

The Media Council for Children and Young People's Ethical Guidelines for Digital Gaming Service Providers

Children and young people must have the best conditions to participate in the digital environment safely, in an age-appropriate manner, and in accordance with their rights. Children are particularly vulnerable and susceptible to the risks they face when navigating digital services – including harmful and illegal content, hidden marketing, grooming, radicalization, and much more. Many digital services today have designs and business models that are difficult to understand, often offering a free product in exchange for collecting and using user data. This exposes children to risks regarding their right to privacy, safety, security and their ability to make choices based on their own needs and desires. This is especially evident through hidden retention mechanisms and other behavioral designs that maximize user engagement among children and young people.

The Danish Media Council for Children and Young People has therefore developed ethical guidelines, which digital gaming services must follow, if they wish to protect children in the best way possible. All digital gaming service providers, which are targeting or accessed by children, must be designed with respect for children's rights. By placing children's rights and needs at the center, game service providers will need to restructure their designs to prioritize the child's best interests.

Purpose

The Media Council's ethical guidelines outline several principles for the design, operation, and user interface of digital services. The aim of these guidelines is to place the child's best interests at the center of digital gaming services used by children. Therefore, digital gaming services—both game providers and platforms—should comply with these guidelines if children access their services. The guidelines also aim to raise awareness in society about children's rights in digital gaming environments and support action and regulation if these rights are violated.

The guidelines have been developed in dialogue with relevant stakeholders in the Danish field.

Who are the guidelines for?

The guidelines are aimed at digital gaming service providers, both gaming platforms and digital games. The ethical guidelines apply to both Danish and international services that are accessed by children under the age of 18. Many games have age recommendations (labels). However, age recommendations do not excuse services from applying the necessary protection measures towards their users who are under the age of 18. The Media Council for Children and Young People in Denmark encourages all Danish and global digital game service providers, whose service is intended for, marketed towards or accessed by children to assess, adjust and develop their service in accordance with these guidelines

The following presents the Media Council for Children and Young People's ethical guidelines for digital gaming service providers.

Ethical guidelines for digital gaming service providers

1. The service must be designed in the best interest of the child

1.1. The service provider must design the service with the child's best interest¹ as the primary consideration, especially if the service is intended for, marketed to, or accessible by children.

1.1.1. Prioritizing the child's best interest means that the service provider must design, operate, and continuously adapt their service with respect for the child's rights in the digital environment, considering their cognitive and emotional development.

1.1.2. Children, young people, and parents/caregivers must be continuously involved in the adaptation of the service. This applies to the design, development, and continuous evaluation of the service.

2. Terms of use and service must be understandable to children

2.1. The service provider must balance the terms of use and service with fundamental rights and communicate them, along with other relevant information, to users in a concise and clear language. These must also be provided in formats that support the child's understanding.

2.2. The service provider must execute a full risk assessment of their service and inform about the risks connected to use of the service, which could violate the child's rights, as outlined in section 1 and 2.1. This also applies to new features and initiatives, which must undergo a risk assessment before launching.

2.2.1. The service provider must also reduce and address the risks from the risk assessment, while documenting how they handle and mitigate them.

2.3. The service provider must have guidelines for user communication and content sharing on the platform. These guidelines must be enforced to prevent and combat illegal or potentially harmful practices such as, but not limited to, discrimination, threats, sharing offensive content, fraud, bullying, grooming, encouragement of self-harm, and the spread of misinformation.

2.3.1. The service provider must enforce these guidelines by offering technical solutions that make it easy for users to protect themselves from discrimination and bullying. Additionally, they should:

2.3.2. Provide users with an easily accessible place to report experiences of discrimination, bullying, and problematic or illegal financial practices.

2.3.3. Impose concrete consequences for players who violate the guidelines, such as temporary bans from the service and its activities, and communicate these actions to have a preventive effect.

2.3.4. Disable contact with strangers as the default setting.

2.3.5. Allow users to identify and block players who are unpleasant or abusive.

¹ The best interest of the child is synonymous with the child's welfare and means an assessment and prioritization of what is best/most beneficial for the child.

2.3.6. Support users in following the guidelines, for user behavior, cf. 2.3, without resorting to inappropriate surveillance or excessive data collection, as stated in section 3. Support can include efforts to ensure users are aware of and understand the guidelines.

2.3.7. The service provider must describe and publicly report how they support users in adhering to the guidelines through annual reports, such as transparency reports.

