IN LINE

Online Dating
Association

Dating on
the Move

**Opportunities and challenges for
the online dating industry**

September 2015

About

The Online Dating Association (ODA) was set up in 2013 by a number of UK industry players who saw the need for the sector to take responsibility for setting and maintaining standards. Leading companies and a number of niche providers have since become members.

The ODA's Code of Practice was published in December 2013. It is short, simple and outcomes-based and supplements the current legal framework for the sector, covering key areas such as: data protection and privacy, marketing, and e-commerce regulations. It is binding on all members and also contains compliance arrangements and sanctions that members must adhere to. Alongside the Code, the ODA has also produced consumer guidance on how to enjoy dating services safely.

The ODA's work is crucial in an industry that is not regulated by a single body. By self-regulating, ODA members pre-empt and prevent harm, as well as the need for intervention wherever possible. The ODA is the first example of the online dating industry coming together to set and maintain standards anywhere in the world.

Inline Policy is a pioneering political consultancy that helps innovative organisations with regulatory issues in the UK and across Europe. Inline's mission is to support and guide new, upcoming industries, and to change minds and policies through better understanding, better communication and better education.

One of the areas in which Inline specialises is the political and regulatory environment that the online dating industry operates within. In light of its sector expertise, Inline partnered with the ODA to produce this report.

Contents

1. Executive Summary

- The purpose of this report is to explain how the online dating industry is evolving and how consumers are benefitting from the shift to mobile dating; to explore the benefits and challenges that have arisen for the sector as a result of this shift; and to outline what the ODA is currently doing to address these challenges, and what it intends to do in the future.

- Online dating is becoming more popular, especially via mobile devices. The industry continues to innovate and has found new ways of delivering its services to consumers, thus enriching their dating experience.

- Online and mobile dating services are becoming more diverse. One of the consequences of this is that the distinction between social networking and dating is becoming increasingly blurred.

- Mobile dating brings both opportunities and challenges. On the one hand, opportunities include the ease of accessing services and engaging with other users at any time and place; the ability to share audio-visual content safely and securely; and the ability, in certain cases, to validate users' identities and profiles. On the other hand, there are concerns over issues such as fraud and scams and the threat to users' physical safety, which may increase as a result of the shift to mobile dating.

- Both traditional desktop and mobile dating services share a set of core consumer concerns or preferences: the need for clarity on what type of service is on offer and its cost; the delivery of an efficient and accessible service; the protection of personal data; and robust measures to prevent fraud and scams.

- To retain consumer trust and ensure the continued growth of mobile dating, it is imperative for companies individually and for the sector as a whole to work together to address a range of new challenges that have arisen as a result of the shift to mobile.

- The online dating industry now operates in a more complex environment, as different market actors have an impact on how its services are delivered. This means that certain challenges cannot be addressed in isolation.

- The ODA (Online Dating Association) was created to set and maintain standards to ensure that the public is protected from potential threats. This will remain the ODA's core role going forward.

- The ODA's value in a rapidly changing environment will be based on its ability to engage with the wide array of different business models and businesses that now operate in the sector. The ODA should embrace new dating apps and social networking providers (with a dating element), in order to set broad standards that apply across a range of providers.

- Broad membership should not be based on any lowering of standards or expectations on ODA members. The ODA logo should continue to represent a kite mark, which the public can trust.

- **In light of this changing environment, the ODA will:**

  1. Review and apply broadly-applicable criteria for deciding whether to include new business models within its membership.

  2. Remain engaged with initiatives around age verification and access to services as part of its public protection activities.

  3. Explore how mobile applications and device technologies can give users greater confidence over the identity of the people they are engaging with online, whilst protecting their privacy.

  4. Review the ways in which its members can deliver advice and guidance to new users given the different user demographics and the complexity of providing useful guidance in a small-screen environment.

  5. Review the ODA's Code of Practice and assess whether it is necessary to amend it to address new issues thrown up by mobile dating and social networking apps, new service offerings and new ways in which services can be accessed.

2. Introduction

The online dating industry is in transition as a result of the growing use of mobile dating apps. This trend presents both challenges and opportunities for the sector.

The purpose of this report is to:

- Outline how the industry is evolving and how consumers are benefitting from the shift to mobile dating.

- Explore what challenges have arisen for the sector in light of the shift towards dating services being delivered across a range of mobile devices.

- Outline what the ODA is already doing to address these challenges.

- Set out what more the ODA intends to do to address these challenges.

To inform this report, the ODA, in partnership with Inline Policy, conducted a survey of ODA members and a series of one-to-one interviews. We also consulted a range of secondary sources and external stakeholders.

"Education for the public, for the media and across institutions is central to our industry's growth. The continuing need for understanding – via studies such as this; innovation and leadership across key areas such as trust and safety plus mobile and user experience go hand in hand – they live side by side with our customer placed firmly at the centre and are the building blocks of our industry's future."

ROMAIN BERTRAND,
UK COUNTRY MANAGER
AT EHARMONY

eHarmony.co.uk

Industry in Transition & the Rise of Mobile

Online dating has now become part of everyday life for millions of people around the world. A recent study into the UK's online dating market has shown that 27% of new relationships now start via a meeting facilitated by a dating website, or a mobile dating app.[1] The value of the UK's online dating market was £165 million in 2013 and is predicted to grow by 36.4%, up to £225 million, by 2019.[2]

According to Ofcom, 93% of UK adults in Q1 2015 possessed a mobile phone. Of this group, 71% were smartphone owners. This has increased by 27% since 2012. Younger age groups are the most likely to have a smartphone with 90% of 16-24 year olds and 87% of 25-34 year olds now having one. The increase in the adoption of smartphones is mirrored in the rise in popularity of tablet devices, which similarly act as a way for users to access dating services. Over half (54%) of UK households had a tablet in early 2015, increasing from 44% in Q1 2014, according to Ofcom statistics.[3]

Smartphones have become the most widely owned internet-enabled device, alongside laptops. In Q1 2015 both smartphones and laptops could be found in more than two-thirds of UK households. The average amount of time spent online per user on smartphones exceeds that spent browsing on desktops and laptops. Almost three-quarters (72%) of the time spent using a smartphone is to undertake communications activities including text messages, email, social networking, instant messaging and making calls (voice or video).[4]

As a result of this uptake in mobile devices, new dating apps have been created. More established and traditional online dating providers have also made their own apps available, or have created new mobile versions of their websites. The growth in mobile dating can also be attributed to the growth of free location-based mobile apps such as Tinder, Grindr, or Happn,[5] whose popularity has risen exponentially in recent years. Tinder, for example, has reportedly been downloaded more than 40 million times globally, and its users collectively swipe profiles over 1 billion times per day.[6]

1. Mintel Group, 'Online Dating - UK - January 2014', London: Mintel Group Ltd, 2015. Print
2. Ibid
3. Stakeholders.ofcom.org.uk, 'The Communications Market Report: United Kingdom'. N.p., 2015. Web. 6 Aug. 2015.
4. Stakeholders.ofcom.org.uk, 'The Communications Market Report: United Kingdom'. N.p., 2015. Web. 6 Aug. 2015
5. Tinder, Grindr, and Happn are location-based mobile dating apps that enable users to view and communicate with other users based on certain characteristics.
6. TheStreet, 'Why IAC Is 'Perfectly Happy' Ignoring Tinder's 'Faux' Billion-Dollar Value'. N.p., 2015. Web. 29 May 2015.

Since 2014, apps such as Tinder and Grindr have begun offering users a premium service which incurs a subscription fee. It remains to be seen whether this shift towards monetisation of once completely free apps will positively, or adversely, affect growth in the sector. It may also increase the expectations that users have of such services. With a younger demographic, a mobile environment in which "pay as you go" is widely understood and where single purchase paymens for apps are also established, it is unclear whether dating services using monthly or longer-term subscription models will need to develop alternative or hybrid arrangements.

Our survey of ODA members demonstrates that:

- The majority of members' services are now accessible via mobile apps and websites.

- A quarter of members' users still access services solely through a desktop computer which suggests that some consumers still only feel comfortable accessing services in more traditional ways.

