

# Accessible materials for proposed reports, complaints and appeals measures

## Introduction

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As part of our draft Fraudulent Advertising Codes of Practice (Codes), we are proposing a range of measures relating to reports, complaints and appeals. These include provisions on advertising complaints (Volume 4, Section 4, 'Advertising complaints'), account takeover reporting (Volume 3, Section 4, 'Countering account takeover'), and account appeals (Volume 4, Section 6, 'Account appeals').

We have developed supporting flowcharts to help readers more easily understand the key steps, decisions, and actions associated with their implementation. These visual aids are intended to complement, rather than replace, the detailed descriptions set out in the relevant sections. We therefore strongly recommend that readers refer to the full consultation text and draft Codes measures in Annex 4, 'Draft Code for user-to user services' and Annex 5, 'Draft Code for search services' to gain a comprehensive understanding of the proposed measures. In the event of any inconsistency, the draft Codes measures take precedence.

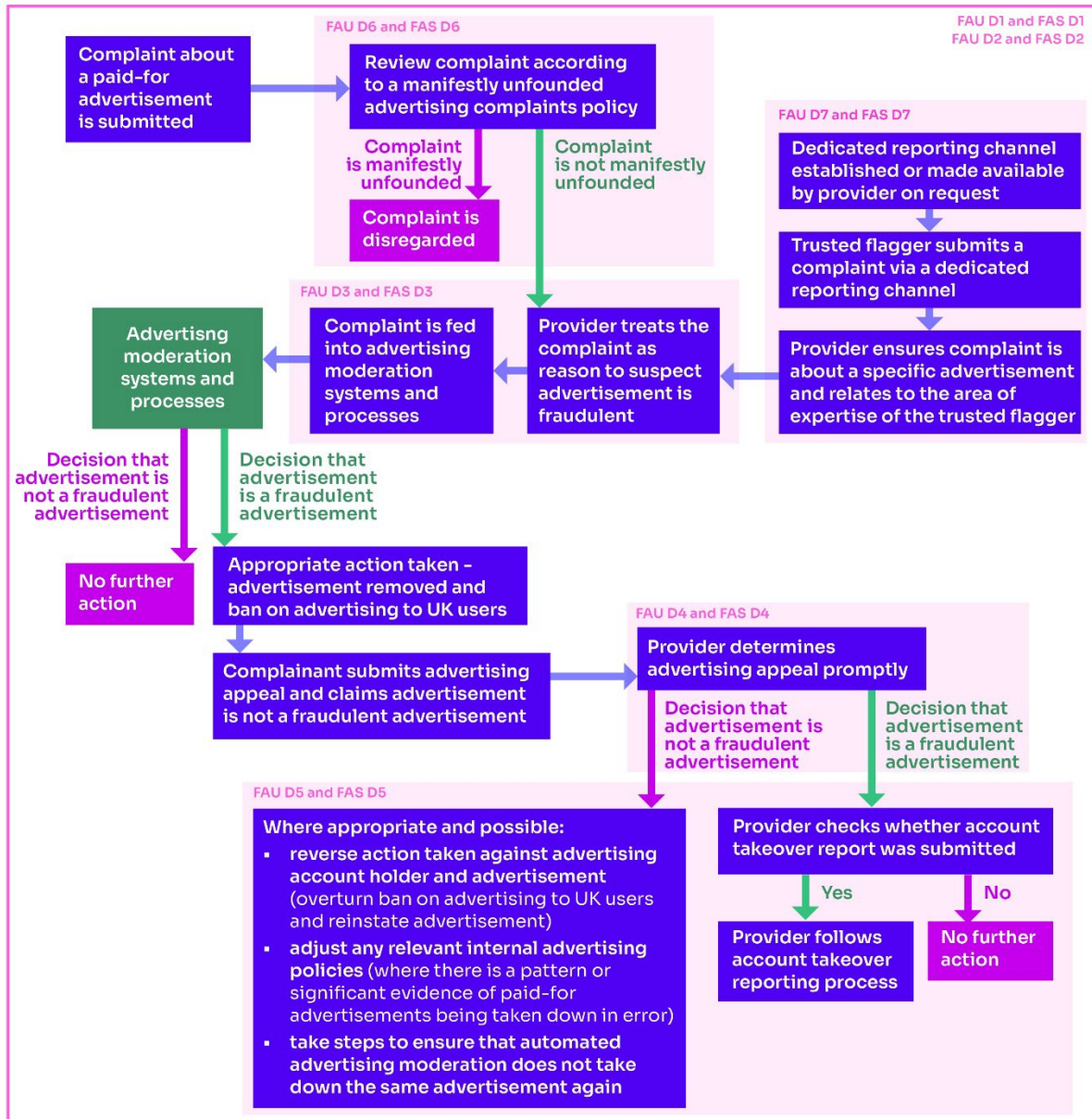
Under each section below, we set out the different reports, complaints and appeals journeys informed by the corresponding flowcharts. Specifically:

