



PPA (Professional Publishers Association)

Consultation Response: ICO, “Our approach to regulating online advertising”

For inquiries regarding this submission, please contact:

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About the PPA

PPA (Professional Publishers Association) is the trade association for magazine media. The magazine industry alone is worth £4.4 billion to the UK economy¹ and part of a broader creative industry with a GVA contribution of £125 billion².

The sector employs 55,000 people³ across a range of skills from journalists and videographers to technology developers and data analysts. These publishers are multiplatform trusted editorial brands who have humans accountable for what they put out to their audiences. Together they reach over 83% of the UK adult population each month⁴.

The PPA has a broad church of over 200 publisher members ranging from:

- Large multinational consumer businesses - including UK household names like Good Housekeeping, British Vogue, The Week and New Scientist.
- Business media – for decision makers who rely on insights daily and are leading some of the biggest industries shaping our world today (e.g. financial services, energy, pharma and retail). But also including brands that are helping people on the ground do their jobs better (Nursing Times and Farmers Weekly).
- Independent publishers from SMEs to entrepreneurs, including brands speaking authentically to diverse communities – Black Business, and Inclusive Design, an interior design magazine for the disabled community.
- A real diverse mix of publishers and brands but all bound together by the fact they are creating trusted editorial for the communities they serve.

Foreword

The collection, storage, and use of digital identifiers and browsing data (as defined by PECR) has become an entrenched and fundamentally important part of the media ecosystem. Our members collect, store, and use this type of data for two principal reasons:

1. To deliver and improve their content and services.
2. To enable personalised advertising on the website or within the mobile app that the user chooses to interact with.

¹ Thomas, Lawrence “Magazine Publishers in the UK- Market Research Report (2014-2029)” 2024

² Creative UK (2025). [Link](#).

³ PPA “Sector Insight Report” 2021. [Link](#).

⁴ Ibid.

The PPA recognises that the ICO is seeking to understand the minimum requirements for a commercially viable online advertising model; and whether there are circumstances in which storage and access information for certain advertising purposes can pose a low risk to user privacy.

Throughout this submission, the PPA will make the case that in order for an online advertising model to be genuinely commercially viable for a publisher, it must be personalised and allow the publisher to share the data with specific third parties for advertising purposes.

The PPA welcomes the ICO's intention to respond to the change in law, which gives the Secretary of State powers to add exceptions to the PEC regulation 6 prohibition on storage and access of data.

Our responses to questions 1–6 in this consultation focus on the minimum technical requirements for the features on which the ICO is seeking industry feedback in relation to contextual advertising only. We note that other forms of advertising would have additional requirements for technical deliverability. This response should not be interpreted as an endorsement that such minimum allowances would, on their own, support commercially viable advertising.

We want to work with the ICO and the Secretary of State to identify a solution that offers users the best possible experience that protects their privacy and consumer interests. This is why we recommend extending the scope of consent requirement exemptions to include the collection of personal data that will be shared with third parties for specific advertising purposes.

This extension could be limited to cases where third parties (such as technology vendors) act as data processors rather than controllers. It could also require that data is retained only for as long as necessary to fulfil the immediate advertising function, and that all shared data is pseudonymised to minimise privacy risks. This approach not only supports the sustainability of our industry but also offers individuals the best possible balance between their consumer and privacy interests.

Advertising purposes and capabilities

We are seeking your views on the minimum requirements for commercially viable online advertising models. This will support us in identifying whether there are circumstances in which storage and access of information for certain advertising purposes can pose a low risk to user privacy.

1. Ad delivery and billing

What features within ad delivery and billing are the minimum requirements for a commercially viable advertising model, and why?

The ability to log at the impression level is a minimum requirement for technical deliverability. Without logs served with the ad metadata (e.g. campaign ID), it would be difficult for our members to bill clients accurately. For other forms of advertising there would be additional requirements for technical deliverability.

2. Ad fraud and prevention detection

What features within ad fraud prevention and detection are the minimum requirements for a commercially viable advertising model, and why?

Invalid Traffic (IVT) detection is a critical feature for our members, as advertisers want assurance that effective ad fraud measures are in place. Non-human traffic has no value and can artificially inflate measurement, so IVT must be kept to a minimum and blocked wherever possible.

The IAB operates a Gold Standard certification scheme, which incorporates three standards developed by the IAB Tech Lab to reduce ad fraud traffic. For IVT detection specifically, independent technologies such as IAS are commonly used.

3. Brand safety, brand suitability and brand compliance

What features within brand safety, brand suitability and brand compliance are the minimum requirements for a commercially viable advertising model, and why?

Brand safety monitoring from an MRC (Media Ratings Council) accredited partner such as IAS or Doubleverify would be required. Advertisers will not buy contextual advertising if they have doubts that it will appear next to controversial or unsafe content.

Keywords as a feature are standard and required by any major agency group in order to trade. Whilst blocking ads is not a minimum requirement, certain clients of our members have custom criteria and many clients monitor so avoiding keywords is crucial in a viable contextual advertising model.

4. Frequency capping

What features within frequency capping are the minimum requirements for a commercially viable advertising model, and why?

