

Advertising Steering Group

DRAFT Minutes for meeting of 16 February 2018, 10.00-11.30

Venue: Palestra, 197 Blackfriars Road, SE1 8JZ

Attendees

Members:

Dr Mee Ling Ng (Chair)
Tom Knox
Leah Kreitzman
Lexian Porter
Kim Sanders
Val Shawcross

Philippa Kings, JCDecaux
Neil Skelton, Exterior Media
Tom Atkinson, TfL (secretariat)
Graeme Craig, TfL
Chris Macleod, TfL
Chris Reader, TfL

Other attendees:

Minutes

1	Chair's welcome.
	Dr Mee Ling Ng welcomed members to the third meeting of the Advertising Steering Group (ASG).
2	Introductions and apologies.
	Attendance is recorded above. Apologies were received from Evelyn Asante-Mensah and Dr Phillipa Diedrichs.
3	Presentations by TfL's advertising partners on the number of campaigns run, category breakdowns, number of amendments and rejections, complaints received and examples of best practice.
	Presentations were given by Neil Skelton from Exterior Media and Philippa Kings from JCDecaux which included: <ul style="list-style-type: none">• Number of advertisements run from 1 July 2017 – 31 December 2017.• Complaints received directly by Exterior Media and JCDecaux, either directly from members of the public or via the Advertising Standards Authority (ASA). In the period 1 July 2017 to 31 December 2017, Exterior Media and JCDecaux carried over 12,000 advertisements. TfL received 150 complaints during this period.
4	Discussion: Recent advertisements or copy decisions receiving media attention



	<p>Members asked if advertisers submitting dozens of versions of an advertisement at the same time were a strain on TfL’s resources. TfL said that it was not necessarily a bad thing to see various versions of an advertisement because it meant that it would usually be able to approve some or work with the advertiser to allow some to be approved; even if other versions would be unacceptable. TfL does not want to be in habit of rejecting advertisements and the vast majority of advertisements are approved.</p> <p>Members discussed how TfL needs to look at high-cost short-term credit, including their tone to make sure that they aren’t portraying such products as care-free.</p> <p>Members discussed how the Advertising Policy could result in higher quality advertising. TfL said that in addition to the Advertising Policy, significant investment was being made in the advertising estate, including new digital screens. Members said that more digital screens could lead to more creativity because advertisers could do different campaigns than on traditional posters.</p> <p>Members discussed how TfL could engage more with the industry and with customers regarding advertising. TfL could explain more to the industry clauses of the Advertising Policy including that not allowing graffiti or the appearance of broken glass, and how that is applied. With customers, more information could be put on the TfL website, including about the copy approval process. Members said that TfL was a trusted brand and that this also applies – and should continue to apply – to its advertising estate.</p> <p>Members discussed how more needed to be done to make advertising representative of London’s diverse population. Members said that ‘brand safety’ and reputation was important in advertising and this could mean brands are keen to engage with guidelines like the Advertising Policy and produce more representative advertisements.</p>
5	Discussion: Update on #behindeverygreatcity
	Members heard an update on the #behindeverygreatcity campaign. #behindeverygreatcity is a year long campaign to highlight the 100 year anniversary of women first getting the right to vote. Events will be held throughout the year, with the Mayor and TfL working together on a number of exciting activities.
6	Consideration of recommendations to TfL
	The minutes will be circulated and published on the TfL website. Members also proposed topics of discussion for the next meeting, which are included below.
7	Suggestions of topics to discuss at the next meeting
	Members proposed topics of discussion including high-cost short-term credit advertising and how TfL can better engage with the industry to show how it is transforming its advertising estate and how TfL wants to see higher quality advertising; new advertising assets on the Elizabeth line will be a great example



	of this investment.
8	Date of next meeting – please can members send through any dates to avoid in July 2018
	The date for the next meeting is to be confirmed.
9	Any other business
	There were no items of any other business.



Appendix I – Briefing pack: TfL Advertising Policy, the approvals process and complaints

Advertising Steering Group – February 2018

Briefing Pack: The updated TfL Advertising Policy and complaints since its introduction

Background

Our updated Advertising Policy was introduced in July 2016 as we continue to ensure that advertising on our network is appropriate. The policy includes a clause inserted so that advertisements would not be accepted if they “could reasonably be seen as likely to cause pressure to conform to an unrealistic body shape, or as likely to create body confidence issues particularly among young people”.

It should be noted that the Advertising Policy does not seek to be proscriptive except in specific cases. Indeed, whilst the Advertising Policy is now more definitive on issues including body shaming, in some areas it allows for a wider range of political advertising; for example, now allowing ‘political’ advertising and banning ‘party political’ advertising, where previously all ‘political’ advertising was banned.

