



# Big question one: Why does advertising need to be regulated?

## Teacher context

Advertising calls the public's attention to a product, service or need. Companies spend large amounts of money (nearly £16 bn in 2011) on advertising each year in the UK. (Source: Advertising Association Advertising Statistics, and Institute of Practitioners in Advertising, IPA.) But what does advertising do for us? Do we need it? What purpose does it serve?

The lessons in this section will give students opportunities to argue and decide the balance of responsibilities – how far advertising informs and entertains and is important for economic growth, but also what consideration needs to be given to the rights of citizens not to be misled, harmed or offended.

Students will have opportunities to:

- explore the nature and purpose of advertising and why it needs to be regulated
- become familiar with the ASA's remit and their powers
- become familiar with where the Codes governing advertising come from
- write and speak to argue and persuade
- distinguish between fact and opinion
- develop a critical understanding of some of the verbal and visual language of advertising
- write in support of, or opposition to, a real-life ASA case study
- draft an ad for the ASA.

They will explore:

- why we need advertising controls and what they should be
- what the controls are on the ads we can see and hear
- whether we all need to be protected, or only some of us
- whether advertising is a big influence on us anyway.

## Lesson one: What is the point of advertising? 1 hour

### Pre-lesson task 5 mins To share findings at start of lesson

Ask students to bring with them an example of a piece of advertising: perhaps an ad for a favourite item, something from a magazine or newspaper, something spotted as a pop-up on the web or something that strikes them as a particularly good or bad piece of advertising. As the topic progresses, these can form part of a developing display of materials that students can discuss, annotate or deconstruct.

### Objectives

- To know that advertising appears in many different forms and contexts.
- To explore the nature and purpose of advertising.
- To consider why advertising needs to be regulated.

### Activity one: What is the point of advertising?

#### Step one 10 mins

Companies, charities and the government spent nearly £16 bn on advertising their products and services in the UK in 2011.

But what does advertising do?

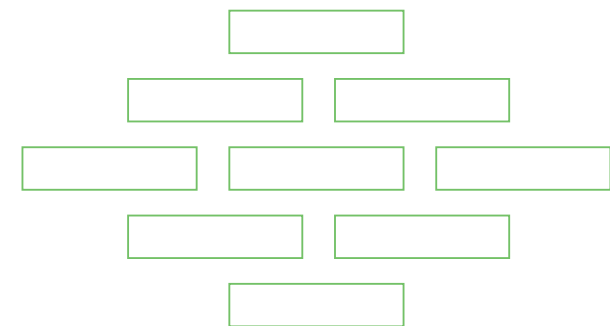
Why do advertisers think it is worth spending so much money on it?

Issue the statements on the cards on *BQ1 / Resource sheet 1* to pairs of students. Ask them to read through all of the points on the cards carefully before creating a 'Diamond 9' of the points that they think best **explain the purpose of advertising**.

### Why Diamond 9?

The aim is to promote lots of discussion in a relatively short space of time. It is an effective way of getting everyone to agree a short list of priorities.

Students are given a list of issues or questions on separate cards so they can be moved around easily. They are asked to select nine of the most important items and arrange them on a diamond-shaped grid. The most important item is placed at the top of the diamond. The least important is placed at the bottom of the diamond. Items in each row are of equal importance.



*Continued...*

## Big question one: Why does advertising need to be regulated?

Advertising helps promote and stimulate competition.

Advertising draws attention to a product or service.

Advertising tells consumers how much things cost.

Advertising keeps consumers up to date with new developments.

Advertising makes us aware of different brands.

Advertising helps fund media.

There are 20,000 jobs in the advertising industry.

Advertising helps fund culture and sport.

Advertising helps businesses make a profit.

Advertising tells consumers what things they must have.

Advertising helps change society's behaviour.

Advertising makes us loyal to certain brands.

Advertising tells us where to access products and services.

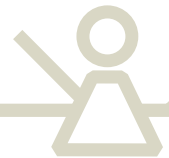
Advertising warns people about dangerous activities.

Advertising can be funny and entertaining.

### Completing a Diamond 9

- Students read the list of items and think about their importance.
- In the group they discuss their ideas and select the nine statements they believe to be the most important.
- Students then sort the chosen nine items into the diamond pattern according to order of importance.
- The group should all agree the order of importance and be able to justify their choices.

