



DATA &  
MARKETING  
COMMISSION

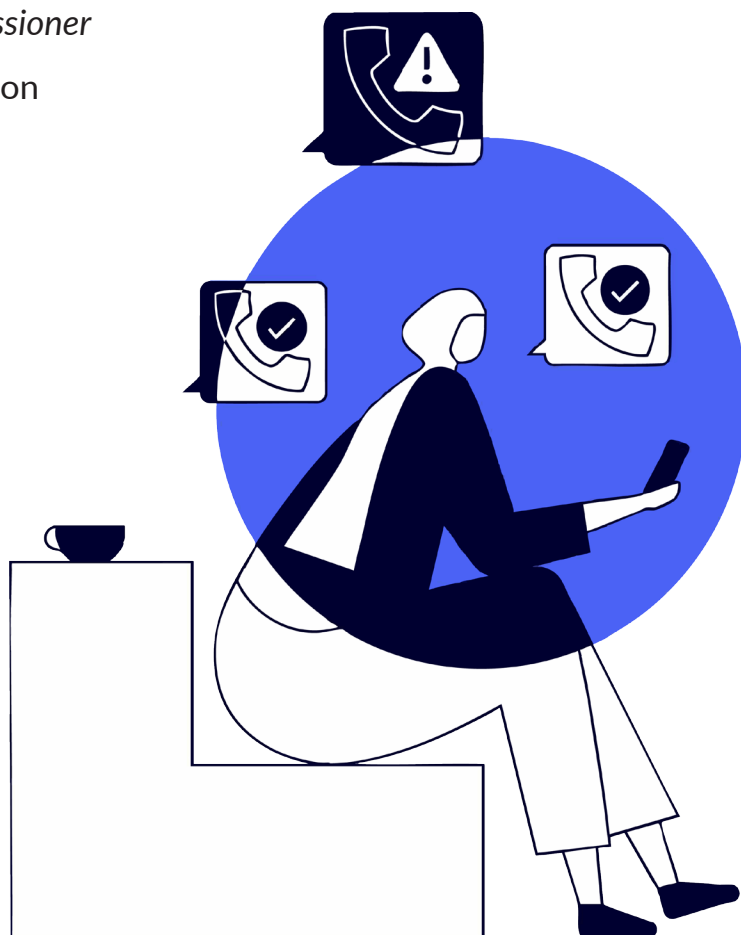
# **ANNUAL REPORT**

FOR THE 12 MONTHS TO  
31 DECEMBER 2025

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## An Overview About Us & What We Do

### The Data & Marketing Industry

The marketing industry is important for growth in the UK economy. It is also responsible for the processing of a significant volume of personal data.

The industry has always evolved to advances in technological developments. The scale and impact of developments in the modern digital era presents new opportunities as well as threats, both for the industry as well as the individuals whose data are being processed. It is also the case that individuals are increasingly aware of their rights and one of the impacts of this is pushing the economic imperative for good data handling practices higher up the agenda for everyone.

### The Data & Marketing Association

The DMA is the UK's leading trade body for data and marketing. Its mission is to empower all marketers to do data right. It sets the standard for the industry through the DMA Code, drive innovation and best practice and foster a community where brands, agencies and marketing suppliers connect to shape the future of marketing.

The DMA works closely with government and regulators, representing its members to help shape industry regulation that balances privacy with innovation so that organisations thrive by building trust with customers.

The DMA has a comprehensive strategy for supporting its members to engage and comply with its Code. Encouraging enlightened compliance is a clear objective. It is, however, important to provide an effective mechanism of oversight and an accessible route for individuals who wish to raise complaints about the way in which their personal data have been handled if it involves a Code member.

A well-regulated industry is in everyone's interests and the DMA's Code is an important pillar in building and nurturing a trusted environment.

### The DMA Code

The DMA Code is an ethical framework that sets the standards for the data and marketing industry to which all DMA members adhere, demonstrating a commitment to build trust and drive effectiveness in marketing. It provides members five clear principles that will guide them to achieve this, and against which their conduct will be measured.



## The DMA Code Principles

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- Put your customer first**  
Value your customer, understand their needs and offer relevant products and services
- Respect privacy**  
Act in accordance with your customer's expectations
- Be honest and fair**  
Be honest, fair and transparent throughout your business
- Be diligent with data**  
Treat your customer's personal data with the utmost care and respect
- Take responsibility**  
Act responsibly at all times and honour your accountability



## About Us

# The Data & Marketing Commission

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The Data & Marketing Commission (DMC) is an independent body, funded by the Data & Marketing Association (DMA) and the Advertising Standards Board of Finance (ASBOF), with responsibility for the oversight and enforcement of the Code. It does this through the investigation of complaints made by individuals about the activities of DMA members. It is also able to consider emerging issues arising from developments and complaints to contribute advice and support to the DMA to strive for higher professional standards. The DMC and DMA have also recognised the potential value of shared research or other action to build marketing understanding, awareness of industry standards and compliance.

