

# More impact online

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Advertising Standards Authority



# More Impact Online: our strategy on a page

## Our purpose and ambition

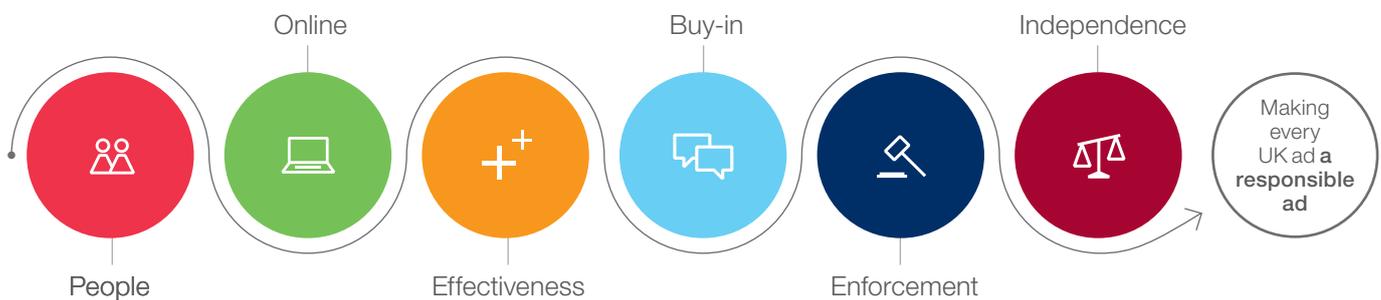
Our purpose is to make advertisements responsible and our ambition is to make every UK ad a responsible ad.

## What we do is important

We're passionate about what we do because responsible advertisements are good for people, society and businesses.

## How we regulate

We regulate ads wherever they appear. It's right for us to focus on online ads because businesses increasingly advertise online, people are spending more time online and the pace of change online contributes to concerns, but we won't take our eye off the important task of making sure ads are responsible in other media too. Resolving complaints will continue to be vital to our work, but so will continuing our proactive regulation.



## The six strands of our strategy:

### 1. People

We will put people first, which means everyone not just people who complain to us. We'll be open to listening in new ways and we'll continue to improve our engagement with the UK nations and regions.

### 2. Online

We will improve our regulation of online advertising. We'll continue to focus on misleading content and inappropriate targeting, but we'll also be open to thinking beyond that, for example seeking to work more closely with the large online platforms so we help each other to protect people from irresponsible ads. We'll develop our thought-leadership in online ad regulation.

### 3. Effectiveness

We will deliver high quality, proactive regulatory projects on ads that cause the most detriment to people. We'll prioritise better, explore using machine learning to improve our regulation, look to act more nimbly and simplify our regulation where we can.

### 4. Buy-in

We'll seek greater buy-in from online-only advertisers, retailers, brands, micro- and SME businesses and the social influencer community, by highlighting the benefits of our regulation and being open to regulating differently.

### 5. Enforcement

We will improve how we proactively identify and remove irresponsible ads (particularly online) and our sanctioning of non-compliant advertisers.

### 6. Independence

We will continue to regulate without fear or favour, taking account of the evidence-base at all times. We'll continue to demonstrate the effectiveness of our regulation – including in response to challenges to TV and online ad regulation – through our actions and our communication, and we'll be open-minded to change that strengthens the ASA system.

# Key drivers and strategic decisions

## 1 People



### Key drivers

- 1.1** In common with the general decline of trust in public institutions, people's trust in and favourability towards advertising are low. Their expectations of businesses and regulators are rising.
- 1.2** There have always been differences in society, but what divides us seems starker than before: urban v rural; nations and regions v London and the South East; social liberals v social conservatives; state-controlled v free market; Brexiters v Remainers.

### Strategic decisions

- 1.3** We will put people first, which means everyone and not just people who complain to us. Consumers and citizens; city and countryside dwellers; all nations and regions; children and, in particular, the vulnerable.
- 1.4** We will continue to pay close attention to the public we hear from every day, but we'll be open to listening in new ways, including using research, data-driven intelligence gathering and machine learning – our own or that of others – to find out what advertising-related issues are the most important for us to tackle. But with growing divisions in society, we won't be able to please everyone, or protect people from ever being offended. Our greater engagement across Scotland, Wales and Northern Ireland has been well-received. We will deepen it further to ensure we understand and value the views of all UK people.

## 2 Online



### Key drivers

- 2.1** People think online is a wild west, including advertising online. That contributes heavily to the undermining of trust in and favourability towards advertising and, potentially, our regulation.
- 2.2** Regulating online better means being, and being seen to be, at the forefront of and thought-leaders in online ad regulation.
- 2.3** Many people don't know we regulate online advertising, in particular companies' and organisations' own advertising claims on their own websites and social media spaces (online 'advertiser-owned' advertising).
- 2.4** In the coming years, data and privacy will move even further out of the shadows and into the light of what matters to people, even if many people continue to be careless with their personal data despite professing concern.