**Variation** Try introducing two blank wild cards where students can write their own ideas if they wish.



### Step two 10 mins Debrief

#### Q / A

Ask students to feed back on the points that they feel give the clearest explanation of the purpose of advertising. Pairs of students should present their selection to the rest of the class and explain briefly how they arrived at this selection. They should be prepared to justify their decision-making and explain why they prioritised one item over another. The whole class can now attempt to identify any common choices or any agreement on the statements that best explain the purpose of advertising.

### Step three 5 mins Link to Activity 2

#### Q / A

- Do students think that advertising is necessary?
- What benefits does advertising bring us?
- Are there any negatives attached to advertising?
- What are they?

At this point take a show of hands to indicate whether *on balance* they think advertising brings more positives than negatives.

Ask students to list the types of advertising they encounter and the contexts in which they see or hear it.

Given that advertising is a feature in all of our lives, ask:

Can advertisers say whatever they want?

## Big question one: Why does advertising need to be regulated?

### Activity two: Can advertisers say whatever they want?

#### Teacher context

Using two ads from a historical context – a time before the ASA was established – students will discover how advertisers could at one time easily make misleading / harmful claims.

See the ASA site for a brief history of [ad regulation](#).

The ad for Craven 'A' cigarettes would no longer be allowed – regulations around advertising tobacco products have tightened over time.



- 1965 – Cigarette advertising is banned on television (cigars and loose tobacco can continue to be advertised until the early 1990s).
- 1975 – New rules for other types of cigarette advertising introduced, along with pre-vetting.
- 2003 – The Tobacco Advertising and Promotion Act 2002 came into force, prohibiting the advertising and promotion of tobacco products. It does not, however, cover ads for rolling papers or filters.

Find out more about the Code rules:

#### Tobacco products

#### Rolling papers and filters

The ad for Maltesers, with its claim that “It’s the chocolate that can help you stay slim”, would also now fall foul of Advertising Codes, and in fact, in October 2008 the ASA upheld complaints about a TV advertisement for Maltesers on the grounds that saying the chocolates were “less than 11 calories each” gave the misleading impression that Maltesers were a low-energy food.



#### See ruling on this case

Find out more about Code rules:

#### Misleading advertising

#### Rules on health or nutrition claims (non-broadcast)

#### Rules on health or nutrition claims (broadcast)

### Step one 15 mins

**Think, Pair, Share** – a three-stage cooperative learning activity where:

- individuals think silently about the questions posed
- individuals pair up to exchange thoughts
- the pairs share their responses with other pairs, other teams, or the entire group.

Ask students to look at the ads shown in *BQ1 / Resource sheet 2* (or PowerPoint presentation *BQ1 Activity 2*).

Allow individual thinking time so each student can consider the ads without the accompanying questions.

Show the questions. Allow further time for students to consider their individual responses to the questions.

Bring students into pairs and ask them to share their thoughts to answer the questions for each ad.

### Step two 10 mins Debrief

Once they have worked through these questions in pairs, take responses from the whole group on each ad in turn.

Responses from the whole group should identify the fact that these ads – and the claims that they contain – would not be seen today.

Advertising tobacco products is prohibited. Advertisers cannot make **misleading claims** such as smoking can be good for your throat or chocolate can help keep you slim.

The ads we see today are **controlled** or **regulated**.

- But who is responsible for regulating the claims that can be made by advertisers?
- What are the rules about what can be shown, or the claims that can be made?

### Step three 5 mins Homework / Research assignment

Task students with identifying the organisation responsible for checking that consumers are protected from ads making misleading claims, or likely to cause us harm or offence. Find out what its role is. Identify three products (other than cigarettes and chocolate) where there are rules about how they can be advertised.

## Lesson two: The ASA's remit 1 hour

### Objectives

- To understand the ASA's remit and its powers.
- To understand areas of advertising governed by the Advertising Codes.
- To engage with the ethics surrounding advertising.
- To engage critically with an ASA case and ruling.

### Activity one: The ASA's remit

#### Starter 10 mins

Explore with students what they found out from their homework / research task set at the end of the previous lesson. Use **BQ1 / Resource sheet 3** to help summarise / reinforce their findings.

- Highlight the ASA logo and strapline and clarify that its role is to ensure that the ads we see and hear:
  - are legal, decent, honest and truthful
  - do not mislead, harm or offend and are socially responsible.
- Explore the areas of our lives where we might encounter ads. (Outlined on **BQ1 / Resource Sheet 3**.)
- Explore the areas of advertising that fall under the ASA's remit. (Outlined on **BQ1 / Resource Sheet 3**.)

