

Principle	Summary	Orchard Response
<b>Best interest of the child</b>	the best interests of the child should be a primary consideration when you design and develop online services likely to be accessed by a child.	Both SPaG.com and Maths.co.uk have been designed to support improved educational outcomes for children, in support of the UNCRC (especially Article 29) without compromising the key rights of the child highlighted within this code – especially with regard to privacy.
<b>DPIAs</b>	Undertake a DPIA specifically to assess and mitigate risks to children who are likely to access your service, taking into account differing ages, capacities and development needs. Ensure that your DPIA builds in compliance with this code.	A DPIA has been part drafted on behalf of the school (who should complete as the Controller), and this response to the Age Appropriate Design Code incorporated.
<b>Age-appropriate application</b>	Consider the age range of your audience and the needs of children of different ages. Apply the standards in this code to all users, <u>unless</u> you have robust age-verification mechanisms to distinguish adults from children.	Orchard's sites, Maths.co.uk and SpaG.com, are specifically aimed at children in the educational key stages 1 and 2. The sites are designed with that in mind.
<b>Transparency</b>	The privacy information you provide to users, and other published terms, policies and community standards, must be concise, prominent and in clear language suited to the age of the child. Provide additional specific 'bite-sized' explanations about how you use personal data at the point that use is activated.	Clear privacy information has been published on Maths.co.uk and SPaG.com which details the processing within each platform. Wherever possible clear language is used and where appropriate pupils are directed to contact the school for school-related questions.
<b>Detrimental use of data</b>	Do not use children's personal data in ways that have been shown to be detrimental to their wellbeing, or that go against industry codes of practice, other regulatory provisions or Government advice.	Orchard uses children's personal data purely to deliver the service on behalf of the school (the controller) to assist the school in improving their educational outcomes.

<b>Policies and community standards</b>	Uphold your own published terms, policies and community standards (including but not limited to privacy policies, age restriction, behaviour rules and content policies).	All policy documents, including privacy notices and DPIAs are reviewed at least annually and all staff are aware of their obligations to uphold the declared standards.
<b>Default settings</b>	Settings must be 'high privacy' by default (unless you can demonstrate a compelling reason for a different default setting, taking account of the best interests of the child).	No settings are available to lower privacy settings – Orchard Digital only processes children's personal data for the purpose of delivering the service under instruction from the school
<b>Data minimisation</b>	Collect and retain only the minimum amount of personal data you need to provide the elements of your service in which a child is actively and knowingly engaged. Give children separate choices over which elements they wish to activate.	Only children's personal data required to deliver the service and required outcomes is collected.
<b>Data sharing</b>	Do not disclose children's data unless you can demonstrate a compelling reason to do so, taking account of the best interests of the child.	Children's data are not disclosed to third parties other than the hosting provider for the SPaG.com and Maths.co.uk platforms, and whose services as a sub-processor are governed by an appropriate Data Processing Agreement to comply with UK GDPR.
<b>Geolocation</b>	Switch geolocation options off by default (unless you can demonstrate a compelling reason for geolocation, taking account of the best interests of the child), and provide an obvious sign for children when location tracking is active. Options which make a child's location visible to others must default back to off at the end of each session.	Geolocation is not used

<b>Parental controls</b>	If you provide parental controls, give the child age appropriate information about this. If your online service allows a parent or carer to monitor their child's online activity or track their location, provide an obvious sign to the child when they are being monitored.	Parental controls are not required, Orchard's sites are specifically aimed at school settings. Teachers have the ability to monitor progress on assigned tasks and associated test scores, as would be expected by pupils and parents.
<b>Profiling</b>	Switch options which use profiling off by default (unless you can demonstrate a compelling reason for profiling, taking account of the best interests of the child). Only allow profiling if you have appropriate measures in place to protect the child from any harmful effects (in particular, being fed content that is detrimental to their health or wellbeing).	No children's personal data is used for ad-tech profiling.
<b>Nudge techniques</b>	Do not use nudge techniques to lead or encourage children to provide unnecessary personal data, weaken or turn off their privacy protections, or extend their use.	No nudge techniques are used in this way
<b>Connected toys and devices</b>	If you provide a connected toy or device ensure you include effective tools to enable compliance with this code.	Not applicable
<b>Online tools</b>	Provide prominent and accessible tools to help children exercise their data protection rights and report concerns.	As a processor acting under instruction from the school as the controller all rights requests should be addressed to the school and Orchard Digital will assist the school in responding should the school request it.