

February 2026

Key Findings

Branded Content Governance Project



Project Partners



Key Findings

As media and marketing merge and new forms of marketing communications proliferate, are regulations, guidance and best practice keeping pace? That has been the focus of a three-year international research project, the Branded Content Governance Project (BCGP), 2022-2025. The project has investigated how branded content practices and media-marketing integration are addressed in law, regulation and broader forms of governance. Over ninety academic advisers joined other participants from across industry, legal, policy and civil society. The BCGP has analysed the media-marketing ecology and completed a 32-country comparative study of laws and regulations affecting brand-funded content across publishing

audio/visual, digital advertising, influencer marketing, experiential, outdoor and other media channels. The project examined governance processes in greater detail in the UK and Spain through interviews and analysis involving practitioners and policymakers, roundtables and events, and studying reporting of media-advertising regulatory issues in professional ‘trade’ and general news media.

The central aim has been to provide research-led insights and recommendations for managing and regulating branded content and communications in the digital age. This document indicates the scope of work and shares key findings and proposals for better governance.

Mapping the Media-Marketing Ecology

Mapping the Media-Marketing Ecology (forthcoming, Routledge) and Hardy et al. (2024) *Mapping the Media-Marketing Ecology*, London: University of the Arts London. <https://doi.org/10.25441/arts.30998674>

Branded Content Regulation: 32-Country Analysis

Hardy, J. et al. (2025) *Branded Content Governance: 32-Country Comparative Analysis*, University of the Arts London. <https://doi.org/10.25441/arts.29424839.v3>; Individual Country reports at https://figshare.arts.ac.uk/BCG_Project

Hardy, J. et al. (2025) *Media-Marketing and Branded Content Policy Analysis: UK and Spain*, University of the Arts London. <https://doi.org/10.25441/arts.30998674>

Branded Content Governance

MacRury, I. et al (2026) *Governance-in-Practice*, University of the Arts London. <https://doi.org/10.25441/arts.30998794.v1>

Our 2024 report and forthcoming book, *Mapping the Media-Marketing Ecology* (Routledge, 2026) aim to set branded content in the wider context of changes and convergences across media and marketing communications.

We highlight historical shifts from a core triad (marketers, agencies, media) to a sextet in which the triad, in expanded forms, are joined and reshaped by creators (across the pro-am spectrum), platforms and adtech.

We define branded content as content that is funded or produced by marketers and identify three main types: brands owned content, paid-for native advertising formats and publisher-hosted, brand sponsored content.

We examine the main actors and processes across adtech and the emergent phase of media-marketing that includes AI-assisted 'hyper-personalisation' across connected TV and streaming, podcasting, retail media, influencer marketing, digital out-of-home and more.

The BCGP has produced individual country reports and a synthesising comparative analysis of the laws and regulation affecting branded content in 32 countries: all EU countries, the UK, Canada, USA, Mexico and Australia.

The BCGP identifies the following as the main categories for branded content: publishing, audiovisual, audio, digital advertising ('native' ad formats), social media marketing (influencer marketing), out-of-home (OOH), experiential, and other.

These detailed reports describe country rules in their media systems and media/advertising regulation contexts and show significant variation across the mix of statutory and self-regulatory arrangements. Our policy analysis examines regulation and policymaking in UK and Spain, including the UK Online Advertising Consultation and recent innovations in influencer regulation in Spain.

We adopt a broad understanding of governance as ranging from 'formal' laws and regulation to 'informal' rulemaking/shaping practices.

Governance-in-practice

Our term 'governance-in-practice' refers to the ways individuals, teams and networked practitioners reflect and act in accordance with rulemaking/rule-shaping. It concerns how 'regulation' and 'ethics' are understood, managed and negotiated by practitioners.

Interviews and roundtable conversations with practitioners showed demand for clearer support to meet governance expectations. The fast pace of industrial and technological change has reduced opportunities for informal learning and weakened some of the institutional structures and professional norms for governance knowledge. Factors including 'flexibility', precarity and role ambiguity impede practitioners' ability to act with ethical and compliance confidence. The creator economy leaves some influencers isolated and lacking institutional support. This research informs our main recommendations (below) and the need to strengthen guidance, training and support for pro-am practitioners across the media-marketing ecology.

Branded Content Governance continued

Hardy, J. (ed) (2025) *Media Analysis*,
University of the Arts London.
<https://doi.org/10.25441/arts.30998446.v1>

Branded Content Problems and Mitigations

Media reporting

Our research examines coverage of branded content governance in selected UK and Spanish ‘trade’ and ‘general’ news publications. Branded content issues remain relatively seldom covered within advertising and regulation coverage, with influencer marketing getting most attention. We found UK trade media adopted a ‘self-regulation vs statutory frame’, shaped by industry bodies, with comparatively less comment from non-industry sources than UK general media, and in contrast to Spanish media where a more open discussion of strengths and limitations of regulation, particularly for influencer marketing, occurred. UK general media reported rulings of the advertising self-regulator but rarely discussed regulatory arrangements. For general media, we recommend that publishers create a ‘beat’ that encompasses the media-marketing ecology. For trade media, we encourage increasing the range of voices and sources on advertising governance issues.

