An Industry Perspective on the Children's code (Wave 1 and 2)

Research commissioned from
IFF Research

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ico.
Information Commissioner's Office

children's
code

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Contents

1   Executive summary

Background

1.1   In light of the ICO's introduction of the Age Appropriate Design Code or 'the Children's code' IFF Research were commissioned to undertake research with two primary objectives:

- To develop a quantitative evidence-base around changes in businesses' awareness and understanding of the code, and their views on its high-level business impacts, between January 2021 and the end of the code transition period in September 2021; and

- To understand the effectiveness of the ICO's programmes to support businesses to conform with the code and identify priority areas for further support during and following the transition period.

1.2   A mixed methodology was adopted, with two waves of quantitative research comprising of online surveys and telephone interviews and qualitative in-depth interviews. The first wave of quantitative research was completed between 12 January 2021 and 23 February 2021 (511 interviews). The second wave was completed between 25 August and 1 October 2021 (432 'fresh' interviews and 40 longitudinal interviews).

1.3   The qualitative strand took place between 22 May 2021 and 22 June 2021 and included 15 follow-up interviews to explore awareness and engagement with the support/guidance provided by the ICO.

Awareness and Understanding

1.4   There were no significant changes in awareness that the *'ICO has launched a new Children's code'* between January and September 2021 – with around three in five aware in both waves. Awareness was highest in larger businesses.

1.5   Familiarity with the ICO has increased significantly between waves, highlighting that communications and support provided during the transition period has established a good foundation on which further marketing activity to promote and explain the code can be built.

1.6   Larger companies (with more than 50 employees) were more likely to find out about the code from the ICO website or direct communications whereas smaller businesses more likely to be from the news or social media, and there were more mentions of news and social media from in September 2021 when compared with January 2021 – possibly reflecting the increase in media coverage across this period.

1.7   Where businesses were aware of the code, their understanding of the theory behind it has increased significantly. This shows, that while overall awareness of the Code has not increased significantly, those that are aware, have shown an increase in engagement with it. For example, awareness of the features of the Children's code has improved since January 2021 (more businesses now know the age of users the code applies to). That said, there are still some common misconceptions relating to the Code. Misconceptions included, thinking that the code ensures that organisations in its scope have a duty of care to protect children from all possible harms when using their products and services; that it applies to online and offline businesses that use children's data; that the code requires all organisations in its scope to verify the specific

age of all of their child users; and the code will expect all organisations in scope of the code to conform in the same way, regardless of their sector or size.

1.8 There is a growing intention to be compliant but there is evidence that the September 2021 deadline was not viewed as a 'hard deadline' with many businesses aiming to work towards compliance over the rest of 2021 and into 2022.

Impacts

1.9 Perhaps as a result of levels of awareness remaining static, the number of businesses making changes in relation to under-18 data has remained similar over time. Changes were not always made in direct response to the code. Many businesses were making changes anyway, particularly smaller businesses. Larger companies were more likely to have made changes (and in direct response to the code).

1.10 Where changes were made in September 2021, businesses were more likely to be reviewing risks to children from policy, reviewing and redrafting privacy information and developing the Data Protection Impact Assessment (DPIA) relative to January 2021.

1.11 There was a reduction in both the perceived and experienced costs of the code in September 2021 compared with January 2021. Significantly fewer business reported costs of over £100,000 in August/September (5% compared with 14% in January 2021) and significantly more reported costs of below £1,000 (26% compared with 19% in January 2021). In terms of costs incurred/expected, there were more mentions of reviewing risks and redrafting standards mentioned in September 2021, in line with the changes businesses had made.

1.12 Over two-fifths of businesses aware of the code envisaged opportunities arising from implementing it. These opportunities varied but were commonly related to customer confidence, profitability and providing a safe service/product.

Effectiveness of ICO Support

1.13 In January 2021 the ICO website was mentioned as the top place to look for guidance on improving online privacy and responsible service design for children.

1.14 In terms of accessing support, businesses accessed ICO workshops, in-house training and webinars in relatively equally measure to find out more about the Children's ode.

1.15 These activities were all found to be useful with the ICO webinars in particular being seen as a very helpful resource. Feedback was highly positive with close to every business finding them useful, and nine in ten users were satisfied with ICO support through the transition period.

1.16 Businesses seek clear, concise language accurately outlining necessary steps, and these were the most commonly praised attributes of the ICO support and guidance.

Conclusion and recommendations

1.17 Ultimately the findings show ICO has a good foundation on which to build, but more can be done to raise awareness and signpost businesses through to the guidance. Key recommendations include:

- Increase promotion of the code and make use of the appropriate channels to target businesses of different sizes. In particular look to reach smaller businesses through social media and through news articles/interviews.

- Messaging should play on the desire of businesses to want to do the right thing for customers and provide examples of the risks that can occur if businesses are not compliant.

- Messaging should also draw attention to potential opportunities for businesses in future communications – i.e. improving services and products for all customers.

- Create case studies to help businesses see how the code impacts them and what its facets are. Developing several case studies, will improve engagement, reflecting the wide variety of businesses in scope of the code.

- As well as case studies, have industry champions to provide testimonies and provide evidence of what the code is and involved to negate potentially negative preconceptions. Messaging should show that compliance is easier and quicker than they may assume

- Make workshops and recordings of them available online and promote them to businesses.

- Drive greater traffic to the Children's Code hub (through social media) and make the frameworks more widely available.

- Ensure that all information and guidance is written in accessible and concise language.

Caveats and limitations

1.18 There are some limitations and caveats associated with this research:

- There is no definitive data source / or way of defining the population likely to be in scope for the Code and the sample composition might not reflect the population of all businesses in scope for the Code.

- A mixed method approach to sampling and interviewing was required (drawing on free find telephone interviews, online panel sample and at wave 1, links sent through trade bodies).

  To address these potential limitations the second wave data were weighted by business size and survey mode to ensure a 'like for like' comparison could be made.

- While base sizes are robust at an overall level, when data are broken by size and sector, some bases are lower than 100, meaning the confidence intervals are higher and fewer differences can be marked as statically significant despite relatively large changes between waves.

  Statistically significant findings have been clearly labelled. Whether other findings and differences have been highlighted appropriate caveats and explanations have been included.

2   Background and method

Background

2.1   The Age Appropriate Design Code or 'the Children's code' is a statutory code that mandates organisations to make changes to online products and services to include enhanced privacy protections for children. It came into force in September 2020 and businesses were provided 12 months to comply with the code in their products and services.

2.2   The Code applies to businesses that are deemed 'Information Society Services' (ISS) that are likely to be accessed by children in the UK. For the purposes of the Code a child is defined as a person under 18. If the service is designed for and aimed specifically at under-18s then the Code applies, however, the provision is wider than this. It also applies to services that are not specifically aimed or targeted at children but are nonetheless 'likely' to be used by under-18s. This is intentionally broad so as to not exclude services that children are using in reality.

2.3   Fifteen standards of age-appropriate design are set out within the Code, focusing on the provision of default settings which ensure children have the best possible access to online services whilst minimising data collection and use.

2.4   In light of the ICO's introduction of the Children's code, IFF Research were commissioned to undertake research with two primary objectives:

- To develop a quantitative evidence-base around changes in businesses' awareness and understanding of the code, and their views on its high-level business impacts, across a six-month period between January 2021 and the end of the code transition period in September 2021; and

- To understand the effectiveness of the ICO's programmes to support businesses to conform with the code and identify priority areas for further support following the transition period.

Methodology

2.5   A mixed methodology was adopted, with two waves of quantitative research comprising of online surveys and telephone interviews and qualitative in-depth interviews.

2.6   The first wave of quantitative research was completed between 12th January 2021 and 23rd February 2021. The second wave was completed between 25th August and 1st October 2021. A breakdown of the completed interviews by mode and size of business is shown in table 1.1 below. Further breakdown of the sample by online products and services provided and respondent job role can be found in the appendix.

Table 2.1 Achieved interviews

	Wave 1 Jan/Feb		Wave 2 Aug/Sep	
	(n)	%	(n)	%
TOTAL	**511**	**100%**	**432**	**100%**
Telephone	161	32%	205	47%
Online	350	68%	227	53%
Sole Trader	50	10%	70	16%
Micro (1-9)	124	24%	141	33%
Small (10-49)	66	13%	45	10%
Medium (50-249)	167	33%	103	24%
Large 250+	99	19%	73	17%

2.7   The sample for wave 1 was achieved from Market Location data for the telephone interviews, and a combination of panel provider completions, ICO leads and completions via trade bodies for the online survey.

2.8   To qualify for the survey all businesses were screened to ensure they:

- provided an online or internet enabled service;

- generated revenue from the delivery of online, or internet-enabled, products/services; and

- their products/services were aimed at under 18s (or it was deemed possible that under 18s could access or be attracted by their products/ services).

2.9   At wave 2, a fresh sample was achieved through the same approach of telephone interviews and panel providers. No ICO leads/trade bodies were included in the sampling for wave 2 as it did not prove a successful approach at wave 1.

2.10 In total, 40 respondents also completed the survey in both wave 1 and wave 2 to provide longitudinal data. These are in addition to the 432 'fresh' interviews achieved at wave 2. Throughout this report longitudinal analysis of these 40 responses is included, with caveats given the relatively low base size.

2.11 Between the two waves, 15 follow-up qualitative interviews were undertaken to explore awareness and engagement with the support/guidance provided by the ICO. Where there was awareness, questions were asked around how effective the ICO's programmes have been (or are being) in helping businesses conform with the code. In addition to providing greater insight, these interviews informed changes to the survey for wave 2. Copies of both surveys can be seen in the appendix.

2.12 As there are differences in the make-up of the achieved quantitative sample by survey mode and business size between waves, wave 2 data are weighted to match the wave 1 profile by mode and size to ensure comparisons are valid.

Limitations and caveats

2.13 There are some limitations and caveats associated with this research:

- There is no definitive data source / or way of defining the population likely to be in scope for the Code. Therefore results have not been weighted to a specific business population and the sample composition might not reflect the population of all businesses in scope for the Code. In order to achieve a robust sample overall no quotas were set by size or sector at either wave.

- As there is not a definitive data source a mixed method approach to sampling and interviewing was required (drawing on free find telephone interviews, online panel sample and at wave 1, links sent through trade bodies). While steps were taken to ensure the online survey was comparable to the telephone survey (i.e. reading out answer codes to mirror reading online) there will always be some mode effect in survey response.

  To address these potential limitations the second wave data were weighted by business size and survey mode to ensure a 'like for like' comparison could be made.

- While base sizes are robust at an overall level, when data are broken by size and sector, some bases are lower than 100, meaning the confidence intervals are higher and fewer differences can be marked as statically significant despite relatively large changes between waves.

- The longitudinal analysis sample size is very low (40) and all longitudinal analysis should be treated as indicative only.

  Statistically significant findings have been clearly labelled. Whether other findings and differences have been highlighted appropriate caveats and explanations have been included.

- The screening process involved businesses self-determining whether it was unlikely their product or service appeals to children under the age of 18 (if so they screened out). Given the lack of clarity from some over whether they were in scope for the Code, it is possible that some respondents would screen out mistakenly.

Note on an analysis

2.14 Figures in tables and charts may not add to a total of 100% where respondents were allowed to select more than one answer to a question or, due to rounding of values.

2.15 Significance testing to a 95% confidence level was carried out on the survey data. This is in order to establish whether differences between sub-groups are statistically significant or not. In other words, whether we can be 95% certain that a difference is sufficiently large to be considered a genuine difference and not just due to chance. Where findings are on the cusp of being significant and highlight a 'direction of travel' these have been reported but clearly caveated they are not significant.

3   Awareness

Awareness and familiarity with the ICO

3.1   There was no significant change in overall awareness of the ICO between the first and second waves of research with at least some level of familiarity at 75% Jan/Feb 2021 and 73% Aug/Sep 2021. Where there has been a significant change is in the proportion of businesses being very familiar with the ICO as opposed to fairly familiar, as shown below in figure 3.1. This suggests communications and support available during the transition period have improved familiarity among businesses already aware of the Code.

### Figure 3.1 Awareness of the ICO
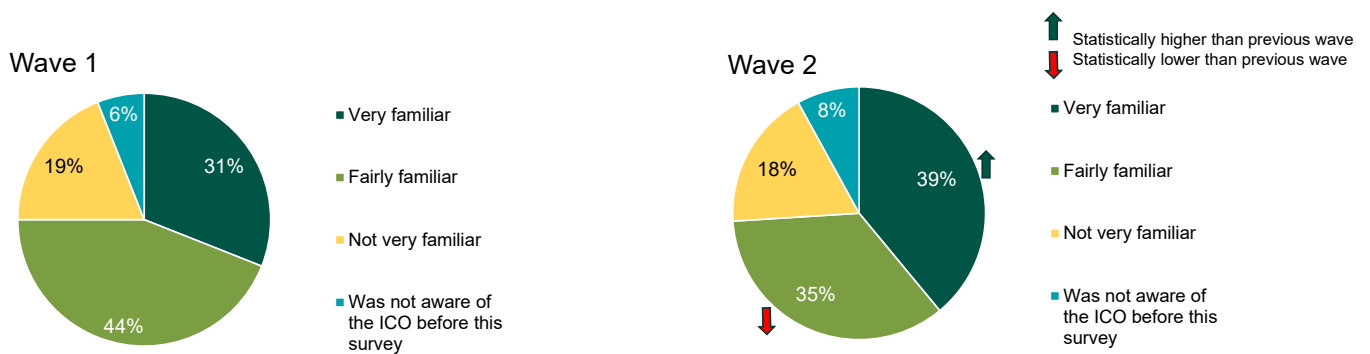
QA1 How familiar are you with the Information Commissioners Office, also known as the ICO? Base: wave 1 (n=511), wave 2 (n=432), recontact sample (n=40)

3.2   Familiarity with the ICO was greater among larger businesses than smaller, peaking with medium-sized businesses. In Aug/Sep '21 the rates of familiarity were: 46% for micro businesses, 72% for small, 90% for medium and 83% for large businesses. This trend was consistent across both waves.

Awareness of the Code

3.3   In terms of having heard of the Children's code, this also showed no significant change between Jan/Feb 2021 and Aug/Sep 2021 with 73% reporting some awareness in Jan '21 and 72% in Aug/Sep '21. Levels of awareness were affected by business size with larger businesses being more likely to be aware as shown in figure 3.2 below.

## Figure 3.2 Awareness of the Children's code
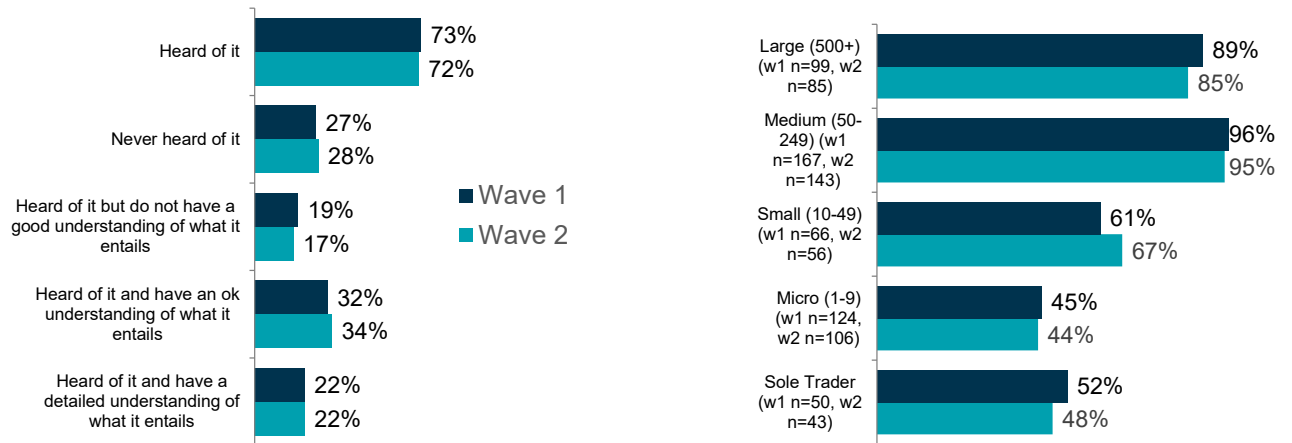
QA3 Have you heard of the Children's Code? Base: wave 1 (n=511), wave 2 (n=432), recontact sample (n=40)

3.4 Awareness levels were far higher among medium and large sized business, which is potentially due to an increased capacity to be able to monitor policy changes such as this, while smaller businesses have less resource available for such strategic and forward planning work. Although not significant due to the base size, there was a 6% increase in awareness of the Code between the two waves among small businesses which is indicative of some progress in raising awareness levels among that group.

3.5 Figure 3.3 below shows the way that businesses found out about the code.

Figure 3.3 Information source for learning about the Code
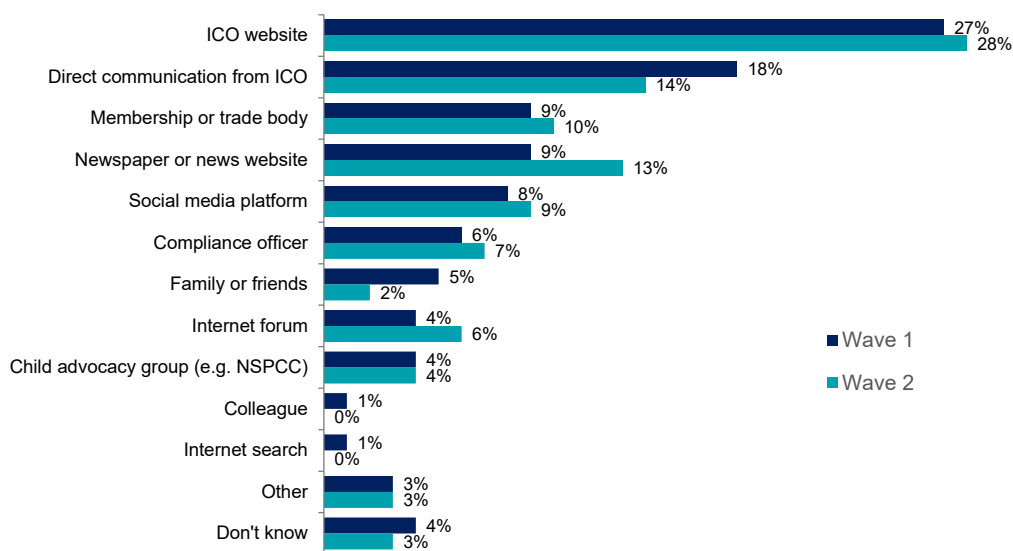
QA4 Where did you first hear about the Children's Code?. Base: wave 1 (n=379), wave 2 (n=288),

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3.6 The ICO website was the most common place businesses learned about the code in both waves 1 and 2. The most notable change, though not significant, was an increase in the proportion of businesses learning about the code from newspapers or news websites (13% in Aug/Sep '21 compares with 9% in Jan '21) and decrease in those who heard it about it from direct ICO communications (14% in Aug/Sep '21 compared with 18% in Jan '21).

3.7 Looking at sub group analysis, larger companies were more likely to find out about the code from the ICO website or direct communications while smaller businesses were more likely to hear about it from the news or social media.

4   Understanding

Theory of the Code and required actions

4.1   As shown in figure 4.5, among businesses aware of the code, there has been a significant increase in the proportion of businesses that agree that they have a good understanding of the theory of the Children's code (77% vs 69%) between Jan/Feb 2021 and Aug/Sep 2021. This has been driven by an increase in the percentage that strongly agree they have a good understanding, with just under a third (32%) reporting this in Aug/Sep '21 compared with 27% in Jan '21, again showing that there has been an increase in engagement with the code among those who are aware of it.

