

## Annex 1. Terms of reference for the independent audit of the ASA's Commitment to Good Regulation

The Independent Audit will:

- Have particular reference to the following ASA commitments to good regulation:
  1. *We'll keep regulatory burdens to a minimum*
  2. *We'll engage with you*
  3. *We'll be targeted*
  4. *We'll share information*
  5. *We'll be transparent*
- Recognising that the areas of concern and interest from business lies in how the ASA is achieving certain regulatory outcomes in line with the Commitment to Good Regulation, focus its inquiry and detailed qualitative analysis on the following aspects:
  1. thematic concerns brought to the attention of the ASA in recent months which touch on ASA regulatory decision making in case handling;
  2. the effectiveness of the ASA's procedures (both formal and informal) for handling and resolving complaints about the decisions it takes in relation to potential breaches of the UK Advertising Codes. In particular, to review the ASA's appeals process taking on board the views of key stakeholders, and prepare a report about the findings of the review. The report may include an assessment of the extent to which the regulator's complaints and appeals processes are accessible and fair to business and recommendations to the Independent Regulator about how the procedures may be improved.
- May draw on interviews with internal and external stakeholders but interviews should ensure appropriate balance of different constituencies and viewpoints of the ASA.
- Provide appropriate challenge, but give a fair and balanced assessment of the ASA's performance.
- Identify where we are delivering: (a) good performance; and (b) gaps and areas for improvement, again with evidence to support the conclusions and recommendations to support continued good performance or improvement as appropriate.
- Respect confidentiality.
- Be written with a business audience in mind and address the concerns of business, not consumers or the public more widely.
- Have regard to how we measure up against recognised good practice in similar regulatory organisations and have regard to how we measure up against current best practice thinking on regulation, such as: (1) the principles for collaborative regulation espoused by Professor Hodges as supported by Regulatory Delivery and the Scottish Government; (2) Regulatory Delivery's draft *Regulators' Code Guidance*; and (3) the *Small Business Appeals Champion Guidance*.
- The report should be no more than 20 pages in length, excluding annexes, and should contain an Executive Summary listing the key findings and any key recommendations.
- Be provided to the ASA by the agreed deadline to enable any factual inaccuracies to be addressed before publication.

# ASA and CAP

## Our commitment to good regulation

---

The purpose of the Advertising Standards Authority (ASA) system is to make advertisements responsible and our ambition is to make **every UK ad a responsible ad**.

We believe that responsible ads – those that don't mislead, harm or offend - are good for people, society and business. They give us value and choice. They fund the media, sport and culture we all enjoy, and they help power the economy.

We have to strike the right balance between those we regulate and those we protect. By making ads responsible we protect people and help them feel more confident in the ads they see and hear. By doing so in a way that's fair and balanced towards businesses and advertisers, we allow responsible advertising to flourish.

Helping us achieve this balance is industry's position at the heart of the ASA system, through the self- and co-regulatory Committees of Advertising Practice<sup>1</sup>. The industry created the ASA in 1962. Decisions made by the independent ASA 'jury' - against rules endorsed by industry - are enforced by industry working in concert with the ASA, and industry continues to fund the system through an arms-length levy.

Together, the ASA and CAP are committed to regulating in a way that is **transparent, proportionate, targeted, evidence-based, consistent and accountable**.

We think it's important that those we regulate understand what standards they can expect from us as a regulator. Below, we set out our **six commitments** to good regulation – modelled on the **Regulators' Code**<sup>2</sup> - and some of the practical ways in which we make these commitments a reality through our day-to-day work.

Like the Regulators' Code, our commitments do not detract from our core purpose and responsibility to ensure that all UK ads are responsible.

### 1. We'll keep regulatory burdens to a minimum

---

We're committed to discharging our regulatory duties in the most proportionate and least burdensome way possible, in line with the principles of good regulation.