Frameworks

To examine problems and potential ‘mitigations’, the BCGP draws on ‘theory of change’ approaches and our own mapping of problems in practices and governance across domains (system, societal) and stages (strategic, operational, ie. content production, distributing). It also outlines the importance of interventions to address ‘mitigations’, including the BCGP’s recommendations for a comprehensive legal duty of advertising transparency and disclosure.

Problems in practices and governance

We identify four main problem areas in branded content practices: ad transparency, media integrity, marketers’ power of voice, and diminished capacities for governance agency.

The first, consumer identification of advertising, has tended to dominate European and US regulation in the period since the Federal Trade Commission’s native advertising enforcement guidance in 2015, but with some displacement of the second problem area, the impact of integrated advertising on media quality and integrity (editorial and aesthetic independence). The third problem, marketers’ power (and share of voice) to dominate communications has been largely ‘external’ to policymaking. The fourth problem is diminished capacities for creative workers to act ethically arising from dependencies, precarity and other factors across media-marketing ecologies.

The BCGP also examines problems in policymaking and formal governance including the persistence of legacy, fragmented and ‘deconvergent’ sectoral regulations whose weaknesses can be exploited by powerful actors in sustaining ‘compartmentalised’ regulations that fail to deal adequately with converging media-marketing ecologies. All these tendencies can generate omissions and anomalies in formal governance. In the UK, a 15-year-old influencer on TikTok has a greater obligation to declare gifting from a brand than a professional journalist has to declare a studio-paid trip to a film set.

Key Recommendations

Key mitigations for the four problems in branded content practices include:

- **Advertising transparency:** Clearer, more consistent labelling and identification; better awareness, tools for users; strengthened regulatory monitoring and enforcement; ensuring that media literacy programmes include alertness to commercial intents and highlight ‘hidden’ branded content communications as a risk/harm.
 - Standardised identification for all marketing content on a specific platform.
 - Common (cross-platform) identification where appropriate (e.g. #ad).
- **Supported standards for media integrity:** Rules and standards for the separation of advertising and non-advertising content. Positive kitemarking for quality standards/code adherence. Disclosure of material connection between sources and content.
- **Professional/pro-am capacity-building to increase confidence, support, agency and compliance.**
- **A legal duty of advertising transparency:** We recommend that the key principle that all marketing communications should be recognisable as such, which is set out in the International Chamber of Commerce’s (ICC) voluntary marketing communications code, should be established in law at national and relevant supranational levels. Advertising transparency should be established as a duty on all those engaged in ‘paid for’ marketing communications. Marketing communications should be easily and readily recognisable, irrespective of medium or format. Such a duty would apply singly and jointly to market actors across the media-marketing ecology. However, we think responsibility should be weighted most heavily on resource-rich, institutional actors (platforms, marketers and marketing/talent agencies) and suitably lightly on those creators who lack access to legal support, advice and training.
- **Separation of advertising and media for the 21st century:** Identification and disclosure are vital but insufficient. There needs to be wider consideration about how the principle of separation can and should apply across the complex, changing landscape of what the ICC calls ‘mixed content’. That might begin with the programme categories in which the EU Audiovisual Media Services Directive prohibits product placement: news and current affairs, consumer affairs, religious and children’s programmes. There is also scope to overhaul regulations to create new categories for branded content, for instance on UK/European television, to allow innovation in disclosed advertiser-funded content while protecting editorial independence for other programmes.
- **Integrated polycentric governance:** A key contribution of the BCGP is to propose ‘integrated polycentric governance’ (IPG) for media-marketing. This argues that there is value across the range of centres of governance, from the most informal to ‘command and control’: from ‘governance-in-practice’, to codes and guidance by ‘industry regulatory organisations’, self-regulatory organisations (SROs), to statutory regulators, government agencies and court systems. We argue that a key focus for better regulation lies in strengthening ‘integration’, across support, guidance, oversight and enforcement. There should also be a clear escalation path so that non-compliance with voluntary self-regulation leads to statutory action. It is also evident, throughout our research, that flexibility, adaptability, responsiveness, legitimacy and support are also vital. IPG seeks to move beyond the framing of ‘self-regulation vs. statutory’, to strengthen support mechanisms as well as control mechanisms, and to provide a flexible, forward-facing framework. We hope to encourage further discussion on what IPG requires, in different country contexts, so that better governance is nurtured and achieved.

Reports & Publications

Online Advertising Regulation Policy Briefing

February 2023

This *Online Advertising Regulation Policy Briefing* by the BCGP has a dual purpose. It provides a briefing on developments in UK policy concerning digital advertising regulation. It also presents initial research work for the BCGP, setting UK policy in the wider context of EU law and policy, and policy developments in Spain.

Hardy, J. et al (2023) *Online Advertising Regulation Policy Briefing*. University of the Arts London. Online resource. <https://doi.org/10.25441/arts.25225259.v1>

Short Commentary and Report on UK Online Advertising Regulation

February 2024

This short commentary and report on UK online advertising regulation is written by the BCGP Principal Investigator, Jonathan Hardy and the views expressed are his own. The report argues that the UK Government's proposed action following the Online Advertising Programme consultation has been unduly narrow in scope. It argues that it is inappropriate to ask the advertising industry - which the original consultation placed under scrutiny - to provide the solutions alone, without wider public involvement.

