Equality Impact Assessment (EqIA)

This document fulfils the ICO's requirements to conduct Equality Impact Assessments, as a requirement to have due regard under the Equality Act 2010, S75 of the Northern Ireland Act 1998 and the public sector equality duty. This document helps you to assess the equality relevance of a policy or procedure on one or more groups of people with protected characteristics. Guidance is also available for Equality Impact Assessments (EqIAs), along with a glossary of issues to consider. The purpose of an EqIA is to ensure that equality issues are identified and mitigated. The guidance and 'issues to consider' documents are intended to assist with this, but they are not a substitute for consultation with people with lived experienced of any of the protected characteristics. Therefore, you should, wherever appropriate, consult with the relevant EDI staff networks or other colleagues to discuss potential impacts.

You must read the guidance and glossary of issues to consider before completing the document.

Completed EqIAs will be published on the ICO's website.

Summary

Prepared by: WW, AM, RB, JH, WLN, RN

What is the title of this piece of work? Children's code strategy

Briefly describe the overall purpose of this work.

The Children's Code Strategy seeks to ensure that social media and video sharing platforms comply with data protection law and conform with the standards of the Children's code.

The strategy focuses on the following data processing activities:

- **Default privacy and geolocation settings**.
- **Profiling children for targeted advertisements**.
- **Using children's information in recommender systems.**
- **Using information of children under 13 years old.**

Further information on the Children's code strategy is available here: [Children's code guidance and resources | ICO](#)

Initial screening questions

Q1. Does this work relate to an ICO policy, procedure, working practice or anything broadly similar? This includes both current policies and new policies under development.

Yes.

*If you answer **No** to this question, you may not need to complete a EqIA.*

Q2. Is this work about the explanation of the laws which the ICO regulates, or about decisions to use or not use any of our regulatory powers (eg monetary penalties, enforcement notices, information notices etc)?

Yes.

*If you answer **No** to this question, you may not need to complete a EqIA.*

If you answered no to both Q1 and Q2, it is best practice to rationalise why there are no negative impacts to each protected characteristic in the table below.

Impact on people with protected characteristics

Q3. For each of the protected characteristics, you should consider whether there are any **positive impacts** for people with each characteristic and set those out in the table below. If you think there are any **negative impacts**, set those out in the table below **and** explain how you will fully mitigate those impacts. It is best practice to include three mitigations per negative impact. Sign off can only be done with a minimum of two mitigations. If you think there is no impact, please explain why you think that is the case.

Protected characteristic	Evidence of potential risks and harms faced by people with this characteristic	Is the strategy likely to have a specific impact on people with this characteristic?	List the mitigations proposed for each impact, stating whether the impact will be reduced or removed.
Religion or belief	To date, our evidence gathering has not identified specific evidence relating to risk, but we will continue to monitor this and review as the project progresses.	Depending on the age assurance method used on a platform, this may lead to individuals providing more personal information than their age (eg use of hard identifiers like passports/ driving licences). This could lead to a 'chilling effect' where people do not feel comfortable expressing their religion or belief in anonymity.	There are third party age assurance verifiers which provide a Yes/ No response to the platform on whether a person is above or below an age threshold which minimises the information shared with a platform. The age assurance method has to be proportionate to the risks on a platform and organisations have to comply with all requirements of DP legislation including data minimisation, purpose

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			limitation and storage limitation. The strategy does not specify the age assurance methods to be used. The Commissioner's Opinion on Age Assurance[1] outlines how services can use a waterfall method that combines different age assurance options for people to use that might include age estimation products, age verification or other measures. The availability of choice should help mitigate potential risks associated with this protected characteristic.

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[1] NB the Commissioner's Opinion on Age Assurance has also been considered by an EQIA.

