



Appointment brief

Appointment of Chair

March 2024

Reference: QBNAA

An introduction

The Advertising Standards Authority (ASA) is the UK's independent regulator overseeing advertising across all media, including social media.

The authority of the ASA to regulate underwrites the consumer's trust in advertising messages being legal, decent, honest, and truthful. It is this trust that helps to make the UK advertising market one of the most successful and dynamic in the world.

The rules ASA administers and enforces are contained in the UK Advertising Codes, written by the industry Committees of Advertising Practice (CAP).

ASA FUNDING

To help maintain ASA's independence from the industry that funds it, it is primarily funded at arm's length by the Advertising Standards Boards of Finance (Asbof). The funding comes primarily from advertisers, through a 0.1% levy on display advertising space and airtime collected by media buying agencies. In the last decade the ongoing disintermediation of media buying, with advertisers buying direct from digital platforms rather than through media agencies, means that direct contributions from digital media owners are also of growing importance.

Together, the ASA, CAP and Asbof make up the ASA system. The ASA system is a mixture of self-regulation for non-broadcast advertising and co-regulation (with Ofcom) for broadcast, video-on-demand, and video-sharing-platform advertising.



ASA BACKGROUND - CURRENT STRATEGY

The ASA is in a process of ongoing dynamic evolution, implementing the first year of the new 2024-2028 strategy: AI-assisted, collective ad regulation.

The reason for change is to deal with the challenges posed by regulating online ads at pace and scale. In recent years, ASA has rebalanced regulation away from reactive complaints casework towards proactive, tech-assisted intelligence-gathering, complaint handling, monitoring and enforcement.

Building in-house data science capability has been key to that. ASA processed three million ads/potential ads through the Active Ad Monitoring system in 2023. As well as providing vital intelligence, that deployment of AI helps ASA's compliance experts identify and swiftly act against irresponsible online ads. The plan is to substantially increase that number, provide more comprehensive reporting on compliance levels in the areas monitored and report on significantly greater numbers of irresponsible online ads amended or withdrawn.

The new strategy also covers how this AI push will be complemented by championing significant change in how the regulatory framework should develop to help meet the challenges faced in regulating online ads and bringing greater transparency and broader accountability to the role online platforms and intermediaries play.

The instrument here is the ASA's world-first Intermediary and Platform Principles pilot (IPP), currently in assessment of the 2023 pilot study before expected roll out as IPP 2.0

In addition, projects in areas like online ad targeting, body image and climate change are at the forefront of our proactive response to vital societal issues.

As the UK's independent frontline regulator of ads, we deliver value both to the public and to responsible businesses. That is why the ASA system is widely respected both here and abroad. There are challenges and opportunities ahead. Trust in advertising is improving very encouragingly, but there is work still to do and the pace of digital change is extremely high, hence the focus of our new strategy.

We are proud of our role protecting people, but we need to do even more. And the Chair of the ASA is fundamental to our future success.



ASA PURPOSE, AMBITION AND VALUES

Our purpose is to make sure ads are responsible. Our ambition is to make sure every UK ad is a responsible ad.

Our values are to be proactive, collaborative, accountable, transparent, and decisive. We want external stakeholders to find us: independent in administering the Codes; evidence-based, proportionate, targeted and consistent; and reflective of society, not a social engineer.

ASA is passionate about what it does because responsible ads are good for people, good for society and good for business. They entertain and inform us, helping us to choose products and services. They fund the media, sport, and culture we all enjoy. They can be a force for social good, encouraging us to contribute to good causes, make more responsible choices and stay safe. And they help deliver competition and power the economy.



HOW ASA REGULATES

ASA puts people first. Protecting them from irresponsible ads sits at the heart of what it does.

The focus is on online ads. That is because: people, particularly children, spend so much time online; businesses advertise online more than anywhere else; our experience of regulating ads in all media tells us there are relatively more problems with online ads; and the online environment is vast, diverse, often subject to few or no media gatekeepers and is subject to rapid innovation.

Indeed, more than 75% of total advertising spend in the UK is now online.

But there is also an important focus on the important task of making sure ads are responsible in other media too.

