



# INFLUENCERS

## COMPLIANCE GUIDE

A PRACTICAL HANDBOOK FOR UK BRANDS,  
CHARITIES AND ORGANISATIONS WORKING  
WITH INFLUENCERS



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# Ad spending in the Influencer Advertising market in the UK is forecasted to reach US\$1.51bn in 2025.

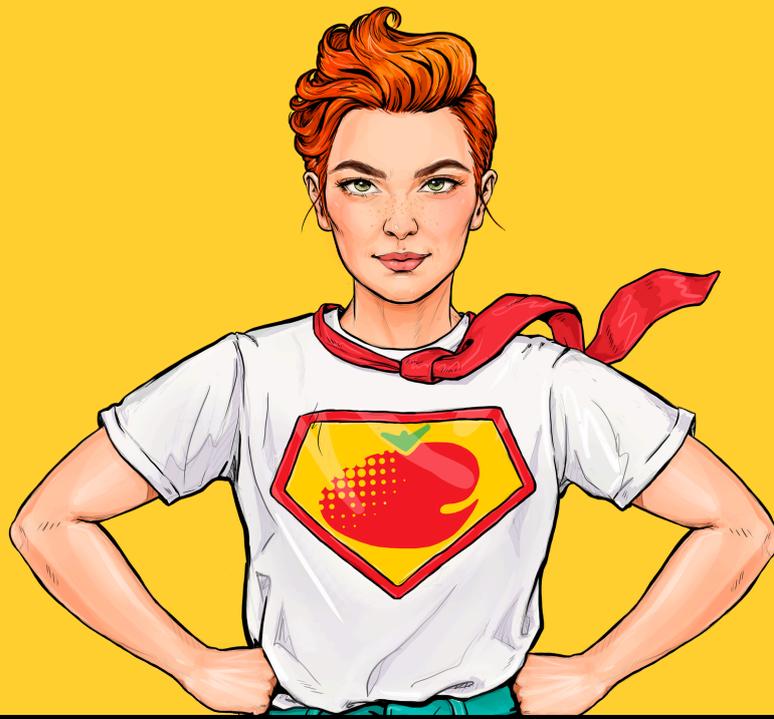
Statista

## INTRODUCTION

You've done your due diligence and picked the right influencer, based on their credentials, content quality, audience, engagement and brand fit. But do you both know what is required from a legal and compliance standpoint?

In the UK, brands are spending nearly £1 billion on influencer marketing in 2024 — up over 15% from the year before. At the same time, complaints about undisclosed influencer ads have nearly doubled in recent years, reminding us that transparency isn't just ethical, it's expected.

This guide is designed to help you understand the rules around influencer marketing and apply them in practice. It also sets out how to check your influencer partners and celebrity ambassadors are staying compliant, helping you demonstrate the transparency and ethical standards today's socially minded, switched-on audiences expect.



# WHO ARE WE?

StrawberrySocial is a leading social media moderation agency specialising in brand protection and online safety.

Our dedicated team safeguards vulnerable users, ensuring safe and engaged online spaces for charities, brands, and communities worldwide, including SuperAwesome, NHS, NSPCC and Samaritans. Find out more at [www.strawberrysocial.com](http://www.strawberrysocial.com).

Our expert team can provide support at every stage of your influencer marketing programme.

- Finding suitable influencers
- Risk assessing and vetting influencers
- Managing brand reputational risk
- Managing and evaluating influencer campaigns
- Our live moderation experts can also vet and review live-streaming content (in real-time) for brands.

Find out more about our Influencer Due Diligence Services at <https://www.strawberrysocial.com/influencer-vetting-service/>

# Simply put, the key rule is that it needs to be clear that ads are ads.

Advertising Standards Authority (ASA) on the CAP Code  
Section 2.1

## WHAT ARE THE RULES?

The main rules to take notice of are the Unfair Commercial Practices provisions in the Digital Markets, Competition and Consumers Act 2024 and the UK Code of Non-broadcast Advertising and Direct & Promotional Marketing (the CAP Code).

The CAP Code, enforced by the ASA, applies to non-broadcast advertising including influencer marketing and social media content and is broken into sections containing rules that relate to different subjects. For example, Section 2 contains rules about how ads should be recognisable as ads, and Section 3 sets out rules that advertisers must follow to avoid misleading people.

The Digital Markets, Competition and Consumers Act 2024 (DMCCA) updates and strengthens the Consumer Protection from Unfair Trading Regulations 2008 (CPRs). It gives the CMA direct enforcement powers, including fines, where businesses, charities or individuals mislead consumers.