Protected characteristic	Evidence of potential risks and harms faced by people with this characteristic	Is the strategy likely to have a specific impact on people with this characteristic?	List the mitigations proposed for each impact, stating whether the impact will be reduced or removed.
Race, nationality or cultural background	In the call for evidence[2], there were specific concerns raised that platforms could infer the characteristics of a child including their ethnicity, even if a child had not volunteered this information knowingly. The process of inferring this information was felt to be intrusive. ICO analysis of children and parents survey data suggested that white parents were less likely than ethnic minority parents to use parental controls and more likely to give access to websites for which the child was too young. Although the focus of the strategy is children, services may choose to implement methods, such as age assurance, that apply to all	The work done to date on recommender systems has identified concerns about the range and volume of children's personal information that these systems use, and whether they have sufficient protections in place for children. The next phase of work aims to further our understanding and, where required, address the impact of this processing on children and/or people with this protected characteristic. We expect that the work of the children's code strategy will positively impact the functioning of recommender systems regarding data processing. We expect our strategy work to positively impact potential	The research and engagement phase of the recommender work identified that further work is needed in this area. Any regulatory interventions for this work will consider the impact and relevant mitigations. We continue to examine the 'state of the art' technology available for the 13+ threshold which will help us to form a position. Part of this is to seek further information from providers about false negative rates and groups likely to be impacted. This will indicate whether further research is required. The ICO's recommendation about platforms offering different options for age assurance will reduce the

[2] The ICO's response to the Children's code strategy call for evidence | ICO

Protected characteristic	Evidence of potential risks and harms faced by people with this characteristic	Is the strategy likely to have a specific impact on people with this characteristic?	List the mitigations proposed for each impact, stating whether the impact will be reduced or removed.
	users. As a result, adult users may be subject to further checks than they currently need to undertake. The risks will vary depending on the methods used. For example, official data on driving licences identifies a difference in the number of adults with a full driving licence across different ethnic groups.[3] There has been little change when comparing the 2021 figures to the previous data set collected in 2019.	risks associated with this protected characteristic. Depending on the age assurance method used, there may be concerns about the risk of bias and discrimination based on these characteristics. For example, facial age estimation systems may work better for certain skin tones as compared to others. Voice age estimation, while in its infancy, may not be as accurate based on a person's accent. Where an age estimation method such as facial age estimation results in an error, users may have to provide a form of ID to have their ages verified. While we are aware that younger children have less access and availability of hard identifiers, we do not	impact to a degree, depending on what the alternative methods are. Instead of implementing age assurance measures, organisations have the option to apply all the standards of the code to all users, though this will not be appropriate for adult services.

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[3] Driving licenses and access to vehicles - GOV.UK Ethnicity facts and figures (ethnicity-facts-figures.service.gov.uk)

Protected characteristic	Evidence of potential risks and harms faced by people with this characteristic	Is the strategy likely to have a specific impact on people with this characteristic?	List the mitigations proposed for each impact, stating whether the impact will be reduced or removed.
		currently have an understanding of whether groups with certain protected characteristics are more likely to be disproportionately, nor whether these groups are the same as those who might be impacted by inaccuracies in facial age estimation techniques (nb this will also apply to other age estimation methods).	
Disabled people	Feedback from the call for evidence raised concerns about extensive data harvesting that can create a 'feedback loop', where the more information is collected about a child, the more personalised their content feed becomes. Consequently, children are more likely to engage with the platform for extended time periods, providing further opportunities for the service to collect information about them. For	The work done to date on recommender systems has identified concerns about the range and volume of children's personal information that these systems use, and whether they have sufficient protections in place for children. The next phase of work aims to further our understanding and, where required, address the impact of this processing on children and/or people with this protected characteristic. We	The research and engagement phase of the recommender work identified that further work is needed in this area. Any policy related outputs for this work will consider the impact and relevant mitigations.

We continue to examine the 'state of the art' technology available for the 13+ threshold which will help us to form a position. Part of this is to seek further information from |

Protected characteristic	Evidence of potential risks and harms faced by people with this characteristic	Is the strategy likely to have a specific impact on people with this characteristic?	List the mitigations proposed for each impact, stating whether the impact will be reduced or removed.
	children with pre-existing mental health conditions, the result of this loop could be an increased likelihood that harmful content is recommended to them (e.g. material about self-harm or suicidal ideation). Respondents highlighted several studies which describe the harms that children and young people experience as a result of recommender systems (eg psychological harm and physical harms) This highlighted the amplification of inappropriate content, with several respondents reporting that recommender systems are leading users to inappropriate or illegal content. More specifically, concerns were raised that: • Content about self-harm and suicidal ideation	expect that the work of the children's code strategy will positively impact the functioning of recommender systems regarding data processing. Depending on the age assurance method used, there may be concerns about the risk of bias and discrimination based on these characteristics. For example, facial estimation systems may be less accurate if an individual has facial injuries or disfigurements. Where an age estimation method such as facial age estimation results in an error, users may have to provide a form of ID to have their ages verified. While we are aware that younger children have	providers about false negative rates and groups likely to be impacted. This will indicate whether further research is required. There was a lack of information on profiling in the responses we received to the call for evidence. A workstream on profiling for age assurance has provided the ICO a better understanding of how this works including fairness considerations. The ICO's recommendation about platforms offering different options for age assurance will reduce the impact to a degree, depending on what the alternative methods are.