The ways we do this include:

- our use of informal resolutions: in 2013, of 18,525 ads subject to at least one complaint, 13,385 were not subject to detailed investigation and of the 4,690 that were, three quarters were informally resolved

---

<sup>1</sup>CAP and BCAP – referred to in this document as the singular 'CAP' or as 'the committees'

<sup>2</sup>[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/300126/14-705-regulators-code.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/300126/14-705-regulators-code.pdf)

## 2 Our commitment to good regulation

- our operation of a persistent complainants policy and taking a tough line on vexatious complaints<sup>3</sup>
- by encouraging inter-party resolution<sup>4</sup>

Under the ASA system, the most significant policy changes come from the industry via the CAP committees: the 'self' in 'self-regulation'. For example, the Advertising Association represents 27 trade associations, professional bodies and other large businesses. The Incorporated Society of British Advertisers (ISBA), also on the committees, has over 400 members representing nearly all the UK's major advertisers.

Consequently, the committees have a clear imperative to avoid imposing unnecessary or disproportionate regulatory burdens that would, in effect, fall on the industry they directly or indirectly represent. To help steer the right path, the committees have set out clearly<sup>5</sup> the key elements they will consider when assessing potential evidence-based changes to the Advertising Codes, to ensure that any regulatory change is necessary and proportionate.

## 2. We'll engage with you

---

When applying the rules, the ASA is committed through its published procedures and standards of service<sup>6</sup> to be:

- Accessible to industry
- Effective in meeting the needs of our customers, whether members of the public or industry
- Open about our procedures and our decision-making, and accountable for our performance. Our rulings are published, in full, on our website: [www.asa.org.uk](http://www.asa.org.uk)
- Clear about the reasons for non-compliance with the rules and, when we take action, provide an opportunity for a dialogue.

Our **complaints handling policy**<sup>7</sup> details what happens if we receive a complaint about an ad and, if a complaint is upheld, we have a clearly publicised route for advertisers to request a review of an ASA Council decision through the **Independent Reviewer of ASA Adjudications**, currently Sir Hayden Phillips<sup>8</sup>.

---

<sup>3</sup> E.g. persistent and unfounded new complaints arising out of the same fact see <http://www.asa.org.uk/Consumers/Unacceptable-Contact-Policy.aspx> for more information.

<sup>4</sup> Inter-party resolution is the process whereby we require a competitor who wishes to make a complaint to attempt to resolve it with the advertiser first.

<sup>5</sup> <http://www.cap.org.uk/News-reports/Consultations/~media/Files/CAP/Misc/Evidence%20Based%20Policy%20for%20CAP.ashx>

<sup>6</sup> <http://www.asa.org.uk/About-ASA/Our-mission.aspx>

<sup>7</sup> <http://www.asa.org.uk/Industry-advertisers/~media/Files/ASA/Misc/ASAComplain%20about%20your%20ad201113.ashx>

<sup>8</sup> <http://www.asa.org.uk/Consumers/Independent-review-process.aspx>

### 3 Our commitment to good regulation

We also have a published **complaints handling policy**<sup>9</sup> that explains how advertisers or members of the public can make a complaint about the ASA if they are unhappy with our service.

We track our success against our published procedures and standards of service through advertiser and complainant **satisfaction surveys**. In 2013 we achieved an 81% satisfaction score from advertisers, against a target of 60%<sup>10</sup>.

To meet our commitment to developing effective long-term relationships with business stakeholders, we've created a **Stakeholder Engagement** programme. Businesses who participate in the programme are given a dedicated Stakeholder Engagement Manager. Information about how to join the programme is on our website<sup>11</sup>.

Engagement also extends to the committees. If consulting on potential changes to the rules, the committees will make their consultations clear and open by:

- involving, as far as possible, everyone whose views should be considered
- clearly setting out any proposed Code changes and explaining the policy considerations underpinning them
- considering all consultation responses to understand the possible effects of the proposals and inform the decisions about changing the Codes
- publishing the outcome with an explanation of how responses helped shape it.

