Coimisiún na Meán

Online Safety Guidance Materials: Online Safety Code

Publication date:
21 October 2024

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1. Introductory matters

1.1. Introduction

Further to section 139Z(1) of the Broadcasting Act 2009 as amended (the "Act"), Coimisiún na Meán (the "Commission") has developed these online safety guidance materials to accompany the Online Safety Code (the "Code") dated 21 October 2024.

The Commission's guidance materials are not binding and do not form part of the Code. They do not constitute legal advice, nor do they provide statements of the law. Rather, the guidance materials establish expectations and recommendations as to the operation of provisions in the Code and related matters, including on:

- standards that services should meet, practices that service providers should follow, and measures that service providers should take;
- standards, practices, and measures relating to content moderation and content delivery;
- the assessment by service providers of the availability of types of online content on services, of the risk of harmful content being available, and of the risk posed to users by online content; and
- the handling by service providers of communications from users raising complaints or other matters.

The guidance materials are intended to assist service providers in their implementation of appropriate measures, pursuant to the Code, to provide the required protections for children and the general public.

The guidance materials may assist any interested persons in understanding the contents of the Code and the Commission's advice and expectations for service providers.

The guidance materials are not exhaustive in nature. Service providers should independently consider how they comply with the requirements of the Code.

1.2. Scope and jurisdiction

Where discrepancies arise between the Code and these guidance materials, the Code takes precedence. These guidance materials are without prejudice to any online safety advisory notices issued by the Commission under section 139Z(3) of the Act where it considers there is an urgent need to bring matters to the attention of a provider or providers.

These guidance materials are intended for:

1. providers of video-sharing platform services which are under the jurisdiction of the State within the meaning of section 2B of the Act, being services that are within the category of relevant online services designated by the Commission; and
2. providers of named services that have been designated by the Commission in accordance with the Act as video-sharing platform services under the jurisdiction of the State.

1.3. Addition, revision, or withdrawal of guidance materials

The Commission may, in the manner it considers to be appropriate, publish additional online safety guidance materials, or revise issued online safety guidance materials. Further to section 139Z(2) of the Act, the Commission will consult prior to issuing or revising online safety guidance materials.

Further to section 139ZB of the Act, the Commission may withdraw online safety guidance materials at any time.

1.4. E-Commerce Compliance Strategy

Section 139ZF of the Act requires the Commission to prepare an e-Commerce Compliance Strategy setting out its approach to ensuring that online safety codes, online safety guidance materials and advisory notices are consistent with Articles 4, 5, 6 and 8 of Regulation (EU) 2022/2065 (Digital Services Act).

In accordance with its statutory powers and having had regard to its statutory duties, the Commission published its e-Commerce Compliance Strategy on 6 October 2023. A copy of the Strategy is available on the Commission's website – https://www.cnam.ie.

No provision of these guidance materials necessitates, or shall be construed to necessitate, general monitoring of information transmitted or stored by providers or generally taking active steps to seek facts or circumstances indicating illegal activity contrary to Article 8 of the Digital Services Act.

2. General guidance

2.1. Structure of the Code

The Code is structured in two parts: Part A and Part B.

Compliance with Part A can be achieved independently of any specific or specified measure taken, so long as the required protections are in place. Service providers must demonstrate to the Commission that there are measures in place on the service that are appropriate to provide the required protections for children and the general public.

This is in contrast with Part B, where compliance is conditional on service providers taking specified measures.

2.2. Appropriate measures

Part A of the Code

Part A of the Code requires video-sharing platform service providers ("service providers") to, as appropriate, take a range of measures to protect children and the general public, including:

- the protection of children or minors from programmes, user-generated videos and audiovisual commercial communications which may impair their physical, mental, or moral development;
- the protection of the general public from programmes, user-generated videos and audiovisual commercial communications containing incitement to violence or hatred against a group or a member of a group based on any of the grounds referred to in Article 21 of the EU Charter on Fundamental Rights;
- the protection of the general public from programmes, user-generated videos, and audiovisual commercial communications containing content the dissemination of which constitutes an activity which is a criminal offence under Union law, namely public provocation to commit a terrorist offence, offences concerning child sex abuse material, and offences concerning racism and xenophobia.

