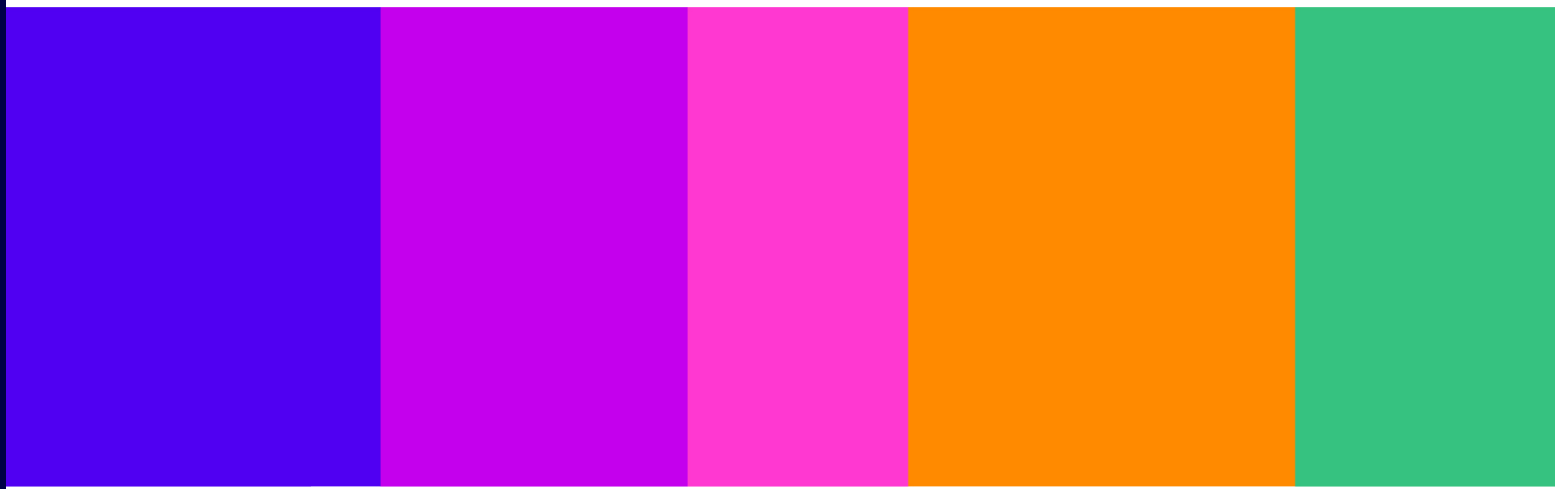


Protecting children from harms online

Volume 3: Assessing the risks of harms to
children online

Statement

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7. Our approach to governance and accountability

- 7.1 In this volume, we lay out our approach to governance and risk management, which sits across this Statement on protecting children from harms online. In Section 8, we set out our decisions in relation to the Children’s Risk Assessment Guidance for Service Providers (Children’s Risk Assessment Guidance), which is published separately.
- 7.2 Our decisions about the Governance and Accountability measures service providers should put in place to manage the risks they pose to children are set out in Section 11, which is included in Volume 4 together with the other measures in our Protection of Children Codes (the Codes).

What decisions have we made about governance and accountability?

- 7.3 Our regulatory products focus on improving children’s experiences online by putting risk assessment and continuous risk management at the heart of how service providers comply with the Online Safety Act 2023 (the Act). In particular:
- a) Our Protection of Children [Codes](#) include several Governance and Accountability measures incorporating principles of accountability, oversight, independence and transparency. Such structures are the foundation to sustain good risk management practices, helping services to identify and manage risks of harm online to children, and keep them under review. We consider that applying these measures will materially improve safety by design for children on services. Section 11 explains these Governance and Accountability measures and why we have chosen to include them in the Codes, while the measures themselves can be found in the Codes for user-to-user¹ and search² services.
 - b) Ofcom’s **Children’s Register of Risks**³ (Children’s Register) and **Children’s Risk Profiles**⁴ (which service providers must consult) set out our sector-wide assessment of the causes and impacts of harm to children from content harmful to children. Section 4 explains the methodology we used when producing the Children’s Risk Profiles and the Children’s Register.
 - c) Our **Children’s Risk Assessment Guidance** explains how we recommend providers comply with their duty to assess the risk of harm to children on their service. The guidance will support services to have an adequate understanding of the risks to children (taking account of our Children’s Risk Profiles), and identify any necessary measures to manage those risks. Section 8 explains our approach to the Children’s Risk Assessment Guidance.

¹ [Protection of Children Code for user-to-user services](#)

² [Protection of Children Code for search services](#)

³ [Children’s Register of Risks](#)

⁴ [See Children’s Risk Assessment Guidance](#)

- d) Our Record-Keeping and Review Guidance⁵ explains how service providers can comply with their duties to keep written records of their children's risk assessments and the measures taken to comply with the safety duties. By outlining good practice in record-keeping, it will support the accuracy of risk assessments and enable service providers to adhere to robust governance standards. Section 8 explains our approach to updating the Record-Keeping and Review Guidance.

Why is governance and accountability important for the protection of children?

- 7.4 As set out in our Children's Register, children are experiencing a wide range of risks of harms on the services they can access.⁶ As with illegal content, service providers have duties under the Act to carry out a children's risk assessment, to record details about how their children's risk assessments are carried out, and to regularly review compliance with their safety duties and their duties in relation to complaints and reporting.⁷
- 7.5 Governance and accountability complement the children's risk assessment duties, and refer to integrated structures and processes within organisations to ensure adequate oversight of decision-making. They provide clarity of roles and responsibilities, and also incorporate effective reporting and review mechanisms.
- 7.6 Governance is a fundamental part of ongoing risk management, and essential for a culture of safety by design. Organisational structures should ensure that the assessment of risk is conducted in a timely way to identify and manage risks as they happen, and on an ongoing basis. Service providers must also keep a record of this activity, including all relevant evidence that may have informed the assessment of risks identified on the service, and to keep this assessment under review.
- 7.7 Well-functioning organisational governance and leadership will help service providers to understand and anticipate risks, to communicate them internally and to identify appropriate risk mitigations. This increases the likelihood of risks of harm to children being identified at the right time and at the correct levels of the organisation, helping to prioritise them appropriately and improve strategic decision-making. Such a culture of safety should also support proactive approaches, identifying whether risk mitigations or controls are working well and where risk is reviewed and addressed on an ongoing basis.
- 7.8 The success of any system designed to identify and remedy risks depends on effective governance and accountability structures. For example, this can include having in place effective governance and accountability preparations to deal with the contexts that can lead to an increase in risks to children such as sudden spikes in content harmful to children. This is essential to future-proof services' ability to address harms and review the effectiveness of measures designed to mitigate risks.
- 7.9 As set out in the Children's Risk Assessment Guidance, there may be some residual risks which require regular monitoring and management.⁸ We consider adequate oversight of risk management practices through effective governance to be key to this. Our Governance

⁵ [Record-Keeping and Review Guidance](#)

⁶ See Section 4 of the Children's Register for more information.

⁷ Sections 11, 12, 26 and 27 of the Act.

⁸ See the Children's Risk Assessment Guidance for more information.

and Accountability measures recommend that all services – no matter their size or what risks they have identified – have an individual accountable to the most senior governance body to be able to explain and justify actions or decisions regarding children’s online safety; this includes risk management and mitigation of all the risks identified in the most recent children’s risk assessment. Importantly, including those risks remaining after implementing the Codes. In addition, large services and smaller multi-risk services will need to track evidence of new and increasing kinds of content that is harmful to children.⁹ The Codes recommends providers of services that are both large and multi-risk to have a monitoring and assurance function to provide continuous independent assurance that measures taken to mitigate and manage the risks of harm to children are effective.

- 7.10 In addition, service providers must take appropriate steps to keep their children’s risk assessment up to date, including when Ofcom makes a significant change to a Children’s Risk Profile. Providers must carry out a further children’s risk assessment before making any significant change to any aspect of a service’s design or operation, relating to the proposed change.
- 7.11 Put together, our Children’s Risk Assessment Guidance and our Governance and Accountability measures in the Codes act together to ensure a culture of timely and safety-focused risk management in organisations, which will act as a foundation to drive safer experiences online for children.

⁹ By multi-risk services, we mean those that have identified a medium or high risk of harm to children arising from two or more specific kinds of content that is harmful to children in their children’s risk assessment. For further discussion of this, see Section 10: ‘Framework for Codes’.

8. Children's Risk Assessment Guidance

What is this section about?

The Online Safety Act 2023 requires Ofcom to produce guidance for service providers to help them meet their children's risk assessment duties: our Children's Risk Assessment Guidance. In this section we summarise and respond to stakeholder feedback to our consultation and set out the decisions we have made in finalising the guidance.

The purpose of the children's risk assessment is to ensure service providers have an adequate understanding of the risk of harm to children presented by content harmful to children and the design and use of their service, so that they can take proportionate measures to manage and mitigate those risks (as required by the safety duties protecting children).

What decisions have we made?

Our Children's Risk Assessment Guidance sets out a four-step risk assessment process for service providers to follow. This involves providers: (i) understanding content harmful to children they need to assess in their children's risk assessment; (ii) assessing the likelihood and impact of risk of harm to children presented by content harmful to children on their service; (iii) deciding what measures to take to mitigate these risks; and (iv) reporting on, reviewing and updating the children's risk assessment.

Our guidance also explains what amounts to a 'suitable and sufficient' children's risk assessment, and how a service provider should record their children's risk assessment. It is a requirement that service providers keep their children's risk assessments up to date, and we have set clear expectations regarding how providers may meet this duty. We have also provided guidance about what amounts to a significant change as a trigger to carry out a new children's risk assessment.

We have updated our guidance on how service providers should identify and assess the risk of harm presented to children by non-designated content on their service. We have additionally clarified our expectations for service providers around the duty to assess the user base, and to give separate consideration to children in different age groups, noting the relevance of different kinds of evidence on user age.

Why have we made these decisions?

The four-step methodology in our Children's Risk Assessment Guidance will assist service providers in fulfilling their legal obligations to carry out a children's risk assessment which is 'suitable and sufficient'.

The risk assessment methodology is based on best practice approaches to risk assessments across a range of industries and incorporates all the elements of the children's risk assessment duties. The evidence we have seen suggests that doing a good children's risk assessment is critical to achieving good safety outcomes for children. In combination with our Governance and Accountability measures in our Protection of Children Codes, the guidance promotes a culture of timely and safety-focused risk management in organisations, which will act as a foundation to drive safer experiences online for children.

Introduction

- 8.1 Ofcom has a duty to produce guidance to help service providers to comply with their duty to complete a children's risk assessment.¹⁰
- 8.2 Service providers must first carry out a children's access assessment to understand if their service, or part of their service, is likely to be accessed by children.¹¹ The duty to carry out a children's risk assessment arises for user-to-user and search services, or parts of these services, that are likely to be accessed by children.¹² We published our Children's Access Assessments Guidance¹³ on 16 January 2025, which helps service providers to complete children's access assessments.
- 8.3 A children's risk assessment must be done in addition to the illegal content risk assessment, as it is a separate legal requirement under the Online Safety Act 2023 (the Act). We published our Illegal Content Risk Assessment Guidance for Service Providers¹⁴ (Illegal Content Risk Assessment Guidance) on 16 December 2024 as part of our December 2024 Statement on Protecting People from Illegal Harms Online¹⁵ (December 2024 Statement).
- 8.4 Risk assessments are a critical part of the online safety framework, and securing a higher level of protection online for children than adults is one of the objectives of the Act. The adoption of good practice in risk assessment is fundamental for the industry culture change needed to put user safety at the heart of service design and decision-making. As the nature of harm online continually evolves, robust risk management processes should ensure service providers are able to quickly and effectively identify and respond to emerging risks on their services for users in the UK.
- 8.5 Overall, the purpose of the children's risk assessment is to ensure service providers have an adequate understanding of the risk of harm to children presented by content harmful to children and the design and use of their service, so that they can take proportionate measures to manage and mitigate those risks (as required by the safety duties protecting children). Our Children's Risk Assessment Guidance for Service Providers (Children's Risk Assessment Guidance) and our Governance and Accountability measures in our Protection of Children Codes (the Codes) act together to ensure a culture of timely and safety-focused risk management in organisations, which will act as a foundation to drive the necessary outcomes to protect children specifically.
- 8.6 The Children's Risk Assessment Guidance covers the children's risk assessment duties for user-to-user services, set out in section 11 of the Act, and for search services, set out in section 28 of the Act.
- 8.7 The Children's Risk Assessment Guidance does not represent a set of compulsory steps that services must take. It is intended to assist services in fulfilling their legal obligations. We consider that following our guidance will put services in a strong position to comply with their duties.

¹⁰ Section 99 of the Online Safety Act (the Act).

¹¹ Section 35(1) of the Act.

¹² Sections 11(1) and 28(1) of the Act.

¹³ [Children's access assessments](#)

¹⁴ [Risk Assessment Guidance and Risk Profiles](#)

¹⁵ [Statement: Protecting people from illegal harms online](#)

- 8.8 We consulted on the draft Children’s Risk Assessment Guidance as part of our May 2024 Consultation on Protecting Children from Harms Online¹⁶ (May 2024 Consultation). We have made some changes to the Children’s Risk Assessment Guidance following the consideration of responses to that consultation, and other stakeholder engagement, as well as ensuring it is aligned with other regulatory products, particularly the Illegal Content Risk Assessment Guidance.
- 8.9 This section details the responses received to the May 2024 Consultation and outlines how we have reached our final decisions. We have set this out in the following structure:
- a) Four-step risk assessment methodology
 - b) Risk Level Table
 - c) Evidence inputs
 - d) ‘Suitable and sufficient’ children’s risk assessment
 - e) Reviewing and updating a children’s risk assessment
 - f) Age groups
 - g) Non-designated content
 - h) Harm definition
- 8.10 In these sub-sections, we address stakeholder feedback and any related decisions thematically.

Interaction with Illegal Harms

- 8.11 The requirements under the children’s risk assessment duties are in many ways similar to those for the illegal content risk assessment duties. Notwithstanding this, the two sets of duties are separate and have important differences that are reflected in our guidance.¹⁷ We provide a side-by-side comparison of these separate sets of duties in our Children’s Risk Assessment Guidance.¹⁸
- 8.12 As stated in our December 2024 Statement, we have tried where possible to maintain a consistent approach between the two sets of guidance, while ensuring that each reflects the relevant duties in the Act. We consider that this approach will benefit providers in scope of both sets of duties, enabling them to apply risk management principles consistently to embed a culture of good governance at all relevant levels of the organisation.
- 8.13 As part of this effort, we have taken account of relevant responses to our November 2023 Consultation on Protecting People from Illegal Harms Online¹⁹ (November 2023 Consultation) when finalising the Children’s Risk Assessment Guidance. Similarly, we took account of relevant responses to the May 2024 Consultation for the draft Children’s Risk Assessment Guidance²⁰ when finalising the Illegal Content Risk Assessment Guidance for our December 2024 Statement.

