

What is the Online Safety Code for Dating Services?

In this article, we take a look at the introduction of the Online Safety Code for Dating Services by the Australian Government, which came into effect on 1 October 2024.

The Online Dating and Discovery Association (ODDA) is the global voice for the sector with a mission to promote safe, responsible and enjoyable dating and social experiences for everyone.

In this article, we take a look at the introduction of the Online Safety Code for Dating Services by the Australian Government, which came into effect on 1 October 2024. The Code is one of a number of measures announced recently in Australia to improve online safety and follows plans to ban children under the age of 16 from accessing social media sites.

What is the Code?

The Online Safety Code for Dating Services is a voluntary code of practice that establishes safeguards to reduce the risk of online harm to users of dating services operating in Australia. It was developed by an Industry Working Group which included representatives from ODDA members The Match Group and The Meet Group.

What is the status of the Code?

The Code is voluntary, meaning that the Australian Government have no statutory powers to enforce compliance. However, signatories have agreed to comply with the obligations set out in the Code, which include annual reporting to regulators and standards of accessibility and safety across platforms. While the Code comes into effect on 1 October, there will be a six-month transition period to allow sufficient time for signatories to implement any changes to their systems, processes and policies to ensure compliance.

What's included in the Code?

It's a comprehensive document stretching to 26 pages and includes a range of obligations that dating services are required to comply with.

At the heart of the new Code is a self-assessment compliance rating, which all signatories are required to complete annually. Ratings are determined by demonstrating how the service meets a set of standards which are then verified by a new oversight body.

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There are also obligations on dating services to implement appropriate systems, processes and policies in areas such as detection, moderation and investigation as well as how they act against non-compliant users.

As you would expect, there's a lot of emphasis on trust and safety, including a requirement to appoint a dedicated senior management lead and supporting team.

There's also reference to the importance of information sharing between dating services and law enforcement, which is encouraging to see as this can often be a barrier. For example, the Code requires the identification of a 'clearly identifiable' point of contact with Australian law enforcement agencies and the establishment of a Memorandum of Understanding (MoU) between signatories to facilitate better information sharing.

MoUs feature elsewhere in the document – section 7.4 places an emphasis on industry collaboration and stakeholder engagement as a way of getting partners to work together more closely to encourage better transparency. There's also reference to supporting smaller players in the market develop their own online safety systems.

Finally, the Code sets out the requirement for annual reporting to the eSafety Commissioner. In another welcome addition, these reports will be made publicly available, which will contribute positively to consumer confidence in the industry.

How will compliance with the Code be overseen?

As mentioned above, the Code includes the provision for a new oversight body to be established whose role will be to oversee compliance. It will also be responsible for setting standards, engaging with law enforcement and regulatory bodies as well as onboarding new signatories.

The body will be comprised of industry representatives and meet quarterly. It will also include a Code Compliance Committee. Further information about the body can be found in Appendix A to the Code.

Final thoughts...

The Code is an important step in ensuring consistent standards across the online dating industry in Australia. Developed in consultation with industry and other key stakeholders, it will provide greater transparency and reinforce existing efforts by dating services to keep users safe from online enabled harm. It also encourages services to work together proactively and acts as an enabler for collaboration and information sharing. This positive tone is crucial for bringing everyone together.

What is the Online Safety Code for Dating Services ?

Where can I find out more?

The Australian Government have created a dedicated website on the Code, which you can find below. The website has some excellent resources and FAQs as well as a downloadable version of the full text of the Code.

<https://www.australianonlinedatingcode.com.au/>

What if I'm not a signatory to the Code but would like to sign up?

The Code Oversight Body will be responsible for establishing and managing a process to include new organisations in the Code Register as industry participants. Keep a lookout on the website above for further details about how to apply.