The Code states that it will be a matter for the Commission to determine the appropriateness of measures taken by service providers.

The below guidance should assist service providers in assessing the appropriateness of the measures they take to comply with Part A of the Code.

Service providers should be able to outline the measures taken and demonstrate the effectiveness of same in providing the required protections.

The implementation of measures pursuant to Part A of the Code does not signify compliance with the Code if the particular measures put in place by a service provider are not effective in providing the required protections.

The measures contained in section 10.6 are considered by the Commission to be appropriate to achieve the protections referred to in each sub-paragraph.

To comply with section 10.6, service providers should take steps to ensure that the measures they adopt are effective to achieve the protections set out in the relevant sub-paragraph.

Where a service provider claims that taking a measure in question would not be practicable or proportionate, taking into account the size of the video-sharing platform service and the nature of the service that is provided, it is for the service provider to demonstrate this to the satisfaction of the Commission.

The criminal offences under Union law listed in section 10.1(c) of the Code have been transposed into Irish law by:

- section 6(1)(i) of the Criminal Justice (Terrorist Offences) Act 2005 (provocation to commit a terrorist offence – the intentional distribution, or otherwise making available, by whatever means of communication by a person of a message to the public, with the intent of encouraging, directly or indirectly, the commission by a person of a terrorist activity);

- section 5(1)(e) of the Child Trafficking and Pornography Act 1998 (knowingly publishing, distributing, transmitting or disseminating any advertisement likely to be understood as conveying that the advertiser or any other person produces, distributes, transmits, disseminates, prints, publishes, imports, exports, sells, shows, supplies or makes available any child pornography); and

- sections 2 and 3 of the Prohibition of Incitement to Hatred Act 1989 (actions or broadcasts likely to stir up hatred against a group of persons in the State or elsewhere on account of their race, colour, nationality, religion, ethnic or national origins, membership of the travelling community or sexual orientation).

Part B of the Code

Part B of the Code sets out specific measures that service providers are required to take to protect children and the general public.

Service providers are obliged to implement all requirements specified in Part B of the Code unless the particular requirement is stated in Part B not to apply. For example, the requirements of section 12.11 would not apply to a service provider whose terms and conditions do preclude the uploading or sharing of adult-only content.

Compliance with Part B will be determined by reference to whether the required measure has been taken or whether the service provider can demonstrate, and the Commission is satisfied, that taking the measure in question would not be practicable or proportionate, taking into account the size of the video-sharing platform service and the nature of the service that is provided.

The Commission expects service providers to be able to demonstrate their compliance with each of the requirements specified or justify non-compliance on grounds of practicability and/or proportionality.

Combination of measures and extension of protections

The Commission notes that service providers may combine the measures taken under the Code with other kinds of features on services provided, where:

- those features are effective, easy to use, prominent, and transparent;
- the provision of required measures is not otherwise impaired;
- the provider can provide clear and unambiguous information concerning the required measures to the Commission for the purposes of assessing compliance.

The Commission notes that service providers that choose to extend the protections required by the Code to a wider range of content types or users are not required to establish separate implementation mechanisms strictly limited to the content and users identified in the Code.

2.3. Qualities of compliant measures

The Code requires certain measures taken by service providers to be effective, easy-to-use, prominent, and/or transparent.

The below guidance identifies and explains these qualities.

Service providers' implementation of measures set out in the Code, or otherwise for the protection of users, should exhibit the following qualities to provide the required protections for children and the general public:

Effective: A measure is *effective* when it is capable of achieving the relevant protection.

Easy to use: A measure is *easy to use* when it is simple and intuitive for all its users.

Prominent: A measure is *prominent* when it is easily noticeable, discoverable, or otherwise drawn to the attention of all users of a service.

Transparent: A measure is *transparent* when its impact on use of the service, the choices it offers, and the consequences of those choices are easily understood by all users of the service.