¹⁶ [Consultation: Protecting children from harms online](#)

¹⁷ Illegal content risk assessment duties are set out in section 9 of the Act (for user-to-user service providers), and section 26 of the Act (for search service providers). Children’s risk assessment duties are set out in section 11 of the Act (for user-to-user service providers), and section 28 of the Act (for providers of search services).

¹⁸ See Appendix B: ‘Comparison of children’s and illegal harms risk assessment duties’ of the Children’s Risk Assessment Guidance.

¹⁹ [Consultation: Protecting people from illegal harms online](#)

²⁰ [Children’s Risk Assessment Guidance - Draft guidance for consultation](#)

- 8.14 Additionally, we have carried across relevant changes from the published Illegal Content Risk Assessment Guidance into the final Children’s Risk Assessment Guidance, where both sets of guidance have the same underlying policy considerations, and where they received similar feedback, noting where we have taken this approach.

Four-step risk assessment methodology

Introduction

- 8.15 Ofcom is required under the Act to produce guidance to assist service providers in complying with their children’s risk assessment duties.²¹
- 8.16 At consultation we proposed the same four-step methodology as for the Illegal Content Risk Assessment Guidance, due to the following considerations: ²²
- a) The similarities in the illegal content and children’s risk assessment requirements, as set out in the Act;
 - b) The basis in best practice risk assessment principles, developed from relevant research and evidence from industry; and
 - c) The likelihood that many service providers completing a children’s risk assessment will have also completed an illegal content risk assessment.
- 8.17 This methodology was designed to be flexible, supporting the range of service providers in scope of these duties, and adaptable, for service providers to assess risks as they exist at the time of their risk assessment.
- 8.18 The four-steps in the proposed risk assessment methodology were:
- a) Step 1: Understand the kinds of content harmful to children you need to assess.
 - b) Step 2: Assess the risk of harm to children.
 - c) Step 3: Decide measures, implement and record.
 - d) Step 4: Report, review and update.
- 8.19 The four-step methodology is designed to help service providers produce a ‘suitable and sufficient’ risk assessment^{23 24} and meet the requirements of the children’s risk assessment duties,²⁵ and associated duties (such as those on record-keeping and review).²⁶
- 8.20 We also proposed the same key common concepts from risk management best practice, including assessing risk through a matrix of likelihood and impact, assigning a risk level for each kind of content harmful to children, and understanding residual risk after mitigation measures have been applied. We guided providers to consider risks as they exist at the time of the risk assessment cycle, taking into account the effectiveness of any existing controls already in place.

²¹ Section 99(3) of the Act.

²² See Volume 4 (Assessing the risks of harms to children online), sub-section ‘Detailed proposals: risk assessment methodology’ of the May 2024 Consultation, pp.51-61.

²³ Sections 11(2) and 28(2) of the Act.

²⁴ Where we use the term ‘suitable and sufficient’ in this section, we give it the meaning set out at paragraphs 8.113 to 8.118.

²⁵ Sections 11 and 28 of the Act.

²⁶ Sections 23 and 34 of the Act.

- 8.21 Within each step, we set out specific activities to support services to meet their children’s risk assessment duties.²⁷ These activities included taking account of Ofcom’s Children’s Risk Profiles, assessing non-designated content, and giving separate consideration to children in different age groups. These are all requirements within the Act.²⁸
- 8.22 As with the Illegal Content Risk Assessment Guidance, our children’s risk assessment proposals were supported by the Governance and Accountability measures proposed in our Protection of Children Codes.²⁹ We recognised that good organisational governance structures and accountability are important in reinforcing a risk-based approach in business operation and decision-making.
- 8.23 Many stakeholders were generally supportive of the proposed four-step methodology.³⁰ Many service providers who responded to our consultation on our proposed Illegal Content Risk Assessment Guidance, also showed full or partial support for the four-step methodology.³¹ However, some service providers criticised elements of our proposals, such as our treatment of inherent and residual risk, our approaches to safety by design, and to flexibility and proportionality. Some stakeholders also suggested further guidance resources.
- 8.24 We have considered this feedback and have decided to retain the four-step methodology as part of our Children’s Risk Assessment Guidance. This is consistent with the decision taken in the published Illegal Content Risk Assessment Guidance from our December 2024 Statement. We consider the four-step process is an effective means of assessing risk and that adopting it will confer significant benefits.
- 8.25 We have carried across relevant changes to the guidance from the published Illegal Content Risk Assessment Guidance, where both sets of guidance have the same underlying policy considerations, and where they received similar feedback, noting where this is the case. We consider this approach will facilitate a consistent approach to risk management for providers of services in scope of both sets of duties.

Stakeholder feedback and our response

- 8.26 In the following sub-sections, we thematically address stakeholder feedback and any related decisions.

²⁷ Table 12.2 in Volume 4 of the May 2024 Consultation, pp.54-58.

²⁸ Sections 11(6) and 28(5) of the Act.

²⁹ We referred to the draft Protection of Children Codes as the draft ‘Children’s Safety Codes’ in our May 2024 Consultation.

³⁰ 5Rights Foundation response to May 2024 Consultation, p.6; Association of Police and Crime Commissioners (APCC) response to May 2024 Consultation, p.9; Federation of Small Businesses response to May 2024 Consultation, p.4; Nexus response to May 2024 Consultation, p.10; Office of the Children’s Commissioner for England response to May 2024 Consultation, p.28; Parenting Focus response to May 2024 Consultation, p.18; Pinterest response to May 2024 Consultation, p.8; Scottish Government response to May 2024 Consultation, p.10; Skyscanner response to May 2024 Consultation, pp.7-8.

³¹ LinkedIn response to November 2023 Consultation, p.4; Microsoft response to November 2023 Consultation, p.4; [36]; [36]; Skyscanner response to November 2023 Consultation, p.8; Snap Inc. response to November 2023 Consultation, p.8.

Inherent and residual risk

Summary of responses

- 8.27 Some stakeholders suggested that the risk assessment methodology did not adequately support service providers to consider existing controls to manage risk as part of their assessment, resulting in an inaccurate picture of risk on their service.³² These stakeholders expressed concern that the proposed methodology focused too much on “theoretical” risks rather than risks “in practice” [§].^{33 34} For example:
- Wikimedia Foundation asked that service providers be able to “focus on areas where they are receiving complaints”, as opposed to “proving negatives” such as “an absence of complaints/risks.”³⁵
 - [§] and the Association for UK Interactive Entertainment (Ukie) highlighted the role of existing mitigation measures on services, asking that these “be considered prior to the assignment of the risk rating” (Ukie).³⁶
- 8.28 The draft Illegal Content Risk Assessment Guidance received similar feedback in the November 2023 Consultation.³⁷

Our decision

- 8.29 Considering feedback suggesting that providers are able to focus their children’s risk assessment only on areas where they receive complaints, we have not made any changes. We note that it is a requirement of the Act for service providers to assess the level of risk presented to children by each kind of primary priority content,³⁸ each kind of priority content,³⁹ and non-designated content.^{40 41} Service providers will need to use appropriate evidence to demonstrate that their service presents a low or negligible risk to children for a particular kind of content.
- 8.30 In response to the feedback regarding inherent and residual risk, we have clarified our guidance on the role of existing controls in the children’s risk assessment. As noted above, the draft Illegal Content Risk Assessment Guidance received similar feedback in response to the November 2023 Consultation, and equivalent changes were made in the published Illegal Content Risk Assessment Guidance. Our decisions and assessment of relevant stakeholder comments, which are consistent with what we said in the December 2024 Statement on equivalent points, are outlined in the following paragraphs.
- 8.31 Considering stakeholder feedback commenting that existing mitigation measures or controls did not feature sufficiently in the draft guidance, we have adjusted Step 2 to explain more clearly how service providers should consider existing controls as part of

³² Association for UK Interactive Entertainment (Ukie) response to May 2024 Consultation, pp.18-19, 23-24; [§]; Pinterest response to May 2024 Consultation, pp.10-11; [§]; Skyscanner response to May 2024 Consultation, pp.8-9.

³³ Residual risk refers to the level of risk exposure after appropriate measures are implemented.

³⁴ [§]

³⁵ Wikimedia Foundation response to May 2024 Consultation, p.11.

³⁶ [§]; Ukie response to May 2024 Consultation, p.19.

³⁷ [§]; eBay response to November 2023 Consultation, p.3; [§] [§]; techUK response to November 2023 Consultation, pp.11-12; Ukie response to November 2023 Consultation, p.7.

³⁸ Primary priority content is defined in section 61 of the Act.

³⁹ Priority content is defined in section 62 of the Act.

⁴⁰ Sections 11(6) and 28(5) of the Act.

⁴¹ Non-designated content is defined in section 60(2)(c) of the Act.

assigning a risk level to content harmful to children. With this adjustment, we are clarifying that the risk assessment should be an assessment of risk as it exists at the point in time of the service provider's assessment cycle. Service providers must then identify relevant safety measures recommended from the Codes to implement.

- 8.32 We have also updated the Risk Level Table to place more emphasis on evidence of the amount of content harmful to children on a service or of associated harm to children, and to clarify how evidence regarding existing controls on the service might affect the level of risk to children.
- 8.33 Additionally, we have made changes to the Record-Keeping and Review Guidance for both the illegal content risk assessment and children's risk assessment, to make clear that service providers should include in their records of risk assessments how existing controls have affected the risk levels assigned to content harmful to children.⁴²
- 8.34 With these changes, we note that the four-step methodology aims to help service providers determine the level of risk to children as it exists at the time of the assessment, and after considering any existing controls. In Step 1, we lay out how service providers should consult the Children's Risk Profiles⁴³ to understand the inherent risks associated with the functionalities and characteristics of their service. In Step 2, we guide service providers to consider, using relevant evidence, how any existing controls and the service's design and use affect the level of risk to children. This evidence should show that controls in place at the time of the risk assessment are effective, and demonstrably reduce the risk of harm to children.
- 8.35 Our final Children's Risk Assessment Guidance makes clear that service providers should take an evidence-based approach to demonstrate the effectiveness of any existing controls. Service providers should consider existing systems and processes to accurately make assessments about risk, but should use evidence to support their conclusions, so as to not underestimate risk and misapply the safety measures recommended in the Codes.

Approach to safety by design

Summary of responses

- 8.36 Responses from stakeholders, namely civil society stakeholders and in particular the Online Safety Act Network (OSA Network), raised concerns about the methodology, particularly the approach to safety by design.⁴⁴ Some stakeholders commented that the methodology is not proactive, and wanted to ensure that risk assessments and safety mitigations are

⁴² See Volume 1, sub-section 'Record-keeping and review guidance' of the December 2024 Statement.

⁴³ See the sub-section 'Children's Risk Profiles' in the Children's Risk Assessment Guidance.

⁴⁴ 5Rights Foundation response to May 2024 Consultation, p.3; Common Sense Media response to May 2024 Consultation, p.5; Family Online Safety Institute response to May 2024 Consultation, p.18; Internet Watch Foundation response to May 2024 Consultation, p.5; Microsoft response to May 2024 Consultation, p.6; [X]; Molly Rose Foundation response to May 2024 Consultation, p.2; National Society for the prevention of Cruelty to Children (NSPCC) response to May 2024 Consultation, p.22; Office of the Victims' Commissioner for England and Wales response to May 2024 Consultation, pp.6, 9; Office of the Children's Commissioner for England response to May 2024 Consultation, pp.26-27, 32-33; OSA Network response to May 2024 Consultation, p.62-63; Samaritans response to May 2024 Consultation, p.4; UK Safer Internet Centre (UKSIC) response to May 2024 Consultation, pp.3-4.

deployed at every stage of the product development lifecycle, including early-stage interventions such as product testing.⁴⁵

- 8.37 OSA Network argued that services should carry out “suitable and sufficient product testing” during the design and development of functionalities and algorithms, writing that the “results of this product testing should be a core input to all services’ risk assessments”.⁴⁶ The Scottish Government argued that it is “crucial that online services carry out full risk assessments when introducing new products, features or functionalities.”⁴⁷
- 8.38 In addition, some stakeholders were concerned that not all risks identified in the risk assessment will be addressed by corresponding measures in the Codes.⁴⁸ In particular, the OSA Network pointed out that there is no requirement for service providers to mitigate all harms identified in the risk assessment, and the National Society for the Prevention of Cruelty to Children (NSPCC) noted that providers can choose whether to identify additional measures to address risk remaining after our proposed Codes.⁴⁹
- 8.39 The Office of the Children’s Commissioner for England said it was concerned that the risk assessment process did not consider “how effective it has been”. It suggested the process include a measure which considers “how much safer a platform is as a result of the risk assessment.”⁵⁰
- 8.40 Stakeholders also raised concerns that the proposed Children’s Risk Assessment Guidance focused too heavily on process over outcomes, and was overly influenced by existing service practices in determining what a good-quality risk assessment should look like.⁵¹

Our decision

- 8.41 After considering this feedback, we have decided to retain our existing approach to the four-step risk assessment methodology.
- 8.42 We have not made any changes in response to feedback on the role of product testing. Specifically, we have retained product testing as an enhanced evidence input, for use by providers of services that are large, those that have complex risk environments, and those who are unable to come to conclusions on risk using the core inputs alone. We consider it would not be proportionate to recommend the use of product testing for all services in scope of the children’s risk assessment duties (by making it a core input), due to the variety of resources and expertise available across the range of services in scope.

⁴⁵ Molly Rose Foundation response to May 2024 Consultation, pp.12-13; NSPCC response to May 2024 Consultation, pp.20-21; Office of the Children’s Commissioner for England response to May 2024 Consultation, pp.29-30; OSA Network response to May 2024 Consultation, pp.60, 24; Scottish Government response to May 2024 Consultation, p.9.

⁴⁶ OSA Network response to May 2024 Consultation, p.5.

⁴⁷ Scottish Government response to May 2024 Consultation, p.9.

⁴⁸ 5Rights Foundation response to May 2024 Consultation, p.6; Internet Watch Foundation response to May 2024 Consultation, p.3; Marie Collins Foundation response to May 2024 Consultation, p.2; Molly Rose Foundation response to May 2024 Consultation, p.2; NSPCC response to May 2024 Consultation, p.22; OSA Network response to May 2024 Consultation, p.6; UKSIC response to May 2024 Consultation, p.27; Violence against Women and Girls response to May 2024 Consultation, p.4.

