

**WELCOME TO
CLEARCAST**

**A GUIDE FOR
ADVERTISERS
AND
AGENCIES**



CLEARCAST



The Clearcast team

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INTRODUCTION

Here's a little something about who we are and the role we play in the wider context of UK advertising regulation.

UK broadcast advertising is co-regulated with the industry taking on responsibility (through the advertising levy funded ASA) for governance by agreement with statutory regulator Ofcom. **Non-broadcast advertising is self-regulated** with both being governed by codes of practice that are designed to protect consumers and create a level playing field for advertisers. The UK system is regarded as setting a high standard for advertising regulation.

The UK Advertising Codes are determined by two industry committees – the **Committee of Advertising Practice (CAP)** and the **Broadcast Committee of Advertising Practice (BCAP)**. These committees are made up of representatives from advertisers, media owners, agencies and clearance bodies.

The **Advertising Standards Authority (ASA)** administers these Codes and investigates complaints, later publishing its adjudications. For more information on the ASA see page 9.

It is a condition of UK broadcaster licences that all advertising in broadcast media should not mislead, cause harm or offend, and broadcasters should therefore clear ads against the BCAP code prior to transmission.

Broadcasters can face sanctions from Ofcom if they repeatedly carry ads that are in breach of the BCAP Code. Their obligations include ensuring before broadcast that ads are unlikely to be found in breach of the key principles of the Code and being in receipt of documentary evidence to prove any claims being made in the ad about a product or service. **Clearcast** undertakes preclearance for TV ads and advises on ads for Video on Demand. The **RACC (Radio Advertising Clearance Centre)** undertakes a similar role for radio advertising and the **CAA (Cinema Advertising Association)** and **BBFC (British Board of Film Classification)** for on-screen advertising in cinemas. Non-broadcast ads don't normally have to be cleared in advance, although CAP provides a copy advice service so that advertisers can reassure themselves that their ads won't fall foul of the CAP Code.

Clearcast is owned by the six largest UK commercial broadcasters, with others as clients, and we share their interest in getting ads to air. Our clearance ethos is that we work with advertising agencies to help get ads to air and keep them there by ensuring they comply with the Codes. **Importantly, we are not a regulator** (that is the role of Ofcom, who delegate some of their powers to the ASA) **and we do not create the rules** (that is the role of CAP and BCAP).

The Codes are designed to reflect certain legal requirements (e.g. for financial ads) and guide broadcasters and advertisers as to what may or may not constitute acceptable advertising. The Codes do not, and cannot, fully prescribe explicitly what can or cannot be done. This would be impractical as prescriptive Codes would require constant updates and amendments as society

We work with advertising agencies to help get ads to air and keep them there

Each year we see approximately 32,000 scripts and watch almost 64,000 ads

changes and develops, and it would also have the potential to stifle creativity. In applying the Codes we therefore use our industry knowledge and experience to make judgements about how an ad would be defended in the event a complaint is made.

For more information on the clearance process see the section entitled **How Copy Clearance Works** on page 13.

Each year we see approximately 32,000 scripts and watch almost 64,000 ads. Whilst we work hard to ensure that every one of these meets the Codes, there are inevitably some viewer complaints and some of these are investigated and upheld by the ASA. In 2011, 76 ads cleared by Clearcast were judged to have breached the Codes, equivalent to 0.1% of the ads we saw.

We take our role very seriously; if we are judged to get an ad clearance wrong by the ASA, then we review the process taken to reach that decision and take that adjudication into account for future clearances.

We hope this introduction helps you understand why we're here. You'll find lots more information in the rest of this booklet but if you have any questions you can't find answered within, then please go to our website FAQ section or email us at enquiries@clearcast.co.uk.

Chris Mundy
Managing Director
Clearcast

ASA, BCAP AND THE CODES

Our role is to assist broadcasters and VoD publishers in getting acceptable ads on air and to keep them there

The **Advertising Standards Authority (ASA)** is officially recognised by the Government, the courts and other regulators like the Office of Fair Trading (OFT) and Ofcom as the body to deal with complaints about advertising. Although responsibility for regulation of broadcast advertising rests under law with Ofcom, they have delegated these responsibilities to the ASA, but Ofcom are still responsible for ads which may be political, sponsorship, product placement and Participation TV (gambling, babe chat & dating services). Other than this, the ASA's remit also includes non-broadcast ads and as of the 1st March 2011, their remit was extended to cover certain marketing communications on marketers own websites.

