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Appendix 1: ITV Moderation Policy ................................................................................17
1. Introduction

These are legal & compliance guidelines to help you manage the social media accounts of the ITV show, commercial relationship or brand for which you are responsible and to confirm how personal social media accounts should be used when associating with or referring to ITV.

Please read the entirety of this document to make sure you are aware of the key legal/compliance restrictions in operating social media. In particular, please familiarise yourself with the Golden Rules & Prohibited Activities.

These guidelines also cover personal social media account use for ITV colleagues where they are using official accounts or associating themselves with ITV or mentioning ITV on social media.

All third party/commissioned production companies and content providers (“3P Providers”) will be required to comply with these guidelines in respect of ITV commissions. These guidelines should be read in line with and alongside other guidance on the use of social media including the ITV Interactive Services – Guidelines for Producers.

For queries on creating social media accounts or the social media guidelines, please contact Oliver Fisher (Head of Customer Engagement): oliver.fisher@itv.com.

2. The Golden Rules

a) The laws and codes are the same for social media as elsewhere: The law does not change just because you are in a social media environment. Key areas to consider include defamation, intellectual property infringement, breach of contract (e.g. our contracts with talent or commercial clients or platform terms and conditions) and consumer protection legislation. If you are using content on-air then you also need to consider the Ofcom Broadcasting Code. For commercial content including advertising and sponsorship, please see section 6. The golden rule here is to treat content for social media as you would treat content for broadcast and, if in doubt, consult the ITV Legal and Programme Compliance teams.

b) Going global increases legal risk: Be aware that potential for complaints for IP infringement and defamation and other legal action is increased by publication on the internet and as the audience is global it may lead to legal complaints/actions in foreign jurisdictions. In addition, we may not have the rights to publish content globally. In some instances it may be appropriate to geo-block content to prevent it being viewed outside the UK. Where geo-blocking is not possible, do not post content unless it has been cleared globally.

c) Control of accounts/Commissioning: Please contact janine.smith@itv.com or jaine.sykes@itv.com if you want to set up an account, or if you would like to make changes to your account. This avoids having multiple uncontrolled accounts which can increase legal risk. ITV must always have final editorial say and control over content (including marketing) that is published on ITV controlled social media sites/pages.

d) ITV’s brands/relationships are extremely valuable assets: Do not do anything that might damage any ITV brand or ITV relationships (e.g. with talent or commercial clients) as this can lead to issues with the contracts held with those parties which may include provisions requiring us not to damage their reputation.

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1 http://www.itv.com/commissioning/guidelines/compliance-guidelines

2 http://stakeholders.ofcom.org.uk/broadcasting/broadcast-codes/broadcast-code/
e) **Social media is public:** Anything you say could be circulated very quickly and potentially make it into the national press and this can significantly increase our legal or compliance exposure. **Think before you post.**

f) **Always consider the network affiliate (STV) for Channel 3 programmes:** If the programme is airing on ITV (as opposed to the digital channels), consideration must be given to involvement of STV. **Note:** There are specific guidelines around the involvement of affiliates in social media - please consult with ITV Online and Online Pay and Interactive ("OPI") Legal about this.

g) **Platform Terms and conditions:** Always be aware that social media sites have their own terms and conditions which we agree to when creating an account. These terms & conditions can restrict account set-up, app development, data use, what you post or how you post it and may mean we are giving up certain rights. Please see sections 7 to 11 inclusive for summary guidance on the restrictions that apply to various social media platforms (as at the date of this document). All social media accounts must always be run in compliance with the relevant platform terms and conditions – these change frequently and so you must always familiarise yourself with and comply with the most up to date platform terms and conditions.

h) **Commercial promotions (for more detail see section 6 below):** These are regulated and some categories of promotion may be prohibited either by platform terms or regulation. **DO NOT:**

   i) sell promotions of brands, products or services on our social media platforms to any third parties unless you have approval from the Advertising Content Compliance team and Commercial Legal as well as the Commercial contact for that programme (to check there are no relationship/contract clashes).

   ii. accept any payment or other incentive from a third party to endorse goods or services unless approved by Commercial Legal and Advertising Content Compliance teams. Promotions must comply with the UK Code of Non-broadcast Advertising, Sales Promotion and Direct Marketing (CAP Code)\(^3\) and Consumer Protection from Unfair Trading Regulations 2008 (as amended). **DO NOT** promise or sell promotions UNLESS you have cleared it in advance.

   iii. Marketing and brand communications (including paid for vlogger content) must be clearly labelled as sponsorship/advertising. It is vital that any commercial promotions comply with section 6 below including the use of #ad or #spon.\(^4\)

i) **In-show mentions:** The Ofcom Broadcasting Code applies. Please check with Programme Compliance if you want to promote Social Media on-air e.g. #thismorning, @itvthismorning or facebook.com/thismorning. The general rule is that any on air references to branded social media (i.e. Facebook, Twitter, Instagram etc.) whether in programmes or continuity must be editorially justified and not unduly prominent. Generally, encouraging comments from viewers via named social media will be acceptable as long as viewers aren’t charged for use of the site and neither broadcaster or producer has a commercial agreement to make these references (i.e. we are not product placing Facebook/Twitter/Instagram etc.). References should be brief and not

\(^3\) [https://www.asa.org.uk/codes-and-rulings/advertising-codes/non-broadcast-code.html](https://www.asa.org.uk/codes-and-rulings/advertising-codes/non-broadcast-code.html)

\(^4\) The Committee of Advertising Practice (CAP) has published guidance on the use of #ad and #spon in vlogging - [https://www.cap.org.uk/Advice-Training-on-the-rules/Advice-Online-Database/Video-blogs-Scenarios.aspx#WGUX37aLSi4](https://www.cap.org.uk/Advice-Training-on-the-rules/Advice-Online-Database/Video-blogs-Scenarios.aspx#WGUX37aLSi4)
repetitive; logos of the sites may be included in the programme for easy identification but again cannot be given undue prominence. Make sure that you check and comply with any brand guidelines published by the relevant social media platform.

j) **Using user generated content from social media on-air/on other platforms:** If you want to collect end user comments or other end user content for use in broadcasts or on other ITV platforms, please consult the OPI Legal team as early as possible. ITV has specific guidelines for this activity which are available on request. If the content is to be used in broadcast, the activity must be approved by the Programme Compliance team as well as the OPI Legal team.

k) **Be extremely careful not to infringe other people’s Intellectual Property Rights (“IP”):** Online IP infringement and breach of IP law is a huge risk. Always respect copyright, trademarks, rights of privacy, and other third party rights when using user generated content or third party content. Ensure that all relevant rights and permissions in content (such as footage, music, stills or text) posted or linked to, have been cleared, and that ITV has been granted the relevant rights and licences to publish such content.

l) **Moral rights:** These rights require us to respect the content creator’s moral rights (i.e. the right to be identified as the author, director or performer and the right to object to derogatory treatment of their work), and never claim ownership or authorship of something that is not ours. So, when using a third party’s content, always credit the author and don’t amend the content from the source material unless such rights have been expressly waived.

m) **What happens if it all goes wrong?:** There could be a huge impact on ITV’s brands and reputation, our pages may be removed from the social media platform (and we may be banned from that platform). In some cases ITV could end up being sued, subject to a regulatory investigation, being fined or subject to criminal sanctions. **If in doubt, escalate this matter and seek approval. It is ALWAYS preferable to delay in order to escalate and obtain the correct approval than to post something which is then difficult or impossible to retract!** See section 14 for Legal and Compliance contacts and section 15 for escalation contacts.