Hardy, J. (2024) *Short Commentary and Report on UK Online Advertising Regulation*, University of the Arts London. <https://doi.org/10.25441/arts.25251211.v1>

Mapping the Media-Marketing Ecology

June 2024

Mapping the Media-Marketing Ecology describes the main features, actor-types and processes involved in contemporary marketing communications. It examines the ongoing convergence of marketing and media across industry arrangements, forms and formats and offers an authoritative analysis of branded content and forms of media-marketing integration. We published an interim version in 2024. An expanded version will be published as a freely-available, open publication, by Routledge in early 2026. We are very grateful for support from UK Research and Innovation to enable us to publish this work in an accessible manner for an international readership.

Hardy, J. et al. (2024) *Mapping the Media-Marketing Ecology*, University of the Arts London. <https://doi.org/10.25441/arts.26096632.v1>

Branded Content Governance: 32-Country Comparative Analysis

June 2025

This report summarises the comparative findings, discusses the methodology, and sets out the theoretical frameworks, context and thematic analysis for the 32-country study of branded content governance. The study examined all EU countries, the UK, Canada, USA, Mexico and Australia.

Hardy, Jonathan; MacRury, Iain; Nuñez-Gomez, Patricia; Rangel, Celia; Martínez Isidoro, Beatriz; Josefa Establés Heras, María; Vázquez Rodríguez, Lucía.; Kubicka, Hanna and Wysokinski, Maciej (2025) *Branded Content Governance: 32-Country Comparative Analysis*, University of the Arts London. <https://doi.org/10.25441/arts.29424839.v3>

Branded Content Governance: Problems and Mitigations

June 2025

This report sets out the summary analysis and recommendations made by the BCGP. It is designed to serve as an executive summary for our analysis of 'problems' relating to branded content practices and to the governance of branded content, and 'mitigations', actions that could help to remove or reduce those problems. Our analysis is set out in greater detail in other project reports and outputs including Branded Content Governance: 32-Country Comparative Analysis (June 2025).

Hardy, J. et al (2025) *Branded Content Governance: Problems and Mitigations*, University of the Arts London. <https://doi.org/10.25441/arts.29424842.v2>

Individual Country Reports

November 2025

These are individual reports for each of the 32 countries in the BCGP study. Using a common format, with 17 sections, each report sets out the country context, outlines communications and advertising regulation and self-regulation and details the governance of branded content in the following categories: publishing, audiovisual, audio, digital media, social media marketing, outdoor, experiential and other.

<https://doi.org/10.25441/arts.26097916.v7>

Governance-in-Practice

November 2025

This report presents BCGP interview, roundtable and desk research on branded content practitioners in the UK and Spain. Governance-in-practice refers to the processes by which individuals, teams and networked practitioners reflect and act in accordance with rulemaking/ rule-shaping and internalised norms.

MacRury, I. et al (2026) *Governance-in-Practice*, University of the Arts London. <https://doi.org/10.25441/arts.30998794.v1>

Media Analysis

November 2025

This report presents BCGP research on professional ('trade') and public media (newsbrands) reporting and commentary on regulatory issues relating to branded content in UK and Spanish media.

Hardy, J. (ed) (2025) *Media Analysis*, University of the Arts London. <https://doi.org/10.25441/arts.30998446.v1>

Media-Marketing and Branded Content Policy Analysis: UK and Spain

November 2025

This report examines and compares the law and regulations affecting branded content in the UK and Spain and examines relevant policy processes and actors including through interviews, roundtable meetings and other research activities.

Hardy, J. et al. (2025) *Media-Marketing and Branded Content Policy Analysis: UK and Spain*, University of the Arts London. <https://doi.org/10.25441/arts.30998674>

Further Information

All the publications discussed and other BCGP reports and outputs can be accessed at https://figshare.arts.ac.uk/BCG_Project

The Branded Content Governance Project (BCGP) is led by academics at three universities. Prof. Jonathan Hardy, University of the Arts London is Principal Investigator, working with two Co-Investigators, Prof. Iain MacRury, University of Stirling, and Prof. Patricia Núñez Gómez, Complutense University of Madrid. The core research team is Dr. Beatriz Carmen Martínez Isidoro, Dr Celia Rangel and postdoctoral researchers Dr. Sanchez-Rebato Valiente and Dr. Maciej Wysokinski at Complutense University; Dr. Maria Establés, University of Castilla-La Mancha, Dr. Lucia Gloria Vázquez Rodríguez, University College London and Dr. Hanna Kubicka, University of the Arts London.

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About the Branded Content Research Network

The work of the BCGP will continue from 2026, including through the Branded Content Research Network. This is a UAL-led international network that brings together academic researchers, industry and civil society interests to explore the practices, arrangements, governance and implications of branded content, native advertising and the convergence of media and marketing communications. The network aims to promote research, collaboration, and dialogue across diverse perspectives.

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