Figure 4.1 Understanding of the theory within the Children's code
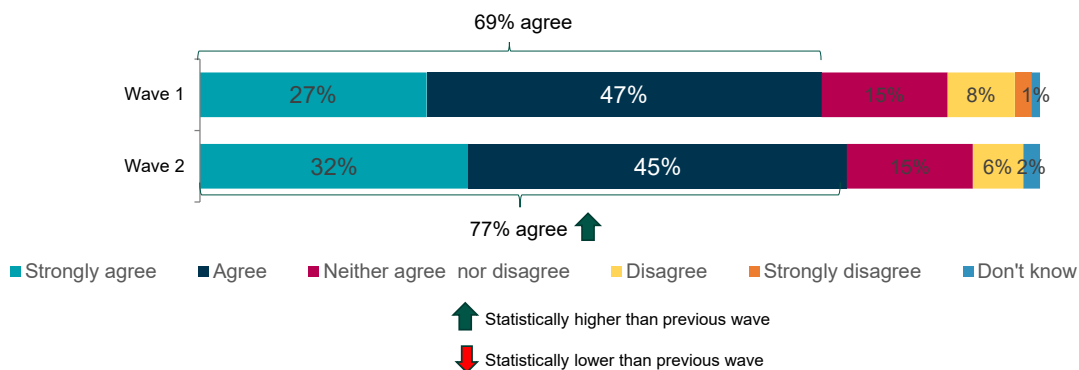
QA6 Agree/Disagree that ... I have a good understanding of the theory within the Children's code/I have a good understanding of the actions needed to comply with the Children's code. Base: those aware of the code wave 1 (n=379), wave 2 (n=288),

4.2   Showing a similar trend to overall awareness of the code, larger businesses were more likely to agree that they have a good understanding of the theory of the code than smaller businesses across both waves. The significant change was driven by notable increases among medium and large companies on this measure. The other notable sub group difference was that businesses that provide both products and services (84%) were significantly more likely to agree with this statement than businesses that only provided products (71%) or services (72%).

4.3   There was also an increase in the proportion of businesses aware of the Code, that agreed that they had a good understanding of the actions needed to comply with the Code between waves 1 and 2 (74% agreeing in Aug/Sep '21 compared with 70% in Jan '21.

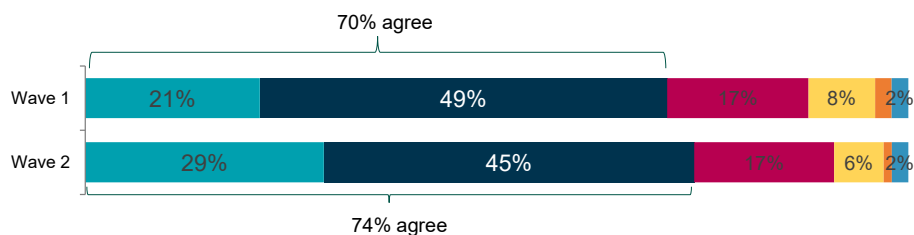**Figure 4.2 Have a good understanding of the actions required to be compliant with the code**


QA6 Agree/Disagree that ... I have a good understanding of the theory within the Children's code/I have a good understanding of the actions needed to comply with the Children's code. Base: those aware of the code wave 1 (n=379), wave 2 (n=288),

4.4   Among the 40 longitudinal respondents (i.e. businesses that participated in both waves of the research) the percentage that reported they had a good understanding of the theory of the code dropped from 56% in January to 49% in August /September, while the percentage that had a good understanding of the actions needed to be compliant rose to 60% in August/September compared with 44% in January. The drop in the proportion who agree that they have an understanding of the theory of the code suggests that with the added engagement, businesses realised there is more to understand about the code and that it was more complex than they initially thought.

Features of the code including age impacted

4.5   Businesses aware of the code were asked to identify correct statements regarding the Code as shown in figure 4.7. 'Perfect' answers in which respondents identified the two correct statements and did not identify any of the incorrect ones were rare with only 1% of businesses getting this in each wave. Overall awareness of features did improve over time with 38% of respondents giving the correct answers with at least one incorrect answer in Aug/Sep '21 compared with 32% in wave one. There was also a reduction in the proportion of businesses that gave only incorrect answers in Aug/Sep '21 (14%) compared with 18% in Jan '21.

Figure 4.3 Awareness of features of the Children's code
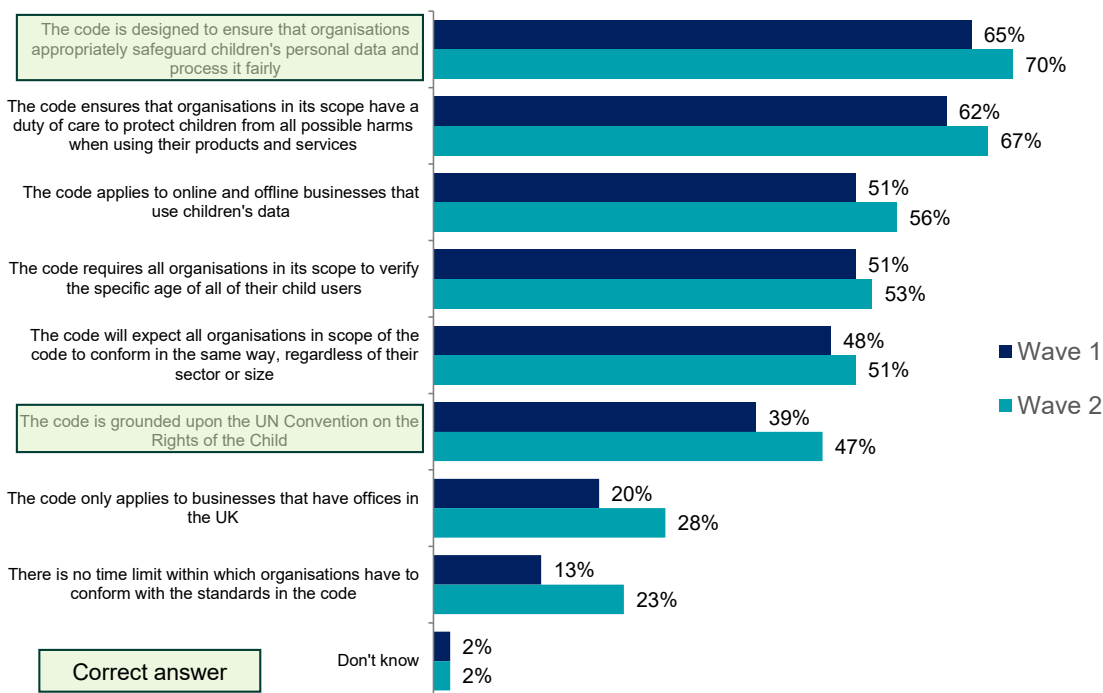
QA7 Which of the following do you think are features of the Children's Code? Base: those aware of the code wave 1 (n=379), wave 2 (n=288)

4.6   As shown in figure 4.8, there was a significant increase in the proportion of businesses that knew the code applies to users under the age of 18 in Aug/Sep '21 (61% compared with 50% in Jan '21). There were, however, still nearly two fifths (39%) of respondents who didn't know or have an incorrect response. There were no significant differences in this measure among the subgroups.

4.7 Among the longitudinal sample of 40 businesses, there was an increase in the percentage that knew the correct age from 39% to 54%.

Figure 4.4 Awareness of the age impacted by the code

Wave 1

Wave 2

- Under the age of 13
- Under the age of 16
- Under the age of 18
- There are no age parameters
- Don't know

Wave 1: 8%, 30%, 50%, 9%, 4%

Wave 2: 6%, 20%, 61%, 11%, 2%

⬆ Statistically higher than previous wave

⬇ Statistically lower than previous wave
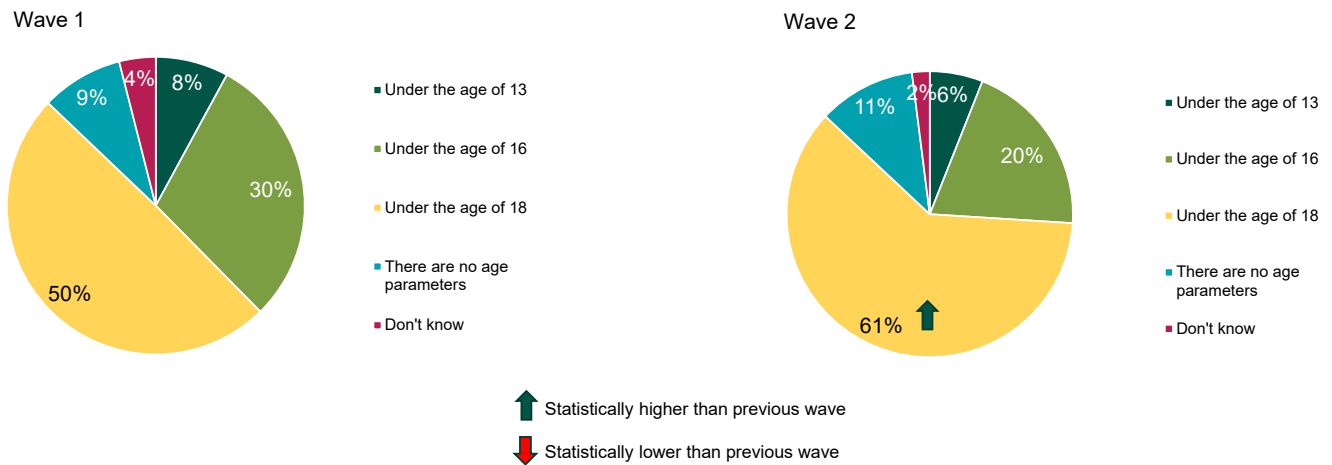
QA8 Do you think the Children's Code applies to users ...? Base: those aware of the code wave 1 (n=379), wave 2 (n=288)
QA9 What do you think are the key standards of the Children's Code, as it relates to your organisation? Base: those aware of the code wave 1 (n=379), wave 2 (n=288)
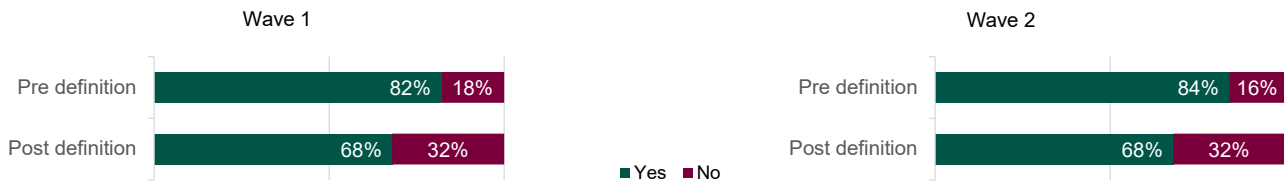
4.8 Businesses were also asked for unprompted responses asking what they felt were key standards of the code. The three most common responses were: compliance with data protection laws, maintaining children's privacy, safeguarding / maintaining children's safety online and theses were consistent across the two waves.

5   Perceived Impact

Perceptions of whether in scope

5.1   Businesses that were aware of the code were asked if they felt that they were in its scope and then all businesses were asked if they were in scope after being prompted with a definition of the code. The data is summarised in figure 5.1 below

Figure 5.1 Self-identification of whether in scope of the code

Wave 1

Pre definition	82% 18%
Post definition	68% 32%

Wave 2

|	
Pre definition	84% 16%
Post definition	68% 32%

■ Yes ■ No

QA5 Do you think that your organisation will have to conform with the Children's Code? Base: wave 1 (n=379), wave 2 (n=288) recontact sample (n=40)
QA10 What do you think are the key standards of the Children's Code, as it relates to your organisation? Base: wave 1 (n=379), wave 2 (n=288) recontact sample (n=40)

5.2   Businesses were more likely to think that they were in scope prior to hearing a definition of the code, something that was consistent across both waves. There were no significant differences between Jan '21 and Aug/Sep '21 in these measures. In both, 68% felt they were in scope after hearing a definition and in Jan '21 82% felt they were in scope compared with 84% in Aug/Sep '21.

5.3   The longitudinal sample of 40, were more likely to self-identify in scope in Aug/Sep '21 (55% compared with 48% in Jan '21). Close to a quarter, 23% stated that they didn't know if they were in scope of the Code in Jan '21 but only 8% did so in Aug/Sep '21 suggesting work had been done to ascertain whether they would be impacted by the Code between Jan/Feb 2021 and Aug/Sep 2021.

5.4   Larger businesses were generally more likely to consider themselves in scope of the code. In Aug/Sep '21, 35% of sole traders and 42% of micro businesses thought they were affected compared with 89% of medium companies and 80% of large businesses.

5.5   As figure 5.2 shows, the most common reasons for not being in scope was businesses thinking their services were not likely to be accessed by children under 18. Although not statistically significant there was a 6% drop in the percentage of businesses who gave this as the reason for not being in scope between the two waves. Conversely there was a slight increase from 63% in Jan '21 to 66% for those who felt their services were not aimed at children.

Figure 5.2 Reasons for not being in scope. Fresh sample
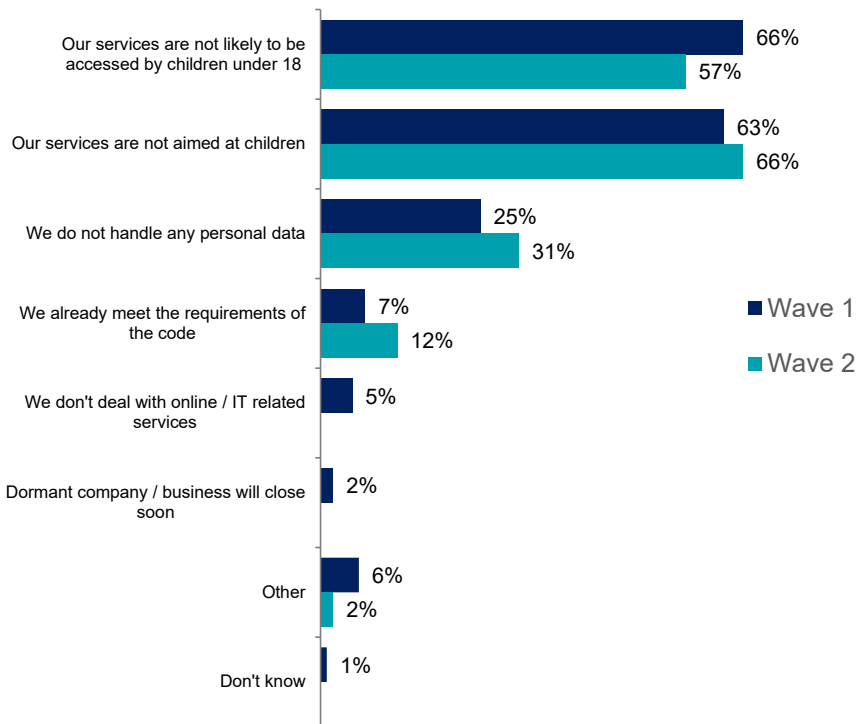
QA11 Why do you think that your organisation will not need to conform with the code? Base: aware of the code but don't consider themselves in scope wave 1 fresh sample (n=122), wave 2 fresh sample (n=130),

5.6   There were not notable deviations to the above results when looking at reasons by subgroup. In terms of the longitudinal sample of 40, there were increases in the number of businesses that felt their services were not aimed at children (58% in Jan '21 to 73% in Aug/Sep '21) and those who reported that they did not handle any personal data (25% compared with 40%) suggesting they had taken the time to check their processes between waves.

Meet Roger

Director of a jigsaw manufacturer

Roger tends to engage with legislation as and when he comes across it. He did not have any awareness of the children's code prior to the first wave of research but has now taken some steps to learn more, something he'd ideally like to do via a helpline.

'It's fine until you need to answer a question and your internet's down, or your internet's spotty, and sometimes it would be really helpful to be able to ring somebody in a department and say 'this is my problem, can you help me?'

Despite sometimes having the names and addresses of children for delivery, Roger doesn't feel the company is in scope. He takes a 'common-sense' approach to risk management and has not deemed there to be any risk here.

'I probably have had very little contact with the Children's Code ... I did, after the previous interview, go through my website and see whether there was anything that would encourage a child specifically to order or whatever, but there was nothing I felt that was inappropriate or could lead a child into a problem.'

NB: Names have been changed

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Perceptions of the Code

5.7   When businesses were asked in Aug/Sep 2021 if they thought the overall impact of the Code would be positive or negative, businesses overwhelmingly felt that it would be positive as shown in figure 5.3. Close to two thirds, 64%, of businesses thought the code would have a positive impact on their business and just 2% felt it would be negative. Similar proportions, 65%, thought it was a positive for the sector, 69% thought positive for child users and 61% for general users.

5.8   Medium (84%) and large (78%) businesses were significantly more likely to report positive impacts on general users than micro (32%) and small (58%), this was also true for child users. For impact on sector and organisation, small, medium and large were significantly more likely to report positive impacts than micro sized businesses.

Figure 5.3 Positive or negative impact of the code
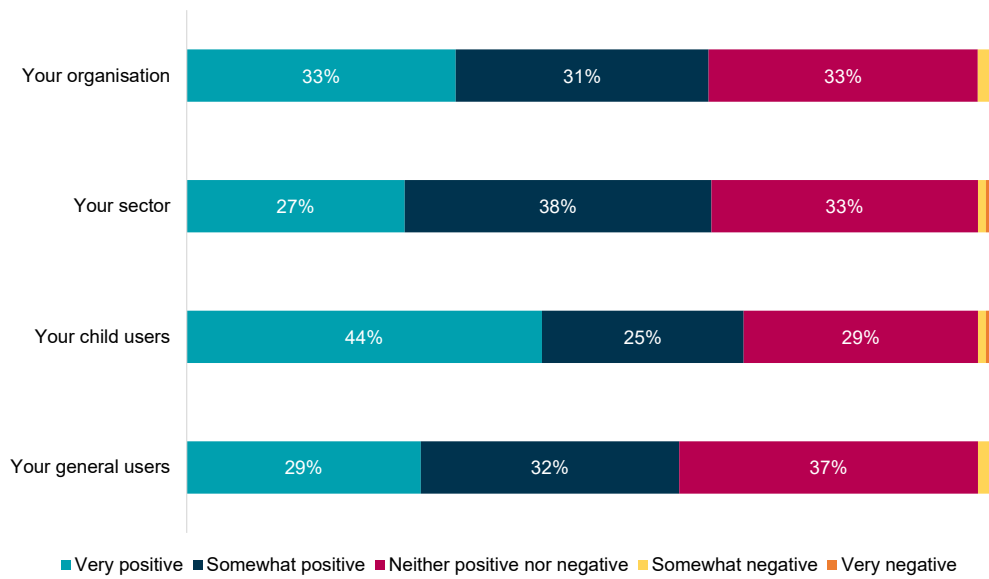
QC14 Overall, what do you think the code's impact will be for the following groups?. Base: wave 2 (n=432),

Opportunities arising from the code

5.9 When asked if the code would provide opportunities to their business, answers were almost exactly the same in Jan 21 as in Aug/Sep 21. 41% thought there would be opportunities in the former and 42% in the latter. Figure 5.4 shows that the anticipated opportunities were varied but were most commonly related to customer confidence, profitability and providing a safe service/product. A perception that the code would offer increased customer confidence or reassurance was less common in Aug/Sep than in Jan (6% compared with 13%). Those surveyed later in the year were significantly less likely to answer that the positives were nothing specific or more general and were more likely to see opportunities in improving work processes, policies and procedures and marketing or promoting their brand, again suggesting a greater engagement with the code among those aware of it.

Figure 5.4 Opportunities arising from the code

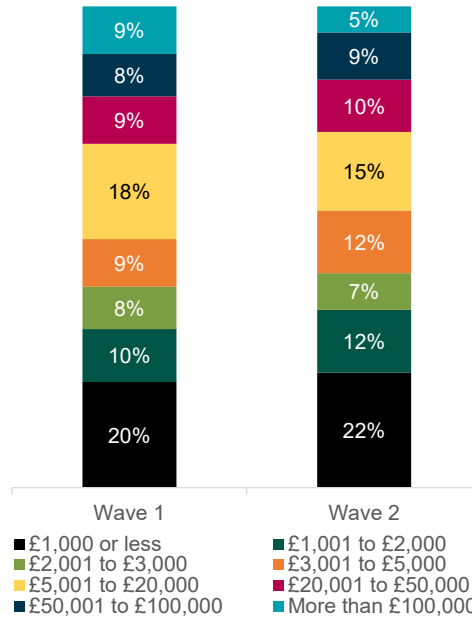|	Wave 1	Wave 2
Increased customer confidence / reassurance	13%	6% ↓
Increase in profits / make more money	11%	11%
Knowledge that we are providing a safe service / product / online space	9%	13%
Nothing specific / more opportunities generally	5%	1% ↓
Being able to provide products / services aimed at under 18's	5%	2%
Better work processes / policies / procedures	5%	9%
Training / CPD opportunities for staff	4%	2%
Marketing / promoting our brand	3%	7%
Ability to advise / train other companies	2%	3%
It will help with children's education / learning	2%	2%
Job opportunities in data protection roles	2%	
Reassurance that we are compliant	2%	2%
Better understanding		1%
None / no opportunities envisioned	1%	
Technology / programming related to ICO	1%	

↑ Statistically higher than previous wave

↓ Statistically lower than previous wave

QC13 What opportunities do you envisage? Base: those who perceive opportunities, wave 2 (n=154), wave 1 (n=208).