### 3. Prohibited Activities

a) **Ongoing Legal Matters/Litigation:** **DO NOT** post anything relating to legal matters or litigation or any parties ITV may be in litigation with. Do not comment on any on-going public disputes ITV may be involved in.

b) **Criminal Investigations:** **DO NOT** make statements relating to criminal investigations as anything published which might jeopardise a fair trial may be contempt of court. **DO NOT** make statements and opinions relating to court injunctions or other matters covered by reporting restrictions. Breaching a court order is also contempt of court.

c) **Company Information/Confidential Information:** **DO NOT** post non-public company information or ITV or third party confidential information including corporate announcements, programming commissioning statements or ratings or commercially sensitive information. If in doubt, check with the Communications team or Legal.

d) **Scheduling:** **DO NOT** reveal programme transmission dates more than 10 days away, unless previously released into the public domain by the scheduled weekly final exchange via ITV Scheduling. **If in doubt, seek approval from itvpresscentre@itv.com.**
e) **Press:** DO NOT respond to enquiries from the press. Simply refer them to ITV Corporate Affairs and Programme Publicity via itvpresscentre@itv.com.

f) **Offensive statements:** DO NOT make offensive statements and be particularly careful to avoid offensive statements relating to an individual’s age, gender, gender reassignment, marriage/civil partnership, pregnancy/maternity, sexual orientation, disability, race, religion and culture.

g) **Defamation:**
   a. DO NOT say or repeat/retweet or make a story about anything, including allegations, about an individual which you do not know to be true as this may be defamatory. Beware inference (unstated implication) and innuendo (statements that appear to be harmless but in fact carry a different meaning for someone in possession of certain facts). If in any doubt, please consult the Legal or Compliance teams.
   b. DO NOT assume because something has been published by someone else (even if that someone else is a news outlet e.g. newspaper) it is acceptable to publish. Repeating someone else’s defamatory allegations can make the repeater just as liable as the original source and prior publication is no defence. In addition, large companies like ITV are more vulnerable to legal action and negative publicity. Further, merely adding “it is alleged that” or “it is rumoured that” will not help defend such actions. Linking to another online service that carries defamatory content could also bring liability. If in any doubt, please consult the Legal or Compliance teams.

h) **Pornography:** DO NOT publish pornographic material.

i) **Data:**
   a. DO NOT post any personal data without the user’s specific and informed consent.
   b. DO NOT do anything which might compromise personal data. Particular care and attention should be taken in relation to any social media activities which target a younger demographic.

j) **Interactivity:**
   a. DO NOT run or promote any competitions, sweepstakes, polls, votes or similar schemes on social media without prior approval from ITV Interactive. For shows with a voting or charitable donation element DO NOT post telephone vote or donation numbers or other paid-for routes as there isn’t the space to include the necessary charging information and terms and conditions.
   b. DO NOT promote any premium rate numbers (including charitable appeals) or other paid routes of entry for competitions, votes or other participation unless such promotion has been approved by ITV Interactive and Programme Compliance. In the case of charitable appeals, any promotion should also be cleared with Corporate Responsibility. Do not encourage others to promote such numbers or routes of entry and do not repeat or retweet others doing so. If you become aware of others doing this, you must escalate this to ITV Interactive and Programme Compliance immediately.

k) **Alcohol/Gambling:** DO NOT carry out any activity in relation to alcohol or gambling without first notifying and seeking advice from the Advertising Content Compliance and Legal teams.

l) **Content Clearances:** DO NOT publish digital images taken within any ITV workplace (including in studios or on sets or locations) without confirming you have the right to publish them. The ITV Picture Desk (itvpicturedesk@itv.com) can advise you. Do not post
ITV owned content on any third party site whose terms of use state that by doing so you grant them the rights to commercially exploit the content (unless part of a pre-determined ITV agreement). If in doubt, consult OPI Legal as to what rights a third party site will take over ITV content (e.g. Facebook will always take a very broad licence to do what it wants with content).

m) **Under 13s:** DO NOT create pages or social media accounts that target anyone under 13 or are associated with young viewer demographics. Facebook, Twitter, Instagram, Snapchat, Tumblr and Periscope all prohibit users under 13 years of age. Generally, ITV Services should not target children under 13 years - this age limit may be reviewed in conjunction with OPI Legal.

n) **Live content:** DO NOT stream content in real time (e.g. Facebook Live; Periscope) except with the prior permission of your ITV digital contact.

o) **Instagram TV:** DO NOT use Instagram TV (IGTV).

### 4. General Rules

a) **Audit access:** Logs of all new social media accounts must be kept to show who has access and who has been sent the logons and keep track of who is accessing over any particular time in case of issue. ITV Online must always be provided with administrative access to accounts for the purpose of cross promotion, emergency communications and takedown, data collection, account verification and moderation.

b) **Security:** Please make sure that you have in place reasonable technical and organisational measures against unauthorised or unlawful access to accounts. If you become aware of such access or attacks or of any other security breaches or risks or threats of the same, please inform the ITV Information Security Team as soon as possible.

c) **Settings:** Please ensure your default Facebook settings are set in accordance with ITV’s current standards, including setting the profanity filter to the most restrictive level. For further details, please consult the Online team. There are also measures you can take during crisis/legal controversy to limit legally unacceptable posts e.g. removal of posts (but please see section 5 (Moderation) below).

d) **Naming account:**
   a. Have a think about the account name you would like to use before going to the Online Commissioning Team. It is important to make sure your account name/URL is not a trademark belonging to a third party not associated with the programme.
   
   b. If the desired username has been registered by an impersonator, we may be able to claim it back. Please consult the OPI Legal team.

e) **On-air promotion:** If you want to build an application for your social media account that is going to be promoted on air or is interactive please speak to OPI Legal and Programme Compliance first.

f) **Clips:**

   Clips from or relating to a programme (e.g. show clips, performance clips, backstage clips) must be no longer than 1’30” in length, and no more than three clips should be published per episode of the programme. It is the responsibility of the programme producer to clear the clips (including music contained within them) for use on social media.

g) **Content standards:**
Content on marketer’s own websites and social media pages is regulated by the Advertising Standards Authority (ASA). We need to adhere to ASA regulatory standards when making assessments.

Children are protected from unsuitable post-watershed content on our linear broadcast channels by scheduling and continuity warnings, and on the ITV Hub there are parental controls available and guidance text; but on social media, whatever time it is initially posted, content is then readily viewable by both adults and children. Therefore, where post-watershed ITV programme material is published on social media platforms, and where material is unsuitable for children, it should be edited. Medium and strong language should be edited out, violent or sexual content should be suitably limited, and dangerous imitable behaviour should be avoided. Where appropriate, material should be preceded by a warning notice. If in any doubt, you should refer the proposed content to Advertising Content Compliance (Commercial Legal) or the Programme Compliance advisor responsible for the relevant programme.

