

KNOW YOUR RIGHTS AND HAVE YOUR SAY!



Office of the Australian Information Commissioner
on the Children's Online Privacy Code

Adapted from a consultation by Ireland's Data Protection Commission on the Processing of Children's Personal Data and the Rights of Children as Data Subjects under the General Data Protection Regulation and supported by Ireland's Ombudsman for Children's Office



An Coimisiún um
Chosaint Sonraí
Data Protection
Commission



ombudsman
do leanaí
for children

OAIC

A MESSAGE FOR TEACHERS FROM THE OFFICE OF THE AUSTRALIAN INFORMATION COMMISSIONER (OAIC)

Thank you very much for taking part in this important public consultation on data protection and children's issues to inform the Children's Online Privacy Code. Ireland's Data Protection Commission (DPC), with the support of Ireland's Ombudsman for Children's Office (OCO) have created this document which aims to help you to explore with your students the concept of personal information and privacy rights in a social media context. We have adapted this lesson plan to fit the Australian context. We hope that in using these materials, you can enable your students to contribute to our public consultation by providing their opinions on key issues. These materials have been developed for use in the classroom with children and young people aged 8 and above and have been tested by the DPC with different age groups in a series of pilot workshops that were facilitated by the OCO in October 2018.

HOW TEACHERS CAN USE THESE MATERIALS

This document contains (1) a Quick-Start Guide to Privacy for Teachers and (2) a lesson plan. The Quick-Start Guide gives teachers some background to the lesson plan with an initial overview of the basics in privacy, while the lesson plan will assist teachers to facilitate a discussion about core privacy issues.

The lesson plan includes three activities, which together we estimate will take a total of 2-3 hours of teaching time, depending on the age of the class. Each activity has different sets of discussion points aimed at three different class groups: (1) Years 3-6, (2) Years 7-9, and (3) Years 10-12. However, teachers should feel free to tailor these discussion points as they see fit.

► Activity 1 – What is personal information?

The purpose of this activity is to introduce the concept of personal information and how people share personal information when they use social media.

► Activity 2 – What are my privacy rights?

The purpose of this activity is to introduce the concept of (1) privacy rights and (2) the types of "terms and conditions" that social media companies apply concerning their use of personal information.

► Activity 3 – Have your say!

This activity gives children and young people the opportunity to tell us what they think about the issues raised in the earlier activities. Students can contribute their views in response to six questions presented on a set of feedback worksheets. We are asking teachers to record the views of their students on these worksheets and to submit either one set of worksheets per class or have the students fill them out individually. If submitting per class, please note this in your email submission.

ADDITIONAL MATERIALS

The OAIC has also provided the following materials in the email sent to schools to help teachers conduct the lesson and complete the consultation:

- ▶ A lesson plan slideshow – These slides should be used for the different activities described in the lesson plan.
- ▶ A set of PDF feedback worksheets (to be printed off or filled in electronically by teachers or students). Teachers should use these feedback worksheets to record the opinions of their students in response to the questions set out on the worksheets.

These materials can also be downloaded from the OAIC website (<https://www.oaic.gov.au/copc>)

QUICK-START GUIDE TO PRIVACY FOR TEACHERS



WHAT IS PERSONAL INFORMATION?

Personal information is any information or an opinion that relates to you personally or would identify you. In other words, it is any piece of information that helps someone to know who you are, such as your full name, your date of birth, your email address, your phone number, or your address. Personal information doesn't have to be in written form. It can also be information about what you look like or sound like, for example photos or videos that you have posted online, or your voice recordings. Personal information can also include information that you're not aware is being collected about you, e.g. your image might be captured on a CCTV system in a shopping centre or information might be collected from your phone when you log on to a public Wi-Fi network.

WHAT IS THE CHILDREN'S ONLINE PRIVACY CODE?

We are currently writing the Children's Online Privacy Code. This Code is a special set of rules we are making to help protect children's privacy when using the internet. It makes sure that organisations or companies who run apps, websites and games that children might use take care of their personal information.