Expected future cost

5.10 Figure 5.5 illustrates the anticipated costs from businesses who thought they would be impacted by the code. Around a fifth of businesses thought the costs would be £1,000 or less.

5.11 Small (15%) and micro (14%) businesses were more likely to be unable to provide an estimate on how much it would cost them to become compliant with the code than medium (4%) or large (3%) businesses. In general larger companies were more likely to report higher predicted costs.
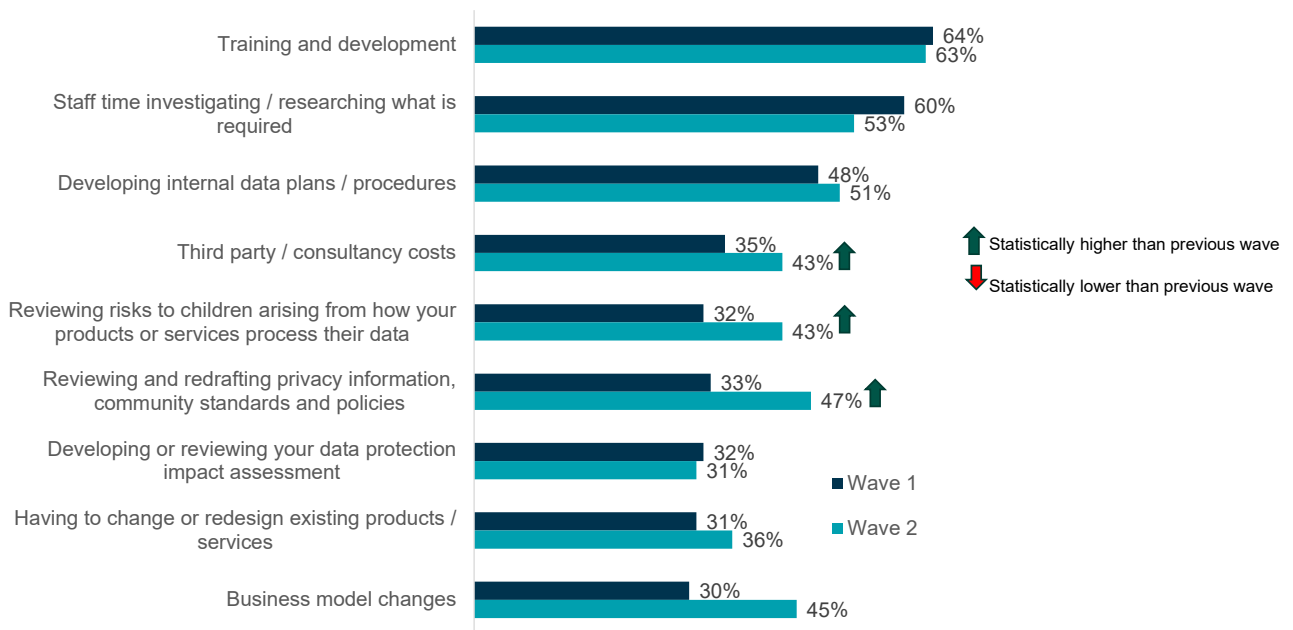
Figure 5.5 Anticipated expense of becoming compliant with the code

Wave 1 / Wave 2

- ■ £1,000 or less
- ■ £1,001 to £2,000
- ■ £2,001 to £3,000
- ■ £3,001 to £5,000
- ■ £5,001 to £20,000
- ■ £20,001 to £50,000
- ■ £50,001 to £100,000
- ■ More than £100,000

QC8/9 How much your organisation envisages spending on making changes? Base: those who envisage incurring financial costs in future, wave 2 (n=134), wave 1 (n=214)).

5.12 As figure 5.6 shows, the most common anticipated expense was training and development with just under two thirds citing this in both Jan '21 (64%) and Aug/Sep '21 (63%).

5.13 Aug/Sep '21 saw each of the reasons be selected by a greater proportion of businesses than in Jan '21. Combined with the greater engagement seen in other measures this could stem from a greater awareness and understanding of what the impact of the code will be among businesses with awareness of the code.

5.14 There were significant increases in the percentages of businesses that anticipated costs related to reviewing risks to children (43% in Aug/Sep compared with 32% in Jan) and business model changes (45% in Aug/Sep '21 compared with 30% in Jan '21). Businesses that anticipated costs to reviewing risks and making business model changes tended to anticipate higher costs. In Sep, 37% of businesses that anticipated costs thought they would be more than £20,000 and 28% thought they would be higher than £50,000.

Figure 5.6 Anticipated costs of becoming compliant with the code

Category	Wave 1	Wave 2
Training and development	64%	63%
Staff time investigating / researching what is required	60%	53%
Developing internal data plans / procedures	48%	51%
Third party / consultancy costs	35%	43% ▲
Reviewing risks to children arising from how your products or services process their data	32%	43% ▲
Reviewing and redrafting privacy information, community standards and policies	33%	47% ▲
Developing or reviewing your data protection impact assessment	32%	31%
Having to change or redesign existing products / services	31%	36%
Business model changes	30%	45%

▲ Statistically higher than previous wave
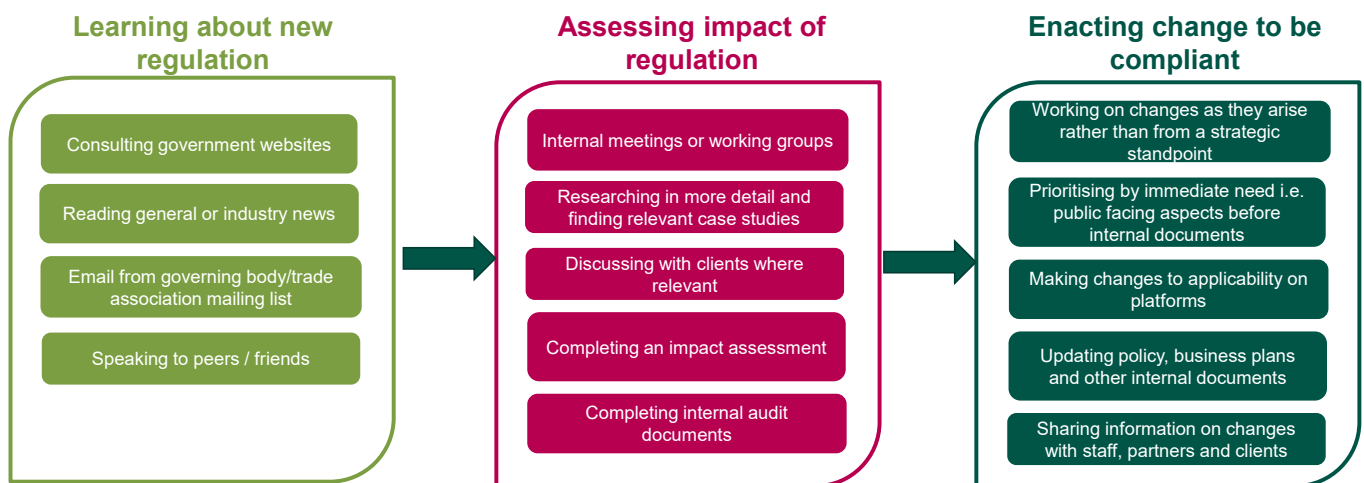▼ Statistically lower than previous wave

QC7 What do you envisage these costs will relate to? Base: those who envisage incurring financial costs in future, wave 2 (n=134), wave 1 (n=214).

6   Compliance

Journey from discovery to compliance

6.1   When speaking to businesses in the qualitative stage between waves, it was possible to get a sense of the typical journey from discovering the Code to compliance. While only a handful had completed this process, it was possible to understand their typical compliance processes and future plans.

6.2   Typically businesses would learn about regulatory change from relevant websites (in this case that of the ICO) and then work internally to assess potential impact and make plans for necessary actions before making changes based on user experience and updating any internal policies as required.

6.3   The level of time dedicated to this process differed by business size. Larger businesses often had the capacity to complete an impact assessment or research in more detail and find relevant case studies, while smaller businesses were more likely to be reactionary and simply look for guidance to be told exactly what they need to do.

Figure 4.1 Business journey from awareness to compliance

Learning about new regulation

- Consulting government websites
- Reading general or industry news
- Email from governing body/trade association mailing list
- Speaking to peers / friends

Assessing impact of regulation

- Internal meetings or working groups
- Researching in more detail and finding relevant case studies
- Discussing with clients where relevant
- Completing an impact assessment
- Completing internal audit documents

Enacting change to be compliant

- Working on changes as they arise rather than from a strategic standpoint
- Prioritising by immediate need i.e. public facing aspects before internal documents
- Making changes to applicability on platforms
- Updating policy, business plans and other internal documents
- Sharing information on changes with staff, partners and clients

6.4   According to the businesses interviewed in the qualitative stage, the main motivation for wanting to be compliant was wanting to do the right thing. There was trust that the regulator was implementing this for the right reasons and businesses want to protect children's data.

> *"We aim to be a good corporate actor in all markets which we operate, and aim to have positive relationships with regulators and policy-makers alike. We want to be doing the right thing for our clients and partners."*
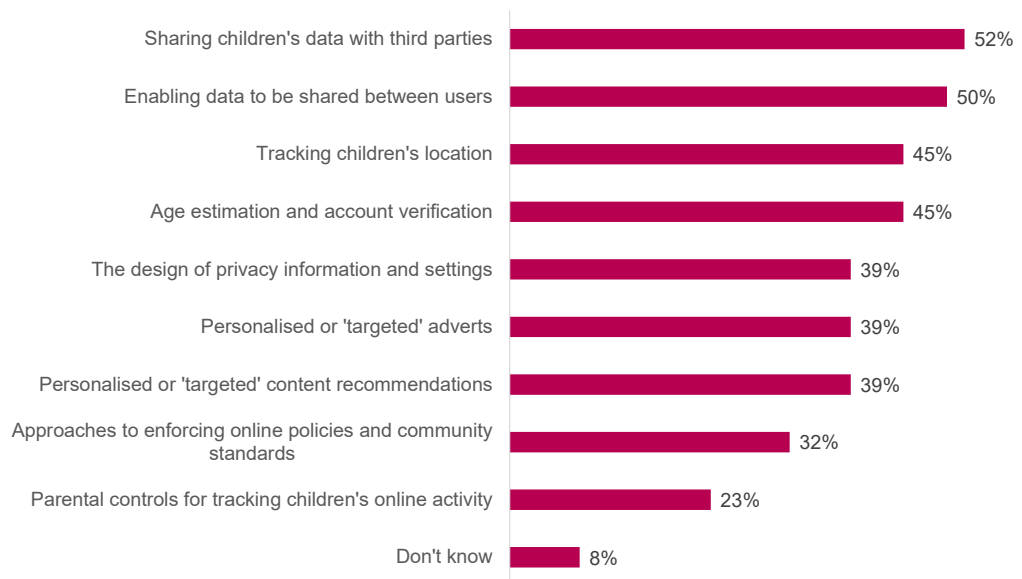>
> **Government relations director**

Perceived risks

6.5   As shown in figure 6.1, businesses felt that the greatest risk to children in terms of their online data were, sharing data with third parties (52%), sharing data between users (50%) and tracking children's location (46%).

6.6   Micro businesses were most likely to see these three risks as a concern with 65% seeing sharing data as a risk and 61% thinking tracking children's location was. Looking at differences between sectors, providers of games devices (61%), magazine/books/media (61%), computer software (63%), health and fitness (64%), all commonly reported that enabling data to be shared between users was a risk. The other area that showed more commonly among certain sectors was reported age estimation and account verification, which was mostly likely to be deemed a potential risk by providers of games devices (59%), phones and communication devices (56%) and computer software (54%).

Figure 6.1 Perceived risks to children's data

Sharing children's data with third parties	52%
Enabling data to be shared between users	50%
Tracking children's location	45%
Age estimation and account verification	45%
The design of privacy information and settings	39%
Personalised or 'targeted' adverts	39%
Personalised or 'targeted' content recommendations	39%
Approaches to enforcing online policies and community standards	32%
Parental controls for tracking children's online activity	23%
Don't know	8%

QC15 Which of the following data-related activities do you think pose the greatest risks to children in your sector? Base: All (n=432).
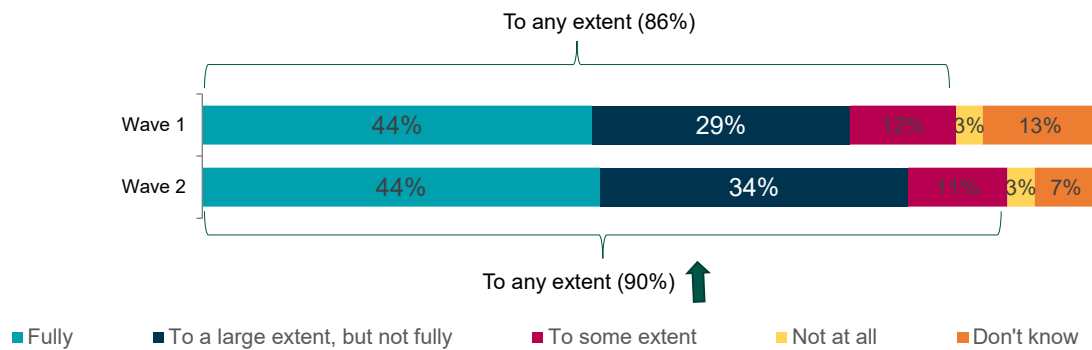
6.7

Levels of compliance

6.8   Between Jan/Feb 2021 and Aug/Sep 2021 there was no change in the proportion of businesses that consider themselves chcmpliant with the code, 44% of businesses reported this in both waves. However, there has been a significant increase in the proportion of businesses that are to some extent compliant - 90% reported being compliant to some extent compared with 86% in Jan '21.

6.9   The levels of compliance were broadly similar across business size with around two fifths being compliant. The one notable difference was medium sized businesses where 53% reported that they were fully compliant.

6.10   There was also an increase in the percentage of businesses that felt that they would need to make changes in order to become compliant from 53% in Jan to 58% in Sep/Aug.

Figure 6.2 Levels of compliance

To any extent (86%)

	Fully	To a large extent, but not fully	To some extent	Not at all	Don't know
Wave 1	44%	29%	12%	3%	13%
Wave 2	44%	34%	11%	3%	7%

To any extent (90%)

■ Fully ■ To a large extent, but not fully ■ To some extent ■ Not at all ■ Don't know

QA12 Based on what you now know about the Children's Code, to what extent do you think your organisation currently conforms with the standards in the code? Base: wave 1 (n=511), wave 2 (n=432), recontact sample (n=40)

Plans for compliance

6.11 As shown in figure 6.2, significantly fewer businesses felt that they would never be compliant (1% in Aug/Sep compared with 5% in Jan/Feb 2021). In Jan/Feb 2021 76% of businesses reported that they would be compliant in the next few months or by September 2021. However in Aug/Sep 2021 83% of businesses reported that they would be compliant either by the end of the year or from 2022 onwards. This suggests that there is an intention to be compliant but there is not a great deal of urgency and the September 2021 deadline has not been viewed as a hard deadline.

6.12 The results from the longitudinal sample of 40 support this with 70% saying that they would be compliant by September 2021 when interviewed at Jan '21, but only 10% were by September 2021. This, however, is a small sample based on the 19 businesses that felt they would need to make changes when asked in January.

6.13 It is worth noting that the time scales given as prompts in Aug/Sep were slightly different than those in Jan, meaning these comparisons are not direct and for guidance only.

Figure 6.3 Intention to comply

Wave 1

Wave 2

- ■ We already fully conform
- ■ In the next few months
- ■ Not immediately but by September 2021
- ■ At some point in the future, but not by September 2021
- ■ Never
- ■ Don't know

- ■ We already fully conform
- ■ Before the end of 2021
- ■ From 2022 onwards
- ■ Never
- ■ Don't know

⬆ Statistically higher than previous wave
⬇ Statistically lower than previous wave
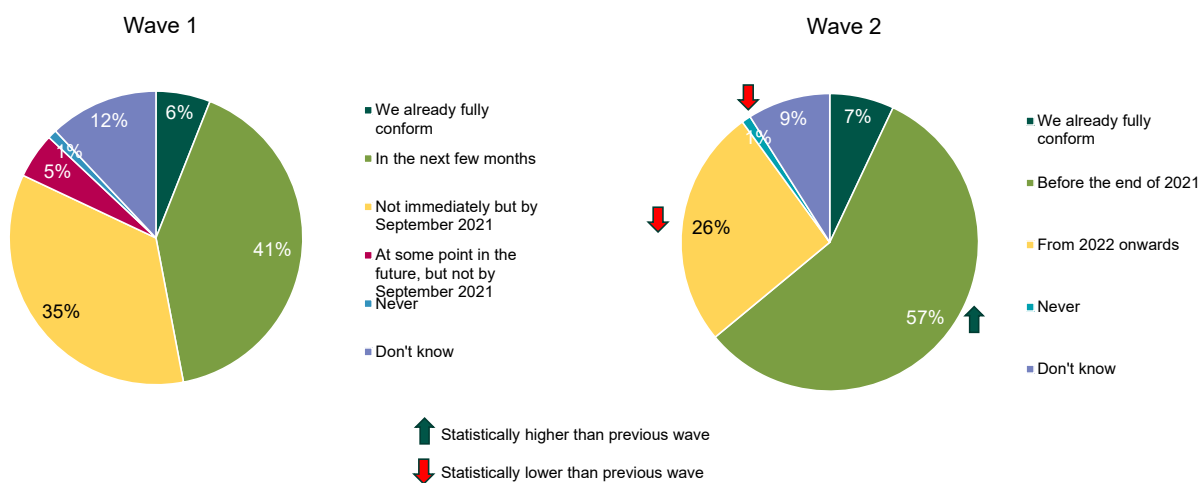
QB9 When do you anticipate that your organisation will have made the changes necessary to fully conform with the Children's Code?Base: those who feel they need to make changed. wave 1 (n=218), wave 2 (n=171),

Changes made and reasons for doing so

6.14 Although not statistically significant, there was an increase in the proportion of businesses that have made changes to fit in with code between Jan '21 (37%) and Aug/Sep '21 (41%). The reasons for making changes were very similar in both waves with 59% making changes in response to the code in Jan '21 and 58% in Aug/Sep '21 .
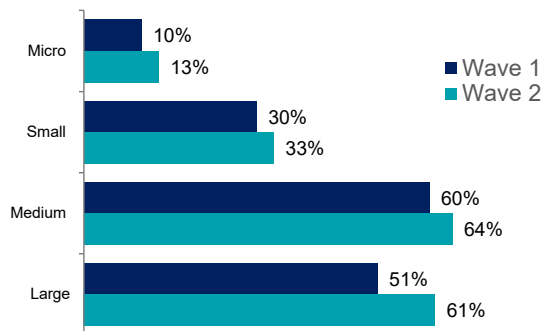
Figure 6.4 Whether changes made and motivations
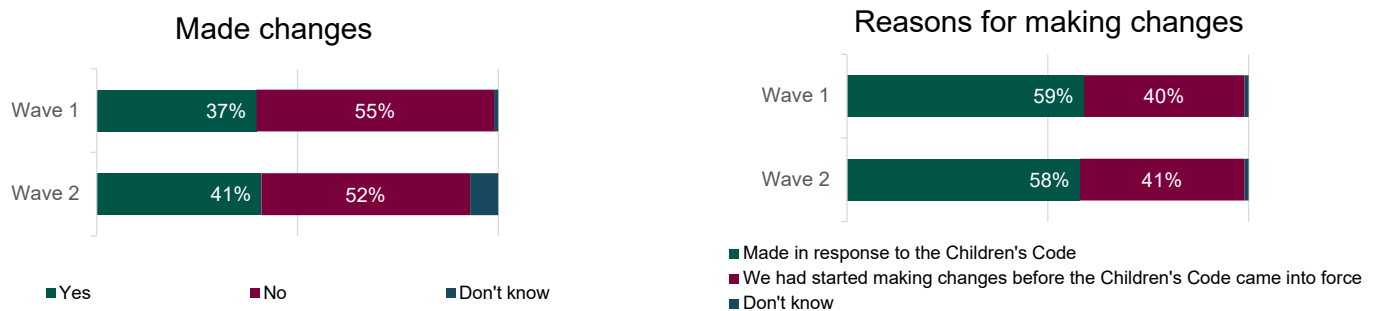
QB4. Has your organisation recently made any changes to their practices relating to the use of children's (under 18's) data? Base: those who feel they need to make changes wave 1 (n=218), wave 2 (n=171),
QB5. Were these changes made in response to the Children's Code or before the Children's Code came into force? Base: those who have made changes – wave 1, n=287, wave 2 n=141

6.15 As shown by figure 6.4, larger companies were more likely to have made changes than smaller ones across both waves. In Aug/Sep '21 over three fifths of medium (64%) and large (61%) businesses had made changes compared with 13% of micro businesses and 33% of small.