**Be accurate and not misleading:** ITV is responsible for its online communications and therefore great care should be taken to ensure that they are accurate and not misleading. Always seek to verify the accuracy and veracity of content you post online on behalf of ITV. Online communications, especially relating to news, political, religious and industry issues, should be reported with due accuracy and presented with due impartiality and ITV requires Ofcom standards to apply. If you make a mistake, acknowledge and correct it. Marketing should not mislead and all claims should be substantiated, with any material qualifications, limitations or conditions made transparent in the copy.

h) **Be aware of privacy issues:** Has everyone featured within the content consented to ITV posting or broadcasting it? This is particularly true of victims of disasters and traumatic events. Just because material may be elsewhere on the Internet and in the public domain does not mean victims/people featured in the material have consented to publication and they still have an expectation of privacy. Do not post personal data without specific and informed consent from the individual(s) concerned.

i) **Re-posting:** Always think before re-posting and linking to third party content, as this may be viewed as ITV endorsing that content.

j) **3P Providers:** 3P Providers running social media must always do so in compliance with all laws rules regulations and codes of practice (including without limitation in respect of advertising) and third party platform terms. 3P Providers also must be aware of and comply with these guidelines as if they were ITV.

5. **Moderation**

ITV operates a Moderation Policy for online accounts and properties. Please ensure that the ITV Moderation Policy attached at Appendix 1 is adhered to.

On your Facebook (or other social media account which allows others’ comments to appear on your page) home page please add the following “**Take Down Policy:** We love to hear your opinions about the show but please keep it friendly. We reserve the right to delete defamatory, abusive, profane, spam submissions or any submissions we consider inappropriate and to block repeat offenders.”

Please be aware that where content is moderated certain legal defences (‘mere conduit’ and ‘hosting’ defences) fall away and the account administrator will also become responsible for
that content (even if created by a user). Therefore, legally, moderation is very much an “all or nothing” concept. Limited/infrequent moderation means that we lose legal protections and still have reputational exposure because not everything is being moderated. No moderation may legally provide defences but it would expose ITV to a high level of reputational risk. Please choose your moderation approach with care and discuss with OPI Legal.

6. Commercial Promotions

- **Platform Terms and Conditions:**
  - **MAKE SURE** where any social media activity is part of a proposal to an advertiser/sponsor, the agreement is made subject to the social media platform terms and conditions. Agreements with advertisers, sponsors etc. must always include a right to cease engaging in such activity at ITV’s sole discretion including where such activity would represent a breach of the platform’s terms and conditions.
  - **MAKE SURE** that you adhere to the platform terms and conditions and that you can place the commercial promotion on that platform e.g. Facebook has prohibitions on gambling advertising. See sections 7 to 11 inclusive below.

- **Avoid conflict with existing commercial deals:** **DO NOT** run any commercial promotions which conflict or compete with any sponsors of an ITV controlled platform (e.g. apps, broadcast, online) in relation to the same programme without written consent from ITV Commercial.

- **Make Commercial Promotions Clear:** **ALWAYS** make sure it is clear that commercial promotions in return for payment or similar consideration are obviously identifiable as such – common ways of doing this are to use ‘Advertisement’ or ‘Sponsored’ wording e.g. #ad or #spon. **VIDEOS:** if the commercial promotion is in video form then please include the disclosure about this being a paid for promotion within the video itself. Failing to do this is misleading and could breach the Consumer Protection from Unfair Trading Regulations 2008\(^5\) (CPRs) (as amended) and the ASA CAP Code\(^6\). If in doubt, consult the Advertising Compliance team.

- **AGE RESTRICTIONS:**
  - **Alcohol, gambling, slimming etc:** Social media should not be used to advertise alcohol, gambling, slimming (or other restricted products or services) if more than 25% of its audience is under 18 years of age.
  - **HFSS:** Marketing in social media for Food and Drink High in Fat, Sugar and Salt (HFSS) must be assessed in the same way but applying a profile of under 16.
  - Therefore, a programme property subject to social media marketing should undergo profiling to ensure compliance with these rules.

- **No false consumers:** **DO NOT** falsely claim or create the impression that a marketer is a consumer. E.g. ITV employees must not pretend to be consumers unconnected with ITV and promote the ITV Hub. This applies to any brands ITV associates with so ITV should not pretend to be a consumer and endorse a sponsor’s product.

- **DO NOT mislead or omit information** (especially where endorsing a product or service) where this is likely to impact the consumer’s decision about that product or service.

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\(^6\) [https://www.cap.org.uk/Advertising-Codes/Non-Broadcast.aspx](https://www.cap.org.uk/Advertising-Codes/Non-Broadcast.aspx)
• **NO FOLLOW**: If hypertext links to a website commissioned by the brand owner or marketing practitioner are included alongside commercial promotions (whether video or text) in the blog post or page, these should have the “nofollow” attribute [http://en.wikipedia.org/wiki/Nofollow](http://en.wikipedia.org/wiki/Nofollow).

• **FORUMS**: Do not ask third-parties to promote our or third party brands, products or services within internet forums, bulletin boards or news groups without permission from the forums’ administrators, even with disclosure, as doing so would contravene generally accepted etiquette and is likely to generate negative sentiment amongst the forums’ members. NB This applies whether or not payment is involved. We should of course feel free to reply to comments in a non-promotional way on forums concerning brands, providing we disclose we are engaging on behalf of ITV.

• **CAP Code**: REMEMBER these are adverts so the CAP Code ([https://www.cap.org.uk/Advertising-Codes.aspx](https://www.cap.org.uk/Advertising-Codes.aspx)) applies and the promotion will need to comply. If in doubt check with Advertising Content Compliance team.

### 7. Twitter’s Guidelines

Twitter places itself as a platform for free-speech so there is very little that they will consider taking down in terms of offensive content. Twitter does, however, have terms and conditions including some hard and fast rules which all users must abide by:

• **Impersonation**: Impersonation is a violation of the Twitter Rules. Twitter accounts portraying another person in a confusing or deceptive manner may be permanently suspended under the Twitter impersonation policy.

• **Trademark**: Using another’s trademark in a manner that may mislead or confuse others about your brand affiliation may be a violation of Twitter’s trademark policy.

• **Privacy**: Posting another person’s private and confidential information is a violation of the Twitter Rules.

• **Violent threats (direct or indirect)**: You may not make threats of violence or promote violence, including threatening or promoting terrorism.

• **Hateful Conduct**: You must not promote violence against or directly attack or threaten other people on the basis of race, ethnicity, national origin, sexual orientation, gender, gender identity, religious affiliation, age, disability, or disease.

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7 Both Facebook and Twitter have multiple sets of interlinking terms of use, which change frequently. As a result, these guidelines are subject to change. Sections 7 and 8 are based on the terms and conditions as at November 2017. They reflect the commonly asked questions about what we can and can’t do on these platforms but there are multiple terms and conditions which apply so please always consult OPI Legal should you have any questions.