Decisions which relate to the adjudication of complaints about a member of the DMA

are taken independently by the DMC, and in addition to requiring corrective action or operational changes to ensure compliance the DMC can, in any cases of serious wrongdoing, make a recommendation to the DMA Board to terminate a company's membership.

Following an adjudication, the DMC's decision may be appealed. Our Independent Appeals Commissioner in 2025 is Steve Wood, former Deputy Commissioner at the Information Commissioner's Office, and a consultant, researcher and writer. Steve will be stepping down on 31st March 2026.

Complaints about the conduct of the DMC are dealt with independently by an Independent Complaints Assessor, Richard Thompson, an accredited commercial mediator with 25 years' experience in regulation, complaint handling and dispute resolution.

## Our Aims

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- The DMC will address any complaints against DMA members where the complaint is within the scope of the DMA Code.
- If the complaint is not covered by the Code, it may be referred to another relevant organisation, for example, complaints which relate to TV advertising are referred to the Advertising Standards Authority.
- The Secretariat of the DMC aims to confirm receipt of all complaints within two working days and aims to achieve at least 65% satisfaction levels with the action taken by the DMC in relation to cases dealt with by formal or informal procedures.
- Every complainant is informed of the action taken and/or the outcome of investigations.
- In addition, the DMC aims to complete 80% of formal adjudications within three months of the first dialogue with a DMA member or any other party and register and progress complaints within seven working days.
- The DMC aims to have no cases reversed after action by the Independent Appeals Commissioner and no successful legal challenges, and makes available key trend information on complaints as required.

## About the Commissioners



The DMC Board comprises of an independent Chief Commissioner, two independent Commissioners and two industry Commissioners. Independent Commissioners serve on a paid basis and industry Commissioners serve on a voluntary basis. The DMC Board meet quarterly and act as an adjudicating panel for complaints which reach formal investigation stage. They review case material and produce a consensus evidence-based decision working to the principles and procedures set out in the DMA Code. On an ongoing basis, the Commissioners review emerging issues and monthly DMC complaints reports and support the Secretariat on day-to-day issues including agreeing responses and considering arising issues. They will

represent the DMC at DMA meetings and other events and meetings as required and will help promote and communicate the DMC.

The Commissioners are expected to demonstrate sound judgement and analytical skills and have the ability to digest and make good sense of often complex cases, taking both a big picture and fine detail view. They must have the ability to work and debate effectively and adjudicate, acting objectively on the evidence applying the principles of natural justice.



### **Emma Martins**

#### *Chief Commissioner*

Emma has worked in data protection for over 25 years. Starting her career as a data protection officer in the public sector, she moved to work in the regulatory office for Jersey, Channel Islands, in 2002.

Since then, she has been Commissioner for Jersey and, since 2018, for the Bailiwick of Guernsey where she worked with a team responsible for implementation, oversight, and adequacy assessment for the new GDPR-standard legal framework for the Islands.

Her fixed term in that role finished in December 2023. In January 2024, Emma was appointed as Chief Commissioner for the Data and Marketing Commission. She also has a small portfolio of work acting in an advisory role and is a charity trustee.

Throughout her career, Emma has been committed to driving high standards of ethical and legal data handling and encouraging more inclusive and accessible conversations around the role of data in our lives. She is a strong advocate of cultural

engagement and has spearheaded a number of community-wide initiatives to support social and economic benefits that come with effective data protection.



### **Robert Bond**

#### *Industry Commissioner*

Robert is a Solicitor, Notary Public, Chartered IT Professional and Compliance & Ethics Professional. Robert has over 45 years' experience in the fields of IT, e-commerce, computer games, media and publishing, data protection, AI, information security and cyber risks.

Robert is Head of the Examination Board for the Practitioner Certificate in Data Protection, a Past President of the Board of the Society for Corporate Compliance & Ethics, Chairman of the Data Protection Network, a Director of South West Grid for Learning, Vice President of the Notaries' Society, a founder member of the Advisory Group on the Governance of Data and AI to the United Nations, a Fellow of the Society of Advanced Legal Studies and a Companion of the British Computer Society.

## About the Commissioners

continued



### **Gilbert Hill**

*Industry Commissioner*

Gilbert is a privacy technologist, consultant and educator. He was recently Chief Strategy Officer at Pool Data and CEO at Tapmydata, VC-funded startups building tools for data control and portability. Gilbert now advises brands, boards and financial institutions on data strategy, governance and execution as a consultant and NED, and UK Governor at the Global Council for Responsible AI.