While industry is intimately involved in all policy-making through the sovereign decisions of the committees, CAP is committed to developing new and improved ways to involve the wider industry and other stakeholders in its code- and guidance-writing functions, e.g. through **pre-consultation work** with affected businesses.

### 3. We'll be targeted

---

When considering rules and guidance, CAP understands that judgments necessarily involve a considered assessment of a range of risks, including the risk of conflict with the law and the risk of failing to act.

Consequently the committees choose from among a range of possible interventions - such as rules, guidance or training - according to what they deem proportionate and appropriate based upon an assessment of the best-available evidence.

The ASA is committed to targeted and proportionate regulation. We do this through, for example, the use of **Informal Resolutions** where possible and through encouraging **inter-party resolution**.

<sup>9</sup><http://www.asa.org.uk/Consumers/Making-a-complaint-about-the-ASA.aspx>

<sup>10</sup><http://www.asa.org.uk/About-ASA/Annual-Report.aspx>

<sup>11</sup><http://www.asa.org.uk/Industry-advertisers/Stakeholder-Engagement.aspx>

## 4 Our commitment to good regulation

Around 75% of complaints received by the ASA raise no issue under the Codes, and we will typically answer those complaints without the need even to contact the business or advertiser.

Where potential Code issues do arise, we aim to resolve them with the advertiser through persuasion and consensus where possible. When considering enforcement action, we take into account all relevant factors including how often an advertiser has sought our help and advice (see commitment 5). Action is targeted towards those who are unwilling or unable to comply with the rules.

Importantly, the ASA does not consider that inaction in the face of a clear breach of the Advertising Codes – even if the detriment is small or limited - is the same thing as being proportionate or targeted. Where breaches have been identified by members of the public or by business, we believe it is right to try and secure compliance, albeit through proportionate means.

However, how we do this matters. Through the ASA's new **five-year strategy** we're exploring how we can be more impactful where it counts most by targeting more resources on areas of greater potential detriment, and fewer resources where detriment is less.

### 4. We'll share information

---

The ASA system is committed to working effectively with other regulators where necessary, to avoid duplication or inconsistency.

To achieve this, we've developed case handling principles, reciprocal referral mechanisms or memoranda of understanding with a number of other regulators and key stakeholders including the Gambling Commission and the Financial Conduct Authority. In 2013, we agreed new case handling principles with Trading Standards; the NTSB for England and Wales, DETINI in Northern Ireland and COSLA in Scotland which, together, act as our legal backstop. We're also committed to consistency with the advertising pre-clearance bodies, Clearcast and the RACC.

Whilst the ASA has seen little evidence that our work is inconsistent with other enforcement bodies (e.g. Trading Standards), we've introduced steps to make it easier for business to highlight inconsistent regulation should it occur. If neither the CAP consultation process nor the ASA complaints handling process are the appropriate means of registering concerns, businesses can make their voice heard through a dedicated page of our website encouraging stakeholders to bring matters of inconsistency to our attention:

<http://www.asa.org.uk/Industry-advertisers/Consistency.aspx>

Any concerns will be acknowledged within five working days. If we agree that a valid point of inconsistency has been identified, we'll make it our priority to tackle it.

## 5. We'll provide advice and training support

---

As well as writing the rules, CAP provides a range of bespoke advice, training seminars and online resources to help advertisers stay on top of the requirements of the Codes and prevent breaches from occurring in the first place.

This includes Copy Advice<sup>12</sup>, a free, confidential pre-publication advice service for advertisers, agencies and media.

In 2013 CAP provided advice and training on **160,003** occasions – up 47% on 2012. There were **47** industry training presentations, **22** *Insight* articles, **7,288** requests for copy advice and **98,825** visits to online advertiser resources.