⁴⁹ NSPCC response to May 2024 Consultation, pp.21-22; OSA Network response to May 2024 Consultation, p.6.

⁵⁰ Office of the Children’s Commissioner for England response to May 2024 Consultation, pp.26-27.

⁵¹ Office of the Children’s Commissioner for England response to May 2024 Consultation, pp.10, 26-27; Microsoft response to May 2024 Consultation, p.6; OSA Network response to May 2024 Consultation, p.60; Samaritans response to May 2024 Consultation, p.7.

- 8.43 Furthermore, we note that all service providers have a duty to carry out a new children’s risk assessment before implementing a significant change to the service (related to that proposed change).⁵² This includes the introduction of new features or functionalities, and updates or alterations to existing features or functionalities, that are likely to impact a significant proportion of the service’s child user base.⁵³ We consider that our guidance on this duty encourages service providers to proactively consider the impact that their service’s design has on risk of harm to children from the beginning of the product lifecycle.
- 8.44 In response to other feedback, we have made some changes to clarify our policy intent. In response to feedback on measuring safety improvements as a result of the children’s risk assessment, and feedback around risks remaining after the implementation of Codes, we have updated Step 4 of the guidance to ask services to monitor the effectiveness of safety measures at reducing the risk of harm to children, including taking into account the role of any controls in place, as well as the level of risk exposure after appropriate measures are implemented. As discussed in Section 11, we have also made changes to our Governance and Accountability measures.
- 8.45 These changes clarify the essential link between conducting a children’s risk assessment and keeping continuous oversight over it. We expect service providers to monitor and understand any risks of harm to children that remain after implementing the Codes.⁵⁴ So service providers should be aware of, and actively monitor and manage as appropriate, the risks identified in the children’s risk assessment, including those remaining after implementing the recommended safety measures in the Codes. This is outlined in Step 3 of our Children’s Risk Assessment Guidance.
- 8.46 In this way, the Governance and Accountability measures in the Codes complement the children’s risk assessment duty so that service providers develop and operationalise organisational structures and processes to identify, understand and anticipate risks; communicate them internally; and apply appropriate risk mitigations. In adopting such practices, service providers will have in place formalised accountability, reporting and audit processes for managing risks identified in their children’s risk assessments.
- 8.47 To summarise, we consider that our full package of guidance and Codes supports a safety by design approach. In combination, they recommend service providers have in place a comprehensive accountability process to identify, mitigate and manage risks of harm to children. The focus on child-specific risks will lead service providers to adapt, and over time improve, how they run their business operations to demonstrate that they design services that meet child user needs. The four-step methodology in our guidance will help providers to understand harms, assess risks, implement safety measures, and monitor and review impacts on their services. We consider these actions to be closely aligned with the principles of effective safety by design and timely risk assessment.

⁵² Sections 11(4) and 28(4) of the Act.

⁵³ See the sub-section ‘Making a significant change to your service’ in the Children’s Risk Assessment Guidance.

⁵⁴ See Section 9: ‘Overview of Codes’ for further discussion of this point.

Flexibility and proportionality

Summary of responses

- 8.48 A variety of stakeholders commented on the flexibility and proportionality of the methodology,⁵⁵ with some stakeholders welcoming the flexibility of our approach for a range of service sizes and capabilities. Some smaller service providers asked for more flexibility to accommodate for limited resources,⁵⁶ and some established service providers asked for more flexibility so that the children's risk assessment can fit within their existing systems and processes.⁵⁷
- 8.49 Civil society organisations commented critically on our focus on proportionality in the guidance, noting that this could undermine the fulfilment of responsibilities by service providers.⁵⁸

Our decision

- 8.50 We have not made any changes in response to these points of stakeholder feedback. We consider that our guidance appropriately guides service providers to the fulfilment of their children's risk assessment requirements, acknowledging the breadth and variety of services in scope of these requirements while setting a higher bar for services that are large or have more complex risk environments.
- 8.51 In response to feedback asking for greater flexibility in the Children's Risk Assessment Guidance, we note that the guidance must cover the duties in the Act for children's risk assessments. Where we have discretion over the fulfilment of these requirements, we consider that our guidance offers flexibility, where appropriate, for service providers to tailor their children's risk assessments to their context and characteristics. It is not compulsory for service providers to follow every recommendation in the guidance, but doing so will put providers in a stronger position to comply with their duties.
- 8.52 With regard to concerns about focus on proportionality, we note that it is important that our guidance supports all service providers to meet the children's risk assessment duties, considering the range of in-scope services, and the resources available to them. Setting disproportionate expectations could lead to adverse effects, such as small, low-risk services withdrawing from the UK. We have concluded it is proportionate to set higher expectations for services that are large or have more complex risk environments, as reflected in our guidance on evidence inputs.

⁵⁵ [36]; Institution of Engineering and Technology response to May 2024 Consultation, p.6; Pinterest response to May 2024 Consultation, p.4; Skyscanner response to May 2024 Consultation, pp.7-8; Welsh Government response to May 2024 Consultation, p.7.

⁵⁶ APCC response to May 2024 Consultation, p.9; Federation of Small Businesses response to May 2024 Consultation, p.4; Inkbunny response to May 2024 Consultation, p.9; Wikimedia Foundation response to May 2024 Consultation, p.11.

⁵⁷ Google response to May 2024 Consultation, pp.13-14; LEGO Group response to May 2024 Consultation, p.2; Meta Platforms Inc. (Meta) response to May 2024 Consultation, p.12; [36]; Pinterest response to May 2024 Consultation, p.8; Wikimedia Foundation response to May 2024 Consultation, p.11.

⁵⁸ Barnardo's response to May 2024 Consultation, p.3; Canadian Centre for Child Protection (C3P) response to May 2024 Consultation, p.14; Christian Action Research and Education (CARE) response to May 2024 Consultation, p.7; Molly Rose Foundation response to May 2024 Consultation p.12. C3P also raised this feedback in response to the November 2023 Illegal Harms Consultation. Source: C3P response to November 2023 Consultation, p.8.

Further guidance

Summary of responses

- 8.53 Some stakeholders suggested further resources, such as case studies, or diagrams.⁵⁹ Other stakeholders suggested more guidance on specific elements of the children's risk assessment, including on when to use enhanced inputs, how to integrate risk factors, and on the structure of completed risk assessments.⁶⁰

Our decision

- 8.54 In response to suggestions, we have introduced a number of additional resources in our guidance. We have added case studies for the Risk Level Table, and added additional guidance and tables to illustrate the proportion of risk factors that might be considered significant across harm types.⁶¹ We have also restructured the guidance to make it more accessible, in line with similar changes made to the Illegal Content Risk Assessment Guidance. The guidance now consists of three parts:
- a) Part 1 includes a summary of the risk assessment duties, and an overview of the four-step risk assessment methodology.
 - b) Part 2 includes further information to help service providers conduct their risk assessment.
 - c) Part 3 includes detailed supporting information for the completion of each step in the four-step methodology.
- 8.55 Additionally, we are providing an interactive Digital Support Service to support service providers in understanding and carrying out the children's risk assessment process.

Risk Level Table

Introduction

- 8.56 As part of their children's risk assessment, service providers must assess the level of risk of harm to children presented by content harmful to children.⁶² As part of this, service providers should use the Risk Level Table to assign a level of risk (high, medium, low, or negligible) to each of the four kinds of primary priority content, each of the eight kinds of priority content, and for any kinds of non-designated content they identify for assessment. The risk level service providers assign to content harmful to children will impact the safety measures they are recommended to implement in our Protection of Children Codes. This is because the application of many codes measures are contingent on specific risk levels.
- 8.57 In the draft guidance, we included a Risk Level Table to inform providers and promote consistency in the assignment of risk levels.⁶³ The Risk Level Table identified various factors that may lead to a high, medium, low or negligible level of risk of harm to children from encountering a particular kind of content on a service. This included information from the Children's Risk Profiles and other evidence inputs or service characteristics. It is not

⁵⁹ Federation of Small Businesses response to May 2024 Consultation, p.4; Ukie response to May 2024 Consultation, p.23.

⁶⁰ Google response to May 2024 Consultation, p.20; Microsoft response to May 2024 Consultation, pp.6-8; Meta response to May 2024 Consultation, p.18; Ukie response to May 2024 Consultation, pp.25-26.

⁶¹ See Children's Risk Assessment Guidance, and Children's Risk Profiles.

⁶² Sections 11(6) and 28(5) of the Act.

⁶³ Table 4.4 of the draft Children's Risk Assessment Guidance, pp.34-37.

intended to be definitive criteria, but rather as guidance to help service providers inform their assessments of levels of risk.

- 8.58 Among other factors, the Risk Level Table referred to the child user base, including children in vulnerable groups. It stated that having more than 1 million monthly users who are children may be an indication of high impact; and for medium impact, it stated indicative values from 100,000 to 1 million monthly UK users who are children.⁶⁴
- 8.59 We received support from stakeholders for the Risk Level Table and Children’s Risk Profiles.⁶⁵ However, some stakeholders criticised elements of our proposals, including the assignment of risk levels and thresholds for child user numbers.
- 8.60 Having considered this feedback, we have decided to retain the Risk Level Table in the guidance, with minor changes, to help service providers assign risk levels for content harmful to children. This decision reflects the decision taken in the published Illegal Content Risk Assessment Guidance from our December 2024 Statement, as similar feedback was received, and we note the same considerations broadly apply. The minor changes are as follows:
- a) We have placed more emphasis in the Risk Level Table on evidence regarding relevant existing controls, and on evidence of content harmful to children.⁶⁶ We have also given more emphasis to account for evidence of actual harm. For example, we have been explicit that evidence of a material amount of content harmful to children being present on a service is a strong indicator that the service is at least medium risk, and could be high risk.
 - b) We have provided hypothetical examples for service providers to illustrate how to use the Risk Level Table.⁶⁷
 - c) We have also added language in the Risk Level Table to help service providers understand the role of the core and enhanced evidence inputs in assigning a risk level, including any risk factors from the relevant Children’s Risk Profiles. Service providers should consult all evidence necessary for them to understand the level of risk of harm to children on their service and point to this evidence in the record of their children’s risk assessment to support their conclusions.

Stakeholder feedback and our response

Assignment of risk levels

Summary of responses

- 8.61 The Office of the Children’s Commissioner for England suggested that Ofcom does not rely on the assignment of risk levels as the “central and defining element” of the risk assessment process. In particular, it noted that in addition to assigning levels for “individual pieces of content”, service providers should make a “broader assessment” of harm, for

⁶⁴ This is similar to the approach taken in the Illegal Content Risk Assessment Guidance, which refers to the total number of users as a factor that can influence the scale of impact of illegal content (given that the illegal content risk assessment duties relate to risk of harm to all UK users, whereas the children’s risk assessment duties relate to risk of harm to children).

⁶⁵ Meta response to May 2024 Consultation, p.13; Nexus response to May 2024 Consultation, p.10; Parenting Focus response to May 2024 Consultation, p.20; Trust Alliance Group response to May 2024 Consultation, p.2.

⁶⁶ See ‘Inherent and residual risk’ within the ‘Four-step risk assessment methodology’ sub-section.

⁶⁷ See ‘Further guidance’ within the ‘Four-step risk assessment methodology’ sub-section.

example, considering interaction of different types of content and their evolution over time.⁶⁸

Our decision

- 8.62 We have considered this feedback and decided to retain our guidance on the assignment of risk levels to each particular kind of content harmful to children. We consider that our approach guides service providers to fulfilling the children’s risk assessment duties, and to assessing risks to children on their services.
- 8.63 The Act requires assessment of the level of risk of harm to children presented by different kinds of content harmful to children. The assignment of level of risk is also important in guiding service providers to the corresponding Codes measures that we recommend, and the proposed scale (negligible, low, medium or high risk) is a common methodology found widely in best-practice risk management literature.
- 8.64 The Act also includes in its definition of ‘harm’, situations where content is encountered in combination with other kinds of content.⁶⁹ We address the treatment of this ‘cumulative harm’ in the sub-section ‘Harm definition’ of this section, but highlight here that service providers are required to consider the risks presented to children beyond that which is presented by individual pieces of content.

References to child user numbers

Summary of responses

- 8.65 A number of stakeholders were critical of our approach of setting child user number thresholds for high and medium impact of harm, and additionally the specific numbers used for the thresholds.⁷⁰
- 8.66 While the NSPCC was supportive of basing the definition of high and medium on the size of the UK child population, and the Welsh Government was supportive of the approach that services with low numbers of child users could still potentially be high risk,⁷¹ other responses disagreed with elements of our proposals:
- The Association of Police and Crime Commissioners (APCC) questioned “the impact and validity of the assessment process if the ages of users are not verified”.⁷²

⁶⁸ Office of the Children’s Commissioner for England response to May 2024 Consultation, p.28.

⁶⁹ Section 234 of the Act.

⁷⁰ C3P response to May 2024 Consultation, pp.13-14; Google response to May 2024 Consultation, p.18; Inkbunny response to May 2024 Consultation, p.8; Internet Watch Foundation response to May 2024 Consultation, p.5; Marie Collins Foundation response to May 2024 Consultation, p.2; Microsoft response to May 2024 Consultation, p.6; Molly Rose Foundation response to May 2024 Consultation, pp.13-15; Office of the Children’s Commissioner for England response to May 2024 Consultation, p.28; Office of the Victims’ Commissioner for England and Wales response to May 2024 Consultation, pp.9-10; [X] Skyscanner response to May 2024 Consultation, pp.8-9; Wikimedia Foundation response to May 2024 Consultation, pp.6-7.

⁷¹ NSPCC response to May 2024 Consultation, p.20; Welsh Government response to May 2024 Consultation, p.7.

⁷² APCC response to May 2024 Consultation, p.9.