2.4. The service provider has an ethical responsibility for activities related to their game, that take place on other services (e.g., streaming or communication platforms). The service provider can uphold this ethical responsibility by:

2.4.1. Collaborating with other services to support the Media Council's ethical guidelines.

2.4.2. Clearly distancing themselves and communicating when external actors violate the service's guidelines in contexts that can be linked to the service.

3. Use of children's data must be minimized and in the best interest of the child

3.1. The service provider must ensure the highest level of privacy by default. Specifically, this means limiting the collection and use of children's data to which are essential for the service to function.

3.1.1. The collection and processing of children's personal data for commercial purposes, such as marketing and profiling, must be eliminated. Any data collection or processing that does not prioritize the child's best interest must be avoided.

3.1.2. The service provider must document how they comply with data responsibility and data minimization, in line with the basic principles of GDPR.²

3.1.3. Consent to data collection and processing must only be given freely and on an informed basis and must otherwise comply with the conditions for valid consent under the GDPR.

3.1.4. The service provider must communicate in an age-appropriate manner to ensure that the child and their parents understand what personal data is being collected, for what purpose, how it is processed, and the potential consequences for the child.

3.1.5. The service provider must only share data about a child if it is strictly necessary to protect the child's best interest and/or important public interests, which excludes data sharing for commercial reasons, cf. 3.1.

3.1.6. Any sharing of data about a child must be justified.

3.1.7. The possibility for a child or parent to change default settings, as outlined in section 3.1, must be weighed against the best interest and rights of the child. If a child changes a setting, such as enabling geolocation, the change must, as far as possible, only apply to the child's current session. The service provider must inform the child/parent about the potential consequences of the change and communicate this in accordance with the principles in section 2.1.

² According to article 5 and the principles relating to the processing of personal data

4. Children should not be able to access harmful and illegal content

4.1. To protect the child's best interest, as mentioned in section 1, and based on the risk assessment required by section 2.2, the service provider must ensure that illegal content and content that could harm children's development is not accessible to children.

4.1.1. Content must be age-appropriate and adapted to the child's development, as outlined in section 1. This involves assessing the potential harm of the content while also respecting the child's freedom of expression and access to information. Commercial content must be age-appropriate and clearly marked.

Age verification must be effective and user-friendly

4.2. The service must have an age limit, and establish and maintain effective, user-friendly, and privacy-protecting systems for verifying the age of users accessing the service. These systems should ideally be managed by an independent third party that adheres to the principles in section 3.

4.2.1. To ensure an age-appropriate service, the provider must design, continuously assess, and adjust the service based on the child's age and cognitive and emotional development.

4.2.2. The service's age limit should reflect general concerns for age-appropriateness and the protection of children, including privacy protection and freedom of expression and information.

4.2.3. The service provider must ensure that the age limit and target audience of the service are clearly communicated and justified to both children and adults, in line with section 2.1.

4.2.4. The service provider must ensure that children who meet the age requirement can access and use the service in an age-appropriate manner and in accordance with these ethical guidelines.

4.2.5. The provider must ensure accurate content labeling through existing systems such as PEGI³ or equivalent systems. The visibility of content labels must be ensured wherever the service can be accessed.

5. Easy reporting of harmful and illegal content

5.1. The service provider must clearly indicate where users, whether registered or not, can report content or incidents that are illegal or considered harmful to children.

5.1.2. The service provider must ensure that the reporting process is effective, user-friendly, and transparent, thereby facilitating the submission of sufficiently accurate and substantiated reports.

5.1.3. The service provider must also proactively take appropriate measures to minimize the occurrence of illegal and harmful content and incidents on their service.

5.1.4. The service provider must explain and document how they follow up on all submitted reports.

³ PEGI – Pan European Game Information is the gaming industry's own rating system, which is used in 35 countries across Europe. PEGI's system aims to support consumer information and age-appropriate gaming. The age rating is advisory. PEGI's age ratings represent a compromise among various European countries, which means the age rating may not always reflect Danish culture and views on children. PEGI also labels content in games with icons for violence, bad language, fear, gambling, sex, drugs, discrimination, in-game purchases, and in-game purchases (includes random items).

5.1.5. The service provider must provide contact points for reporting to the police and relevant Danish reporting and children's support services, such as Save the Children, Children's Welfare, and the Center for Digital Youth Care.

5.2. The provider must generally make reports visible and, in anonymized form, disclose what types and how many reports and guideline breaches they have received, along with the corresponding action steps.

6. Behavioral design must not be used to retain children

6.1. The service provider must not use behavior-influencing mechanisms that unnecessarily stimulate children's behavior and maintain their use of the service. This applies to, for example:

6.1.1. Mechanisms that pressure children or encourage the spending of money or virtual resources, such as: time constraints, risk of loss, disproportionately large obstacles in the game, or emotional pressure created through the game's storyline and universe.