**96%** of Copy Advice users said they'd use the service again.

## 6. We'll be transparent

---

The ASA has made a commitment to being a transparent organisation. Through our published procedures and standards of service, the ASA is committed to:

- Being accessible to members of the public and the advertising industry
- Resolving complaints without undue delay, whilst recognising that complex complaints can take longer than average
- Being effective in meeting the needs of our customers, whether members of the public or industry
- Delivering a high quality and professional service
- Being open about our procedures and our decision making, and accountable for our performance

Industry and consumers can judge the ASA's performance against these commitments in our Annual Report and our Annual Statement (performance in the first half of the year) and through our quarterly updates.

More information on how we are transparent can be accessed at:  
<http://www.asa.org.uk/General/Transparency.aspx>

---

<sup>12</sup> <http://www.cap.org.uk/Advice-Training-on-the-rules.aspx>



Department  
for Business  
Innovation & Skills

Better  
Regulation  
Delivery Office

## **Regulators' Code**

**April 2014**

## Foreword



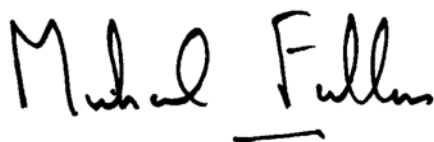
In the Autumn Statement 2012 Government announced that it would introduce a package of measures to improve the way regulation is delivered at the frontline such as the Focus on Enforcement review of appeals, the proposed Growth Duty for non-economic regulators and the Accountability for Regulator Impact measure.

This Government is committed to reducing regulatory burdens and supporting compliant business growth through the development of an open and constructive relationship between regulators and those they regulate. The Regulators' Code provides a flexible, principles based framework for regulatory delivery that supports and enables regulators to design their service and enforcement policies in a manner that best suits the needs of businesses and other regulated entities.

Our expectation is that by clarifying the provisions contained in the previous Regulators' Compliance Code, in a shorter and accessible format, regulators and those they regulate will have a clear understanding of the services that can be expected and will feel able to challenge if these are not being fulfilled.

Regulators within scope of the Regulators' Code are diverse but they share a common primary purpose – to regulate for the protection of the vulnerable, the environment, social or other objective. This Code does not detract from these core purposes but seeks to promote proportionate, consistent and targeted regulatory activity through the development of transparent and effective dialogue and understanding between regulators and those they regulate.

I believe the Regulators' Code will support a positive shift in how regulation is delivered by setting clear expectations and promising open dialogue. Ultimately this will give businesses greater confidence to invest and grow.

A handwritten signature in black ink that reads "Michael Fallon". The signature is written in a cursive style with a horizontal line underneath the name.

Michael Fallon  
Minister of State for Business and Enterprise  
Department for Business, Innovation and Skills



## Regulators' Code

This Code was laid before Parliament in accordance with section 23 of the Legislative and Regulatory Reform Act 2006 ("the Act"). Regulators whose functions are specified by order under section 24(2) of the Act **must** have regard to the Code when developing policies and operational procedures that guide their regulatory activities. Regulators must equally have regard to the Code when setting standards or giving guidance which will guide the regulatory activities of other regulators. If a regulator concludes, on the basis of material evidence, that a specific provision of the Code is either not applicable or is outweighed by another relevant consideration, the regulator is not bound to follow that provision, but should record that decision and the reasons for it.

### **1. Regulators should carry out their activities in a way that supports those they regulate to comply and grow**

1.1 Regulators should avoid imposing unnecessary regulatory burdens through their regulatory activities<sup>1</sup> and should assess whether similar social, environmental and economic outcomes could be achieved by less burdensome means. Regulators should choose proportionate approaches to those they regulate, based on relevant factors including, for example, business size and capacity.

1.2 When designing and reviewing policies, operational procedures and practices, regulators should consider how they might support or enable economic growth for compliant businesses and other regulated entities<sup>2</sup>, for example, by considering how they can best:

- understand and minimise negative economic impacts of their regulatory activities;
- minimising the costs of compliance for those they regulate;
- improve confidence in compliance for those they regulate, by providing greater certainty; and
- encourage and promote compliance.

1.3 Regulators should ensure that their officers have the necessary knowledge and skills to support those they regulate, including having an understanding of those they regulate that enables them to choose proportionate and effective approaches.