Safe: A measure is *safe* where its design and implementation has the protection of children and the general public as its primary consideration, and follows safety by design principles.

Up to date: A measure is *up to date* where its scope and function are reasonably equivalent across all available means of access to and use of the service, and takes into account technological and societal change.

Users' rights and legitimate interests: To the extent appropriate, users' rights and legitimate interests should be taken into account.

Section 4 of this document sets out additional guidance on the characteristics and qualities of measures, where these relate to implementation of specific measures.

2.4. Systems and controls

The Code requires service providers to ensure that they have systems and controls in place to demonstrate compliance with the obligations contained in the Code.

The Commission expects service providers to be able to demonstrate compliance with the Code with reference to systems and controls such as:

- Capacity and resourcing, including effective deployment of same;
- Governance arrangements;
- Technologies;
- Policies;
- Procedures;
- Control checks at all levels of operation, including compliance checks; and
- Staff training.

3. Content

3.1. Content which may impair the physical, mental, or moral development of children

The Code requires service providers to take measures to protect children from content which may impair their physical, mental, or moral development.

The Commission notes that there is a wide range of content which may impair the physical, mental, or moral development of children, depending on the specific child or children accessing such content.

The Commission notes that the content most harmful to development should be subject to the strictest control measures.

The Commission notes that the provisions of the Code in relation to the following types of content will help to protect children from impairment to their physical, mental, or moral development:

- by which a person bullies or humiliates another person,
- by which a person promotes or encourages behaviour that characterises an eating or feeding disorder,
- by which a person promotes, encourages, or makes available knowledge of methods of self-harm or suicide (including behaviour prejudicial to the health or safety of children, such as dangerous challenges).

Service providers should consider establishing protections for children from other content that may impair their physical, mental, or moral development, having due regard for the rights and legitimate interests of children using their service.

For the avoidance of doubt, the terms “child” and “minor”, as well as “children” and “minors”, are used interchangeably in the Code and these guidance materials.

3.2. Risk test

Part B of the Code requires protections to be put in place in respect of content, among other things:

- by which a person bullies or humiliates another person,
- by which a person promotes or encourages behaviour that characterises an eating or feeding disorder,
- by which a person promotes, encourages, or makes available knowledge of methods of self-harm or suicide (including behaviour prejudicial to the health or safety of children, such as dangerous challenges).

Such content is restricted where it meets a **risk test**, i.e. where it gives rise to:

- any risk to a person’s life, or
- a risk of significant harm to a person’s physical or mental health, where the harm is reasonably foreseeable.

The above content is “specified content” for the purposes of this section.

Terms and conditions

It is not necessary for service providers to elaborate on the risk test in their terms and conditions.

Service providers can comply with the terms and conditions obligation by completely restricting the uploading or sharing of content:

- by which a person bullies or humiliates another person;
- by which a person promotes or encourages behaviour that characterises an eating or feeding disorder;
- by which a person promotes, encourages, or makes available knowledge of methods of self-harm or suicide (including behaviour prejudicial to the health or safety of children, such as dangerous challenges).

Alternatively, platforms can provide in their terms and conditions that such content can be uploaded or shared where it does not give rise to:

- any risk to a person's life, or
- any risk of significant harm to a person's physical or mental health, where the harm is reasonably foreseeable.

Content moderation

Service providers should have strong reasons before they conclude that specified content does not meet the risk test.

It is inherent in the nature of the content that may be restricted that it is likely to pose a risk to a person's physical or mental health. There does not need to be evidence that harm has actually occurred. A risk of harm arising from specified content should be regarded as reasonably foreseeable unless there is strong evidence to the contrary.

It is noted that the risk test requires the harm to physical or mental health to be "reasonably foreseeable", but that no harm needs, in fact, to have occurred.

Where content meets the risk test, platforms should act rapidly to remove the content concerned.

3.3. Protecting users from certain audiovisual commercial communications

Control of audiovisual commercial communications

The Code distinguishes certain requirements for service providers in respect of audiovisual commercial communications that **are** and **are not** marketed, sold, or arranged by them.