It is not our aspiration to become a censor, but we have an important responsibility as the operator of a large, and often closed, network, to ensure we don’t carry advertising which is offensive, insensitive, promotes violence, hate, intolerance or inequality, or is purposefully controversial.

We published our first Advertising Report in October 2017, showing the success of the Mayor’s drive to make TfL more commercially-minded, outlining how TfL is modernising the estate to maximise opportunities and analysing the first year of the revised Advertising Policy.

Current status

We carried **over 16,000 advertisements last year**, and we, and our advertising partners, reviewed each and every one. We want to work in partnership with the advertising industry, and very few advertisements are rejected outright. In addition, only a small number of individual complaints about advertising on our network are received. Our two largest advertising partners received **more than 12,000 advertisements between 1 July 2017 and 31 December 2017**. The number of complaints received during this period and the number of advertisements rejected can be seen in the context of this increased number of advertisements received.

Complaints

From 1 July 2017 to 31 December 2017 we received **150 complaints** from customers. Over half of these regarded Russia Today advertisements.

Advertisement	Number of complaints
Russia Today	87
Jigsaw (film)	11
Quotejesus.com	5
The Ritual (film)	4
Ryanair	4
World Baloch Organisation	4
Unspecified: Nudity/sexual nature	4
Pay day loans	3
The Ashes (computer game)	2
Potatoes: More than just a bit on the side	2
The Snowman (film)	2
United Colours of Benneton	2
Monarch (airline)	2
Munich (book, Robert Harris)	2
The Kingsman (film)	2
Book a hitman	1
MacDonald's	1
Canada Goose	1
See it, Say it, Sort it	1
Muslim Aid	1
Natural History Museum	1
Semilsrael Expo	1
Coca Cola	1
Pregnacare	1
Forza Diet	1
Disney	1
Benylin	1
Unspecified: Guns	1
Unspecified: Horror	1
Total	150

The advertisements with the most complaints are included here:



Russia Today:



Jigsaw (as seen on a bus in Kent):



QuoteJesus.com:



Our advertising partners receive complaints from the Advertising Standards Authority (ASA) directly and then inform us. From 1 July to 31 December 2017, our two largest advertising partners received 11 complaints from the ASA.

One appeal was upheld, against eHarmony for an advertisement that was deemed misleading, unsubstantiated and exaggerated. Five appeals were not upheld. Three appeals were informally resolved. Two appeals have not yet been decided.

Rejected advertisements

From 1 July 2017 to 31 December 2018 we rejected **23 advertisements**. These were of advertisements referred to us by our advertising partners. Our advertising partners can reject advertisements without referring them to us, where they do not comply with the Advertising Policy. The advertisements were rejected on the following grounds – referring to clauses from the Advertising Policy (see Appendix 1) (some advertisements were rejected for more than one reason):

Clause	Number of rejections
2.3	0
2.3 (a)	4
2.3 (b)	1
2.3 (c)	2
2.3 (d)	3
2.3 (e)	1
2.3 (f)	4
2.3 (g)	0
2.3 (h)	3
2.3 (i)	0
2.3 (j)	1
2.3 (k)	1
2.3 (l)	3
2.3 (m)	6
2.3 (n)	1

It should be noted that a rejection does not mean that a campaign cannot run in an amended or revised form. We welcome brands revising their advertisements, and can, in some cases, result in approved advertisements later on. In many cases, advertisers returned with new, revised submissions which were then approved to go up on the network.

Discussion item: Recent advertisements or copy decisions receiving media attention