After a career in Finance, as MD of a London digital agency Gilbert grew fascinated by the relationship between data, digital marketing and regulation, founding Optanon, a pioneering software product in the PrivTech sector, and Cookiepedia, knowledge base for consumer tracking on the Web. These businesses were acquired by OneTrust and he led the deal, migration of legacy clients, team and technology while establishing new operational units across Europe.

Gilbert is Fellow and Senior Tutor on Privacy & Ethics at the Institute of Data & Marketing, member of the UK Regulators & AI working group and a regular commentator at events and for media in the UK and internationally.



### **Quinton Quayle**

*Senior Independent Director and Independent Commissioner*

Quinton has sat on a wide range of boards, with a focus on regulation, health and the legal sector. He has chaired the Remuneration and Appointments Committees of several boards. He currently serves as Chair/Panel Member of High Speed 2's and East West Rail's "Need to Sell" Panels.

Quinton is a fluent Thai speaker and currently serves as Senior Adviser to Gurin Energy which is investing in renewable energy projects in Asia, including Thailand.

Prior to joining the private sector, Quinton was a member of the Diplomatic Service and served as British Ambassador to Romania and to Thailand.



### **Kate Staples**

*Independent Commissioner*

Kate was the General Counsel & Secretary to the Civil Aviation Authority until December 2021, holding the role for over 11 years. Kate was also a Trustee of the Air Travel Trust, of the CAA's pension scheme, and company secretary to the CAA's two subsidiaries: ASSI Ltd and CAA International Ltd. During 2023 she was the Director of Governance and Legal Services at the Care Quality Commission.

Before joining the CAA, Kate worked at the Department for Transport, primarily advising on aviation matters, with a short stint in one of the railways teams. Kate did not start off as a public lawyer; in her early career she specialised in high value construction and engineering disputes at a leading City practice.

Kate is also a Trustee Director of CAAPS Ltd, a large defined benefit pension scheme and a member of the Board of the Sports Ground Safety Authority

Kate enjoys the arts, travel, and following the fluctuating fortunes of Liverpool FC. She is also learning how to play the drums.



# Chief Commissioner's Report

## by Emma Martins

I am pleased to present this Annual Report for the DMC for 2025.

One of the most significant developments during the year was progress of the Data (Use and Access) Act 2026 which brings in reforms to the UK data protection regime. After significant delays, it came into force on 19 June 2025 and will be implemented in phases.

Plans for the DMC to seek accreditation from the ICO as a Monitoring Body for a GDPR Code of Conduct were, as a result of the delays, put on hold. Whilst this was disappointing for both us and the DMA, with so much preparatory work having been done, it also provided us with an opportunity to review the work we do in overseeing the DMA Code to ensure that we deliver our current duties effectively whilst also continuing to build the foundations for our next chapter. It is our hope to recommence the project throughout 2026-2027.

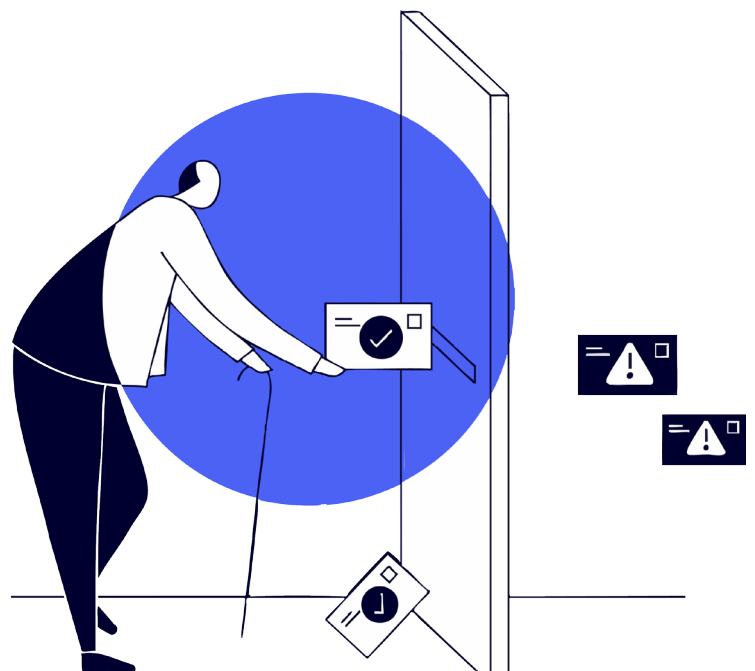
We made good use of this time to ensure we are as effective as possible in our current role by –

- Putting a new communications policy in place to ensure we are proactive in communicating the requirements of the DMA Code and our role in its oversight. As technology develops at pace, so too does the industry and we need to ensure we remain responsive to those changes.
- Rebranding, reviewing and updating our website to make it easier for industry and consumers to find the right information and ensuring that information is both clear and relevant.
- Commencing a review of the regulatory landscape across this industry to ensure our communications are consistent and routes for redress are clear and straightforward for consumers. The increasing complexity of the marketing ecosystem, combined with rapid technological developments, presents very real challenges to members of the public trying to navigate the most appropriate channels for information, support, and complaint. We want to respond to those challenges by making information more accessible, as well as committing to working more collaboratively with other regulators who are working in the ecosystem.