6.1.2. Game designs that use psychological mechanisms, such as cognitive biases, to encourage certain player behavior.

6.1.3. Push notifications, which should be disabled by default. It should be possible to turn on push notifications individually and with a time limit. Upon activation, the service provider must inform users of the potential consequences of this change regarding stimulation of the child's behavior and use, as outlined in section 2.1. Notifications about the player's time usage must occur every 30 minutes while the player is active and also be displayed with a minute counter on the user's profile.

6.1.4. Unnecessary notifications about friends' and connections' activity and online status should be disabled by default. This includes, for example, notifications about friends' recent log-ins, online status, seen-notifications, or anything that indicates active use. If the child/parent wishes to enable one or more of these settings, they should be able to do so individually, and the service provider must inform them, following the principles in section 2.1, about the consequences this change may have in terms of stimulating the child's behavior and use.

6.1.5. Messages and contacts from individuals over 18. The service provider must ensure that individuals over 18 can only message children under 18 if the child has accepted the person.

6.1.6. Costs associated with inactivity. The service provider should not impose penalties for inactivity. Players should not be penalized for being logged out for an extended period by losing earned points, items, privileges, or other rewards.

6.1.7. Rewards in the form of virtual items, points, special game opportunities, or other incentives should not be offered for logging in frequently or spending time on the game.

6.2. The service provider must make it easy to log out, to have data deleted at the user's request, and to delete their profile.

6.3. The service should, by default, activate a time limit for use, such as 60 minutes per day, and enable a 'quiet mode' during evening and night hours—e.g., from 9:00 p.m. to 6:00 a.m.⁴ If the child/parent wishes to

⁴ The time slot is a suggestion, as screen use is discouraged up to bedtime, according to the Danish Health Authority's 'Recommendations on Screen Use' [link](#).

disable these functions, they should be informed of the consequences in an age-appropriate and understandable manner, cf. the principles in 2.1.

6.4. The service provider must offer safety and security features for parental control and make it clear to the child whether parental control is active and what it means for the child.

7. It must be clear how the service monetizes and how the player contributes

7.1. The service provider must ensure transparency about its business model and the mechanisms it employs.

7.1.1. It must be clear to the player how they contribute financially to the service provider, whether it's through advertising, microtransactions, subscriptions, or other means.

7.2. The service provider must disable purchasing and donations by default. If a child or their parent wishes to enable these features, they must be informed of the consequences in an age-appropriate and understandable manner, cf. the principles from in 2.1 and 3.1.1. The functions must be adjustable with parental controls, such as requiring parental approval before each transaction, by setting limits on possible spending, and by automatic removal of card details.

7.3. The service provider must ensure that every transaction is transparent, and that the player knows what they are receiving in return.

7.4. The service provider must prevent children from purchasing random rewards or items (such as loot boxes and card packs). This includes payments with both virtual resources and real money.

7.5. It should be possible to play the game without paying for advantages.

7.6. There should be a maximum limit on how much money a player can spend in the game daily and/or weekly.

7.6.1. The service provider must display an overview of the child's monthly spending and session-based spending on the child's profile. Whether the child uses virtual currency, items, or other resources in transactions, the amount equivalent to Danish kroner must be shown in both the spending overview on the profile and at the time of each transaction.

7.7. The service provider must prevent players from stealing or cheating to obtain items from each other through the service's interface.

7.8. The service provider must actively prevent problematic and criminal financial activities on the service and on third-party services facilitated by the functionality of games and services.

7.8.1. This includes services and platforms that allow the trading and/or gambling of in-game items. Such activities can be hindered by monitoring the game or platform to identify and prevent these actions.

8. The service provider must cooperate with authorities and researchers

8.1. The service provider must actively and on request cooperate with authorities.

8.1.1. For prevention purposes, the police must be able to act openly and visibly as an authority and interact with the users of the service.

8.1.2. The service provider must, in accordance with the applicable legislation, support police investigations in relation to illegal behavior and content.

8.2. The service provider must cooperate with independent researchers and research institutions and ensure they have access to its information and data for the purpose of public information. This can be further supported by an independent expert panel that can qualify the service's efforts with a focus on children and thereby contribute to increased transparency.

8.2.1. The service provider must provide independent researchers with insight into, among other things, mechanisms and interactions on the platform.

8.2.2. The service provider must provide independent researchers with insight into children's use of the specific service and thus contribute to qualified protection efforts.