1.4 Regulators should ensure that their officers understand the statutory principles of good regulation<sup>3</sup> and of this Code, and how the regulator delivers its activities in accordance with them.

### **2. Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views**

2.1 Regulators should have mechanisms in place to engage those they regulate, citizens and others to offer views and contribute to the development of their policies and service standards. Before changing policies, practices or service standards, regulators should consider the impact on business and engage with business representatives.

---

<sup>1</sup> The term 'regulatory activities' refers to the whole range of regulatory options and interventions available to regulators.

<sup>2</sup> The terms 'business or businesses' is used throughout this document to refer to businesses and other regulated entities.

<sup>3</sup> The statutory principles of good regulation can be viewed in Part 2 (21) on page 12: [http://www.legislation.gov.uk/ukpga/2006/51/pdfs/ukpga\\_20060051\\_en.pdf](http://www.legislation.gov.uk/ukpga/2006/51/pdfs/ukpga_20060051_en.pdf).

- 2.2 In responding to non-compliance that they identify, regulators should clearly explain what the non-compliant item or activity is, the advice being given, actions required or decisions taken, and the reasons for these. Regulators should provide an opportunity for dialogue in relation to the advice, requirements or decisions, with a view to ensuring that they are acting in a way that is proportionate and consistent.

This paragraph does not apply where the regulator can demonstrate that immediate enforcement action is required to prevent or respond to a serious breach or where providing such an opportunity would be likely to defeat the purpose of the proposed enforcement action.

- 2.3 Regulators should provide an impartial and clearly explained route to appeal against a regulatory decision or a failure to act in accordance with this Code. Individual officers of the regulator who took the decision or action against which the appeal is being made should not be involved in considering the appeal. This route to appeal should be publicised to those who are regulated.
- 2.4 Regulators should provide a timely explanation in writing of any right to representation or right to appeal. This explanation should be in plain language and include practical information on the process involved.
- 2.5 Regulators should make available to those they regulate, clearly explained complaints procedures, allowing them to easily make a complaint about the conduct of the regulator.
- 2.6 Regulators should have a range of mechanisms to enable and regularly invite, receive and take on board customer feedback, including, for example, through customer satisfaction surveys of those they regulate<sup>4</sup>.

### **3. Regulators should base their regulatory activities on risk**

- 3.1 Regulators should take an evidence based approach to determining the priority risks in their area of responsibility, and should allocate resources where they would be most effective in addressing those priority risks.
- 3.2 Regulators should consider risk at every stage of their decision-making processes, including choosing the most appropriate type of intervention or way of working with those regulated; targeting checks on compliance; and when taking enforcement action.
- 3.3 Regulators designing a risk assessment framework<sup>5</sup>, for their own use or for use by others, should have mechanisms in place to consult on the design with those affected, and to review it regularly.
- 3.4 Regulators, in making their assessment of risk, should recognise the compliance record of those they regulate, including using earned recognition approaches and should consider all available and relevant data on compliance, including evidence of relevant external verification.
- 3.5 Regulators should review the effectiveness of their chosen regulatory activities in delivering the desired outcomes and make any necessary adjustments accordingly.

---

<sup>4</sup> The Government will discuss with national regulators a common approach to surveys to support benchmarking of their performance.

<sup>5</sup> The term 'risk assessment framework' encompasses any model, scheme, methodology or risk rating approach that is used to inform risk-based targeting of regulatory activities in relation to individual businesses or other regulated entities.

**4. Regulators should share information about compliance and risk**

- 4.1 Regulators should collectively follow the principle of “collect once, use many times” when requesting information from those they regulate.
- 4.2 When the law allows, regulators should agree secure mechanisms to share information with each other about businesses and other bodies they regulate, to help target resources and activities and minimise duplication.