8 [https://twitter.com/tos](https://twitter.com/tos)

9 [https://support.twitter.com/articles/18366](https://support.twitter.com/articles/18366)

10 [https://support.twitter.com/articles/18367](https://support.twitter.com/articles/18367)

11 [https://support.twitter.com/articles/20169991](https://support.twitter.com/articles/20169991)

12 [https://support.twitter.com/articles/18311](https://support.twitter.com/articles/18311)
• **Copyright and other IPRs:** Twitter will respond to reports of alleged copyright infringement, such as allegations concerning the unauthorized use of a copyrighted image as a profile or header photo, allegations concerning the unauthorized use of a copyrighted video or image uploaded through our media hosting services, or Tweets containing links to allegedly infringing materials.

• **Unlawful Use:** Twitter users may not use twitter for any unlawful purposes or in furtherance of illegal activities. International users agree to comply with all local laws regarding online conduct and acceptable content.

• **Misuse of Twitter Badges:** Twitter users may not use a Verified Account badge or Promoted Products badge unless it is provided by Twitter. Accounts using these badges as part of profile pictures, or in a way that falsely implies affiliation with Twitter will be suspended.

• **Responsibility for content:** All content is the responsibility of publishers (see section 5 (Moderation) above).

• **Spamming** (e.g. posting multiple links instead of comments, misleading links or irrelevant updates) is prohibited. Therefore if any Twitter sponsorship activity is undertaken it should not be disproportionate. Additional guidance on how Twitter will judge content to be spamming can be found in the Twitter Rules.

• **Licence of any content posted:** A very broad licence is granted to Twitter when any content is posted (e.g. content could be syndicated to any number of platforms) – therefore if it is editorial commissioned work/advertising copy, ensure the licence-in reflects the fact the content will be Tweeted.

8. **Facebook’s Guidelines**

• **Content Licence:** Whoever posts content on Facebook keeps ownership of that content but they grant Facebook a broad licence to use that content until that content is deleted, or the account posting that content has been deleted (unless the content has been shared with others and they have not deleted it). So, if you post content on Facebook, be prepared for Facebook to use it as well (and they may choose to use it outside of Facebook).

• **Use of Facebook name/brand/logo:** please follow the Facebook Brand Usage Guidelines.

• **Free access to Facebook:** Facebook does not guarantee that access to its platform will always be free. Social media platforms will change and develop and are outside ITV’s control – we do not recommend becoming reliant on one platform for this reason.

• **Data collection/Privacy:** Facebook restricts what page operators can do with data – please see section 2 of the Facebook Platform Policy.

**Commercial/Brand Promotion**

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13 [https://support.twitter.com/articles/20175050](https://support.twitter.com/articles/20175050)
14 [https://support.twitter.com/articles/15795](https://support.twitter.com/articles/15795)
15 [https://support.twitter.com/articles/18311](https://support.twitter.com/articles/18311)
16 [https://support.twitter.com/articles/18311](https://support.twitter.com/articles/18311)
17 [https://twitter.com/tos](https://twitter.com/tos)
18 [https://support.twitter.com/articles/18311](https://support.twitter.com/articles/18311)
19 [https://twitter.com/tos?lang=en#usContent](https://twitter.com/tos?lang=en#usContent)
21 [https://www.facebookbrand.com](https://www.facebookbrand.com)
22 [https://developers.facebook.com/policy/](https://developers.facebook.com/policy/)
Facebook has specific guidelines in relation to brand promotion:

Branded Content may only be posted by profiles and Pages with access to the Branded Content tool. Facebook defines branded content as a creator or publisher’s content that features or is influenced by a business partner for an exchange of value. When posting branded content, use the Branded Content tool to tag the featured third party product, brand, or business partner.

Facebook Pages and profiles with access to the Branded Content tool must comply with the following:

- Don’t include pre, mid, or post-roll ads in videos or audio content.
- Don’t include banner ads in videos or images.
- Don’t include title cards within a video’s first three seconds. Interstitial ad cards outside of a video’s first three seconds, such as mid cards or end cards, must not persist for longer than three consecutive seconds and must not be included within Facebook Stories.
- Don’t use the branded content tool to tag a Page without their prior consent.
- Comply with all applicable laws and regulations, including by ensuring that you provide all necessary disclosures to people using Facebook, such as any disclosures needed to indicate the commercial nature of content posted by ITV.

The following forms of advertising and commercial content are probably admissible, subject to the restrictions set out above:

- Including a link on a programme Facebook page to the website of the relevant programme sponsor. You will need to ensure the sponsor page you link to is generally compliant. For example, sponsor pages should have appropriate content, terms and conditions, data protection compliance and information relating to use of cookies. Consult legal with any questions.
- Adding a programme sponsor as a favourite to the relevant ITV Facebook page.
- Posts about a sponsor, provided it is clear that the post is a sponsored post - please see section 6.
- Inclusion of a programme sponsor logo on the Facebook page profile picture for the relevant programme.

Always consult with ITV Online Legal before you start any discussions with third parties about development of or advertising on Facebook applications. IT IS ESSENTIAL that a page is not taken over by commercial promotions. DO NOT compromise the programme brand.

Restrictions on advertising on Facebook

- Facebook Advertising Guidelines, Data Use Policy, FAQs, Page Terms and Platform Policies provide certain restrictions on advertising, promotions and use of data that you receive from Facebook in connection with advertising. The main restrictions are:
  - The Facebook Advertising Guidelines apply equally to purchasers of ad-space on Facebook via Facebook’s Platform or to ads that are generated through Page posts. Ads that are generated through Page posts must also comply with the Pages Terms.
  - If you use custom audiences, you must also comply with the Custom Audience Terms.

23 https://www.facebook.com/policies/brandedcontent/
24 https://www.facebook.com/policies/ads
The Pages Terms state that third-party advertisements on Pages are prohibited without Facebook prior permission.

In addition, there are restrictions around price or purchase or discount (e.g. 40% off) information being included in the cover of a Facebook page, or a Facebook ad or any sponsored stories or promotions saying ‘Get it Now’ or ‘Tell your Friends’.

Offers should only be run if the Page is run by the merchant or manufacturer of the product or service being promoted and all offers must comply with all applicable laws.

There are also various standard restrictions in relation to ad copy. For example, ads must not include unsubstantiated claims, cannot insult, harass or threaten; must not be false, misleading, fraudulent or deceptive. Advertising adult content is also prohibited.

• **Particular care and restrictions apply in respect of advertising the following:**

  o **Alcohol** – can only be advertised in countries where it is legal. In all other jurisdictions must comply with alcohol advertising laws applicable there.
  
  o **Dating sites** – only allowed with prior authorization from Facebook and must adhere to dating targeting requirements.
  
  o **Tobacco products or drugs** – are prohibited.
  
  o **Gambling and Lotteries:**
    ▪ Online casino, games of skill, sports books, bingo or poker – are only allowed in particular countries and with prior authorisation of Facebook;
    
    ▪ Government lotteries may advertise as long as applicable country laws are adhered to;
    
    ▪ Promotion of offline gambling establishments (offline casinos) are generally permitted if in accordance with applicable country laws and provided ads are appropriately targeted. The Facebook help centre can be referred to for additional guidance.
  
  o **Pharmaceuticals and Supplements** – prescription pharmaceuticals are prohibited. Supplements may be permitted depending on what they contain.
  
  o **Otherwise offence** – ads which promote illegal activity, harassment, hate speech, inappropriate ads to minors or ads that contain sex/nudity or are shocking are prohibited.