- Google, [36] and Microsoft disagreed that the number of child users on a service is a valid vector for harm.⁷³ Similar feedback was raised in response to the November 2023 Consultation.⁷⁴ [36].⁷⁵
- X commented that it is important for services to understand how Ofcom interprets a “user”.⁷⁶

Our decision

- 8.67 We have considered this feedback and have maintained our position that the number of children on the service can be a relevant factor to consider when assessing risk levels, consistent with our concept of ‘impact’, which includes the reach of harmful content on the service. We do not consider that responses identify a need to change the specific numbers referenced in the Risk Level Table.
- 8.68 Considering responses that comment on the inclusion of child user numbers within the Risk Level Table, the guidance is clear that the table should not be applied mechanically, and the number of child users is not necessarily – by itself – a strong indicator of risk levels. A small service could pose significant risks to children, while some services used by many children could have characteristics and controls that mitigate risk effectively.
- 8.69 Nevertheless, all else equal, the more children use a service, the more children can be impacted by content harmful to children on that service and therefore the higher the risk levels may be.⁷⁷ This is consistent with our overall risk assessment methodology based on assessing impact and likelihood, which is grounded in risk management best practice.
- 8.70 We expect service providers to assess this based on the best available evidence of the number of children. We consider the indicative values that we proposed, which are proportionately comparable but somewhat lower than those for the Illegal Content Risk Assessment Guidance, are consistent with a higher level of protection for children as required by the Act.
- 8.71 We have explained in the guidance that, where there is uncertainty on user age because the underlying evidence is not sufficiently robust, service providers should consider that the true number of children (both overall and within specific age groups) using the service could be significantly higher than suggested by available evidence.⁷⁸
- 8.72 In response to X, a ‘user’ is defined in the Act.⁷⁹ It does not matter whether a user is registered to use a service. For user-to-user services, it is not necessary for users to post or upload content – merely viewing (or otherwise encountering) user-to-user content on a service counts as actively using that service.⁸⁰

⁷³ Google response to May 2024 Consultation, pp.18-19; Microsoft response to May 2024 Consultation, p.6; [36]

⁷⁴ Google response to November 2023 Consultation, p.19; LinkedIn response to November 2023 Consultation, p.19; OSA Network response to November 2023 Consultation, p.88; [36]

⁷⁵ [36]

⁷⁶ X response to May 2024 Consultation, pp.1-2.

⁷⁷ This argument aligns with our approach to user number in the Illegal Content Risk Assessment Guidance, which was informed by international standards on user number and risk. See Volume 3 (How should services assess the risk of online harm?) of the November 2023 Consultation, p.57.

⁷⁸ See sub-section ‘Assessing the user base’ of the Children’s Risk Assessment Guidance.

⁷⁹ Section 227 of the Act.

⁸⁰ For further information on the definition of a ‘user’, refer to Section 10: ‘Framework for Codes’.

Proactive monitoring of content

Summary of responses

8.73 [REDACTED].⁸¹

Our decision

- 8.74 Noting that that the Children’s Risk Assessment Guidance does not recommend proactive monitoring of content on a service, we have not made changes in response to the feedback [REDACTED].
- 8.75 While there are similarities between the DSA (EU) and the Online Safety Act, there remain important differences, and service providers’ children’s risk assessments must meet the requirements of the Act. However, the Children’s Risk Assessment Guidance does not recommend service providers to proactively monitor content, but rather guides providers to accurately assess the risk of harm presented to children by content harmful to children on their service. This assessment should be supported by appropriate evidence, for example, retrospective analysis of incidents of harm, user complaints and reports, and evidence from existing controls such as insights from content moderation systems.

Other factors associated with risk level

Summary of responses

- 8.76 We also received responses on the thresholds attached to different risk levels:
- Ukie noted that it should be made clearer that an “isolated example” of the identified harm should not mean that harm is automatically labelled as medium or high risk.⁸²
 - [REDACTED]⁸³
 - [REDACTED]⁸⁴ Relatedly, Ukie suggested that Ofcom recognise and align with the Pan-European Game Information system for assessing gaming service providers, regarding the number of risk assessments to be completed for games developers producing multiple games with similar risk profiles simultaneously.⁸⁵
 - The Office of the Children’s Commissioner for England said it was concerned that the factors listed in the Risk Level Table (to determine the risk profile of a service) are optional, and services will have “the flexibility to diagnose their risk profile.”⁸⁶

Our decision

- 8.77 In response to concerns that isolated incidences of content harmful to children on a service could result in a disproportionate assessment of risk, we have clarified the Risk Level Table to make clear that occasional occurrences of content harmful to children on a service does not necessarily mean the service is medium or high risk, provided there is limited scope for content harmful to children to impact child users or other children.
- 8.78 We recognise that assessments of risk levels are context-specific. The Risk Level Table identifies factors which we consider make it more likely that a service poses a medium or high risk of harm to children. However, it is open for providers to conclude their services

⁸¹ [REDACTED]

⁸² Ukie response to May 2024 Consultation, p.19.

⁸³ [REDACTED]

⁸⁴ [REDACTED]

⁸⁵ Ukie response to May 2024 Consultation, p.21.

⁸⁶ Office of the Children’s Commissioner for England response to May 2024 Consultation, pp.33-34.

are low risk – for example, if there is low occurrence of a kind of content harmful to children, or there is likely to be a limited impact to child users or other children – as long as they are able to justify their assessment with appropriate evidence.

- 8.79 We have considered other points of feedback, but not made changes in response, as we consider that the guidance provided in the Risk Level Table is sufficient to support service providers to fulfil their legal duties under the Act.
- 8.80 In response to [§<], we note that service providers have a duty to conduct a risk assessment of any service that is likely to be accessed by children, and that the risk levels assigned in the children’s risk assessment enable service providers to understand which recommended measures in the Codes are likely to be appropriate for their service. Service providers that recognise varying risks across parts of their service have the discretion to capture this detail within their children’s risk assessment, but should assign risk levels for their service as a whole.
- 8.81 As noted by the Office of the Children’s Commissioner for England, service providers are not required to use the Risk Level Table to assess risk levels. However, they are required to assess the level of risk of harm to children presented by content harmful to children. Failure to do so, or to do so in a ‘suitable and sufficient’ way, may lead to Ofcom taking enforcement action. Our Online Safety Enforcement Guidance⁸⁷ sets out how we will approach enforcement of the duties and requirements imposed under the Act and explains how we will exercise our enforcement powers. More information regarding enforcement, as well as the relevant Governance and Accountability measures which support the Children’s Risk Assessment Guidance, can be found in the sub-sections: ‘Suitable and sufficient’ children’s risk assessment’ and ‘Reviewing and updating a children’s risk assessment’ within this section.
- 8.82 Specific comments in relation to impacts on service providers and rights assessment are dealt with in the sub-section ‘Overall conclusion and impacts’ at the end of this section.

Evidence inputs

Introduction

- 8.83 Service providers need accurate and robust evidence to carry out a ‘suitable and sufficient’ children’s risk assessment. In general, the better the quality of the evidence service providers use, the more accurate the assessment of risks is likely to be, and the better placed they will be to protect children on their service. The kind of evidence inputs necessary will vary by service, by kind of content, and according to other factors.
- 8.84 Our draft Children’s Risk Assessment Guidance helped service providers to identify the evidence inputs that they should use to assess risks of harm to children.⁸⁸
- 8.85 As in other parts of the guidance, we intentionally aligned with the approach to evidence inputs taken in the proposed Illegal Content Risk Assessment Guidance from the November 2023 Consultation. We maintained that service providers consider ‘core’ and ‘enhanced’

⁸⁷ [Online Safety Enforcement Guidance](#)

⁸⁸ See sub-section ‘What evidence to assess’ in Part 2 of the draft Children’s Risk Assessment Guidance, pp.43-51.

evidence inputs, but did not propose that providers use the same evidence for both risk assessments.⁸⁹

- 8.86 We proposed a list of core evidence inputs (core inputs) which all service providers should consider,⁹⁰ including Ofcom resources such as the Children’s Register of Risks.⁹¹ We added to the core inputs, including the findings of the illegal content risk assessment and children’s access assessment, and insights from content moderation systems.⁹²
- 8.87 We proposed a list of enhanced evidence inputs (enhanced inputs).⁹³ We explained that we would expect providers of larger services or those identifying several specific risk factors⁹⁴ for a kind of content harmful to children to use these.⁹⁵ We noted that some service providers may already hold enhanced inputs, but others should consider gathering them to improve their understanding of risks to children on their service.
- 8.88 Stakeholders broadly supported the principle that core and enhanced inputs should inform a children’s risk assessment.⁹⁶ However, some stakeholders expressed concerns, including on the scope for different inputs, and data protection and privacy concerns.
- 8.89 Having considered stakeholder responses, we have decided to confirm the proposals we made in our May 2024 Consultation regarding core and enhanced inputs, with minor changes. This decision reflects those taken for the published Illegal Content Risk Assessment Guidance from our December 2024 Statement.
- 8.90 We have carried across some relevant changes to the Risk Level Table from the published Illegal Content Risk Assessment Guidance, where policy considerations and feedback are similar:
- We have added ‘evidence from existing controls’ to the core inputs, in responding to stakeholder feedback on inherent and residual risk.⁹⁷ We have included ‘insights from content moderation systems’ under this input.
 - We have added to the descriptions of some inputs, specifically:
 - Using the findings of other internal risk assessment or audit processes;
 - Pointing service providers to specific resources that may help them consider the risk of content harmful to children for vulnerable users on their service; and
 - Including examples of metrics providers might gather to understand how algorithms on their service relate to content harmful to children.

⁸⁹ Tables 12.3 and 12.4 in Volume 4 of the May 2024 Consultation, pp.79-90.

⁹⁰ Table 4.1 of the draft Children’s Risk Assessment Guidance, p.24.

⁹¹ See Section 4: ‘Children’s Register of Risks’.

⁹² Services in scope of the children’s risk assessment and safety duties are required to establish some kind of content moderation function to comply with the children’s safety duties, though the nature, scope and maturity of these systems varies significantly between services.

⁹³ Table 4.1 of the draft Children’s Risk Assessment Guidance, p.24.

⁹⁴ From the Children’s Risk Profiles.

⁹⁵ See sub-section ‘Consider all relevant evidence’ of the draft Children’s Risk Assessment Guidance, pp.23-24.

⁹⁶ Microsoft response to May 2024 Consultation, p.7; Molly Rose Foundation response to May 2024 Consultation, pp.14-15; NSPCC response to May 2024 Consultation, pp.20-21; Office of the Children’s Commissioner for England response to May 2024 Consultation, p.30.

⁹⁷ See sub-section ‘Four-step risk assessment methodology’ of this section.

- 8.91 We consider that these changes will clarify our expectations for service providers. See our Children’s Risk Assessment Guidance for our published list of evidence inputs.

Stakeholder feedback and our response

Core and enhanced inputs

Summary of responses

- 8.92 Molly Rose Foundation and the Office of the Children’s Commissioner for England disagreed that service providers can do a ‘suitable and sufficient’ risk assessment with only core inputs due to the quality and reliability of the core inputs proposed.⁹⁸ The Office of the Children’s Commissioner for England said the core inputs will lead to a “retrospective assessment of risk” which will fall behind “emerging risks of harm”.⁹⁹
- 8.93 The Molly Rose Foundation, NSPCC, Office of the Children’s Commissioner for England, OSA Network and Scottish Government asked for some enhanced inputs to be included in the list of core inputs: for example, product testing for larger or multi-risk providers, or views of independent experts.¹⁰⁰
- 8.94 Some stakeholders suggested additional or different roles for external evidence inputs.¹⁰¹ For example, some organisations asked for a greater role for service provider collaboration with representative organisations and child safety groups, or with children and young people directly.¹⁰²

Our decision

- 8.95 We have considered responses commenting on the sufficiency of the core inputs and have decided to maintain the approach we proposed in the May 2024 Consultation. We remain of the view that for many service providers, consulting the core inputs to assess the level of risk from content harmful to children can be enough for them to conduct a ‘suitable and sufficient’ children’s risk assessment.
- 8.96 Core inputs are intended to act as a minimum expectation of evidence for service providers. As such, they include evidence inputs that all service providers should be able to use – either because Ofcom produces them (i.e., the Children’s Register), or because the Act

⁹⁸ Molly Rose Foundation response to May 2024 Consultation, p.14; Office of the Children’s Commissioner for England response to May 2024 Consultation, p.27.

⁹⁹ Office of the Children’s Commissioner for England response to May 2024 Consultation, p.31.

¹⁰⁰ Molly Rose Foundation response to May 2024 Consultation, pp.12-15; NSPCC response to May 2024 Consultation, pp.20-21; Office of the Children’s Commissioner for England response to May 2024 Consultation, p.31; OSA Network response to May 2024 Consultation, p.24; Scottish Government response to May 2024 Consultation, p.9.

¹⁰¹ APCC response to May 2024 Consultation, p.9; Barnardo’s response to May 2024 Consultation, p.25; Commissioner Designate for Victims of Crime Northern Ireland response to May 2024 Consultation, p.4; Global Network Initiative response to May 2024 Consultation, p.8; Molly Rose Foundation response to May 2024 Consultation, pp.14-15; NSPCC response to May 2024 Consultation, pp.20-21.

¹⁰² APCC response to May 2024 Consultation, p.9; Barnardo’s response to May 2024 Consultation, p.25; Commissioner Designate for Victims of Crime Northern Ireland response to May 2024 Consultation, p.4; Global Network Initiative response to May 2024 Consultation, p.8; Northern Ireland Commissioner for Children and Young People (NICCY) response to May 2024 Consultation, p.25; NSPCC response to May 2024 Consultation, p.21; Office of the Children’s Commissioner for England response to May 2024 Consultation, pp.31-32; Scottish Government response to May 2024 Consultation, p.9; Welsh Government response to May 2024 Consultation, p.7.

mandates that they gather them (e.g., for user-to-user services, user base information¹⁰³). We also note that the examples included of core and enhanced inputs are not exhaustive, and services have discretion to use other or more specific evidence to support their assessments of risk.

- 8.97 In response to feedback suggesting that certain enhanced inputs should be made core, or extended to all service providers, we reviewed the proposed lists of enhanced inputs.¹⁰⁴ We have maintained the approach we proposed at consultation. The categories of core and enhanced inputs underpin a proportionate approach to the evidence for risk assessments. Extending the application of enhanced inputs would undermine this approach and place undue burden on providers of smaller or less risky services.
- 8.98 Unlike the core inputs, enhanced inputs were drawn from industry practice bolstered with our own research and that of expert third parties.¹⁰⁵ They are important in meeting our policy objectives by improving providers' understanding of risks to children, in turn improving their mitigations for these risks and ensuring better safety outcomes.
- 8.99 For providers of larger services, and those identifying multiple specific risk factors from the Children's Profiles, enhanced inputs are important for completing a 'suitable and sufficient' risk assessment. We consider that it is proportionate as there is more likely to be a risk to children based on size, or on evidence in the Children's Register about certain characteristics.
- 8.100 However, we have clarified our expectation for all service providers to use enhanced evidence where this is available, and that we expect all providers to consider enhanced inputs if analysis with the core inputs leaves material ambiguity about their risk levels.