Figure 6.5 Whether changes made by business size

QB4. Has your organisation recently made any changes to their practices relating to the use of children's (under 18's) data? Base: those who feel they need to make changes wave 1 (n=218), wave 2 (n=171),

6.16 The reasons for making changes also differed by business size. Micro and small businesses were more likely to already be making changes while medium and large businesses were more likely to make changes as a direct result of the code, as shown in figure 6.5 below.

Figure 6.6 Reasons for making changes by business size
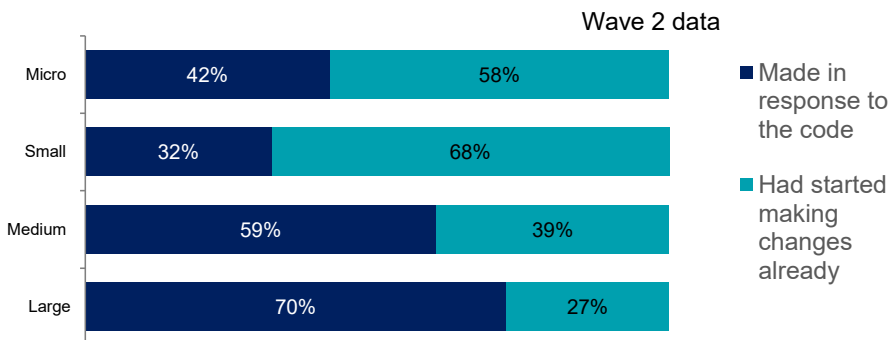
QB5. Were these changes made in response to the Children's Code or before the Children's Code came into force? Base: those who have made changes –wave 2 n=141

Implementing changes

6.17 Just under half of businesses (47%) intended to make changes using a mixture of in-house resource and third parties and 43% planned to do it in house. Significantly fewer businesses intended to solely use a third party in Aug/Sep '21 (10%) than in Jan '21 (19%)

Figure 6.7 Who will implement the changes
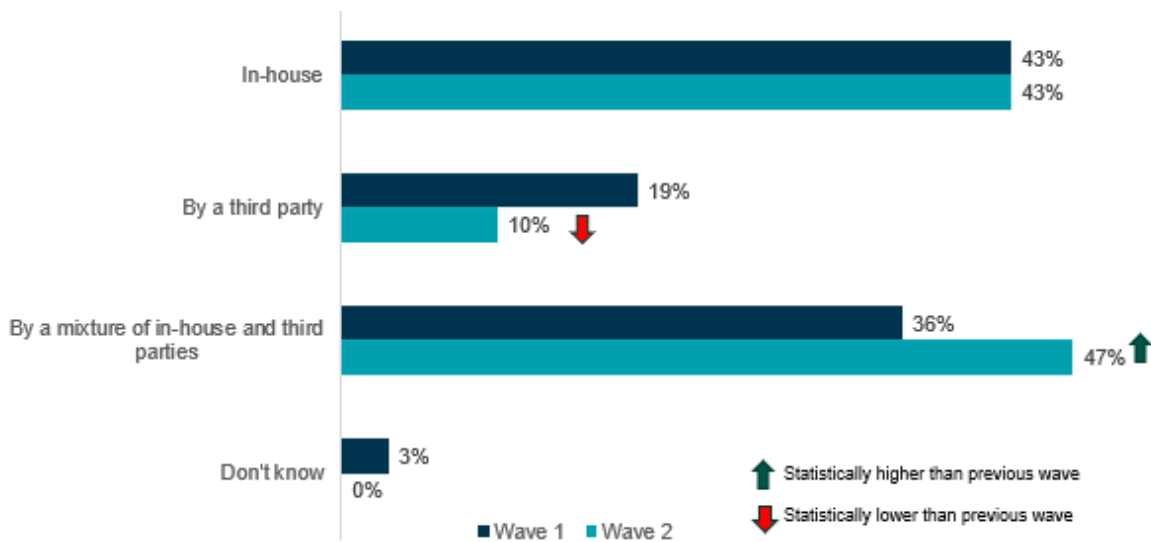
QC1 Who do you envisage the necessary changes to be done by..,?. Base: those who need to make changes, wave 2 (n=136), wave 1 (n=156).

6.18 Micro businesses were the most likely to think changes need to be implemented in house (66%). This differed from Jan '21, where medium sized businesses thought a third party was necessary (35%) and large businesses thought a mixture was necessary.

Actions Taken

6.19   As shown in figure 6.7, a greater proportion of businesses had undertaken each action asked about in Aug/Sep '21 than in Jan '21 with the exception of 'designing and implementing changes to aspects of your service user's experience' but this was a negligible fall from 55% in Jan '21 to 54% in Aug/Sep '21.

6.20   The changes made in Aug/Sep '21 were more likely to be around reviewing risks and adapting policy. Significantly more businesses reported reviewing risks to children arising from how products or services process data in Aug/Sep '21 (61%) than in Jan '21 (44%). The same was true of reviewing and redrafting policy information, community standards and policies (55% in Aug/Sep '21 compared with 35% in Jan '21). The other significant change between waves was a greater percentage of businesses developing or reviewing their data protection impact assessment.

Figure 6.8 Activities undertaken
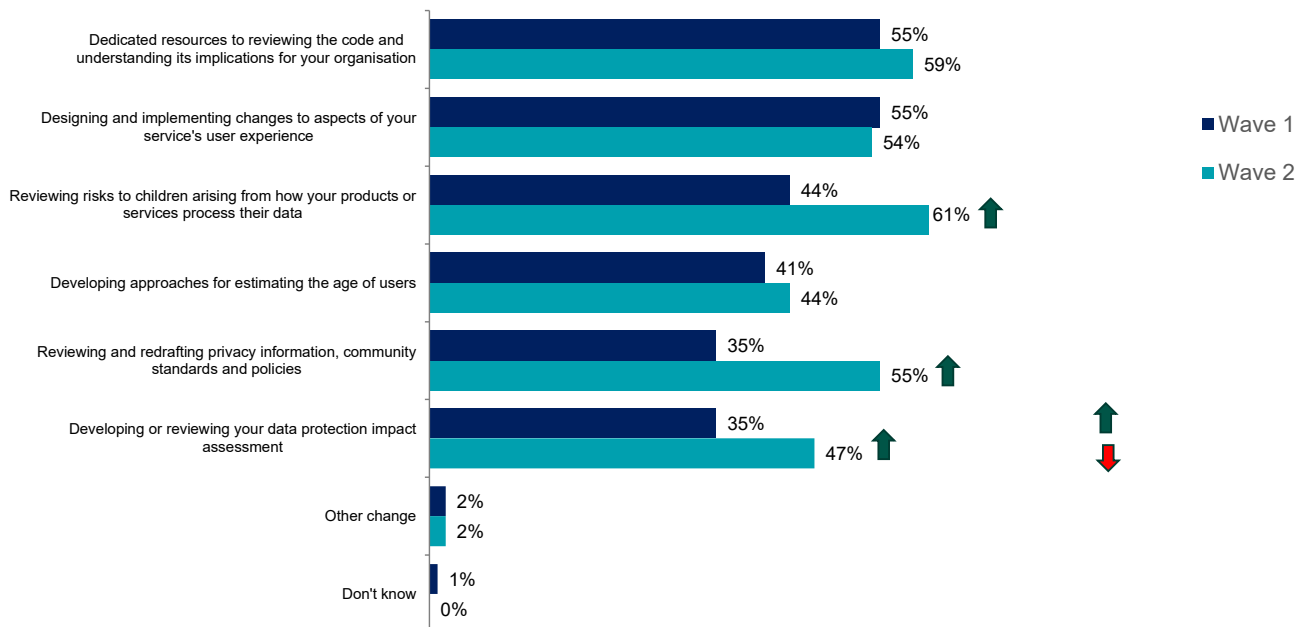
QB7. What changes have you or your organisation made in relation to the use of children's (under 18) data? Base: those who have made changes wave 1 (n=187), wave 2 (n=141)

7   Ease of Compliance

Barriers

7.1   As shown in figure 4.3, a fifth of businesses (20%) thought that there would be external barriers when it came to being compliant with the code. This was only asked in the second wave (Aug/Sep 2021).

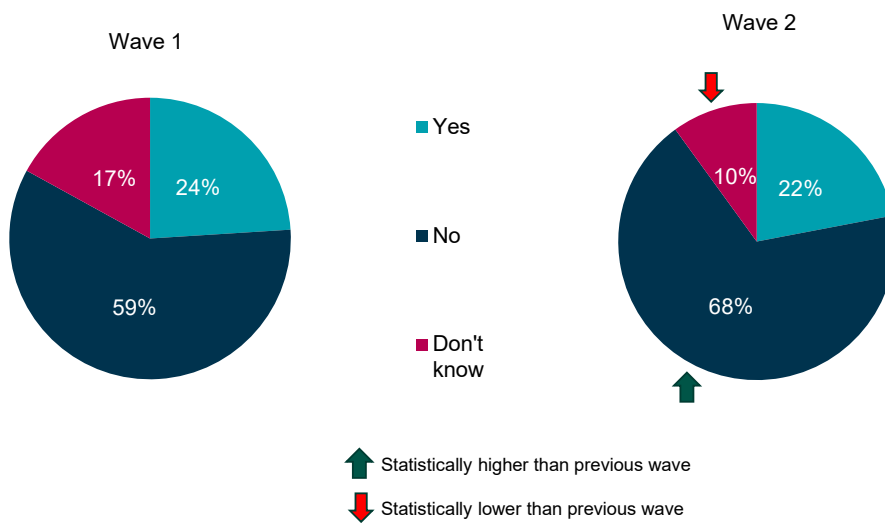**Figure 7.1 Expectations of external barriers to compliance**

- Yes   - No   - Don't know
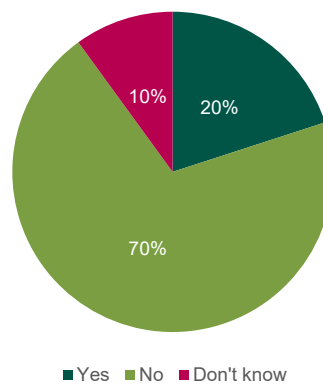
QC9a Do you foresee any external barriers relating to your organisation conforming with the Children's Code? Base: All those who don't fully conform with the code and those expecting to make changes, (n=171).

7.2   These external barriers were most likely to be anticipated by medium sized businesses (32%) and least likely to be anticipated by micro businesses (7%). The most expected external barriers were additional costs, reliance on third parties to comply, issues with current technology or software and changing the navigation of websites.

7.3   Businesses were asked about potential internal barriers in both waves. As shown in figure 4.4, significantly more businesses said they did not foresee internal barriers in Aug/Sep '21 than in Jan '21 (68% vs 59%).

Figure 7.2 Perception of future internal barriers

Wave 1

Wave 2

Legend:
- Yes
- No
- Don't know

⬆ Statistically higher than previous wave
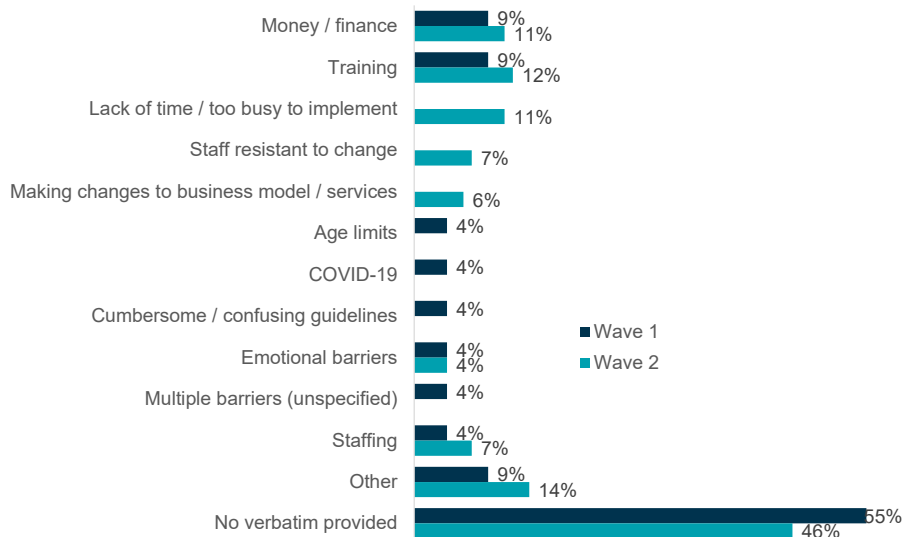
⬇ Statistically lower than previous wave

QC10 Do you foresee any barriers, relating to the internal context of your organisation as opposed to external factors, in relation to your organisation conforming with the Children's Code? Base: All those who don't fully conform with the code and those expecting to make changes, wave 2 (n=171), wave 1 (n=218).

7.4 However the proportion of businesses that did foresee internal barriers remained broadly the same - the significant increase in those who did not foresee internal barriers was a shift from not knowing whether there would be any internal barriers in January

7.5 Only a minority of businesses provided examples of what they expected the internal barriers to be but those who did most commonly reported cost and training.

7.6 There were some barriers expected in relation to compliance with the code. Just under a fifth (20%) of businesses who don't fully conform with the code and were expecting to make changes, reported foreseeing external barriers to conforming. Of these businesses, medium sized businesses (32%) were most likely to report foreseeing barriers, while micro businesses (8%) were less likely than average to report this. Businesses working in the following sectors were more likely than average to foresee external barriers: Games devices (29%), Computer Software (33%) and Food and consumer goods (30%). Furthermore, those that were aware of the Children's code were more likely to report foreseeing external barriers (21%) than those who were unaware (7%).

7.7 Businesses that foresaw external barriers to complying expected them to be related to having to rely on a third party to comply (11%), incurring additional costs (7%), having issues with current technology or software (7%) and changing website navigation (4%) that prevents them from complying.

7.8 There were also expectations of internal barriers to complying with the code. Just over a fifth (22%) of businesses who don't fully conform with the code and were expecting to make changes, reported foreseeing internal barriers to conforming. Of these, medium sized businesses (34%) were most likely to report foreseeing internal barriers to conforming with the code and micro businesses (6%) were least likely to report this. Businesses based in the following sectors were more likely than average to expect internal barriers: Educational products (27%), Magazines, books and media (29%) and Computer Software (33%). Furthermore, those aware (23%) of the code were more likely to foresee internal barriers than those unaware (7%).

7.9 Businesses that foresaw internal barriers to complying commonly expected them to be related to training (13%), money/finance (10%), lack of time or being too busy to implement changes (10%) (see Figure 7.1).

Figure 7.1. Internal barriers to complying with the Children's code

Barrier	Wave 1	Wave 2
Money / finance	9%	11%
Training	9%	12%
Lack of time / too busy to implement		11%
Staff resistant to change		7%
Making changes to business model / services		6%
Age limits	4%	
COVID-19	4%	
Cumbersome / confusing guidelines	4%	
Emotional barriers	4%	4%
Multiple barriers (unspecified)	4%	
Staffing	4%	7%
Other	9%	14%
No verbatim provided	55%	46%

QC11 What are these barriers? Base: those who perceive barriers, wave 2 (n=31), wave 1 (n=53).

Meet Maria

Education Consultancy Officer

She is familiar with the ICO and has a 'better than average' awareness of the Children's Code and is in regular contact with the regulation team as well as frequently attending workshops.

They have taken steps to not hold children's data themselves but want to know their responsibilities as a third party and be able to support their partners and clients.

'Effectively, because of the way we run our business and the way we collect data, because we are so data-averse, as it were, to try and protect people ... we made it so that we didn't actually have to apply any of those rules, in a sense, because we don't break any of them.'

'The simple guide is helpful for people like myself coming in it for the first time.'

'It's a Code which has a legal underpinning, so it is a Code that is open to interpretation ... we've struggled to fully come to terms with it, which is why our audit process has taken quite a while, to understand how it applies in practice ... there are companies this Code is very obviously aimed at. I don't think initially we were one of those, so there are a lot of areas that we're still working to interpret to make sure we're compliant.'


NB: Names have been changed

8 Actual Impact

8.1 At an overall level, businesses that had incurred costs from implementation of the code were relatively consistent across both waves, with 41% in Jan '21 and 35% in Aug/Sep '21 incurring costs.

8.2 On the other hand, significantly more businesses in Aug/Sep '21 reported that they had not incurred any financial costs as a result of the code than in Jan '21 (recent vs. 49%). There was some difference by business size as shown in Figure 8.1, with larger businesses more likely to report incurring financial costs than smaller businesses (micro 14%, small 22%, medium 48%, large 44%).

Figure 8.1. Whether businesses had incurred costs, by business size
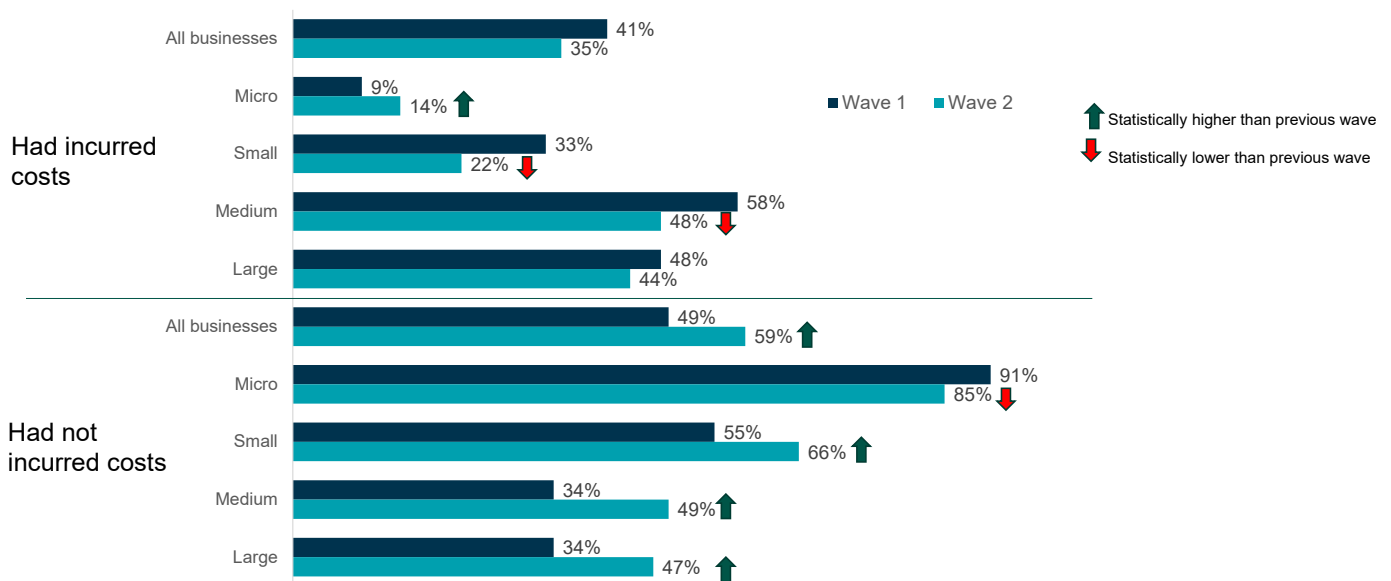
QC2. Has your organisation incurred any financial costs to date, as a result of the Children's Code? Base: All those aware of the code : wave 1 (n=379), wave 2 (n=288)

8.3 The actual costs incurred related to a range of reasons, as shown in Figure 8.2, with training and development (60% in Jan '21, 58% in Aug/Sep '21), staff time investigating or researching what is required (55% in Jan '21, 42% in Aug/Sep '21), and developing internal data plans and procedures (48% in Jan '21, 54% in Aug/Sep '21) as the three most common reasons across both waves.