• The above is particularly relevant to ITV where an ITV show is sponsored by a company operating in one of these areas and ITV wants to insert sponsorship creative on the Page.

• There are also restrictions under the Facebook Advertising Guidelines and Statement of Rights and Responsibilities against spam (posting of unauthorised commercial communications being prohibited); spyware/malware; destination sites linking to any prohibited product or service; sites that cannot be navigated away from; software that ‘sneaks’ onto a user’s system or alters/harms/disables a user’s software etc. or presents download dialog boxes without a user’s action. Finally standard restrictions apply around non-infringement of third party IP.

• Ads should also not imply any endorsement by Facebook.

• Anyone buying advertising on Facebook (for example in their own developed Facebook application) can only use certain ad-serving providers in their Facebook apps.

25[https://www.facebook.com/ads/manage/customaudiences/tos.php](https://www.facebook.com/ads/manage/customaudiences/tos.php). Custom Audiences let advertisers find their existing audiences among Facebook users; the tool allows advertisers to create a list of people they want to target Facebook ads at based on a list of email addresses, unique Facebook IDs, phone numbers, App user IDs, IDFAs etc.
• ITV must not transfer any data received or use any ad targeting information to an entity not acting on behalf of a Facebook advertiser. Any advertising data must not be used other than for assessing performance of the advert. ITV must not use Facebook advertising data, including the targeting criteria for a Facebook ad, to build or augment user profiles, including profiles associated with any mobile device identifier or other unique identifier that identifies any particular user, browser, computer or device.

• Since activity around commercial communications is restricted on Facebook there is an option that Facebook could be approached to approve activity. However, the risk of this is additional scrutiny of ITV so this approach should only be considered in consultation with the ITV OPI Legal team and ITV Online team.

• Although Facebook does allow promotions (subject to restrictions\(^{26}\)) ITV operates a strict policy around any promotions competitions, prizes, give-aways etc. All of these must be approved by ITV Interactive.

### 9. Restrictions on the use of other platforms

A detailed review of the terms and conditions that apply to the use of other social media platforms is beyond the scope of these Guidelines. However, there are some restrictions that are common to most platforms:

• **Spam**: Don’t send users unsolicited, excessive or harassing communications.

• **Restrictions on advertising**: Most platforms contain tight restrictions on advertising, so make sure that all posts clearly link back to editorial. Don’t post solely for the purpose of pushing traffic to an external site.

• **Use of platform name/brand/logo**: Many platforms publish specific brand guidelines setting out how you may use their name/brand/logo. Make sure that you adhere to these guidelines.

• **Clearances**: You are responsible for clearing all content, globally.

If you wish to use social platforms other than Facebook or Twitter you must first familiarise yourself with the specific restrictions that apply to that platform. If in doubt, please consult the OPI Legal team.

If you wish to use YouTube you must comply with our ‘Channel Guidelines for ITV programmes on YouTube’, which are available from OPI Legal on request.

### 10. Running promotions on social media

We are not usually able to administer promotions (e.g. competitions or giveaways) directly in or on social media platforms although, subject to the restrictions set out in these Guidelines, we can advertise or push to promotions on other platforms (e.g. an online competition hosted on itv.com or a sponsor’s website). If you wish to administer a promotion (including a competition or vote) via a social platform, you must speak to Interactive, Legal and Compliance well in advance.

### 11. Additional restrictions on live platforms

\(^{26}\) Including restrictions that promoter MUST ensure it is run in accordance with all laws and regulations, MUST release Facebook from any liability and MUST include an acknowledgement that the promotion is in no way sponsored, endorsed or administrated by, or associated with Facebook and that promoter MUST NOT: a) use personal timelines to administer promotions (e.g.: “share on your Timeline to enter” or “share on your friend’s Timeline to get additional entries”) b) ask people to tag themselves in pictures of a new product in exchange for a chance to win a prize.
Note: streaming content in real time (e.g. Facebook Live; Periscope) is not permitted except with the prior permission of your ITV digital contact.

Where social media involves streaming content in real time some additional restrictions apply:

- **Dialogue**: All dialogue (within reason) should be pre-scripted with guidance from the Compliance team to mitigate risk before the stream goes live.

- **Timing of streams**: Paid-for content must not impinge upon or interfere with any commercial airtime that is planned around the relevant programme (e.g. a sponsored Periscope stream should not overlap with pre-roll spot ads purchased by a different third party) unless this has been approved in advance by the Digital Sales Director.

- **Breaking the fourth wall**: Any real-time video activity around certain formats, particularly soaps and drama, risks breaking the wall between fiction and reality. This type of content should always be carefully planned, with the approval of all stakeholders.

As with all social media, you must have a strategy for moderation of live content (see section 5 and Appendix 1 of these Guidelines).

### 12. Infringement of ITV content

If you notice a significant infringement of ITV content (e.g. creation of a fake ‘Coronation Street’ page with lots of video content from the programme) on a social network then please consult your line manager and your Legal team. Depending on the rights’ position and the nature of infringement, we may want to consider a formal takedown process. Please note that most social media platforms such as Facebook and Twitter have their own take-down processes[27] which can take some time.

### 13. ITV Business contacts

- **ITV Technology (for security breaches)**: Paul Lynch ([paul.lynch@itv.com](mailto:paul.lynch@itv.com)), Director – Tech Management Office
- **ITV Corporate Affairs and Programme Publicity**: [itvpresscentre@itv.com](mailto:itvpresscentre@itv.com)
- **ITV Interactive**: Paul Gill ([paul.gill@itv.com](mailto:paul.gill@itv.com)), Director of Operations, Commissioning & Commercial
- **ITV Picture Desk**: [itvpicturedesk@itv.com](mailto:itvpicturedesk@itv.com)
- **ITV Online**: Oliver Fisher ([oliver.fisher@itv.com](mailto:oliver.fisher@itv.com)), Head of Customer Engagement
- **ITV Online Commissioning**: Sheena Peirse ([sheena.peirse@itv.com](mailto:sheena.peirse@itv.com)), Online Editorial Director
- **Marketing**: Steve Forde ([steve.forde@itv.com](mailto:steve.forde@itv.com)), Director of Product and Online Marketing

### 14. ITV Legal & Compliance Contacts List

- **Programme Compliance**: Chris Wissun, Director of Programme Compliance: [chris.wissun@itv.com](mailto:chris.wissun@itv.com)
- **Advertising Content Compliance**: Peter Gatward, Regulatory Assurance and Commercial Development Officer: [peter.gatward@itv.com](mailto:peter.gatward@itv.com)
- **Direct to Consumer & Pay and Partnerships Legal**: Henry Marshall, Head of Legal Affairs, DTCPP: [henry.marshall@itv.com](mailto:henry.marshall@itv.com)

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15. ITV Escalation contacts

In cases of major controversy please consult with your line manager in the first instance and escalate to the line management and Corporate Communications and Compliance teams as appropriate.