- **Advertising complaints:**
  - > What happens when a prospective advertising complainant (such as a user) or trusted flagger (an expert organisation) submits a complaint about a paid-for advertisement that they suspect to be fraudulent?
  - > How do advertising account holders appeal a decision that their paid-for advertisement is fraudulent?
- **Account takeover reports:**
  - > How do advertising account holders report that their account has been compromised?
- **Account appeals:**
  - > How do advertising account holders appeal an action taken as a result of failing an account check, financial services check or as a result of other checks carried out as part of a service providers' account checks and actions policy?
  - > How do advertising account holders raise a dispute, that an advertising ban has been applied to the incorrect advertising account holder?

# Questions and flowcharts

## Advertising complaints

Figure 1: Process for handling complaints about paid-for advertisements and advertising appeals



## What happens when a prospective advertising complainant (such as a user) or trusted flagger (an expert organisation) submits a complaint about a paid-for advertisement that they suspect to be fraudulent?

Service providers should have systems and processes in place that enable prospective advertising complainants<sup>1</sup> to submit complaints about paid-for advertisements (including advertising reports). Complaints about paid-for advertisements are submitted through mechanisms such as webforms whereas advertising reports are specifically submitted via a reporting tool or function.<sup>2</sup>

When a service provider receives a complaint about a paid-for advertisement it should first review the complaint in line with its manifestly unfounded advertising complaints policy if they have one (Figure 1, top-left of the flowchart; FAU D6 and FAS D6):

- If the complaint is assessed to be manifestly unfounded, it may be disregarded. Otherwise, service providers could spend time and resources reviewing complaints that are clearly spam or malicious, diverting attention from legitimate complaints.
- If the complaint is not manifestly unfounded, it is treated as a reason to suspect that the advertisement may be fraudulent and is fed into the service provider's advertising moderation systems and processes (FAU D3 and FAS D3).

Service providers should also make available a dedicated reporting channel through which trusted flaggers<sup>3</sup> are able to complain about paid-for advertisements they suspect to be fraudulent (Figure 1, right-hand side; FAU D7 and FAS D7). Complaints submitted via this route must be assessed to ensure they relate to a specific advertisement and fall within the trusted flagger's area of expertise. Where these criteria are met, the complaint is similarly treated as a reason to suspect the paid-for advertisement is fraudulent and fed into advertising moderation systems and processes.

Following this, the service provider's advertising moderation function assesses the paid-for advertisement:

- If the paid-for advertisement is determined not to be fraudulent, no further action is taken.
- If the paid-for advertisement is determined to be fraudulent, appropriate action is taken, including removal of the paid-for advertisement and a ban on the advertising account holder advertising to UK users.

The relevant proposed measures for this process are set out in Volume 3, Section 5, 'Advertising bans', Volume 4, Section 2, 'Advertising moderation', and Volume 4, Section 4, 'Advertising complaints'.