The Commission may request information from service providers to establish whether audiovisual commercial communications are marketed, sold, or arranged by them.

Indicators that audiovisual commercial communications are marketed, sold, or arranged by a service provider include the service provider's direct involvement in or direct facilitation of the availability of the commercial communication by:

- selling advertising placements to providers of audiovisual commercial communications;
- collecting data on user behaviours for commercial or marketing purposes;
- facilitating partnerships between users and third parties such as brands;
- providing functionality for providers of audiovisual commercial communications to specify the way(s) in which the commercial communication appears on the service. This includes specifying audiovisual commercial communications to be targeted at users or user groups based on defined characteristics,

to be displayed on defined sections of the service, or to be displayed in association with content or categories of content.

Indicators that audiovisual commercial communications are **not** marketed, sold, or arranged by a service provider include where it is not reasonable to expect that the provider would have actual knowledge of the commercial communication's presence on the service, for example:

- where audiovisual commercial communications do not appear via sold advertising placements;
- where an audiovisual commercial communication is created or shared by individual users following agreements with third parties such as brands, without the direct involvement or engagement of a service provider; and
- where a user declares the presence of audiovisual commercial communications in user-generated video, without the direct involvement or engagement of a service provider in the provision of the commercial communication.

Declaration of audiovisual commercial communications

The Code requires service providers to establish a functionality for users to declare whether their content contains audiovisual commercial communications. Service providers must oblige users, through the service's terms and conditions and related obligations, to declare the presence of audiovisual commercial communications.

The Code also requires service providers to clearly inform users where such declarations are made or where the provider has knowledge of the presence of audiovisual commercial communications in content.

The Code requirements on the declaration of the presence of audiovisual commercial communications are designed to ensure transparency and to preclude the monetisation of harmful online content.

Service providers may consider allowing users to provide additional information when declaring the presence of audiovisual commercial communications for the benefit of other users, such as:

- information on the provider of the audiovisual commercial communication, such as the user or a third party;
- the relationship between the user who has generated the content and the provider of the audiovisual commercial communication, such as whether the user is being sponsored; and
- the subject of the advertisement, such as a brand or product.

4. Specific Obligations

4.1. Terms and conditions and related obligations

Part A of the Code imposes a general obligation on service providers to, as appropriate, include and apply in the service's terms and conditions requirements to provide certain protections to the general public and children.

Part B of the Code contains requirements in relation to terms and conditions to address the uploading or sharing of restricted video content, restricted indissociable user-generated content, and adult-only video content. Part B also contains requirements relating to terms and conditions to address the access of children to certain services and how users comply with age assurance measures. Part B provides that these requirements shall not preclude the uploading or sharing of content as a contribution to civic discourse, provided certain protections are in place.

Recommended characteristics

Terms and conditions and related obligations of a service should be understandable to all users of that service, prominent and transparent.

The Commission encourages service providers to direct users via their terms and conditions, or other appropriate avenues, to information and guidance on:

- how to identify content that is incompatible with the service's terms and conditions and related obligations;
- how to avoid engaging in behaviours that are incompatible with the service's terms and conditions and related obligations.

4.2. Content rating

Part A of the Code contains a general obligation for service providers to, as appropriate, establish and operate an easy-to-use content rating system, allowing service users to rate certain content.

Part B of the Code contains a requirement that, where service providers do not have terms and conditions that preclude the uploading or sharing of adult-only video content, they must establish an easy-to-use content rating system to allow users who upload videos to rate such content as being adult-only video content.

Recommended characteristics

The Commission considers that content rating systems are most effective where they:

- encourage the uptake and appropriate use of content rating systems;
- include protections against abuse and misuse of content rating systems;
- are designed, and integrated effectively with other measures, to ensure that children do not normally see content that may impair their physical, mental, or moral development – including parental controls and age verification or age assurance;
- provide appropriate and transparent information on the functioning of content rating systems, what ratings are possible, and how to rate content;
- provide appropriate and transparent information on the rating applied to a piece of content;
- allow users to make meaningful choices as to the types of content they see.