### Strategic decisions

- 2.5** We will further strengthen our online regulation to play our part in addressing well-founded concerns about internet content. We will continue to focus on inappropriate targeting and misleading content (including time-pressure tactics, dynamic pricing, clickbait/tabloid cloaking, fake celebrity endorsements and inadequate labelling of native/influencer/affiliate advertising). But we will also be open to thinking beyond that, for example seeking to work more closely with the large online platforms, so we help each other protect people from irresponsible ads (see 4) and monitoring social media chatter about irresponsible ads.
- 2.6** We will develop our thought-leadership in online ad regulation, including on advertising content and targeting issues relating to areas like voice, facial recognition, machine-generated personalised content and biometrics.
- 2.7** We will raise awareness of our online regulation, to the public, politicians, the media, opinion-formers, the ad industry and micro- and SME businesses (where we will seek the help of the large online platforms to reach their advertisers).
- 2.8** Working with others, in particular the Information Commissioner's Office, we will play a meaningful part in the regulation of the use of data for data-driven marketing.



## 3 Effectiveness

### Key drivers

- 3.1** Our own people, our committed employees, are our most valuable asset. Their skills and experience are essential to working towards our ambition. And being a diverse and inclusive organisation is an important way of ensuring we reflect and represent the people of the UK.
- 3.2** Our greater proactivity under our 2014-18 strategy has had an impact, has been well received and is necessary for us to keep up with the range of regulatory issues people and businesses face. But we can't keep adding to our workload: our new strategy needs to help us allocate our scarce resources, acknowledging that not all demands are equal.
- 3.3** Complaint case levels will continue to be unpredictable and our awareness-raising work, particularly of our role regulating online, will continue to contribute to more cases.
- 3.4** Technology, including machine learning, can help us become more effective and efficient.
- 3.5** People expect us to consider their complaints, but often feel less strongly about how we should then act; they don't always expect an investigation, particularly if they're in the habit of using 'reporting' functionality on social media platforms.
- 3.6** Resolving cases – including competitor complaint cases – quicker is important for protecting people, for maintaining a level playing-field and for the confidence of the advertisers who fund us.
- 3.7** Media convergence and new EU law will continue to challenge the way audio-visual media are regulated.
- 3.8** The UK is set to leave the EU, but globalisation will continue despite the increase in protectionist policies.

### Strategic decisions

- 3.9** We will make sure we recruit and retain the best people, which includes people from diverse backgrounds, so we can reflect and represent the people of the UK. We will ensure their skills and experience are supported by our better use of technology.
- 3.10** We will deliver the highest quality proactive regulatory projects on ads that cause the most detriment to people, including focusing on protecting particularly vulnerable people and on appropriately limiting children and young people's exposure to age-restricted ads in sectors like food, gambling and alcohol. Our intelligence-gathering, our own primary research and our expert analysis will be key to determining where and how we should act.
- 3.11** We will prioritise better, even if it means pivoting away from some issues and reinterpreting our current "we'll always do something" principle.
- 3.12** We will explore using machine learning to improve our regulation.
- 3.13** We will explore lighter-touch ways of allowing people to let us know what they think, adding to our intelligence and helping us to listen better.
- 3.14** We will explore whether our decision-making processes and governance always allow us to act nimbly, in line with people's expectations of regulating an increasingly digital advertising world. We will learn from other advertising regulatory bodies to improve our processes, including our competitor complaint process. And we will aim to simplify our regulation where possible.
- 3.15** To get better at solving cross-border issues, we will continue our engagement with supranational organisations and institutions, including through our membership of the European Advertising Standards Alliance (EASA) and the International Council for Ad Self-regulation (ICAS).



## 4 Buy-in

### Key drivers

- 4.1** The Internet relies on flat hierarchies and networks. If we reflect that by working more closely with the large online platforms, so we help each other protect people from irresponsible ads (see 2), we will get better buy-in from them and improve our online ad regulation.
- 4.2** Although the industry continues to support the ASA system, some online-only advertisers don't buy-in to the ASA system, which they see as part of the establishment they're disrupting. Some retailers think our online remit is overly wide, has insufficient regard for the existing regulatory settlement between them and statutory regulators, is insufficiently formal and joined-up with other enforcement bodies and contains processes that are overly narrow and paper-based. Some big brands no longer see the system as theirs. The long-tail (micro- and SME businesses) often don't know us and might not see their websites and social media spaces as advertising.
- 4.3** Too many involved in social influencer advertising don't know or don't care about playing by the rules, in particular by making it clear when content is advertising.
- 4.4** Although we have raised awareness of the ASA, and CAP has radically increased the number of pieces of advice and training it has delivered, too many in the industry don't know us well enough and don't use our advice and training services.