- However, half of members' users only access services via mobile smartphone apps or other mobile devices.

- 60% of members expect the number of users who access their services through their mobile app, or mobile website, to increase in 2015, when compared to 2014.

- A quarter of members expect the number of users who access their services through their mobile app, or mobile website, to stay the same when compared to 2014.

Via our survey and in interviews, a majority of members said that their users find new mobile services attractive because they are often more accessible, convenient to use and have an easy sign-up process. Other advantages are that mobile services are often free and targeted to a different user base (especially to a younger audience) when compared to more traditional online dating services.

This data is only a snapshot of the industry, but we are confident that the findings are broadly representative and reflect the views of the ODA membership, which is made up of the leading online dating providers in the UK.

Blurring Boundaries

The industry and its supplier community is growing, as is the user base which now encompasses a broader range of demographic groups. The rapid uptake of mobile devices enables customers to access services on the go and there is an increasing blurring of the lines between online dating and social networking services. Users are increasingly moving away from accessing online services solely via their desktop, towards accessing services across a range of devices.

Our survey also showed that ODA members broadly believe that online dating and social networking are distinct activities. However, their opinions on how this will evolve in the future differ. Around half of respondents believe that these two activities will become more indistinguishable, whereas a quarter think that they will become increasingly distinct. The remaining quarter either believe that they will remain as they currently are, or do not know.

The sector operates within a complex ecosystem of actors, whether it be internet service providers, app stores or mobile operators, who all act as gatekeepers to online dating services. As a result of this, the sector faces a number of unique political and regulatory challenges. With these challenges also come opportunities for services to be delivered in a much more accessible, flexible and safer way. This is undoubtedly a time of great innovation within the sector.

"Broadening the ODA community to involve dating app providers matters. The ODA Code and member commitments to standards are key to user protection. It took some time for the main players to make a reality of working together to protect our users and our markets and build wider understanding of just how much online dating is part of how people live and find love. I hope this understanding and sense of shared purpose can extend into the mobile app market quickly."

DUNCAN CUNNINGHAM,
ODA CHAIRMAN & DIRECTOR
AT THE DATING LAB

TheDatingLab

3. Mobile Dating – Benefits and Challenges

There are numerous benefits of online and mobile dating services for consumers, such as:

- **Accessibility** - the ability to engage with other users at any time and place in an accessible way.

- **An enhanced user experience** - the ability for users to share audio-visual content and find out more about each other's mutual interests safely and securely offers a much more comprehensive and engaging user experience.

- **Validation** - the ability to validate users' identities/profiles. For example, ODA Member, Would Like To Meet, verifies the identity of every new user by requiring the user to record a private 10 second video, which they then compare their picture(s) to. Such processes make it harder for scammers to create fake profiles and for anyone below the age limit to gain access to inappropriate content.
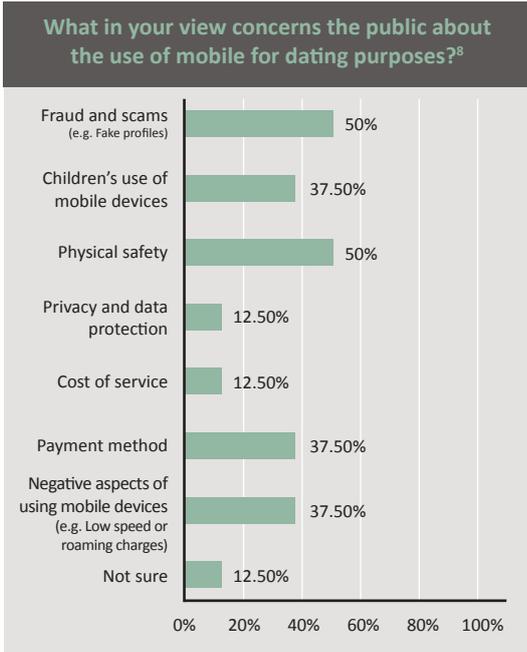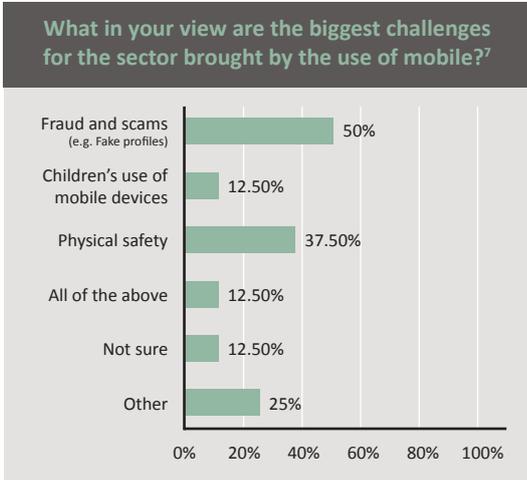
"The phenomenal rise in mobile app usage across the dating industry is first and foremost great for the end user; we live in an age of instant connectivity and dating should not fall outside of this. With the right technology and user experience we can provide our users with a much richer digital experience. With this comes obvious challenges; tackling misperceptions, ensuring our users safety, standing out in a crowded market, paid vs free, balancing new gamification elements with traditional online dating behaviours, etc. The ODA has an opportunity to become the leading voice championing and guiding the online dating community as a whole through the major issues we face now and moving forward."

JASON LEONARD,
HEAD OF ECOMMERCE
AT GUARDIAN SOULMATES

Whilst there are numerous benefits for consumers, and companies are now able to offer their services in different and unique ways, a number of challenges have arisen as a result of the shift to mobile.

Members identified a number of challenges in our survey and in a series of one-on-one interviews. The two core challenges cited were how to protect users from fraudulent activity and scams and how to protect the physical safety of users. Whilst issues relating to fraud have existed within the online dating sector for a number of years, the challenge has been accentuated by the advance of mobile technology and the use of new mobile dating apps.

What in your view are the biggest challenges for the sector brought by the use of mobile?[7]

Challenge	%
Fraud and scams (e.g. Fake profiles)	50%
Children's use of mobile devices	12.50%
Physical safety	37.50%
All of the above	12.50%
Not sure	12.50%
Other	25%

What in your view concerns the public about the use of mobile for dating purposes?[8]

Concern	%
Fraud and scams (e.g. Fake profiles)	50%
Children's use of mobile devices	37.50%
Physical safety	50%
Privacy and data protection	12.50%
Cost of service	12.50%
Payment method	37.50%
Negative aspects of using mobile devices (e.g. Low speed or roaming charges)	37.50%
Not sure	12.50%

7. Respondents to the survey could select more than one option.
8. Ibid.

These consumer concerns are also evident in other industry reports. Recent research from YouGov[9] has, for example, shown that there are concerns about costs and profile security:

- 58% said that data security (i.e. that their information would not be shared with third parties) would be an important factor to consider before dating online.

- 52% said that it is important for them to have privacy in relation to who can view their profile.

