



The Information Commissioner's Office (ICO) – Scotland
45 Melville Street
Edinburgh
EH3 7HL

Our Ref: IRQ/2016/005
Unicef Child Rights Launchpad

15th November 2016

Dear ICO,

I am contacting you for some advice on Unicef's Child Rights Launchpad, and the extent to which you would consider it to be compliant with the Data Protection Act 1998 (DPA).

The Launchpad is a new interactive resource for children in Scotland, aged 3 to 18, that helps them explore and find out about their rights in a fun and interesting way. It has been developed by Unicef UK as part of their partnership with the Glasgow 2014 Commonwealth Games.

In September, I received a request for information, under the Freedom of Information (Scotland) Act 2002, regarding the Launchpad. In summary, the applicant asked whether I had undertaken a review of the Launchpad; and several questions regarding the Launchpad and the extent to which it is compliant with the DPA and Article 8 of the European Convention on Human Rights (ECHR).

The applicant's request was made via the WhatDoTheyKnow website. All correspondence between my office and the applicant is available to view at the following weblink:

https://www.whatdotheyknow.com/request/information_on_the_unicef_launch_2#outgoing-594582

In their request the applicant raised two concerns which I have written to Unicef UK to seek clarification on: 1) whether a child must provide personal data before they can use the Launchpad and 2) if children do provide their personal data to use the resource what the condition for processing the data is under the DPA, and what Unicef UK's position is in terms of children below the age of 12 consenting to providing their personal data. I enclose a copy of my letter to Unicef UK and their response.

In their response to my first question Unicef UK clarified that children and young people


can access the Launchpad by an individual account or a whole class account. If they opt to create an individual account they are asked to provide their name, age (including their date and month of birth) and gender. This information is requested to personalize the resource for each child and is not shared with any third party. Unicef UK stated that they are currently reviewing how the Launchpad could be used without any personal information being submitted.

In their response to my second question Unicef UK stated, that the processing of personal data to personalise the Launchpad experience and tailor the resource to the age of the child, is in the legitimate interests of Unicef UK as the data controller, and that the processing is not prejudicial to the rights, freedoms or legitimate interests of the child. Unicef UK have referred to guidance from the ICO, which lists the circumstances where it would be considered good practice to secure parental consent. They confirm that as the Launchpad does not collect, use or share personal information for any of the listed purposes, parental consent is not required.

As the sole regulatory body in Scotland for data protection, I am keen to seek your advice on the concerns raised by the applicant in terms of the way the Launchpad is operating. It would also be helpful to receive your views and suggestions on improvements that Unicef UK could make, where required, to ensure good practice in the way the Launchpad operates.

I look forward to receiving your advice on the points raised. If you require any further information on the Launchpad, please do not hesitate to contact me.

Yours sincerely,



Children and Young People's Commissioner Scotland