**5. Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply**

- 5.1 Regulators should provide advice and guidance that is focused on assisting those they regulate to understand and meet their responsibilities. When providing advice and guidance, legal requirements should be distinguished from suggested good practice and the impact of the advice or guidance should be considered so that it does not impose unnecessary burdens in itself.
- 5.2 Regulators should publish guidance, and information in a clear, accessible, concise format, using media appropriate to the target audience and written in plain language for the audience.
- 5.3 Regulators should have mechanisms in place to consult those they regulate in relation to the guidance they produce to ensure that it meets their needs.
- 5.4 Regulators should seek to create an environment in which those they regulate have confidence in the advice they receive and feel able to seek advice without fear of triggering enforcement action.
- 5.5 In responding to requests for advice, a regulator's primary concerns should be to provide the advice necessary to support compliance, and to ensure that the advice can be relied on.
- 5.6 Regulators should have mechanisms to work collaboratively to assist those regulated by more than one regulator. Regulators should consider advice provided by other regulators and, where there is disagreement about the advice provided, this should be discussed with the other regulator to reach agreement.

**6. Regulators should ensure that their approach to their regulatory activities is transparent**

- 6.1 Regulators should publish a set of clear service standards, setting out what those they regulate should expect from them.
- 6.2 Regulators' published service standards should include clear information on:
  - a) how they communicate with those they regulate and how they can be contacted;
  - b) their approach to providing information, guidance and advice;
  - c) their approach to checks on compliance<sup>6</sup>, including details of the risk assessment framework used to target those checks as well as protocols for their conduct, clearly setting out what those they regulate should expect;

---

<sup>6</sup> Including inspections, audit, monitoring and sampling visits, and test purchases.

- d) their enforcement policy, explaining how they respond to non-compliance;
  - e) their fees and charges, if any. This information should clearly explain the basis on which these are calculated, and should include an explanation of whether compliance will affect fees and charges; and
  - f) how to comment or complain about the service provided and routes to appeal.
- 6.3 Information published to meet the provisions of this Code should be easily accessible, including being available at a single point<sup>7</sup> on the regulator's website that is clearly signposted, and it should be kept up to date.
- 6.4 Regulators should have mechanisms in place to ensure that their officers act in accordance with their published service standards, including their enforcement policy.
- 6.5 Regulators should publish, on a regular basis, details of their performance against their service standards, including feedback received from those they regulate, such as customer satisfaction surveys, and data relating to complaints about them and appeals against their decisions.

---

<sup>7</sup> This requirement may be satisfied by providing a single web page that includes links to information published elsewhere.

## Monitoring the effectiveness of the Regulators' Code

The Government is committed to making sure the Regulators' Code is effective. To make sure that the Code is being used effectively, we want businesses, regulated bodies and citizens to challenge regulators who they believe are not acting in accordance with their published policies and standards. It is in the wider public interest that regulators are transparent and proportionate in their approaches to regulation.

The Government will monitor published policies and standards of regulators subject to the Regulators' Code, and will challenge regulators where there is evidence that policies and standards are not in line with the Code or are not followed.

© Crown copyright 2014

You may re-use this information (not including logos) free of charge in any format or medium, under the terms of the Open Government Licence. Visit [www.nationalarchives.gov.uk/doc/open-government-licence](http://www.nationalarchives.gov.uk/doc/open-government-licence), write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email [psi@nationalarchives.gsi.gov.uk](mailto:psi@nationalarchives.gsi.gov.uk).

This publication is also available on our website at:  
<https://www.gov.uk/government/publications/regulators-code>

Any enquiries regarding this publication should be sent to:

Better Regulation Delivery Office  
Department for Business, Innovation and Skills  
Lower Ground Floor  
Victoria Square House  
Victoria Square  
Birmingham B2 4AJ

Tel: 0121 345 1200

If you require this publication in an alternative format, email [brdo.enquiries@bis.gsi.gov.uk](mailto:brdo.enquiries@bis.gsi.gov.uk) or call 0121 345 1200.