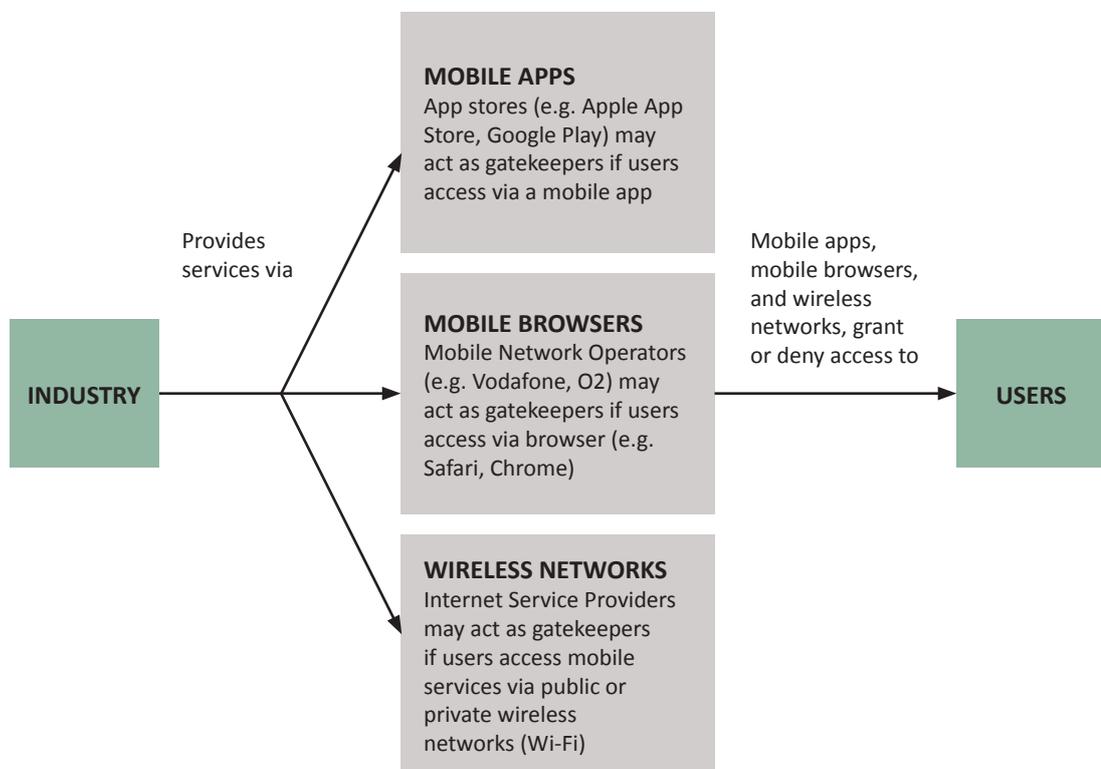- 38% said that they would want background checks of users to be conducted.

Concerns about data security have grown in recent weeks as a result of the recent Ashley Madison incident, in which the website's database of members, as well as a huge amount of corporate data, were allegedly hacked.

Evidence of these issues can also be seen in national statistical data. The National Fraud Investigation Bureau (NFIB), through Action Fraud receives around 20,000 reported frauds each month. Between 200 and 250 of these relate to some form of online dating fraud through social networking platforms or dating sites. On this basis, dating scams account for between one and two per cent of reports received.[10] Whilst this is statistically small, it does illustrate that there are issues which need to be tackled collectively by the industry. The ODA has already taken a number of actions to address these issues. An overview of these activities can be seen in section four.

The Mobile Ecosystem

When exploring the challenges brought by the shift to mobile dating, it is necessary to understand the complex environment in which the sector operates. As shown in the graphic below, different market actors have an impact on how online dating services are delivered to consumers.[11]

INDUSTRY

Provides services via

MOBILE APPS
App stores (e.g. Apple App Store, Google Play) may act as gatekeepers if users access via a mobile app

MOBILE BROWSERS
Mobile Network Operators (e.g. Vodafone, O2) may act as gatekeepers if users access via browser (e.g. Safari, Chrome)

WIRELESS NETWORKS
Internet Service Providers may act as gatekeepers if users access mobile services via public or private wireless networks (Wi-Fi)

Mobile apps, mobile browsers, and wireless networks, grant or deny access to

USERS

9. Ben Tobin 'Yougov | Online Dating Services'. YouGov: What the world thinks. N.p., 2014. Web. 29 May 2015.
10. NFIB & ODA workshop, April 2015.
11. Graphic designed by Inline Policy.

This graphic helps to demonstrate that there are several external challenges that cannot be tackled by the online dating industry alone, as they arise as a result of the activity of a complex and diverse ecosystem of different actors. Three of the most critical challenges are as follows:

1) **The exposure of users' geographical location:** enabling users to share their geographical location with other users may add new scope and opportunity for positive dating experiences and for richer services, but it could also pose a threat to a user's physical safety. This issue is not in the least unique to the dating and social networking communities, but is an important issue to address.

2) **Children's access to mobile devices, content filters and age verification:** Mobile Network Operators, app stores, and Internet Service Providers are able, to a degree, to block certain content that users (usually parents) may consider as "not suitable" for those under 18 years old. They may also get involved in the age verification process, which determines whether users are able to access certain services.

3) **Privacy and data protection:** Privacy watchdogs around the world are becoming increasingly interested in the information that is collected by apps targeted at children. The challenge for the industry is to find new ways to restrict children's access to certain mobile apps, whilst collecting the minimum amount of personal information required. Another challenge the industry faces is how to prevent data breaches, as companies have a responsibility to protect any sensitive personal information of their users.

In light of the above, it is evident that the sector must continue to work with other stakeholders to ensure that online dating services are enjoyed safely and securely by consumers.

4. Industry Rising to the Challenge

Since its creation, the ODA has constantly sought to improve consumer perceptions of online dating and it actively educates users about how to date safely. On the ODA's website, there is a specific area which provides advice to consumers on how to date safely.[12] This proactive approach is reflected by actions from organisations such as Get Safe Online,[13] which has recommended that users check whether their online dating provider is a member of the ODA. The Metropolitan Police has also highlighted the important role of the ODA in its 'Little Book of Big Scams.'[14] The table below outlines what other activities the ODA has undertaken.

Member guidance and information sharing	Stakeholder engagement
• A cross membership alerts system is being created to enable members to be made aware of individuals who may pose a serious risk. • Guidance has been issued to members on how their users can report potential fraudsters. • Guidance has been provided to members on how their users can set or manage access filters to allow some, or full access, to dating or social networking whilst preventing exposure to 'extreme' content. • New infographic material has been designed to get simple Date Safe messages across to users. • The ODA hosted an industry "scammer summit" to identify evolving risks and how to address them and has set up an industry discussion group specifically on this topic. • Guidance has been issued to members on data protection law and data security.	• An open room session with industry members and the National Fraud Investigation Bureau (NFIB) was held to discuss what more can be done to reduce fraud and online scams. • The ODA has met with the National Crime Agency (NCA) to help it develop deterrent messages to individuals who may carry out physical or sexual attacks, and provided preventative advice to reduce the risk of this happening. The ODA is also providing its members with advice on how to report such incidents. • The ODA has supported the steps being taken by the Digital Policy Alliance (DPA) to develop robust age verification checks for people visiting websites with content that is inappropriate for children. Although ODA members' sites do not contain explicit or harmful content, the ODA supports age verification tools and filters, as they allow its members to apply age restriction rules as they see fit. • The ODA engages proactively with Internet Service Providers and Mobile Network Operators regarding access control (filter) tools. • The ODA engages proactively with social networking sites such as Facebook to provide their users information on how to date safely.

12. ODA, 'Guidance for Consumers,' Onlinedatingassociation.org.uk. N.p., 2015. Web. 29 May 2015.
13. Getsafeonline.org, 'Online Dating | Get Safe Online'. N.p., 2015. Web. 29 May 2015.
14. Metropolitan Police. 'Fraud Alert - Metropolitan Police Service'. Page 43. Content.met.police.uk. N.p., 2015. Web. 29 May 2015.

In spite of this proactive engagement the ODA and Inline Policy have identified several areas in which more could be done. Adapting to the rapidly evolving nature of the sector in this way will help to ensure that the ODA remains relevant and is able to continue to speak authoritatively on behalf of the industry. With this is mind, there are range of commitments that the ODA will undertake. There are also a range of issues where further consideration is required.

1) Widening of membership base

The distinction between social activities, such as social networking or social discovery, and dating, is becoming increasingly blurred. Some new mobile dating apps already include the potential for users to interact socially based on mutual interests, whilst also giving them the possibility to date. An example of this is Badoo, which describes itself as a "dating-focused social networking service." Half of the respondents to our survey said that the ODA should only welcome new members that exclusively provide dating

services; 38% were in favour of including both dating-only services as well as social networking services (with a dating element); and 13% said that only those that provide social networking services (with a dating element) should be eligible to join.

The ODA has members that operate on a free basis and, generally, via an advertising-funded model. Other services are free at time of launch, but they introduce payments when they feel that they have critical mass and a good value-proposition, such as Tinder. Free services are not subject to the ODA Code's rules relating to payments and cancellations. However, the ODA believes that they should still be expected to operate to the same standard as other paid services, i.e. provide advice and guidance to users, do not create or allow the creation of fake profiles, ensure data security and comply with data protection regulations.