Where content rating systems are implemented in respect of adult-only video content, the Commission considers that such systems are most effective where they are designed in line with the above guidance, and where they also:

- are designed, and integrated effectively with other measures, to ensure that children do not normally see adult-only video content – including parental controls and age verification or age assurance; and
- allow adult users to make meaningful choices as to the types of adult-only video content they see.

Content rating systems should be easy to use, accessible, and understandable to all users. This may be achieved through the provision of information on the content rating systems in place and how they should be used.

4.3. Age assurance

Part A of the Code contains a general obligation for service providers to, as appropriate, establish and operate age verification systems for service users with respect to content which may impair the physical, mental or moral development of minors. Self-declaration of age is not sufficient to meet this obligation.

Part B of the Code requires service providers whose terms and conditions do not preclude the uploading or sharing of adult-only video content to implement effective age assurance measures to ensure that adult-only video content cannot ordinarily be seen by children. Self-declaration of age is not sufficient to meet this obligation.

The Code states that the personal data of children collected or otherwise generated by service providers pursuant to age verification and age assurance obligations shall not be processed for commercial purposes.

The term "age verification" is used to reflect the language of the AVMS Directive.

“Age assurance” is an umbrella term that includes age verification and age estimation techniques.

The more specific measures in Part B require that VSPS providers that permit adult-only video content must ensure, through age assurance, that children cannot normally see such content. The term "age assurance" has replaced "age verification" for these more specific measures, which the Commission considers appropriate to capture a range of techniques.

Techniques

Age verification and age assurance can capture a range of techniques, including:

- **Self-declaration:** methods that rely on users to supply their age or age range, without requiring evidence to prove the declaration.
- **Hard identifiers:** users provide verified identity documents, such as passports, to prove their age.
- **Credit cards:** users provide credit card data to verify that they are over the age of 18, where credit cards are issued only to adults in a given jurisdiction.
- **Self-sovereign identity:** methods that utilise decentralised technologies to create digitalised identities of users, which can also be used for age verification or assurance purposes.
- **Account holder confirmation:** methods that rely on one or more existing verified account holders to confirm the age of another user.

- **Cross-platform authentication:** reliance on age verification or assurance measures undertaken on another service to confirm the user's age or age range.
- **Age estimation:** methods that rely on artificial intelligence to analyse the facial features of a person in an existing or live image or video to estimate the age of a person.
- **Behavioural profiling:** methods that rely on an analysis of user behaviour or activity to estimate the user's age.
- **Capacity-testing:** methods that rely on testing aptitude or capacity to estimate a user's age, such as by language tests or solving puzzles.

Age verification and age assurance may be carried out by a service provider or a third-party provider.

The Commission does not specify the method or methods by which platforms must verify or estimate the age of their users for the purposes required under the Code. The Commission recognises that a number of solutions may be possible.

Recommended characteristics

The Commission considers that age verification and age assurance measures are most effective where they:

- have due regard to the rights and legitimate interests of all users, including upholding those of children;
- are implemented proportionately to the harm caused by unrestricted access to content. This includes not unduly limiting children's rightful access to quality content;
- accurately verify or estimate the age of users;
- operate consistently and fairly in respect of all users required to undergo age verification or age assurance;
- include protections against circumvention;
- are secure, respect the privacy of service users, and adhere to data protection requirements;
- meet industry standards on quality parameters; and
- are easy to use and accessible.

Age verification and age assurance measures on a service should be easy to use, particularly for children, and accessible.

4.4. Parental controls

Part A of the Code contains a general obligation for service providers to, as appropriate, provide for parental control systems that are under the control of the end user, with respect to content which may impair the physical, mental, or moral development of minors.

Part B of the Code contains requirements that service providers whose terms and conditions permit users under the age of 16 shall provide for parental control systems with respect to video content and audiovisual commercial communications which may impair the physical, mental, or moral development of children. Part B also sets out further requirements on the purpose, function, and provision of parental control systems.

The Code states that the personal data of children collected or otherwise generated by service providers pursuant to parental control obligations shall not be processed for commercial purposes.