The ASA's aim is to ensure that ads are legal, decent, honest and truthful by enforcing the Advertising Codes, which are written by two industry Committees - the **Committee of Advertising Practice (CAP)** and the **Broadcast Committee of Advertising Practice (BCAP)**.

In the event that the ASA have cause to question an ad that has been broadcast, either through their monitoring activities, or because an issue has been brought to their attention by a complainant (for instance a member of the public, a particular body/society or a competitor advertiser), they may launch their own investigation and Clearcast and the Advertiser will jointly respond. For our part, we will explain the rationale behind our clearance, outlining the processes and

any discussions we may have had before clearing the ad. See the box “Someone has complained to the ASA about my ad, what should I do?”

Our role is to assist broadcasters and VoD publishers in getting acceptable ads on air and to keep them there. It is in everyone’s best interest to ensure that no ad is ever complained about, but this can’t always be prevented. It’s the ASA’s job to assess whether or not we got it right.

SOMEONE HAS COMPLAINED TO THE ASA ABOUT MY TV/VoD AD, WHAT SHOULD I DO?

The ASA writes to inform you that there has been a complaint. They outline the nature of the complaint and you are given seven days to respond in writing. Your Clearcast contact is also informed of the complaint by the ASA.

Clearcast and the ASA recommend that you channel your responses through us. This is a crucial part of the process and makes sure that we’re aware of all arguments put forward in defence of the particular ad; it also ensures consistency in responses to the ASA.

We then outline our reasons for approving the ad. The ASA executive working on the complaint assesses all responses before deciding if the ad breaches the BCAP Code and drawing up a recommendation for the ASA Council on whether they think the complaint should be upheld or not. Both Clearcast and the advertiser are given a chance to comment on the draft before it is submitted for adjudication.

Once the ASA Council has made a decision, we are told of the outcome; either upheld or not upheld and then let you know. If the complaint is upheld, we need to immediately remove the approval on our system and the ad is taken off air (or if it’s a timing issue, it may have a timing restriction applied). The ASA publishes its adjudications on its website. Advertisers that are the subject of ongoing investigations should be ready to provide new copy, at very short notice, in anticipation of an adjudication to uphold. If it is not upheld... good news... the ad can stay on air, with no further action required.

The ASA also informally investigates some complaints. The informal route is taken if the ASA thinks there is a straightforward breach of the Code and both Clearcast and advertisers agree to make simple changes to an ad. Informal investigations are resolved quickly and the ASA does not publish details of the complaint that was raised or how the case was resolved.

HOW COPY CLEARANCE WORKS

CAN ADVERTISERS LIAISE DIRECTLY WITH CLEARCAST?

We usually work with agencies rather than advertisers. However some advertisers do prefer to work with us directly. We have no preference other than to stipulate a single point of contact for a clearance so that communication doesn't get confused.

WHAT'S YOUR PROCESS?

The below process applies to ads of less than 5 minutes. For ads longer than 5 minutes in duration, there are some differences, please contact our Teleshopping team on 020 7339 4700.

THE PRE-PRODUCTION STAGE

This focuses on your ad at script stage. You don't have to submit a pre-production script before you shoot the ad, but it helps avoid unnecessary and expensive surprises later on. You (as the advertiser, or the advertising agency), submit the script, including necessary story boards and substantiation, to our online system, Adway. This is then read by your assigned Clearcast Contact (see page 15 - ONE POINT OF CONTACT), who does a "first read" and sends any claims of an advanced scientific or technical nature requiring substantiation, to a consultant. A "second read" is then carried out by a second member of the team, meaning your work benefits from two pairs of eyes and you receive feedback highlighting any changes the script needs, usually within 4 working days. Once these changes have been made, you submit an amended script. If no further

You usually receive feedback within four working days

changes are necessary, the script is approved and can go through to the 2nd stage of the process below, following further advice from your Clearcast Contact about possible timing restrictions etc. that might need to be applied to your ad.