A broader membership would enable the ODA to communicate that it speaks with authority on behalf of the core of the market. In addition, it will ensure that the standards that the ODA enforces are being followed by more dating providers, which will drive up industry standards and improve user welfare. But broad membership, and the embracing of mobile-based services in particular, cannot be at the expense of an abandonment of standards that are seen as critical to public trust. The ODA's membership criteria must have regard to both objectives and ODA membership must continue to be a meaningful assurance to users that they are using a service where standards are valued and applied. Free services might involve reduced customer service and a lower level of monitoring, but the public should still be confident that age rules apply, that services do not try to mislead or deceive users, and that safety advice, guidance and support is available.

Based on our analysis and member feedback, it is very likely that new business models will continue to flourish. As a result the ODA will develop some broadly-applicable criteria for deciding whether to include these models and such companies within its membership. As a first step to broadening its community, the ODA has set up arrangements allowing companies who do not offer dating services but who do have a direct and significant commercial interest in the sector to become "ODA Associates," involving them in membership events, briefings and consultations.

2) Age verification

The ODA Code currently states that ODA members *"must not market their services to target children and must take all reasonable steps to ensure that children do not use their services."* ODA members have active systems in place to ensure that their respective users are not underage. However, with a whole plethora of new providers entering the marketplace and with users able to access services across a range of different devices, there remains much to do to ensure that the sector and other providers such as social networking platforms have robust measures in place. These platforms, in particular, may have different age thresholds for users, which presents a challenge.

The ODA will remain engaged with initiatives around age verification, not because it talks for adult services – which it does not – but because it rightly sees age requirements as part of a suite of public protection activities. The ODA will also consult with other actors, such as social networking sites and Mobile Network Operators, to understand where there is a case for age verification or consent arrangements and how these can be delivered in ways that protect those who need this and allow consumers to enjoy dating services without barriers and delay.

"With the UK online dating market growing by 70% in the last five years it's become increasingly important to offer an entertaining user experience as well as a safe and trusted platform for our members. We all take a different view point on what these two goals look like, but ultimately a happy and safe online dater is the best marketing any of us can have, outstripping paid for advertising or any social media campaign. The ODA and its members understand the challenges and obstacles of online dating, but as a combined force we have found the best way to overcome them. Long may we all continue to do so."

EDEN BLACKMAN,
FOUNDER AT
WOULD LIKE TO MEET

3) Physical safety

Physical safety, which in this context means a threat to a user's wellbeing when using mobile dating services, is not explicitly mentioned in the ODA Code, but members *"must have easily accessible safety information for users explaining the potential risks with online dating and providing appropriate advice and guidance."* All member sites carry advice and guidance, particularly in relation to scam prevention and safety when communicating and meeting with strangers.

Mobile devices enable users to share their geographical location with other users, which could expose them to situations in which their safety is compromised. As the previous section of this report has shown, app stores do not require users to confirm that they understand that their location may be shared with other users. One-on-one interviews with ODA members have also shown that some members require users to confirm that they understand that their location needs to be enabled in order to use the app, which is a positive step towards raising awareness about the potential implications of location services.

The ODA will look at how mobile applications and device technologies, most obviously in-device cameras and video capabilities, can give users greater confidence over the identity of the people they are engaging with online whilst protecting their privacy. The ODA will also review the ways in which its members can deliver advice and guidance to new users given the different user demographics and the complexity of providing useful guidance in a small-screen environment.

4) Amendment of ODA Code of Practice

The ODA Code of Practice and the Association have only been in existence for two years. However, as this report has shown, the industry is going through a period of disruptive change. **For the ODA to remain relevant and representative, it must remain flexible, looking regularly at what can be done to address issues around age and identity verification, physical safety and fraud and scams.** The ODA might need, for example, to decide whether its Code rule that services can only be used by those of 18 and above should be more flexible and outcomes-based. This might be necessary to allow membership for mobile apps such as Tinder with a significant social networking aspect and a younger audience.

That said, the ODA Code is outcome-based and remains relevant to current and future members, as it requires that members:[15]

- provide appropriate advice and guidance to users, including a link and/or contact option to enable them to report any cases of abuse and/or harm caused by other users;

- to have policies and arrangements to prevent misuse or inappropriate use of their service; and

- to ensure all user profiles are checked and to detect and remove any fraudulent or misleading profiles from their sites as soon as possible.

Making changes to the ODA Code is supported by the majority of respondents to the member survey.

Generally, the responsibilities on ODA members are as relevant and applicable to mobile-based services as they are to established online providers. **However, in particular in the mobile space, paid-for apps and membership cancellation are two aspects that the ODA will explore and test thoroughly before deciding whether the Code requires amending.**
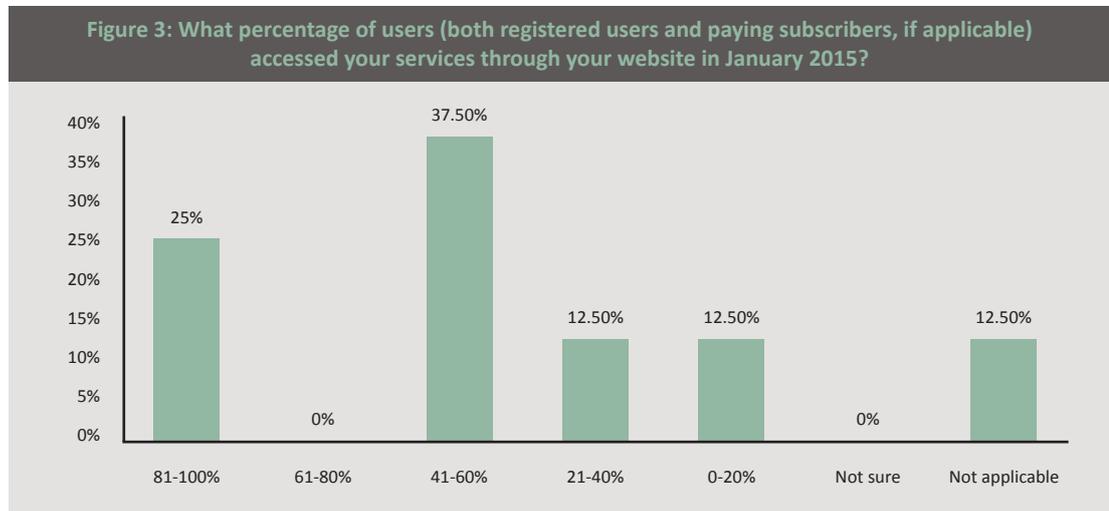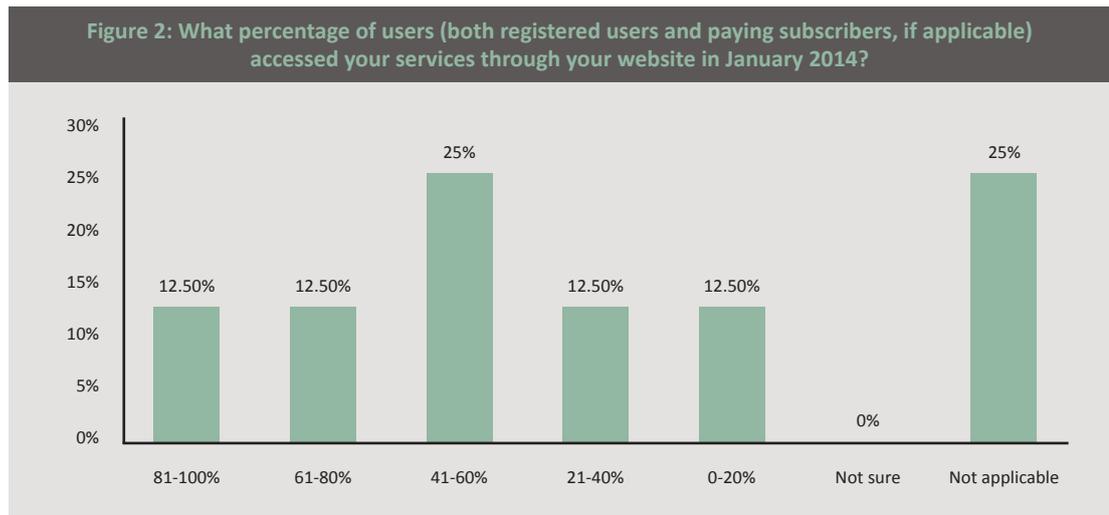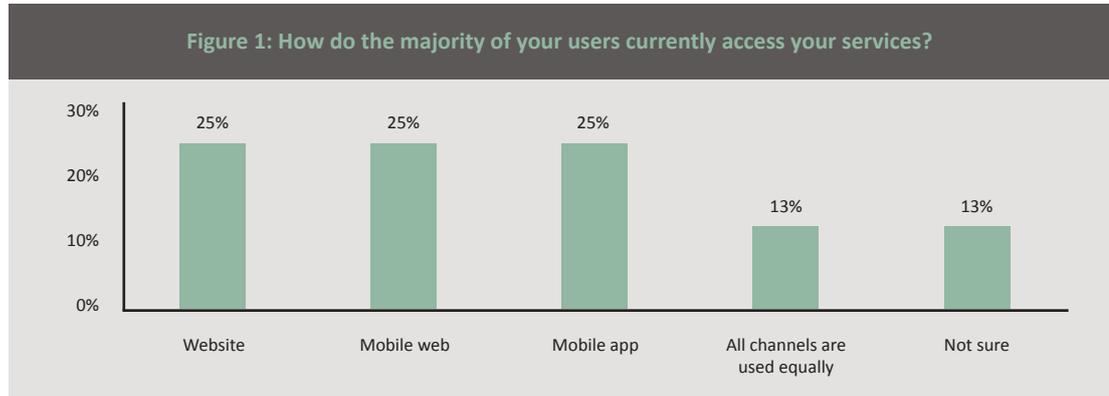
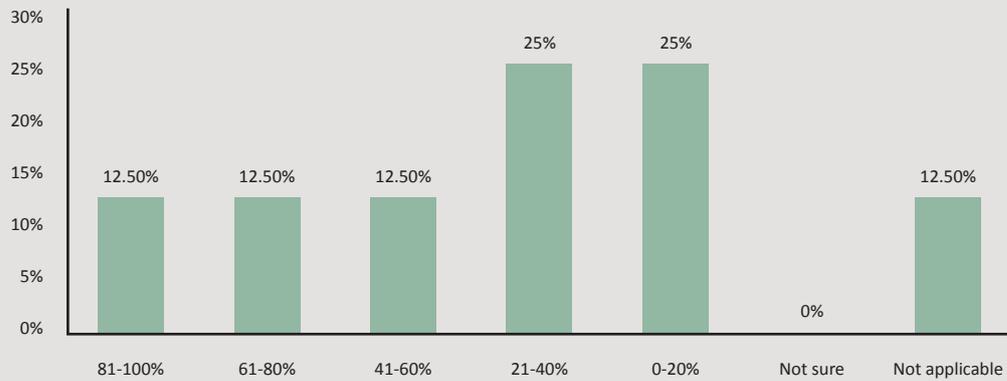15. For more information on the provisions of the ODA Code, please see page 21 in the Appendix.