**Figure 8.2. Reasons for costs incurred**
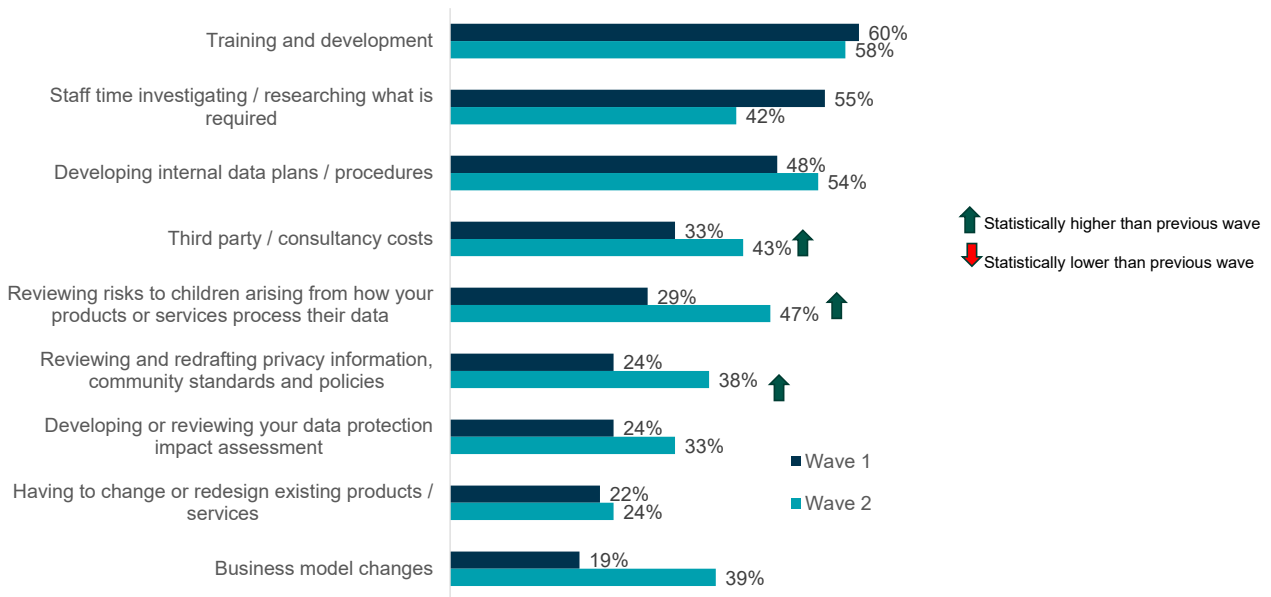
QC3 What have these costs related to? Base: those who incurred financial costs, wave 2 (n=91), wave 1 (n=156).

8.4   Businesses were also asked how much their organisation has spent on making changes, the majority of which reported spending less than £1,000 (26%) on making changes in Aug/Sep '21. On the other hand, in Jan '21 businesses most commonly reported spending between £5,001 to £20,000 (22%) on making changes

8.5   In general, smaller businesses were more likely to report spending less than larger businesses. See Figure 8.3 for a further breakdown of how much organisations have spent.

Figure 8.3. Amount of spending on changes made for the code.
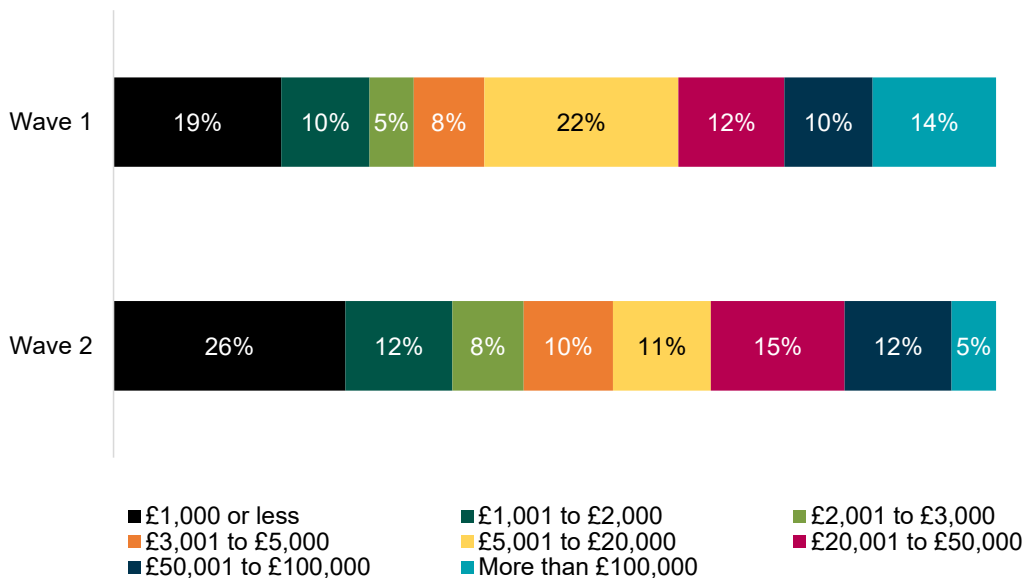
QC4/5 How much your organisation has spent on making changes? Base: those who incurred financial costs, wave 2 (n=91), wave 1 (n=156).)

9   Support

Information sources

9.1   When asked where businesses would look for guidance on improving online privacy and responsible service design for children, the ICO website and the Gov.uk website were the most commonly sought out information sources (in Jan '21: ICO website 66%, Gov.uk website 64%).

9.2   Micro-sized businesses most commonly reporting accessing these (ICO website 77%, Gov.uk website 82%). See Figure 9.1 for other sources of guidance that were accessed.
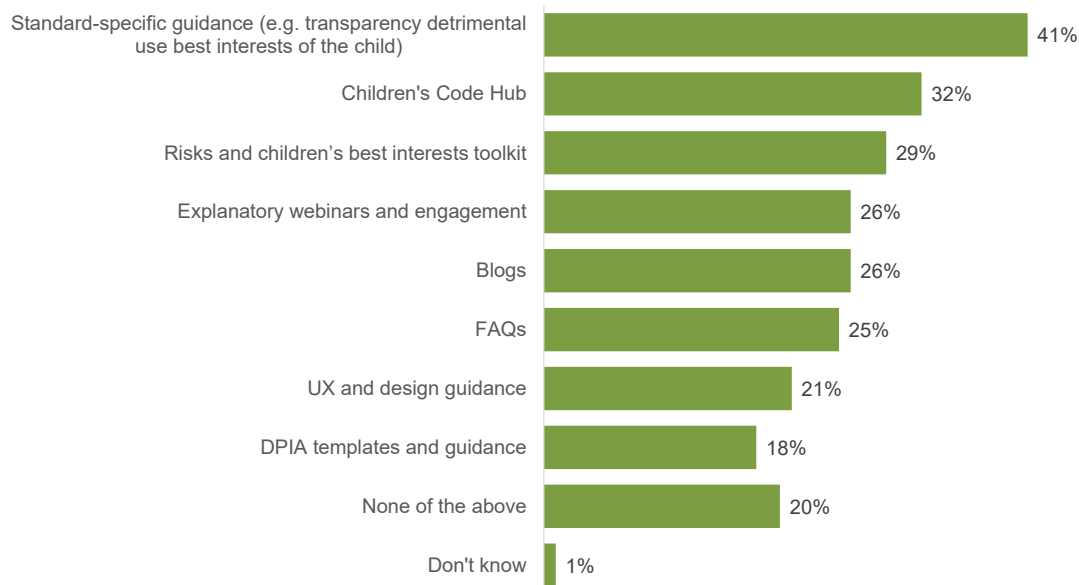
Figure 9.1. Information sources accessed for guidance around children's online privacy and responsible service design

Source	%
ICO website	66%
Gov.uk	64%
Search engine	46%
Legal consultancy services / data protection services	32%
Membership body website	22%
Management consultancy services	18%
Design and development forums (e.g. Github)	17%
Civil Society resources	16%
Trade association	1%
Education / training organisations	1%
In-house expertise	1%
Chambers of Commerce	1%
Federation of Small Businesses (FSB)	1%
Friends / family / word of mouth	1%
HR consultancy	1%
Accountant	
Other	4%

QD2 Where would you look for guidance on improving online privacy and responsible service design for children? Base: All businesses Wave 1 (n=511).

9.3   In terms of the initiatives the ICO developed in relation to guidance around the code, standard specific guidance was the most commonly accessed during the transition period (41%), followed by the Children's code Hub (32%) and the Risks and children's best interests toolkit (29%) (see Figure 9.2). By business size, smaller businesses were more likely not to have accessed any of the initiatives than larger businesses (micro 45%, small 32%, medium 5%, large 7%).

Figure 9.2. ICO initiatives accessed during the transition period

Standard-specific guidance (e.g. transparency detrimental use best interests of the child)	41%
Children's Code Hub	32%
Risks and children's best interests toolkit	29%
Explanatory webinars and engagement	26%
Blogs	26%
FAQs	25%
UX and design guidance	21%
DPIA templates and guidance	18%
None of the above	20%
Don't know	1%

QD7 Which of the following ICO initiatives have you attended or used during the transition period? Base: All aware of the code (n=288).

9.4 During the qualitative stage of research, more was learnt around businesses' experiences of using ICO initiatives, which were as follows:

- **The Children's code Hub** – a webpage designed to support businesses around complying with the Children's code.

- **The DPIA Template** – an example template of how businesses can record their DPIA process and outcome.

- **The Children's Best Interests Framework (formally Harms Framework)** - a spreadsheet to allow businesses to reflect on a broad range of potential harms, and consequent risky activities, they will need to consider to conform with the Children's code.

9.5 The Children's code Hub was viewed positively overall, with some areas for improvement. Respondents felt that the site included all of the key information, the layout of the website was clear, the FAQs were considered to be useful with an appropriate amount of details and the video was very useful and a good way to break up the text. Areas for improvement included making case studies more specific and tailored to a wider scope of organisations, having clearer instructions around next steps, making some of the text more accessible to all, and embedding the video in the page and placed further up.

'It's [The Children's code Hub] not too much, or hard, on the eye and it's broken down really well. I think it's really well laid out. You can find things easily and the format is good.'

Business Administrator

IFF Research

9.6   The DPIA template that was available on the hub was seen to be useful and worked well to serve its purpose. More specifically, the ability to record information and come back to it at a later date was seen to be advantageous. Some respondents were less familiar with the DPIA and there was mention of the FAQs being preferable as a way to gain knowledge of the code.

9.7   The Children's Best Interests Framework (formally Harms Framework) was also viewed positively with an accessible lay out that was easy to understand, making it user friendly. The format was perceived to be useful with the boxes and risks next to it, along with the articles and sections where they meet the UNCRC.[1] A slight criticism of the framework was the wording was verbose and would benefit from being simplified as there is too much information on one sheet. Further to this, having an online version of the excel sheet would be ideal alongside a normal excel sheet, and to ensure that the sheet could be locked if there was a need to distribute it. Another improvement would be to make it available from other places like the DfE website rather than just the ICO website.

9.8   At on overall level, respondents wanted the support to have clear and concise language that accurately outlined the necessary steps they needed to take. This involved being able to understand the key principles of a piece of legislation to enable them to know what actions they need to take in response. Case studies were seen as a valuable resource to aid in this endeavour, but it was acknowledged that having a directly relatable case would be difficult.

> *'All of the information is useful, and it has to be targeting everybody, not just one particular [business] such as myself. I'm more on the technical side and I would not expect that information to be available to everybody because it is outside their remit.*

Business Owner/Director

9.9   The use of frameworks was seen as a good way to help respondents more clearly see their obligations, while instructional videos were seen as an easier method to engage with than text. Additionally, helplines and being able to discuss details in person were valued and seen as very supportive options.

Engagement

9.10   Over one third (34% to 43%) of businesses had accessed ICO workshops, in-house training and webinars run by membership bodies in relation to finding out more about the Children's code. Reports of these remained relatively consistent across waves, as shown in Figure 9.2.

9.11   In terms of respondents who attended the ICO workshop that identified potential risks when applying the Children's code, medium and large sized businesses were most likely to attend in Jan '21 (medium 50%, large 50%) and this was also true for medium sized businesses in Aug/Sep '21 (55%).

9.12   Medium sized businesses were again most likely to have attended webinars run by membership bodies across both waves (43% in Jan '21, 53% in Aug/Sep '21).

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[1] UNCRC: UN Convention on the Rights of the Child

9.13 In terms of in-house training, larger businesses were more likely to have accessed this than smaller across both waves (in Jan '21: micro 19%, small 35%, medium 43%, large 48%; in Aug/Sep '21: micro 12%, small 35%, medium 55%, large 57%). By sector, businesses that sold live events and sports tickets were most likely to attend ICO workshops (81% in Aug/Sep '21) and webinars (77% in Aug/Sep '21).

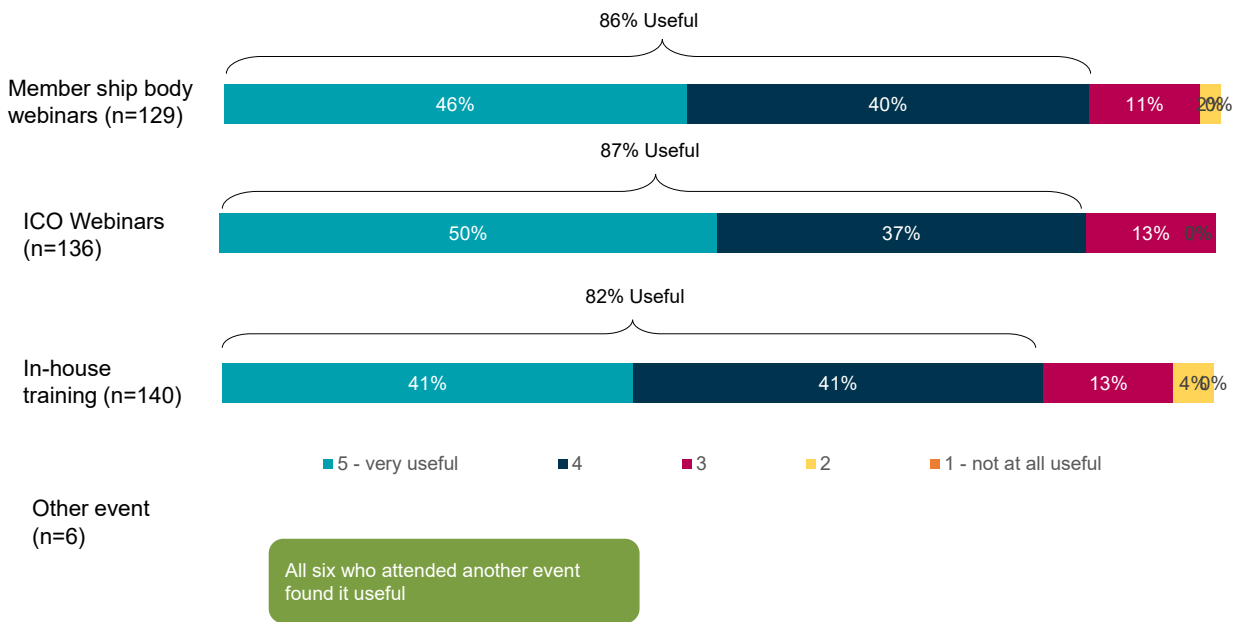**Figure 9.3. Training accessed in relation to the Children's code.**

QD1 Have you or anyone in your organisation attended any of the following to find about more about the Children's Code? Base: All aware of the code, wave 2(n=288) wave 1 (n=379).

Usefulness

9.14 Respondents who accessed support related to the code were also asked whether it was useful in Aug/Sep '21. More than eight in ten respondents found each of the webinars (86%), ICO workshops (87%) and in-house training (82%) to be useful sources of support (see Figure 9.4), and around half of these attendants gave a maximum score for usefulness for both membership body webinars (46%) and ICO workshops (50%).

IFF Research

Figure 9.4 Usefulness of support related to the Children's code.

86% Useful

	5 - very useful	4	3	2	1 - not at all useful
Member ship body webinars (n=129)	46%	40%	11%	2%	0%
ICO Webinars (n=136)	50%	37%	13%	0%	
In-house training (n=140)	41%	41%	13%	4%	0%

87% Useful

82% Useful

■ 5 - very useful ■ 4 ■ 3 ■ 2 ■ 1 - not at all useful

Other event (n=6)

All six who attended another event found it useful

QD6 On a scale of 1 to 5 where 1 is not at all useful and 5 is very useful, how useful did you find these programmes of support? Base: those who attended each resource, wave 2 (n=206)

9.15   Step-by-step support (35%) specifically was reported as an element from the ICO that was particularly useful to businesses, followed by visual guidance (18%), clear language (18%) and case studies (15%) (see 5). This is positive, given these were all areas businesses wanted to see ICO provide from the qualitative research.

9.16   Medium sized businesses were more likely than average to report visual guidance to be useful support (25%).

Figure 9.5. Elements of support that were particularly useful.

Step-by-step guidance	35%
Visual guidance	18%
Clear language	18%
Case studies	15%
Guidance for specific job roles	10%
Online guidance (e.g. webinars, ICO website)	1%
Sector-specific guidance	1%
Other	1%
None of these	1%

QD9 What elements have made guidance and support useful to your organisation? Base:wave 2 used at least one resource (n=209).

Future Support

9.17   Businesses were also asked what further guidance or support they would like from the ICO, with just under a third (29%) of respondents not expecting any further guidance (see figure 9.6 for a further breakdown). Micro businesses wanted more/better information and updates (16%), more advertising/publicity about the code (10%) and also sector-specific guidance (10%). Small, medium and large businesses were less likely to report what further support they wanted.

Figure 9.6. Future elements of support that would be useful.

Category	Percentage
No / none	29%
More / better information and updates	19%
Step-by-step guidance	8%
More support with training	7%
More advertising / publicity about it	6%
Ability to talk to someone / ask questions	4%
Case studies	4%
Sector-specific guidance	4%
Clear, jargon-free infomation	4%
Tailored guidance	3%
Other	1%

QD10 If there any further guidance / support you would want to see from the ICO what would it be? Base: wave 2 (n=288).

Meet Harry

Managing Director of a Web Design Business.

He was less familiar with the children's code and the ICO in general, but had lots of ideas of ways that the ICO could support designers in developing the code's online presence.

'I think they [the ICO] could do with making themselves more known and make people more aware of their body and their service, because it wasn't until one year ago that I found out about them, and I've been running the business for a number of years now.'

'Workshops would be a great idea to give people basic information about [the Code], and then more advanced workshops for those actually involved in the nitty gritty and design frameworks.'

'There's no reason why it cannot be automated; have a software program that scans the website and makes sure everything is compliant. It's perfectly reasonable to do. It could even be a paid subscription service for that.'

NB: Names have been changed

IFF Research

10   Conclusion

10.1   There has not been a significant change in awareness that the ICO launched the Children's code over the course of 2021. Generally larger businesses have better awareness and are more likely to hear about the code from official websites and resources. Smaller businesses are more likely to learn about the code from social media or news sources.

Recommendation: Increase promotion of the code and make use of the appropriate channels to target businesses of different sizes. In particular look to reach smaller businesses through social media and through news articles/interviews.

10.2   The resources the ICO provide were praised and the workshops in particular were deemed to be effective, and are useful for businesses worried about how long it may take to find out what they need to do. Making these workshops more widely available and raising awareness of them will help allay these fears.

Recommendation: Make workshops and recordings of them available online and promote them to businesses.

10.3   The main motivation for businesses to be compliant was to 'do the right thing'. They wanted to protect themselves and their customers and had faith in governing bodies. Fear of punishment for not being compliant was not a large motivator.

Recommendation: Messaging should play on the desire of businesses to want to the right thing for customers and provide examples of the risks that can occur if businesses are not compliant.

10.4   Businesses that are engaged with the code do perceive opportunities as a result of being compliant with the code.

Recommendation: Messaging should also draw attention to these potential opportunities in future communications – i.e. improving services and products for all customers.

10.5   Businesses felt that it was important for guidance and information around the guide to be written in clear, accessible language. The qualitative research showed that some business have the perception that regulation is generally written in jargon and it can be hard to find and interpret the relevant information. This is therefore seen as off-putting before engaging with guidance and blocks of text can reinforce this preconception.

Recommendation: Ensure that all information and guidance is written in accessible and concise language

10.6   Many businesses are unclear about whether or not they are the scope of the code and there are misapprehensions about aspects of it.

Recommendation: Create case studies to help businesses see how the code impacts them and what its facets are. Developing several case studies, will improve engagement, reflecting the wide variety of businesses in scope of the code.

10.7   Businesses have a perception that regulations can be a dense and complicated and are under the impression that it will be difficult to find the information they need and the steps they need

to take. Businesses that have used the ICO website, Children's code hub and the relevant tools, such as the DPIA template and the harms framework however have found these resources to be useful.

Recommendation: Drive greater traffic to the Children's Code hub (through social media) and make the frameworks more widely available.

10.8   The main barriers that were experienced or expected to compliance were around cost, training and time. Businesses that accessed workshops and other training resources reported that they were extremely helpful. In September / August, the perceived cost of becoming compliant with the code was a little lower than in January, all of which suggests that complying with the code is less difficult and costly than businesses may assume.