THE POST-PRODUCTION STAGE

This stage is when we consider either rough-cut or clocked ads alongside a script. At this point we will check your ad for flashing images and regular patterns (to ensure it won't cause seizures in people with photosensitive epilepsy) and check that your ad's 'Supers' (the super-imposed legal text) is the right height and is being held on screen for long enough. If we approved a pre-production script, that script should accompany the submitted ad, which is then watched in our daily viewing meeting to check we are satisfied with the ad's overall compliance with the Codes. It is then either approved or rejected. If it is approved, we update Adway (with possible restrictions, e.g. not to be shown around children's programming) and Adway then sends you (or whoever submitted the ad) an auto-email letting you know the ad has been approved. The Broadcasters will also be able to see the ad has been approved. If it is rejected, we will explain why, and you need to make the necessary alterations to your produced ad and resubmit to us. A clocked version of all rough-cuts approved also need to be submitted for final approval as we formally clear only clocked ads.

SIGNING UP TO ADWAY

You or your agency can get information on signing up to our online clearance system, Adway, by going to the Submissions and Online Help area on our website.

ONE POINT OF CONTACT

Each Clearcast Contact deals with his or her own portfolio of accounts (normally advertising agencies). Everything that comes to us from that agency will be dealt with by the Clearcast Contact assigned to the agency. To find your contact, please go to the 'Contact Us' section on www.clearcast.co.uk and type your company name in the box marked 'Find your copy clearance executive'.

HOW LONG DOES CLEARANCE TAKE?

We aim to feed back on a script within 4 days (80% of scripts) and on a finished ad within 2 days (95% of finished ads). However this can lengthen in busy periods (September to December and also Easter tend to be particularly busy for us) and for complex scripts. Additional substantiation and script revisions also need extra time to be assessed. If your script needs to be sent to one of our consultants (because of the nature of claims being made, for example regarding nutrition), we would advise you allow at least one extra week for this, as our consultants work for us part-time on a freelance basis.

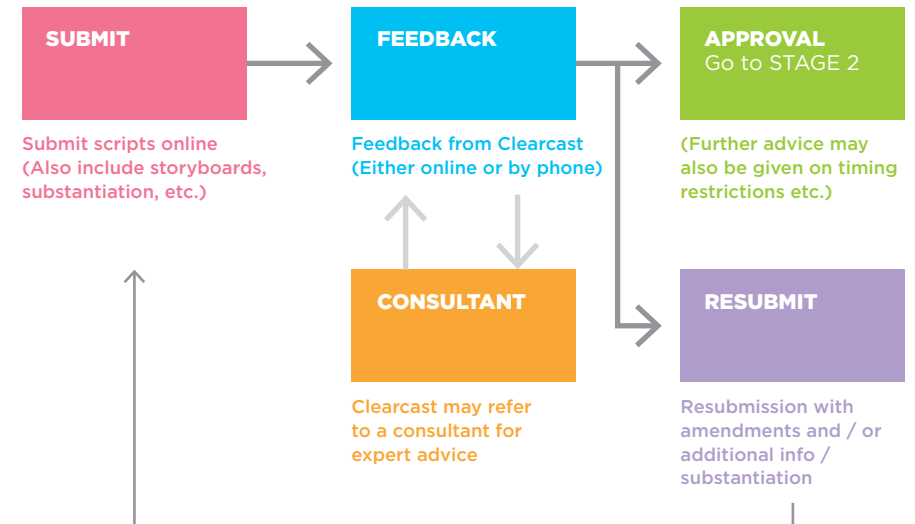
For advertisers and agencies new to TV, we have a dedicated Senior Copy Executive (new in April 2012) who will help you through your first submissions, smoothing the experience of getting your ad to air.

SPEEDING UP MY CLEARANCE...