Appendix

1) Survey data

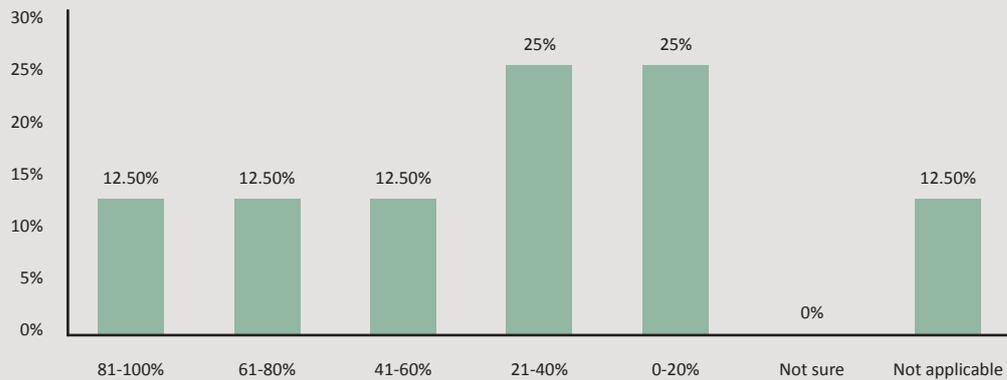*Sample size: over half of ODA membership. Survey conducted between 16th of March and 1st of April 2015.*

Figure 1: How do the majority of your users currently access your services?

Website	25%
Mobile web	25%
Mobile app	25%
All channels are used equally	13%
Not sure	13%

Figure 2: What percentage of users (both registered users and paying subscribers, if applicable) accessed your services through your website in January 2014?

81-100%	12.50%
61-80%	12.50%
41-60%	25%
21-40%	12.50%
0-20%	12.50%
Not sure	0%
Not applicable	25%

Figure 3: What percentage of users (both registered users and paying subscribers, if applicable) accessed your services through your website in January 2015?

81-100%	25%
61-80%	0%
41-60%	37.50%
21-40%	12.50%
0-20%	12.50%
Not sure	0%
Not applicable	12.50%

Figure 4: What percentage of users (both registered users and paying subscribers, if applicable) accessed your services through your mobile website/app in January 2014?

Category	Percentage
81-100%	12.50%
61-80%	12.50%
41-60%	12.50%
21-40%	25%
0-20%	25%
Not sure	0%
Not applicable	12.50%

Figure 5: What percentage of users (both registered users and paying subscribers, if applicable) accessed your services through your mobile website/app in January 2015?

Category	Percentage
81-100%	12.50%
61-80%	12.50%
41-60%	12.50%
21-40%	25%
0-20%	25%
Not sure	0%
Not applicable	12.50%

Figure 6: Do you expect the number of users (both registered users and paying subscribers, if applicable) who access your services through your mobile app/ mobile website to increase in 2015?
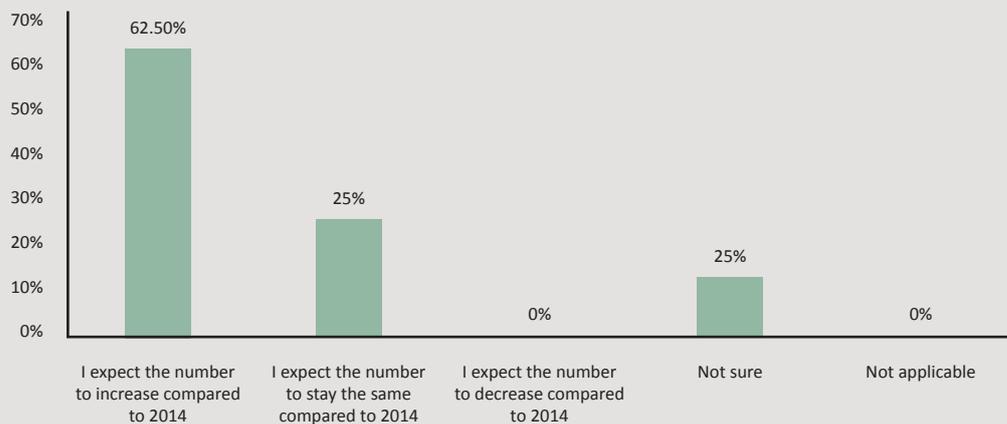
Category	Percentage
I expect the number to increase compared to 2014	62.50%
I expect the number to stay the same compared to 2014	25%
I expect the number to decrease compared to 2014	0%
Not sure	25%
Not applicable	0%

Figure 7: What in your view are the biggest challenges for the sector brought by the use of mobile?[16]

