

SERVICE-SPECIFIC GUIDANCE NOTE

Children's services

EXECUTIVE SUMMARY

Quick summary on the use of children's services:

- Children are defined as those individuals under the age of 16.
- Promotional material should state that the bill-payer's permission is required and should specify whether any age restrictions apply.
- Children's services should not advertise or promote direct appeals for children to part with money.
- Promotional material should not encourage children to use other premium rate services or the same service again.
- Children's services should not involve competitions that offer cash prizes or prizes readily converted to cash.

1. Introduction

- 1.1. The purpose of this Service-Specific Guidance Note ('the Guidance') is to assist registered parties/providers ('providers') by clarifying PhonepayPlus' expectations around the use of children's services.
- 1.2. For the purpose of this Guidance, children's services are defined by PhonepayPlus as those premium rate services which, either wholly, or in part, are aimed, or could be reasonably expected to be particularly attractive, towards children.
- 1.3. Children are defined, for the purposes of the Code of Practice and this Guidance, as individuals under 16 years of age.

2. The role of Service-Specific Guidance

- 2.1. Service Specific Guidance does **not** form part of the Code of Practice; neither is it binding on PhonepayPlus' Code Compliance Panel ('the Tribunal'). However, we intend it to help providers understand how compliance with the Code might be achieved.
- 2.2. Providers are not obliged to follow this Guidance but, in the event of an investigation, a Tribunal will adjudge whether the alternative actions that providers took delivered compliance with the Code. We recommend that those looking to radically depart from this Guidance contact our Compliance Advice Team in reasonable time ahead of launching the service.

3. Requirements

- 3.1. All promotional material in relation to children's services should clearly indicate that the bill-payer's permission is required and should specify whether any age restrictions apply.
- 3.2. Children's services should not advertise or promote directly to children with appeals to buy or donate. Any service found to be doing so could be found to be in breach of paragraph 2.3.9 of the Code of Practice. Similarly, promotional material should not encourage children to use other premium rate services or the same service again. Providers should be aware that children can often be considered as vulnerable consumers, and so should take steps to ensure that they are not taken advantage of. Appropriate promotional material should be used at all times. For more

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information on promotions, please see the General Guidance Note on 'Promotions and promotional material'.

3.3. Providers should note paragraph 2.3.12(b) of the Code of Practice on spending caps. Services aimed at, or which should have been expected to be particularly attractive to children, must terminate by forced release when a maximum of £2.56 + VAT, or in the case of a subscription service a maximum of £2.56 + VAT per month, has been spent.

3.4. Children's services should not involve competitions that offer cash prizes or prizes readily converted to cash.

4. Determining whether a service is targeted at children

4.1 In determining whether a PRS has been targeted at children, or is likely to be particularly attractive to them, PhonepayPlus will consider each incident on a case-by-case basis. In doing so, the following factors are likely to be considered:

- Data which indicates how many readers, viewers, or listeners of a publication, broadcast, or other media are children
- The style, content, and composition of the promotional material (i.e. does it contain factors likely to make it particularly attractive to children, or which would suggest children had been targeted?)