Protected characteristic	Evidence of potential risks and harms faced by people with this characteristic	Is the strategy likely to have a specific impact on people with this characteristic?	List the mitigations proposed for each impact, stating whether the impact will be reduced or removed.
	can be promoted by recommender systems, and this particularly affects children who have pre-existing mental health conditions. During our evidence gathering stage, we have reviewed research that outlines the risks of recommender systems serving content relating to eating disorders and self-harm. We recognise that these processes relate to both areas within our remit of personal information, and outside it in relation to content related harms. As noted above, although the focus of the strategy is children, services may choose to implement methods, such as age assurance, that apply to all users. As a result, adult	less assess and availability of hard identifiers, we do not currently have an understanding of whether groups with certain protected characteristics are more likely to be disproportionately, nor whether these groups are the same as those who might be impacted by inaccuracies in facial age estimation techniques (nb this will also apply to other age estimation methods).	Instead of implementing age assurance measures, organisations have the option to apply all the standards of the code to all users, though this will not be appropriate for adult services.

Protected characteristic	Evidence of potential risks and harms faced by people with this characteristic	Is the strategy likely to have a specific impact on people with this characteristic?	List the mitigations proposed for each impact, stating whether the impact will be reduced or removed.
	users may be subject to further checks than they currently need to undertake. For disabled users there are potential risks in access to services, for example: • Where a service relies on a 'hard' identifier to confirm age such as a driving licence, there is an impact on disabled people who are not able to obtain a driving licence. • The accessibility of age assurance measures and its compatibility with assistive technology is another potential risk to access to services. • Measures dependent on behavioural analytics or profiling for age estimation have the potential to		

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	misidentify individuals as the time it takes, and pattern of usage may differ from the expected profile for a range of reasons including how assistive technology interacts with the service.		
Sexual orientation	The Children's code evaluation found that children who identified as LGBTQ+ had a higher propensity to lie about their age online. As a result, this may create heightened exposure to data privacy harms. Children who identify as LGBTQ+ may not be accepted by their family members including parental figures.[4] This might impact on the	The Children's code evaluation found that children who identified as LGBTQ+ had a bigger online life. This means that they might be disproportionately impacted upon should age assurance deny them access to services which may contribute to their development. The work done to date on recommender systems has identified concerns about the	The research and engagement phase of the recommender work identified that further work is needed in this area. Any policy related outputs for this work will consider the impact and relevant mitigations. Instead of implementing age assurance measures, organisations have the option to apply all the standards of

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[4] Data shows majority of LGBT adults estranged from family - Just Like Us

Protected characteristic	Evidence of potential risks and harms faced by people with this characteristic	Is the strategy likely to have a specific impact on people with this characteristic?	List the mitigations proposed for each impact, stating whether the impact will be reduced or removed.
	ability to rely on the need for parental verification when it comes to accessing services.	range and volume of children's personal information that these systems use, and whether they have sufficient protections in place for children. The next phase of work aims to further our understanding and, where required, address the impact of this processing on children and/or people with this protected characteristic. We expect that the work of the children's code strategy will positively impact the functioning of recommender systems regarding data processing.	the code to all users, though this will not be appropriate for adult services.

Protected characteristic	Evidence of potential risks and harms faced by people with this characteristic	Is the strategy likely to have a specific impact on people with this characteristic?	List the mitigations proposed for each impact, stating whether the impact will be reduced or removed.
Sex (see note 1)	In the call for evidence, there were specific concerns raised that platforms could infer the characteristics of a child including their gender, even if a child had not volunteered this information knowingly. The process of inferring this information was felt to be intrusive. Respondents highlighted several studies which describe the harms that children and young people experience as a result of recommender systems (eg psychological harm and physical harms). This highlighted the amplification of inappropriate content, with several respondents reporting that recommender systems are leading users to inappropriate or illegal content. More specifically, concerns were raised that:	The work done to date on recommender systems has identified concerns about the range and volume of children's personal information that these systems use, and whether they have sufficient protections in place for children. The next phase of work aims to further our understanding and, where required, address the impact of this processing on children and/or people with this protected characteristic. We expect that the work of the children's code strategy will positively impact the functioning of recommender systems regarding data processing.

