



**OUTSMART OUT OF HOME
LIMITED**

CODE OF CONDUCT

2018

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INTRODUCTION

This Code sets out the structure and activities of Outsmart Out of Home Limited as well as certain best practices to which members of Outsmart should adhere to enhance the effectiveness and wider reputation of the Out of Home advertising medium in the United Kingdom.

Outsmart supports legal and responsible use of the medium. Members must operate a legal and responsible use of the medium. Outsmart does not sanction any advertising that appears in public places unlawfully for example: flyposting, on trailers, or more technologically-advanced forms of advertising that appears without consent (for example, advertising projected with light onto a building without the permission of the building's owner).

All members must comply with the Code to retain their membership.

Council, Board and Associate Membership of Outsmart is restricted to companies who have the right to sell Out of Home Advertising.

Resource membership is available to companies that offer products and services that cater to the Out of Home industry.

All members guarantee that they will behave in a legal, professional and ethical manner towards their competitors, clients and agencies, that they will accurately represent their media offering, that they will deliver campaigns as promised and that they will ensure all inventory is maintained to a good state of repair.

PURPOSE OF OUTSMART

Outsmart is the trade association representing Out of Home media owners throughout the UK. Its purpose is to protect and advance the general trade interests of all its members, or any of them, and any interests which in the opinion of the Council involve questions affecting the Out of Home advertising industry or any allied industry.

Its affiliations include the Advertising Association and the Advertising Standards Authority (Outsmart is a member of the CAP committee). Outsmart also has links with the IPA (advertising agencies), IPAO (Out of Home specialists) and ISBA (advertisers).

MEMBERSHIP AND INDUSTRY PRESENCE

Council, Board or Associate membership is open to any UK Out of Home media owner on terms set out in the Articles of Association.

Outsmart is funded entirely through its Council, Board, Associate and Resource members and is a non-profit making body. This is based on a subscription paid by all members, on an annual basis, to meet the running costs of the Association. A levy is paid as necessary for specific projects which may not include all members.

Outsmart is involved in a range of activities and services with other organisations, including:

- **Route:** provides the Out of Home industry's audience measurement system. It is managed by Route Research Limited which is the Joint Industry Committee (JIC) representing all sides of the Out of Home industry. Route is funded by Outsmart members and the IPAO

- SPACE: manages the allocation of unique Out of Home industry standard codes to identify individual advertising frames across the UK. It is managed by Mediatel Limited and is funded by Outsmart members and the IPAO
- The Inventory Mapping System (IMS) manages the positioning of individual advertising frames across the UK for measurement by Route. It is managed by MGE Data Limited and is funded by Outsmart members
- PwC: undertake the revenue reporting for the Out of Home industry on behalf of Outsmart. All media owner members submit their revenues on a quarterly basis to PwC. Revenues are anonymised and aggregated before a total revenue figure for the Out of Home industry is made public
- The Out of Home Standards Committee: represents IPAO and Outsmart members in order to advance the interests of the Out of Home advertising medium through a process of standardisation

ADDITIONAL ACTIVITIES

Outsmart utilises the expertise within Council member companies to address developments in:

- Business Rates, Advertising and Government Regulation, Insight, Standards, Planning and Sustainability, Health and Safety

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MAINTENANCE OF INVENTORY

- All members are responsible for any questions which may arise in relation to the relevant Regulations in respect of their inventory and must adhere to best practice in relation to the operation and maintenance of their inventory
- All Out of Home inventory should be maintained to a good state of repair in accordance with relevant Health & Safety Legislation
- All Out of Home inventory that requires a power supply must observe safe and legal power supply connections, with appropriate permissions in place
- All Out of Home inventory should be identifiable and display the names of the relevant media owner
- Any advertisements found to be damaged or defaced should be replaced as soon as is practical
- Any area within close proximity to inventory, including fences erected by a media owner, should be maintained in a good condition

MATERIAL OBSTRUCTION

- No inventory should be erected which would materially obscure the view of another member's inventory. In case of doubt, the other member should be consulted before the inventory is erected

HEALTH AND SAFETY POLICY

- All Outsmart members must obey all relevant Health and Safety legislation and best practice to minimise any health and safety risks that could arise to their employees, their contractors and the public
- All Outsmart members must comply with the provisions of the Outsmart Health and Safety Code

ENVIRONMENTAL POLICY

- All Outsmart members shall take all reasonable steps to minimise any detrimental impact to the environment that may arise in pursuance of their Out of Home activities
- All Outsmart members must comply with the provisions of the Outsmart Environmental Code

ROADSIDE DIGITAL SCREENS

- Outsmart members must comply with the provisions of Outsmart Digital Roadside Code

ADVERTISEMENT CREATIVE AND MEDIA PLACEMENT RESTRICTIONS

Outsmart members are expected to reasonably ensure that the advertisement creative, and the media placement of the advertisement, complies with all statutory and other legal requirements and with the provisions of the Codes of the Committee of Advertising Practice (CAP).

- Examples where static media placement restrictions are in place: High Fat Salt Sugar (HFSS), Alcohol, Lotteries, Gambling, Electronic-cigarettes, rolling papers or filters (100m exclusion from school boundaries)
- Examples where advertisement creative restrictions are in place: children, privacy, harm and offence, political advertising, sexualised imagery, misleading and unfair marketing communications
- If advertisers persistently flout the rules for appropriate advertising copy in the view of the ASA, CAP and Outsmart, they may be excluded from using the medium altogether for a period of 2 years

COMPLAINTS

Members may complain to Outsmart in relation to unacceptable sites of, or behaviour by, other Outsmart members, by:

- Contacting Outsmart outlining the basis of the complaint and providing supporting evidence

Outsmart will consider each complaint on a case-by-case basis and will in each case:

- Acknowledge receipt of the complaint
- Record the complaint in the Outsmart Complaints Register
- Have absolute discretion to determine the validity of the complaint
- If Outsmart determines that the complaint is valid, it will write to the relevant member and give them the opportunity to respond to the complaint and supporting evidence, within a stated timeframe
- Outsmart has absolute discretion to evaluate all the evidence and determine whether to uphold the complaint, or not
- If a complaint is upheld, Outsmart will determine a ruling that must be actioned within the stated time limit given with the ruling. This may include notification of the suspension or termination of membership of Outsmart
- Outsmart will maintain an Outsmart Complaints Register that records the name of the member company that made the complaint, the name of the member company that was the subject of the complaint, the subject of the complaint, and if the complaint was upheld or not. This specific information is not published but can be made available given sufficient reason
- All complaint communications and evidence can, hypothetically, be shared with external regulatory bodies or organisations concerned with the Out of Home industry and/or Outsmart's conduct

COMPLAINT APPEAL PROCESS

A member may submit an appeal in writing to Outsmart within five working days of receipt of an upheld complaint ruling:

- The appeal will be considered by Council and Board member companies, excluding direct competitors (defined as companies that predominantly operate within the same environment as the relevant member)
- They will determine if the appeal is upheld or dismissed, by majority vote
- If the appeal is upheld a panel will be convened to determine a resolution
- The panel will be comprised of Council and Board member companies that exclude direct competitors (defined as companies that predominantly operate within the same environment as the relevant member)
- The panel decision is final

NON-COMPLIANCE WITH CODE OF CONDUCT PROVISIONS

- Any material breach or a series of repeated breaches (whether material or not) of the provisions of this Code by an Outsmart member may lead to the suspension or termination of its membership of Outsmart
- Allegations of a material breach or repeated breaches (whether material or not) of the provisions of this Code shall be made to Outsmart via the complaint procedure