ASA uses technology, including data science, to enhance our effectiveness and efficiency and we invest as much in preventative and proactive regulation as we do in reactive regulation. However, knowing what ads the public and others complain to us about remains important, as does acting on complaints that identify breaches of the Codes.



STATUS AND INDEPENDENCE

ASA has been responsible for regulating non-broadcast advertising since 1962, when the ASA was established by the advertising industry. Our success led Ofcom to contract-out the regulation of broadcast advertising in 2004. That move was approved by Parliament and created a 'one-stop shop' for advertising regulation. The ASA system expanded again in 2011, when it began to regulate companies' own advertising claims on their own websites and social media channels.

ASA has always worked with the wider advertising industry, which depends on trust in advertising. We strive to make sure advertisers play by the same rules, helping to create trusted media environments in which their responsible ads can flourish. We rely on their arm's-length funding, and the support, buy-in and, in some cases, funding of all parties involved in the preparation and publication of ads. We attach great importance to the benefits of working with the world class UK advertising industry, which supports the self-/co regulation independently administered by the ASA. Indeed, our system is evidence of the considerable commitment by the advertising industry to uphold standards in their profession. All parts of that industry – advertisers, agencies, media, and platforms – coming together to commit to ads being legal, decent, honest and truthful.

But that support is coupled with our robust and independent decision-making to ensure we deliver the best outcomes for people, who remain our priority. We are independent of the businesses who pay for what we do, independent of government and independent of special interest groups.

Our partnering with other regulators is crucial too. Our frontline ad regulation often complements their activities, or even frees them up entirely to concentrate on their other duties. And they are sometimes able to tackle ad-related problems that we cannot.

We call our model of partnering with businesses and other regulators 'collective ad regulation'. Our independence and the buy-in and support we receive through collective ad regulation delivers faster, more flexible, more joined-up and proportionate regulation.

The ASA system is recognised by the Government and the Courts as being the established means for regulating UK ads.

ASA REMIT

The Advertising Codes cover the following:

- Print and press ads
- Outdoor ads
- Direct mail ads and direct marketing emails and messages
- Television, radio, video on demand and video sharing platform ads
- Sales promotions, e.g. competitions and special offers
- Online ads (e.g. online paid ads, influencer ads and companies' own claims on their own websites and social media channels)
- Teleshopping ads/output
- Cinema commercials

WHERE ASA IS BASED AND HOW IT IS STRUCTURED

Based in Shoreditch, London, the ASA currently employs around 120 people working across the following functions:

- Complaints and investigations
- Compliance
- Copy Advice
- Regulatory Policy
- Data science
- Communications
- Corporate Services

TV and radio advertising is regulated by the ASA under contract from Ofcom, with the vast majority of TV and radio ads pre-cleared before they are broadcast. The volume of non-broadcast ads makes pre-clearance impractical (there are more than 30 million press advertisements and 100 million pieces of direct marketing every year), though the ASA offers extensive advice and training to prevent the need for later sanction.



The role

THE CONTEXT OF THE ROLE

The ASA is governed by a 12-person Council, which acts as jury in deciding whether ads have breached the advertising codes.

The Council, which is chaired by Lord (David) Currie, is made up of two panels, one each covering broadcast and non-broadcast, with most members of the Council serving on both panels.

Two-thirds of the members of the Council (including its Chair) are independent of the advertising industry, and offer a range of skills and experiences, representing the perspectives of a wide cross section of society.

Lord Currie, formerly the inaugural Chair of Ofcom and the inaugural Chair of the Competition and Markets Authority was appointed the ASA's Chair in October 2017. He plans to stand down at the end of October 2024, having served a seven-year term. It is intended to start a process early to identify his successor to ensure multiple stakeholders can be consulted and to allow a handover period.



The ASA seeks an independent Chair with strong leadership skills capable of ensuring that the Council is an effective and cohesive body, capable of leading and overseeing a key national organisation operating in a high-profile industry.

The Chair is responsible for leading the Council so that it provides the right degree of constructive challenge, strategic insight, and support to the ASA management team, enabling the ASA to continue being a highly effective, proactive, and respected organisation.