The Code will specify how online services (including in some circumstances overseas companies) accessed by children must comply with the Australian Privacy Principles (APPs) which are pre-existing privacy rules.

WHAT DOES PRIVACY MEAN?

Privacy is a fundamental human right that underpins freedom of association, thought and expression, as well as freedom from discrimination. But it's hard to define. Different countries offer different views, as do individuals.

Generally speaking, privacy includes the right to be free from interference and intrusion, to associate freely with whom you want, to be able to control who can see or use information about you.

WHAT IS THE PRIVACY ACT 1988?

The Privacy Act 1988 (Cth) (Privacy Act) was introduced to promote and protect the privacy of individuals and to regulate how Australian Government agencies and organisations with an annual turnover of more than \$3 million, and some other organisations, handle personal information.

The Privacy Act includes 13 Australian Privacy Principles (APPs), which apply to some private sector organisations, as well as most Australian Government agencies. Such organisations and agencies are collectively known as 'APP entities'. The Privacy Act also regulates the privacy component of the consumer credit reporting system, tax file numbers, and health and medical research.

WHAT DOES THE OFFICE OF THE AUSTRALIAN INFORMATION COMMISSIONER DO?

The Office of the Australian Information Commissioner (OAIC) is an independent Australian Government agency that acts as the national data protection authority, promoting and upholding privacy and freedom of information rights.

One of the OAIC's main tasks is to ensure proper handling of personal information under the Privacy Act 1988 and other legislation, and to protect the public's right of access to documents under the Freedom of Information Act 1982. However, the OAIC also has other important functions such as handling complaints lodged by individuals, providing guidance to companies for compliance and investigating whether privacy laws are being complied with.

The OAIC deals with privacy specific issues only, such as data collection, the use of personal information, and the security of personal information, amongst other things. These issues are explored in this consultation.

However, issues such as cyberbullying, fake news, and harmful content do not fall within the OAIC's remit and, as such, do not form part of this consultation. While both are important, the eSafety Commissioner (eSafety) is the Australian Government's independent online safety regulator, while we (OAIC) are focused on keeping your personal information protected. You can read more about eSafety's work here: [What we do | eSafety Commissioner](#).

THE AUSTRALIAN PRIVACY PRINCIPLES

The Australian Privacy Principles (APPs) are the cornerstone of the privacy protection framework in the Privacy Act. We all have a range of rights when any APP entity processes our personal information. These rights apply in many different contexts.

APP 01 OPEN AND TRANSPARENT MANAGEMENT OF PERSONAL INFORMATION

Ensures that APP entities manage personal information in an open and transparent way. This includes having a clearly expressed and up to date APP privacy policy.

APP 02 ANONYMITY AND PSEUDONYMITY

Requires APP entities to give individuals the option of not identifying themselves, or of using a pseudonym. Limited exceptions apply.

APP 03 COLLECTION OF SOLICITED PERSONAL INFORMATION

Outlines when an APP entity can collect personal information that is solicited. It applies higher standards to the collection of 'sensitive' information.

APP 04 DEALING WITH UNSOLICITED PERSONAL INFORMATION

Outlines how APP entities must deal with unsolicited personal information.

APP 05 NOTIFICATION OF THE COLLECTION OF PERSONAL INFORMATION

Outlines when and in what circumstances an APP entity that collects personal information must notify an individual of certain matters.

APP 06 USE OR DISCLOSURE OF PERSONAL INFORMATION

Outlines the circumstances in which an APP entity may use or disclose personal information that it holds.

APP 07 DIRECT MARKETING

An organisation may only use or disclose personal information for direct marketing purposes if certain conditions are met.

APP 08 CROSS-BORDER DISCLOSURE OF PERSONAL INFORMATION

Outlines the steps an APP entity must take to protect personal information before it is disclosed overseas.

APP 09 ADOPTION, USE OR DISCLOSURE OF GOVERNMENT RELATED IDENTIFIERS

Outlines the limited circumstances when an organisation may adopt a government related identifier of an individual as its own identifier, or use or disclose a government related identifier of an individual.