Individuals could be prevented from access to services if they do not have access to hard | The research and engagement phase of the recommender work identified that further work is needed in this area. Any policy related outputs for this work will consider the impact and relevant mitigations.

The ICO's recommendation about platforms offering different options for age assurance will reduce the impact to a degree, depending on what the alternative methods are.

Instead of implementing age assurance measures, organisations have the option to apply all the standards of the code to all users, though this will not be appropriate for adult services. |

Protected characteristic	Evidence of potential risks and harms faced by people with this characteristic	Is the strategy likely to have a specific impact on people with this characteristic?	List the mitigations proposed for each impact, stating whether the impact will be reduced or removed.
	• teenage boys are more likely to be recommended misogynistic content; • teenage boys are more likely to be recommended violent content; and • inappropriate content can lead to users feeling worse about their appearance, and this particularly affects teenage girls. ICO analysis of children and parents survey data suggested that boys and girls were as likely to lie about their age, though girls were more likely to access online shopping and online messaging, and boys were more likely to access online gaming. There is some evidence that harms associated with	identifiers should this be required.	

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	recommender systems are differentiated by sex. For instance, in one study boys were recommended misogynistic content, whilst various studies highlight the recommendation of self-harm / suicide / eating disorder content to girls. If a service decides to implement age assurance measures for all users, there are potential risks related to the type of identifier used to confirm the person's age. For example, the use of 'hard' identifiers has the potential to impact on access to service where access to the documents vary across different groups. Government data on driving licences show that in 2022 71% of women and 81% of men over the age		

Protected characteristic	Evidence of potential risks and harms faced by people with this characteristic	Is the strategy likely to have a specific impact on people with this characteristic?	List the mitigations proposed for each impact, stating whether the impact will be reduced or removed.
	of 17 held a full driving licence.[5]		
Age	In the call for evidence, there were specific concerns raised that platforms are able to infer the characteristics of a child including their age, even if a child had not volunteered this information knowingly. The process of inferring this information was felt to be intrusive. Respondents highlighted several studies which describe the harms that children and young people experience as a result of recommender systems (e.g. psychological harm and physical harms) This	Our strategy aims to positively impact children's online experiences: we expect increased compliance to contribute to create safer and more privacy preserving environments for children. However, improved compliance on age restrictions could lead to children losing access to valuable digital spaces, which would be a negative impact. Younger children, who have less access to or availability of hard identifiers may be	The research and engagement phase of the recommender work identified that further work is needed in this area. Any policy related outputs for this work will consider the impact and relevant mitigations. The ICO's recommendation about platforms offering different options for age assurance will reduce the impact to a degree, depending on what the alternative methods are.

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[5] Driving licence holding and vehicle availability - GOV.UK (www.gov.uk)

Protected characteristic	Evidence of potential risks and harms faced by people with this characteristic	Is the strategy likely to have a specific impact on people with this characteristic?	List the mitigations proposed for each impact, stating whether the impact will be reduced or removed.
	highlighted addictiveness and harmful design. Several respondents argued that SMPs and VSPs use addictive design features to keep users engaged, for example endless scroll, autoplay. Another respondent explained that SMPs and VSPs used design features such as clicks, likes and shares to collect more information about children. This could then be used to encourage them to spend more time on the platform. Some argued that these features disproportionately impact children and young people because of their stage of cognitive development. They provided further examples of how recommender systems are not designed with children's developmental needs in mind.	excluded from services if these are required. In addition, due to their age, they may be more likely to need parental confirmation, which could impact on their access to online environments.	Instead of implementing age assurance measures, organisations have the option to apply all the standards of the code to all users, though this will not be appropriate for adult services.

Protected characteristic	Evidence of potential risks and harms faced by people with this characteristic	Is the strategy likely to have a specific impact on people with this characteristic?	List the mitigations proposed for each impact, stating whether the impact will be reduced or removed.
	This strategy is targeted at children and organisations using their data. ICO analysis of children and parents survey data suggested that, as they aged, children accessed more online services and lied more about their age. This contributed to older children needing to report concerns more often than younger ones. This suggests that children are at higher potential risk of data protection harms as they age. If age assurance is introduced as a measure for all users, there is a risk that methods using age buffers could impact on some user's access to services. For example, those close to the minimum age may need to undergo further checks to ensure that an		

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	accurate age verification decision is made. If services use age checks to determine which aspects of a service a user can access depending on their age group, there is a risk that individuals who lack relevant documentation will be unable to access these services if they rely on 'hard' identifiers. For example, users under the age of 17 and 18 will not have access to driving licences and credit cards as in the UK these are only available to users over the age of 17 and 18 respectively. Some services may use account confirmation whereby a person with parental responsibility confirms the age of a child. As a result of this check, the adult would have knowledge of the service the child wishes to access.		