Without frequency capping at a campaign or day level there would be wastage and performance considerations, together with being a poor experience for users. If there is some frequency capping it will improve the experience for the user (as they won't see the same ad over again) and it will benefit clients more to avoid ad wastage.

5. Measurement and attribution

What features within measurement and attribution are the minimum requirements for a commercially viable advertising model, and why?

For many major B2C publishing houses, core measurements are related to delivery such as impressions, clicks, views and associated calculated fields such as click through rate (CTR) and view through rate (VTR).

Publishers are also seeing a trend where further proof is required such as brand lift %. Publishers are also experiencing attention being a more important metric that is monitored. Metrics such as:

- How many clicks
- Views (video related)
- Viewability (core minimum metric)
- Impressions
- Unique Page Views (UPVs)

All of the metrics above would be the minimum required to make contextual advertising technically deliverable with regards to measurement and attribution.

6. Targeting

For example, how an ad is targeted towards a user or a group of users.

What features within targeting are the minimum requirements for a commercially viable advertising model, and why?

Targeting is vital in a commercially viable model to reach a relevant audience for an advertiser, with contextual targeting being from site, site section or article level to keyword targeting.

Geotargeting would be a crucial feature, down to country (or region) as many campaigns are region specific (e.g., UK only) and certain products may not be marketed in certain countries. Some of our members have also indicated that postcode would be necessary for contextual advertising that requires specificity for certain parts of the country.

7. How significant are the changes in ICO regulatory posture towards PECR regulation 6 consent requirements that would be required to enable delivery of a commercially viable advertising model?

	Significant change	Some change	No change	Unsure/don't know
Ad delivery and billing		√		
Ad fraud prevention and detection		√		
Brand safety, brand suitability and brand compliance		√		
Frequency capping		√		
Measurement and attribution	√			
Targeting	√			

Please explain your answer:

- Some change to options 1-4, because it already seems arguable that these purposes could be classed as “strictly necessary”.
- Significant change to 5&6 based on the recent ICO updated guidance on storage and access technologies, which says that consent is required even in the context of the technical process involved in ad selection and delivery, including requiring consent for measurement purposes.

8. How far do you agree that the approach outlined in our call for views can identify commercially viable solutions that can also safeguard people’s privacy and improve user experience? Strongly agree/Agree/Disagree/Strongly disagree/Unsure or Don’t know

Please explain your answer:

The PPA supports the ICO’s mission to create a more permissive regulatory environment for advertising models that uphold privacy. We understand that the ICO hopes this would lead to an increase in the tools available to facilitate contextual ads, and to greater use of contextual advertising by advertisers. However, the approach outlined in the ICO’s call for views would create a safe haven only for the technologies currently available to deploy contextual ads, which may not remain sufficient as technology evolves.

Further, the ICO’s approach would not influence the market conditions within the UK, which do not facilitate meaningful commercial opportunity for publishers or

opportunity for growth with contextual advertising. Our members report that they cannot effectively monetise consent-less data inventory because ad agencies will pay several times for personalised advertising what they would pay for contextual advertising and in some cases wouldn't bid any money to certain contextual ad campaigns at all. This is reflective of the aggregate data inventory in the UK market, which is one that incentivises demand for personalised advertising and is beyond the scope of influence of publishers.

Conceptually, contextual advertising may be considered a more privacy-protective model compared to personalised advertising. However, personalised advertising remains a familiar business model for consumers, who expect to receive relevant ads when visiting a publisher's website. The favourability of this value exchange is demonstrated by how users have responded to sites presenting "consent or pay" banners. In markets where the majority of service providers are using "consent or pay", nearly 100% of users accept cookies for personalised advertising⁵. Overall, UK consumers save an estimated £18 billion a year through ad-supported digital services⁶. This highlights the economic value that personalised advertising continues to deliver for consumers, publishers, and the wider digital economy.

Personalised ads also present a better experience for users given that users see ads that are more relevant to them. While contextual ads may be relevant to the page(s) that users are viewing, that doesn't necessarily translate into improving user experience. Our members report that the complaints they receive from users about targeted ads are consistently that the ads are not relevant enough, not that they are too relevant.

The privacy risks associated with personalised advertising, particularly in relation to publisher data practices, should be understood by the ICO as marginal. The data sharing required for a publisher to monetise through personalised advertising typically involves only one additional SSP (Supply Side Platform) call, layered onto an ecosystem where the DSP (Demand Side Platform) environment already holds substantial personal information. In practice, given widespread fingerprinting, IP address and network tracking, social media account usage, and the extensive UK-wide inventory of cookie data, fully anonymous users are virtually non-existent.

Moreover, the data shared by publishers in this process is pseudonymous and does not directly identify individuals. We note the recent ECJ decision⁷ in the case *EDPS v SRB* regarding the concept of personal data, essentially, that pseudonymous data must not be regarded as constituting, in all cases and for every person, personal data for the

⁵ Press Gazette "More UK news publishers are adopting 'consent or pay' advertising model" (2025) [Link](#).

⁶ IAB UK "The Digital Dividend: The value of digital advertising to the UK economy, its businesses & its people" (2023) [Link](#).