Unfair commercial practices, prohibited by law and enforced by the CMA, include:

- Unlabelled advertorials – promotional content that looks like independent editorial
- False consumer impressions – influencers posing as ordinary users when they are endorsing
- Hidden commercial intent – failing to disclose that a social post is incentivised
- Omitting material information – e.g. not saying you are a paid ambassador or received gifts

**People aged 18-29 in the UK are as likely to hear of good causes from influencers as from national charities.**

‘Tomorrow’s Donor, Today’ Second Report, May 2024

# The rules at a glance

Key legal requirements every brand and charity should know before working with influencers

## PAYMENT + CONTROL = AD

If there's payment or benefit and brand control, the CAP Code applies and the post must be labelled "Ad."

## SPECIAL CATEGORIES = STRICTER RULES

Extra restrictions apply for children, health, finance, alcohol, gambling and environmental claims.

## BENEFIT ALONE = DISCLOSURE

Gifts, freebies, tickets or affiliate links still require disclosure under consumer law, even without control.

## UK REACH = UK RULES

If UK consumers are targeted, UK ad and consumer law applies, wherever the content is posted from.

## CLEAR, UPFRONT LABELLING

"Ad" or "Advert" must be obvious and immediate, not hidden in hashtags.

## ALL MEDIA COVERED

The rules apply everywhere - posts, stories, reels, videos, podcasts, livestreams and blogs.

## CONNECTED INDIVIDUALS

Employees, ambassadors, trustees or family members promoting your brand must disclose the connection.

## NO MISLEADING CLAIMS

All claims must be truthful, accurate and backed by evidence.

# WHO ENFORCES THE RULES?



## **ADVERTISING STANDARDS AUTHORITY AND COMMITTEE OF ADVERTISING PRACTICE**

The Committee of Advertising Practice (CAP), whose members represent advertisers, media owners and agencies, is responsible for writing the Ad Codes.

The Advertising Standards Authority (ASA) is the UK's advertising regulator. The ASA makes sure ads across UK media stick to the advertising rules (the Ad Codes).

Visit <https://www.asa.org.uk/> for more information.

## **COMPETITION AND MARKETS AUTHORITY**

The Competition and Markets Authority (CMA) is an independent nonministerial UK Government department and is the UK's principal competition and consumer protection authority. They help people, businesses, and the UK economy by promoting competitive markets and tackling unfair behaviour.