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	Some methods of age assurance may track behaviour to estimate age, flagging accounts where the behaviour is not commensurate with the expected age. There is the potential for errors which lead to a person old enough to be on the service being wrongly identified as being too young and vice versa.		
Gender reassignment (see note 2)	The Children's code evaluation found that children who identified as LGBTQ+ had a higher propensity to lie about their age online. As a result, this may create heightened exposure to data privacy harms.	The work done to date on recommender systems has identified concerns about the range and volume of children's personal information that these systems use, and whether they have sufficient protections in place for children. The next phase of work aims to further our understanding and, where required, address the impact of this processing on children and/or people with this	The research and engagement phase of the recommender work identified that further work is needed in this area. Any policy related outputs for this work will consider the impact and relevant mitigations.

The ICO's recommendation about platforms offering different options for age assurance will reduce the impact to a degree, depending |

Protected characteristic	Evidence of potential risks and harms faced by people with this characteristic	Is the strategy likely to have a specific impact on people with this characteristic?	List the mitigations proposed for each impact, stating whether the impact will be reduced or removed.
		protected characteristic. We expect that the work of the children's code strategy will positively impact the functioning of recommender systems regarding data processing. The Children's code evaluation found that children who identified as LGBTQ+ had a bigger online life. This means that they might be disproportionately impacted upon should age assurance deny them access to services which may contribute to their development.	on what the alternative methods are. Instead of implementing age assurance measures, organisations have the option to apply all the standards of the code to all users, though this will not be appropriate for adult services.

Protected characteristic	Evidence of potential risks and harms faced by people with this characteristic	Is the strategy likely to have a specific impact on people with this characteristic?	List the mitigations proposed for each impact, stating whether the impact will be reduced or removed.
Marital status	Although the focus of the strategy is children, we recognise that due to the broad scope of content that can be recommended and, on some platforms, the scope of personal information collected, child users may be recommended content about marriages and civil partnerships. Our evidence gathering to date has not identified specific evidence relating to risk, but we will continue to be aware of developments that may be relevant to this protected characteristic. Although the focus of the strategy is children, we recognise that some changes, such as the introduction of age assurance may be applied to all users. For both recommender systems and age assurance, our evidence		

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	gathering to date has not identified specific evidence relating to risk, but we will continue to be aware of developments that may be relevant to this protected characteristic.		
Pregnancy and maternity	Our evidence gathering to date has not identified specific risk in relation to this protected characteristic and recommender systems. However, we are still developing our knowledge on the nuances about how personal information and inferences are utilised by recommenders. We will continue to monitor this and consider any developments that may be relevant to this protected characteristic. Our evidence gathering on age assurance has not identified specific evidence relating to risk, but we will continue to be		

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	aware of developments that may be relevant to this characteristic.		
Political opinions	During our research on recommenders, we have identified some concerns about the recommendation of some ideologies and opinions. There is a risk that a child could be recommended political content. As noted earlier, we are still developing our knowledge on the nuances about how personal information and inferences are utilised by recommenders. We will continue to monitor this and consider any developments that may be relevant to this protected characteristic.	The work done to date on recommender systems has identified concerns about the range and volume of children's personal information that these systems use, and whether they have sufficient protections in place for children. The next phase of work aims to further our understanding and, where required, address the impact of this processing on children and/or people with this protected characteristic. We expect that the work of the children's code strategy will positively impact the functioning of recommender	The research and engagement phase of the recommender work identified that further work is needed in this area. Any policy related outputs for this work will consider the impact and relevant mitigations.

Platforms have to clearly explain the purpose of age assurance.