Recommended characteristics

The Commission considers that parental control systems are most effective where they:

- uphold the rights and legitimate interests of children and their parents or guardians;
- include protections against abuse and misuse of parental control systems;
- permit blocking, filtering, limiting, and monitoring of children's access to and uploading or sharing of content, proportionately to the potential or actual harm caused by such content or functionality;
- are secure, respect the privacy of service users, and adhere to data protection requirements;
- are integrated effectively with other measures to ensure that children do not normally see adult-only content, or content which may impair their physical, mental or moral development – including content rating and age verification or age assurance;
- provide transparent and easy to understand information for children on any restriction on or monitoring of their use of the service arising as a result of parental control systems;
- notify children when there are changes made to such restrictions or monitoring, and indicate what those changes are;
- are easy to use, prominent, and accessible to all parents or guardians;
- allow for customisation of parental controls based on the evolving capacities of children.

Parental control systems should include means of verifying that a person is a "parent or guardian" in respect of a child.

Service providers are encouraged to provide information and guidance for service users – particularly children, parents, and guardians – on the use of parental control systems.

The Commission notes that the establishment of parental control systems does not mean that a service is safe for use by children, nor that the service provider is no longer responsible for protecting children on the service.

Service providers who permit children to use their service are encouraged to implement a range of default settings for children's accounts to ensure children's safety (e.g. relating to the privacy of or access to content by children).

Service providers are encouraged to implement protections for all children who use the service that are comparable to those offered by parental controls – and not only those children for whom parental controls are being actively used.

4.5. Reporting, flagging, and complaints

Reporting and flagging

Part A of the Code contains a general obligation for service providers to, as appropriate, establish and operate transparent and user-friendly mechanisms for users to report or flag certain content. Part A also contains a general obligation for service providers to, as appropriate, explain to users the effect that has been given to a report or flag.

Part B of the Code contains requirements for service providers to allow users to report or flag restricted video content, restricted indissociable user-generated content, adult-only video content, and harmful and restricted audiovisual commercial communications.

Complaints

Part A of the Code contains a general obligation for service providers to, as appropriate, establish and operate transparent, easy-to-use, and effective procedures for the handling and resolution of users' complaints to the service provider in relation to their implementation of certain measures.

Part B of the Code contains requirements for service providers to establish and operate complaints procedures relating to the implementation of certain measures, and specifies the nature in which information on complaints-handling is provided, and the nature of how complaints should be handled

Recommended characteristics

The Commission considers that reporting, flagging, and complaints mechanisms are most effective where they:

- allow users to tailor the report, flag, or complaint appropriately for different types of restricted video content, harmful audiovisual commercial communications, or implemented measures as required by the Code;
    - this includes offering users the ability to add additional information or evidence in support of a report, flag, or complaint;
- allow users to state the reasons they believe reported or flagged content or commercial communication is harmful or illegal, or should otherwise be restricted from the service;
- include a range of default options for different types of restricted video content, harmful audiovisual commercial communications, or implemented measures as required by the Code;
- include protections against abuse and misuse of relevant mechanisms; and
- are accessible and easy to use for all users – including adherence to national and European requirements with respect to accessibility for people with a disability;
    - this includes ensuring that mechanisms and related processes are not unduly burdensome on or difficult for users making reports, flags, or complaints.

The Commission considers that service providers should make information available to all service users on the manner in which reports, flags, and complaints will be handled, including:

- information about the means of making a report, flag, or complaint;
- information on the admissibility or validity of reports, flags, or complaints;
- information on the standard timeframes for response to or resolution of reports, flags, or complaints;
- information on the actions that can be taken by service providers further to a report, flag, or complaint;
- information on how reports, flags, and complaints are prioritised; and
- information on appeals processes in effect.

All reasonable efforts should be made by service providers to ensure that all users understand and can easily use the relevant reporting, flagging, and complaints mechanisms and processes.

Decision-making

Where decisions are made further to the use of reporting, flagging, or complaints-handling mechanisms established in compliance with the Code, the Commission is of the view such decisions should have the following qualities:

Objective: A decision in response to a report, flag, or complaint is *objective* where it is factual and evidence-based.