Data protection and privacy concerns

Summary of responses

- 8.101 The Information Commissioner's Office (ICO) noted it was "pleased that Ofcom makes clear that any use of users' personal data will require services to comply with their obligations under UK data protection law", adding that service providers should identify the minimum amount they need to fulfil their duties and ensure that personal data is anonymised or pseudonymised where possible.¹⁰⁶
- 8.102 However, some other stakeholders raised concerns about the approach taken to children's data specifically in the proposed guidance:
- Google raised concerns that requirements in the draft Children's Risk Assessment Guidance have a "disproportionate impact on children's privacy" and sought clarification that the guidance for service providers to use the "best available evidence" does not entail the collection of additional personal data beyond what is already available.¹⁰⁷

¹⁰³ Section 11(6)(a) of the Act.

¹⁰⁴ Molly Rose Foundation response to May 2024 Consultation, pp.12-15; Office of the Children's Commissioner for England response to May 2024 Consultation, p.30; OSA Network response to May 2024 Consultation, pp.6, 24, 62; Scottish Government response to May 2024 Consultation, p.9.

¹⁰⁵ For a summary of the evidence see Table 12.4 in Volume 4 of the May 2024 Consultation, pp.85-90.

¹⁰⁶ ICO response to May 2024 Consultation, pp.17-18.

¹⁰⁷ Google response to May 2024 Consultation, pp.16-18.

- Yoti and Google raised concerns around the consideration of children in different age groups, commenting that the collection and analysis of data in order to do this would be “disproportionate” without “a clear commensurate reduction in risk” (Google).¹⁰⁸

8.103 The Illegal Content Risk Assessment Guidance received similar feedback in the November 2023 Consultation.¹⁰⁹

Our decision

- 8.104 We have not made any changes to our guidance on evidence inputs in response to this feedback, as we have maintained our position that service providers should use the best evidence available to them to complete the children’s risk assessment, whilst complying with their obligations under UK data protection legislation.
- 8.105 We note the ICO’s support of our reference to UK data protection obligations. Regarding points on privacy from other stakeholders, we note that service providers are not expected to gather additional personal data on child users, beyond what is already available to them, to produce a ‘suitable and sufficient’ children’s risk assessment.
- 8.106 In reference to responses reflecting concerns about data on child age, we observe that assessing the user base, including the number of children in different age groups, is a specific requirement of the children’s risk assessment duties.¹¹⁰ User data, where available, will help service providers to understand if particular groups, for example, certain age groups of children, are at risk. Service providers will have access to different inputs, and we recommend that they use the best information they have available to come to conclusions about risks. We encourage service providers to familiarise themselves with the data protection legislation, and to consult the ICO’s guidance on UK GDPR requirements and the Children’s Code.¹¹¹

Other feedback relating to evidence inputs

Summary of responses

- 8.107 Some stakeholders commented on the guidance around enhanced inputs:
- Google and Microsoft commented on enhanced evidence: Microsoft asked for further guidance to help service providers know if they need enhanced inputs, while Google asked Ofcom to “remove the assumption that larger services are required to use enhanced inputs” regardless of other factors such as the nature or risk profile of the service.”¹¹²
 - The Office of the Children’s Commissioner for England suggested that services consider all enhanced inputs and provide justification for not having used a particular enhanced input in the risk assessment.¹¹³

¹⁰⁸ Google response to May 2024 Consultation, pp.16-18; Yoti response to May 2024 Consultation, pp.13, 25.

¹⁰⁹ Google response to November 2023 Consultation, pp.18-20; ICO response to November 2023 Consultation, pp.7-8.

¹¹⁰ Section 11(6)(a) of the Act.

¹¹¹ ICO, [UK GDPR guidance and resources](#); ICO, [Age appropriate design: a code of practice for online services](#); ICO, [‘Likely to be accessed’ by children guidance](#).

¹¹² Google response to May 2024 Consultation, pp.15-16; Microsoft response to May 2024 Consultation, p.7.

¹¹³ Office of the Children’s Commissioner for England response to May 2024 Consultation, pp.30-31.

- Molly Rose Foundation raised concerns about service providers seeking to ‘game’ third-party inputs and asked for Ofcom to provide additional guidance to mitigate this.¹¹⁴

8.108 [X].¹¹⁵

Our decision

- 8.109 We have considered this feedback and have decided to retain our approach to enhanced inputs in the guidance. We consider that the guidance we have provided is sufficient to aid service providers in making decisions about what evidence to use to assess risks to children on their service. Additionally, we have decided not to make a firm recommendation about how many of the enhanced inputs service providers should or should not use; we expect providers to exercise a degree of judgement about this and select the enhanced inputs that enable them to justify how they have made an accurate assessment of risk to children.
- 8.110 We maintain our view that enhanced inputs are particularly relevant for providers of large services and those identifying multiple specific risk factors, as well as those with existing access to this information. Use of the enhanced inputs will enable such service providers to comprehend their more complex risk environments, to make robust evidence-based judgements of the risks to children on their services, and so to improve their ability to manage these risks.
- 8.111 In response to feedback on concerns about the risk of service providers ‘gaming’ evidence inputs, we note that in carrying out the children’s risk assessment service providers must assess the risks to children to a ‘suitable and sufficient’ standard.¹¹⁶ Service providers need accurate and robust evidence to carry out the risk assessment, and to be confident in their conclusions about the level of risk assigned to content harmful to children. Children’s risk assessments that do not use accurate and robust evidence, or that try to deliberately game the evidence to lower their assessment of risk, would not be considered ‘suitable and sufficient’.
- 8.112 In response to feedback in relation to listing evidence inputs, we note that the Act requires services to make and keep a written record of all aspects of every risk assessment, including details about how the assessment was carried out and its findings.¹¹⁷ The Record-Keeping and Review Guidance has been updated to set out what should be documented in the record of a children’s risk assessment.¹¹⁸ We state in this guidance that service providers should list the evidence and summary of reasoning they have used to assess risk of harm to children presented by content harmful to children.

‘Suitable and sufficient’ children’s risk assessment

Introduction

- 8.113 The Act sets out that providers of services likely to be accessed by children have a duty to carry out ‘suitable and sufficient’ children’s risk assessments.¹¹⁹ We have produced

¹¹⁴ Molly Rose Foundation response to May 2024 Consultation, pp.14-15.

¹¹⁵ [X]

¹¹⁶ Sections 11(2) and 28(2) of the Act.

¹¹⁷ Sections 23 and 34 of the Act.

¹¹⁸ See the sub-section ‘Overall conclusion and impacts’ within this section, which covers the relevant changes to the Record-Keeping and Review Guidance for the children’s risk assessment record.

¹¹⁹ Sections 11(2) and 28(2) of the Act.

Children’s Risk Assessment Guidance to support service providers to fulfil this duty. We intentionally aligned the approach with that taken for the Illegal Content Risk Assessment Guidance, as we consider similar policy considerations apply.

- 8.114 In our May 2024 Consultation, we explained that ‘suitable and sufficient’ had two important components:¹²⁰
- a) Services must ensure they complete all the relevant elements of a children’s risk assessment specified in the Act; and
 - b) Services must carry out each of these individual elements to a standard that is ‘suitable and sufficient’ for their service in the context of its obligations under the Act. This involves using appropriate evidence to support any judgements service providers make about risk of harm to children.
- 8.115 We made reference to these throughout the proposed guidance. Particularly, in Step 2 we outlined the evidence service providers should use to make a ‘suitable and sufficient’ children’s risk assessment, including how they should consider children in different age groups. We also explained that due to the range of service providers in scope, what is ‘suitable and sufficient’ could vary substantially by service. We said we expected that larger service providers, for instance, would need to use a wider range of inputs to understand the risk of harm to children on their service.
- 8.116 Stakeholders supported elements of our approach to ‘suitable and sufficient’ children’s risk assessments.¹²¹ However, some stakeholders provided more critical feedback on elements, such as our alignment with other frameworks and the accountability of service providers.
- 8.117 Having considered this feedback, we have decided to retain the approach we proposed in our May 2024 Consultation for a ‘suitable and sufficient’ children’s risk assessment, as we consider our guidance provides enough clarity for service providers to meet this duty. This reflects the decision taken in the published Illegal Content Risk Assessment Guidance.
- 8.118 We have made minor changes to wording in the guidance to improve the clarity of expectations on service providers to meet this overarching requirement. These are covered in the following thematic sub-sections.

Stakeholder feedback and our response

Alignment with international frameworks

Summary of responses

- 8.119 A few stakeholders asked for alignment across international regulatory frameworks and requirements,¹²² such as the Digital Services Act (DSA) (EU), where possible.
- 8.120 Additionally, some responses suggested that we “acknowledge and endorse international frameworks on business and human rights” in the guidance (Global Network Initiative).¹²³

¹²⁰ See Volume 4, sub-section ‘Detailed proposals: what constitutes a suitable and sufficient risk assessment’ of the May 2024 Consultation, pp.49-50.

¹²¹ Office of the Children’s Commissioner for England response to May 2024 Consultation, p.26; Skyscanner response to May 2024 Consultation, pp.7-8.

¹²² Microsoft response to May 2024 Consultation, p.6; Pinterest response to May 2024 Consultation, p.8; [§<]

¹²³ Global Network Initiative response to May 2024 Consultation, pp.8-9; NICCY response to May 2024 Consultation, pp.27-30. Global Network Initiative also raised this feedback in response to the November 2023 Consultation. Source: Global Network Initiative response to November 2023 Consultation, p.3.

- 8.121 The proposed Illegal Content Risk Assessment Guidance received similar feedback in the November 2023 Consultation.¹²⁴

Our decision

- 8.122 We have considered stakeholder responses on if the ‘suitable and sufficient’ criteria can be aligned to other international requirements and rights frameworks, and have decided to maintain our proposed approach. We consider our guidance about what constitutes a ‘suitable and sufficient’ risk assessment provides enough clarity for service providers to meet this requirement.
- 8.123 The draft Illegal Content Risk Assessment Guidance received similar feedback in response to the November 2023 Consultation. Our decisions and assessment of relevant stakeholder comments, which are consistent with what we said in the December 2024 statement on equivalent points, are explained in the following paragraphs.
- 8.124 We considered responses on whether the ‘suitable and sufficient’ requirements could be likened to the standards required by other online safety frameworks, such as the DSA (EU), or international rights frameworks. The duty to produce a ‘suitable and sufficient’ children’s risk assessment is a distinct and crucial part of the Act, and the standard comes directly from the legislation. Ultimately, providers’ children’s risk assessments must meet the requirements of the Act. While there are similarities between the DSA (EU) and the Act, there remain important differences including the harms they cover, the role of risk profiles, and the use of data and information relevant to service users in the UK. This means that it is unlikely that a risk assessment produced solely for the purposes of the DSA (EU) would meet the ‘suitable and sufficient’ requirements in the Act without modification.
- 8.125 Regarding responses suggesting that children’s risk assessments reference broader international frameworks, including those considering human or child rights, we note that our proposed Children’s Risk Assessment Guidance was drafted with consideration of evidence from international sources on human rights, and recommended evidence inputs that guide service providers to consider potential child rights impacts, which are retained in the final guidance document.¹²⁵ In addition, service providers have flexibility to adapt the methodology to meet multiple standards, though they must demonstrate fulfilment of the Act’s requirements.

Accountability of service providers

Summary of responses

- 8.126 Civil society organisations and public bodies raised concerns about how Ofcom will ensure that risk assessments meet the ‘suitable and sufficient’ criteria,¹²⁶ and some asked for completed risk assessments to be made public.¹²⁷

¹²⁴ LinkedIn response to November 2023 Consultation, p.4; Microsoft response to November 2023 Consultation, p.4.

¹²⁵ See Volume 4, sub-section ‘Detailed proposals: risk assessment methodology’ of the May 2024 Consultation, pp.52-53.

¹²⁶ APCC response to May 2024 Consultation, pp.8-9; Centre for Excellence for Children’s Care and Protection (CELCIS) response to May 2024 Consultation, p.8; [3<]; Family Online Safety Institute response to May 2024 Consultation, p.18; Parenting Focus response to May 2024 Consultation, pp.18, 31; Welsh Government response to May 2024 Consultation, p.7.

¹²⁷ Global Network Initiative response to May 2024 Consultation, p.9; Office of the Children’s Commissioner for England response to May 2024 Consultation, pp.29, 35.

8.127 For example, the UK Safer Internet Centre raised concerns around services conducting their own children’s risk assessments (as opposed to external audits), the APCC questioned how regulation of the children’s risk assessments would work, and the Centre for Excellence for Children’s Care and Protection (CELCIS) suggested that Ofcom take a role similar to the Care Inspectorate in Scotland, providing critical perspectives on completed children’s risk assessments.¹²⁸

8.128 [§]¹²⁹

Our decision

8.129 We considered this feedback and have decided to retain our proposals on what constitutes a ‘suitable and sufficient’ children’s risk assessment, with minor changes.

8.130 We have made improvements to the consistency of the language regarding what a ‘suitable and sufficient’ children’s risk assessment is and have signposted through the Children’s Risk Assessment Guidance to more clearly highlight this. These changes are in response to stakeholder feedback, but also to align with the published Illegal Content Risk Assessment Guidance, which made similar improvements in response to similar feedback.

8.131 The Act requires providers of services likely to be accessed by children to carry out a ‘suitable and sufficient children’s risk assessment’.¹³⁰ The Children’s Risk Assessment Guidance will help providers conduct its children’s risk assessment to a ‘suitable and sufficient’ standard, so that they are specific to the service and reflect the risks on their service accurately.

8.132 In addition to this, our Children’s Risk Assessment Guidance is supported by our Governance and Accountability measures, which are concerned with implementing good risk management processes across organisations.¹³¹ In particular:

- a) Measures PCU A1/PCS A1 state that service providers should conduct an annual review of their risk management in relation to all risks relating to content harmful to children, as identified in their children’s risk assessment, including risk that is remaining after the implementation of appropriate measures in our Protection of Children Codes.¹³² We recommend that this be undertaken by the most senior governance body in relation to the service, to ensure online safety risk management is embedded in decision-making and becomes part of the organisation’s approach to risk management.
- b) Measures PCU A2/PCS A2 state that all providers of user-to-user or search services likely to be accessed by children should name a person accountable to the most senior governance body for compliance with the children’s safety duties and the reporting and complaints duties.
- c) Measures PCU A4/PCS A4 state that service providers should have an internal monitoring and assurance function in place to provide independent assurance that measures taken to mitigate and manage the risks of harm to children identified in the latest children’s risk assessment are effective on an ongoing basis.¹³³

¹²⁸ APCC response to May 2024 Consultation, pp.8-9; CELCIS response to May 2024 Consultation, p.8; UKSIC response to May 2024 Consultation, p.25.

¹²⁹ [§]

¹³⁰ Sections 11(2) and 28(2) of the Act.

¹³¹ See Section 11 of our Protection of Children Codes for our Governance and Accountability measures.

¹³² See our discussion of Measures PCU A1 and PCS A1 in Section 11: ‘Governance and accountability’.