- Remaining committed to continually reviewing our approach to complaint handling to ensure we are as efficient and thorough as possible. Complainants need to be appropriately supported and, where necessary, industry improvements need to be made. Individuals have a right to expect professional, thorough, and impartial investigation of their complaint if they think things have gone wrong and we take that responsibility very seriously.

Like any industry, there are a minority of those that work within it that do not prioritise their regulatory and ethical responsibilities. They risk unfairly tarnishing the reputation of others who work to do the right thing, as well as the industry more widely.

It is therefore a responsibility for us all to encourage and support constructive and enlightened engagement and compliance where personal data are processed by those working in the marketing industry, encouraging a culture of compliance across the whole sector.



## Chief Commissioner's Report continued

I remain of the firm belief that ethical data processing practices not only satisfy legal and regulatory requirements, but they are also a powerful commercial imperative because consumers are much more aware of, and willing to exercise, their rights. In this age of AI (and you can read our AI Position Statement in this report) there is a word that I hear repeated time and time again – trust. Trust is the foundation of almost every relationship. Consumers need to trust industry; industry needs to trust us; and consumers need to trust us. These relationships can create a virtuous circle that drives and supports a successful, innovative, and respected industry because there is no reason why the processing of personal data for the purposes of marketing cannot be done legally and ethically. Governance, done well, does not block innovation, it supports it in a way that builds-in consumer rights, respect, and protection. Trust is hard won and easily lost so needs constant care and attention – from us all.

At the DMC, we are committed to playing our part in supporting an industry that delivers for its clients and the economy by being clear about, and proud of, the high standards we are aiming for.

Finally, I would like to thank my fellow commissioners and executive who continue to fulfil their roles with such professionalism and integrity. It is such a pleasure to be working alongside them to deliver on the DMC's current role, and it gives me huge confidence as we look ahead. I would also like to thank our Independent Appeals Commissioner, Steve Wood, who steps down in March 2026. We have been honoured to have him on board and are grateful for his commitment to the DMC. We will announce his replacement in due course.

I do not think we could be in a better position from which to look forward to our exciting and ambitious next chapter.



## Complaints History

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In the one year period of this Report, the DMC recorded 38 complaints against businesses in the data-driven marketing sector. These also included non-member complaints and, where appropriate, the Secretariat referred these to other statutory or self-regulatory bodies. In some cases, particularly those relating to concerns from consumers who were unable to unsubscribe from unwanted marketing channels, usually relating to emails and postal mailings, the Secretariat contacted organisations that lie outside of membership to inform them of their legal commitments and request that they action the individuals' requests for marketing to stop. The majority of businesses responded positively to this approach.

When the DMC considers possible breaches of the DMA Code, it considers whether the issue is specific to the individual complainant or whether it may be evidence of a more systemic problem. Each case is examined thoroughly, fairly and proportionately and where there are serious breaches of the Code, repeated breaches or ongoing complaints, the matter will progress to a formal investigation which culminates in an adjudication and an independent review from the DMC Board. There may be some cases which revert to an informal investigation if it becomes clear that the case did not merit a substantive process and formal outcome.

Many of the informal investigations during this period related to complaints about unwanted marketing mail, emails and calls and in some of these cases, the issues raised involved more than one marketing channel.

One investigation related to a consumer who had requested that an organisation stop processing her data. The DMC's investigation found that two different agents had provided the complainant with conflicting information and that this had perpetuated the issue, leading to further receipt of marketing materials. Whilst there was no evidence of a systemic issue in terms of how the complainant's data was gathered and processed, the DMC were pleased to note that the company had acknowledged its shortcomings and relevant re-training had been given to the agents involved.

Two other cases related to complainants who had received unaddressed mailings. One of these individuals thought she was registered not to receive these types of mailings, but in fact this was not the case. We added the complainant's details to the DMA's Your Choice scheme which allows individual addresses to be opted out of unaddressed mail delivered by DMA distributors.