Category	Percentage
Fraud and scams (e.g. Fake profiles)	50%
Children's use of mobile devices	12.50%
Physical safety	37.50%
All of the above	12.50%
Not sure	12.50%
Other	25%
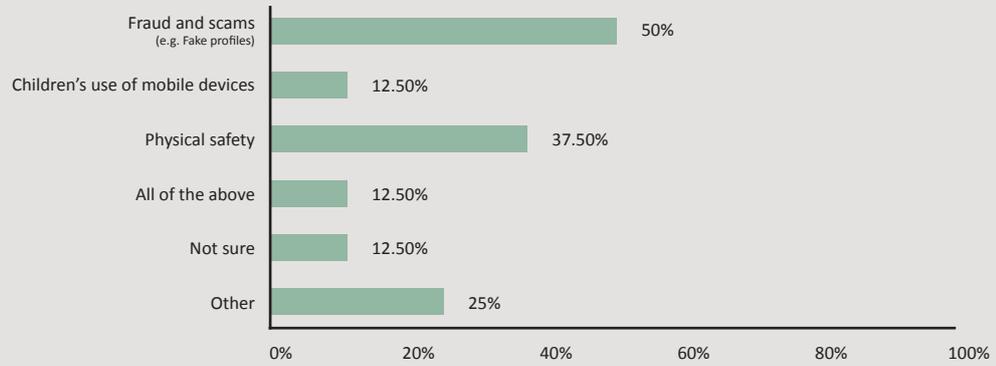
Figure 8: What in your view concerns the public about the use of mobile for dating purposes?[17]

Category	Percentage
Fraud and scams (e.g. Fake profiles)	50%
Children's use of mobile devices	37.50%
Physical safety	50%
Privacy and data protection	12.50%
Cost of service	12.50%
Payment method	37.50%
Negative aspects of using mobile devices (e.g. Low speed or roaming charges)	37.50%
Not sure	12.50%
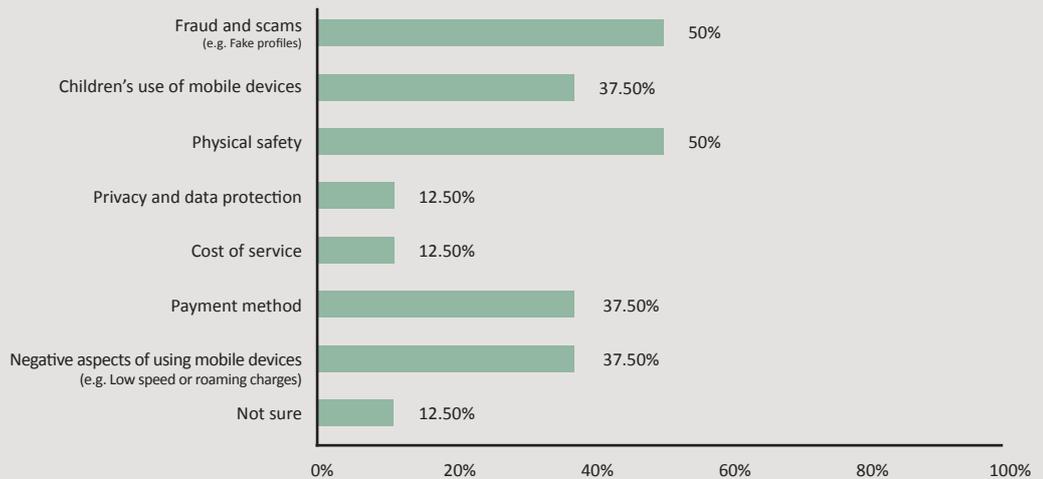
Figure 9: What do you think most attracts the public about the use of mobile?[18]

Category	Percentage
Accessibility and convenience	100%
Easy sign-up process	63%
Usability	50%
Cost (free service)	50%
Increased privacy	38%
Different user base	25%
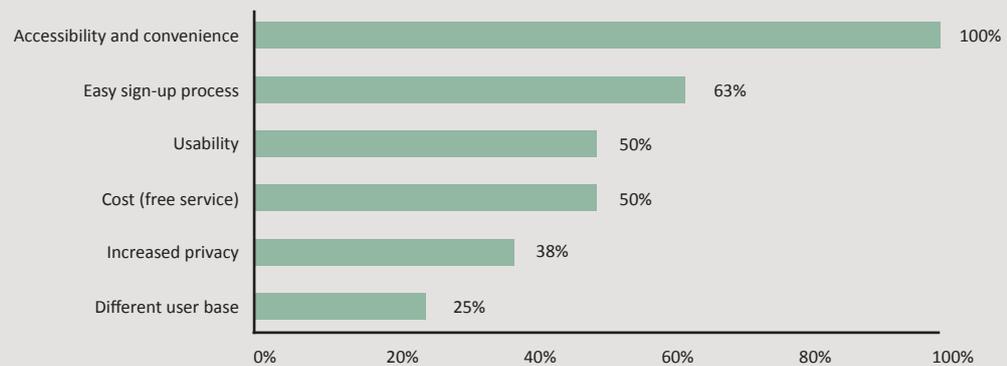
16. Respondents could select more than one option.
17. Ibid.
18. Ibid.

Figure 10: In the future, do you think that online dating and social networking will…?

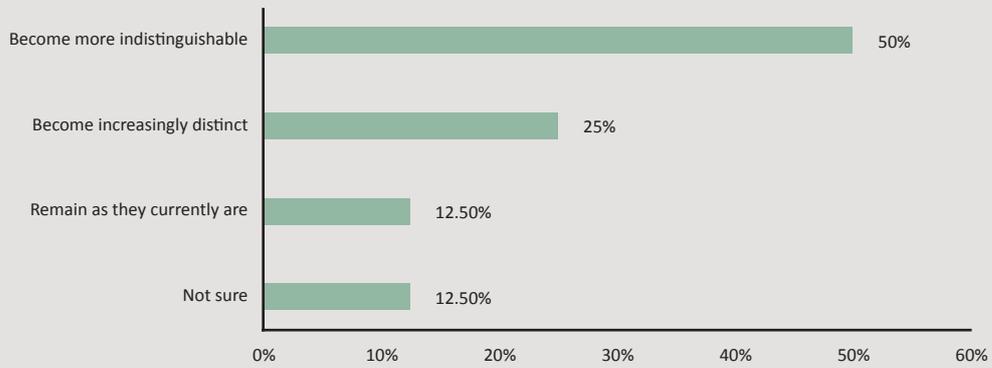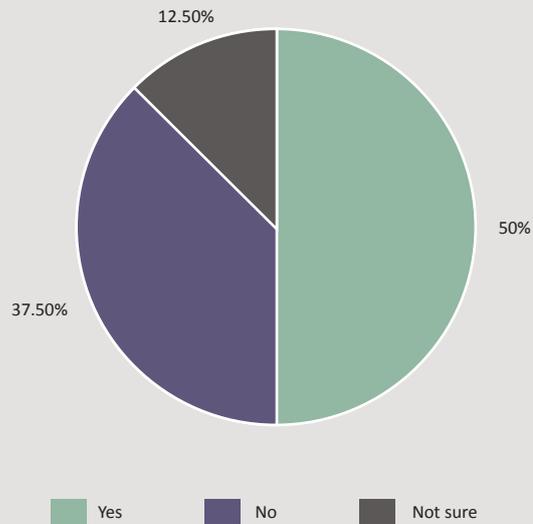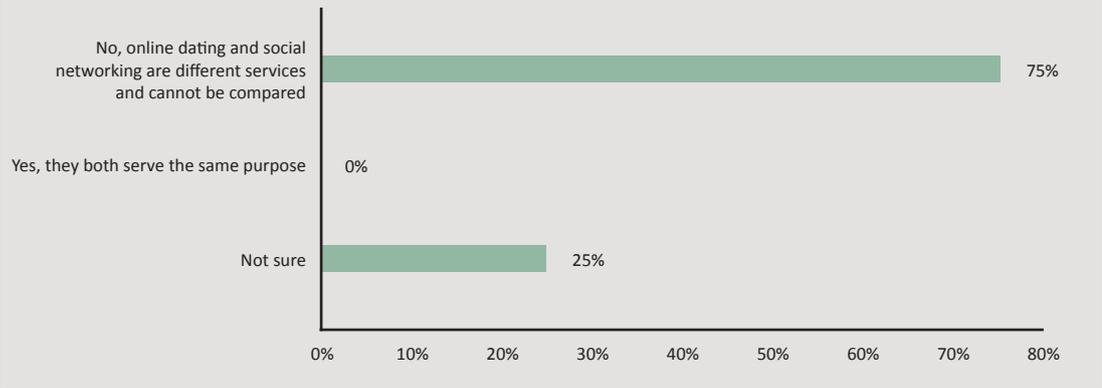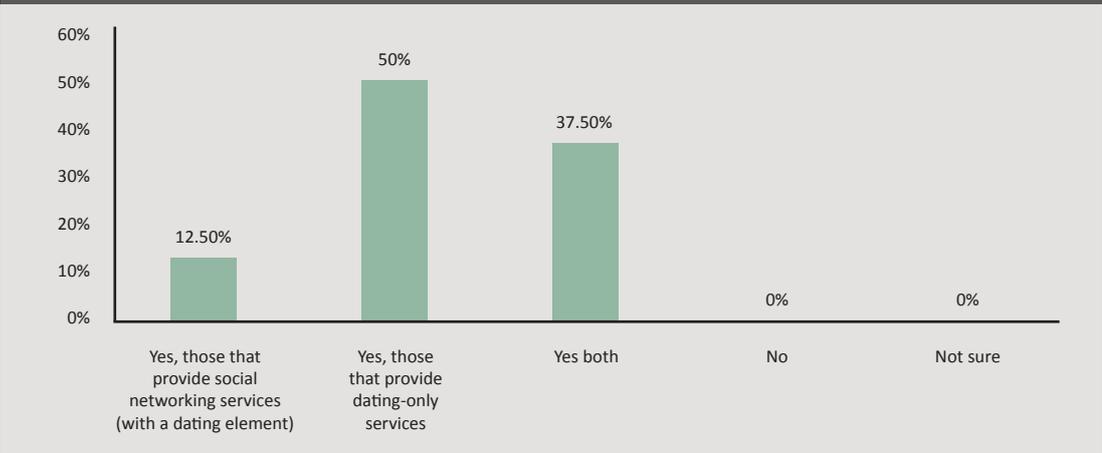| Category	Value
Become more indistinguishable	50%
Become increasingly distinct	25%
Remain as they currently are	12.50%
Not sure	12.50%