There are third party age assurance verifiers which provide a Yes/ No response to the platform on whether a person is above or below an |

Protected characteristic	Evidence of potential risks and harms faced by people with this characteristic	Is the strategy likely to have a specific impact on people with this characteristic?	List the mitigations proposed for each impact, stating whether the impact will be reduced or removed.
		systems regarding data processing. Depending on the age assurance method used on a platform, this may lead to individuals providing more information than their age (eg use of hard identifiers like passports/ driving licences). This could lead to a 'chilling effect' where people do not feel comfortable expressing their political opinions in anonymity.	age threshold which minimises the information shared with a platform. The age assurance method has to be proportionate to the risks on a platform and organisations have to comply with all requirements of DP legislation including data minimisation, purpose limitation and storage limitation.
People with dependants	Platforms relying on the consent lawful basis will be in breach of Article 8 of the UK GDPR where under 13s personal information is being processed without parental consent. The children's privacy strategy seeks to promote compliance with this article.	This strategy will encourage changes in how online services register children. It seeks to provide benefits for people with dependents aged under 13 by giving them some oversight of the services their dependents sign-up to online. Consequently, it may result in	Platforms have to clearly explain the purpose of age assurance. There is potential for the ICO to support in any information campaign to raise public awareness.

Protected characteristic	Evidence of potential risks and harms faced by people with this characteristic	Is the strategy likely to have a specific impact on people with this characteristic?	List the mitigations proposed for each impact, stating whether the impact will be reduced or removed.
	Our evidence gathering on recommender systems to date has not identified specific evidence relating to risk, but we will continue to be aware of developments that may be relevant to this protected characteristic. If a service implements parental confirmation as an age assurance process, during this process, those with dependents may have their data processed as part of age assurance process.	a burden and 'consent fatigue' for people with dependents.	Instead of implementing age assurance measures, organisations have the option to apply all the standards of the code to all users, though this will not be appropriate for adult services.
People without dependants	No specific risks unique to people with this characteristic identified at present as result of the use of an age assurance method or recommender system.	The strategy may lead to increased implementation of age assurance measures across platforms which is likely to impact on all users of online platforms, including adults. This could be perceived as an intrusion into their privacy.	Platforms have to clearly explain the purpose of age assurance. There is potential for the ICO to support in any information campaign to raise public awareness.

Protected characteristic	Evidence of potential risks and harms faced by people with this characteristic	Is the strategy likely to have a specific impact on people with this characteristic?	List the mitigations proposed for each impact, stating whether the impact will be reduced or removed.
			There are third party age assurance verifiers which provide a Yes/ No response to the platform on whether a person is above or below an age threshold which minimises the information shared with a platform. Instead of implementing age assurance measures, organisations have the option to apply all the standards of the code to all users, though this will not be appropriate for adult services.
Socio-economic groups or social classes (see note 3)	ICO analysis of children and parents survey data suggested that parents in low-income households had lower awareness of the ICO and UK GDPR, and lower data protection knowledge than average. These parents could therefore be less able to teach	Children of lower income families may be less likely to possess forms of identification, such as passports, which may be required for age assurance purposes.	The ICO's recommendation about platforms offering different options for age assurance will reduce the impact to a degree, depending on what the alternative methods are.

Protected characteristic	Evidence of potential risks and harms faced by people with this characteristic	Is the strategy likely to have a specific impact on people with this characteristic?	List the mitigations proposed for each impact, stating whether the impact will be reduced or removed.
	their children how to stay safe online, making children in low-income households at higher potential risk of data protection harms.		Instead of implementing age assurance measures, organisations have the option to apply all the standards of the code to all users, though this will not be appropriate for adult services.
Multiple protected characteristics (see note 4) and other	Children in care may not be sure who their legal guardian is, or may be reluctant to ask them to give parental consent. As a consequence, they may not be able to obtain parental consent, or consent from a legal guardian.	This strategy seeks to promote compliance with Article 8 of the UK GDPR which states that children under the age of 13 cannot consent to an online service processing their personal information; parental consent is required. This may negatively impact children in care, causing marginalisation and negatively impacting their access to online services.	The ICO's recommendation about platforms offering different options for age assurance will reduce the impact to a degree, depending on what the alternative methods are. Instead of implementing age assurance measures, organisations have the option to apply all the standards of the code to all users, though this will not be appropriate for adult services.

Protected characteristic	Evidence of potential risks and harms faced by people with this characteristic	Is the strategy likely to have a specific impact on people with this characteristic?	List the mitigations proposed for each impact, stating whether the impact will be reduced or removed.

Note 1: you may also wish to consider gender while considering sex, although gender is not a protected characteristic under the Equality Act or s75 of the Northern Ireland Act 1998.