⁷ Court of Justice of the European Union "The Court of Justice clarifies the scope of the concept of personal data in the context of a transfer of pseudonymised data to third parties" (2025) [Link](#).

purposes of the application of the GDPR. The rationale of this decision is applicable to the UK given the meaning of personal data under the UK GDPR, and it is particularly relevant in the context of this submission, given the court’s finding that pseudonymisation may effectively prevent persons other than the controller from identifying the data subject in such a way that, for them, the data subject is not or is no longer identifiable. In practice, this means that a recipient of pseudonymous data who does not have access to the means reasonably likely to be used to identify a data subject will not be processing personal data of that data subject. This is applicable in the ad targeting context, where the particular data subject on a particular website to whom the ad is served is not known to the entity serving the ad. That is, they typically do not have the key to identify the user behind the pseudonymous data.

Therefore, given that publisher data processing is marginal within the broader ecosystem, anonymity is largely theoretical, and digital advertising market imbalances between publishers and platforms persist, it would be both pragmatic and proportionate to expand the scope of exemptions in the PEC regulation 6 prohibition against storage and access technologies to include third-party data sharing for personalised advertising. We urge the ICO to reflect this in its approach, in line with its new duty to consider economic growth

9. Would you anticipate any of the following positive impacts if any of the capabilities referenced were permitted without PECR consent in circumstances where the ICO considers them to be low risk to people? Please select all that apply:

<input checked="" type="checkbox"/>	Improved business confidence
<input checked="" type="checkbox"/>	Improved customer experience
<input checked="" type="checkbox"/>	Improved certainty on compliant methods of processing of personal data
<input checked="" type="checkbox"/>	Increased revenue from compliant digital advertising
<input checked="" type="checkbox"/>	Changes to existing processes
<input checked="" type="checkbox"/>	Innovative new products
<input checked="" type="checkbox"/>	Other (please specify)

The other positive impact we anticipate is a sustained and growing incentive to invest in original, fact-checked journalism.

Please provide any evidence on the likely scale of these positive impacts:

10. Would you anticipate any of the following negative impacts if any of the capabilities referenced were permitted without PECR consent in circumstances where the ICO considers them to be low risk to people? Please select all that apply:

<input type="checkbox"/>	Familiarisation costs of understanding new capabilities
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	Increased costs of system updates
	Worsened customer experience
	Increased risk of privacy harm
	Other (please specify)

If others, please specify:

Familiarisation costs of understanding new capabilities and increased costs of system updates may be applicable, although if the use of these technologies was expressly permitted as an exemption from the PEC regulation 6 prohibition it would save a lot of time and resource publishers may have to spend to determine whether such tech can be categorised as “strictly necessary”.

11. Are you aware of any technical safeguards to reduce data protection and privacy risks of storage and access of information for the advertising purposes listed above? For example, could the use of Privacy Enhancing Technologies (PETs) help?

Please provide your answer:

Not aware of any at the moment in relation to contextual advertising.

12. Do you currently use any technical safeguards or PETs in your online advertising model?

Please provide your answer:

As above.

13. Are you aware of any recent innovations which significantly reduce the data protection and privacy risks of one or more of the capabilities?

Please provide your answer:

Not at the moment.

14. Are you responding on behalf of an organisation?

A third sector organisation.

17. Is your organisation:

A representative of a professional, industry or trade association

18. What size is your organisation?

10 to 249 members of staff

19. What is the name of your organisation?

The PPA (Professional Publishers Association).

20. Which of these categories best describes your organisation's (or organisations you represent) activities?

Publisher

If you are a trade association please indicate below:

The PPA is a trade association representing publishers.

21. Before completing this call for views, do you have any final comments you have not made elsewhere?

Please provide your comments:

For publishers to monetise through advertising in a commercially viable way, targeting must go beyond contextual and include personalised advertising. This is essential to secure commercially meaningful bids from advertising agencies, which consistently value personalised ads far more highly than contextual placements.

Advertisers are particularly interested in specialist publisher audiences because they are typically engaged, informed, and loyal. These audiences also benefit: they gain access to fact-checked journalism (often in front of the paywall) funded by advertising. When delivered responsibly (e.g. with retention limits, pseudonymisation, and the use of processors rather than controllers), personalised advertising is both relevant and non-intrusive for consumers, while creating sustainable incentives for publishers to produce quality content.

Publishers cannot simply replace personalised advertising with contextual. Within the programmatic ecosystem, publishers often serve as the conduit for user consent and data connection. While they may collect the initial audience data that triggers an ad auction, this represents only a small fraction of the aggregated third-party data used to inform the final bid. Without personalised advertising, publishers would be unable to generate sufficient revenue to support their journalism. We strongly urge the ICO to consider the value of a more permissive regime for personalised advertising for publishers and consumers.

22. We may wish to contact you for further information on your responses. If you are happy to be contacted, please provide your name and an email address below.

Please provide your name: Eilidh Wilson

Please provide your email address: eilidh.wilson@ppa.co.uk

23. We may publish in full the responses received from organisations or a summary of the responses. If so, we would like your permission to publish your consultation response. Please indicate your publishing preference:

Publish response