

## INSDGM005 – Comply with ethical, legal, regulatory requirements and codes of practice in digital marketing

### Overview

This standard is part of the digital marketing competence area related to digital marketing strategies. It covers compliance with ethical, legal and regulatory requirements in digital marketing. You are familiar with current legislation relevant to digital marketers relating to defamation, contempt, copyright, privacy, freedom of information, data protection, health and safety, equality and diversity, discrimination, obscenity, trespass, graphic content, property release, rights and permissions, contracts, public liability, etc. You respect the intellectual property rights, the rights of commercial enterprises, the rights of individuals, the rights of minorities and vulnerable people. You understand that adhering to the ethical considerations and codes of practice is essential when creating a content for publication and interacting on digital media platforms. The platforms can include social media pages, mobile apps, websites, blogs, and many others. Due to wide scope of digital marketing capabilities, you take into consideration a variety of information that can be sensitive, contentious or confidential, as well as cultural or religious aspects when it comes to online activities. These may cover using the data for target advertisements, brand awareness and promotion, graphical or written content, marketing campaigns. As a digital marketer, you understand that it is important to have robust mechanisms for monitoring ethical, legal and regulatory practices in place to ensure your strategies promote good image of your organisation without causing adverse effects or offence to your target audience. You understand the relevant legal restrictions relating to marketing campaigns, securing and disseminating information about brands, products and services. At times you may need to seek a specialist advice or service when unsure about ethics or legalities of your content or activities. This standard is for Digital Marketing professionals who must comply with ethical, legal and regulatory requirements.

### Performance criteria

#### You must be able to:

1. confirm all legal and regulatory requirements in relation to online marketing content, activities and outputs
2. ensure your knowledge and understanding of relevant legal and regulatory requirements are up to date
3. collate your organisation's policies, procedures and codes of practice in relation to online marketing content, activities and outputs
4. maintain confidentiality of sensitive of information in accordance with your organisation's policies and procedures
5. use the relevant information to assess the legality of your marketing content, activities and outputs
6. ensure the marketing content is free from adversity, bias, sensitive and contentious aspects
7. ensure the sources of information are always relevant and reliable to promote trust in your brand, products and services
8. check you have the necessary licenses or permissions to use copyright material for your marketing content
9. seek specialist advice when unsure whether marketing material is legally compliant or consistent with codes of practice and ethics

10. confirm the user data as a result of marketing research and segmentation
11. ensure your target audience is approached in an ethical and legally compliant method
12. monitor social media activities to avoid adverse comments regarding religion, politics, ethnicity, or other emotionally charged topics
13. take appropriate actions to protect your target audience taking into account their backgrounds, religious beliefs, age, political views, vulnerability and other factors
14. beware of false comparisons and exaggerated claims in advertising activities

### Knowledge and understanding

#### You need to know and understand:

1. the principles of the Rule of Law in the UK
2. the broad structure of the legal system in the UK and specific legal requirements, legal roles and terminology for the nation in which you are working
3. the relevant requirements of current legislation and regulations covering Data Protection
4. the relevant ethical, legal, regulatory requirements and codes of practice in relation to online marketing content, activities and outputs
5. the rules of ethics in relation to marketing campaigns and information dissemination
6. the relevant legislation in relation to using the user data, marketing campaigns, brand awareness and promotions
7. the importance of maintaining genuineness of brand, products or services
8. how to identify information that is sensitive to your target audience and the organisational procedures to follow
9. how to avoid adverse comments regarding religion, politics, ethnicity, or other emotionally charged topics on social media platforms
10. the dangers of libel in editorial content, archive or online material
11. the sources of specialist information and advice, and when and how to access them
12. the wider dangers of copyright breach, defamation, falling foul of the Advertising Standards Authority (ASA)
13. the actions to take in case of false comparisons and exaggerated claims in advertising activities
14. how to deal with SCAMS
15. why it is important to monitor social media activities and comments
16. how to handle civil cases against individual and corporate posts on social media

**Relevant Occupations** Digital Marketing Executive, Digital Marketing Manager, Digital Marketing Analyst

**Suite** Digital Marketing

**Keywords** legal, regulatory, compliance, digital marketing, marketing content, marketing campaigns, email campaigns, social media platforms, display advertising campaigns, data protection, ethics, code of practice, confidentiality, copy writing