**URN: BRDO/14/705**

## **Annex 4. Meetings and consultations**

### **1. ASA internal meetings**

- Council meetings held on: 7/10/16; 9/11/16; 16/12/16; 20/1/17
- Pre-Council meeting held on 9/11/16
- Meeting between Chair and executive to discuss Council online outcomes: 9/11/16

### **2. Interviews with ASA/CAP executive**

Chair of ASA  
Chief Executive of ASA  
Independent Reviewer of ASA Council Rulings  
Director of CAP/BCAP Committees  
Director of Complaints and Investigations  
Head of Casework  
Head of Operations (Complaints and Investigations)  
Operations Managers of Complaints, Investigations, Copy Advice, Compliance and Operations Support teams  
Complaints/Investigations executives from the complaints and investigations teams

### **3. Meetings with other stakeholders**

Director General of ISBA  
Director and other representatives of Advertising Association  
Chair and other representatives of ASBOF/BASBOF  
British Brands Group  
BEIS (including but not only the Director of Regulatory Delivery)

### **4. Business compliance representation at BEIS hosted or other forums**

British Beer and Pubs Association  
British Sports Nutrition Association  
Business Compliance Representatives who attended ASA Council meeting of Nov 2016  
Health Food Manufacturers Association  
A representative from the Healthcare Industry  
Herbal Life  
Holland and Barnett  
Premier Foods  
Proppotunity  
Proprietary Association of Great Britain  
Provisions Trade Federation  
Steinhoff  
Sainsbury's  
Tesco  
Waitrose

### **5. Additional written evidence received from**

British Retail Consortium  
Proppotunity

## **Annex 5. Documents supplied by ASA**

1. 'Commitment to Good Regulation' statement on website
2. Background material regarding the 'Regulators' Code', 'Growth Duty' and 'Commitment to Good Regulation'
3. 'Striking the Balance, Upholding the Seven Principles of Public Life', Sept 2016
4. Draft paper 'Small Business Appeals Champion', Feb 2016
5. 'Ethical Business Regulation: Understanding the Evidence', C. Hodges, Feb 2016
6. John Glen MP House of Commons debate transcript
7. Baroness Deech House of Lords debate transcript
8. British Retail Consortium materials including documents on government sponsored voluntary regulation in the British retail sector
9. Legal advice relating to a 2002 ASA-led review of the Independent Review Process
10. 2014/2015/2016 ASA thematic reviews of Independent Reviews
11. Background information on ASA regulation of the complementary and alternative health sector
12. The ASA's final response to the 2009–2011 Process Review
13. General information articles on how the ASA system works
14. ASA's 2016 Half-year Performance Report
15. ASA's annual TV ad rulings paper from 2015 on consistency with Clearcast and Radiocentre decision making
16. ASA Annual Report 2015/6
17. 'About Regulation', ASA website
18. 'Making a complaint'/'Complaint about your ad' leaflets to parties to a complaint
19. ASA published Complaint Handling Procedures
20. ASA Inter-party complaints process (for competitor complaints)
21. ASA's 'Working with others' and Memoranda of Understanding documents
22. Internal complaint procedure for complaining about the ASA
23. Independent Review Process flow documents
24. ASA five-year strategy documents
25. ASA Prioritisation Principles and de-prioritisation processes complaints
26. ASA Unacceptable Contacts Policy
27. ASA stakeholder engagement programme, background information
28. ASA transparency statement
29. Procedures for use of experts at the ASA
30. ASA internal policy on managing older cases
31. Background information on ASA sanctions
32. Quarters 1 and 2 ASA Customer and Advertiser Satisfaction Results
33. ASA Transparency publication schedule
34. Recent Judicial Review Court hearing transcripts
35. Background information on CAP
36. ASA Objectives 2017
37. Berkshire Consultancy Process Review Final report 2009
38. ASBOF 41<sup>st</sup> Annual report 2015/16
39. BASBOF12<sup>th</sup> Annual report 2015/2016
40. CMA Recommendations to Regulators
41. Data on specific issues about Independent Review process/ voting results