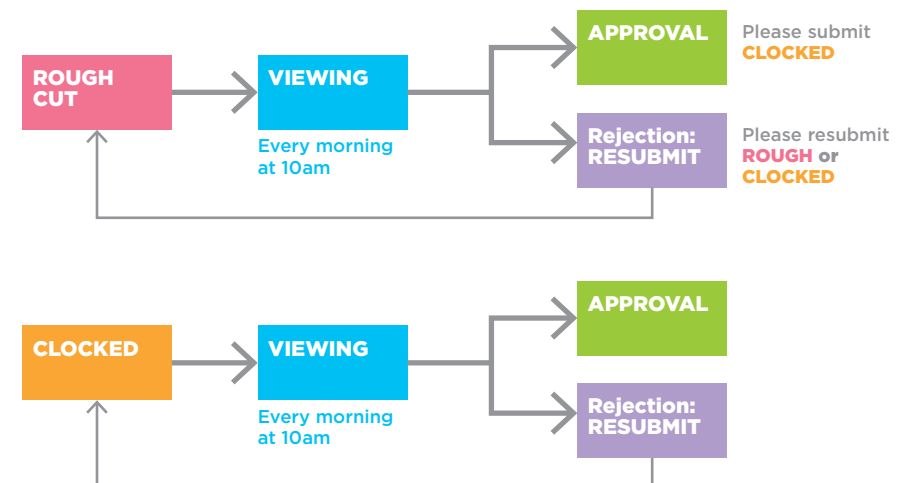
To be fair to all advertisers, we don't offer a premium fast-track service. However, following a few basic steps can help your ad get cleared in the fastest possible time:

1. Book yourself on a Clearcast training course – the better you understand how and why we work the way we do, the more time you'll save.
2. If your ad contains claims, try to identify any claims in your script and submit any substantiation you have with the first version of your script, if possible.
3. Take advantage of our Meet the Consultants sessions; complicated claims can be discussed before a script is received. Find more information in the Extras section of this brochure.
4. If we've previously approved a claim that you are making again in a new ad, let us know the clock number of the previous ad.
5. Get your Supers right first time:
 - Make use of the Duration of Hold Calculator on our website, which instantly calculates how long you'll need to display your Legal Supers on screen for, based on how many words you use. Search "doh" on our site.
 - The Clearcast Testcard is designed to make it easier for you to make sure the size of your Supers meets the minimum height requirements. Search "testcard" on our site.
6. Allow enough time for your clearance, it is an integral part of the ad production process. If you are working to a particularly tight timescale it is best to check your Clearcast Contact can accommodate this. We strongly advise against committing to shoots without approved pre-production scripts.

STAGE 1 PRE-PRODUCTION CLEARANCE PROCESS



STAGE 2 POST-PRODUCTION CLEARANCE PROCESS



EXTRAS

We're dedicated to improving the knowledge and expertise of all the advertisers, agencies and broadcasters we work with

We don't charge for normal clearance of ads shown in standard commercial breaks on the channels for which we clear, as broadcasters fund this work. However, depending on the nature of your campaign, you might need these extra services that we provide. Some are chargeable and some are not. The "+" means the service is chargeable so please visit our website for more information.

TRAINING +

We're dedicated to improving the knowledge and expertise of all the advertisers, agencies and broadcasters we work with every day to get ads on air. We offer a range of different learning opportunities from introductory courses to specialist courses to in-house bespoke training for advertisers, agencies and broadcasters, and now offer CPD accredited courses.

OUT OF HOURS AND LIVE CLEARANCES +

Increasing numbers of ads take the traditional 30 second spot to new levels of creativity and some of these require live, weekend or other off-site clearances. We're keen to work with you to get these ideas to air and can provide services out of hours to make this happen. Do contact us as early as possible so we can help you plan.

PITCH SCRIPT ADVISORY SERVICE +

Advertisers want to be reassured that creative ideas being pitched by agencies can actually run on TV. To meet this need we provide a pitch script clearance service and issue a certificate for approved scripts.

CAMPAIGN PLANNING + New in April 2012

We can offer Campaign Planning support for advertisers and agencies that want to involve Clearcast as an integrated part of the creative development process. This may be at an early stage to prevent issues that would otherwise arise close to transmission, for example by providing an indication of whether a creative idea is problematic and what will be needed for claims verification. Alternatively it may be to help solve problems that have emerged during the clearance process, for example where help is needed for major rewrites to meet the requirements of the Codes.

MEET THE CONSULTANT +

Our “Meet the Consultant” sessions allow advertisers to discuss ongoing work or future campaigns with our expert consultants, all highly beneficial if an ad contains complex technical claims or promotes significant product developments. It can also be used as part of the process to clear claims early on in the advertising process so scripts can be approved more quickly when they are submitted.

EDIT TO CLEAR + New in April 2012

We offer an edit-to-clear service for clients who want to simplify the process of getting Supers and flashing right, or who are up against tight deadlines. We can also help advertisers who need international ads re-versioned to meet UK requirements.