Recommendation: As well as case studies, have industry champions to provide testimonies and provide evidence of what the code is and involved to negate potentially negative preconceptions. Messaging should show that compliance is easier and quicker than they may assume

11   Appendix

Completed surveys by business sector

Businesses could fall under more than one sector hence the totals adding to more than 100%

		Wave 1	Wave 2*
Product provision	Games devices (including consoles) and connected toys	40%	29%
	Educational products and online learning materials	51%	40%
	Magazines, books, and media	36%	32%
	Live events and sports tickets	17%	15%
	Computer software	29%	26%
	Phones and communication devices	25%	20%
	Food and consumer goods	29%	29%
	Health and fitness services	18%	17%
	Other	30%	35%

		Wave 1	Wave 2*
Service provision	Online marketplace for third party goods / services	43%	42%
	Online gaming / streaming	37%	30%
	Music and video streaming	30%	23%
	Social media services	36%	35%
	Online messaging or voice telephony service	25%	30%
	News / education websites / subscription services	37%	46%

		Wave 1	Wave 2
	Electronic services controlling connected toys and other connected devices	18%	29%
	Public policy	13%	0%
	Legal	9%	0%
	Engineering and product development	15%	0%
	Preventative / counselling services	13%	15%
	Other	22%	21%

* Wave 2 data is post weighting

Completed surveys by respondent job role

		Wave 1	Wave 2*
Respondent Role			
	Managing Director / CEO / Owner	41%	52%
	Financial Director	8%	4%
	IT Director / Manager	20%	18%
	Information security / compliance and / or data protection Director / Manager / Officer	11%	9%
	Public policy role	3%	2%
	Legal role	1%	1%
	Engineering and / or product development	3%	3%
	Other	14%	11%

Wave 1 Survey

Children's Code research - Questionnaire   J11024   Date

21/4/23

Online and Telephone

ASK ALL

S1   **The research involves a short online survey that will take no longer than 15 minutes to complete.**

The Information Commissioners Office also known as the ICO, is the UK's independent authority set up to uphold information rights in the public interest.

The ICO seeks to provide organisations such as yours with clear guidance on matters relating to information rights and data security and is seeking to explore organisations' awareness of recent changes to regulation.

By participating in this research, you will provide valuable insight, helping the ICO to better understand the support and guidance that organisations will need to respond to the upcoming changes.

IFF research and ICO hold joint responsibility for the processing of data under this research. For more information on the ICO's privacy policy, please visit: https://ico.org.uk/global/privacy-notice and particularly the section on responding to consultations and surveys.

If you would like more information IFF's legal basis for processing your data, and the rights that you have, you can visit our IFF GDPR policy page: http://www.iffresearch.com/iff-research-gdpr-policy/

Please be assured that any information you share with IFF will be used for research purposes only and will not be passed to the ICO in any way that would allow you or your organisation to be identified. Your responses will be anonymous, with all data reported in aggregate form.   Participating in this survey does not affect any obligations you might have to comply with under the Data Protection Act 2018, or any other applicable laws or regulations.

SHOW THIS SENTENCE ONLY TO THOSE FROM A MEMBERSHIP OR TRADE BODY:
If you are participating through membership of a trade or professional body, your responses will be shared in anonymous and aggregated form with that trade body only.

When completing the survey, please only use the 'next' button on the page rather than the 'back' and 'forward' buttons in your browser. You can pause the survey at any time by clicking on the pause symbol at the bottom of the screen and can re-enter by clicking on the link again.

To begin, please click on the 'next' button below.

Your views are important to us and we are very grateful for your help.

SINGLE CODE

Yes	1	CONTINUE
No	2	THANK AND CLOSE

ASK ALL

S2   **Please could you confirm that you have some level of awareness on matters concerning information rights and data security compliance within your organisation including GDPR, that means you feel able to answer questions on these matters?**

This may not necessarily mean that you have formal responsibilities for data protection compliance within your organisation, but data protection should have some impact on your work.

SINGLE CODE

Yes	1	
No	2	

ASK IF NOT BEST PERSON (S2=1) AND NOT SAMPLE SOURCE 3,4,5

S3   **We would be grateful if you could forward this link to someone at your organisation who is in a position to answers questions concerning information rights regulation such as GDPR?**

Thank you for your time.

THANK AND CLOSE

ASK ALL

Before you proceed, we want to make you aware that under data protection law, you have the right to have a copy of your data, change your data, or withdraw from the research at any point. If you'd like to do this, or find out more, you can consult our website at iffresearch.com/gdpr. IFF research and ICO hold joint responsibility for the processing of data under this research. For more information on the ICO's privacy policy, please visit: https://ico.org.uk/global/privacy-notice/, and for more information on IFF's privacy policy please visit: https://www.iffresearch.com/privacy-policy/

If you wish to confirm the authenticity of this research or get more information about the research, you can contact IFF Research at anya.karadia@iffresearch.com or the Market Research Society by calling 0800 975 9596.

ASK ALL

S4   **We'd now like to take you through a few questions relating to your organisation.**

Does your organistion provide an online or internet enabled service?

SINGLE CODE

Yes – products	1	CONTINUE
Yes - services	2	CONTINUE
Yes – both products and services	3	CONTINUE
No	4	GO TO S5

ASK THOSE WHO DO NOT GENERATE REVENUE (S4 = 4)

S5 **Is the type of product or service you provide normally provided to generate revenue for the organisation providing them?**

SINGLE CODE

Yes	1	CONTINUE
No	2	THANK AND CLOSE

ASK ALL

S6 **And is the revenue you generate from the delivery of online, or internet-enabled, products/services received through direct payment and subscriptions from customers, monetising user's data or both?**

SINGLE CODE

Direct payment or subscription from customers	1	
Monetising user's data (e.g. through advertising)	2	
Both	3	
We don't generate revenue	4	

ASK ALL

S7 **Are any of the online, or internet-enabled, products or services that you deliver aimed at under 18's in the UK?**

SINGLE CODE

Yes	1	
No	2	

ASK IF NOT AIMED AT CHILDREN (S7=2)

S8 **How likely are those under the age of 18 in the UK to access any of the products or services that you offer online?**

SINGLE CODE

Very unlikely	1	THANK AND CLOSE
Fairly unlikely	2	GO TO S9
Neither likely nor unlikely	3	CONTINUE
Fairly likely	4	CONTINUE
Very likely	5	CONTINUE
Don't know	6	GO TO S9

ASK IF FAIRLY UNLIKELY OR DK HOW LIKELY TO BE ACCESS BY CHILDREN (S8=2 OR 6)

S9 **How likely is it that products or services like yours appeal to children under the age of 18 in the UK?**

SINGLE CODE

Very unlikely	1	THANK AND CLOSE
Fairly unlikely	2	THANK AND CLOSE
Neither likely nor unlikely	3	CONTINUE
Fairly likely	4	CONTINUE
Very likely	5	CONTINUE

ASK IF SELL PRODUCTS ONLINE (S4=1 OR 3)

S10 **And which of the following products do you provide online in the UK?**

MULTICODE

Games devices (including consoles) and connected toys	1	
Educational products and online learning materials	2	
Magazines, books, and media	3	
Live events and sports tickets	4	
Computer software	5	
Phones and communication devices	6	
Food and consumer goods	7	
Health and fitness services	9	
Other (Please write in)	10	

ASK IF PROVIDE SERVICES ONLINE (S4=2 OR 3)

S11 **And which of the following services do you provide online in the UK?**

MULTICODE

Online marketplace for third party goods/services	1	
Online gaming / streaming	2	
Music and video streaming	3	
Social media services	4	
Online messaging or voice telephony service	5	
News / education websites / subscription services	6	
Electronic services controlling connected toys and other connected devices	7	
Public policy	8	
Legal	9	
Engineering and product development	10	
Preventative / counselling services	11	THANK AND CLOSE IF ONLY OPTION 11 CODED
Other WRITE IN	12	

SHOW IF S11 = 11 (AND NO OTHER OPTION CHOSEN)

Thank you for your participation. Preventative and counselling services are not in scope for this research and so we will not be needing anymore of your time. Thank you.

ASK ALL

S12 **And what best describes your role within the organisation?**

SINGLE CODE

Managing Director/CEO/Owner	1	
Financial Director	2	
IT Director/Manager	3	
Information security/compliance and/or data protection Director/Manager/Officer	4	
Public policy role	5	
Legal role	6	
Engineering and / or product development	7	
Other WRITE IN	8	

ASK ALL

S13 **Roughly, how many employees does your organisation currently employ across all sites, in the UK?**

SINGLE CODE

None – Sole Trader	1	
1-9	2	
10-49	3	
50-99	4	
100-249	5	
250+	6	
Don't know	7	

A. Awareness of the code

ASK ALL

A1 **How familiar are you with the Information Commissioners Office, also known as the ICO?**

SINGLE CODE

Very familiar	1
Fairly familiar	2
Not very familiar	3
Was not aware of the ICO before this survey	4

ASK ALL

A2 **Are you aware that the Information Commissioner's Office has recently launched a new code that sets out a number of standards to ensure that their services appropriately safeguard children's personal data and process children's data fairly?**

SINGLE CODE

Yes	1
No	2

ASK ALL

A3 **Have you heard of the Children's Code? This is also known as the Age Appropriate Design Code.**

SINGLE CODE

Heard of it and have a detailed understanding of what it entails	1
Heard of it and have an ok understanding of what it entails	2
Heard of it but do not have a good understanding of what it entails	3
Never heard of it	4

IF HAVE HEARD OF THE CHANGES (A2 = 1)
From now on we will refer to this new code as the Children's Code.

V1 – AWARENESS DUMMY VARIABLE, DO NOT ASK		
Aware of Code or the concept	1	A2 = 1 OR (A3 = 1 OR 2 OR 3)
Unaware of Code or the concept	2	A2 = 2 AND A3 = 4

ASK IF AWARE OF THE CODE (V1 = 1)

A4   **Where did you first hear about the Children's Code?**

SINGLE CODE

Direct communication from ICO	1
ICO website	2
Membership or trade body	3
Newspaper or news website	4
Compliance officer	5
Social media platform	6
Child advocacy groups (e.g. NSPCC)	7
Internet forum	8
Family or friends	9
Other (please write in)	10
Don't know	11

ASK IF AWARE OF THE CODE (V1 = 1)

A5   **Do you think that your organisation will have to conform with the Children's Code?**

SINGLE CODE

Yes	1
No	2

ASK IF AWARE OF THE CODE (V1 = 1)

A6   **To what extent do you agree or disagree with the following statements…?**

SINGLE CODE

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
I have a good understanding of the theoretical concepts and principles within the Children's Code	1	2	3	4	5	6
I have a good understanding of the practical actions our organisation needs to take in order to conform with the principles within The Children's Code	1	2	3	4	5	6

ASK IF AWARE OF THE CODE (V1 = 1)

A7   **Which of the following do you think are features of the Children's Code?**

MULTICODE (ROTATE LIST)

The code applies to online and offline businesses that use children's data	1	
The code is designed to ensure that organisations appropriately safeguard children's personal data and process it fairly	2	
There is no time limit within which organisations have to conform with the standards in the code	3	
The code ensures that organisations in its scope have a duty of care to protect children from all possible harms when using their products and services	4	
The code only applies to businesses that have offices in the UK	5	
The code requires all organisations in its scope to verify the specific age of all of their child users	6	
The code is grounded upon the UN Convention on the Rights of the Child	7	
The code will expect all organisations in scope of the code to conform in the same way, regardless of their sector or size	8	
None of the above	9	DO NOT MULTICODE
Don't know	10	DO NOT MULTICODE

ASK IF AWARE OF THE CODE (V1 = 1)

A8   **Do you think the Children's Code applies to users…?**

SINGLE CODE

Under the age of 13	1	
Under the age of 16	2	
Under the age of 18	3	
There are no age parameters	4	

Don't know	5	

A9 **What do you think are the key standards of the Children's Code, as it relates to your organisation?**

Write in	1	

ASK ALL

A10 **We'd now like to give you a brief summary of what the Children's Code is.**

The code sets out 15 standards of age appropriate design that certain organisations need to implement to ensure their services appropriately safeguard children's personal data and process it fairly.

Organisations that need to conform with the code include all organisations that provide an electronic service that is likely to be accessed by children under 18. This includes apps, programs, connected toys and devices, search engines, social media platforms, streaming services, online games, news or educational websites and websites offering other goods or services to users over the internet. It is not restricted to services specifically directed at children and includes those where it is more probable than not that children could access the service.

It came into force on 2nd September 2020 and relevant organisations have until September 2021 to show they conform with the Code.

Based on what you have just read, do you think your organisation will need to conform with the Children's Code?

SINGLE CODE

Yes	1
No	2
Don't know	3

ASK ALL WHO SAY THEY DON'T THINK THEY WILL HAVE TO CONFORM (A10 = 2)

A11 **Why do you think that your organisation will not need to conform with the code?**

MULTICODE

Our services are not aimed at children	1	
Our services are not likely to be accessed by children under 18	2	

We do not handle any personal data	3	
Other (please write in)	4	
We already meet the requirements of the code	5	DO NOT MULTICODE

ASK ALL

A12 Based on what you now know about the Children's Code, to what extent do you think your organisation currently conforms with the standards in the code?

SINGLE CODE

Fully	1
To large extent, but not fully	2
To some extent	3
Not at all	4
Don't know	5

ASK ALL

A13 Do you envisage your organisation will need to make any changes in order to conform with Children's Code?

SINGLE CODE

Yes	1
No	2
Don't know	3

12   B.   Implementation

ASK ALL

B1   We recognise that in addition to the Children's Code, there are a number of external developments that organisations have to respond to. Which of the following is your organisation currently responding to…?

MULTICODE

Challenges surrounding the Covid-19 pandemic	1	
Changes due to Britain leaving the EU	2	
The upcoming UK Online Harms regulation	3	
Cyber security threats	4	
None of the above	5	DO NOT MULTICODE
Don't know	6	DO NOT MULTICODE

ASK ALL WHO ARE CURRENTLY RESPONDING TO CHANGES AND FEEL THEY WILL HAVE TO MAKE SOME CHANGES [(B1 = 1-4) AND (A13 = 1 OR 3)]

B2   To what extent (if at all) does responding to each of the following inhibit your organisation's ability to prepare for the Children's Code?

SINGLE CODE FOR EACH

	To a large extent	To some extent	Not at all	Don't know
SHOW IF B1 = 1: Challenges surrounding the Covid-19 pandemic	1	2	3	6
SHOW IF B1 = 2: Changes due to Britain leaving the EU	1	2	3	6
SHOW IF B1 = 3: The upcoming UK Online Harms regulation	1	2	3	6
SHOW IF B1 = 4: Cyber security threats	1	2	3	6

ASK ALL WHO WILL HAVE TO MAKE CHANGES OR DON'T KNOW (A13 = 1 OR 3)

B3   Are there any other external developments that will inhibit your organisation's ability to prepare for the Children's Code?

Write in	
No - none	1

ASK ALL

B4 **Has your organisation recently made any changes to their practices relating to the use of children's (under 18's) data?**
SINGLE CODE

Yes	1
No	2
Don't know	3

ASK IF THEY HAVE MADE RECENT CHANGES TO PRACTICES (B4 = 1)

B5 **Were these changes in response to the Children's Code or before the Children's Code came into force?**
SINGLE CODE

Made in response to the Children's Code	1
We had started making changes before the Children's Code came into force	2
Don't know	3

ASK IF THEY HAVE MADE RECENT CHANGES TO PRACTICES (B4 = 1)

B6 **Have you personally, in your current role, made any of the recent changes to practices relating to the use of children's (under 18's) data?**
SINGLE CODE

Yes	1
No	2
Don't know	4

ASK IF THEY HAVE MADE RECENT CHANGES TO PRACTICES (B4 = 1)

B7 **What changes have you or your organisation made in relation to the use of children's (under 18) data?**
MULTICODE

Dedicated resources to reviewing the code and understanding its implications for your organisation	1	
Designing and implementing changes to aspects of your service's user experience	2	
Developing approaches for estimating the age of users	3	

Reviewing risks to children arising from how your products or services process their data	4	
Reviewing and redrafting privacy information, community standards and policies	5	
Developing or reviewing your data protection impact assessment	6	
Other change (please write in)	7	
Don't know	8	DO NOT MULTICODE

ASK ALL

B8   When do you plan to [B4 = 1: **make more changes] [**B4 = 2 OR 3: **start making changes] to practices relating to the use of children's (under 18) data?**

SINGLE CODE

In next few months	1
Not immediately, but by September 2021	2
At some point in the future, but **not** by September 2021	3
Never	4
Don't know	5

ASK ALL

B9   When do you anticipate that your organisation will have made the changes necessary to fully conform with the Children's Code?

SINGLE CODE

We already fully conform	1
In the next few months	2
Not immediately but by September 2021	3
At some point in the future, but **not** by September 2021	4
Never	5
Don't know	6

ASK IF DO NOT PLAN TO CONFORM BY SEPTEMBER 2021 (B9 = 4 OR 5)

B10   Why do you say that?

PLEASE WRITE IN	

Prefer not to say	1

13   C   Impact of the code

ASK IF NEED TO MAKE CHANGES (A13=1)

C1   You mentioned earlier that your organisation would need to make changes to conform with the Children's Code. Do you envisage the necessary changes will be done…?

SINGLE CODE

In-house	1	
By a third party	2	
By a mixture of in-house and third parties	3	
Don't know	4	

ASK IF AWARE OF THE CODE (V1 = 1)

C2   Has your organisation incurred any financial costs to date, as a result of the Children's Code?

SINGLE CODE

Yes	1
No	2
Don't know	3

ASK IF INCURRED FINANCIAL COSTS (C2 = 1)

C3   What have these costs related to?

MULTI CODE

Staff time investigating/researching what is required	1	
Training and development	2	
Developing internal data plans/procedures	3	
Third party/consultancy costs	4	
Business model changes	5	
Having to change or redesign existing products / services	6	
Reviewing risks to children arising from how your products or services process their data	7	
Reviewing and redrafting privacy information, community standards and policies	8	
Developing or reviewing your data protection impact assessment	9	

Other (please write in)	10	
Don't know	11	DO NOT MULTICODE

ASK IF INCURRED FINANCIAL COSTS (C2 = 1)

C4   **Are you able to provide an estimate, in pounds sterling, and including staff time, of how much your organisation has spent so far on making changes in relation to the Children's Code?**

Please enter £	
Don't know	1

IF DON'T KNOW COST (C4 = 1)

C5   **Are you able to provide an estimate using the ranges below?**

SINGLE CODE

£1,000 or less	1
£1,001 to £2,000	2
£2,001 to £3,000	3
£3,001 to £5,000	4
£5,001 to £10,000	5
£10,001 to £20,000	6
£20,001 to £50,000	7
£50,001 to £100,000	8
£100,000 to £500,000	9
More than £500,000	10
Don't know	11
Prefer not to say	12

ASK ALL

C6   **Do you envisage that your organisation will incur costs *in the future* as a result of the Children's Code?**

SINGLE CODE

Yes	1
No	2
Don't know	3

ASK IF ENVISAGE INCURRING FINANCIAL COSTS IN THE FUTURE (C6 = 1)

C7 **What do you envisage these costs will relate to?**

MULTI CODE

Staff time investigating/researching what is required	1	
Training and development	2	
Developing internal data plans/procedures	3	
Third party/consultancy costs	4	
Business model changes	5	
Having to change or redesign existing products / services	6	
Reviewing risks to children arising from how your products or services process their data	7	
Reviewing and redrafting privacy information, community standards and policies	8	
Developing or reviewing your data protection impact assessment	9	
Other (please write in)	10	
Don't know	11	DO NOT MULTICODE

ASK IF ENVISAGE INCURRING FINANCIAL COSTS IN THE FUTURE (C6 = 1)

C8 **Are you able to provide an estimate, in pounds sterling and including staff time, of how much you envisage spending on making changes in relation to the Children's Code?**

Please enter £	
Don't know	1

IF DON'T KNOW COST (C8 = 1)

C9 **Are you able to provide an estimate using the ranges below?**

SINGLE CODE

£1,000 or less	1
£1,001 to £2,000	2
£2,001 to £3,000	3
£3,001 to £5,000	4
£5,001 to £10,000	5

£10,001 to £20,000	6
£20,001 to £50,000	7
£50,001 to £100,000	8
£100,000 to £500,000	9
More than £500,000	10
Don't know	11
Prefer not to say	12

ASK ALL

C10 **Do you foresee any barriers, relating to the internal context of your organisation as opposed to external factors, in relation to your organisation conforming with the Children's Code?**

SINGLE CODE

Yes	1
No	2
Don't know	3

ASK THOSE WHO PERCEIVE BARRIERS (C10 = 1)

C11 **What are these barriers?**

PLEASE WRITE IN	
Don't know	1

ASK ALL

C12 **Do you envisage any opportunities for your organisation as a result of implementing the Children's Code?**

SINGLE CODE

Yes	1
No	2
Don't know	3

ASK THOSE WHO PERCEIVE OPPORTUNITIES (C12 =1)

C13 **What opportunities do you envisage?**

PLEASE WRITE IN	
Don't know	1

D. Support

ASK IF AWARE OF THE CODE (V1 = 1)

D1 **Have you or anyone in your organisation attended any of the following to find about more about the Children's Code?**

MULTI CODE (PLEASE ROTATE)

Webinars run by membership bodies (such as TechUk)	1	
ICO workshop identifying potential risks when applying Children's Code of Practice	2	
In-house training	3	
Other training event (please specify)	4	
None of the above	5	DO NOT MULTICODE
Don't know	6	DO NOT MULTICODE

ASK ALL

D2 **Where would you look for guidance on improving online privacy and responsible service design for children?**

MULTI CODE (PLEASE ROTATE)

ICO website	1	
Membership body website	2	
Gov.uk	3	
Search engine	4	
Design and development forums (e.g. Github)	5	
Civil Society resources	6	
Legal consultancy services/data protection services	7	
Management consultancy services	8	
Other (please specify)	9	
None of the above	10	DO NOT MULTICODE
Don't know	11	DO NOT MULTICODE

ASK THOSE WHO SELECTED MORE THAN ONE OPTION AT D2 (D2 = 1-9)

D3 **Which of these places would you look first?**

SINGLE CODE

ONLY SHOW OPTIONS SELECTED AT D2

ICO website	1	
Membership body website	2	
Gov.uk	3	
Search engine	4	
Design and development forums (e.g. Github)	5	
Civil Society resources	6	
Legal consultancy services/data protection services	7	
Management consultancy services	8	
Other (please specify)	9	
Don't know	10	DO NOT MULTICODE

ASK ALL

D4 **What type of support would be most useful in helping you to conform with the Children's Code?**

SELECT UP TO 3 (PLEASE ROTATE)

Published guidance from the ICO	1	
Templates from the ICO, for example a Data protection impact assessment template	2	
Published case studies showing best practice	3	
Interactive workshop	4	
Webinars on code content	5	
Information on ICO's approach to regulatory action	6	
None of the above	7	DO NOT MULTICODE
Don't know	8	DO NOT MULTICODE

ASK ALL

D5 **Is there anything else that would help your organisation with conforming to the Children's Code?**

PLEASE WRITE IN	
No - nothing	1

E. Demographics

ASK ALL

E1 **Finally, we'd just like to ask you a few questions about your organisation to build up a bit more detail about your organisation.**

How many years had your organisation been trading?