APP 10 QUALITY OF PERSONAL INFORMATION

An APP entity must take reasonable steps to ensure the personal information it collects is accurate, up to date and complete. An entity must also take reasonable steps to ensure the personal information it uses or discloses is accurate, up to date, complete and relevant, having regard to the purpose of the use or disclosure.

APP 11 SECURITY OF PERSONAL INFORMATION

An APP entity must take reasonable steps to protect personal information it holds from misuse, interference and loss, and from unauthorised access, modification or disclosure. An entity has obligations to destroy or de-identify personal information in certain circumstances.

APP 12 ACCESS TO PERSONAL INFORMATION

Outlines an APP entity's obligations when an individual requests to be given access to personal information held about them by the entity. This includes a requirement to provide access unless a specific exception applies.

APP 13 CORRECTION OF PERSONAL INFORMATION

Outlines an APP entity's obligations in relation to correcting the personal information it holds about individuals.

LESSON PLAN



The background features a light blue rectangular area with a dotted orange border. Above and below the text 'ACTIVITY 1:' are stylized rainbow-like arches composed of concentric white and light blue lines. The page is decorated with various geometric shapes: pink diamonds, triangles, and concentric circles, as well as orange and pink angular shapes at the corners.

ACTIVITY 1:

WHAT IS
PERSONAL
INFORMATION?

LEARNING OBJECTIVE:

To introduce the concept of personal information and how people share personal information when they are using the internet

STARTER ACTIVITY:

ALL AGE GROUPS

STEP 1:

Explain to the class that they are going to be talking about the concept of “personal information” today. Begin the discussion by asking the class firstly what they think “information” means, and secondly what “personal” means? Ask the class to give examples of what they think personal information might be.

STEP 2:

Start a discussion about social media usage by showing Slide 2 of the Lesson Plan Slides (different social media logos) and asking the following questions (reassuring the younger students that no-one will get in trouble for saying they use social media):

Teacher's note:



Personal information is any information that helps someone to know who you are, such as your name, your date of birth, your email address, your phone number, where you live, photos or videos of you that you've posted, etc. For more information on what personal information privacy is, please see the Quick-Start Guide to Privacy for Teachers in your lesson plan pack.

YEARS 3 - 6

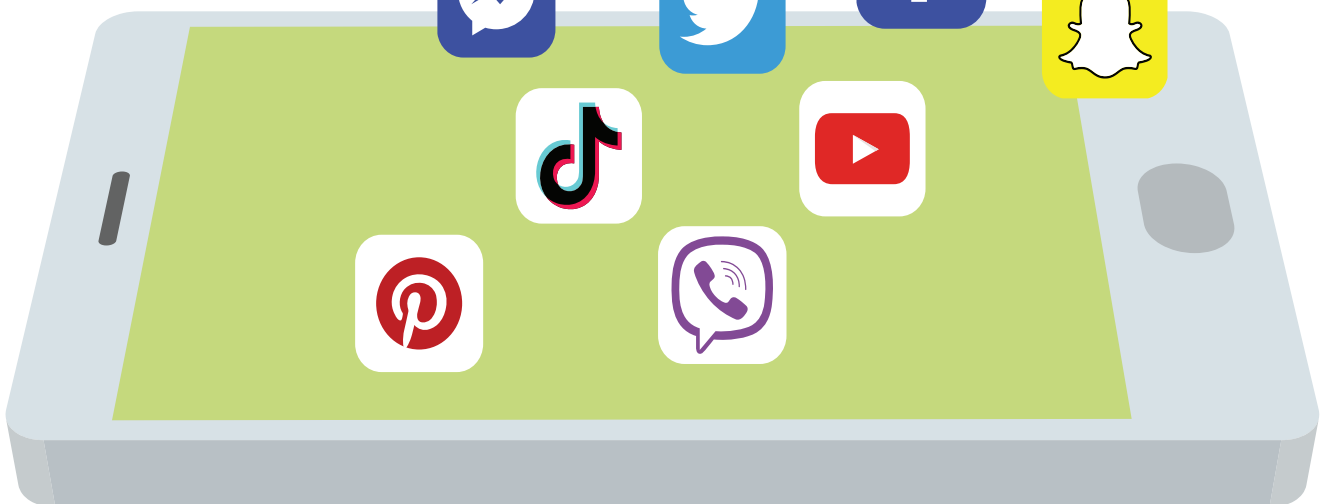
- ▶ Do you recognise these logos?
- ▶ Can you name all the different companies?
- ▶ Have you ever used any of these apps?
- ▶ Do you have any of these apps on your phone?
- ▶ What do you use them for?
- ▶ How often do you use them?
- ▶ Do you know how old you have to be to use these apps?
- ▶ Did you get your parents' permission to sign up to these apps?

