Your response

Question	Your response
Question 1: We include labels, overlays, pop-ups, notifications, and resources as examples of on-platform interventions (additional information regarding this typology can be found in the Annex on page 3). (a) Do you agree with this categorisation of on-platform interventions? (b) If not, please explain.	Confidential? –N • 5Rights agrees with the examples provided of 'on-platform interventions' and this general categorisation. • 5Rights recommends adding Published Terms (e.g. terms of service, privacy policies, community standards, cookie banners, etc.) to this list, given their central role in building users' understanding of how they are interacting with a service and how it interacts with them (e.g. how the service may use their personal data). This is core to media literacy and can serve as a useful and effective intervention if implemented well. • Accessible and easy to understand published terms, and privacy policies in particular (which set out how personal data will be used), are central to giving users agency and knowledge regarding the agreement they are entering into when they use a service. They provide important information such as how personal data is used, reporting mechanisms, and what is and isn't allowed on the service. They are central to helping children in particular understand their rights. • Understanding how a service may interact with you, as well as how you interact with it, is an important principle of media literacy, and was put

forward as the first principle the Government's Media Literacy Framework published in 2021.[1] The Framework states that "users should understand the risks of sharing personal data online, how that data can be used by others, and are able to take action to protect their privacy online" adding that information provided should be "transparent and easily accessible". The Age Appropriate Design Code, the statutory code of practice which sets out how digital services must treat children using their services, also discusses the importance of accessible terms and tools. In standard 15 it makes clear that services must provide "provide prominent and accessible tools to help children exercise their data protection rights and report concerns."[2]

- However, despite their crucial function, published terms have become a 'click-through' exercise. Research has found that 90% of users overall do not engage with them,[3] and close to three-quarters (73%) of young people do not read any terms and conditions on any service they use.[4] Children and young people told 5Rights that their lack of engagement is due to the way they are designed – terms often contain incomprehensible language, they are very long in length, not easy to find on the interface, and not introduced at the right moments

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[1] Online Media Literacy Strategy, Department Digital, Culture, Media, and Sport, 2021, https://assets.publishing.service.gov.uk/media/60f6a632d3bf7f56867df4e1/DCMS_Media_Literacy_Report_Roll_Out_Accessible_PDF.pdf
[2] Age Appropriate Design Code, ICO, https://ico.org.uk/media/for-organisations/guide-to-data-protection/key-data-protection-themes/age-appropriate-design-a-code-of-practice-for-online-services-2-1.pdf
[3] Do we actually agree to these terms and conditions?, Ethical Legal Data Science, University of California, Berkley, https://blogs.ischool.berkeley.edu/w231/2021/07/09/do-we-actually-agree-to-these-terms-and-conditions/
[4] 2017 Global Mobile Consumer Survey: US edition, Deloitte, https://www2.deloitte.com/content/dam/Deloitte/us/Documents/technology-media-telecommunications/us-tmt-2017-global-mobile-consumer-survey-executive-summary.pdf

	as to aid engagement (e.g. they are often presented when they first join or visit a service, where the desire to click-through to be granted quick access to the service is strongest).[5] • **Ofcom should include published terms as an intervention to symbolise their critical role, and to help focus minds in the industry which can aid their improvement. For children in particular, published terms must be age-appropriate, designed so that the information they contain is comprehensible, an appropriate length, clearly presented, easy to find, introduced at the right moments, and understandable to all young people, no matter who they are, how old they are, or where they come from.**
`**Question 2:** Do you have any feedback on the summary of themes we identified from online services? Are there any omissions or other items you think important to add?	N/A
Question 3: Are we missing anything with the three headings used to structure the best practice principles for media literacy by design?	N/A
Question 4: Which aspects of the proposed best practice principles for media literacy by design work well, and why? Which aspects don't work so well, and why? Do you have any comments on the specific principles (please specify if providing feedback on individual principles)?	• 5Rights broadly welcomes the draft principles and is grateful to have been involved in the working group. • **Priority, transparency and accountability:** Priority, transparency and accountability should be central pillars of a service's media literacy strategy and we strongly welcome Ofcom's recommendation that it is made a strategic priority and considered within a service's Key Performance

[5] Tick to Agree, 5Rights Foundation, https://5rightsfoundation.com/in-action/tick-to-agree---age-appropriate-presentation-of-published-terms.html

Indicators. 'By design' principles are core to delivering age-appropriate and rights-respecting experiences for children and young people online. We therefore welcome that the language in the first principle that media literacy should promote 'informed use' of products. However, it is important that efforts to promote 'informed use' are done so in an accessible way, acknowledging that what might indicate informed use by an adult user will not be the same for a child user.

- Ofcom must be clear that, regarding children, media literacy should not be used to 'responsibilise' them by merely offering information as to how they can keep themselves safe on a service. Media literacy can and must be used to empower children by providing information about the service, but a child cannot, and should not, be expected to manage their own online safety in an environment that is not designed for their safe use.[6] Media literacy interventions should support children to understand the purposes and outcomes of the features and services they use, through clear presentation of information at a design level. Media literacy should seek to provide a clear explanation in age-appropriate formats of digital and data literacy which includes understanding the purposes, common practices and likely outcomes of their digital engagement.