### Strategic decisions

- 4.5** We will seek to work more closely with the large online platforms, invite their greater engagement in the ASA system and explore opportunities to engage in and improve their advertising compliance processes.
- 4.6** We will seek to get online-only advertisers to engage more positively with the ASA system, by highlighting the benefits of our regulation and being open to regulating differently, for example by exercising more discretion over whether and how we take action. We will seek to improve buy-in from retailers by doing the same, showing them that we respect and cooperate with rather than compete with statutory regulators. We will remind brands who might drift away that the ASA system is their system. We will raise awareness of our regulation to 'the long-tail', including by seeking to collaborate with platforms on which those businesses advertise.
- 4.7** We will further raise awareness of our regulation to influencers, celebrities, talent/social/PR agencies and the brands who use them.
- 4.8** We will invite greater engagement with and better promote our advice and training services to the industry.

## 5 Enforcement



### Key drivers

- 5.1** People understand that online is difficult to regulate, but they think it's still too easy to come across irresponsible UK online advertising, for example through search. And some established brands think we're ill-equipped to tackle those online-only advertisers who regularly flout the Codes, but who give assurances to the ASA that they'll comply when we challenge them.
- 5.2** We're primarily able to deal with companies who want to play by the rules and we need to deal differently with those who don't, especially those we suspect of running fraudulent businesses. Working with statutory regulators will be important, but there will be gaps that no-one can fill.

### Strategic decisions

- 5.3** Through better cooperation, more technological tools (including machine learning) and more resources, we will improve our identification and removal of irresponsible ads (particularly online) and our sanctioning of non-compliant advertisers. We will seek to ensure there is always a proportionate cost to non-compliance.
- 5.4** We will recognise scams earlier, so we can refer scam traders to statutory regulators better placed to deal with them.

## 6 Independence



### Key drivers

- 6.1** Governments across the UK are increasingly willing to legislate in areas covered by the ASA system, in particular advertising on TV and on social media platforms.
- 6.2** Some public figures don't share our view of the independence and/or effectiveness of advertising self-/co-regulation.

### Strategic decisions

- 6.3** We will continue to regulate without fear or favour, taking account of the evidence-base at all times; continuing to exploit research insights will be a key part of demonstrating our impartiality. We will continue to demonstrate the effectiveness of our regulation – including in response to challenges to TV and online ad regulation – through our actions and our communication, but we'll be open-minded to change that strengthens the ASA system.
- 6.4** We will listen carefully to challenges that the ASA system is not sufficiently independent or effective, engaging constructively and, where necessary, making changes to improve our independence, openness, accountability and effectiveness.

# What success will look like

## 1. People

We will be able to demonstrate that our regulation benefits everyone, not just our complainants, including by using research and machine learning to find out what advertising-related issues are the most important for us to tackle.

We will be acting more nimbly, in line with people's reasonable expectations of regulating an increasingly digital advertising world. We will be able to demonstrate that our regulation is simpler.

We will be providing more and better advice and training services to the industry.

We will continue to be core members of EASA and ICAS.

## 2. Online

We will be able to demonstrate that we are working more closely with the large online platforms, ensuring more responsible ads.

We will be seen to be thought-leaders in online ad regulation.

We will bring about significantly better awareness of our online regulation, by the public, politicians, the media, opinion-formers, the ad industry and micro- and SME businesses.

We will be able to demonstrate that we are playing a meaningful part in the regulation of the use of data for data-driven marketing.

## 4. Buy-in

We will be able to demonstrate more positive engagement with online-only advertisers, retailers, brands, micro- and SME businesses and the social influencer community.

## 5. Enforcement

We will be able to demonstrate significant improvements in our identification and removal of irresponsible ads (particularly online), our sanctioning of non-compliant advertisers and our referral of scam traders to statutory regulators.

## 3. Effectiveness

We will have maintained our current diversity of staff in most areas. We will have taken steps to improve diversity in areas where we are weaker, eg. increasing female representation at more senior levels.

The outputs and outcomes of our regulatory projects will demonstrate their high quality, as will their focus on the issues and areas that cause the most detriment to people, particularly children and other vulnerable people.

We will be able to demonstrate that we are prioritising better, using machine learning to improve our regulation and using lighter-touch ways of allowing people to raise their concerns.

## 6. Independence

Our record will show that we regulate without fear or favour, taking into account the evidence-base. We will have demonstrated the effectiveness of our regulation, including of TV and online ads, through our actions and our communication, such that any change has strengthened rather than threatened the ASA system.

We will be able to show that we have made changes to improve our independence, openness and/or accountability, in response to well-argued challenge.



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