



Hollyoaks

Type of case	Broadcast Standards
Outcome	In Breach
Service	E4
Date & time	18 February 2025, 19:00
Category	Product placement
Summary	The programme featured references to a placed product that were promotional and unduly prominent, in breach of Rules 9.9 and 9.10.

Introduction

The licence for E4 is held by Channel Four Television Corporation (“Channel Four” or “the Licensee”).

Hollyoaks is a soap opera broadcast regularly across E4’s schedule.

The episode broadcast on 18 February 2025 featured oral and visual references to the financial technology company, ClearScore, which sponsored the programme. A complainant considered the “the programme’s content [had] clearly been distorted” to include these references, which they found “not at all natural”.

During this episode, the character, Ste Hay, suddenly reminded himself of a task he had to carry out:

Ste: *“I’m sure there was something I needed to do. Yep, I need to check my ClearScore app. Our Lucas [Ste’s son] wants a new laptop”.*

Later in the programme, Ste and Lucas were busy at work in a restaurant kitchen:

Ste: *“Right, keep them coming Lucas ... Er, well done for today, mate. You’ve done a great job”.*

Lucas: *“Thanks Dad. [Holding out two plates of food:] Dad!”*

Ste: [Turning to Lucas and taking the plates from him:] *"Oh, thanks. Well, actually, erm..."*

Ste pulled out his smartphone, holding it with the ClearScore app clearly visible on-screen. The app was obtaining Ste's credit score. Ste looked at his phone and then showed it to Lucas, the app clearly revealing his father's credit score. After a brief shot away (to another character), we saw Ste facing Lucas. Ste was still looking at the ClearScore app, which was now superimposed as an on-screen graphic between him and Lucas. The app's text read: *"Welcome Ste"*, and presented a link that stated: *"Offers for you"*, *"Purchase Credit Card"*, *"0% Interest"* and *"+ see more"*. A screen of the offers provided through the app then slid into view and Ste scrolled the information slightly, which revealed that he was being offered three different credit cards. The app's text read: *"Credit cards"*, *"ClearScore is a credit broker, not a lender"* and *"Purchase cards"*, under which an image of each credit card on offer to Ste was shown. Each was accompanied with bespoke information. This stated the period for which the card would provide *"0% interest on purchases"*, which was reiterated as an *"interest free period"*, together with its *"Guaranteed APR"* and the *"Credit limit"* it offered. During this time – i.e. while and after Ste was using the ClearScore app – the conversation was as follows:

Ste: [Deliberately, with pauses as he used the ClearScore app:] *"See this? They've shown me some options – based on my financial situation – and – it looks like I can get you that laptop for your studies!"*

Lucas: *"Are you serious?"*

Ste: *"I really want you to make a go of this, Lucas – [gesturing to the ClearScore app on his phone] and these guys are going to help me make it happen!"*

Channel Four confirmed that the references to ClearScore were the result of a product placement agreement, which was separate from the Licensee's arrangement with the company as the sponsor of *Hollyoaks* (at the time of broadcast).

Ofcom considered the material broadcast warranted investigation under the following Code rules:

Rule 9.9: "References to placed products, services and trade marks must not be promotional".

Rule 9.10: "References to placed products, services and trade marks must not be unduly prominent".

We therefore asked the Licensee how it considered the above references to ClearScore complied with these rules.

Response

Channel Four said its product placement arrangement with ClearScore had allowed for two oral references and one visual reference to that company during the episode of *Hollyoaks*. It considered these references were editorially justified and explained that, "as part of the sponsorship and product placement agreements, potential integrations into existing storylines were proposed to ClearScore by the programme editorial team, in consultation with the programme compliance team", adding that, "ClearScore had no editorial input into the storyline of the programme".

Channel Four explained that Ste had been “a central character over many years and had one of the main storylines of recent months, as he attempt[ed] to rebuild his family following the death of his partner and spending a year in a coma”. It added that “part of this storyline [was] his return to work to support his family, which [included] rebuilding his relationship with son Lucas and providing for him”.

Channel Four referred to the first placed reference to ClearScore, which was made near the beginning of the programme, describing it as “when Ste says that he needs to check his ClearScore App as he wants to get Lucas a new laptop”. The Licensee added that, “importantly, there [was] no visual reference at this point”. It then referred to the second placed reference, which featured just after the commercial break, describing it as “when Ste shows Lucas that he has checked the ClearScore App...and says that it has shown him options based on his financial situation and he is able to buy [Lucas] a new laptop for his studies”. Channel Four added that, “crucially, there [was] no verbal reference to ClearScore here”.

Channel Four said that, when deciding on the placements, it had considered: whether they would be “easily accommodated editorially”; whether viewers would “be likely to perceive [them] as natural and in keeping with the programme’s style and content; and whether “any repetition of reference to the product, in vision or sound or both, [would] suggest that the placement [guided] or [distorted] the editorial content”. The Licensee said it considered that, “the established storyline, of Ste supporting his son in pursuing further education by attending college, naturally accommodated the placement of the ClearScore app” and its “integration aligned with the programme’s existing editorial narrative” without distorting its content.

Channel Four reiterated that the first placement “was a very brief passing verbal reference only” and “the second placement did not mention ClearScore in dialogue, was only briefly on screen and the ClearScore brand was shown in small font only”. It added that, in each instance, “the characters and action moved quickly on – as is always the case in this fast-paced show”.