Contacts:

- ITV corporate communications:
  - Jenny Cummins (Senior PR Manager) Jenny.cummins@itv.com (Broadcasting),
  - Mike Large (Director of Communications): mike.large@itv.com

- Compliance:
  - Chris Wissun (Director of Programme Compliance): chris.wissun@itv.com
ITV Moderation Policy
Date: November 2017
ITV Moderation Policy

1. Introduction
   1.1. This document sets out the moderation policy to be deployed by ITV staff and third party
        moderators in connection with the moderation of user generated content submitted to an
        ITV web, mobile, social media or other similar service ("ITV Service(s)").
        • The Policy does not deal with user-generated content which is to be broadcast
          within a television programme, which is to be complied in accordance with
          existing television compliance procedures.
        • The Policy does cover interactive services through which individuals can submit
          and exchange content and information, such as chat rooms, user pages, message
          and bulletin boards, audio-visual content and basic social networking facilities
          (where users are actively encouraged to input personal details and/or create their
          own page(s) or persona).
   1.2. The Policy may be amended for specific ITV Services provided by or on behalf of ITV but
        only with the prior approval of the relevant Business Head (as identified in the Annex) and
        the ITV Online, Pay and Interactive ("OPI") Legal team.
   1.3. The Policy is separated into four parts:
        • Guiding Principles – this section describes the guiding principles to be applied when
          moderating all user generated content;
        • Detailed Guidance – this section provides moderators with detailed guidance on
          specific legal and policy areas of concern when dealing with user generated content;
        • Moderation and Take Down Process – this section sets out the actions to be taken
          by moderators in relation to user generated content that does not comply with the
          requirements of this Policy, including guidance on when and how to take down
          content and/or escalate concerns; and
        • Pre-Moderation/Facebook Moderation/Post-Moderation/Reactive Moderation –
          this section sets out the guidelines according to which the relevant Business Head
          will determine whether a particular ITV Service should be subject to pre-moderation,
          post-moderation or reactive moderation.
   1.4. All queries in relation to this Policy should be directed to ITV’s Head of Legal Affairs -
        Online, Pay & Interactive.

2. Guiding Principles
   2.1. The aim of moderation is to encourage safe and responsible use of ITV Services in
        accordance with the ITV Terms and Conditions of Use, which apply to such services.
   2.2. All user generated content should be moderated in accordance with the following Guiding
        Principles:
        • Content should reflect in tone and nature the type of content which consumers
          would expect to be present on an ITV Service and, where applicable, to be present
          on the third party platform in question
        • All content should be appropriate for the target audience of the ITV Service in
          question
        • Particular caution should be taken if the ITV Service does or could attract children or
          the content includes images of or references to children
        • Generally, ITV Services should not target children under 13 years, although this age
          limit may be reviewed in conjunction with the relevant Business Head and ITV OPI
          Legal team as new products / tools are developed
        • Content should not expose ITV to the risk of damage to its reputation or financial
          loss
        • Content should be read and/or viewed not only in isolation but in the context of its
          positioning as part of the ITV Service and other content, as well as external factors
          such as public opinion
• If in doubt, content should be rejected or removed

2.3. The above Guiding Principles encapsulate the spirit of user generated content on ITV Services and should be used by a moderator in the event that detailed guidance is not available in relation to a particular concern.

2.4. The accounts of any user who persists in posting inappropriate content to an ITV Service must be suspended.

2.5. User generated content on ITV Services will generally be moderated after it has been posted on the relevant web or mobile service, in accordance with the Moderation and Take Down Process. However, for some ITV Services, user generated content will be moderated before it is posted. The decision as to whether user generated content will be pre-moderated, Facebook-moderation (so viewable only to the user’s Facebook “friends” until it has been moderated) or post-moderated for a particular ITV Service will be made by the relevant Business Head, in accordance with the principles set out in the Pre-Moderation/ Facebook Moderation/ Post- Moderation/ Reactive Moderation section below. Users of the ITV Service should be informed what level of moderation is used.

2.6. Moderators of user generated content on an ITV Service, including any ITV staff responsible for third party moderators, must read this document in full and confirm their understanding of it to their line manager before commencing moderation. A named member of ITV staff must be responsible for the moderation of user generated content submitted to an ITV Service.

2.7. ITV Services may vary in nature. If there are any specific concerns about prohibitions in this Policy in relation to a particular service, these should be discussed in advance with the relevant Business Head and with the ITV OPI Legal Team.

3. Detailed Guidance

3.1. Introduction

Each of the sections below covers an area of legal or policy risk that moderators will have to consider when moderating user generated content. In some cases, the risk exists in relation to all types of user generated content covered by this Policy (as set out in the Introduction to this Policy). In other cases, different types of content may give rise to higher, lower or slightly different risks. This has been indicated in each section below.

All content that is stated to be prohibited must be either:

(a) in the case of pre-moderation, rejected and not posted on the ITV Service; or

(b) in the case of post-moderation, taken down from the relevant ITV Service as soon as the moderator views it or is made aware of it;

in accordance with the Moderation and Take Down Process.

3.2. Personal Details and Arrangements to Meet

The following is prohibited by the Policy:

• Posting of personal contact details (such as email addresses, telephone numbers or postal addresses etc.) by any user (either their own contact details or those of a third party), although in some cases ITV may not be able to control the dissemination of personal contact details where users are interacting through social media platforms

• Information which could indicate a person’s whereabouts. Moderators should be aware of circumstances where a person could be located through a thread of messages or a combination of messages/details

• Attempts to elicit contact details or information about a person’s whereabouts

• Organising to meet via an ITV Service

• Discussions about having been or being in contact on other web or mobile services
The following is **permitted** by the Policy:

- Provision of full name, either as a username or (in the case of chat rooms/message boards) as a sign off and (in the case of audio-visual content) in audio form or in any credits
- Discussion/information which could not lead to anyone identifying an individual’s whereabouts (e.g. general information about the town, city or country an individual lives in)

This area is more of a risk with chat rooms and message boards, but can still apply to audio-visual content.

### 3.3. Impersonation

The following is **prohibited** by the Policy:

- impersonation of another person, including but not limited to celebrities or fictional characters (unless it is very clear that the user is not intending to pass themselves off as a third party);
- information (e.g. usernames) that implies that the content has been written or endorsed by ITV.

By its very nature, such behaviour may be difficult to identify. If a moderator has any doubts or concerns about possible impersonation and/or the actual identity of a user they should contact their line manager and use the relevant escalation procedure where appropriate.