¹³³ See our discussion of Measures PCU A4 and PCS A4 in Section 11: ‘Governance and accountability’.

- d) Measures PCU A5/PCU A5 state that service providers should track new or unusual increases in content harmful to children which Ofcom has specified in the Children's Register and the Children's Risk Profiles, including kinds of primary priority content, priority content and non-designated content that have not been previously identified by a service, using relevant information. Assessments of any identified trends or unusual increases in content harmful to children should be reported through governance channels.
- 8.133 Regarding the public disclosure of children's risk assessments, we note that the Act includes relevant requirements for some services:
- Providers of Category 1 user-to-user services have a duty to summarise in their terms of service the findings of the most recent children's risk assessment of a service (including as to levels of risk and as to nature, and severity, of potential harm to children);¹³⁴ and
 - Category 2A search services have a duty to publish a summary of the findings of their most recent children's risk assessment of a service (including as to levels of risk and as to nature, and severity, of potential harm to children).¹³⁵
- 8.134 Measures PCU G2 and PCS G2 in the Codes reflect these duties.¹³⁶ The Act also specifically requires providers of Category 1 user-to-user services and Category 2A search services to provide Ofcom with a copy of written records of risk assessments, in full, as soon as is reasonably practicable.¹³⁷ These should be sent to Ofcom's dedicated email address (as published on our website at the time of submission) as soon as the children's risk assessment, or any revision to it, is concluded.
- 8.135 Our Online Safety Enforcement Guidance sets out how we will approach enforcement of the duties and requirements imposed under the Act and explains how we will exercise our enforcement powers. Decisions about whether to take enforcement action are made on a case-by-case basis having regard to our statutory duties and all matters that appear to be relevant, including the priority factors set out at paragraph 3.9 in the Online Safety Enforcement Guidance.
- 8.136 Ofcom's enforcement team will be assessing industry compliance with the children's duties, including the risk assessment duties. We have already opened two enforcement programmes so far, to request illegal content risk assessment records (on 3 March 2025) and to look into measures being taken by file-sharing and file-storage services to prevent users from encountering or sharing child sexual abuse material (on 17 March 2025). We have strong enforcement powers at our disposal, including being able to issue fines of up to 10% of qualifying worldwide revenue or £18m – whichever is greater – or to apply to a court to block a site in the UK in the most serious cases, and we will not hesitate to open investigations into individual service providers where we have concerns.

¹³⁴ Section 12(14) of the Act.

¹³⁵ Section 29(9) of the Act.

¹³⁶ See Section 12: 'Terms of service and publicly available statements' for more information on these measures.

¹³⁷ Section 23(10) and section 34(9) of the Act as applicable. Category 1 user-to-user services and Category 2A search services are services that Ofcom considers meet the applicable threshold conditions set out in regulations to be made by the Secretary of State under Schedule 11 of the Act and that are entered into a public register to be kept by Ofcom under section 95 of the Act.

Reviewing and updating a children's risk assessment

Introduction

- 8.137 The Act sets out specific duties for providers of in-scope services to keep their children's risk assessment up to date, including the circumstances in which they must carry out a new children's risk assessment.
- 8.138 These duties are:¹³⁸
- a) A duty to take appropriate steps to keep a children's risk assessment up to date, including when Ofcom makes any significant change to a children's risk profile that relates to services of the kind in question; and
 - b) Before making any significant change to any aspect of a service's design or operation, a duty to carry out a further 'suitable and sufficient' children's risk assessment relating to the impacts of that proposed change.
- 8.139 In our May 2024 Consultation, we proposed guidance on how we expect service providers to meet these requirements. These recommendations were aligned with the draft Illegal Content Risk Assessment Guidance to support providers in scope of both sets of duties. Given the diversity of service providers in scope of the Act and the fast-moving nature of the technology, it is not possible for us to anticipate every single eventuality that could constitute a significant change. Therefore, we proposed principles-based guidance rather than specifying bright line rules.¹³⁹
- 8.140 We explained in the draft guidance that service providers have a duty to review their risk assessment if Ofcom makes a significant change to a relevant Children's Risk Profile. Service providers also have a duty to carry out a new children's risk assessment before implementing a significant change to any aspect of their service's design or operation. We included examples in the draft guidance as to what might constitute a significant change.¹⁴⁰ We noted that a proposed change might include that which impacts a substantial proportion of a service's user base, for example, impacting the ages or volume of children likely to use the service.¹⁴¹ We emphasised that service providers should consider the number of children impacted when applying any of these principles.
- 8.141 Some stakeholders praised elements of our proposals,¹⁴² however, some service providers raised concerns, particularly about the timing of risk assessment reviews, and about significant change. Having considered feedback, we have decided to retain our approach to reviewing and updating risk assessments, as proposed in the May 2024 Consultation, with some changes. This reflects the decision taken in the published Illegal Content Risk Assessment Guidance from our December 2024 Statement.

¹³⁸ Section 11(3) and (4) of the Act for user-to-user service providers and section 28(3) and (4) of the Act for search service providers.

¹³⁹ See sub-section 'When to review and update your children's risk assessment' of the draft Children's Risk Assessment Guidance, pp.52-56.

¹⁴⁰ Table 6.1 of the draft Children's Risk Assessment Guidance, pp.54-56.

¹⁴¹ See sub-section 'Carry out a new children's risk assessment before making a significant change to your service' of the draft Children's Risk Assessment Guidance, pp.54-56.

¹⁴² CELCIS response to May 2024 Consultation, p.7; Global Network Initiative response to May 2024 Consultation, p.9; TikTok response to May 2024 Consultation, p.2.

- 8.142 We have made structural changes and small clarifications to clarify how service providers are expected to keep their risk assessment up to date. These changes are minor and will have limited impact on service providers beyond providing additional support to meet their duties.
- 8.143 On significant change, we have made some changes to clarify our policy intent that are not in response to stakeholder feedback. We have drawn principles and examples from relevant parts of the children’s risk assessment duties,¹⁴³ and we have decided to build on our draft guidance where understanding has developed since both our November 2023 Consultation and our May 2024 Consultation. Additionally, we have updated our guidance to providers regarding how they can use metrics to assess the role of algorithms on their service.
- 8.144 We remain of the view that the proposed approach is appropriate, given the range of services in scope, and that the policy intent is to support service providers to come to their own conclusions about the potential impact of a proposed change. However, we have improved the clarity of the expectation for how service providers will meet these duties.

Stakeholder feedback and our response

Reviewing risk assessments: timing

Summary of responses

- 8.145 Some stakeholders supported our proposal that service providers review their children’s risk assessments at least every 12 months.¹⁴⁴ A few stakeholders suggested greater flexibility in the initial implementation timeline for smaller businesses.¹⁴⁵
- 8.146 Academics and civil society organisations asked for a higher frequency of risk assessments to keep pace with technological developments.¹⁴⁶ For example, the National Research Centre on Privacy, Harm Reduction and Adversarial Influence Online (REPHRAIN) stated that due to the “rapid changes in the digital environment”, services should update their assessment at least every 6 months.¹⁴⁷ [redacted]¹⁴⁸ The Marie Collins Foundation suggested that the guidance should require providers to repeat their risk assessments when new evidence suggests that a service’s mitigations are no longer effective.¹⁴⁹
- 8.147 Other stakeholders expressed concern over the frequency of annual reviews. [redacted]¹⁵⁰ [redacted]¹⁵¹ [redacted]¹⁵².
- 8.148 The draft Illegal Content Risk Assessment Guidance received similar feedback.¹⁵³

¹⁴³ Sections 11(6)(a)-(h) and 28(5)(a)-(d) of the Act.

¹⁴⁴ CELCIS response to May 2024 Consultation, p.7; Global Network Initiative response to May 2024 Consultation, p.9; TikTok response to May 2024 Consultation, p.2.

¹⁴⁵ Federation for Small Businesses response to May 2024 Consultation, p.4; [redacted].

¹⁴⁶ C3P response to May 2024 Consultation, p.13; National Research Centre on Privacy, Harm Reduction and Adversarial Influence Online (REPHRAIN) response to May 2024 Consultation, p.10; [redacted].

¹⁴⁷ REPHRAIN response to May 2024 Consultation, p.10.

¹⁴⁸ [redacted]

¹⁴⁹ Marie Collins Foundation response to May 2024 Consultation, p.2.

¹⁵⁰ [redacted]; [redacted].

¹⁵¹ [redacted]

¹⁵² [redacted]

¹⁵³ See Volume 1 (Governance and Risk Management) of the December 2024 Statement, p.34, for more detail on this feedback.

Our decision

- 8.149 We have considered stakeholder feedback and have decided to maintain our position that the minimum review period for a children’s risk assessment should be at least once every 12 months. We consider this is an appropriate cadence by which service providers can keep their assessment of risk of harm to children up to date, alongside other triggers, such as the duty to update the risk assessment before a significant change to the service.
- 8.150 Service providers have a duty to keep their risk assessment up to date. For this duty, we consider that the same principles that underpin our guidance for illegal content risk assessments apply to our guidance for children’s risk assessments.¹⁵⁴ We consider that our guidance for service providers to review the assessment at least every 12 months is the appropriate period to meet their legal obligations, as it ensures that the analysis of risk to children on the service remains accurate and up to date and captures smaller changes, such as those relating to user behaviour, or as a result of small incremental changes to the service, which could impact risks to children.
- 8.151 Service providers should not treat risk assessments as a one-time event; we expect risk assessment records to take account of all relevant on-going risk management activities and evidence gathered since the last review. Further, we consider this period of time to be proportionate given the impact on service providers, and the lack of clear evidence that greater frequency of review would be beneficial.
- 8.152 We note that 12 months is a minimum expectation, and that this should be viewed in the context of the duty on service providers to keep the children’s risk assessment ‘up to date’, which may necessitate updates outside the 12-month risk assessment cycle. We also note that where there have been minimal relevant changes to a service over a 12-month period, the process of reviewing the risk assessment should be less onerous as long as services are keeping oversight of on-going risk management activities.
- 8.153 In regard to feedback that risk assessments should be repeated due to new evidence, we note that when conducting children’s risk assessments, service providers must robustly consider the effectiveness of existing controls at mitigating risks from content harmful to children. In addition to this, service providers must carry out a ‘suitable and sufficient’ children’s risk assessment before making any significant change to an aspect of the service’s design or operation, relating to the impacts of that proposed change. If a service provider stops implementing existing measures, this may constitute a significant change.
- 8.154 We have made some drafting changes to clarify our policy intent. We have recommended that service providers should keep a written policy explaining who is responsible for the children’s risk assessment, how frequently they intend to review their children’s risk assessment, and that children’s risk assessments should be reviewed at least annually. This can be found in Part 1 of the Children’s Risk Assessment Guidance where we explain the specific duties service providers need to meet under the Act.
- 8.155 Our Children’s Risk Assessment Guidance is complemented by our Governance and Accountability measures, which support service providers with establishing well-functioning governance and organisational design structures and processes. In particular, they support service providers to track new and increases in harms, to review the effectiveness of

¹⁵⁴ See Volume 3 of the November 2023 Consultation, paragraphs 9.124-9.130.

mitigations in place on an ongoing basis, and to keep risk management activities under annual review.^{155 156}

Significant change

Summary of responses

- 8.156 Several stakeholders asked for further clarity on the concept of significant change.¹⁵⁷
- 8.157 Regarding the proposed approach about what constitutes a significant change, some service providers felt that the threshold for change was too low, burdening services with too frequent assessment updates.¹⁵⁸ Epic Games noted that our proposals on significant change “are part of the day-to-day pace of how gaming services operate and innovate”, and Google commented that our proposals covered “an overly broad range of circumstances.”¹⁵⁹
- 8.158 Meta Platforms Inc. (Meta) argued that our proposals were overly prescriptive, making them difficult to effect in practice, and meaning they might quickly become outdated.¹⁶⁰ It encouraged Ofcom to align the definition of significant change more closely with that of ‘critical impact’ under Article 34 of the DSA (EU), stating that the definition should relate to the change’s impact on the risk and not to the ‘change’ itself. It also asked for guidance on how ‘material’ a change must be for it to qualify as significant.¹⁶¹

Our decision

- 8.159 We considered feedback and have decided to broadly maintain what we proposed in our May 2024 Consultation, with some clarifications. We have emphasised in Part 3 of the Children’s Risk Assessment Guidance that carrying out a new risk assessment relating to the proposed significant change is a specific requirement of the Act.¹⁶²
- 8.160 We have clarified that when determining whether a proposed change is likely to be significant, service providers should think about the impact it could have on child users, risk and safety. We also explain that we do not intend to capture very minor or routine system changes. We have also added further detail to aid service providers, including adding

¹⁵⁵ PCU A1 states that providers of large user-to-user and search services should conduct at least an annual review of risk management activities, including how developing risks are being monitored and managed. PCU A4 states that providers of large, multi-risk services should have an internal monitoring and assurance function providing independent assurance that measures taken to mitigate and manage the risks of harm to children are effective on an ongoing basis. Lastly, PCU A5 states that providers of large or multi-risk services should track evidence of new and emerging harm, ensuring that risks are effectively mitigated and managed in addition to the regular risk assessment cycle. Together, these measures act to keep the children’s risk assessment under review on an ongoing basis.

¹⁵⁶ Protection of Children Codes, Section 11: ‘Governance and accountability’, Measures PCU A1 and PCS A1, PCU A4 and PCS A4, and PCU A5 and PCS A5.

¹⁵⁷ Epic Games response to May 2024 Consultation, p.10; Google response to May 2024 Consultation, pp.14-15; Meta response to May 2024 Consultation, pp.12-13; Office of the Children’s Commissioner for England response to May 2024 Consultation, p.29.

¹⁵⁸ Epic Games response to May 2024 Consultation, p.10; Google response to May 2024 Consultation, pp.14-15; Meta response to May 2024 Consultation, p.7; [§<]; Ukie response to May 2024 Consultation, p.22.

¹⁵⁹ Epic Games response to May 2024 Consultation, p.10; Google response to May 2024 Consultation, pp.14-15.

¹⁶⁰ Meta response to May 2024 Consultation, p.12.

¹⁶¹ Meta response to May 2024 Consultation, p.12.

¹⁶² Sections 11(4) of the Act for user-to-user service providers and 28(4) of the Act for search service providers.

specific metrics for algorithms and algorithmic changes (in line with the updates made to evidence inputs).