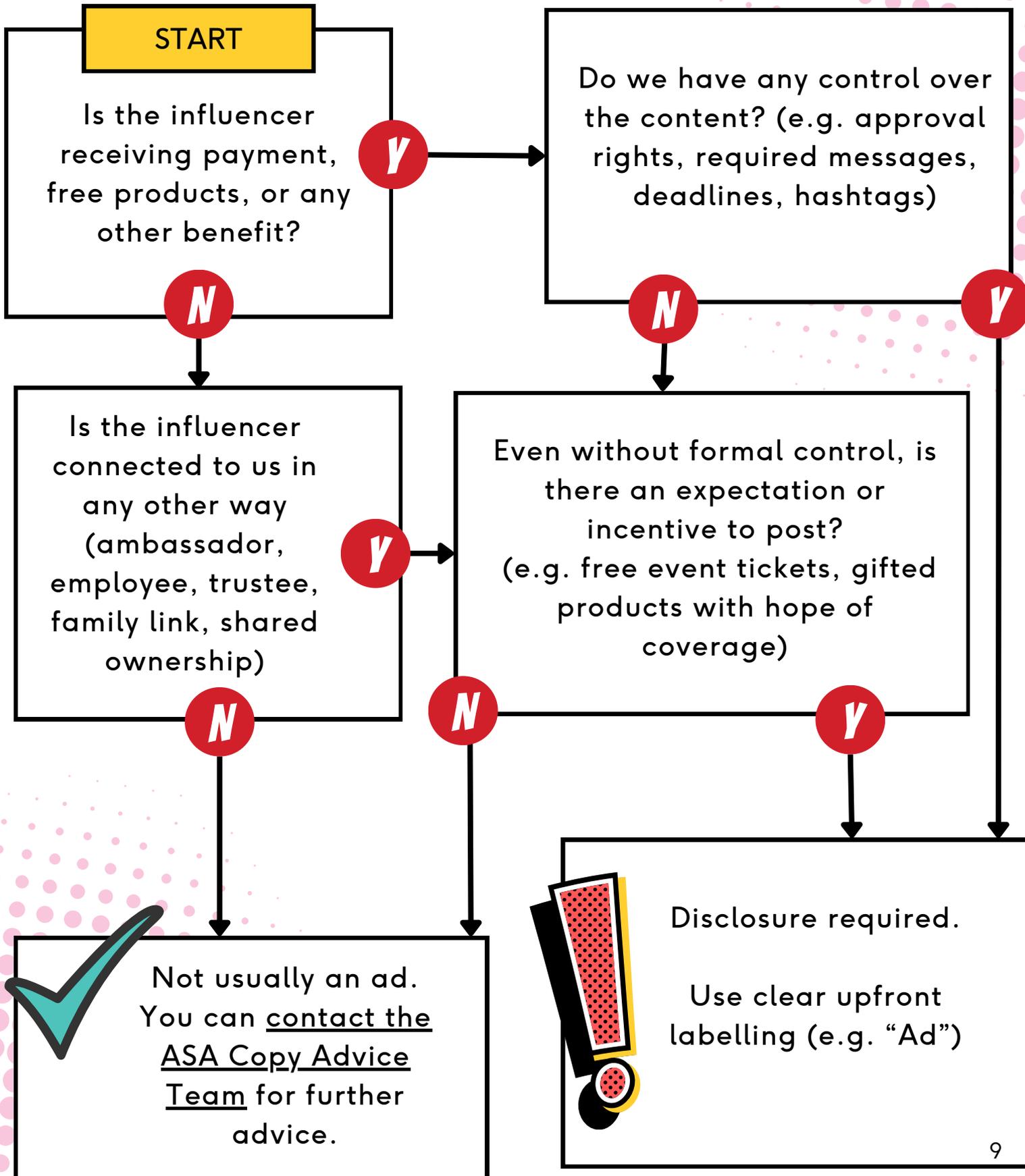
Visit

<https://www.gov.uk/government/organisations/competition-and-markets-authority> for more information.

# When to label influencer content as an ad



A quick decision guide for brands and charities



# What happens if I don't disclose?

If influencer ads aren't properly disclosed, regulators, platforms and the law can impose sanctions - putting your organisation at risk of both penalties and reputational damage.

## POSSIBLE CONSEQUENCES OF NON-COMPLIANCE

### ASA Sanctions

- Your details can be added to a public “non-compliant advertiser” page for up to three months.
- The ASA may run targeted ads to your followers, highlighting repeated failures to disclose ads.

### Platform sanctions

- Social media platforms may remove your content, restrict features, or suspend/close your account.

### Legal enforcement

- The CMA or Trading Standards can take formal action, including investigations and penalties.
- The CMA has already acted against brands for allegedly misleading claims and set clear expectations for both influencers and brands

# Embedding compliance in your influencer programme

A clear compliance process protects both your brand and your influencer.

## INCLUDE AD DISCLOSURE RULES IN INFLUENCER AGREEMENTS AND ONBOARDING PACKS.

That way, expectations are clear from the start and everyone is working to the same standards. We've provided a free Ad Disclosure Compliance Checklist on the next page to make things easier.

## MAKE COMPLIANCE CHECKS PART OF CONTENT APPROVALS.

A quick review before posts go live saves time, avoids takedowns, and protects your brand's reputation.

## REGULARLY REVIEW LIVE POSTS FOR LABELLING.

Spot checks help catch mistakes early and show regulators you're taking compliance seriously.

## KEEP INFLUENCERS UP-TO-DATE WITH CHANGES TO THE RULES.

Sharing updates with influencer partners and brand ambassadors builds trust, demonstrates that you take your responsibilities seriously, and that you are committed to protecting the people you work with as well as your brand.

# Ad Disclosure Compliance Checklist

1. Is this content sponsored, gifted, or controlled by a brand?

2. Has it been labelled clearly with 'Ad' at the start?

3. Is the disclosure visible on all frames/stories?

4. Would the audience instantly recognise this as an ad?

5. Are claims made in the content truthful and accurate?

**Clarity builds confidence:  
in your brand, in your  
influencers, and in your  
campaigns.**

# Further information & Support

-  [ASA Influencer Marketing Key Advice Resource Hub](#)
-  [Reviews and social media endorsements: guidance for businesses and brands](#)
-  [Reviews and endorsements: principles for social media platforms](#)
-  [Social Media Endorsements Case Page](#)
-  [Unfair Commercial Practices](#)
-  [ISBA Influencer Marketing Code of Conduct](#)
-  [IAB Best Practice Guidelines](#)
-  [Influencer Marketing Trade Body \(IMTB\)](#)
-  [Influencer Vetting Services & Support](#)

This guide is for general guidance only and not legal advice. For clarification or up-to-date rules, please check the ASA, CAP or CMA.

# Partner with the right influencers

Protect your brand's reputation with our expert influencer vetting service.



## Why choose StrawberrySocial as your influencer due diligence partner?

Our influencer investigators are professional moderators and certified online safety experts and highly trained to spot problematic content in context.

Unlike using AI influencer tools alone, our comprehensive influencer vetting service includes a manual deep dive by online safety experts who can:

- Thoroughly review video, audio and image content (Not just hashtags and subtitle text as AI tools do)
- Uncover content designed to evade AI moderation filters such as emojis, constantly changing trends, slang and code words.
- Review content in foreign languages, including localisation and cultural relevance
- Provide expert insights and recommendations based on many years of real-world experience. All our moderators are well-versed in UK and US online safety policies (COPPA, GDPR, CARU.)

## Talk to us



**EMAIL**

[info@strawberrysocial.com](mailto:info@strawberrysocial.com)



**PHONE**

020 3873 1092