THE CHAIR'S BROAD RESPONSIBILITIES INCLUDE:

- Chairing the board. The Chair leads and manages the business of the Council to provide clear direction and focus. They set the agenda, style and tone of board discussions to promote open debate, effective decision-making and a unitary culture that adds value to the ASA. The Chair will be responsible for ensuring the Council provides the right degree of constructive challenge to the management team and assists the ASA's continued effectiveness.
- Working in partnership with the Chief Executive. The Chair must establish a positive, supportive relationship with Guy Parker, the Chief Executive, and with other senior members of the management team.
- Adjudications. Members of Council, including the Chair, receive a weekly summary of significant complaints, adjudications, and proposed actions. The Chair is responsible for collating the response of Council members and discussing the response and follow-up actions with the executive team and relevant case managers.
- ASA effectiveness. The Chair leads the board in ensuring that the ASA has the right leadership, organisation, and resources to deliver its remit. He or she will ensure that the board contributes fully to agreeing the strategic direction and that the board has sufficient and appropriate information to monitor performance effectively.
- Governance. The Chair should ensure that the Councils and relevant committees are properly structured and supported and that the company is robustly and rigorously governed. As Chair of the Appointments and Remuneration Committee, the Chair will lead the appointment of members of the Councils. (All vacancies are filled following public advertisement and with due regard to EDI). The Chair will conduct appraisals of all Council members and of the Chief Executive, and will help determine any discretionary element in the remuneration of the Chief Executive. In conjunction with the Chief Executive, the Chair will help determine the remuneration of the senior management team.
- Ambassadorial role. It will be part of the Chair's role, in consultation with the chief executive, to act as a spokesman for the ASA in the written and broadcast media.
- In the interval between Council meetings, the Chair will make, on behalf of the Council, any decision that cannot be postponed.

MORE SPECIFICALLY, THE CHAIR'S RESPONSIBILITIES INCLUDE:

- To make appointments to the ASA Councils in accordance with the Memoranda and Articles of Association of the Companies.
- To chair Council meetings in accordance with the Memoranda and Articles of Association of the Companies and, in particular, to exercise a casting vote to resolve adjudications where a Council is divided.
- To study the weekly online Complaints and Investigations reports sent to Council members.
- To discuss with the relevant managers, on a weekly basis, issues arising from the Complaints and Investigations reports.
- To act, with the Chair of Asbof/Basbof, as an Assessor advising the Independent Reviewer of ASA Adjudications for the purposes of the review procedure.
- To act as Chair of ASA companies limited by guarantee, in particular, chairing the companies' AGMs.
- To act on behalf of the ASA Council where business requires urgent decision between meetings.
- To be available to the Chief Executive for consultation.
- To agree an annual plan of work with the Chief Executive, specifying the business which will be brought before Council.
- To liaise with the Chair of Asbof/Basbof and to attend meetings as appropriate.
- To liaise with the Chair of the Committees of Advertising Practice (CAP/BCAP) and to attend meetings of CAP/BCAP as appropriate.
- In conjunction with the Chief Executive, to represent the ASA in discussions with government, MPs, members of the House of Lords and other significant stakeholders.
- To represent the Council at ASA seminars, conferences, and social events, and to the staff of the ASA.

Person specification

The Chair of the ASA will be an individual of stature with a record of achievement in UK public life. They will be capable of commanding the confidence and respect of the advertising industry while being demonstrably independent of it.

The right candidate is likely to be an experienced Chair, with an ability to lead the board of a major national body using sound judgement and decision-making to ensure successful delivery in a complex organisation.

They will show an ability to be conversant with the scale and dynamics of the advertising industry in this market and the wider media sector, be empathetic for the vital role advertising plays in society, and be wholeheartedly committed to the continued self-regulation of the industry and a belief in the importance of freedom of expression.

They will be aware of the changes that digital technology, particularly AI and machine learning, are making to the industry and keenly aware of how the ASA can use that technology to remain world leading.

The Chair will be capable of operating at the highest levels of government on a cross- party basis and to command respect from a wide range of senior stakeholders including regulators and politicians.