- 8.161 We have also made a change to note that adding or removing functionalities, such as sharing content, direct messaging, end-to-end encryption or live streaming, should be considered as a significant change for the purposes of the children’s risk assessment. This is consistent with the approach taken in the published Illegal Content Risk Assessment Guidance from our December 2024 Statement, as the same considerations broadly apply.
- 8.162 We have also further emphasised that the duty is to carry out a new children’s risk assessment relating to the proposed change. In practice, this could be at product level but should also consider the impact of the proposed change on wider systems and processes of the service.¹⁶³ It is up to service providers to implement this duty in a way which makes sense for their own approach to children’s risk assessment, provided this meets all of the requirements set out in the Act.
- 8.163 As we noted in our May 2024 Consultation, we consulted with experts internally and externally to help us understand the circumstances under which a change would be significant enough to cause a risk assessment to become out of date and no longer reflect a ‘suitable and sufficient’ assessment of risk on the service.¹⁶⁴ Updating the risk assessment before the implementation of a significant change will ensure that a service provider’s children’s risk assessment remains up to date, helping them to manage risk more effectively.
- 8.164 The children’s risk assessment duties also sit alongside Governance and Accountability measures in the Codes, some of which relate to the tracking and management of risks to users. The Governance and Accountability measures aim to implement a risk-based approach to business operation and decision-making. They add a further layer of protection for children by establishing a baseline of business oversight that providers should have in place for a culture of user safety, and as such should be seen as complementing and reinforcing the children’s risk assessment duties.

Age groups

Introduction

- 8.165 User-to-user service providers must give separate consideration to children in different age groups in their children’s risk assessment, including assessing:¹⁶⁵
- a) The user base, including the number of users who are children in different age groups;
 - b) The level of risk of children encountering each kind of content harmful to children, giving separate consideration to children in different age groups;
 - c) The level of risk of harm to children presented by content that is harmful to children, giving separate consideration to children in different age groups; and

¹⁶³ When we use the word ‘product’ we are using it as an all-encompassing term that includes any functionality, feature, tool or policy that services provide to users for them to interact with through that service. This includes but is not limited to terms and conditions, content feeds, react buttons or privacy settings.

¹⁶⁴ Volume 4, sub-section ‘A significant change to the service’ of the May 2024 Consultation, p.70.

¹⁶⁵ Section 11(6)(a)-(c) and (g) of the Act.

- d) The nature and severity of the harm that might be suffered by children, giving separate consideration to children in different age groups.
- 8.166 Search service providers must give separate consideration to children in different age groups in their children’s risk assessment, including the level of risk of children in different age groups encountering content harmful to children on the search service, and the nature and severity of the harm that might be suffered by children in different age groups by such content.¹⁶⁶
- 8.167 The draft Children’s Risk Assessment Guidance embedded specific activities which service providers should complete to meet these requirements, based on evidence from the Children’s Register and Children’s Risk Profiles.^{167 168} We outlined that service providers are likely to have different levels of understanding and evidence on the age of users.
- 8.168 Our proposals explained that when considering the age of children on the service, we expect all service providers to use the best available information to ensure their assessment of risk of harm to children is ‘suitable and sufficient’, and outlined potential evidence inputs. The draft Risk Level Table¹⁶⁹ also outlined that we would expect that the higher the number of children on a service, and the greater the number of children in vulnerable age groups, the greater the potential impact from content harmful to children.
- 8.169 Stakeholders commented on the treatment of age groups within the Children’s Risk Assessment Guidance, and across other regulatory products.¹⁷⁰ Having considered this feedback, we have retained our guidance on how service providers should give separate consideration to different age groups of children in the children’s risk assessment. Our guidance supports the range of in-scope services to fulfil this requirement and reflects our current evidence base on the developmental stages of children and the capabilities of existing age assurance methods.¹⁷¹
- 8.170 We have made minor changes to drafting to clarify our expectations for service providers. We have clarified and emphasised our position that minimum ages stated in terms of service, and data from self-declaration methods, are not considered sufficient forms of evidence for the purpose of the children’s risk assessment.
- 8.171 Particularly, in regards to minimum age, we have noted that service providers should not rely on any minimum age requirement which may be included in their terms of service as evidence of the actual age of children on the service. Unless a service provider is using highly effective age assurance to enforce their minimum age, it is likely there will be some underage users accessing the service and they should take a conservative view of the potential number and age of children on the service for the purposes of the children’s risk

¹⁶⁶ Section 28(5)(a) and (e) of the Act.

¹⁶⁷ See the draft Children’s Risk Assessment Guidance, p.25.

¹⁶⁸ Volume 4, sub-section ‘Detailed proposals: approach to Children’s Risk Profiles’ of the May 2024 Consultation, pp.72-76.

¹⁶⁹ Table 4.4 of the draft Children’s Risk Assessment Guidance.

¹⁷⁰ ACT – The App Association response to May 2024 Consultation, p.12; Age Check Certification Scheme response to May 2024 Consultation, p.13; APCC response to May 2024 Consultation, pp.6, 10; Bandio response to May 2024 Consultation, p.4; C3P response to May 2024 Consultation, p.13-14; CARE response to May 2024 Consultation, p.7; CELCIS response to May 2024 Consultation, p.4; Office of the Children’s Commissioner for England response to May 2024 Consultation, pp.11, 59; Office of the Victims’ Commissioner for England and Wales response to May 2024 Consultation, pp.9-10; Snap Inc. response to May 2024 Consultation, p.9; Yoti response to May 2024 Consultation, pp.17-22.

¹⁷¹ See Section 13: ‘Age assurance’.

assessment, erring on the side of caution when assessing the scope for children (including children below the minimum age requirement) to be impacted by harmful content.

- 8.172 We have also made changes in our Protection of Children Codes to guide service providers to consider the risks of priority content and non-designated content for children in different age groups when implementing certain Codes measures, while ensuring they provide a baseline level of protection for children of all ages.¹⁷² In particular, we encourage service providers to consider taking more protective approaches for children in certain age groups, such as for children under the age of 16, compared to children who are 16 or 17 years old.

Stakeholder feedback and our response

Summary of responses

- 8.173 A few stakeholders argued for a more robust role for age assurance technologies, to help services establish the number of children in different age groups on services, and in tailoring mitigations for these groups.¹⁷³
- 8.174 5Rights Foundation suggested that services prevent users accessing age-inappropriate features, functionalities or content where a risk has been identified for one or more age groups, and no mitigations are identified.¹⁷⁴ Snap Inc. argued that age-specific assessments are not proportionate, and suggested that service providers could “consider the risk of harm for the lowest age group and apply those mitigations to all minors or all users”.¹⁷⁵
- 8.175 Other stakeholders considered sources of evidence for assessing risk across age groups, with X requesting that Ofcom provide regular updated evidence on different types of harm to help providers to understand how their services might impact different age groups.¹⁷⁶

Our decision

- 8.176 Having considered stakeholder feedback on these points, we have decided to retain our guidance on how service providers should consider different age groups of children in the children’s risk assessment. We consider that our guidance on assessing risk for children in different age groups is sufficient to support the range of services in scope of the children’s risk assessment duties to fulfilment of their requirements.
- 8.177 The requirement to give separate consideration to children in different age groups applies to providers of all in-scope services. Service providers will have different means and resources with which to understand the age of users on their service. In the Children’s Risk Assessment Guidance, we identify a range of evidence inputs that service providers could use, including user data on age, where this is available.¹⁷⁷ We recommend that service providers use the best evidence available to them and consider that this approach provides appropriate flexibility for the range of services in scope of this duty.
- 8.178 Considering responses that suggested considering the risk of harm for the lowest age group only, we note that the requirement to give separate consideration to children in different age groups comes from the Act, and that our evidence as captured in the Children’s

¹⁷² See Section 9: ‘Overview of Codes’ for more detail on these decisions.

¹⁷³ Bandio response to May 2024 Consultation, p.4; Yoti response to May 2024 Consultation, p.18.

¹⁷⁴ 5Rights Foundation response to May 2024 Consultation, p.3.

¹⁷⁵ Snap Inc. response to May 2024 Consultation, p.9.

¹⁷⁶ NICCY response to May 2024 Consultation, pp.25-27; X response to May 2024 Consultation, p.2.

¹⁷⁷ See sub-section: ‘Evidence on child age’ in the Children’s Risk Assessment Guidance.

Register and Children's Risk Profiles demonstrates children in different age groups can face distinct risks of harm from content harmful to children.¹⁷⁸

- 8.179 In response to feedback asking for regular updated evidence on different content harmful to children, we note we are required to review and revise our risk assessment, and Children's Register and Children's Risk Profiles, from time to time.¹⁷⁹ If we make a significant change to a Children's Risk Profile – for example, in regards to evidence of harm across different age groups contributing to an update in the user base risk factor(s) – then service providers must consider this to be a significant change and review or update their children's risk assessments accordingly.

Non-designated content

Introduction

- 8.180 Non-designated content is defined in the Act as content “of a kind which presents a material risk of significant harm to an appreciable number of children in the United Kingdom.”¹⁸⁰ All service providers completing a children's risk assessment have a duty to assess the risk of harm to children presented by non-designated content on their service.¹⁸¹
- 8.181 User-to-user service providers must also notify Ofcom if they identify that non-designated content is present on their service in the children's risk assessment, including:¹⁸²
- a) The kind(s) of content identified as non-designated content; and
 - b) The incidence of such non-designated content on the service.
- 8.182 In the draft Children's Register, we set out Ofcom's own assessment of the risks to children from non-designated content, including a framework for identifying kinds of non-designated content, and noting two potential categories of content we were minded to identify as non-designated content.¹⁸³
- 8.183 In the draft Children's Risk Assessment Guidance, we gave service providers guidance on identifying non-designated content and on the related duties. We guided service providers to consider whether the categories of non-designated content that Ofcom identified might be a risk on their service, but also to consider if there were risks of other kinds of non-designated content not identified by Ofcom.¹⁸⁴
- 8.184 Service providers provided feedback on elements of our proposals regarding our treatment of non-designated content. In response to stakeholder feedback, we have updated our guidance on non-designated content. In particular, we have explained in more detail how service providers should identify and assign risk levels for non-designated content when completing the children's risk assessment to a 'suitable and sufficient' standard.

¹⁷⁸ See Section 17 of the Children's Register: 'Age Groups'.

¹⁷⁹ Section 98(8) of the Act.

¹⁸⁰ Section 60(2)(c) of the Act.

¹⁸¹ Sections 11(6)(b)(iii) and 28(5)(a)(iii) of the Act.

¹⁸² Sections 11(5)(a) and (b) of the Act.

¹⁸³ Section 7.9: 'Non-designated content' in Volume 3 (The causes and impacts of online harms to children) of the May 2024 Consultation, pp.191-206.

¹⁸⁴ See sub-section 'Identifying Non-designated content (NDC)' of the draft Children's Risk Assessment Guidance, p.20.

Stakeholder feedback and our response

Non-designated content

Summary of responses

- 8.185 Stakeholders, mainly service providers, asked for more guidance and clarity on the process by which non-designated content can be assessed for the children’s risk assessment.¹⁸⁵ The Children’s Register also received feedback on how Ofcom had identified particular kinds of non-designated content for assessment.¹⁸⁶ In regards to the children’s risk assessment, some providers commented that the process to identify and risk assess non-designated content was broad in scope and likely to place a disproportionate burden on smaller services.¹⁸⁷
- 8.186 A number of stakeholders suggested further guidance on non-designated content:
- Microsoft and Meta asked for further guidance on assessing the risk of non-designated content, suggesting that Ofcom provide clear resources and definitions.¹⁸⁸
 - Snap Inc. asked Ofcom to develop guidelines on this “grey area of policy”, caveating that it would not want to take “an overly-zealous approach to non-designated content when its definition is sufficiently broad.”¹⁸⁹

Our decision

- 8.187 We have made changes to clarify our position on non-designated content. In Section 4 of this Statement, we lay out our approach to identifying non-designated content for the purpose of Ofcom’s risk assessment.¹⁹⁰ In our Children’s Register, we cover two categories of content, refined from those presented in the May 2024 Consultation,¹⁹¹ that we consider meet the definition of non-designated content. These are:¹⁹²
- Content that shames or otherwise stigmatises body types or physical features (‘body stigma content’); and
 - Content that promotes depression, hopelessness and despair (‘depression content’).
- 8.188 In Section 4, we also set out a four-step framework to support service providers in assessing whether content meets the definition of non-designated content in the Act.¹⁹³
- 8.189 In the Children’s Risk Assessment Guidance, we have clarified the steps service providers should take to assess the risk of harm to children presented by non-designated content on their service, in particular:
- In Step 1, we have provided guidance to service providers in identifying kinds of non-designated content relevant to their service for the purposes of the children’s risk

¹⁸⁵ Microsoft response to May 2024 Consultation, pp.7-8; Meta response to May 2024 Consultation, p.14; Snap Inc. response to May 2024 Consultation, p.10; techUK response to May 2024 Consultation, p.12.

¹⁸⁶ See Section 4: ‘Our approach to the Children’s Register of Risks’.

¹⁸⁷ Global Network Initiative response to May 2024 Consultation, p.13; Google response to May 2024 Consultation, pp.9-11; TikTok response to May 2024 Consultation, p.8.

¹⁸⁸ Microsoft response to May 2024 Consultation, p.7; Meta response to May 2024 Consultation, p.14.

¹⁸⁹ Snap Inc. response to May 2024 Consultation, p.6.

¹⁹⁰ See sub-section ‘Non-designated content’ in Section 4: ‘Our approach to the Children’s Register of Risks’.

¹⁹¹ In the May 2024 Consultation, we proposed two categories of content that we considered might meet the definition of non-designated content: ‘body image content’ and ‘depressive content’.

¹⁹² See Sections 10 and 11 of the Children’s Register.

¹⁹³ See sub-section ‘Non-designated content’ in Section 4: ‘Our approach to the Children’s Register of Risks’.

assessment, giving reference to the framework (which helps providers to understand if content meets the definition for non-designated content) and categories of non-designated content identified in the Children's Register. Service providers should consider the categories of non-designated content identified by Ofcom as part of their children's risk assessment, and also consider whether there are other kinds of non-designated content not identified by Ofcom that they should assess.

- In Step 2, we have explained that service providers should assess the level of risk presented to children from encountering any kinds of non-designated content they have identified for assessment in Step 1, considering appropriate evidence. To do this, they should assess the likelihood and impact of risk of harm to children from encountering any kinds of non-designated content they have identified for assessment, and assign a risk level of negligible, low, medium or high for each kind.
- In Step 3 we provide guidance on service providers deciding on measures, implementing and recording the outcomes of the children's risk assessment for any kinds of non-designated content that the service provider has identified for assessment. Service providers should include in their children's risk assessment record the kinds of non-designated content they have identified for assessment, and how they have considered these kinds.
- In Step 4, we provide guidance on how user-to-user service providers should fulfil the requirement to notify Ofcom where a children's risk assessment identifies the presence of non-designated content. We explain the contexts in which a service provider should notify Ofcom, and what information they should provide when doing so.