The Licensee also said that, “given the nature and age of the *Hollyoaks* audience, who are regular users of mobile devices, and the programme’s long-established creative style of integrating phone, social media and app graphics on screen, the ClearScore integration felt consistent with audience expectations”. It also provided, “for context”, sample screenshots “illustrating this creative approach that has been used for many years on the programme”. The Licensee added that, in this instance, “the graphics were carefully edited to remove all calls to action, claims, and promotional language” and “the visuals of credit cards briefly seen in the sequence were mocked up, meaning there were no actual or real products featured in the scene other than the ClearScore app”.

Channel Four said it considered “the verbal references to the app to be editorially justified, appropriately brief, and neither unduly prominent nor promotional” and “the scene featuring the product placement was short in duration and seamlessly integrated into an established setting”. It added that “the episode was also clearly signalled as including Product Placement, in accordance with the Ofcom Broadcasting Code”.

The Licensee therefore considered this product placement of ClearScore complied with the Code.

Decision

Reflecting our duties under the Communications Act 2003, Section Nine of the Code includes rules that apply to product placement in television programmes.

To ensure that a distinction is maintained between editorial and advertising, the Code limits the prominence that brands can be afforded in programmes. This is the case whether a brand reference in a programme results from a product placement arrangement or otherwise.

The Code defines product placement as “the inclusion in a programme of, or of a reference to, a product, service or trade mark where the inclusion is for a commercial purpose, and is in return for the making of any payment, or the giving of other valuable consideration, to any relevant provider or any person connected with a relevant provider, and is not product placement”.

In this instance, specific references in the programme to ClearScore were made as a result of a product placement agreement.

Undue prominence

Rule 9.10 of the Code requires that “references to placed products, services and trade marks must not be unduly prominent”.

Undue prominence is not solely a matter of the size or duration of such references. The nature of the programme, likely audience expectations and the suitability of a reference are some of the other factors Ofcom will take into account when determining whether a reference is unduly prominent. The extent and nature of the exposure a placed reference receives needs to be considered against the editorial requirements of the programme.

Editorial justification is only one of the fundamental tests by which Ofcom judges whether the prominence given to a brand in programming is undue. Ofcom’s guidance also makes clear that the degree of prominence that may be afforded to a brand will depend on the context in which it appears.

From Channel Four’s representations, it was clear that such considerations (and others) were undertaken in this instance, the Licensee having considered appropriate editing of the screened ClearScore app graphic and the nature of the references made to the brand, which included whether:

- they were editorially justified;
- viewers would likely perceive them as natural and in keeping with the programme’s style and content;
- they avoided guiding or distorting the editorial content; and
- they were seamlessly integrated into an established setting.

However, Ofcom disagreed with the Licensee’s conclusion that the storyline following Ste’s support for his son’s pursuit of further education naturally accommodated all the references to ClearScore app made in the programme. Further, we did not agree that the placement aligned with the programme’s existing editorial narrative without distorting its content.

Ofcom accepted that *Hollyoaks* regularly features images of smartphones, their use, the graphic representation of messages and the use of specific apps, and that its viewers expect this. Further, Ofcom acknowledged that, in this instance, the storyline of Ste trying to pick up responsibility for Lucas, and finding that he needed to secure a means to purchase a laptop, to help his son with his studies, may have provided sufficient editorial justification for him to infer that ClearScore was a possible aid to this.

However, in Ofcom's view, the material broadcast went beyond this, appearing to become a demonstration of how to use the app for the purpose of obtaining finance.

Ofcom acknowledged that offering potential credit card services is a common attribute of financial technology companies. However, in this instance, it was Ofcom's view that, although a passing reference to ClearScore's provision of such options may have supported the storyline, the focus given to how they were offered and selected when using the app appeared to distort it.

Although there may have been sufficient editorial justification for referring to ClearScore as a means to obtaining credit, there was no such justification for detailing how to do this when using the app. While these details were relatively brief, Ofcom judged that viewers' attention was likely to have been distracted by this, away from the editorial content of *Hollyoaks*.

The placed references to ClearScore therefore became unduly prominent, in breach of Rule 9.10.

Promotion

Rule 9.9 of the Code requires that "references to placed products, services and trade marks must not be promotional".

Ofcom acknowledges that references to the attributes of a product or service need not be promotional. However, in this instance, the references to ClearScore not only highlighted it as a means to obtain credit, but did so in a manner that gave undue prominence to the brand, as outlined above. In Ofcom's view, by describing and showing details, albeit briefly, of how to use the app for the purpose of obtaining finance, without sufficient editorial justification, such references to ClearScore served only to promote that brand.

This was compounded by the nature of the credit on offer through the ClearScore app. Notwithstanding the fact that the possible credit options it provided used mock-ups of fictitious credit cards, Ste made clear that the offers made had been personalised (*"they've shown me some options – based on my financial situation"*) and the offers themselves detailed attractive selling points, such as 0% finance over fixed periods and personalised credit limits. Further, Ste talked about how the ClearScore app could provide a solution to his financial problems, when he explained his commitment to buying a laptop for his son's studies, by saying: *"I really want you to make a go of this, Lucas – [gesturing to the ClearScore app on his phone:] and these guys are going to help me make it happen!"*

The references to ClearScore broadcast in this episode of *Hollyoaks* were also therefore promotional, in breach of Rule 9.9.

Decision: Breach of Rules 9.9 and 9.10