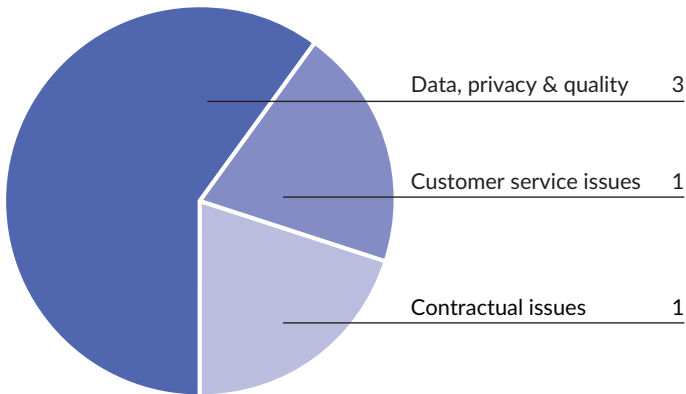
In many of the formal investigations undertaken by the DMC, part of the adjudication process looks at the remedial actions and assurances that need to be in place to prevent a recurrence of the issue. Not all investigations involve breaches of privacy and unwanted marketing. An investigation during this year looked at concerns raised by the relative of a deceased individual who had suffered health issues and, it was claimed, was encouraged to purchase, via sales calls, high value goods. The DMC conducted a thorough investigation into the member's processes for dealing with and identifying vulnerable consumers. The DMC was of the view that the member had a robust framework in place, based on industry standards and the matter was informally resolved.

The DMC recognises the importance of learning lessons from complaints and their outcomes and in such cases will provide feedback and observations to the DMA following the conclusion of formal cases. Particular attention is given if the problems that have been evidenced appear to have become (or risk becoming) common practice, or where there may be a case for change in membership or compliance approach and where the DMC could distribute messages to the DMA membership about Code compliance and how the DMC is interpreting the Code.

## Complaints Statistics

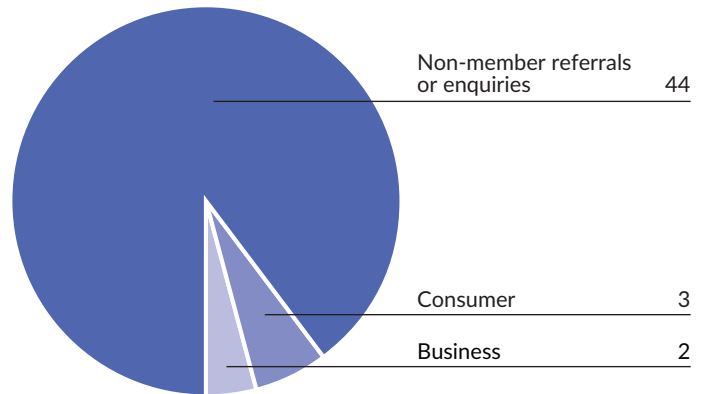
### General Nature of Complaints

1 January 2025 – 31 December 2025



### Number of Complaints

1 January 2025 – 31 December 2025



Non-member complaints are referred to organisations such as Trading Standards, Information Commissioner's Office, OFCOM.

## Other Organisations

The DMC will refer complainants, where relevant, to other organisations that might be able to help.

**Action Fraud** – the UK's national reporting centre for fraud and cybercrime.

**Advertising Standards Authority** – the UK's independent regulator of advertising across all media.

**Citizens Advice Consumer Service** – a free, confidential service that provides advice on a wide range of topics.

**Communications Ombudsman** – an impartial service for resolving disputes between consumers and providers in the communications sector.

**Financial Ombudsman Service** – financial dispute resolution that's fair and impartial.

**Fundraising Regulator** – as the independent regulator of charitable fundraising, they investigate complaints about fundraising.