TV ADMIN + New in April 2012

We can help advertisers and agencies who want to outsource their admin or who need temporary additional support. Working directly with us is an efficient way of ensuring that you have all it takes to provide clear, timely communication and management of the clearance of copy and claims support as well as delivery. In addition to TV we can also help with admin for radio, cinema, VoD and mobile.

VoD

Ads on Video on Demand (VoD) services are regulated according to the CAP code, which includes some VoD specific elements. We provide an advisory service for VoD publishers so we clear the scripts and videos we receive in two formats, linear & VoD.

LATE CLEARANCE +

This is a service for ads that require provisional approval but can only be sent to us late in the day. For further details, please search ‘late’ on our website.

LONG-FORM TEleshopping ADS +

If your ad is over 5 minutes in length and is being submitted for the first time, it will be subject to a charge. Search “teleshopping” on our website for more information or contact our Teleshopping team on 020 7339 4700.

ONLINEFLASHTEST.COM +

This service checks your ad complies with Ofcom’s guidelines on flashing images and regular patterns to avoid causing seizures for people with photosensitive epilepsy. You can upload your ad as soon as it is ready and the automated test will email you the results within minutes. It is the first and only one of its kind to be online.

INTERNATIONAL ADVICE

The International Copy Advice / Pre-Clearance facility has been set up to help agencies and advertisers developing copy for other countries to get advice in a few clicks. Copy advice or pre-clearance, where available, can be sought directly through our International Advice facility. If the enquiry can’t be submitted directly through the facility, you’ll be directed to the right place. Similarly, if there are any conditions, such as fees, that apply, this will be flagged once the user has selected country(ies) and media. For more information, go to our website or to www.ad-advice.org

If you would like more information on any of the above services, or have other questions please contact enquiries@clearcast.co.uk.

FREQUENTLY ASKED QUESTIONS

Our operations team are there to help you once you submit your finished ad

Who is my contact at Clearcast and what do I do if they're away?

If you are new to Clearcast and don't have regular contact with us, you will be given a contact based on the first letter of your company name, i.e. if you are called "Joe Bloggs Advertising" you will be assigned to the person who looks after "Miscellaneous J".

If you go on to have a more regular on-going relationship with us, or are likely to, you will be assigned to a Clearcast Contact's portfolio. Of the 50 members of staff at Clearcast, 26 have portfolios with all the advertisers and advertising agencies that regularly submit ads to us for clearance. Two of the 50 deal with Teleshopping specifically and three are Cover staff, in place to help cover the work of those not in the office. So if your regular contact is away, email cover@clearcast.co.uk or speak to our receptionist on 020 7339 4700 who will connect you to the correct cover person.

In addition to your copy contact, you may also be contacted by one of our Operations team. They are there to help you once you submit your finished ad. They may be in touch if your finished ad does not match the approved script or some of the required information we need is missing, such as artists featured in the ad or details of any music used.

What are timing restrictions?

Some ads have to be given timing or other restrictions limiting when they can be shown (or the environment in which they can be scheduled if VoD).

A complete list of these can be found on the Clearcast website (Search “timing restrictions”), but the most common examples of these are shown opposite.

Can I appeal the decision that has been made on my ad?

We have a two stage appeals process. In the first instance you can ask for a Policy and Copy Meeting (PCM for short) to consider your arguments. Made up of our copy group managers, PCM exists to ensure an advertiser’s arguments have been considered by a broad range of senior staff. If agreement still can’t be reached, scripts and/or ads can be submitted to the Clearcast Copy Committee (made up of representatives of Broadcasters, observer members from ISBA, and the IPA) for a view, which will be final. You will need to alert your Clearcast Contact if you would like to have your ad submitted to the Copy Committee.

COMMON TIMING RESTRICTIONS

PK (Ex-kids)

- Not to be transmitted in the breaks immediately before, during and immediately after children’s programmes.
- Risk that emulation may result, but not considered to be a risk of serious harm and/or mild scary scenes that may frighten and so cause mental harm to very young viewers.
- Mild innuendo or sexual activity (such as kissing). Non-sexual nudity.
- Accidental interpersonal violence. Mild interpersonal violence likely to be in an historical, comedic or fantasy setting (e.g. light sword play).