SINGLE CODE

Up to 1 year	1	
Over 1 year up to 2 years	2	
Over 2 years up to 3 years	3	
Over 3 years up to 5 years	4	
Over 5 years up to 10 years	5	
Over 10 years up to 15 years	6	
Over 15 years	7	
Don't know	8	

ASK ALL

E2 **What, approximately, was the turnover of your organisation in your last financial year?**

SINGLE CODE

£1-£49,999	1	
£50,000-£84,999	2	
£85,000-£99,999	3	
£100,000-£249,999	4	
£250,000-£499,999	5	
£500,000-£999,999	6	
£1,000,000-£1,999,999	7	
£2,000,000-£4,999,999	8	
£5,000,000-£9,999,999	9	
£10,000,000-£24,999,999	10	
£25,000,0000+	11	

Don't know	12	
Prefer not to say	13	

ASK ALL

E3 **Where is your organisation's head office based?**

SINGLE CODE

England	1
Wales	2
Scotland	3
Northern Ireland	4
Outside of the UK	5
Don't Know	6
Prefer not to say	7

ASK THOSE WITH HEAD OFFICE BASED IN ENGLAND (E3 = 1)

E4 **In which region is your organisation's head office based?**

SINGLE CODE

North East	1	
North West and Isle of Man	2	
Yorkshire / Humberside	3	
West Midlands	4	
East Midlands	5	
East of England (incl. East Anglia)	6	
South East	7	
South West	8	
London (incl. Greater London)	9	
Don't know	10	
Prefer not to say	11	

ASK ALL

E5 **Does your organisation operate outside of the UK? By which we mean that staff are employed by your organisation in areas other than the UK.**

SINGLE CODE

IFF Research

Yes	1
No	2
Don't know	3

ASK ORGANISATIONS WHO HAVE AN OPERATION OUTSIDE OF THE UK (E5 = 1)

E6 **Roughly, how many employees does your organisation currently employ globally, across all sites in the UK and outside of the UK?**

SINGLE CODE

None – Sole Trader	1	
1-9	2	
10-49	3	
50-99	4	
100-249	5	
250+	6	
Don't know	7	

ASK ALL

E7 **Finally, have you heard of the data protection laws that apply in the UK, the GDPR and Data Protection Act?**

SINGLE CODE

Heard of them and have a detailed understanding of what they entail	1	
Heard of them and have an ok understanding of what they entail	2	
Heard of them but do not have a good understanding of what they entail	3	
Never heard of them	4	

F. Thank and close

ASK ALL

F1 **Thank you very much for your time, that is now the end of the survey. Would you be willing for IFF Research to re-contact you on behalf of the Information Commissioners Office, for further research into your experiences of the Children's Code?**

We are going to be re contacting organisations in August and September 2021.

SINGLE CODE

Yes	1
No	2

ASK IF WILLING TO BE RE-CONTACTED (F1 = 1)

F2 **Please can you write in below the best telephone number and email address to contact you on for future research?**

These details will only be used to contact you in relation to further research studies for the Information Commissioners Office.

WRITE IN EMAIL ADDRESS	1	ALLOW REFUSAL
WRITE IN TELEPHONE NUMBER	2	ALLOW REFUSAL

SHOW FOR ALL

Thank you – on behalf of IFF Research and the Information Commissioners Office, for your invaluable feedback, your time and input is much appreciated. We would just like to confirm, your responses to this survey are anonymised: all names and contact details are deleted at the earliest opportunity – and no more than 12 months from now.

If you would like more information about the legal basis for you taking part, what we do with your data, and the rights that you have, you can visit our IFF GDPR policy page: http://www.iffresearch.com/iff-research-gdpr-policy/

Appendix A: Reassurance email

Reference number: [ID]

Dear [NAME]

The Information Commissioners Office, also known as the ICO, is the UK's independent authority set up to uphold information rights in the public interest.

The ICO are conducting anonymous research in order to support organisations such as yours on matters relating to information rights and data, and is seeking to explore organisations' awareness of recent changes to regulation.

By participating in this research, you will provide valuable insights, helping the ICO to better understand the support and guidance that organisations need.

We appreciate that you are busy and assure you that this survey will take no more than 15 minutes to complete.

Your survey answers will remain anonymous and will not impact on past, present or future interactions with ICO. The ICO will not know who has taken part.

PLEASE CLICK ON THE LINK BELOW TO TAKE PART:

SURVEY LINK TO ADD

If you have any questions about the research, or need help understanding the survey you can contact IFF Research at Anya.Karadia@iffresearch.com. If you would like to check that the research is genuine you can call the Market Research Society on 0800 975 9596.

Your views are important to us and we are very grateful for your help.

Best wishes,

Appendix B: Instructional email

Reference number: [ID]

Reference number: [ID]

Dear [NAME]

The Information Commissioners Office, also known as the ICO, is the UK's independent authority set up to uphold information rights in the public interest.

The ICO are conducting anonymous research in order to support organisations such as yours on matters relating to information rights and data, and is seeking to explore organisations' awareness of recent changes to regulation.

By participating in this research, you will provide valuable insights, helping the ICO to better understand the support and guidance that organisations need.

We appreciate that you are busy and assure you that this survey will take no more than 15 minutes to complete.

Your survey answers will remain anonymous and will not impact on past, present or future interactions with ICO. The ICO will not know who has taken part.
PLEASE CLICK ON THE LINK BELOW TO TAKE PART:

SURVEY LINK TO ADD

If you have any questions about the research, or need help understanding the survey you can contact IFF Research at Anya.Karadia@iffresearch.com. If you would like to check that the research is genuine you can call the Market Research Society on 0800 975 9596.
Your views are important to us and we are very grateful for your help.
Best wishes,

Wave 2 Survey

Children's Code research - Questionnaire   J11024   Date

21/4/23

Online and Telephone

ASK ALL

S1   **The research involves a short survey that will take no longer than 15 minutes to complete.**

The Information Commissioners Office also known as the ICO, is the UK's independent authority set up to uphold information rights in the public interest. They are seeking to explore organisations' awareness of recent changes to regulation.

By participating in this research, you will provide valuable insight, helping the ICO to better understand the support and guidance that organisations will need to respond to the upcoming changes.

CATI ONLY: **The ICO and IFF hold joint responsibility for the use of data until this research, and we can provide more information on this should you need it.**

Privacy reassurances to read if necessary

IFF research and ICO hold joint responsibility for the processing of data under this research. For more information on the ICO's privacy policy, please visit: https://ico.org.uk/global/privacy-notice and particularly the section on responding to consultations and surveys. For more information on IFF's privacy policy please visit: https://www.iffresearch.com/privacy-policy/

Under data protection law, you have the right to have a copy of your data, change your data, or withdraw from the research at any point. If you'd like to do this, or find out more, you can visit our IFF GDPR policy page: http://www.iffresearch.com/iff-research-gdpr-policy/

Your responses will be anonymous, with all data reported in aggregate form. Participating in this survey does not affect any obligations you might have to comply with under the Data Protection Act 2018, or any other applicable laws or regulations.

If you wish to confirm the authenticity of this research or get more information about the research, you can contact IFF Research at ICOChildrensCode@iffresearch.com or the Market Research Society by calling 0800 975 9596.

Please be assured that any information you share with IFF will be used for research purposes only and will not be passed to the ICO in any way that would allow you or your organisation to be identified, or effect your dealings with ICO in anyway.

SHOW THIS SENTENCE ONLY TO THOSE FROM A MEMBERSHIP OR TRADE BODY:
If you are participating through membership of a trade or professional body, your responses will be shared in anonymous and aggregated form with that trade body only.

When completing the survey, please only use the 'next' button on the page rather than the 'back' and 'forward' buttons in your browser. You can pause the survey at any time by clicking on the pause symbol at the bottom of the screen and can re-enter by clicking on the link again.

To begin, please click on the 'next' button below.

Your views are important to us and we are very grateful for your help.

SINGLE CODE

Yes	1	CONTINUE
No	2	THANK AND CLOSE

ASK ALL

S2 **Please could you confirm that you have some level of awareness on matters concerning information rights and data security compliance within your organisation including GDPR, that means you feel able to answer questions on these matters?**

This may not necessarily mean that you have formal responsibilities for data protection compliance within your organisation, but data protection should have some impact on your work.

SINGLE CODE

Yes	1	
No	2	

ASK IF NOT BEST PERSON (S2=1) AND NOT SAMPLE SOURCE 3,4,5

S3 **We would be grateful if you could forward this link to someone at your organisation who is in a position to answers questions concerning information rights regulation such as GDPR.**

Thank you for your time.

THANK AND CLOSE

ASK ALL

S4 **We'd now like to take you through a few questions relating to your organisation.**

Does your organisation provide an online or internet enabled service?

SINGLE CODE

Yes – products	1	CONTINUE
Yes - services	2	CONTINUE
Yes – both products and services	3	CONTINUE
No	4	THANK AND CLOSE

ASK ALL

S5 **And is the revenue you generate from the delivery of online, or internet-enabled, products/services received through…?**

SINGLE CODE

Direct payment or subscription from customers	1	
Generating money from user's data (e.g. through advertising)	2	
Both	3	
We don't generate revenue	4	GO TO S6

ASK THOSE WHO DO NOT GENERATE REVENUE (S5 = 4)

S6 **Do other organisations that provide the same types of products or services as you, typically generate revenue from them?**

For example, you provide a charitable service that others providing similar services typically charge for.

SINGLE CODE

Yes	1	CONTINUE
No	2	THANK AND CLOSE

ASK ALL

S7 **Are any of the online, or internet-enabled, products or services that you deliver aimed at under 18's in the UK?**

SINGLE CODE

Yes	1	
No	2	

ASK IF NOT AIMED AT CHILDREN (S7=2)

S8 **How likely are those under the age of 18 in the UK to access any of the products or services that you offer online?**

SINGLE CODE

Very unlikely	1	THANK AND CLOSE
Fairly unlikely	2	GO TO S9
Neither likely nor unlikely	3	CONTINUE
Fairly likely	4	CONTINUE
Very likely	5	CONTINUE
Don't know	6	GO TO S9

ASK IF FAIRLY UNLIKELY OR DK HOW LIKELY TO BE ACCESS BY CHILDREN (S8=2 OR 6)

S9 **How likely is it that products or services like yours appeal to children under the age of 18 in the UK?**

SINGLE CODE

Very unlikely	1	THANK AND CLOSE
Fairly unlikely	2	THANK AND CLOSE
Neither likely nor unlikely	3	CONTINUE
Fairly likely	4	CONTINUE
Very likely	5	CONTINUE

ASK IF SELL PRODUCTS ONLINE (S4=1 OR 3)

S10 **And which of the following products do you provide online in the UK?**

MULTICODE

Games devices (including consoles) and connected toys	1	
Educational products and online learning materials	2	
Magazines, books, and media	3	
Live events and sports tickets	4	
Computer software	5	

Phones and communication devices	6	
Food and consumer goods	7	
Health and fitness services	9	
Other (Please write in)	10	

ASK IF PROVIDE SERVICES ONLINE (S4=2 OR 3)

S11 **And which of the following services do you provide online in the UK?**

MULTICODE

Online marketplace for third party goods/services	1	
Online gaming / streaming	2	
Music and video streaming	3	
Social media services	4	
Online messaging or voice telephony service	5	
News / education websites / subscription services	6	
Electronic services controlling connected toys and other connected devices	7	
Preventative / counselling services	11	THANK AND CLOSE IF ONLY OPTION 11 CODED
Other WRITE IN	12	

SHOW IF S11 = 11 (AND NO OTHER OPTION CHOSEN)

Thank you for your participation. Preventative and counselling services are not in scope for this research and so we will not be needing anymore of your time. Thank you.

ASK ALL

S12 **And what best describes your role within the organisation?**

SINGLE CODE

Managing Director/CEO/Owner	1	
Financial Director	2	
IT Director/Manager	3	
Information security/compliance and/or data protection Director/Manager/Officer	4	
Public policy role	5	
Legal role	6	
Engineering and / or product development	7	
Other WRITE IN	8	

ASK ALL

S13 **Roughly, how many employees does your organisation currently employ across all sites, in the UK?**

SINGLE CODE

None – Sole Trader	1	
1-9	2	
10-49	3	
50-99	4	
100-249	5	
250+	6	
Don't know	7	

A. Awareness of the code

ASK ALL

A1 **How familiar are you with the Information Commissioners Office, also known as the ICO?**

SINGLE CODE

Very familiar	1
Fairly familiar	2
Not very familiar	3
Was not aware of the ICO before this survey	4

ASK ALL

A2 **Are you aware that the Information Commissioner's Office has recently launched a code that sets out a number of standards to ensure that their services appropriately safeguard children's personal data and process children's data fairly?**

SINGLE CODE

Yes	1
No	2

ASK ALL

A3 **Have you heard of the Children's Code? This is also known as the Age Appropriate Design Code.**

SINGLE CODE

Heard of it and have a detailed understanding of what it entails	1
Heard of it and have an ok understanding of what it entails	2
Heard of it but do not have a good understanding of what it entails	3
Never heard of it	4

IF HAVE HEARD OF THE CHANGES (A2 = 1)
From now on we will refer to this code as the Children's Code.

V1 – AWARENESS DUMMY VARIABLE, DO NOT ASK		
Aware of Code or the concept	1	A2 = 1 OR (A3 = 1 OR 2 OR 3)
Unaware of Code or the concept	2	A2 = 2 AND A3 = 4

ASK IF AWARE OF THE CODE (V1 = 1)

A4 **Where did you first hear about the Children's Code?**

SINGLE CODE

Direct communication from ICO	1
ICO website	2
Membership or trade body	3
Newspaper or news website	4
Compliance officer	5
Social media platform	6
Child advocacy group (e.g. NSPCC)	7
Internet forum	8
Family or friends	9
Other (please write in)	10
Don't know	11

ASK IF AWARE OF THE CODE (V1 = 1)

A5 **Do you think that your organisation will have to conform with the Children's Code?**

SINGLE CODE

Yes	1
No	2

ASK IF AWARE OF THE CODE (V1 = 1)

A6 **To what extent do you agree or disagree with the following statements…?**

SINGLE CODE

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
I have a good understanding of the theoretical concepts and principles within the Children's Code	1	2	3	4	5	6
I have a good understanding of the practical actions our organisation needs to take in order to conform with the principles within The Children's Code	1	2	3	4	5	6

ASK IF AWARE OF THE CODE (V1 = 1)

A7 **Which of the following do you think are features of the Children's Code?**

MULTICODE (ROTATE LIST)

The code applies to online and offline businesses that use children's data	1	
The code is designed to ensure that organisations appropriately safeguard children's personal data and process it fairly	2	
There is no time limit within which organisations have to conform with the standards in the code	3	
The code ensures that organisations in its scope have a duty of care to protect children from all possible harms when using their products and services	4	
The code only applies to businesses that have offices in the UK	5	
The code requires all organisations in its scope to verify the specific age of all of their child users	6	
The code is grounded upon the UN Convention on the Rights of the Child	7	
The code will expect all organisations in scope of the code to conform in the same way, regardless of their sector or size	8	
None of the above	9	DO NOT MULTICODE
Don't know	10	DO NOT MULTICODE

ASK IF AWARE OF THE CODE (V1 = 1)

A8 **Do you think the Children's Code applies to users…?**

SINGLE CODE

Under the age of 13	1	
Under the age of 16	2	
Under the age of 18	3	

There are no age parameters	4	
Don't know	5	

ASK IF AWARE OF THE CODE (V1 = 1)

A9 **What do you think are the key standards of the Children's Code, as it relates to your organisation?**

Write in	1	

ASK ALL

A10 **We'd now like to give you a brief summary of what the Children's Code is.**

The code sets out 15 standards of age appropriate design that certain organisations need to implement to ensure their services appropriately safeguard children's personal data and process it fairly.

Organisations that need to conform with the code include all organisations that provide an electronic service that is likely to be accessed by children under 18. This includes apps, programs, connected toys and devices, search engines, social media platforms, streaming services, online games, news or educational websites and websites offering other goods or services to users over the internet. It is not restricted to services specifically directed at children and includes those where it is more probable than not that children could access the service.

Based on what you have just read, do you think your organisation will need to conform with the Children's Code?

SINGLE CODE

Yes	1
No	2
Don't know	3

ASK ALL WHO SAY THEY DON'T THINK THEY WILL HAVE TO CONFORM (A10 = 2)

A11 **Why do you think that your organisation will not need to conform with the code?**

MULTICODE

Our services are not aimed at children	1	

Our services are not likely to be accessed by children under 18	2	
We do not handle any personal data	3	
Other (please write in)	4	
We already meet the requirements of the code	5	DO NOT MULTICODE

ASK ALL

A12 **Based on what you now know about the Children's Code, to what extent do you think your organisation currently conforms with the standards in the code?**

SINGLE CODE

Fully	1
To large extent, but not fully	2
To some extent	3
Not at all	4
Don't know	5

ASK ALL WHO DO NOT THINK THEY FULLY CONFORM (A12 = 2-5)

A13 **Do you envisage your organisation will make any changes in order to conform with Children's Code?**

SINGLE CODE

Yes	1
No	2
Don't know	3

14 B. Implementation

B1 DELETED
B2 DELETED
B3 DELETED

ASK ALL

B4 **Has your organisation made any changes to their practices relating to the use of children's (under 18's) data within the last year?**
SINGLE CODE

Yes	1
No	2
Don't know	3

ASK IF THEY HAVE MADE RECENT CHANGES TO PRACTICES (B4 = 1)

B5 **Were these changes made in response to the Children's Code or independent from the code?**
SINGLE CODE

Made in response to the Children's Code	1
We had started making changes independent of the Children's Code	2
Don't know	3

ASK IF THEY HAVE MADE RECENT CHANGES TO PRACTICES (B4 = 1)

B7 **What changes have you or your organisation made in relation to the use of children's (under 18) data?**
MULTICODE

Dedicated resources to reviewing the code and understanding its implications for your organisation	1	
Designing and implementing changes to aspects of your service's user experience	2	
Developing approaches for estimating the age of users	3	
Reviewing risks to children arising from how your products or services process their data	4	
Reviewing and redrafting privacy information, community standards and policies	5	
Developing or reviewing your data protection impact assessment	6	
Other change (please write in)	7	

Don't know	8	DO NOT MULTICODE

B8 DELETED

ASK ALL EXCEPT THOSE WHO ALREADY FULLY CONFORM OR SAID THEY DO NOT
NEED TO MAKE ANY CHANGES (A12 IS NOT 1) OR (A13 IS NOT 2)

B9 **When do you anticipate that your organisation will have made the changes necessary to fully conform with the Children's Code?**

SINGLE CODE

We already fully conform	1
Before the end of 2021	2
From 2022 onwards	3
Never	4
Don't know	5

ASK IF DO NOT PLAN TO CONFORM BY SEPTEMBER 2021 (B9 = 4 OR 5)

B10 **Why do you say that?**

PLEASE WRITE IN	
Prefer not to say	1

B11 **Which of the following do you think would be most effective in encouraging and supervising industry conformance with the code in your sector?**

SINGLE CODE

Issuing fines	1
Publishing good practice case studies	2
Further guidance	3
Increased collaboration with other UK regulators and government	4
Increased collaboration on development of international standards relating to children's data	5
Convening industry engagement for peer-to-peer learning	6
Don't know	7

15   C   Impact of the code

ASK IF NEED TO MAKE CHANGES (A13=1)

C1   You mentioned earlier that your organisation would need to make changes to conform with the Children's Code. Do you envisage the necessary changes will be done…?