**Information Commissioner's Office** – the UK's independent regulator for data protection and information rights.

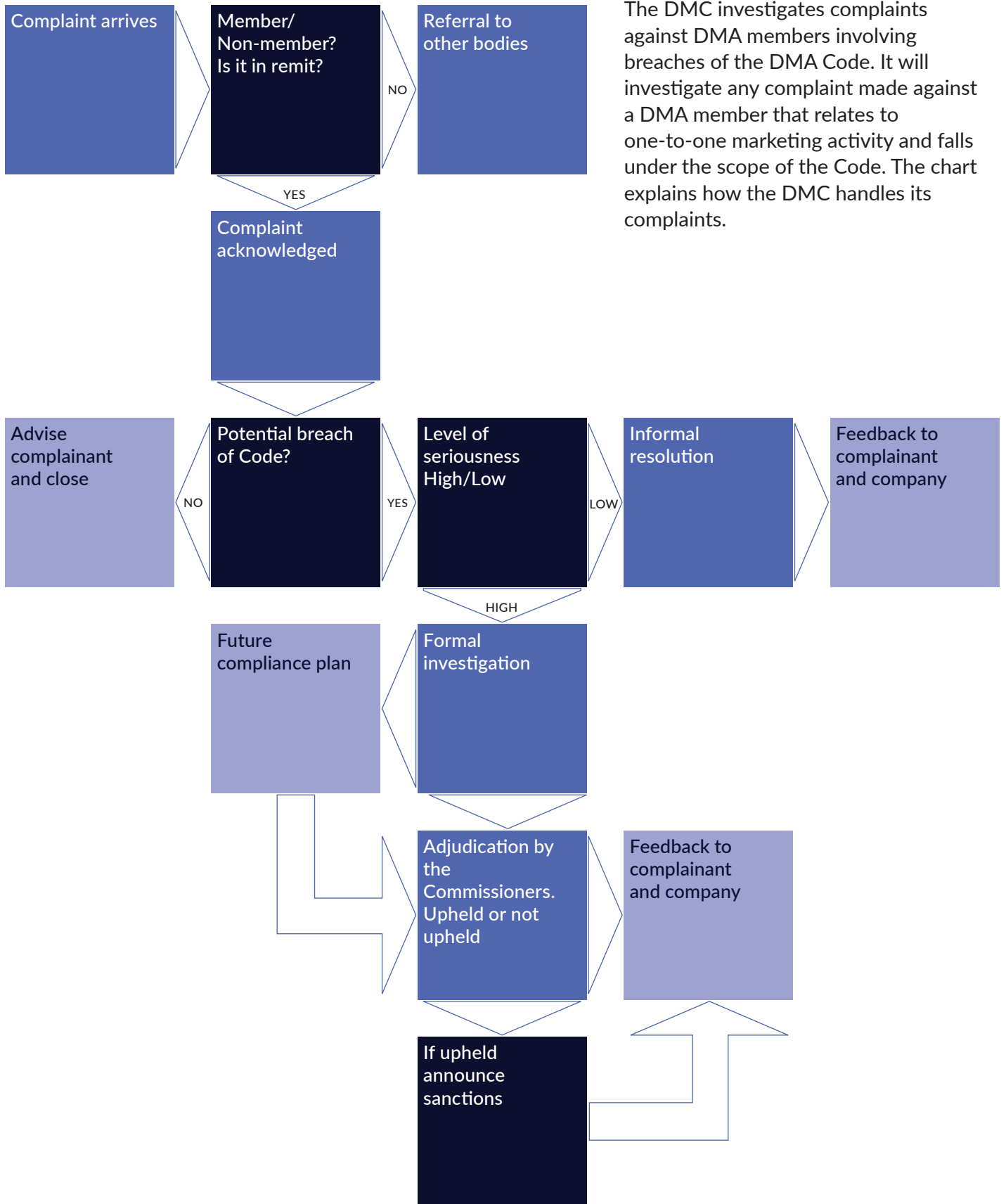
**Mailing Preference Service** – the free service to opt-out of unwanted marketing mailings.

**OFCOM** – the regulator for the communication services that we rely on every day.

**Telephone Preference Service** – the free service to opt-out of unsolicited sales or marketing calls.

**Trading Standards** – a service that aims to protect consumers and businesses from unfair and unsafe trading practices.

# The Complaint Process



The DMC investigates complaints against DMA members involving breaches of the DMA Code. It will investigate any complaint made against a DMA member that relates to one-to-one marketing activity and falls under the scope of the Code. The chart explains how the DMC handles its complaints.

## Complaints: Case Studies

### Case Study 1

# 1

**The complaint:** An elderly and vulnerable lady had received goods which she did not order and was subsequently pursued by debt collection agencies.

**The findings:** The DMC found that the customer service process was inadequate and that there should have been an easily accessible phone system in place to take calls about the return process and debt collection concerns. Instead there was an internet led process which was not necessarily suitable for elderly and vulnerable consumers.

**The DMA Code:** Members must not demand consumers pay for or return unsolicited products. Members are responsible for actions taken on their behalf by their staff, suppliers and others and must have in place prompt and efficient customer service with adequate administrative procedures to achieve it.

### Case Study 2

# 2

**The complaint:** A consumer was in receipt of unwanted sales letters from a member company. The consumer had requested that his account was cancelled and that his details should be deleted. However, he had continued to receive unwanted marketing letters.

**The findings:** The member had received a request to cancel the account, but the agent did not process the request correctly, which resulted in the continued dispatch of sales letters. The member rectified the error and took steps to arrange additional training for its staff to reinforce the importance of strict compliance with data protection laws.

**The DMA Code:** It says that members must maintain an in-house suppression file and must always give efficient service to customers and ensure they have adequate administrative procedures and resources to achieve this.

### Case Study 3

# 3

**The complaint:** A consumer had requested that an organisation stop processing their personal data and when making contact was given conflicting and confusing advice from agents at different times which meant that the data continued to be processed for marketing purposes.