Appropriate: A decision in response to a report, flag, or complaint is *appropriate* where service providers:

- correctly identify content or grounds for complaint,
- choose a reasonable and proportionate course of action to take in response, and
- successfully implement that course of action.

Fair: A decision in response to a report, flag, or complaint is *fair* where:

- reasonable avenues to appeal the objectivity, accuracy, timeliness of, and reasons for a decision are available to affected parties, including through an appropriate out-of-court redress mechanism;
- it is non-discriminatory and non-arbitrary.

Timely: A decision in response to a report, flag, or complaint is *timely* where it is made reasonably quickly in all the circumstances, having particular regard to the content or matter in question, obligations in place for the handling of content, and the impact on the individual of adverse experiences through service use. Priority should be given to addressing more harmful forms of content.

Reasoned: A decision in response to a report, flag, or complaint is *reasoned* where the service provider explains the rationale for its decision to affected parties in a way that is reasonable in all the circumstances, having particular regard to the impact of the course of action taken by the provider on affected parties.

Capacity

The Commission encourages service providers to consider the role of service provider staff, such as content moderators, in the making of decisions in response to a report, flag, or complaint.

The Commission advises that such staff who deal directly with users making a report, flag, or complaint, or relevant decision-makers, should be supported in their role so as to best uphold the rights and legitimate interests of such users.

In particular, the Commission invites service providers to consider training and support for such staff in the areas of:

- capacity to manage and address staff exposure to harmful online content and user behaviour, and related anxiety, stress, trauma, and burnout;
- mediation and dispute resolution;
- cultural awareness and intercultural skills;
- regulatory compliance;
- handling communications and complaints from children.

4.6. Media literacy

Part A of the Code contains a general obligation for service providers to, as appropriate, provide for effective media literacy measures and tools and raise users' awareness of those measures and tools.

Part B of the Code requires each service provider to publish an annual action plan specifying the measures it will take to promote media literacy.

Recommended characteristics

The Commission considers that measures to promote media literacy should have the following qualities:

Relevant: A media literacy measure is *relevant* where it is tailored to address harmful content and user behaviour that arises on a service. It should take into account the perspectives of all service users, as well as technological, societal, and local contexts and change.

Transparent: A media literacy measure is *transparent* where information and data about its aims, scope, and resources are made available and are easy to understand for all service users.

Collaborative: A media literacy measure is *collaborative* where it is developed with the involvement of key stakeholders who provide expertise, evaluation, and other relevant inputs to ensure value and impact.

Objective: A media literacy measure is *objective* where it is driven by the applicable rights and legitimate interests of users and the general public, as well as assessments of its value and impact.

Recommended objectives of media literacy measures

The Commission considers that the media literacy measures that service providers take should be aimed at the full range of users permitted to use a service under its terms and conditions.

Service providers should consider introducing media literacy measures that are specifically targeted at defined user groups or relevant other persons, such as children, parents and guardians, educators, and users with protected characteristics.

Media literacy measures should aim to:

- promote users' awareness of their rights and obligations in their use of the service, and of the rights and obligations of other users;
- promote users' understanding of the service, including its functions and features;
- promote understanding of mechanisms implemented further to service providers' obligations under the Code, and awareness of the service provider's responsibilities under the Code;
- promote digital civility, respect, wellbeing, and resilience online;
- empower users to access content safely and effectively on the service;
- empower users to create, upload, and share content safely and responsibly on the service;
- equip users with critical thinking skills required to exercise judgement, analyse complex issues, and recognise the difference between opinion and fact; and
- promote an understanding of the potential impact of service use on other users, including on children and on other users with protected characteristics.

Such aims are not exhaustive. Service providers should independently consider how they may effectively promote media literacy.

Media literacy action plans

The Commission considers that media literacy action plans published by service providers should:

- provide appropriate information for all users on the measures the service provider will take;
- be appropriately prominent on the service; and
- be accessible to all users of the service.

The Commission also encourages service providers to notify service users of updates to media literacy action plans.