Figure 11: Do you believe that in the future there will be a move away from mobile dating apps being free towards a subscription-based model?

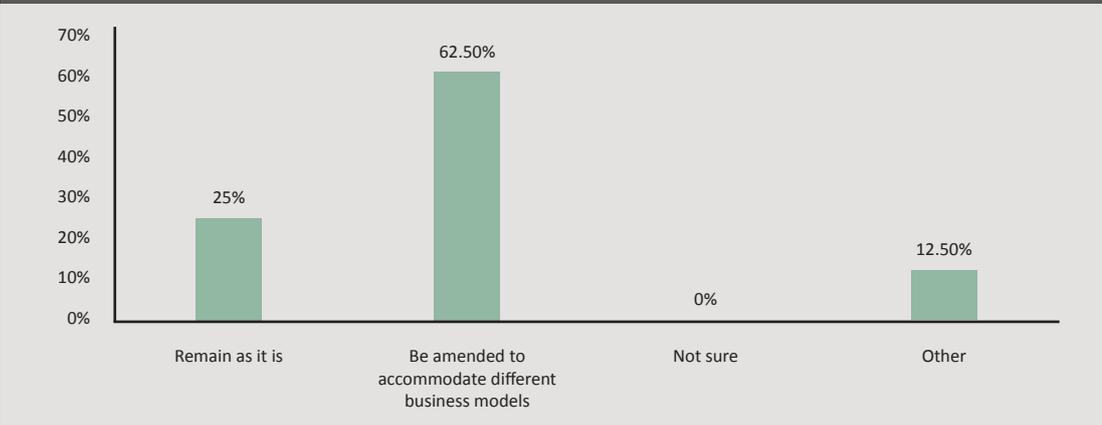| Response	Value
Yes	50%
No	37.50%
Not sure	12.50%

Figure 12: Do you consider social networking (i.e. the use of dedicated websites and applications to interact with other users or find people with similar interests to one's own) to be a similar activity to dating, or are they distinct?

No, online dating and social networking are different services and cannot be compared — 75%

Yes, they both serve the same purpose — 0%

Not sure — 25%

Figure 13: Do you believe that the ODA should actively broaden its membership to include mobile apps/websites?

Yes, those that provide social networking services (with a dating element) — 12.50%

Yes, those that provide dating-only services — 50%

Yes both — 37.50%

No — 0%

Not sure — 0%

Figure 14: Given the shift to mobile and the possibility of new forms of service emerging, do you believe that the ODA's current Code of Practice should:

Remain as it is — 25%

Be amended to accommodate different business models — 62.50%

Not sure — 0%

Other — 12.50%

2) ODA Code of Practice

The Online Dating Association ("ODA") was set up in 2013 to ensure high standards of behaviour by dating service providers serving UK users.

The Online Dating Association Code of Practice ("ODA Code") is binding on members of the Association. It sets out what is expected of members under a series of key headings:

• General Rules

• Honest and clear communications

• Protection of the user

• Delivering to meet user needs

• Protecting data and privacy

The Code also sets out compliance arrangements and sanctions.

The Code is "outcome-based". Wherever possible it sets out the positive outcome it is seeking to achieve or the negative outcome it is seeking to prevent. The ODA Code does not seek to prescribe how ODA Members go about their business in order to comply. The Code gives ODA Members scope to decide how they go about meeting these requirements in ways that best suit them and their users.

Members of the ODA must make available full details of the Code to users, on request, and without charge or obstruction.

Providers of online dating services wishing to join the ODA will be asked to give an undertaking of compliance with the Code and to explain the arrangements they have in place in achieve this compliance.

The Online Dating Association Code of Practice

Section 1. General Rules

1.1 ODA Members must comply with all legal and regulatory requirements applying to their business including, but not limited to, any legislation, regulations and guidelines relating to the protection of personal data, privacy, advertising & broadcasting, company and commercial practices and e-commerce.

1.2 ODA Members must act in a fair and reasonable manner and meet the commitments they make to their Users.

1.3 ODA Members must not act in ways that bring the online industry or the ODA into disrepute.

1.4 ODA Members are accountable for any action (including the content of commercial communications) taken on their behalf by their staff, their sales agents, their partners, affiliates, agencies and sub-contractors in the context of the ODA Code.

1.5 ODA Members must display the ODA logo and any other logo and any other information properly required by the ODA from time to time by means that should ensure user awareness.

1.6 ODA Members must give Users ready, clear online access to the ODA and its website and give Users clear information as to how they can make a complaint or report a concern to the ODA.

1.7 ODA Members must not display the ODA logo or any other logo or content in connection with the ODA or make reference to ODA membership on sites of an adult or "casual" nature or any site not registered with the ODA.

Section 2. Honest and Clear Communications

2.1 ODA Members must ensure their services and their marketing content does not mislead through exaggeration, omission or by any other means.

2.2 ODA Members must provide Users with clear and easily accessible information about their service and website, including but not limited to:

a) Contact details for those with responsibility for the site.

b) The relationship between the site owner or promoter and any other agent or third party including any relationship with any other ODA Members who have a responsibility for managing the site or service.

c) A regularly monitored active online contact form, link or email address through which Users can get help, report problems or make a complaint.

d) The site operator's privacy policy.

e) Terms and conditions of membership or use of a site or service.

f) A statement of the ODA Member's right to terminate a User's membership or a User's registration with immediate effect and the grounds on which the ODA Member could invoke such termination.

2.3 ODA Members must advise prospective Users in advance if registration, membership or use of a service is based on being included in a pool of Users that goes beyond the user base of the service they are being invited to join. A list of those participating sites must be accessible through the website the User joined.

2.4 ODA Members who operate services based on pooling of Users should have regard to the appropriateness of the pools operated.

