

BEST PRACTICE PRINCIPLE ON THE USE OF UNDER 16s IN BRAND AMBASSADOR AND PEER-TO-PEER MARKETING

Purpose

To ensure that marketing to children and involving children continues to be conducted responsibly and to address recommendation 8 in the Bailey Report “*Letting Children be Children*” regarding the employment of children for marketing purposes.

The Principle

Young people under the age of 16 should not be employed and directly or indirectly paid or paid-in-kind to actively promote brands, products, goods, services, causes or ideas to their peers, associates or friends.

Exceptions

CHILD PERFORMERS:

In accordance with EU and UK law, under-16s may be employed to appear in advertisements with local authority permission.ⁱ

SPONSORSHIP:

Exceptionally talented and high-profile young people in sports and entertainment may be contracted by companies to use the companies’ brands, products, goods and services. In those unusual circumstances, direct presentation or promotion to their peers, friends or associates by the young person should not be required or expected.

Application

The principle is not intended to apply to every instance in which a child is involved in promotional or presentational marketing activity. It applies only to marketing activity which commercialises a child’s relationships with peers, associates or friends through employment involving payment or payment-in-kind in exchange for active promotion of a brand, product, good, service, cause or idea.ⁱⁱ

“Payment or payment-in-kind” is any reward with a commercial value, including money, goods or services.

All marketing communications must also comply with the Advertising Codes and with relevant EU and UK law.

Consent

In any circumstance where a person under 16 is employed to promote a brand, product, good, service, cause or idea, the consent of a responsible adult is required.

ⁱ This is intended to reflect existing law and does not place any additional requirements upon organisations.

ⁱⁱ This will tend to be marketing that employs under 16s as “brand ambassadors” or in “peer-to-peer” marketing where they are required to promote goods or services through their social relationships with peers, associates or friends.