global audience of many ages and cultures, and as such we prohibit nudity and sexual conduct. When evaluating reports for sexual conduct, attire is just one factor we will use in making a determination on whether conduct is acceptable.

Introduction to Safety on Twitch

Safety (+)

Civility and Respect (+)

Illegal Activity (+)

Sensitive Content (-)

Extreme Violence, Gore, and Other Obscene Conduct

Sexually Explicit Content and Sexual Services

Sexually Suggestive Content

Adult Nudity

Attire

Account Usernames and Display Names

Prohibited Games

Prohibited Gambling Content

Authenticity (+)

(Expand All)

Twitch's use of specific examples in Community Guidelines



Safety

Self-Destructive Behavior

Harming yourself, or discussing self-harm recklessly, can be dangerous for not only yourself but for viewers and those around you. We understand that streamers and viewers should be able to discuss sensitive topics related to self-harm or mental health, and we want Twitch to remain a safe space to do so. Anyone should be able to talk about their struggles, if they so choose. However, **Twitch does not allow content that glorifies, promotes, or encourages self-harm. We also prohibit activity that may endanger your life, lead to your physical harm, or encourage others to engage in physically harmful behavior.** We do not make exceptions for self-destructive behavior performed as a stunt or gag made in jest, or meant to entertain, when the behavior could reasonably be expected to cause physical injury.

- For example, you may not show or promote [content warning]:

- Glorification and/or promotion of self-harm
- Promotion of eating disorders and sharing of pro-eating disorder content, such as saying you're "pro-ana", or sharing your diet plan of not eating for three days and then binge eating on day four
- Sharing graphic details of suicide notes or suicide attempts
- Use of hard drugs and substances not fit for human consumption (e.g., tide pods, bleach)
- Misuse of legal substances (e.g., prescription drugs, whippets)

Introduction to Safety on Twitch

Safety (-)

Self-Destructive Behavior

Violence and Threats

Terrorism and Violent Extremism

Adult Sexual Violence and Exploitation

Youth Safety

Off-Service Conduct

Unauthorized Sharing of Private Information

Civility and Respect (+)

Illegal Activity (+)

Sensitive Content (-)

Extreme Violence, Gore, and Other Obscene Conduct

Sexually Explicit Content and Sexual Services

Sexually Suggestive Content

Adult Nudity

Attire

Account Usernames and Display Names

Prohibited Games

Prohibited Gambling Content