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<sup>1</sup> For user-to-user services, the following persons: a) United Kingdom users; b) persons using an advertising account; c) users of the ad library; and d) affected persons. For search services, prospective advertising complainants also include interested persons (as defined in section 227(7) of the Act).

<sup>2</sup> The difference between an advertising report and other complaints about paid-for advertisements is that an advertising report can only be made using a reporting tool or function. Other complaints about paid-for advertisements are made using alternative means, such as webforms. The key differentiator between an advertising report and other complaints about paid-for advertisements is the method by which the complaint is made.

<sup>3</sup> An entity which is a recommended trusted flagger and any other person: a) whom the provider has reasonably determined has expertise relating to identifying fraudulent advertising or fraudulent advertising proxy; and b) for whom the provider has established a dedicated reporting channel.

## How do account holders or account operators appeal a decision that their paid-for advertisement is fraudulent?

Where a service provider has taken action against a paid-for advertisement, leading to its removal and an advertising ban, an advertising account holder should have access to systems and processes for submitting an advertising appeal (Figure 1, centre to lower section; FAU D4 and FAS D4 onward).

An advertising account holder may submit an advertising appeal on the basis that the paid-for advertisement is not fraudulent. The service provider should then determine the advertising appeal promptly.

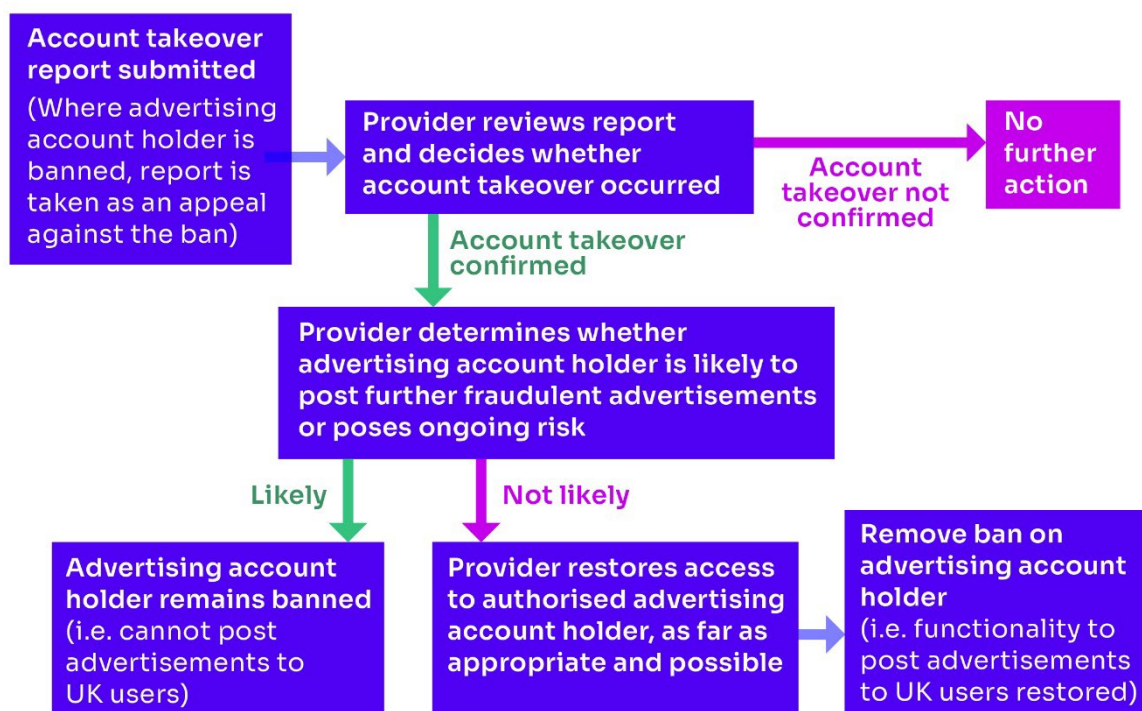
Following determination, two outcomes are possible:

- If the service provider determines that the paid-for advertisement is not fraudulent, it should, where appropriate and possible (FAU D5 and FAS D5):
  - > reverse the action taken, which would be to reinstate the paid-for advertisement and remove any advertising ban on the advertising account holder;
  - > adjust any relevant internal advertising policies (where there is a pattern or significant evidence of paid-for advertisements being taken down in error); and
  - > take steps to prevent automated advertising moderation systems from incorrectly removing the same paid-for advertisement again.
- If the service provider determines that the paid-for advertisement is fraudulent, the original appropriate actions remain in place. The service provider should then check whether an account takeover report has been submitted:
  - > If yes, the service provider should follow its account takeover reporting process as it may indicate that the account has been compromised by a bad actor and used to post fraudulent advertisements (see section on account takeover reports below).
  - > If no, no further action is required.

The relevant proposed measures for advertising appeals are set out in Volume 4, Section 4, 'Advertising complaints', with links to account takeover reporting in Volume 3, Section 4, 'Countering account takeover'.

## Account takeover reports

Figure 2: Process for handling account takeover reports



### How do advertising account holders report that their account has been compromised?

A service provider should have a reporting mechanism in place to enable advertising account holders to report that their account has been compromised (FAU H4 and FAS H4). Figure 2 shows the journey an account takeover report follows once it has been submitted to a service provider.

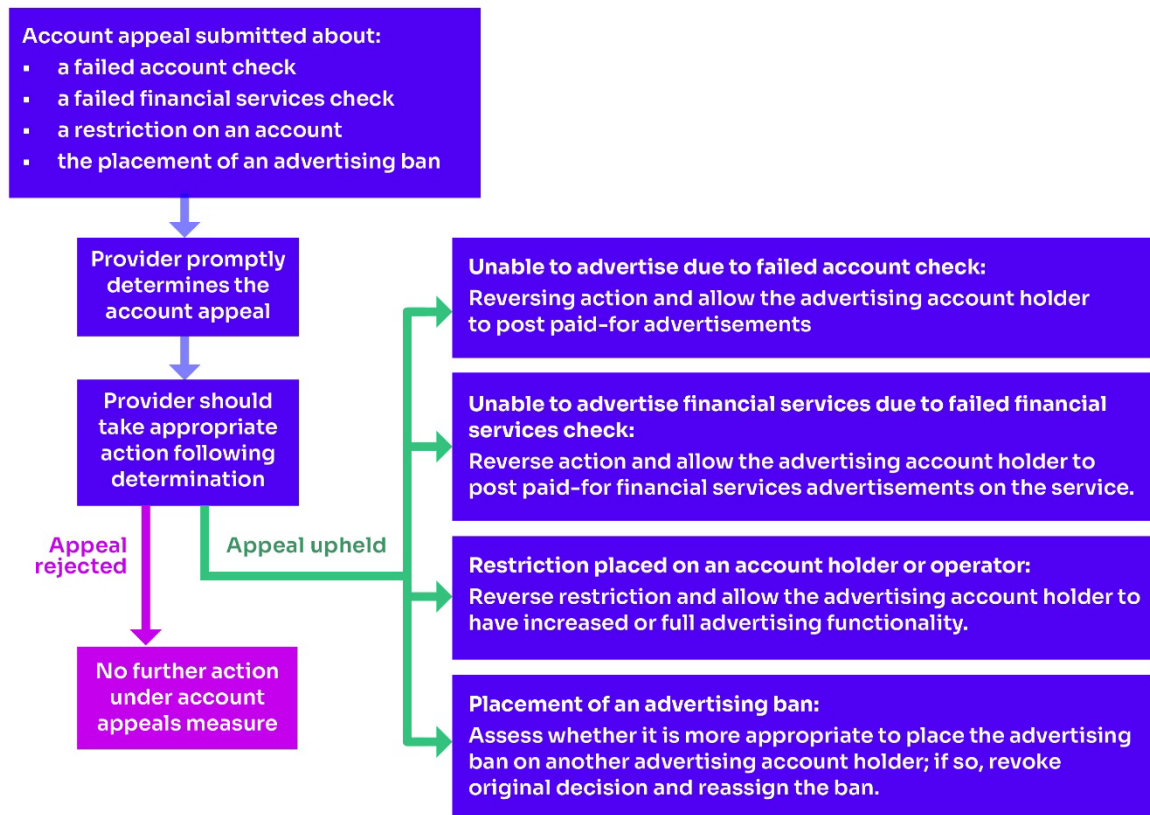
Following confirmation of account takeover, service providers should assess whether the account is likely to be used to post further fraudulent advertisements or poses an ongoing risk:

- If it is likely, account restoration may not be appropriate, and the advertising ban would remain in place unless these risks are mitigated. In such cases, service providers should consider alternative actions to prevent further misuse or harm.
- If it is not likely, the service provider should, as far as appropriate and possible, restore access to the authorised advertising account holder. If access has been reinstated, it should then remove the advertising ban so that the advertising account holder can post paid-for advertisements to UK users.

The relevant proposed measures for account takeover reporting are set out in Volume 3, Section 4, 'Countering account takeover', with links to advertising bans in Volume 3, Section 5, 'Advertising bans'.

# Account appeals

Figure 3: Process for handling account appeals



## How do advertising account holders appeal an action taken as a result of failing an account check, financial services check or as a result of other checks carried out as part of a service providers’ account checks and actions policy?

Service providers should have systems and processes in place to enable advertising account holders to submit an account appeal where action has been taken following:

- a failed account check (FAU H1 and FAS H1);
- a failed financial services check (FAU H2 and FAS H2); or
- the outcome of other checks carried out under the service provider’s account checks and actions policy (FAU H1 and FAS H1).

As shown in Figure 3, the journey begins with the submission of an account appeal by an advertising account holder. Once it has been received, the service provider should determine the account appeal promptly.

Following this determination:

- If the appeal is rejected, no further action is required under the account appeals measure.
- If the appeal is upheld, the provider should take appropriate remedial action, depending on the original action taken:

- > **Failing an account check:** reverse the action and allow the advertising account holder to post paid-for advertisements on the service.
- > **Failing a financial services check:** reverse the action and allow the advertising account holder to post paid-for financial services advertisements.
- > **Checks which lead to other account restrictions:** remove or reduce restrictions and restore appropriate advertising functionality to the advertising account holder.

The relevant proposed measures for account appeals are set out in Volume 3, Section 6, 'Account appeals', with links to Volume 3, Section 2, 'Account checks and actions', Volume 3, Section 5, 'Advertising bans', and Volume 3, Section 3, 'Preventing fraudulent financial services advertising'.

### How do advertising account holders dispute that an advertising ban has been applied to the incorrect advertising account holder?

Advertising account holders should also be able to use the same account appeals process to dispute an advertising ban where they believe it has been applied to the incorrect advertising account holder (FAU and FAS J1 to J4). For example, where an advertising account holder subject to a ban believes a different advertising account holder in the account hierarchy was responsible for posting the fraudulent advertisement. We consider that where an advertising ban has been applied to the incorrect advertising account holder, this is an account-level issue and any dispute regarding that decision should therefore be submitted through the account appeals process. Advertising appeals would solely be about disputing the decision that a paid-for advertisement was fraudulent.

Following submission of the appeal, the service provider must again promptly determine the appeal. Following this determination:

- If the appeal is rejected, the advertising ban should remain in place, and no further action is required under the account appeals measure.
- If the appeal is upheld, the service provider should:
  - > assess whether an advertising ban would be more appropriately applied to other advertising account holders in connection with the fraudulent advertisement posted; and
  - > where this is the case, reverse the original decision to impose the advertising ban on the affected advertising account holder, and instead impose the advertising ban on those advertising account holders identified as more appropriate.

The relevant proposed measures for account appeals are set out in Volume 3, Section 6, 'Account appeals', with links to advertising bans in Volume 3, Section 5, 'Advertising bans'.