YEARS 7 - 9

- ▶ Do you use any of these apps?
- ▶ Which would you say is the most popular among your age group?
- ▶ What do you use these apps for?
- ▶ How often do you use them?
- ▶ Do you know how old you have to be to use different social media apps?
- ▶ Did you get your parents' permission to sign up to any of these apps?
- ▶ Have you ever had to enter your date of birth in order to sign up to apps like these?
Do you think this works in terms of keeping younger children off the platform?

YEARS 10 - 12

- ▶ Do you use any of these apps?
- ▶ Which would you say is the most popular among your age group?
- ▶ What do you use these apps for?
- ▶ How often do you use them?
- ▶ Do you know how old you have to be to use different social media apps?
- ▶ Did you get your parents' permission to sign up to any of these apps?
- ▶ Have you ever had to enter your date of birth in order to sign up to apps like these?
Do you think this works in terms of keeping younger children off the platform?



STEP 3:

Start a discussion with the class, which you can do using the questions below, about the different reasons why people use social media and why people enjoy it. For example it might be because they want to; chat with their friends every day; keep in touch with family and friends who live abroad; share photos and videos; play games; read about celebrities; see and read posts about things they like; etc.

YEARS 3 - 6

Ask the class the following questions:

- ▶ Why do you like using social media?
- ▶ What's your favourite social media app and why?
- ▶ What kind of things can social media help you do that you couldn't do if you didn't have it?

YEARS 7 - 9

YEARS 10 - 12

Split the class into groups and ask them to discuss the following questions and write down their answers:

- ▶ Why do you think people like using social media?
- ▶ What do you think is the most popular social media app amongst your age group, and why?
- ▶ What kind of things can social media help you do that you couldn't do if you didn't have it?
- ▶ What's your favourite thing about social media?

Ask one person from each group to read out their group's answers and, together as a class, identify the most common answers to each of the questions above.

Teacher's note:



Most social media apps have their **own rules** about minimum user ages. The majority of apps say that users have to be at least 13 years old before they can sign up for their service.

In Australia, if a social media app needs your consent to sign up, you need to get the permission of your parent or guardian if you are under 16.

Emphasise this point to the class and stress that if they are under 16 and using any social media app, they should really tell their parents and they need to be smart about how they use it and understand what they're agreeing to.

MAIN ACTIVITY:

YEARS 3 - 6

STEP 1:

Show the slide of Emily and her friends (Slide 3). Tell the class that Emily is 16 years old and wants to join a social media platform so that she can chat with her friends and share photos and videos. Ask the class to pick one social media platform for Emily to join. In groups, ask the class to write down three pieces of personal information that Emily will have to give to the social media company if she wants to sign up for an account. Ask one person from each group to read out their group's answers and write the answers on the board.

YEARS 7 - 9

YEARS 10 - 12

Ask the class to imagine a scenario where a 16-year old wants to sign up for a social media account. Ask the class to pick one social media platform for this exercise. In groups, ask the class to write down three pieces of personal information that users have to give to social media companies if they want to sign up for an account. Alternatively, simply ask the class to call out examples of personal information that users have to give to social media companies upon sign-up.

