

# **Evidence-based policy making**

**How CAP and BCAP assess  
evidence when considering  
regulatory change**

## Background

The Committee of Advertising Practice and the Broadcast Committee of Advertising Practice (CAP and BCAP) write and review the Advertising Codes that the independent ASA administers in broadcast and non-broadcast media, including press, magazine, cinema, outdoor, TV, radio and internet marketing communications. CAP and BCAP aim to ensure that all advertising is legal, decent, honest and truthful and to maintain a regulatory environment that allows responsible advertising to flourish.

CAP and BCAP are committed to regulation which is transparent, accountable, proportionate, consistent and targeted where action is needed. CAP and BCAP consider that an evidence-based approach to policy making is the preferred means of responding to those Better Regulation principles. The committees welcome new research and information on where the Codes may need to offer additional protection and equally where existing protections may no longer be necessary or proportionate.

The purpose of this document is to inform those who seek to influence advertising policy or who commission research into advertising, and to be transparent about CAP and BCAP's expectations. It outlines the key elements CAP and BCAP consider when assessing potential changes to the Advertising Codes. In developing this document, CAP and BCAP have drawn on their experience of assessing evidence provided by practitioners working in the social sciences and the document will likely be of greatest relevance to those who base their call for regulatory change on evidence of a similar nature.

While this document outlines standards of good evidence, it should not be read as a set of criteria. An evidence base that meets these standards will not automatically cause CAP and BCAP to agree to a call for regulatory change. As well as assessing evidence, CAP and BCAP may consider the social and economic impacts of changes to the Advertising Codes, assessing whether a proposed policy is proportionate given the likely effects of intervention. However, if the points below are taken into account when submitting research to CAP and BCAP for consideration, it will help to ensure a sound basis for discussion.

## General Principles

### Types of research

CAP and BCAP understand that research can take many forms. In some cases there may be independent academic research to support a policy objective and in others there may be a survey, public opinion poll or assessment of advertising to specific audiences; both quantitative and qualitative data can be meaningful when assessing the impact of advertising regulation. CAP and BCAP do not consider any one type of research to be the 'best' in supporting a policy objective. CAP and BCAP appreciate that, while it is not impossible, it is in most cases unlikely that one piece of evidence will serve both to diagnose a problem and describe the most effective remedy. In instances where CAP and BCAP consider that one piece of evidence alone, such as an opinion poll, does not suffice to justify a policy change, they may nonetheless consider that it helps contextualise an issue and could form part of an overall broader package of evidence that may justify regulatory intervention.

In general, CAP and BCAP will expect research to be submitted in full: the committees cannot make a detailed assessment of the evidence and its merits based only on a summary or abstract. The top line results of a survey, for example, are unlikely to suffice: CAP and BCAP will wish to see what information participants were given, how the study was conducted and its results in full, in order to make their assessment.

### Study standards

The most useful survey research for CAP and BCAP is that which is well conducted and conforms to methodological and ethical standards in the social research field, such as the Code of Conduct of the Market Research Society (MRS) and be the most up to date research. Research that does not conform to best practice standards without good reason is unlikely to be considered favourably by CAP and BCAP.

## Study design

In general CAP and BCAP favour research which:

- follows a recognised methodology; validity of data will often depend on the quality of the design of the research;
- where appropriate, takes into account confounding variables (a factor that, when taken into account, might affect a study's correlation between two factors, such as X causes Y.); and
- is carried out on a representative cross-section of a population similar to that of the UK or on a representative sample of the relevant part of the population

Research of most use to CAP and BCAP is likely to mitigate against potential bias by avoiding the use of leading questions or ambiguous terms. The MRS Code of Conduct states that respondents must not be “led to a particular point of view”<sup>1</sup> and the possibility of doing so can be eradicated through good study design. Furthermore, the use of ambiguous terms can diminish the reliability of the results of the poll or survey. For example, the question “do you regularly see gambling advertising?” requires the respondent to form a judgement about what might constitute ‘regularly’, which will vary between respondents. Where possible, vague or ambiguous terms should be avoided or, alternatively, the meaning of terms made clear to the respondent, such as “‘regularly’ means 2-3 times per day”.

## Specific recommendations

CAP and BCAP have drawn up the following key points that it considers those who seek to influence policy may wish to take into account. These points may also prove useful for those commissioning research. The list below is not exhaustive, nor should it be viewed as a check list, and not all points will be of equal relevance to research in different areas.

- If a policy objective is significantly affected by socio-cultural factors or an existing regulatory regime (e.g. alcohol or gambling), the most useful studies will account for that, and will be based in and representative of the UK. Studies from other countries can be used as useful indicators, but alone are unlikely to support a proposal. Similarly, studies conducted in just one particular region of the UK may not be sufficient to suggest a UK-wide problem or issue.
- Studies referenced in support of a particular policy objective should focus on the group targeted by that objective. For example, a ban on airbrushed ads directed at teenagers should be supported by a study concerning girls of that age group.
- Studies attesting to media-specific effects where a phenomenon may be observed across media, for example in editorial content and advertising, are most useful to CAP

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<sup>1</sup> <http://www.mrs.org.uk/standards/downloads/Code%20of%20Conduct%202010.pdf> For more information about market research see <http://mrs.org.uk/>.

and BCAP if they make a clear distinction between advertising and other types of media content so that the effects measured can be attributed clearly to one medium or another.

- Where possible, experimental studies should replicate realistic viewing, reading or online behaviour and use actual published ads or those which are representative of the general tone and style of advertising in the relevant market.
- Studies that show associations between factors can be very useful, but alone are unlikely to prove that an advertisement or advertising practice *caused* a particular effect. They may, however, indicate a modest effect when used in conjunction with other research.
- Quantitative studies should be large enough to produce results that are representative of the population or the constituent group targeted. Results should be clear and statistically significant.
- Policy makers should ensure that their policy objectives match the supporting evidence. For example, a reported small effect may not be enough to warrant a 'ban' or significant restriction as an objective, but might indicate an area in which existing Advertising Code rules could be amended or extended in some way. CAP and BCAP will examine whether studies demonstrate that advertising has a strong effect, a modest effect, or no effect at all.

## Conclusion

CAP and BCAP are committed to better regulation principles and seek to ensure that regulatory intervention, where necessary, is proportionate. They believe that robust evidence on social issues and advertising practice can help to ensure that the advertising rules remain clear and robust. CAP and BCAP welcome new research, and hope that this document will prove useful to researchers and policy makers whilst ensuring that the way in which they formulate policies and respond to calls for changes in the advertising Codes is clear and transparent to stakeholders.

**Appendix A – CAP and BCAP's consultation addendum on the SchHARR review**

**Appendix B – CAP and BCAP's evaluation of the evidence on the impact of advertising on body image**

**Appendix C – Help Note substantiation health and beauty claims**