TS (To be transmitted after 7.30pm)

This restriction includes the lesser PK timing restriction

- Potential for emulation. Not suitable for young children as copying the behaviour may result in them placing themselves in a potentially harmful situation (but not a life threatening situation).
- Moderate innuendo. Moderate, non-graphic sexual activity, this might be nudity in a sexual context.
- Interpersonal contact may be strong but brief. There may be scenes of threat and horror in the home. Morphing and/or scary faces. Moderate or strong, but brief, aggressive behaviour. Visuals of injuries, which aren’t too graphic but may be bloody.

TN (To be transmitted after 9.00pm)

This restriction includes the lesser PK and TS timing restrictions

- Not suitable for pre-watershed. Risk of emulation will be serious and likely to result in serious harm.
- Strong sexual content (but not overtly graphic) including sexual entertainment. Open discussion of sex. Strong and/or crude innuendo. Sexual nudity (no nipples/pubes/genitalia).
- Interpersonal contact is likely to be strong and repeated. There are likely to be scenes of threat and horror. Aggressive behaviour or visuals of injuries. Scenes of torture should be brief, vague and non-graphic. Street, urban or realistic depictions of crime and violence are likely to need a minimum of TN.

Do you have an escalation process?

Yes we have an escalation process in place for when the advertiser/agency may want to escalate certain issues relating to us or for when we may want to escalate certain issues with the advertiser/agency. The escalation cases could range from delays, to restrictions put on ads considered unnecessary, to relationships between us and you.

Much more detail on this can be found by searching “Escalation” on our website.

What is a clock number?

A clock number is a unique alphanumeric identification number used to identify an ad and its creators/source (the advertising agency or advertiser). The number is used from the clearance process through to transmission and in post-transmission reporting. More detail about clock numbers can be found in the FAQ section of our website within Online Help.

GLOSSARY

Adjudication

Determination made by the ASA on whether an ad is acceptable or not (Upheld or Not Upheld).

Adway

Our in-house online submission management system, powered by Adstream.

ASA

Advertising Standards Authority

Audience Indexing

Often used to judge if programmes are likely to appeal to young people or children, whereby audience profile is compared with equivalent population profile. Broadcasters are responsible for determining the audience index and Clearcast do not have a role in this.

BAME

Black, Asian and Minority Ethnic visual artists in ads, see the FAQ section on our website for more information.

BCAP Code

The UK Code of Broadcast Advertising

CAA

Cinema Advertising Association

CAP Code

The UK Code of Non-broadcast Advertising, Sales Promotion and Direct Marketing

Clocked ad

Final version of ad intended to be broadcast with a unique ID (clock), consisting of 15 characters.

Copy Committee

Panel comprising of senior representatives from broadcasters, with observing members from the IPA and ISBA. Referrals to the Copy Committee are made only in exceptional circumstances and it is the final possible stage in the consideration of a script or video.

Flashing/Harding test

Method of testing ads to ensure they are safe to be viewed by those with photosensitive epilepsy.

IPA

Institute of Practitioners in Advertising

ISBA

Incorporated Society of British Advertisers – The Voice of British Advertisers

Ofcom

Independent regulator and competition authority for the UK communications industries.

PCM – Policy and Copy Meeting (Formerly SEC/SECRETARIAT)

Panel of senior Copy Staff who discuss problematic or contentious submissions.

Presentation Codes

Codes designed to give more detail about ad content to help broadcasters schedule accordingly, e.g. “features firearms” to guide with scheduling away from sensitive programming.

Provisional Approval

Indicates that an ad is acceptable to air on a temporary basis while it awaits full, formal approval.

PRS for Music

Performing Rights Society for Music

RACC

Radio Advertising Clearance Centre

Restrictions - Scheduling

Restrictions applied when an ad can be shown at any time of the day, but may not be shown in programmes with certain audiences (generally children/young people).

Restrictions – Timing

Succession of watersheds applied when it is determined that an ad is not suitable for airing at certain times during the day.

Rough Cut

Unfinished video submitted to gauge its overall acceptability prior to producing a final clocked version.

Supers

Superimposed text overlaid on ads to qualify claims being made in the main body copy.

We hope you've found this booklet informative and a useful tool for your future advertising campaigns.

If you have any suggestions for how we could improve it next time, or feedback of any sort, please email **communications@clearcast.co.uk** as we'd love to hear from you.

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