STEP 2:

Show the class the registration process flow for a new app called SquadShare¹, a fictitious social media app used for hanging out with friends, playing games, sharing photos and creating videos (Slides 4-7). Talk through with the class all the different pieces of information that a person signing up for SquadShare will have to hand over. Reiterate to the class that this kind of information is known as "personal information" and that personal information is any piece of information or opinion that helps someone to know who you are, such as your name, your date of birth, your email address, your phone number, where you live, photos or videos of you that you've posted, etc.

¹SquadShare is a fictitious app created by the DPC for educational purposes only in the context of this consultation. The materials created for this consultation are not intended to recreate, replicate or represent any existing app/platform/service and/or the specific terms and conditions, interface or otherwise of any app/platform/service.

ACTIVITY 2:

WHAT ARE MY PRIVACY RIGHTS?

LEARNING OBJECTIVE:

To introduce the concept of (1) privacy rights and (2) the types of “terms and conditions” that social media companies apply concerning their use of personal information.

STARTER ACTIVITY:

ALL AGE GROUPS

STEP 1:

Begin the discussion by asking the class what they think a right is. Encourage them to give examples of different kinds of rights (e.g. right to education, right to healthcare, etc.) This can be done in groups or as whole class discussion.

Explain to the class that they also have rights when it comes to their personal information and that there is an organisation in Australia called the Office of the Australian Information Commissioner (OAIC) whose job it is to make sure that companies which collect people’s personal information keep that personal information safe and secure and obey the laws on privacy.

STEP 2:

Explain to the class that they’re going to be looking at privacy rights in the context of social media. Explain that when people sign up for a social media account, they have to agree to follow certain rules before they can use it. Different social media companies might have different rules about what they can do with a user’s personal information, and these rules are usually explained in a document called Privacy Policies and/or Terms and Conditions. Because these documents are often very long and can be difficult to understand, lots of people don’t read them. And because of this, people often don’t understand the rules that they’re agreeing to and what their privacy rights are.

Show the class/hand out copies of Slide 8-9 and explain that these are the Terms and Conditions or the Privacy Policy for SquadShare, the fictitious social media app they saw earlier in the lesson. Tell the class that these are the rules that users

Teacher’s note:

For more information on the role of the OAIC, please see the Quick-Start Guide to privacy for Teachers.

will have to follow if they want to sign up for SquadShare.

In groups, ask the class to discuss what they think about these rules, to highlight any rules or statements that they think are unfair or surprising, and whether they would sign up to SquadShare based on these rules.

Once the discussion has ended, explain to the class that the rules they have just read are actually typical of the types of rules that many real social media companies ask users to agree to. Facilitate a discussion around this using the following questions:

YEARS 3 - 6

- ▶ Did you know about these kind of rules before you signed up for the social media apps that you use?
- ▶ Are there any rules that you don't like/agree with, and why?

YEARS 7 - 9

YEARS 10 - 12

- ▶ Did you know about these kind of rules before you signed up for the social media apps that you use?
- ▶ Are there any rules that you don't like/agree with, and why?
- ▶ Do you think social media companies make it clear that you have to agree to rules like these before you sign up?
- ▶ Would you have signed up for these apps if you had known about these kind of rules beforehand?

Teacher's note:

Individuals have a right to know what their personal information is being used for. This is known as "the right to be informed", or "transparency" information. For more information on the right to be informed, see the Quick-Start Guide to Privacy for Teachers.

MAIN ACTIVITY:

STEP 1:

Talk to the class about how it's clear from these types of terms and conditions that appear in companies privacy policies, that social media companies can get a lot of personal information about you when you use their apps. For example, they can know how many messages you've sent to a particular friend, when you've messaged that friend, what you search for in the app, the kind of videos you watch, what kind of posts you click on the most, the places you've been, details about photos and videos on your phone and they can even tell you what your likes and dislikes are.

Explain to the class that because of privacy laws, they have the right to find out what information any company, including social media companies, has about them if they want to know. Most of the time, you have to write to or email a company to get this kind of information but a lot of social media companies allow users to do this online.

Facilitate a discussion about this using the following questions:

ALL AGE GROUPS

- ▶ What do you think about social media companies having all of this personal information about you?
- ▶ Do you think you would ever want to submit a request to get a copy of all of your personal information? Can you think of an example of when you might want to do this?
- ▶ Do you think your parents should be allowed to ask a social media company what personal information they have about you without checking with you first? In what circumstances?

YEARS 7 - 9

YEARS 10 - 12

- ▶ Why do you think companies collect this personal information?
- ▶ Do you think there are any downsides to sharing this personal information with social media companies?

STEP 2

Ask the class to think about the following scenario: 16-year old Emily signed up for a SquadShare account three months ago and now she keeps seeing posts and videos about Ariana Grande*. Emily never

Teacher's note:

For more information on the right of access, see the Quick-Start Guide to Privacy for Teachers.

Teacher's note:

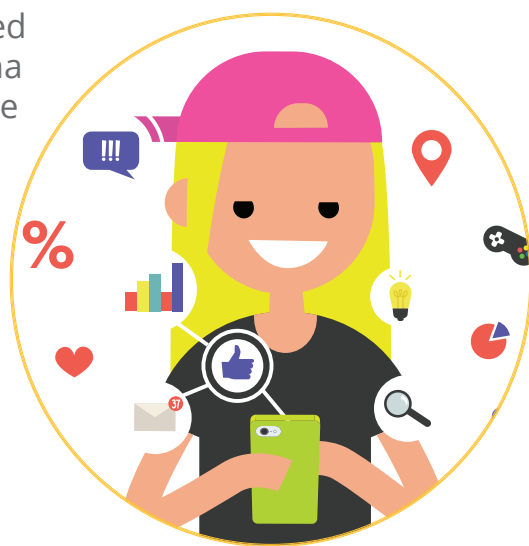
* Please feel free to change this reference to Ariana Grande to whatever celebrity/singer/band/actor/athlete you think your class will be most receptive to.

told SquadShare that she liked Ariana Grande but she did go to see her when she played in Sydney a while back, and she definitely posted about the concert on SquadShare. Emily has recently learned that the reason she's seeing so many posts about Ariana Grande is because SquadShare has worked out that she likes her because of the videos she has viewed online and the things she has posted about Ariana Grande. Emily didn't realise that SquadShare were showing her these posts on purpose.

Ask the class to think about this:

ALL AGE GROUPS

- ▶ Can you think of any types of ads that you see all the time on your social media feed?
- ▶ Why do you think you're seeing them?
- ▶ Do you like seeing these ads? Are they helpful? Are they annoying?



YEARS 7 - 9

YEARS 10 - 12

- ▶ Did you realise that you were seeing these kind of ads because social media companies knew you would be interested in them?
- ▶ Did you know that social media companies make money from showing you these ads because they are being paid by the company who wants to show the ad? What do you think about this?
- ▶ Do you think social media companies should let people your age decide if they agree to their information being used for advertising purposes?

Tell the class that Emily has decided that she doesn't like Ariana Grande anymore and is tired of always seeing posts and videos about her.

Ask the class:

- ▶ Do you think there's a way for Emily to stop seeing posts and ads about Ariana Grande?

Explain to the class that there is a way to do this. If a company holds personal information about you that is incomplete or inaccurate, you have the right to have that information changed so that it's correct. In most cases, you will need to write to the company which holds your personal information to have this incorrect personal information changed. However, some social media companies allow you to change your personal information in the app settings themselves. Facilitate a discussion about this topic using the following questions:

Teacher's note:

For more information on the right to rectification, see the Quick-Start Guide to Privacy for Teachers.

ALL AGE GROUPS

- ▶ Did you know you can generally update your details and information about you in the app settings of social media apps?

YEARS 7 - 9

YEARS 10 - 12

- ▶ Have you ever done this?
- ▶ When and why might you decide you want to do this?

STEP 3

A few months later, Emily decides she doesn't want SquadShare to keep any information about her anymore.

ALL AGE GROUPS

- ▶ Do you think there's anything Emily can do about SquadShare having all of her information?

Explain to the class that Emily can delete her SquadShare account, and make a request to SquadShare that they delete or de-identify her personal information, if it's no longer needed for the purpose it was collected, and/or what is required to be retained, by law.

Emily has a right to make this request under privacy law.

Teacher's note:

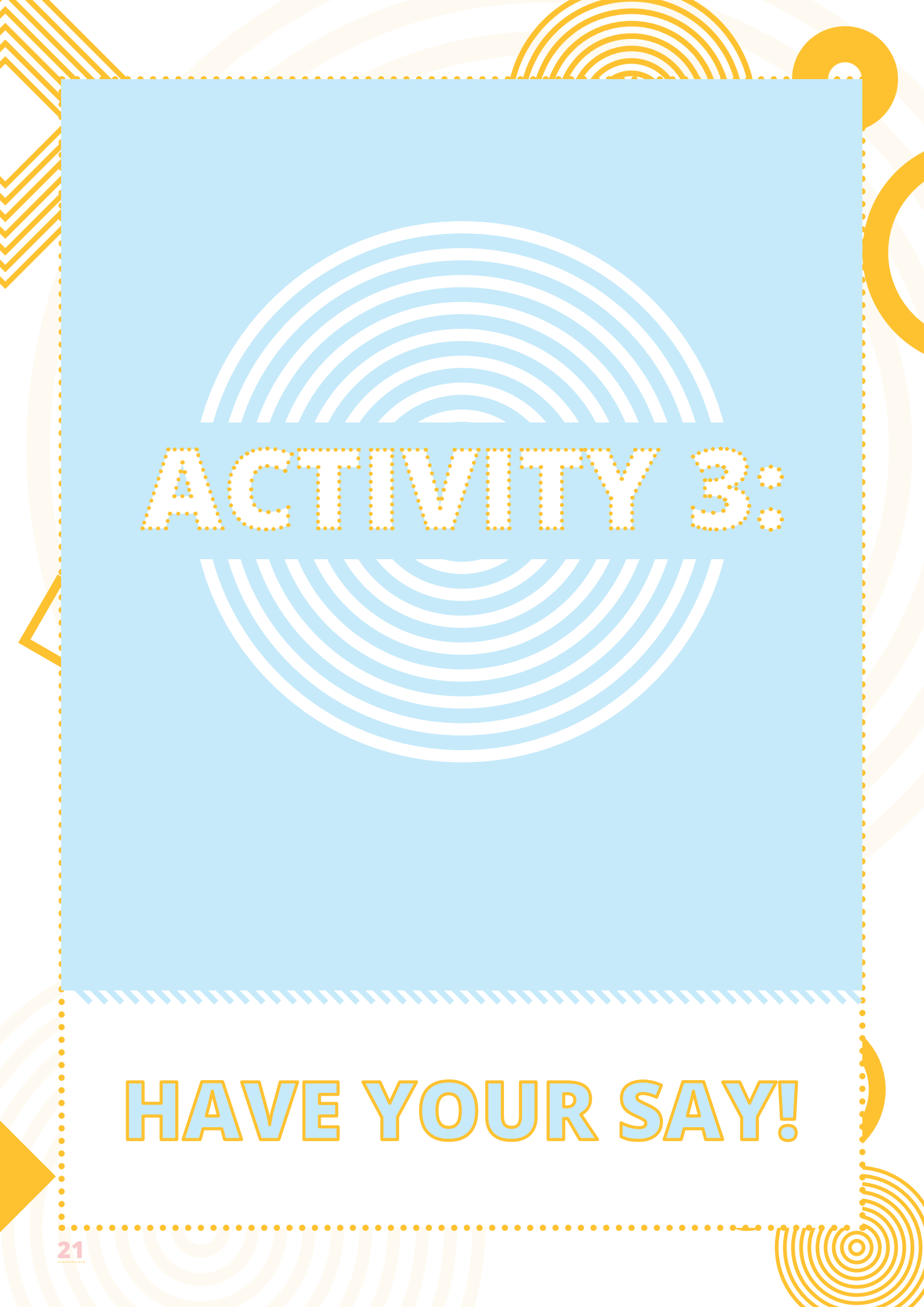
For more information on the right to erasure, see the Quick-Start Guide to Privacy for Teachers.