Note 2: you may wish to consider the impact on transgender people while considering the protected characteristic of gender reassignment. This includes if the person is proposing to undergo, is undergoing or has undergone a process.

Note 3: Socio-economic group or social class is not a protected characteristic, but we would still like to ensure that we consider the impact of our work in this area.

Note 4: Multiple protected characteristics is an opportunity to consider whether there are issues which affect people with most or all of the protected characteristics, or where there may be different impacts of the same issue on different characteristics (eg the same issue has a positive impact on people with one protected characteristic but a negative impact on people with another protected characteristic).

Q4. The ICO has a number of legal obligations in relation to the provision of Welsh language services. Is this work being delivered in Wales, or to the people of Wales, and if so will there be a need to consider the impact on the Welsh language?

Yes. Our ICO Welsh regional office was consulted during the publication of our strategy. We will continue to engage with them as we develop the strategy regarding Welsh language publication requirements.

Q5. In interests of best practice, you should consider whether this work may have a negative impact on or contravene any Human Rights. Click this link to the find an overview of each of the human rights and further details about each. The Human Rights Act itself is available at this link. Please confirm that you have considered this and set out any actions you will take to mitigate any impacts.

We have considered the relationship between Human Rights and data protection law. The following Articles have been considered:

- Article 8 - respect for private and family life
- Article 9 – freedom of thought, belief and religion
- Article 10 – freedom of expression
- Article 14 protection from discrimination

Standard 1 of the children's code: best interests of the child comes from Article 3 of the United Nations Convention on the Rights of the Child (UNCRC) which states: "In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration."

This standard of the code will be a consideration throughout the delivery of the strategy.

Contributing towards the ICO's equality objectives

Q6. How does this work contribute towards the ICO's equality objectives? Please explain contributions, state ways contribution could be increased, or state 'no contribution'.

Objective	Contribution to objective
Objective 1: **We will represent the communities and societies we serve** We believe that diverse teams make better decisions, boost creativity and innovation, enable greater professional growth and increase our understanding of the communities we regulate. As a workforce, we are the most effective and have the greatest impact when we are representative and consider different perspectives.	Our children's code strategy is a cross organisational project with input from across the ICO including regulatory policy, technology policy, legal, economic and intelligence teams. This will enable a range of perspectives to be considered during the roll out of the strategy. A call for evidence was undertaken to provide an open opportunity for any interested party to share their views. This included a question seeking the views on the whether the use of children's information in recommender systems might have particular impacts on children belonging to specific groups, including children with protected characteristics. By seeking to understand whether the processing activities we are assessing could have a differential impact on people with specific protected characteristics, we can represent the communities that we serve.
Objective 2: **Our culture will be inclusive** We're at our best when we support and look out for one another, and when we trust and empower each other to be ourselves. That applies whether it's within the workplace or in the work that we do.	Our Children's code strategy is a cross organisational project with input from across the ICO including regulatory policy, technology policy, legal, economic and intelligence teams. This will enable a range of perspectives to be considered during the roll out of the strategy.

Objective	Contribution to objective
We have measures in place to support our diverse workforce, such as reasonable adjustments. However, we will do more to remove the barriers that are preventing people from developing and progressing.	Additionally, we undertook a call for evidence to ensure we provided an open opportunity for any interested parties to share their views. This provided the opportunity to obtain a diverse range of opinions from stakeholders to inform our strategy work.
Objective 3: **We will better understand the needs of everyone to deliver services that are accessible to all** We target our regulatory interventions on the areas of greatest harm and to make a real difference to people's lives. Technological innovation by businesses means the landscape we regulate is constantly transforming. We know we're at our best when we understand the needs of all our customers, including those who experience vulnerability and communities of unmet need.	We will focus on identifying the most serious risks to children's privacy by social media and video streaming platforms. We will work to improve our knowledge of the processing and reduce or eliminate the data processing risks for children in areas which may cause harm. Children may be less aware of the risks, safeguards and their rights about the use of their information. When organisations fail to use children's information properly, it could leave them vulnerable to harms. We want to see an internet that is privacy-friendly and safe for children and young people.

Monitoring and evaluation

Q7. What arrangements are in place, or will be put in place, to monitor and evaluate the impact of the work on equality?