- **Monitoring and evaluating:** Whilst there has been a marked growth in on-platform interventions in recent

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[6] Pathways: How digital design puts children at risk, 5Rights Foundation, https://5rightsfoundation.com/uploads/Pathways-how-digital-design-puts-children-at-risk.pdf

years, particularly on the largest services,[7] these are rarely accompanied with explanations of how they have been tested for effectiveness. Despite their proliferation, there is also little research into their impact, whether positive or negative.[8] It is crucial that as the digital world continues to grow and rapidly innovate, particularly with the exponential growth of AI technologies seen recently, that media literacy strategies are tested and improved upon. To this end, we strongly welcome the third principle of monitoring and evaluating media interventions to ensure they are working and serving the interests and needs of all children. Children have a right to be heard in all matters that affect them, as per the UN Convention on the Rights of the Child.[9] Therefore, we would add that it is good practice for services to consult and work with children, or bodies who work with children, in order to monitor the impact and effectiveness of their media literacy interventions.

- **User centric design and timely interventions:** We strongly welcome the detail of this principle which includes the importance of ensuring users' needs are thought of at every stage of the literacy design process and that they are developed with an 'in depth knowledge' of the different needs of different demographics. However, in the same way the principle rightly makes clear that specific or

[7] Platform Interventions: How Social Media Counters Influence Operation, Carnegie, https://carnegieendowment.org/2021/01/25/platform-interventions-how-social-media-counters-influence-operations-pub-83698

[8] The vital role of measuring impact in media literacy initiatives, Professor Sonia Livingstone, LSE, 2022, https://blogs.lse.ac.uk/medialse/2022/07/19/the-vital-role-of-measuring-impact-in-media-literacy-initiatives/

[9] UN Convention on the Rights of the Child, https://www.unicef.org.uk/what-we-do/un-convention-child-rights/

tailored support is required for those with disabilities or accessibility needs, Ofcom should make clear that children also require specific attention.

- One in three internet users are children[10] yet 5Rights' research has found that their needs are not considered in the design of services, to the point where it actively harms them.[11] This means that the services they use, and increasingly must use in order to receive their education, get their entertainment or communicate with their friends and family, are not built with their specific needs and vulnerabilities in mind.

- While the principle makes clear that different demographics must be considered in the design of media literacy, the history of the digital world tells us that children must be prioritised and named as requiring special attention. Although children are considered 'digital natives' and their expertise of navigating the internet often exceeds their parents, they lack the evaluation skills required to judge the accuracy of information and to avoid the risks posed to them in the digital world.[12] Ofcom's own research found that only 41% of children aged 12-17 who claimed to be confident in their ability to detect advertising in Google search results correctly identified only the top search results as

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[10] Creating a better Internet for kids, European Commission, https://digital-strategy.ec.europa.eu/en/policies/better-internet-kids#:~:text=The%20Strategy%20for%20a%20better,a%20diverse%20range%20of%20devices.

[11] Pathways: How digital design puts children at risk, 5Rights Foundation, https://5rightsfoundation.com/uploads/Pathways-how-digital-design-puts-children-at-risk.pdf

[12] Developing social media literacy: How children learn to interpret risky opportunities on social network sites, Professor Sonia Livingstone, 2014, https://philpapers.org/rec/LIVDSM

	'paid for'.[13] The online world is not an option for children and so it must be designed with their specific needs in mind.

- **We recommend that second principle - User centric design and timely interventions - names children specifically as requiring tailored and age-appropriate media literacy interventions.** |
| **Question 5:** Do you have any further guidance/feedback to offer on how platforms can enact best practice media literacy by design? | - Attached with this response is 5Rights' paper, *Tick to Agree*, which was developed as part of our work with the Institute of Electrical and Electronics Engineers Standards Association (IEEE SA) on standard P2089 on the Age Appropriate Digital Services Framework.[14] This paper sets out best practice for the presentation of age-appropriate published terms – a core feature of media literacy. While the paper focuses on published terms, it provides a check list for how to apply media literacy interventions in an age-appropriate way more broadly. This list is informed by consultation with children themselves, as well as technical experts through the IEEE.
- The core principles for best practice of age-appropriate media literacy interventions are as follows:
  - They should use simple language
  - They should aid comprehension
  - They should be concise |

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[13] Children and Parents: Media Use and Attitudes, Ofcom, March 2023, https://www.ofcom.org.uk/__data/assets/pdf_file/0027/255852/childrens-media-use-and-attitudes-report-2023.pdf

[14] IEEE Standard for an Age Appropriate Digital Services Framework Based on the 5Rights Principles for Children, IEEE Std 2089™-2021, https://5rightsfoundation.com/static/ieee-2089-2021.pdf

	o They should be presented in multiple formats for different age ranges o They should be prominent and easy to find o They should be presented at the right moments in a user journey o Consent and permissions should be time limited o They should consider the diverse needs of young people o They should not assume adult involvement o They must cater for children with accessibility needs • **5Rights encourages Ofcom and digital services to follow these core principles when designing media literacy interventions for children.**
Question 6: Can you submit any case studies or examples of different services enacting any of these best principles for media literacy by design? Can you provide any other examples of best practice media literacy by design that may not be covered by this document?	N/A
Question 7: How do you expect in-scope services to demonstrate that they have adopted the principles? What would this look like?	N/A
Question 8: What more can be done to encourage services to promote media literacy by design?	N/A
Question 9: How do you envisage the proposed services in scope of this work, and in particular their design elements as they relate to the promotion of media literacy, changing and evolving within the next 5-10 years?	N/A