The boardroom style of the individual will also be an important consideration in this appointment. The ASA Council seeks candidates with the following personal qualities:

- Approachable, collegiate, and inclusive with excellent communication and people skills; able to represent the company at the highest level on the one hand, and to communicate with a wide network of stakeholders on the other; capable of listening sensitively and gaining the trust of colleagues. Decisive and determined, they will equally be ready to take advice and consider contrary views.
- Their style will be to create opportunities for others to express their views inside and outside the boardroom, while also succinctly summarising debate and decisions reached.

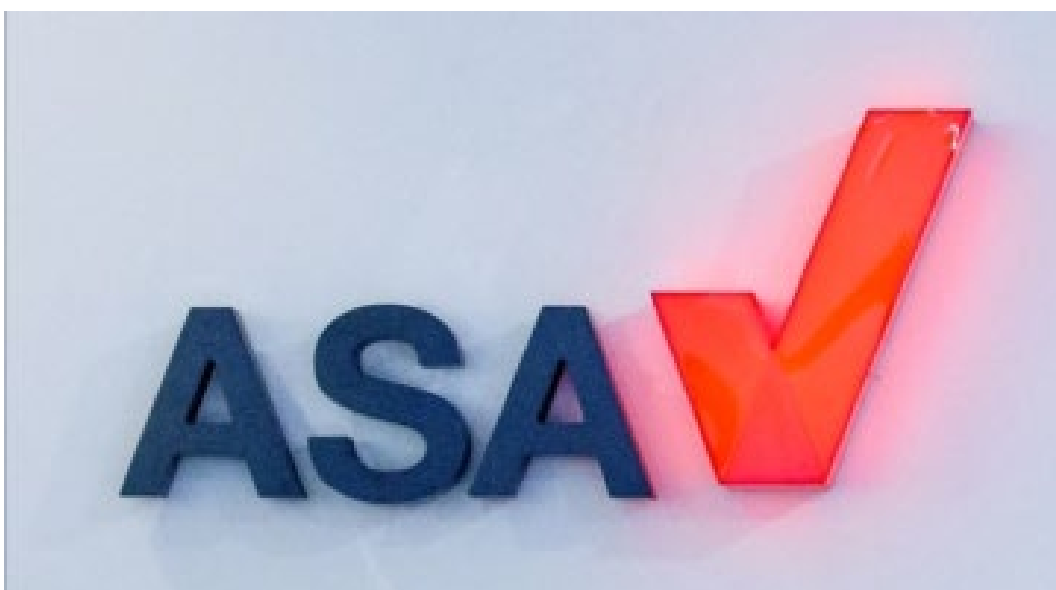
In addition, it is critical that the Chair will be an engaged Council member who takes an active interest in the ASA between meetings.

The ASA recognises the value that all forms of diversity can bring to Council discussions, and is interested in candidates whose experience otherwise allows them to bring a different perspective to the work of the ASA.

Terms of appointment

The appointment is made for the term of five years, which is open to extension by mutual consent.

The role is expected to take up to two days a week but may require more during exceptionally busy periods. The remuneration is currently set at £137,760 per year.



How to apply

Saxton Bampfylde Ltd is acting as an employment agency advisor to the ASA on this appointment.

Candidates should apply for this role through our website at www.saxbam.com/appointments using code **QBNAA**.

Click on the 'apply' button and follow the instructions to upload a CV and cover letter, and complete the online diversity monitoring * form.

The closing date for applications is noon on **Friday 22nd March 2024**.

Please note that final interviews will take place on Thursday 23rd May 2024 in London.

* The diversity monitoring online form will not be shared with anyone involved in assessing your application. Please complete as part of the application process.

GDPR personal data notice

According to GDPR guidelines, we are only able to process your Sensitive Personal Data (racial or ethnic origin, political opinions, religious or philosophical beliefs, trade union membership, genetic data, biometric data, health, sex life, or sexual orientation) with your express consent. You will be asked to complete a consent form when you apply and please do not include any Sensitive Personal Data within your CV (although this can be included in your covering letter if you wish to do so), remembering also not to include contact details for referees without their prior agreement.

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