### Activity two: What makes people complain about ads?

#### Teacher context

Many millions of ads appear in the UK. The ASA monitors ads and acts on complaints from organisations or individual members of the public.

If the ASA judges that an ad has broken the rules it can insist that it is either changed or withdrawn. There are detailed **Advertising Codes** setting out what is and is not acceptable. A single complaint to the ASA can lead to an ad being changed or withdrawn.

In 2011:

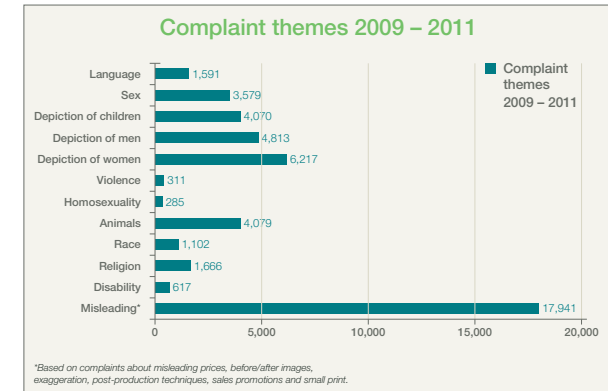
- the ASA handled 31,458 complaints about 22,397 different ads
- they judged that 4,591 ads had to be either changed or withdrawn
- nearly 94% of the complaints came from members of the public.

#### Step one 10 mins

#### Q / A

What issues do students think are likely to be the most complained about? Collect ideas from students and collate on the whiteboard.

Reveal actual collated information.



- How do these topics compare with the list compiled from students' ideas?
- Does anything surprise them? Does the work of the ASA sound straightforward?
- How straightforward would it be to handle complaints about sexism, racism, homosexuality, violence or religion?
- Does everyone share the same concerns, feelings or beliefs about these topics?

Will the words **legal, decent, honest and truthful** mean the same to everyone? What offends me, might not offend you. Your idea of what is "decent" might be very different from mine. Is it always easy to define "honest"?

## Big question one: Why does advertising need to be regulated?

### Activity three: You be the judge

#### Teacher note

This activity uses a Paddy Power ad that provoked a lot of complaints to the ASA. See the ad in full [here](#). A summary of the ASA ruling is provided in **BQ1 Resource sheet 4 teacher notes** for quick reference.

For a bank of ads to use as alternatives or in addition to this, see the [Ad bank](#).

#### Step one 20 mins

Tell students they are about to watch a video that shows one of the most complained about ads in recent years. What do they see in the ad that may have provoked complaints?

Working in groups of three or four, students should watch **BQ1 / Video resource 1**. (Available in summary as **BQ1 / Resource sheet 4 student summary**.)

#### Q / A

Reveal that **1,089** viewers objected to this ad.

Can students suggest what might have provoked the complaints?

**220** viewers objected that the ad was offensive to blind people.

**1,070** viewers objected that the ad was offensive and harmful, because it might encourage or condone cruelty to animals.

- Do students think these complaints are justified?
- Do students think that the ad is acceptable as it is?

Working in their groups, students should draft out the main points of argument on both sides that the ASA would have to consider before coming to a conclusion.

#### Q / A

If they were a member of the ASA Council, how would they respond to these complaints? Giving their reasons for their decision, would they:

- insist on changes e.g. changes to the content of the ad or time it could be shown
- ban this ad
- let the ad go ahead as it stands?

#### Step two 15 mins Plenary

Ask groups to vote on whether the ad should be accepted as it is or whether it should be withdrawn. Complete a tally on the board.

Ask students to justify their decisions in one or two words only – e.g. amusing, cruel to animals, insulting to blind people, offensive.

Record these thoughts on the board.

Ask students to look at their list. Which do they think would be the deciding factors influencing the decision of the ASA?

Reveal the decision of the ASA – that the complaints were not upheld – and share the reasons for the decision:

no breach of rules regarding likelihood of causing **harm or offence**, did not **encourage or condone violence or cruelty**, would not cause **serious distress**, didn't show **harmful or negative stereotypes**.

Full ruling details are available [here](#).

- How many students agree with the ASA decision?

#### Step three 5 mins Homework activity

##### EITHER

Write a formal letter to the ASA supporting the complaints about the ad and try to persuade the ASA to withdraw it.

##### OR

Write in support of the ad, arguing that it is amusing and effective.

You should mention in your letter the UK Code of Broadcast Advertising rules governing:

- causing harm or offence
- encouraging or condoning violence or cruelty
- causing serious distress
- showing harmful or negative stereotypes.