2.5 ODA Members must provide Users with clear information about the different forms of membership and how to cancel membership. In particular, and before Users make any financial payments, the ODA Member must clearly specify the following:

a) the services offered for the payment

b) the duration of any services offered for the payment including any minimum subscription period resulting from the payment

c) any element of automatic renewal and how this would happen

d) any other key membership conditions or requirements that may affect the User during membership or the User's use of the service

2.6 ODA Members must clearly state the terms, duration and limitations on any free services it offers to Users and must make clear if any on-going commitments, including any financial commitments, arise or are applied as a consequence of accepting such an offer.

Section 3. Protection of the User

3.1 ODA Members must have easily accessible safety information for Users explaining the potential risks with online dating and providing appropriate advice and guidance.

3.2 ODA Members must provide Users with easily accessible guidance on what constitutes unacceptable behaviour.

3.3 ODA Members must provide Users with a link and/or contact option to enable them to report any cases of abuse and/or harm caused by other Users. Any such reports should be acted on appropriately by the ODA Member.

3.4 ODA Members must have policies and arrangements to prevent misuse or inappropriate use of their services.

3.5 ODA Members must ensure all User profiles are checked and that appropriate arrangements exist to detect fraudulent or misleading Profiles and inappropriate content and to remove any such Profiles from the site as soon as possible.

3.6 ODA Members must not themselves create fake Profiles or knowingly allow Users or any other party to create and post fake Profiles. If ODA Members create Profiles for testing or other administrative purposes this should be done in ways that ensure Users are in no doubt over the nature of such Profiles.

3.7 ODA Members must not market or allow the marketing of services to target Children.

3.8 ODA Members must take all reasonable steps to ensure Children do not use services.

3.9 ODA Members must have regard to Users who may be vulnerable by virtue of their circumstances.

Section 4. Delivering and meeting User needs

4.1 ODA Members must provide Users with clear and easy to access information on the ODA Members website setting out:

   a) what type of membership they hold

   b) the duration of the Users membership

   c) what subscription rates are applicable to their membership

   d) what the future payment commitments are should any on-going membership or subscription renewal be applied

   e) how to cancel their membership

   f) any refund conditions that apply in the event of cancellation.

4.2 Users must be able to cancel memberships and/ or subscriptions online within the service or by e –mail.

4.3 ODA Members must process and confirm all cancellations instructions from Users promptly.

4.4 ODA Members operating paid-for services must have an accessible and clear refund policy.

4.5 ODA Members must have appropriate and effective arrangements for handling online

complaints, queries or other User issues in a timely manner.

Section 5. Protecting Data and Privacy

5.1 ODA Members must have arrangements in place to meet any User request that their Profile be removed from public view.

5.2 ODA Members must inform Users should it retain User information after cancellation or termination of a User's membership. Any information retained by the ODA Member shall be retained in line with laws and regulations on data protection.

5.3 ODA Members offering or operating forms of multiple mailing on behalf of Users must ensure messages are clear as to their nature. They must not misrepresent these or any system generated messages as being personal in nature. Such messages cannot be issued without the prior express consent/agreement of a User in whose name they are sent. These or similar messages must be free to receive and read.

5.4 ODA Members must be fair and honest in the purchase, sale and use of personal data and shall ensure that they adhere to any consent requirements as set out in any legislation or regulations governing data protection.

Section 6. Compliance arrangements

6.1 ODA Members must co-operate fully with the ODA in any investigative and adjudicatory matters in relation to their membership and the ODA Code.

6.2 ODA Members found to be in breach of the Code of Practice will be liable for the administrative costs incurred by the Association in carrying out any formal investigation and in reaching and implementing an adjudication.

6.3 Subject to exercising any right to appeal a decision of the ODA, Members must comply with any direction or sanction set by the ODA, including but not limited to complying with an undertaking to review or amend internal procedures or marketing material and the reimbursement of any payments made by the User.

6.4 ODA Members who have had been found by the ODA to have committed a serious breach of the ODA Code may have their membership terminated with immediate effect or suspended for a period that the ODA at its sole discretion deems appropriate.

6.5 ODA Members who have had their membership terminated or suspended must remove all logos, links and any other content connected to the ODA with immediate effect.

6.6 Should the ODA have reason to believe that any ODA Member is in breach of any laws or regulations, the ODA reserves the right at its sole discretion to refer the matter to the appropriate statutory and regulatory bodies.

Annex 1

Definitions

"**ODA**" shall mean the Online Dating Association set up in accordance with the Articles of Association of 29 November 2013.

"**ODA Logo**" shall mean the approved and official logo of the ODA as determined by the ODA from time to time.

"**ODA Members**" shall mean the fully paid members of the ODA.

"**User**" or "**Users**" shall mean the users of the site, including but not limited to those Users who have entered their personal details on the site and shall include (but not be limited to) those who have registered and/or subscribed to any service, offer, promotion and/or membership that the ODA Member has made available on its website.

An **adult or "casual"** service is one based in offering sexual entertainment or arranging sexual encounters, where this is typically reflected in marketing material, the content provided by the site operator and the policy in terms of the visual and other content allowed.

Profile or User profile means the personal information submitted by the User specifically to represent themselves on the service, including photographs, audio recordings and video recordings. It does not include content contributed as part of interacting with other users, such as messages, blog posts, forum posts or comments.
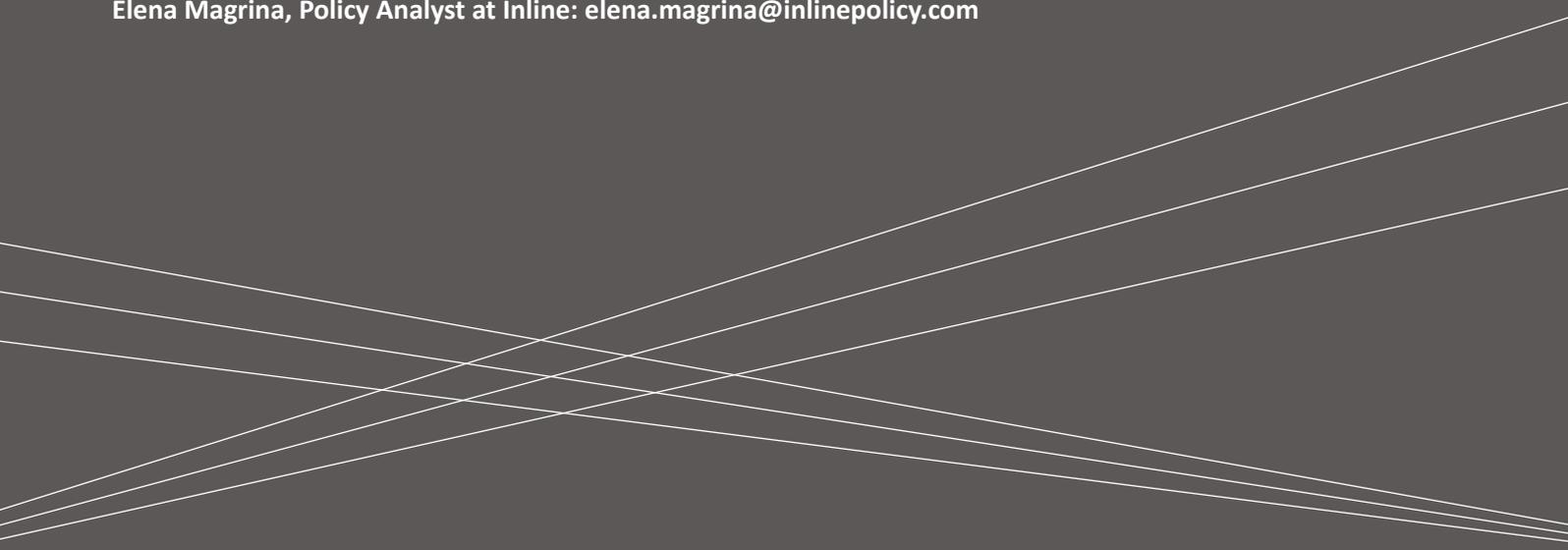
Children shall mean any person under the age of eighteen.

For any enquiries, please contact: