



5 June 2026

Commissioner Elizabeth Tydd
Office of the Australian Information Commissioner
Via email: copc@oaic.gov.au

Dear Commissioner,

RE: Children's Online Privacy Code – WACSSO Submission

On behalf of the Western Australian Council of State School Organisations Inc. (WACSSO), and our members, I wish to thank you for your commitment and work for the safety and wellbeing of children and young people through the development of the Draft Children's Online Privacy Code. WACSSO welcomes the opportunity to provide feedback on the Draft Children's Online Privacy Code.

WACSSO is the peak body representing parents and carers of students attending Western Australian public schools through more than 650 affiliated Parents and Citizens Associations (P&Cs). Our belief is that every student in Western Australia has access to the best education possible, and that every child has the right to thrive. WACSSO's role is to ensure that the voices of parents and carers are heard in decisions affecting children and young people.

WACSSO strongly supports the development of a Children's Online Privacy Code that places the rights, wellbeing and best interests of children at the center of online service design and operation. Parents increasingly report concerns about the collection, use and sharing of children's personal information, the influence of algorithms on young people, the lack of transparency around digital platforms, the

long-term impacts of online profiling, the commercialization of children's data, and the predatory tactics of many online applications, games, and platforms.

Additionally, we are concerned that the onus is increasingly placed upon users of online platforms to ensure safety, instead of the commercial giants being held accountable for the product they market towards children and young people. Parents' concerns move past the requirement of a regulatory framework, their thoughts turn to the very real impact of children's safety and wellbeing placed at risk not only in the immediate, but future, if children's right to privacy is not protected and enforced.

The Online Privacy Code represents an opportunity to build a cultural shift in how Australia views children's privacy rights.

The online environment is now a significant part of children's social, educational and recreational lives. As such, privacy protections for children must be proactive, enforceable, and designed to prevent harm before it occurs.

WACSSO supports the intent of the Code and acknowledges the OAIC's commitment to child-centered approach that recognises:

- Children have different developmental capacities and vulnerabilities from adults.
- Privacy is closely connected to children's safety, wellbeing, mental health and educational outcomes.
- Parents and carers have an essential role in supporting children to navigate online environments.
- Online service providers should bear primary responsibility for ensuring their platforms are safe and privacy protective by design.
- Children's rights to participation, learning and connection must be balanced with strong safeguards against exploitation, profiling and commercial manipulation.

This position aligns with WACSSO policy that all students should be emotionally,

physically and culturally safe, free from abuse, harassment, discrimination and undue risk. It also reflects our commitment to equitable outcomes for all children regardless of background, location, ability or circumstance.

Key Recommendations

1. Privacy by Default Must Be Mandatory

WACSSO supports requirements that all online services likely to be accessed by children adopt the highest privacy settings by default. Children should not be expected to understand complex privacy settings, lengthy terms and conditions, or data-sharing arrangements. Privacy protections should be embedded into platform design from the outset.

Default settings should:

- Minimise the collection of personal information.
- Disable unnecessary tracking and profiling.
- Prevent the public sharing of personal information and location data.
- Restrict behavioural advertising directed at children.
- Limit data retention to what is strictly necessary.

Service providers must demonstrate clear child safe systems and processes within their products.

2. Restriction Of Algorithms

Parents are concerned about the increasing use of algorithms and recommender systems that influence what children see online and shape their online behaviours.

Parents consistently express concerns regarding addictive design features, excessive engagement mechanisms and algorithmic systems that expose children to harmful, inappropriate or emotionally distressing content.

The Code should prohibit or tightly restrict:

- Behavioural profiling of children.
- Personalised advertising based on children's activities.
- The use of personal information to maximise engagement through manipulative design practices.
- Dark patterns that encourage children to disclose more information than necessary.

Children should not be treated as commercial products whose data is used to maximise platform profits.

3. Privacy Information Should Be Easy To Understand

Privacy information provided to children and families should be understandable, accessible and age appropriate.

Parents repeatedly report difficulty understanding how platforms collect, use and share information. Transparency should move beyond legal compliance and become genuinely informative.

The Code should require:

- Child-friendly privacy explanations.
- Parent-friendly privacy summaries.
- Clear explanations of how recommendation systems operate.
- Disclosure of third-party data sharing arrangements.

- Easy-to-understand explanations of how children's information influences the content they are shown.

Meaningful transparency empowers families to make informed decisions.

4. Strengthen Protections For Vulnerable Children

The Code should explicitly recognise that some children face heightened risks online. Online services should be required to consider these vulnerabilities when designing privacy protections and conducting privacy impact assessments. WACSSO policy emphasises that equitable outcomes often require different approaches for different groups and that systems must respond appropriately to varying circumstances. Public education campaigns around children's privacy and data will support all families to become more informed and aware about the risks to children's privacy.

5. Strengthen Accountability And Enforcement

For the Code to be effective, compliance must be measurable and enforceable.

WACSSO supports:

- Regular compliance auditing.
- Mandatory reporting of significant privacy breaches affecting children.
- Independent oversight.
- Meaningful penalties for non-compliance.
- Clear mechanisms for complaints and redress.

Parents need confidence that privacy protections are more than voluntary commitments.

6. Support Digital Literacy And Parent Education

Privacy regulation alone will not be sufficient. Families consistently report challenges keeping pace with rapidly changing technologies, platforms and emerging risks. WACSSO has previously highlighted the need for stronger online safety education, greater awareness of privacy risks, and better support for families navigating the digital environment. Safety education is a key component in empowering parents and carers to make informed decisions when providing parental consent, which is a vital aspect of online safety prior to a child reaching maturity and being able to make their own decisions.

The Australian Government should continue investing in:

- Parent education programs.
- Digital literacy resources.
- Online privacy awareness campaigns.
- School-based education on privacy, data protection and responsible technology use.
- Promotion of resources available through the eSafety Commissioner.

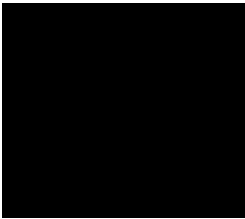
7. Future-Proof the Code For Emerging Technologies

The rapid growth of artificial intelligence, predictive analytics and increasingly sophisticated data collection practices creates new risks for children. The Code should remain flexible enough to respond to emerging technologies and should require ongoing review as technology evolves. WACSSO supports the principle that children using digital technologies, including AI-enabled systems, must have their privacy and data protected.

Families teach our children to be safe when crossing the roads, careful near pools, dams, and the ocean, we dress our children in protective gear when they jump on scooters, bikes, and skateboards, and we express caution when children are online about whom they interact with; and yet as society's online world integrates with everyday life from shopping, to signing up for local sports, to school notifications and ordering a canteen lunch, to sharing holidays and milestone images on our social media pages, children's right to privacy seems to be overlooked.

With the rapid pace of technology development and increasing normalisation of online interactions, it is incredibly important to ensure that children's information is protected.

Yours sincerely,



President
Western Australian Council of State School Organisations Inc. (WACSSO)

Partnering with P&Cs to advance public education