The following is **permitted** by the Policy:

- the creation of a pseudonym as a user name

### 3.4. Commercial Messages/Advertising/Linking

The following is prohibited by the Policy unless it has been expressly agreed in advance by the relevant Business Head and the ITV Consumer Legal team:

- Any form of commercial messages and/or advertising and/or promotion which is posted for commercial gain. Note that promotions that are not for commercial gain are permitted, e.g. reasonable and limited promotion of a charitable or public event
- Linking to a third party commercial website or mobile site
- Selling or trading in (or offering to sell or trade in) any goods or services
- Posting images of trade marks, logos or any other branding of any commercial entity or their products or services

### 3.5. Defamation

A defamatory statement is one which is likely to damage or undermine the reputation of a person or organisation in the eyes of the general public. A person does not need to be a celebrity to be defamed. A person or organisation does not need to be expressly named to be defamed as long as they can be identified from the statement. To be defamatory the statement has to be believable and to be untrue, but this is a difficult assessment to make without all the facts. As a result, any comment which is disparaging or rude about another person or about an organisation is prohibited by the Policy. Moderators should be particularly wary about and reject or remove:

- Generalisations of individuals/organisations which are negative in nature
- Exaggerations of facts about individuals/organisations which are negative in nature
- Rumours/gossip about individuals/organisations which are unduly negative in nature
• Users quoting others on the ITV Service where the quote contains statements about individuals/organisations which are negative in nature (the fact that it was said by someone else is no defence)

The only exception to this rule would be if a forum were set up which specifically invited end users to contribute to a debate or discussion which would involve the genuine critique of a particular programme/event/performance etc. In that case comments which appear to be a genuinely held opinion based on their own review of the relevant programme/event/performance would be permitted. If there is any doubt, moderators should immediately consult with their line manager and use the relevant escalation procedure where appropriate.

3.6. Harassment, Privacy and Discrimination

Individuals have a right to peace and respect for their private lives. Content which depicts or describes the private life of a person in unnecessary detail or in a way which could reasonably be considered intrusive is prohibited.

People are also entitled not to be harassed in any way (that includes bullying, sexual harassment, racial harassment, threats of violence or intimidation or other conduct that might cause alarm or distress). Harassment can take the form of publication of personal information that could be viewed by third parties for this reason (and further to section 3), personal information about persons other than the sender should be rejected or removed.

Individuals and groups of people have a right not to be discriminated against based on their gender, race, nationality, age, religion, ability or sexual orientation. As a result, any comment which could be offensive towards any particular minority or group within society is prohibited by the Policy. Moderators should be particularly wary about and reject or remove:

• Comments or images which could be considered racist, homophobic, biphobic or transphobic
• Comments or images that disparage, stereotype or are likely to offend any particular minority or group in society
• Comments or images of a sectarian nature
• Comments or images which poke fun at a particular group in society

A list of prohibited words can be provided on a service-by-service basis.

3.7. Obscenity and Appropriateness of Language and Materials

Language used in content should be appropriate for the target audience and this will need to be judged on a case-by-case basis. The following language (whether appearing in text or within audio visual content) is prohibited under this Policy in all circumstances:

• Swearing
• Foreign languages (on the basis that their appropriateness cannot be judged) other than foreign words that are commonly used and understood e.g. ‘merci’
• Any language which is overtly offensive, abusive, threatening or sexual in nature (although note that a flirtatious comment would be permitted provided that it does not amount to harassment and is appropriate given the target audience)
• Any language which could be considered blasphemous or offensive to any religion
• Any language which advocates, promotes or could incite people to commit a crime or take part in any illegal activity or anti-social behaviour. This would include language which encourages or condones illegal and immoral activities relating to selling or using illegal drugs, prostitution, pimping, fraud, stalking, extortion, terrorism, rioting, hoaxes, cyber crime, arson, assault, theft, underage sex, hacking and piracy
• Any language that might incite racial or religious hatred or might invoke public fear or distress
A list of prohibited words can be provided on a service-by-service basis. A language filter must be used in respect of all ITV Services to prevent any swear words, inappropriate or obscene language to appear on them, but moderators should be aware that filters may not capture all such words, particularly where the word also has another, neutral meaning. End users may also find ways to circumvent language filters (for example, by interspersing numbers or symbols within a swear word), and any content of this kind is prohibited.

The following is permitted by the Policy:

- Spelling and grammatical errors (provided such errors do not result in the language used being in breach of the Policy).

In addition to concerns about language, all images and video should be judged for appropriateness. Again, any content that is illegal, or that is likely to be considered offensive, crude, distasteful, violent, abusive, vulgar or overtly sexual in nature, or which could be considered to be blasphemous, to incite illegal, criminal or anti-social behaviour, or to invoke public fear or distress is prohibited by the Policy.

3.8. Copyright, Trade Marks and Confidential Information

Copyright (or rights related to copyright) exists in, amongst other things, the written word, music, films, plays and dramatisations, broadcasts, performances, adaptations, photographs, software and databases. Inclusion of any copyright works in an ITV Service without the authorisation of the copyright owner is likely to be an infringement of that copyright, and is prohibited under the Policy.

In addition, whilst there is no recognition of ‘image rights’ in English law per se, there is increasing protection provided to celebrities and others trying to protect their image to prevent it being used commercially without their permission.

The following is therefore prohibited by the Policy:

- Use of extracts of text from published works (unless the moderator has confirmation that copyright in that work has expired)
- Use of music which is not clearly composed by the person submitting the content
- Use of lyrics from a song
- Use of films, television broadcasts or any other transmission which appears to have come from another source (i.e. not created by the person submitting the content)
- Use of recordings of plays/performances
- Use of photographs and images which are not clearly owned by the person submitting the content
- Use of software or information from a database

Trade mark law is another area of potential risk. The owner of a trade mark has the exclusive right to permit the use of that trade mark by others (or to withhold such permission). Trade mark owners also have the right to prevent use of marks which are substantially similar to their marks in certain circumstances. As a result, the following is prohibited by the Policy:

- Display of an organisation’s logo, name or branding in visual content, unless this is simply incidental (such as a logo on an item of clothing being worn by a person depicted within audio-visual content)
- Any use of an organisation’s logo, name or branding in a way that disparages, denigrates or takes unfair advantage of that organisation or its products or services
- Use of a logo, name or branding which is similar to an organisation’s logo or name in a way that disparages, denigrates or takes unfair advantage of that organisation or its products or services
- Negative comments about brands, products, services or organisations (unless the purpose of the ITV Service is to generate views about brands, products, services or
organisations and deviation from the Policy has been agreed in advance by the relevant Business Head and the ITV Consumer Legal team)

Information which is confidential in nature should not be displayed on an ITV Service. Whilst it is difficult to assess whether content is confidential, moderators should be wary of and **reject or remove** content that you would expect to:

- remain between husband and wife or between civil partners
- remain between doctor and patient
- remain between lawyer and client
- be confidential to a company or government

3.9. Contempt of Court

Comments which could impede or prejudice an existing court case could amount to contempt of court. As this assessment is very difficult to make, the Policy prohibits all comments about court cases which aren’t clearly inactive.

3.10. Brand Protection

Comments which are disparaging about ITV, an ITV programme or a contributor, talent, sponsor, participant or presenter of such a programme are prohibited by this Policy, unless the purpose of a particular ITV Service is to critique a particular programme and the relevant Business Head and the ITV Consumer Legal team have approved the deviation from this Policy (having checked with the ITV Studios Limited that there are no talent issues in relation to giving such approvals).

4. Moderation and Take Down Process

Moderation may be provided by ITV in-house personnel or by third party moderators. In either case, moderators must comply with the moderation and take down processes set out below.

4.1. Moderators should follow the process set out below in moderating user generated content on an ITV Service:

- If content adheres to the Policy: leave content.
- If the content mostly adheres to the Policy and the offending part of the content can easily be removed from the content (so that the remaining content retains some meaning): modify the content. Note that this will rarely be possible for audio-visual content.
- If the content mostly adheres to the Policy but the content is rendered meaningless by removing parts which breach it: remove content in its entirety.
- If the content mostly or completely breaches the Policy – remove content in its entirety.