##### OR

Write to the ASA commending an ad that you have recently seen. Explain why you think it is effective.

N.B. This is a class activity. If you choose to actually send the letters to the ASA, you will not receive a personalised response.

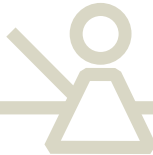
## Big question one: Why does advertising need to be regulated?

### Extension activity Advertise the ASA

See *BQ1 / Resource Sheet 5*.

Students should look at the examples of ads on the worksheet, widely used by the ASA in the press. Their task is to design an alternative ad to explain and promote the work of the ASA to young people.

They should draw on the work they have covered so far as well as carrying out additional research by visiting the [ASA website](#).



Click on images for large scale versions.



# Lesson one

## Activity one: What is the point of advertising?

Advertising helps promote and stimulate competition.	Advertising keeps consumers up to date with new developments.	Advertising draws attention to a product or service.
Advertising helps fund culture and sport.	Advertising helps change society's behaviour.	There are 20,000 jobs in the advertising industry.
Advertising helps businesses make a profit.	Advertising makes us aware of different brands.	Advertising can be funny and entertaining.
Advertising tells consumers how much things cost.	Advertising makes us loyal to certain brands.	Advertising tells us where to access products and services.
Advertising tells consumers what things they must have.	Advertising helps fund media.	Advertising warns people about dangerous activities.



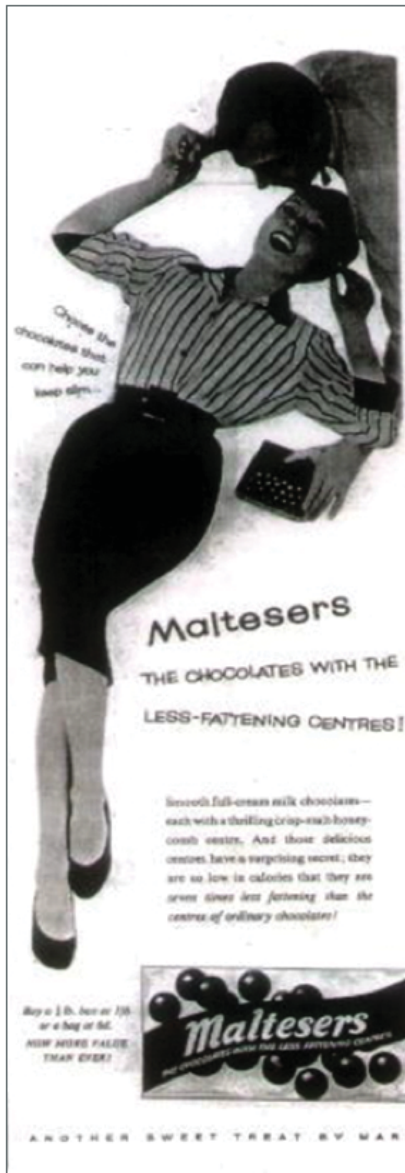


# Lesson one

## Activity two: Can advertisers say whatever they want?

### Craven 'A', 1930s

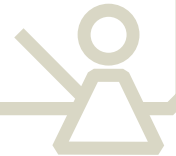
- What is this advertising?
- What claims are being made for the product?
- What image is it portraying?
- Could a company make the same claims for this product today? Why? Why not?



### Maltesers, 1950s

*"Choose the chocolates that can help you keep slim..."*

- What is this advertising?
- What claims are being made for the product?
- What image is it portraying?
- Could a company make the same claims for this product today? Why? Why not?




# Lesson two

## Activity one: The ASA's remit

### ASA – Legal, decent, honest and truthful

The ASA is independent but works closely with the advertising industry. The decisions it makes are based on the **UK Advertising Codes**, which are written by the Committee of Advertising Practice (CAP).

**CAP**  writes the  
Advertising Codes

**ASA**  assesses if ads breach  
the Advertising Codes

#### The work of the Advertising Standards Authority (ASA) covers advertisements in:

- Magazines and newspapers
- Radio and TV
- Television shopping channels
- Posters
- Cinema
- Direct mail (advertising sent through the post and addressed to you personally)
- Internet, including a company's own marketing on its own website or social networking page, as well as in paid-for space
- Leaflets and brochures
- Commercial email and mobile messages
- CD ROMs, DVDs, videos and faxes
- Sales promotions (special offers, prize draws and competitions)

#### The work of the Advertising Standards Authority (ASA) does not cover:

- Sponsorship e.g. of events or TV programmes
- Packaging
- Shop windows
- Telephone calls
- Fly-posting
- Private classified ads
- Statutory / public notices
- Press releases
- Political ads
- Online editorial

Many millions of ads appear in the UK each year. The ASA monitors the media to make sure ads don't break the rules and acts on complaints from organisations or individual members of the public.