FINAL QUESTIONS:

Conclude this activity with a discussion on the following questions, which should help to bring together all of the learning points from the lesson.

- ▶ What age do you think you should be before you are allowed to tell a social media company to delete all your personal information?
- ▶ Do you think your parents should be involved when it comes to your privacy rights? How?
- ▶ Would you sign up for SquadShare if you knew that they were going to use your information to show you ads?
- ▶ Do you think it's easy to find out what companies like SquadShare are going to do with your information when you first give it to them?
- ▶ Do you think companies like SquadShare make it clear to you what the rules are before you sign up for a social media account?
- ▶ Do you think you'll ever want companies like SquadShare to delete your personal information?
- ▶ Considering what you've learned today, why do you think social media companies have age restrictions on their platforms?



ACTIVITY 3:

HAVE YOUR SAY!

This activity involves the class producing a group submission or individual submissions to the Office of the Australian Information Commissioner's (OAIC) public consultation on the Children's Online Privacy Code by giving their opinions on the questions set out on each of the six feedback worksheets.

For this activity, you'll need to either print off the set of worksheets contained in your lesson plan pack, display the worksheet on an overhead projector or get the class to open them on their own device.

Ask the class to think about the six different scenarios set out and the accompanying questions on the worksheets and to come up with answers together as a group or have the students fill them out individually on their own devices. Please fill in the answers to the six scenarios and questions. If submitting as a group, there can be more than one response/viewpoint to each question, and these can contradict each other.

Remember, there are no right or wrong answers here - we simply want to hear the views of the children you teach!

You can submit your class's set of worksheets to the OAIC in a couple of different ways. Firstly, the worksheets can be printed off and filled in by hand, and you can either take photos of the completed worksheets or scan them, and then email them back to us at copc@oaic.gov.au.

Secondly, the worksheets can be filled out on our online form on our website here - www.oaic.gov.au/copc.

Alternatively, the worksheets can be filled in electronically (click the "Fill & Sign" tool when you open the file in Adobe Acrobat) and emailed back to us. Please ensure that **no personal information whatsoever**, for example students' names or addresses, **is recorded on these worksheets**.

KNOW YOUR RIGHTS AND HAVE YOUR SAY!

SCENARIO 2

The secret settings - why is this so hard?

Privacy settings are controls that let you choose what information you share online and who can see it. You are playing your favourite game but want to make your gaming profile private, so that only friends can see when you are online and information about you, like your high scores. But when you go to the privacy settings, it's confusing, with lots of tricky words and small buttons hidden in menus. It takes so long to figure out that you just give up.

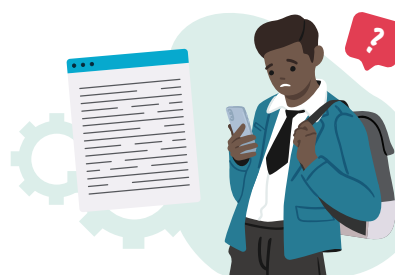
Question

How can organisations make privacy settings easier to find and understand?

Potential ideas

Here are some potential ideas. Can you think of some more?

1. I should get reminders to check my privacy settings regularly.
2. There should be help pages with simple instructions about how to use my privacy settings.
3. It is already easy to find and use privacy settings.



Your ideas



Australian Government

**Office of the Australian
Information Commissioner**



**An Coimisiún um
Chosaint Sonraí**
Data Protection
Commission
www.dataprotection.ie

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