Answer: We will update this assessment at key points during the strategy. We will consider potential impacts, via our theory of change approach linking inputs to outputs to outcomes to impact, and where appropriate, apply

options appraisal techniques and conduct impacts assessments, in line with the criteria in our [Impact Assessment Framework](). Monitoring and review activity will begin in conjunction with the implementation of any agreed interventions, as proportionate and appropriate, in line with the principles set out within our [Ex-Post Impact Framework]().

For example, where appropriate, we will monitor changes in data protection by design approaches implemented by in scope organisations through supervision and engagement work. We will use baseline data from our desk-based research and technical research to identify the changes in approach to processing children's data undertaken by the organisations in scope of the strategy. Where changes are made, we will ask services how many child users are affected (eg how many under-aged children are removed from their services, and how many are protected due to design changes).

Q8. How long will these arrangements be in place?

Answer: Until 2026

Q9. When do you intend to review this EqIA? This should usually be done upon any change that is made to the original piece of work that this EqIA is for.

Answer: The EqIA has been updated at the end of the research and initial engagement phase of the work. The EqIA will continue to be monitored and will be updated where required as work progresses on the next stage of the project .

Publication

Q10. As stated above and in the guidance, we intend to publish all completed EqIAs on the ICO's website. Please provide detail of any necessary redactions and the intended publication date.

You should also review the wording to ensure that it is as clear as possible for any staff or public to read.

Answer: n/a

Governance and sign-off

The person who completes this document must be content that all potential equality issues have been identified and considered, that appropriate monitoring will be in place and the publication issues have been considered.

Please tick here to confirm that you have consulted with other colleagues and those it would largely impact where appropriate. ☒

Please state here who has completed the EqIA:

Signed by: JH

Date: 9 June 2025

Approved by line manager:

Signed by: MM
Date: 18 July 2025

You **must** send your completed form to corporategovernance@ico.org.uk for storage and publication.

The EDI Board provides overall assurance that the EqIA process is operating effectively, but it is not for them to review or approve EqIAs.

If you have identified any negative impacts to any protected characteristics that you cannot fully mitigate, please contact Inclusion and Wellbeing for advice via inclusionandwellbeingteam@ico.org.uk.

Section 75 The Northern Ireland Act

To meet the NI section 75 consultation requirement, we must incorporate the following into our EqIA process. Please read through the below and implement as appropriate whilst completing your EqIA

1. We will externally publish a list of all EqIA screenings we complete. We should publish these quarterly. The spreadsheet will be 'housed' on the ICO website Equality and diversity | ICO (these will include **all** EqIA screenings we complete)

2. Where an EqIA screen results in the need for a full EqIA on a policy, procedure or change that relates directly to the ICO carrying out its external statutory functions; we will consult with key stakeholders at the earliest opportunity for 12 weeks. By law we must consult with the Northern Ireland stakeholder list, but good practice would be to include other relevant stakeholders from across the UK. The author/approval manager will be best places to determine who these should be.

3. We have clarified that if we don't receive a response from these stakeholders to a consultation, that is fine. We record no response and move on with the policy, procedure or change.

4. We have clarified that we do not need to consult under s75 for policies that only impact our staff. Whilst its good practice to consult with staff, TU etc about changes that impact employees, ways of working etc, this type of internal change would not engage s75. We should of course complete an EqIA at the earliest opportunity, it's just that the s75 consultation requirement is unlikely to be engaged.

5. We have agreed that it would be for the manager who approves the EqIA to determine if a s75 consultation is needed. The Inclusion and Wellbeing team can provide support, but the author and manager will know their business area and will be best placed to assess if a new/change to a policy impacts external customer and stakeholders as part of our statutory function and should therefore be consulted on.

6. We have agreed that it should be for the author/approving manager to send the EqIA screening form or full EQIA form to corporate governance.

EqIA version control (to be updated by the person completing the EqIA)

Version number	1
Status	Final copy for approval
Relevant or related policies	Equality Impact Assessment Guidance
Author/owner	JH
Approved by	MM
Date of sign off	18 July 2025
Review date	18 July 2025

Version	Changes made	Date	Made by
0.1	Original draft EqIA on People and Equality template with feedback from RPP and Economic Analysis	April 2024	WW
0.2	Updated version of EqIA on up to date template awaiting sign off	April 2024	WW
0.3	Updated version of EqIA capturing progress made on the project up to end of September 2024	September 2024	RN
0.4	Updated to incorporate findings from Call for Evidence	January 2025	RMN
0.5	Updated to reflect end of research phase	April 2025	RN
1	Final copy for approval	August 2025	JH