SINGLE CODE

In-house	1	
By a third party	2	
By a mixture of in-house and third parties	3	
Don't know	4	

ASK IF AWARE OF THE CODE (V1 = 1)

C2   Has your organisation incurred any financial costs to date, as a result of the Children's Code?

SINGLE CODE

Yes	1
No	2
Don't know	3

ASK IF INCURRED FINANCIAL COSTS (C2 = 1)

C3   What have these costs related to?

MULTI CODE

Staff time investigating/researching what is required	1	
Training and development	2	
Developing internal data plans/procedures	3	
Third party/consultancy costs	4	
Business model changes	5	
Having to change or redesign existing products / services	6	
Reviewing risks to children arising from how your products or services process their data	7	
Reviewing and redrafting privacy information, community standards and policies	8	
Developing or reviewing your data protection impact assessment	9	

Other (please write in)	10	
Don't know	11	DO NOT MULTICODE

ASK IF INCURRED FINANCIAL COSTS (C2 = 1)

C4 **Are you able to provide an estimate, in pounds sterling, and including staff time, of how much your organisation has spent so far on making changes in relation to the Children's Code?**

Please enter £	
Don't know	1

IF DON'T KNOW COST (C4 = 1)

C5 **Are you able to provide an estimate using the ranges below?**

SINGLE CODE

£1,000 or less	1
£1,001 to £2,000	2
£2,001 to £3,000	3
£3,001 to £5,000	4
£5,001 to £10,000	5
£10,001 to £20,000	6
£20,001 to £50,000	7
£50,001 to £100,000	8
£100,000 to £500,000	9
More than £500,000	10
Don't know	11
Prefer not to say	12

ASK ALL

C6 **Do you envisage that your organisation will incur costs *in the future* as a result of the Children's Code?**

SINGLE CODE

Yes	1
No	2
Don't know	3

ASK IF ENVISAGE INCURRING FINANCIAL COSTS IN THE FUTURE (C6 = 1)

C7 **What do you envisage these costs will relate to?**

MULTI CODE

Staff time investigating/researching what is required	1	
Training and development	2	
Developing internal data plans/procedures	3	
Third party/consultancy costs	4	
Business model changes	5	
Having to change or redesign existing products / services	6	
Reviewing risks to children arising from how your products or services process their data	7	
Reviewing and redrafting privacy information, community standards and policies	8	
Developing or reviewing your data protection impact assessment	9	
Other (please write in)	10	
Don't know	11	DO NOT MULTICODE

ASK IF ENVISAGE INCURRING FINANCIAL COSTS IN THE FUTURE (C6 = 1)

C8 **Are you able to provide an estimate, in pounds sterling and including staff time, of how much you envisage spending on making changes in relation to the Children's Code?**

Please enter £	
Don't know	1

IF DON'T KNOW COST (C8 = 1)

C9 **Are you able to provide an estimate using the ranges below?**

SINGLE CODE

£1,000 or less	1
£1,001 to £2,000	2
£2,001 to £3,000	3
£3,001 to £5,000	4
£5,001 to £10,000	5

£10,001 to £20,000	6
£20,001 to £50,000	7
£50,001 to £100,000	8
£100,000 to £500,000	9
More than £500,000	10
Don't know	11
Prefer not to say	12

ASK ALL EXCEPT THOSE WHO ALREADY FULLY CONFORM OR SAID THEY DO NOT NEED TO MAKE ANY CHANGES (A12 IS NOT 1) OR (A13 IS NOT 2)

C9a **Do you foresee any external barriers, relating to your organisation conforming with the Children's Code?**

SINGLE CODE

Yes	1
No	2
Don't know	3

ASK THOSE WHO PERCEIVE BARRIERS (NEWC10a = 1)

C9b **What are these barriers?**

| PLEASE WRITE IN | |
| Don't know | 1 |

C10 **Do you foresee any barriers, relating to challenges within your organisation as opposed to external factors, in relation to your organisation conforming with the Children's Code?**

SINGLE CODE

Yes	1
No	2
Don't know	3

ASK THOSE WHO PERCEIVE BARRIERS (C10 = 1)

C11 **What are these barriers?**

| PLEASE WRITE IN | |
| Don't know | 1 |

ASK ALL

C12 Have you realised, or do you envisage, any opportunities for your organisation as a result of implementing the Children's Code?

SINGLE CODE

Yes	1
No	2
Don't know	3

ASK THOSE WHO PERCEIVE OPPORTUNITIES (C12 =1)

C13 What opportunities do you envisage?

PLEASE WRITE IN	
Don't know	1

C14 Overall, what do you think the code's impact will be for the following groups?

SINGLE CODE

	Very positive	Somewhat positive	Neither positive nor negative	Somewhat negative	Very negative
Your organisation	1	2	3	4	5
Your sector	1	2	3	4	5
Your child users	1	2	3	4	5
Your general users	1	2	4	4	5

ASK ALL

C15 Which of the following data-related activities do you think pose the greatest risks to children, in your sector

MULTICODE

Age estimation and account verification	1
Enabling data to be shared between users	2
Approaches to enforcing online policies and community standards	3
The design of privacy information and settings	4

Sharing children's data with third parties	5
Personalised or "targeted" adverts	6
Personalised or "targeted" content recommendations	7
Tracking children's location	8
Parental controls for tracking children's online activity	9
Don't know	10

D. Support

ASK IF AWARE OF THE CODE (V1 = 1)

D1 **Have you or anyone in your organisation attended any of the following to find about more about the Children's Code?**

MULTI CODE (PLEASE ROTATE)

Webinars run by membership bodies (such as TechUk), law firms or consultancies	1	
ICO workshops and webinars	2	
In-house training	3	
Other training event (please specify)	4	
None of the above	5	DO NOT MULTICODE
Don't know	6	DO NOT MULTICODE

D2 DELETED
D3 DELETED
D4 DELETED
D5 DELETED

ASK EACH FIELD SELECTED IN D1

D6 **On a scale of 1 to 5 where 1 is not at all useful and 5 is very useful, how useful did you find these programmes of support?**

MULTI CODE (PLEASE ROTATE)

	1- Not at all useful	2	3	4	5 - Very useful
Webinars run by membership bodies (such as TechUk), law firms or consultancies	1	2	3	4	5

ICO workshops and webinars	2	2	3	4	5
In-house training	3	2	3	4	5
Other training event (please specify)	4	2	3	4	5

ASK IF AWARE OF THE CODE (V1 = 1)

D7 **Which of the following ICO initiatives have you attended or used during the transition period?**

MULTI CODE (PLEASE ROTATE)

Children's Code Hub	1	
Explanatory webinars and engagement	2	
Blogs	3	
FAQs	4	
DPIA templates and guidance	5	
Risks and children's best interests toolkit	6	
Standard-specific guidance (e.g. transparency, detrimental use, best interests of the child)	7	
UX and design guidance	8	
None of the above	9	DO NOT MULTICODE
Don't know	10	DO NOT MULTICODE

ASK IF HAVE USED AT LEAST ONE ICO RESOURCE (D2 ≠ 9/10)

D8 **How satisfied or dissatisfied are you with the ICO's support and engagement throughout the transition period?**

SINGLE CODE

Very satisfied	1	
Fairly satisfied	2	
Neither satisfied nor dissatisfied	3	
Fairly dissatisfied	4	
Very dissatisfied	5	

Don't know	6	

ASK IF HAVE USED AT LEAST ONE ICO RESOURCE (D2 ≠ 9/10)

D9 **What elements have made guidance and support useful to your organisation?**

SINGLE CODE

Clear language	1	
Step-by-step guidance	2	
Visual guidance	3	
Case studies	4	
Guidance for specific job roles	5	
Other (please specify)	6	
None of these	7	

ASK ALL

D10 **If there any further guidance/support you would want to see from the ICO, what would it be?**

SINGLE CODE

Write in	1	

E.   Demographics

E1 **DELETED**

ASK ALL

E2 **Finally, we'd just like to ask you a few questions to build up a bit more detail about your organisation.**

What, approximately, was the income of your organisation in your last financial year?

Please include turnover and investment.

SINGLE CODE

£1-£49,999	1	
£50,000-£84,999	2	

£85,000-£99,999	3	
£100,000-£249,999	4	
£250,000-£499,999	5	
£500,000-£999,999	6	
£1,000,000-£1,999,999	7	
£2,000,000-£4,999,999	8	
£5,000,000-£9,999,999	9	
£10,000,000-£24,999,999	10	
£25,000,0000+	11	
Don't know	12	
Prefer not to say	13	

ASK ALL

E3 **Where is your organisation's head office based?**

SINGLE CODE

England	1
Wales	2
Scotland	3
Northern Ireland	4
Outside of the UK	5
Don't Know	6
Prefer not to say	7

E4 **DELETED**

ASK ALL EXCEPT THOSE WITH A HEAD OFFICE OUTSIDE OF THE UK (E3 IS NOT 5)

E5 **Does your organisation operate outside of the UK? By which we mean that staff are employed by your organisation in areas other than the UK.**

SINGLE CODE

Yes	1
No	2
Don't know	3

ASK ORGANISATIONS WHO HAVE AN OPERATION OUTSIDE OF THE UK (E3 = 5 OR E5 = 1)

E6 **Roughly, how many employees does your organisation currently employ globally, across all sites in the UK and outside of the UK?**

SINGLE CODE

None – Sole Trader	1	
1-9	2	
10-49	3	
50-99	4	
100-249	5	
250+	6	
Don't know	7	

ASK ALL

E7 **Finally, have you heard of the data protection laws that apply in the UK, the GDPR and Data Protection Act?**

SINGLE CODE

Heard of them and have a detailed understanding of what they entail	1	
Heard of them and have an ok understanding of what they entail	2	
Heard of them but do not have a good understanding of what they entail	3	
Never heard of them	4	

F. Thank and close

ASK ALL

F1 **Thank you very much for your time, that is now the end of the survey. Would you be willing for IFF Research to re-contact you on behalf of the Information Commissioners Office, for further research into your experiences of the Children's Code?**

We are going to be re contacting organisations in August and September 2021.

SINGLE CODE

Yes	1
No	2

ASK IF WILLING TO BE RE-CONTACTED (F1 = 1)

F2 **Please can you write in below the best telephone number and email address to contact you on for future research?**

These details will only be used to contact you in relation to further research studies for the Information Commissioners Office.

WRITE IN EMAIL ADDRESS	1	ALLOW REFUSAL
WRITE IN TELEPHONE NUMBER	2	ALLOW REFUSAL

SHOW FOR ALL

Thank you – on behalf of IFF Research and the Information Commissioners Office, for your invaluable feedback, your time and input is much appreciated. We would just like to confirm, your responses to this survey are anonymised: all names and contact details are deleted at the earliest opportunity – and no more than 12 months from now.

If you would like more information about the legal basis for you taking part, what we do with your data, and the rights that you have, you can visit our IFF GDPR policy page: http://www.iffresearch.com/iff-research-gdpr-policy/

Question Summary

	Wave 1	Wave 2	
A1	How familiar are you with the Information Commissioners Office, also known as the ICO?	A1	How familiar are you with the Information Commissioners Office, also known as the ICO?
A2	Are you aware that the Information Commissioner's Office has recently launched a new code that sets out a number of standards to ensure that their services appropriately safeguard children's personal data and process children's data fairly?	A2	Are you aware that the Information Commissioner's Office has recently launched a new code that sets out a number of standards to ensure that their services appropriately safeguard children's personal data and process children's data fairly?
A3	Have you heard of the Children's code? This is also known as the Age Appropriate Design Code.	A3	Have you heard of the Children's code? This is also known as the Age Appropriate Design Code.
A4	Where did you first hear about the Children's code?	A4	Where did you first hear about the Children's code?
A5	Do you think that your organisation will have to conform with the Children's code?	A5	Do you think that your organisation will have to conform with the Children's code?
A6	To what extent do you agree or disagree with the following statements…?	A6	To what extent do you agree or disagree with the following statements…?
A7	Which of the following do you think are features of the Children's code?	A7	Which of the following do you think are features of the Children's code?
A8	Do you think the Children's code applies to users…?	A8	Do you think the Children's code applies to users…?
A9	What do you think are the key standards of the Children's code, as it relates to your organisation?	A9	What do you think are the key standards of the Children's code, as it relates to your organisation?
A10	We'd now like to give you a brief summary of what the Children's code is. Based on what you have just read, do you think your organisation will need to conform with the Children's code?	A10	We'd now like to give you a brief summary of what the Children's code is. Based on what you have just read, do you think your organisation will need to conform with the Children's code?
A11	Why do you think that your organisation will not need to conform with the code?	A11	Why do you think that your organisation will not need to conform with the code?
A12	Based on what you now know about the Children's code, to what extent do you think your organisation currently conforms with the standards in the code?	A12	Based on what you now know about the Children's code, to what extent do you think your organisation currently conforms with the standards in the code?
A13	Do you envisage your organisation will need to make any changes in order to conform with Children's code?	A13	Do you envisage your organisation will make any changes in order to conform with Children's code?
B1	We recognise that in addition to the Children's code, there are a number of external developments that organisations have to respond to. Which of the following is your organisation currently responding to…?		

B2	To what extent (if at all) does responding to each of the following inhibit your organisation's ability to prepare for the Children's code?		
B3	Are there any other external developments that will inhibit your organisation's ability to prepare for the Children's code?		
B4	Has your organisation recently made any changes to their practices relating to the use of children's (under 18's) data?	B4	Has your organisation recently made any changes to their practices relating to the use of children's (under 18's) data?
B5	Were these changes in response to the Children's code or before the Children's code came into force?	B5	Were these changes in response to the Children's code or before the Children's code came into force?
B6	Have you personally, in your current role, made any of the recent changes to practices relating to the use of children's (under 18's) data?		
B7	What changes have you or your organisation made in relation to the use of children's (under 18) data?	B7	What changes have you or your organisation made in relation to the use of children's (under 18) data?
B8	When do you plan to make more changes / start making changes to practices relating to the use of children's (under 18) data?		
B9	When do you anticipate that your organisation will have made the changes necessary to fully conform with the Children's code?	B9	When do you anticipate that your organisation will have made the changes necessary to fully conform with the Children's code?
B10	Why do you say that?	B10	Why do you say that?
		B11	Which of the following do you think would be most effective in encouraging and supervising industry conformance with the code in your sector?
C1	You mentioned earlier that your organisation would need to make changes to conform with the Children's code. Do you envisage the necessary changes will be done…?	C1	You mentioned earlier that your organisation would need to make changes to conform with the Children's code. Do you envisage the necessary changes will be done…?
C2	Has your organisation incurred any financial costs to date, as a result of the Children's code?	C2	Has your organisation incurred any financial costs to date, as a result of the Children's code?
C3	What have these costs related to?	C3	What have these costs related to?
C4	Are you able to provide an estimate, in pounds sterling, and including staff time, of how much your organisation has spent so far on making changes in relation to the Children's code?	C4	Are you able to provide an estimate, in pounds sterling, and including staff time, of how much your organisation has spent so far on making changes in relation to the Children's code?
C5	Are you able to provide an estimate using the ranges below?	C5	Are you able to provide an estimate using the ranges below?
C6	Do you envisage that your organisation will incur costs *in the future* as a result of the Children's code?	C6	Do you envisage that your organisation will incur costs in the future as a result of the Children's code?
C7	What do you envisage these costs will relate to?	C7	What do you envisage these costs will relate to?
C8	Are you able to provide an estimate, in pounds sterling and including staff	C8	Are you able to provide an estimate, in pounds sterling and including staff time,

	time, of how much you envisage spending on making changes in relation to the Children's code?		of how much you envisage spending on making changes in relation to the Children's code?
C9	Are you able to provide an estimate using the ranges below?	C9	Are you able to provide an estimate using the ranges below?
		C9a	Do you foresee any external barriers, relating to your organisation conforming with the Children's code?
		C9b	What are these barriers?
C10	Do you foresee any barriers, relating to the internal context of your organisation as opposed to external factors, in relation to your organisation conforming with the Children's code?	C10	Do you foresee any barriers, relating to the internal context of your organisation as opposed to external factors, in relation to your organisation conforming with the Children's code?
C11	What are these barriers?	C11	What are these barriers?
C12	Do you envisage any opportunities for your organisation as a result of implementing the Children's code?	C12	Do you envisage any opportunities for your organisation as a result of implementing the Children's code?
C13	What opportunities do you envisage?	C13	What opportunities do you envisage?
		C14	Overall, what do you think the code's impact will be for the following groups?
		C15	Which of the following data-related activities do you think pose the greatest risks to children, in your sector
D1	Have you or anyone in your organisation attended any of the following to find about more about the Children's code?	D1	Have you or anyone in your organisation attended any of the following to find about more about the Children's code?
D2	Where would you look for guidance on improving online privacy and responsible service design for children?		
D3	Which of these places would you look first?		
D4	What type of support would be most useful in helping you to conform with the Children's code?		
D5	Is there anything else that would help your organisation with conforming to the Children's code?		
		D6	On a scale of 1 to 5 where 1 is not at all useful and 5 is very useful, how useful did you find these programmes of support?
		D7	Which of the following ICO initiatives have you attended or used during the transition period?
		D8	How satisfied or dissatisfied are you with the ICO's support and engagement throughout the transition period?
		D9	What elements have made guidance and support useful to your organisation?
		D10	If there any further guidance/support you would want to see from the ICO, what would it be?
E1	How many years had your organisation been trading?		

E2	What, approximately, was the income of your organisation in your last financial year?	E2	What, approximately, was the income of your organisation in your last financial year?
E3	Where is your organisation's head office based?	E3	Where is your organisation's head office based?
E4	In which region is your organisation's head office based?		
E5	Does your organisation operate outside of the UK? By which we mean that staff are employed by your organisation in areas other than the UK.	E5	Does your organisation operate outside of the UK? By which we mean that staff are employed by your organisation in areas other than the UK.
E6	Roughly, how many employees does your organisation currently employ globally, across all sites in the UK and outside of the UK?	E6	Roughly, how many employees does your organisation currently employ globally, across all sites in the UK and outside of the UK?
E7	Finally, have you heard of the data protection laws that apply in the UK, the GDPR and Data Protection Act?	E7	Finally, have you heard of the data protection laws that apply in the UK, the GDPR and Data Protection Act?

"

IFF Research illuminates the world for organisations businesses and individuals helping them to make better-informed decisions."

Our Values:

1. Being human first:

Whether employer or employee, client or collaborator, we are all humans first and foremost. Recognising this essential humanity is central to how we conduct our business, and how we lead our lives. We respect and accommodate each individual's way of thinking, working and communicating, mindful of the fact that each has their own story and means of telling it.

2. Impartiality and independence:

IFF is a research-led organisation which believes in letting the evidence do the talking. We don't undertake projects with a preconception of what "the answer" is, and we don't hide from the truths that research reveals. We are independent, in the research we conduct, of political flavour or dogma. We are open-minded, imaginative and intellectually rigorous.

3. Making a difference:

At IFF, we want to make a difference to the clients we work with, and we work with clients who share our ambition for positive change. We expect all IFF staff to take personal responsibility for everything they do at work, which should always be the best they can deliver.

IFF Research