

Your response

Question	Your response
<p>Question 1a: Do stakeholders agree with Ofcom’s proposed guidance on control of advertising, including the application of the terms ‘marketed, sold or arranged’?</p>	<p>Confidential? – N</p> <p>We agree with the proposed guidance. We believe that advertisers welcome all standardisation of regulatory approaches to advertising within online channels, notwithstanding the complexity of the challenge – especially at a time of regulatory and legislative upheaval.</p> <p>We believe that adequate consideration has been given to the differentials between VSP controlled advertising and non-VSP (i.e., user) controlled advertising within the ‘marketed, sold or arranged’ distinctions.</p> <p>We welcome the future-facing modelling which we believe should allow for stable regulatory principles to be maintained. This is essential as new ad serving and content recognition technologies are introduced.</p> <p>We are mindful that the advertising and marketing industry is moving towards unifying its definitions of harmful content – and other types of brand- and community-unsuitable advertising content – through the World Federation of Advertisers’ (WFA) Global Alliance for Responsible Media (GARM) initiative, and believe this to be relevant here.</p> <p>GARM standards seek to establish definitions for harmful content for safe advertising practices; the development of more harmonised reporting on harmful content; a commitment to have independent oversight on brand safety operations, integrations and reporting; and a commitment to develop and deploy tools to better manage advertising adjacency. We expect that this work will produce the category structures around which governance and regulation can be built.</p> <p>We expect widespread take-up of the GARM</p>

	<p>Brand Safety Floor and Suitability Framework, with major global platforms such as Facebook and Google involved in the work and expressing their support (as well as other global brands, media owners, agency networks, and adtech suppliers). We described the Brand Safety Floor and Suitability Framework in detail in our submission to the Ofcom consultation on VSPs and harmful content earlier this year.</p> <p>We expect that greater alignment of the platforms and other major stakeholders will become apparent in the autumn of 2021, providing a ready framework for technology – and for compliance and reporting.</p>
<p>Question 1b: If you do not agree with the proposed guidance on control of advertising, please explain why, and include any alternative approaches.</p>	<p>Confidential? – N</p> <p>N/A</p>
<p>Question 2a: Do stakeholders agree with Ofcom’s proposed framework for regulating VSP-controlled advertising?</p>	<p>Confidential? – N</p> <p>Recognising the automated nature of online advertising through VSPs, we welcome the proposed framework for the regulatory approach to the online media channels delivering on-demand and self-serve programming. We note that this more closely aligns online with other media channels, and that Ofcom and ASA alignment (via the CAP/BCAP Codes) are a key feature. We believe that this move will provide advertisers with a more predictable, brand safe, and suitable environment for advertising.</p> <p>Likewise, this regulatory framework will provide audiences with greater reassurance that reasonable regulatory steps are being taken which put online advertising into similar regulatory categories as traditional media channels.</p> <p>Relating to how this will work, ISBA is confident that aligning Ofcom’s proposed framework with the anticipated GARM framework, as referenced above, would support advertisers’ self-regulatory efforts.</p> <p>ISBA would expect clear guidelines for allowable advertising from VSPs to advertisers to be made prominent and easy to interpret in</p>

	<p>self-serve systems, thus providing a safe and suitable environment for all advertisers. To this end, the inclusion of content verification technologies to catch infringing content within ads controlled by VSPs must be considered an imperative by VSPs operating in the UK.</p> <p>This framework clearly has implications not just for advertisers but also for audiences. In our response to the VSPs and harmful content consultation, we referenced how controls on the uploading of material, married with age-gated controls managing the accessing of such content by the user, are necessary to create a fully effective system. ISBA and our members have long sought improved enforcement of age limits through improved verification techniques. We continue to believe that further innovation is needed in this area to improve standards, and there are a range of techniques which could be deployed, up to and including formal identification through documentation. It is possible that a trusted, verifiable digital identity could also be a powerful tool for preventing younger age groups from seeing advertising which would be inappropriate for them.</p>
<p>Question 2b: If you do not agree with the proposed framework for regulating VSP-controlled advertising, please explain why, and include any alternative approaches for regulating advertising on VSPs.</p>	<p>Confidential? – N</p> <p>N/A</p>
<p>Question 3a: Do stakeholders agree with Ofcom’s proposal to designate the ASA as a co-regulator for VSP-controlled advertising?</p>	<p>Confidential? – N</p> <p>ISBA welcomes the designation of the ASA as Ofcom’s co-regulator. The ASA, with its world-leading regulatory framework, is already working with principal platforms such as Facebook and Google on a voluntary basis.</p> <p>We recognise that the proposed Framework shifts this informal arrangement to a formal regulatory framework, and that the ASA’s funding has been appropriately considered.</p>

<p>Question 3b: If you do not agree that it would be appropriate to designate the ASA as a co-regulator for VSP advertising, please explain why, and include any alternative approaches.</p>	<p>Confidential? – N</p> <p>N/A</p>
<p>Question 4a: Do stakeholders agree with Ofcom’s proposed guidance on non-VSP-controlled advertising?</p>	<p>Confidential? – N</p> <p>We agree that it is essential to build in failsafe functionality uploading steps to VSP channel / content owners’ content upload steps that ensure that VSP users which have a paid arrangement with an advertiser to market or promote their product is fully aware of restrictions, such as for alcohol, tobacco and other products and services unless it meets the general advertising requirements.</p> <p>We expect that VSPs have the technical know-how to ensure that such systems are able to effectively manage the scale of the automated environment, and be able to reassure advertisers and audiences that users and channel owners will be regulated to the same extent as the VSP itself.</p> <p>We also expect that the upload systems of the VSPs should provide the failsafe labelling functions that provide a clear label to audiences, enabling them to identify when uploaded content contains paid advertising. These may utilise labels such as CAP’s recommended #ad.</p>
<p>Question 4b: If you do not agree with the proposed guidance on non-VSP-controlled advertising, please explain why, and include any alternative approaches.</p>	<p>Confidential? – N</p> <p>N/A</p>
<p>Question 5a: Do stakeholders agree with Ofcom’s proposed approach to regulating non-VSP-controlled advertising?</p>	<p>Confidential? – N</p> <p>We agree with the proposed approach to regulating non-VSP-controlled advertising. In particular we are encouraged that there is clear alignment between the ASA and Ofcom, such as determining the measures to protect audiences from harmful material. We would expect VSPs to ensure that users have a clear understanding of what constitutes harmful material in the context of the individual platform and any and all restrictions on any paid or arranged marketing contained in their uploads.</p>

Question 5b: If you do not agree with the proposed approach to regulating non-VSP-controlled advertising, please explain why, and include any alternative approaches.

Confidential? – N

N/A

Please complete this form in full and return to vspregulation@ofcom.org.uk