

Informed Consent

It is our belief... that there should be a clear, fair and transparent value exchange between companies and their customers. This is as true for the collection of data about people as it is in the process of purchase and supply of goods and services.

The leadership position

People should be seen as active participants in and controllers of their own online experience, and data minimisation should be the default. The industry will be more effective if we demonstrate respect for people by engaging them in the 'value exchange' between advertising & content, respecting their user experience of the internet, and promoting informed consent.

The commercial imperative

The introduction and implementation of GDPR in May 2018 means that customers and consumers must have far greater control over their data and how it is used. Ignoring this could impact jobs in the digital advertising sector, and will further erode trust in online sources and the advertising industry as a whole.

We believe organisations should make the following commitments to advertising and include the following criteria in all agency briefs:

Actions for data, respect and transparency

Promote real clarity, choice and control around how personal data will be used, what people receive in return, and options for users to tailor their online experience. Promote active data ownership and informed consent.

- GDPR should be viewed as a minimum standard, and the benchmarks for best practice should be [The WFA Data Transparency Manifesto](#), the [Mozilla Data Privacy Principles](#), and in the comprehensive information available in the ICO [checklist for best practices when devising consent strategies](#).
- Encourage suppliers, media owners and activation teams to establish a programme of frequent audits to determine the data you do and do not need to collect.
- Only collect and store data for which there is a valid and legitimate business reason, and assess all processes for unintended negative consequences.
- Remove data which is not needed.
- Work with suppliers and media owners to understand and monitor how they collect data, what data they collect, and why they collect it. Any non-compliance should be highlighted and reported.
- Privacy notices and consent mechanisms should allow people to have more control over what and when data is collected about them. People should have a clear understanding of how you will use their data, why you need it and where you will store it and transfer it to, and it should be explained clearly and concisely to them in a way that they can understand.
- Consider if you need to collect and/or use special category data at all. A number of potential issues related to discrimination arise when special category data is used (e.g. health), including preventing certain groups of people from accessing your products and solutions.
- Continuously improve processes, including using 'opt in' data or ad formats where possible, and co-create new ad formats and consent methodologies with customer input.

Actions for user experience

To create a respectful experience for people online, that they understand and enjoy, whilst delivering effective advertising. Building long lasting relationships based on trust and a clear value exchange, supported by data.

- Media planning and strategy should focus on prioritising quality of reach & better targeting, over metrics based on quantitative reach.
- Establish a contact framework that determines the frequency with which you should be delivering messages to people, and where you should be interacting with them.
- Data collection should focus on good quality data, collected respectfully, to improve the quality of ads.

- Develop a first party data strategy which focuses on gathering quality data. Advertisers may find opportunity in the emerging Personal Data Economy, which empowers people with their own data.
- Where possible, use alternatives to hyper-targeting and behavioural advertising such as interest-based or contextual advertising. And consider developing non-tracking affiliate partnerships.
- Ad experiences should be positive, and not interrupt, distract, or prevent personal control. Ads should be clearly marked and seamlessly coexist with content where possible. Formats should comply with the Coalition for [Better Ads](#) criteria as a minimum and preferably the [Acceptable Ads criteria](#). This may also include using ad formats that minimise the load time of websites and are compliant with the IAB Lean Standard (p12-16).

Actions for emerging technologies

AI is becoming increasingly pervasive in advertising and presents a range of ethical issues. Marketers must sense check their use of it, and assess new technologies for unintended consequences to prevent future harms. As budget holders, advertisers have the power to drive the data ethics agenda by:

- Avoiding AI based advertising technologies which rely on stored biometric data, facial recognition, phrenology, or other components which have the potential to cause significant harm.
- Seek to minimise risk by asking suppliers for ethical evaluations of new technologies, and ask them if they monitor impacts over time to identify 'unknown unknowns' e.g. anti-slavery policies, anti-weapons, anti-genocide.
- Taking steps to embed a culture of data ethics in the organisation - develop a checklist to evaluate your use of data and technology, hire people from diverse backgrounds and consider making data ethics a key metric. The [ODI Data Ethics](#) canvas is a useful tool to help.
- Educating yourselves on the issues of algorithmic bias and unintended consequences, and asking your suppliers how they measure, conform and correct. Ask suppliers if their AI is causing any discrimination under the characteristics in Article 2 of the [UN Declaration of Human Rights](#).