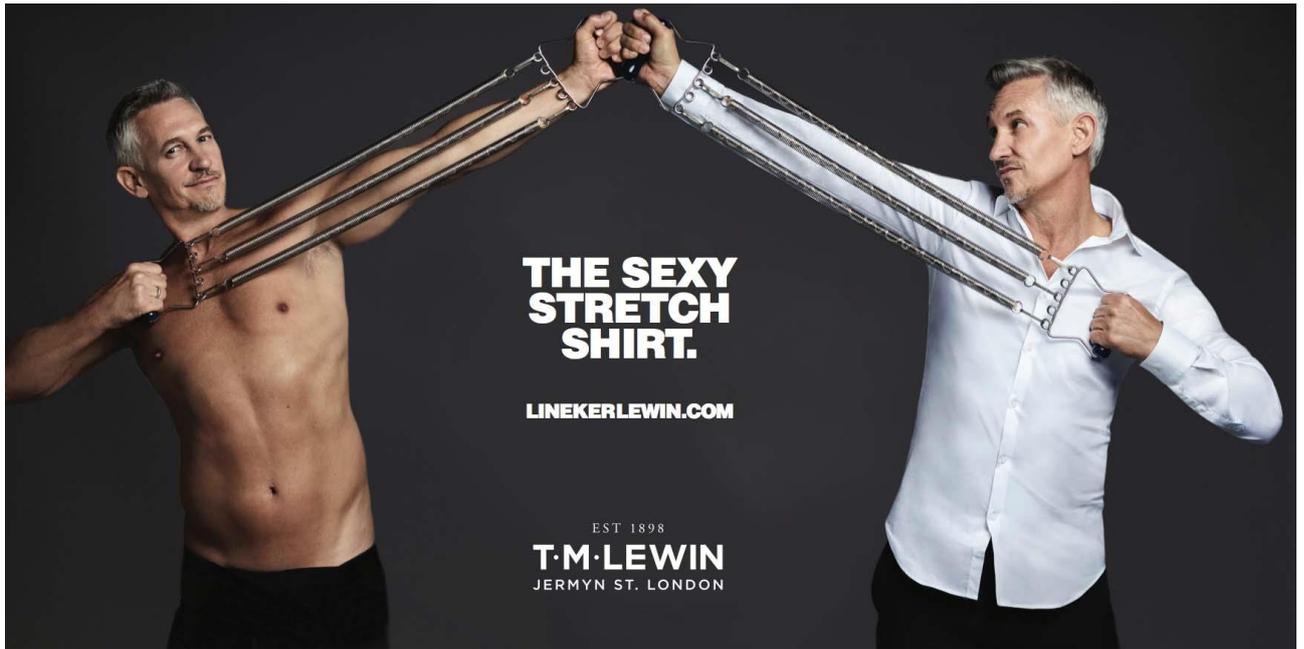
We own 40 per cent of the country's advertising space by value and 20 per cent of London's advertising space by value. Our advertising estate is high profile, large, and in many places closed and unlike TV, online and print media, people cannot simply switch off or turn a page if an advertisement offends or upsets them. We want to ensure that all advertising on our network is appropriate and have a robust approvals process in place. We do, however, receive complaints about advertisements on our estate and look to take feedback on board – both from our customers and you, the Mayor's Advertising Steering Group.

Over the past period a number of advertisements that have run on our network have been subject to media attention. We would like to encourage a discussion on these advertisements and to get your advice and guidance on the implementation of our Advertising Policy.

Please see below a selection of the media attention that our estate has received in the past six months (others may be highlighted in presentations from our partners):



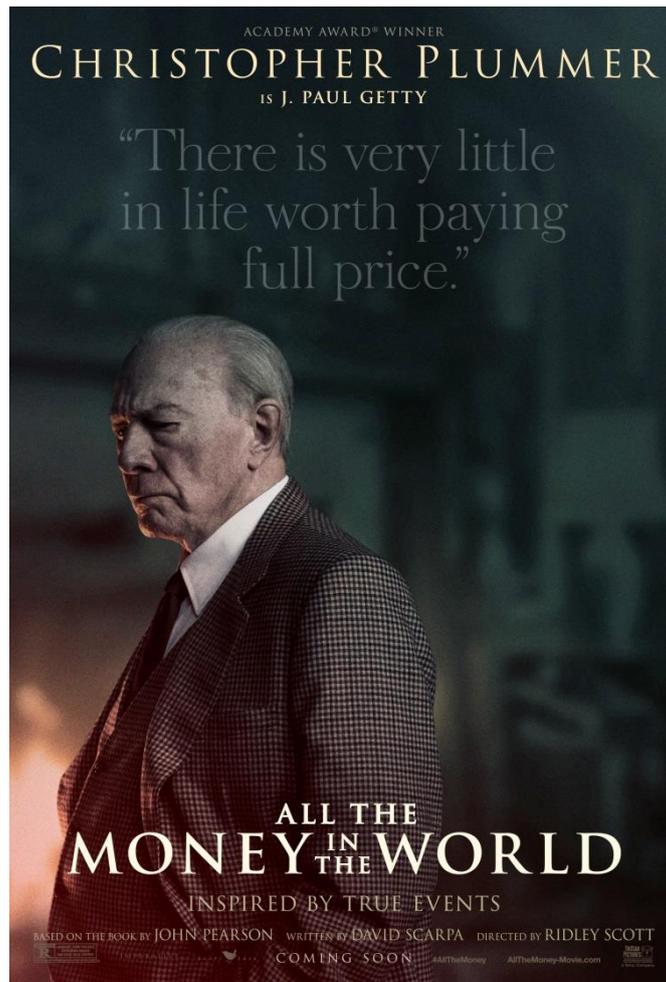
Egon Schiele – Vienna Tourism (previous iterations were not covered up).



Gary Lineker – TM Lewin (we did not ask the advertiser to put underwear on Mr Lineker, but rather to simply move the bottom of the advertisement up to make clear that he was not naked. The advertiser put the underwear in, but approached the press).



Perfect Tights – Heist (the image on the right was accepted).