**The findings:** The DMC's investigation found that two different agents had provided the complainant with conflicting information and that this had perpetuated the issue. Whilst there was no evidence of a systemic issue in terms of how the complainant's data was gathered and processed, the DMC was pleased to note that the company had acknowledged its shortcomings and relevant re-training had been given to the agents involved.

**The DMA Code:** It says that companies must not mislead customers, whether through omission, exaggeration or other means; companies must be clear and transparent.

### Case Study 4

# 4

**The complaint:** A consumer was concerned that his email address had been associated with a business and as a result he was in receipt of unwanted business marketing emails. He had attempted contact with the member, a business-to-business data provider, but had not received a response.

**The findings:** The consumer's email address had been mis-spelt by a single character leading to the address incorrectly affiliated with a business and leading to a number of unwanted marketing emails. The member admitted it had not put the customer first as there was a lack of response to the complainant's emails. The member undertook remedial action including a process review of its customer service procedures and provision of further training to staff.

**The DMA Code:** It says that personal data should be accurate and up-to-date and members must give prompt, efficient and courteous service ensuring they have in place adequate administrative procedures and resources to achieve this.

# Position Statement on Artificial Intelligence

Issued by the Data & Marketing Commission

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## Foreword for DMC Position Statement

Artificial Intelligence has morphed from experimentation into the engine room of our industry. Among uk.gov-polled UK companies using it, 72% do so for marketing; more than any other business activity.

While AI offers unprecedented productivity and personalisation improvements, it also creates significant new consumer risks that we as a self-regulatory body for data marketing must address to keep public trust.

As lines of perception blur between human creativity and AI-generated content (the “uncanny valley”) having a consistent set of rules for the road is more important than ever. The principles of the DMA Code – honesty, transparency, fairness, and accountability – apply as directly to algorithms as they do to a human marketer.

Whether using chatbots for customer interactions, predictive models for targeting, or generative tools for content, we need to ensure clear disclosure, rigorous data governance, and human oversight to demonstrate our accountability under GDPR and whatever AI laws apply in future.

By embedding Privacy by Design and transparency into the AI development cycle, we protect not only the consumer but the very integrity of our brands. We believe every DMA member should lead by example, ensuring that as AI technology evolves, our commitment to these principles remain unwavering.

*Gilbert Hill – Industry Commissioner*

## Our Role

The Data & Marketing Commission (DMC) is the body which oversees and enforces the DMA Code. The Code is an ethical framework that sets the standards for the data and marketing industry.

We investigate and adjudicate on reported breaches of the Code by DMA members. All DMA members should adhere to the Code, demonstrating their commitment to build trust and drive effectiveness in marketing.

For further information on the DMC and DMA visit:

- [www.dmcommission.com](http://www.dmcommission.com)
- [www.dma.org.uk](http://www.dma.org.uk)
- <https://www.dmcommission.com/make-a-complaint>

## Purpose

This statement outlines our approach to the use of Artificial Intelligence (AI) within the data & marketing sector and specifically compliance with the DMA Code. As a small self-regulatory office, we aim to promote responsible innovation while safeguarding consumers, ensuring fair competition, and upholding public trust. AI presents significant opportunities for improved efficiency, personalisation, and market insight. It also creates new forms of consumer risk which needs to be identified, assessed and mitigated for. We believe transparency in actions and communications about AI is the most important thing for marketers to get right.

## Position Statement on Artificial Intelligence continued

### The DMA Code

- Respect privacy
- Be honest and fair
- Be diligent with data
- Take responsibility

The Code says:

2.2 Where automated decision-making or AI tools are being used, members must inform customers that this is the case and explain in what ways it is being used and how to object.

2.10 Members must not conceal or obscure their identity and must be upfront about whether they are using AI tools or humans for customer interactions.

3.4 When buying or renting personal data, members must carry out documented due diligence to satisfy themselves that the data has been properly sourced, permissioned and cleaned. Where using technologies such as AI, members must also undertake documented due diligence to ensure that foundation models and training datasets have an appropriate lawful basis for the data processed. Members must undertake a documented risk assessment for any 'high risk' data processing.

3.5 When using AI systems, members must ensure traceability including all datasets, processes and decisions made during the AI lifecycle.

3.6 Members must apply a systematic risk management approach to automated decision-making and AI system development and use, including the risks to privacy, digital security, safety, and bias.

3.7 Members must carefully consider the use of privacy enhancing technologies which can help them demonstrate 'data protection by design and by default,' and minimise their personal data processing.

### Respect Privacy

- Use AI systems that comply with data protection legislation and only process data where you have a lawful basis for doing so.
- Limit AI training and targeting models to necessary and anonymised data sourced legally and ethically.
- Be transparent about what customer data is collected and how AI uses it.
- Provide clear opt-out options for AI-driven personalisation or profiling.
- Only use the data you need to provide the insights sought from your AI-enabled marketing.