If it judges that an ad has broken the rules, it can insist that it is either amended or withdrawn. The ASA can act on a single complaint.

#### The following products have specific rules under the Advertising Codes, as to how they can be advertised to consumers.

Alcohol  
Gambling  
Food and soft drinks  
Health and beauty products  
Tobacco

#### There are also Code rules that relate to:

Harm and offence  
Environmental claims  
Racism  
Children and advertising  
Scheduling ads at appropriate times  
Displaying ads in appropriate places  
Misleading claims

## Lesson two

### Activity three: You be the judge

## Paddy Power plc – July 2010

A TV ad for a bookmaker showed a game of football being played by two teams of blindfolded men, using a ball with a bell inside it. The ad opened with a shot of a kitbag marked “Blind Wanderers FC”, then showed the players mid-game. One player kicked the ball off the pitch but then a cat, wearing a bell on its collar, ran onto the pitch, with its bell ringing. The referee was about to blow his whistle, when one of the men was shown taking a kick. There was a thud and loud meow, although no contact between the player and the cat was shown on screen. A man in a suit appeared on the pitch, patted the shoulder of the player who had taken the kick and said: “Paddy Power can’t get Tiddles back, there’s nothing we can do about that, but we can get you your money back with our money-back specials” and handed the player some bank notes.



There was a shot of the cat walking along the branch of a tree, meowing. The final voice-over said: “Check ’em out before you bet at Paddy Power ...” and the player taking the kick was shown again, in slow motion, and a faint meow was again heard in the background.

### Issue

**1,089** viewers objected to this ad.

**220** viewers objected that the ad was offensive to blind people; and

**1,070** viewers objected that the ad was offensive and harmful, because it might encourage or condone cruelty to animals.



# Lesson two

## Activity three: You be the judge

### Teacher notes

#### Paddy Power plc – July 2010

#### Not upheld

The ASA said it was not offensive in itself to create an advert referring to people with a disability.

Paddy Power said it featured an action “so unlikely that it was absurd”.

Paddy Power said the advert did not show the cat being kicked or suffering any violence or cruelty. It was clearly and deliberately shown to be unharmed at the end of the item.

Paddy Power had chosen a blind football match to promote a lesser-known sport – the World Blind Football Championships were going to take place in 2010.

Paddy Power produced a letter of support from the manager of the England Blind Football Team.

All the players in the ad were actual blind football players, many of whom had represented the national side.

The ASA’s final decision was:

1. The action in the ad would be interpreted by most viewers as a humorous depiction of a fictional situation, with the humour derived from surreal and improbable circumstances, when an unforeseeable and accidental action occurred.
2. It was unlikely to be seen by most viewers as malicious or implying that blind people were likely to cause harm to animals whilst playing football.
3. The ad was unlikely to be seen as humiliating, stigmatising or undermining to blind people and was unlikely to cause serious or widespread offence.



# Lesson two

## Extension activity

### Advertise the ASA

Look at these ASA ads, widely used in the press.

Their **purpose** is to **inform** us about the role of the ASA. The **audience** is the general public and the **language** and **style** are simple, clear and direct.

**What do they tell us about the work of the ASA?**

**How effective are they?**

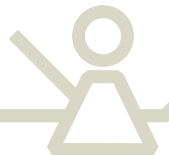
**Could they be more effective in reaching young people?**

Your task is to draft an alternative ad for the ASA. The **purpose** must remain to inform about the role of the ASA, but the intended **audience** must be young people. Develop your ad with this in mind, changing the **language** and **style** to fit the new audience.

Think carefully about where this ad would be best placed to reach its new audience.

**FIND OUT MORE** about the work of the ASA by visiting their website.

[www.asa.org.uk](http://www.asa.org.uk)



OK, so we're better at  
removing bad ads  
than making good ones.

Here at the Advertising Standards Authority,  
we judge ads on whether they're harmful, misleading,  
or offensive. Not on whether they're funny, clever or  
they look good. Which is just as well, really.

Telephone 020 7492 2222 www.asa.org.uk

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Legal, decent, honest and truthful



Choose the chocolate that can help you keep slim...