8.190 We have included a specific sub-section in the Children's Risk Assessment Guidance to explain our expectations for service providers in fulfilling their requirements on non-designated content.¹⁹⁴ Service providers have discretion in how they choose to fulfil their duties, however we consider our updated guidance will support service providers to meet the 'suitable and sufficient' standard for the children's risk assessment.

8.191 We additionally note in response to concerns about proportionality that the duties to assess non-designated content, and for user-to-user services to notify Ofcom of the kinds and incidence of non-designated content, are requirements of the Act. We observe that service providers have discretion in choosing how to fulfil those requirements, and the evidence required to do so to a 'suitable and sufficient' standard across services will vary.

Harm definition

Introduction

8.192 Section 234 of the Act references cumulative harm arising when:

- a) content is repeatedly encountered by an individual, or
- b) where content of a particular kind is encountered by an individual in combination with content of a different kind.¹⁹⁵

8.193 In addition, section 234 of the Act notes harm includes that which arises when a) as a result of the content, individuals act in a way that results in harm to themselves or that increases

¹⁹⁴ See sub-section 'Non-designated content' in the Children's Risk Assessment Guidance.

¹⁹⁵ Section 234 of the Act.

the likelihood of harm to themselves; or b) individuals do or say something to another individual that results in harm to that other individual or increases the likelihood of such harm (including, but not limited to, where individuals act in such a way as a result of content that is related to that other individual's characteristics or membership of a group).¹⁹⁶

- 8.194 In the draft Children's Risk Assessment Guidance, we also set out our understanding of cumulative harm, arising in certain circumstances.¹⁹⁷ We noted that service providers should consider the risk of cumulative harm when assigning a risk level of high, medium, low or negligible for content harmful to children, particularly in regards to certain functionalities from the Children's Risk Profiles.¹⁹⁸
- 8.195 Additionally, we proposed that service providers should consider the risk of 'indirect harm', referring to section 234.¹⁹⁹ We also noted in our draft Risk Level Table that service providers should consider harm indirectly suffered by children who are not users of the service.
- 8.196 Service providers provided feedback on elements of our proposals. In response to stakeholder feedback, we have clarified our guidance on cumulative and indirect harm.

Stakeholder feedback and our response

Cumulative harm

Summary of responses

- 8.197 Microsoft and Google both made suggestions regarding cumulative harm:
- Microsoft argued that the scope of the concept is broadened "without further guidance or bounds".²⁰⁰
 - Google made a series of suggestions on cumulative harm, writing "Ofcom should clarify that services should take a proportionate approach when assessing what constitutes cumulative harm, such that the harm that results from the content being repeatedly encountered is proportional to the number of times the content is encountered". It suggested the concepts of remediability: "whether the individual can be returned to their original state before the harm" and probability "frequency of the risk occurring [...] which indicates the likelihood that content is repeatedly encountered by an individual" of a given risk for Ofcom to adopt around cumulative harm.²⁰¹

Our decision

- 8.198 In response to this feedback, we have made minor drafting changes to clarify our expectations for how service providers should consider cumulative harm within their children's risk assessment. We have retained our reference to the Act's definition of cumulative harm, but this is now located in Part 1 of the Children's Risk Assessment Guidance.
- 8.199 This recognises that cumulative harm should be considered as part of service providers' understanding of risk of harm to children, sitting within the assessment of risk levels for

¹⁹⁶ Section 234 of the Act.

¹⁹⁷ See the draft Children's Risk Assessment Guidance, p.8.

¹⁹⁸ See the draft Children's Risk Assessment Guidance, pp.22-23.

¹⁹⁹ See the draft Children's Risk Assessment Guidance, p.9.

²⁰⁰ Microsoft response to May 2024 Consultation, p.8.

²⁰¹ Google response to May 2024 Consultation, pp.19-20.

content harmful to children. This is also in recognition of evidence demonstrating the cumulative impact on children amounting from repeated exposure to harmful content or harmful combinations of content.²⁰²

- 8.200 We have retained the questions on likelihood and impact in Step 2 that assist service providers in considering cumulative harm, making small changes to improve clarity. This is intended to support service providers in considering how cumulative harm might impact the level of risk of harm to children from content harmful to children. We consider that these decisions will clarify our expectations for service providers.
- 8.201 We note responses asking for further guidance on cumulative harm. Cumulative harm is defined within the Act, and the Children’s Risk Assessment Guidance aligns with this statutory definition. We consider that the guidance we have given is sufficient, while providing appropriate flexibility for the range of service providers in scope of the children’s risk assessment requirements.

‘Indirect’ harm

Summary of responses

- 8.202 Some responses received asked questions about the concept of ‘indirect’ harm:
- Microsoft wrote that it is not clear how a service might go about assessing this risk, given that it “appears to predominantly require assessment of offline impacts and which may be highly individual or subjective.”²⁰³
 - Google criticised Ofcom for not providing guidance on how services should consider indirect harm, or the circumstances in which they should do so, and asked Ofcom to “clarify that harm may be sufficiently measured without taking into account indirect harm as a distinct category”.²⁰⁴

Our decision

- 8.203 In response to stakeholder feedback, we have retained our guidance on how service providers should consider harm that impacts children who are not users of the service. We have retained the questions on likelihood and impact in Step 2 that assist service providers in considering these kinds of risks as part of the assignment of risk levels for content harmful to children, making minor changes to our drafting to improve clarity.
- 8.204 In regard to responses asking for further guidance on the concept of indirect harm, the concept of harm that impacts individuals or children who are not users of a service is defined within the Act. The Children’s Risk Assessment Guidance is consistent with the Act’s description of such ‘indirect’ harm. We consider that the guidance we have given on how service providers should consider this kind of risk of harm to children is sufficient, while providing appropriate flexibility for the range of service providers in scope of the children’s risk assessment requirements, but have made changes to our drafting to clarify our intent.

²⁰² Refer to Section 2: ‘Pornographic content’, Section 3: ‘Suicide and self-harm content’, Section 4: ‘Eating disorder content’, Section 5: ‘Abuse and hate content’, Section 6: ‘Bullying content’, and Section 7: ‘Violent content’ of the Children’s Register for discussion of evidence for cumulative harm arising from these content types.

²⁰³ Microsoft response to May 2024 Consultation, p.8.

²⁰⁴ Google response to May 2024 Consultation, p.20.

Overall conclusion and impacts

- 8.205 Having reviewed all consultation responses to our draft Children’s Risk Assessment Guidance, we have concluded to broadly retain our approach to the guidance. We made changes to clarify our policy intent for the Children’s Risk Assessment Guidance. This includes:
- a) Clarification on the expectation that service providers should assess the level of risk as it actually exists on the service, and not as ‘inherent risk’ posed by functionalities and characteristics.
 - b) Improvements to the Risk Level Table to make it more useful for service providers as part of their overall children’s risk assessment.
 - c) Improved explanations of evidence inputs, particularly relating to algorithmic assessment.
 - d) Clarification regarding reviewing and updating duties, particularly relating to the duty to carry out a new risk assessment relating to a proposed significant change to the design and use of the service (rather than necessarily to the service in its entirety).
 - e) Clarification of how service providers should assess their user base, and how they should assess the risks presented to different age groups of children.
 - f) Improvements in the guidance on how service providers should assess the risks presented by non-designated content on their service, and how they should consider cumulative and indirect harm.
- 8.206 Additionally, we have restructured the Children’s Risk Assessment Guidance, in line with similar changes made to the Illegal Content Risk Assessment Guidance. The guidance now consists of three parts:
- a) Part 1 includes a summary of the children’s risk assessment duties.
 - b) Part 2 includes an overview of the four-step risk assessment methodology, and detailed information on completing the children’s risk assessment.
 - c) Part 3 includes supporting information for completing each step in the four-step methodology.
- 8.207 We have also, alongside the publication of our Children’s Risk Assessment Guidance, updated our Record-Keeping and Review Guidance to include guidance specific to record-keeping of children’s risk assessments, as we proposed to do in the May 2024 Consultation.²⁰⁵ The record-keeping and review duties are cross-cutting duties that apply to both illegal content and children’s risk assessments.²⁰⁶ When we published the Record-Keeping and Review Guidance as part of our December 2024 Statement, we did not include specific guidance regarding children’s risk assessments, as our Children’s Risk Assessment Guidance had not been finalised. We have tried to ensure consistency in our guidance on record-keeping for both the illegal content and children’s risk assessment duties. We consider that the updated Record-Keeping and Review Guidance will help providers to comply with their legal duties and improve safety outcomes for children.

²⁰⁵ More detail about what we proposed can be found in Volume 4, sub-section ‘Detailed proposals: complying with the record keeping and review duty’ of the May 2024 Consultation, pp.66-68.

²⁰⁶ The duties are set out in section 23 of the Act (for user-to-user service providers) and section 34 of the Act (for search service providers).

Impact assessment

- 8.208 Ofcom is required by the Act to provide guidance to assist providers of user-to-user and search services in complying with their children’s risk assessment duties.²⁰⁷ Nonetheless, as Ofcom has discretion on the preparation of this guidance, we have carried out an impact assessment, as defined by section 7 of the Communications Act 2003.
- 8.209 Furthermore, Ofcom is required by the Act to prepare and publish Risk Profiles as soon as reasonably practicable after having completed Ofcom’s risk assessment.²⁰⁸ Although our decision on Children’s Risk Profiles is set out in Section 5,²⁰⁹ we have covered Children’s Risk Profiles in this impact assessment. This is because providers are required to take into account our Children’s Risk Profiles when carrying out a ‘suitable and sufficient’ children risk assessment,²¹⁰ and our Children Risk Assessment Guidance asks providers to consult our Children’s Risk Profiles to identify risk factors. Given this close interrelationship, we consider it appropriate to assess the impact of the Children Risk Assessment Guidance and of the Children’s Risk Profiles together.
- 8.210 We have considered the potential impacts of implementing the Children’s Risk Assessment Guidance on service providers, including on small and micro-businesses. We consider that this will involve costs for providers, and we outlined the potential costs for each part of our proposed methodology, which we have broadly retained, in Section 12, Volume 4 of the May 2024 Consultation.²¹¹ These costs could vary greatly depending on the context of the service, including their existing processes for assessing and managing risks to children. In particular, we acknowledge that implementing the Children’s Risk Assessment Guidance may involve costs for small and micro-businesses, which may not have employees specifically dedicated to assessing and managing risks to children. However, the children’s risk assessment duties are imposed by the Act and services will need to incur the costs of undertaking ‘suitable and sufficient’ children’s risk assessments, to meet their legal obligations.
- 8.211 Overall, we consider that our methodology is proportionate, including for small and micro-businesses. The Children’s Risk Assessment Guidance does not represent a set of compulsory steps that services must take, but rather is intended to assist providers in fulfilling their legal obligations, while giving them appropriate flexibility to pursue cost-effective approaches. For example, small and micro-businesses that operate services with few or no relevant risk factors should typically be able to rely on readily available core evidence inputs to support their risk assessments, rather than investing in additional evidence-gathering and analysis. To the extent that our children’s risk assessment methodology imposes costs, we consider that these are justified by the significant benefits associated with high-quality risk assessment processes and that they largely flow from the requirements of the Act.
- 8.212 Additionally, we have intentionally aligned the Children’s Risk Assessment Guidance with other regulatory products, particularly the Illegal Content Risk Assessment Guidance which we published in December 2024. In our view, this enables a consistent approach across the

²⁰⁷ Section 99 of the Act.

²⁰⁸ Section 98(5) of the Act.

²⁰⁹ See Section 5: ‘Children’s Risk Profiles’.

²¹⁰ Section 11(6) and 28(5) of the Act.

²¹¹ Section 12: ‘Children’s Risk Assessment Guidance and Children’s Risk Profiles’, in Volume 4 of the May 2024 Consultation.

two risk assessments, facilitating compliance and minimising the cost burden for service providers in scope of both sets of duties.

- 8.213 With regard to Children's Risk Profiles, we do not consider these will impose significant additional costs on providers, as they are required by the Act to take account of Risk Profiles when carrying out a 'suitable and sufficient' children risk assessments. To the extent that any costs do arise from the consultation of our Children's Risk Profiles, we consider these costs to flow from the duties set out in the Act. Therefore, we consider that our approach is proportionate, including for small and micro-businesses.
- 8.214 We have considered the rights impact of our Children's Risk Assessment Guidance and Risk Profiles and do not consider that following the Children's Risk Assessment Guidance and consulting our Risk Profiles will interfere with users' or service providers' rights to privacy or to freedom of expression and association.
- 8.215 The objective of the four-step methodology, including the Children's Risk Profiles at Step 1, is to guide service providers in carrying out a 'suitable and sufficient' children's risk assessment to meet their legal duties under the Act. Elements such as the Risk Level Table and guidance on evidence inputs and reviewing and updating risk assessments, and on age groups and non-designated content, have been included to aid service providers in assessing the risk of harm to children on their services and keeping their children's risk assessments up to date in order to meet their obligations under the Act.
- 8.216 We do not consider that the process set out in the Children's Risk Assessment Guidance and Children's Risk Profiles by itself could constitute an interference with users' or providers' rights to freedom of expression or association, or users' right to privacy. In respect of privacy, as explained in the guidance, providers will need to ensure that their risk assessment is carried out in accordance with the relevant data protection legislation.
- 8.217 Our assessment of the rights impact of the measures in our Protection of Children Codes that will be applied as part of Step 3 of the four-step risk assessment methodology can be found in the relevant measures sections of this statement.²¹²
- 8.218 In summary, we consider that our guidance will assist service providers in fulfilling their legal obligations, and that following our guidance will put providers in a stronger position to comply with their duties under the Act. The guidance will help service providers to consider the inherent risks associated with their service, and the effect of the service's design and operation on levels of risk to children, including the impact of existing controls.
- 8.219 Our methodology provides a clear and structured framework by which service providers can identify, understand and respond to risks to children on their service. It is flexible so as to allow service providers to recognise their services' specific contexts and characteristics in their children's risk assessment. The Risk Level Table provides criteria for risk levels which will help to ensure more accurate outcomes for children's risk assessments and will guide service providers to implement appropriate measures to mitigate their risks to children.
- 8.220 In this way, the Children's Risk Assessment Guidance will set a standard for children's risk assessments where service providers will understand and manage risks to children on their services from content harmful to children, including how their service design and use impacts the level of risk. Together with the Codes, this will embed a culture of timely and

²¹² See Volume 4: 'What should services do to mitigate the risks of online harms to children?'.

safety-focused risk management for service providers, driving important improvements to child safety online.