### Be Honest and Fair

- Clearly disclose when AI is used to generate marketing content, recommendations, or customer interactions (e.g., chatbots).
- Ensure AI targeting models do not discriminate or unfairly exclude audiences.
- Avoid using AI to manipulate consumer behaviour through misleading or deceptive messaging.
- Regularly audit AI outputs for bias or inaccuracies in messaging and segmentation.
- AI should not be used to exploit vulnerable individuals or groups or manipulate consumer behaviour through deceptive design.
- Special care should be taken when AI systems target minors or other vulnerable populations.

# Position Statement on Artificial Intelligence

continued

## Be Diligent with Data

- Maintain high-quality, accurate datasets to prevent misleading AI insights or campaigns.
- Establish strong data governance processes for how data is stored, accessed, and used in AI systems.
- Conduct regular audits of AI models and datasets to identify errors, bias, or outdated data.
- Take corrective action where risks or harms are identified.
- Implement secure systems and access controls to protect marketing data.
- Be aware of how blending data sets increases risk of individuals becoming de-anonymised and identifiable and use privacy-preserving technologies and practices to stop this happening.

## Take Responsibility

- Assign clear human accountability for AI-driven marketing decisions and campaign outcomes.
- Monitor AI systems continuously to identify risks, errors, bias, or unintended consequences.
- Develop internal guidelines and ethical policies for AI use in marketing teams.
- Ensure teams are trained to understand the limitations and risks of AI tools.
- Document decision making processes.
- Be ready to justify AI generated outcomes.

## Governance Expectations for Regulated Entities

We expect organisations deploying AI in marketing to:

- Conduct internal and external risk assessments prior to deployment
- Maintain human oversight mechanisms
- Implement audit and monitoring processes
- Establish clear and timely escalation channels for consumer complaints
- Periodically review AI systems and third-party providers for continued compliance

## Collaboration and Continuous Review

AI technologies evolve rapidly. Our position will be reviewed periodically to ensure alignment with:

- Emerging risks
- Legislative developments
- International regulatory trends

We commit to engaging with:

- Industry
- Consumer advocacy groups
- Technical experts
- Other regulatory/self-regulatory authorities

## Conclusion

Artificial Intelligence in marketing must serve consumers, markets, and society.

Innovation and ethical responsibility are not competing objectives, they are mutually reinforcing.

Our self-regulatory approach seeks to ensure that AI-driven marketing remains legal and ethical, building in transparency, accountability, fairness, and trustworthiness.

# Reflecting on the Value of Self-Regulation

by Emma Martins

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The DMA Code and DMC oversight of that Code is an example of a self-regulatory model which has worked effectively for many years.

As we look to strengthen that model in the future (you can find out more here) it is worth reflecting on the role that self-regulation can play and the conditions required for it to work well.

As with all successful self-regulatory models, it relies on the ability and willingness of an industry to govern its own conduct through internal rules, standards, and ethical frameworks rather than relying solely on external statutory regulation. It is a key feature of a number of mature sectors, like our own, where trust, reputation, and long-term stability are essential.

## What does self-regulation mean in practice?

In practice, self-regulation involves companies agreeing to follow shared standards of behaviour that go beyond legal minimum requirements. These can include codes of conduct, professional guidelines, certification systems, and peer monitoring. In our case, it is the DMA Code.

Self-regulation is especially common in sectors where technical or other complexity makes government oversight challenging, or where rapid innovation outpaces legislation. Financial services, technology, advertising, and healthcare are common examples.

## Why do industries adopt self-regulation?

One important reason is efficiency and effectiveness. Industry participants often have deeper technical knowledge and experience than regulators, allowing them to design more practical, meaningful, and adaptable rules. Self-regulation can also help to reduce compliance costs and encourage responsible innovation by creating flexible and responsive frameworks.

Another reason is reputation management. Industries that are perceived as responsible and trustworthy are more likely to attract customers, investors, and skilled workers.

## What are the benefits and limitations?

Effective self-regulation can improve consistency, raise standards, and build public confidence. It can also encourage industries to respond quickly to emerging risks without waiting for formal legislation.

However, self-regulation has its limitations. Without adequate enforcement, it can become symbolic rather than effective. Conflicts of interest may arise when industries are responsible for policing themselves, potentially leading to weaker accountability. Self-regulation often works best when combined with external regulatory oversight which is a model the DMA and DMC are looking to put in place in 2027 (find out more here).

## In conclusion

Self-regulation in industry is a balance between autonomy and accountability. When well-designed, it allows industries to maintain high standards, adapt quickly to change, and build trust with the public. Its success depends on transparency, enforcement, and the willingness of organisations to prioritise long-term integrity.

The DMC is committed to contributing to the success of this model (see our values here) which in turn supports the industry, all those working in it, and the consumers it serves.

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