**Maltesers**  
THE CHOCOLATES WITH THE  
LESS-FATTENING CENTRES!

In each full-cream milk chocolate - each with a thrilling crisp-malt-honey-coated centre. And those delicious centres have a surprising secret, they are so low in calories that they are seven times less fattening than the centres of ordinary chocolate!

Buy a 1 lb. bar or 100 or a bag or 500.  
NOW MORE PALER THAN EVER!

**Maltesers**  
THE CHOCOLATES WITH THE LESS-FATTENING CENTRES

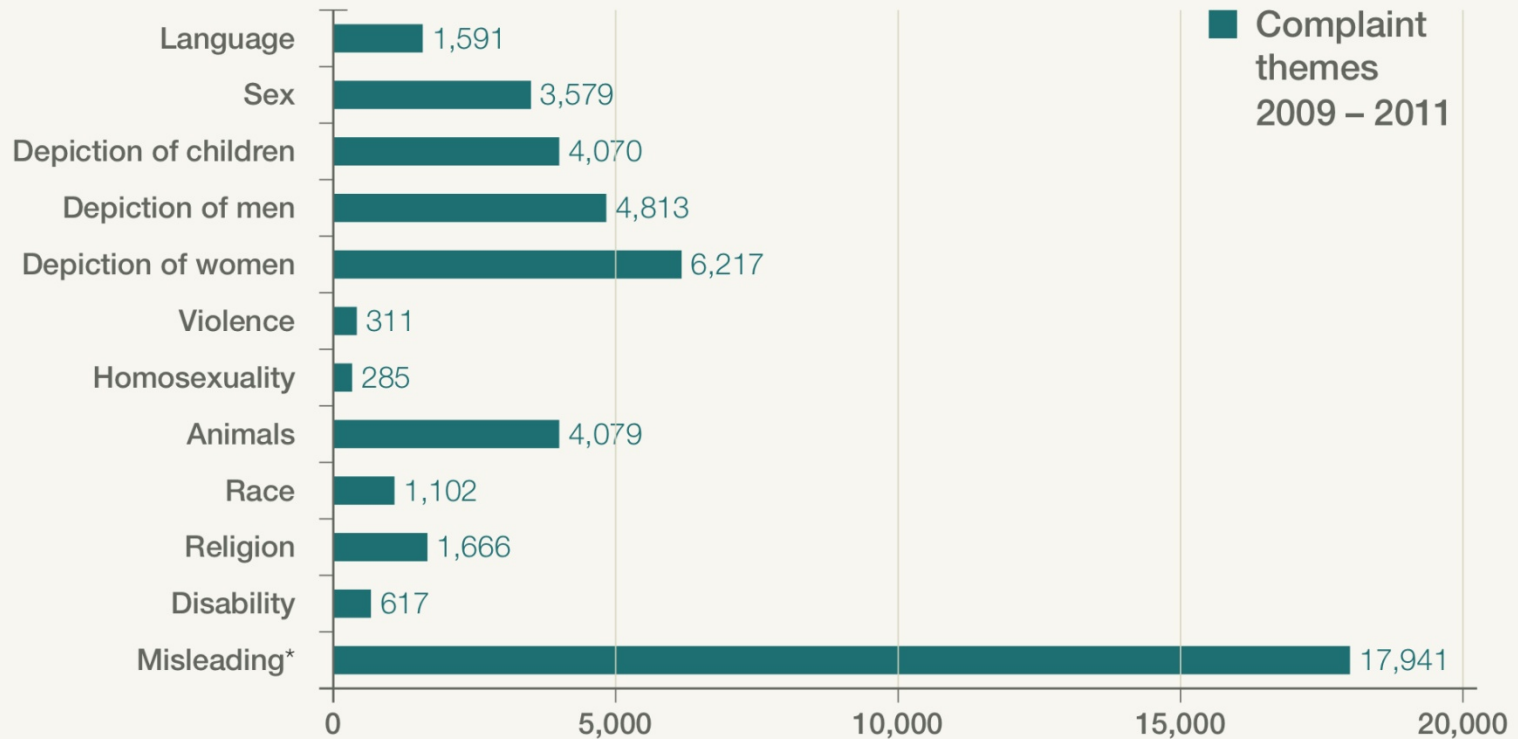
ANOTHER SWEET TREAT BY MARS

Legal, decent, honest and truthful





## Complaint themes 2009 – 2011



*\*Based on complaints about misleading prices, before/after images, exaggeration, post-production techniques, sales promotions and small print.*

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