

Global Data Privacy and Security Team

Collecting Information From Children: Privacy At A Glance

There are relatively few restrictions on collecting information from children off-line. Efforts to collect information from children over the internet, however, are regulated by the Children's Online Privacy Protection Act ("COPPA"). Among other things, COPPA requires that a website obtain parental consent prior to collecting information, post a specific form of privacy policy that complies with the statute, safeguard the information that they receive from children, and give parents certain rights, like the ability to review and delete the information. COPPA also prohibits companies from requiring that children provide personal information in order to participate in activities, such as on-line games or sweepstakes.



Most common complaints about children's websites:*

48.45%	The website did not obtain proper parental consent
43.72%	The website collected more personal information than was necessary
41.35%	Parents were not given an opportunity to stop information from being disclosed to third parties
24.77%	The website did not have a clear privacy policy
17.67%	The website misrepresented how information was used

What to think about when reviewing your website

✓	Has the FTC received complaints about your website? If so, how many and what issues were raised in the complaints?
✓	Does your website ask children to provide information?
✓	If not, does your website automatically collect information about a child's computer or session?
✓	Would your website appeal to children?
✓	Does your website ask for parents' permission to collect information about children?
✓	Does your website verify that the parent is the parent?
✓	Has the verification mechanism been approved by the FTC?
✓	Does your website's privacy policy comply with COPPA?
✓	Does your website collected unneeded information?
✓	Can you limit liability by joining an FTC approved self-regulatory organization (sometimes called a "safe harbor" program)?
✓	What are the practical differences among the safe harbor programs?

* Based upon analysis of consumer complaints received by the FTC between January 2008 and August 2013.

† Consent Decree and Order for Civil Penalties, United States v. Playdom, Inc., Case No. CV11-00724 (C.D. Cal. May 24, 2011).

Bryan Cave's Global Data Privacy and Security Team helps companies safely use, protect, and share information.

For more Information
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