4.2. If there is a suspected breach of the Policy (including where a third party, such as another user of the ITV Service, notifies the moderator or ITV that certain content infringes any rights, is illegal or is otherwise in breach of the Policy):

- on moderators becoming aware of the relevant content, action should be taken to remove the offending content immediately and in any event within one (1) hour of the moderator becoming aware of the suspected breach or one (1) hour from when they could reasonably be expected to have become aware of a suspected breach;
- if in doubt as to the appropriate action to take, moderators should remove the relevant content and refer the matter immediately to their line manager and use the relevant escalation procedure where appropriate;
- content that has been taken down in accordance with this procedure must not be re-posted unless the moderator and their line manager are completely satisfied that it complies in all respects with this Policy. If there is still any doubt:
third party moderators must refer the matter to the relevant ITV personnel in accordance with the escalation procedure agreed with ITV, and if there is still any doubt, the relevant ITV personnel must refer the matter to their Business Head and the ITV Consumer Online Head of Legal; and

- ITV in-house moderators must refer the matter to the relevant Business Head and ITV Online Head of Legal.

4.3. Moderators should prioritise responses to content that:

- compromises or may compromise any individual’s safety;
- relates to serious incidents involving children or young adults; or
- damages or may damage the reputation of ITV.

4.4. Moderators should act immediately on receiving alerts from other users of the relevant ITV Service as to suspected breaches of this Policy (and in any event within one hour of those alerts being received).

4.5. Serious or repeated breaches of the Policy by any one user should be notified by moderators to their line manager immediately so that the line manager may either suspend the account of the user concerned, or where applicable, immediately notify ITV so that ITV may suspend the account of the user concerned. In serious cases it may be necessary to disable access to an ITV Service or put an ITV service into ‘read only’ mode, e.g. if a page appears to have been hijacked. Any decision to disclose user activity to any enforcement authorities or other third parties, or to take any other legal action, shall be at ITV’s sole discretion (subject to applicable laws).

4.6. Moderators should liaise closely with each other and with their line managers about specific issues of concern and new areas of risk identified in moderating user generated content (including impending court cases, new areas of law and matters of public controversy).

4.7. ITV may provide moderators with appropriate messages to post on the ITV Services in response to complaints from users about moderation conducted in accordance with this Policy. Moderators must not engage with users in any way other than by posting such authorised messages.

4.8. Any errors in moderation should be corrected and notified to a line manager immediately. Third party moderators must notify all such errors to ITV immediately.

4.9. Moderators should delete rejected or remove content from any database where that content could be uploaded back onto any ITV Service, but should ensure that backup copies of that content are always kept in a secure environment.

4.10. An adequate record of moderation decisions must be maintained during the lifetime of the ITV Service including:

- all user contributions received (whether or not published or removed after publication);
- any content that is rejected or removed by a moderator;
- the reason for rejecting or removing any content;
- any issues escalated to the relevant Business Head.

5. Pre-Moderation/Facebook Moderation/Post-Moderation/Reactive Moderation

ITV’s policy is that every ITV Service on which the public places material must be moderated. This may involve pre-moderation, post-moderation or reactive moderation. The decision as to when an ITV Service will be moderated is a decision that will be taken by the relevant Business Head.

- Pre-moderation is where material cannot be seen or accessed by end users of the ITV Service until the moderator has reviewed it and decided it is suitable for placing on the relevant service.
• Facebook Moderation is where material can only be seen or accessed by end users who are “friends” of the publishing end user on Facebook until the moderator has reviewed it and decided it is suitable to be viewable by all end users of the ITV Service

• Post-moderation is where the moderator reviews the content posted by users of the ITV Service and decides whether it is suitable to remain on the site after it has been posted

• Reactive moderation is where users of the ITV Service alert the moderator regarding an inappropriate or offensive message after it has been published. The moderator then reviews the content and either leaves it or removes it. The moderator does not read every piece of content submitted but does read every piece of content to which they are alerted.

The ITV Service’s standards, the quality of contributions and the method of moderation must be kept under active review.

5.1. Pre-moderation

• ITV Services designed to appeal to children must be pre-moderated (note, registration for the use of ITV Services is currently limited to over 18s only).

• Pre-moderation is likely to be appropriate for ITV Services designed to appeal to family audiences.

• ITV Services dealing with particularly sensitive areas, such as personal health problems or religion, may require pre-moderation.

• ITV Services focussing on subjects which have a history of controversy or polarised debate, personal or racist abuse or potentially defamatory comments may need the level of attention provided by pre-moderation.

• ITV Services that invite users to e-mail or upload images should be pre-moderated.

• Live chats where users talk to a celebrity guest are generally pre-moderated.

It may sometimes be necessary to move an ITV Service from post-moderation or reactive moderation to pre-moderation for a limited period.

If a pre-moderated site shows itself to be uncontroversial, moving it into post-moderation should be considered.

5.2. Facebook Moderation

Where ITV Services have the Facebook Moderation functionality and there is any risk of controversy or polarised debate.

It may sometimes be necessary to move an ITV Service from post-moderation or reactive moderation to Facebook Moderation for a limited period.

If a Facebook Moderated site shows itself to be uncontroversial, moving it into post-moderation should be considered.

5.3. Post-moderation

Post-moderation is usually appropriate for ITV Services where user generated content is used to facilitate dynamic discussion and reaction in real time. In such circumstances, content should be moderated within a reasonable timeframe: what is reasonable will depend on the nature of the particular ITV Service.

Post-moderation will usually be suitable for ITV Services which:

• attract robust debate about current affairs or sports;

• are expected to have a high volume of end users posting content; and

• are targeted at a mature audience

All pictures and videos uploaded by end users must be post-moderated.
It may sometimes be necessary to move a post-moderated ITV Service to pre-moderation for a limited period.

If a post-moderated site consistently proves itself to be uncontroversial, moving it into reactive moderation should be considered.

5.4. Reactive moderation

Reactive moderation may be suitable for less sensitive ITV Services where a higher degree of self-regulation is appropriate. This is more likely to be suitable for an active, mature online community where past moderation has consistently proven that few messages have to be removed or where there is a large fan base which cares deeply about the nature and quality of debate and who can be relied upon to alert ITV as to any issues.

Reactive moderation is more likely to suit topics which tend not to attract polarised or extreme responses and which are not of a sensitive nature e.g. gardening or cooking. In order to maintain the quality of end user contributions, reactive moderation requires consistently active and visible moderation of the web or mobile service.

Reactive moderation should never be used on ITV Services which are aimed at, or likely to appeal to, or do in practice attract a high proportion of, child audiences.

It may be appropriate to increase the level of scrutiny and, if necessary, revert to post-moderation or even pre-moderation at short notice, e.g. during a war or national crisis.

As interactive technology evolves, it may be appropriate to consider using other forms of moderation, such as automated and peer-assistance moderation. Alternative methods of moderation should be discussed with the relevant Business Head, who will decide how the ITV Service in question will be moderated.