All the Money in the World (this advertisement was accepted. We had queries about whether we would have accepted this with the actor previously due to be playing J Paul Getty, but no other copy was submitted).

Discussion item: Update on efforts to encourage more diversity in advertising

The diversity of our audiences is vast covering every age (including children), gender, sexual orientation, religion, language, heritage, economic background and interest. We want to encourage great advertising campaigns that reflect the diversity of London.

We will provide an update on how we can go about encouraging more diversity in advertising, especially in line with the Mayor's #behindeverygreatcity campaign 100 years after women were first given the vote. At the last meeting of the Advertising Steering Group in July 2017, we heard about the IPA's efforts to bring more diversity to the advertising industry.

The approvals process

We have a robust approvals process that starts with our advertising partners. Our advertising partners are empowered to consider advertisements submitted to them against the Advertising Policy – but also against ASA regulations and other relevant regulations and legislation – and can reject advertisements without referring them to us.

More often than rejecting an advertisement, our advertising partners work with the brand to amend an advertisement to a point where it does meet the Advertising Policy. Nonetheless, any advertisements that are contentious are referred to us to make the final decision – after guidance has been sought from CAP on whether the advertisement meets the CAP code.

An advertisement will often go through several tiers of approvals and amendments with our advertising partners before even being sent to us.

We always monitor complaints received once an advertisement is displayed, both from customers and from the ASA. The work of the Mayor's Advertising Steering Group is one way in which we can ensure our approvals process remains robust, by having your feedback on our implementation of the Advertising Policy informing our processes.



Appendix 1 – Excerpts from our Advertising Policy

- 2.3 An advertisement will not be approved for, or permitted to remain on, TfL's services if, in TfL's reasonable opinion, the advertisement does not comply with the law, does not comply with the UK Code of Non-broadcast Advertising, Sales Promotion and Direct Marketing (or any relevant CAP code), is not socially appropriate, or is inconsistent with TfL's obligations under section 149 of the Equality Act 2010 (the Public Sector Equality Duty). More particularly, an advertisement will be unacceptable if:
- (a) it is likely to cause widespread or serious offence to reasonable members of the public on account of the product or service being advertised, the content or design of the advertisement, or by way of implication. Advertisements which are consistent with TfL's Public Sector Equality Duty, such as those which promote tolerance, or discourage prejudice, will not however normally be disapproved on the ground that they might cause offence;
 - (b) it depicts adults or children in a sexual manner or displays nude or semi-nude figures in an overtly sexual context. (While the use of underdressed people in, for example, underwear advertising, may be appropriate, gratuitous use of images of an overtly sexual nature will be unacceptable.);
 - (c) it could reasonably be seen as distasteful, indecent or obscene, in its use of imagery, language or otherwise;
 - (d) could reasonably be seen as likely to cause pressure to conform to an unrealistic or unhealthy body shape, or as likely to create body confidence issues particularly among young people;
 - (e) it relates to lap-dancing, 'gentlemen's clubs', escort agencies, massage parlours, or unproven health and weight loss products;
 - (f) it depicts direct or immediate violence to anyone shown in the advertisement; or could reasonably be seen as condoning, inciting or provoking crime, illegality, violence, or anti-social behaviour;
 - (g) it relates to films which have not been granted permission for public exhibition or which do not show the British Board of Film Classification certificate;
 - (h) it contains images or messages which relate to matters of public controversy or sensitivity. Advertisements which are calculated to promote tolerance, discourage prejudice, or are consistent with TfL's Public Sector Equality Duty, advertisements which are calculated to promote the right to life, liberty and security of the person, and advertisements which reasonably promote causes which are not party political, will however not normally be disapproved on this ground;
 - (i) it refers to or portrays (or gives the impression of portraying) a living person. TfL requires an indemnity against any action by that person, or on that person's behalf, before such references or portrayals will be accepted. This does not apply to a

person who is a professional performer, model or similar, unless there is reason to doubt their consent;

- (j) it contains negative references to TfL's services, or those services provided or regulated by other members of the GLA Group, or might bring TfL or other members of the GLA Group into disrepute;
- (k) it is likely to be defaced, for example due to the subject matter or the inclusion of a high proportion of blank space;
- (l) it uses handwriting or illustrations that suggest the advertisement has been damaged, defaced, fly posted or subject to graffiti, after it has been posted;
- (m) it may adversely affect in any way the interests of the site owner, TfL or any member of the GLA Group;
- (n) it promotes a party political cause or electioneering. Advertisements must conform to TfL's policy on use of resources, with particular care exercised in pre-election periods;
- (o) it is digital, and may pose a health and safety risk as a result of flickering or other visual imagery;
- (p) it is unacceptable for some other substantial reason (which TfL will identify and explain as reasonably required).