



ANA/AAAA "RULES OF THE ROAD" FOR AGENCY SEARCH CONSULTANTS



A Position Paper from the American Association of Advertising Agencies & the Association of National Advertisers, Inc.

This document sets forth seven "Rules of the Road" for agency search consultants to follow when conducting an agency review. The guidelines have been endorsed by the boards of directors of the Association of National Advertisers, Inc. and the American Association of Advertising Agencies. Any list of consultants maintained by the ANA or AAAA will indicate whether a consultant has agreed to adhere to these principles.

1. Release of Material Requested

All data, information, and materials requested from the agency should be relevant to the specific search being directed by the consultant on behalf of an identified advertiser. The consultant should not request information for the purpose of building his/her own databases. Financial information on the management and operation of the agency that is not relevant should remain proprietary to the agency.

2. Confidentiality of Material and Data Submitted

All parties in the search process—advertiser, agency, and search consultant—should be asked to sign off on the confidentiality of information provided by any of the parties. Proprietary information should not be released to any other party or used for any purpose other than the project for which it was collected without the written permission of the information's source.

3. Conflict of Interest

Consultants who participate in new business searches, compensation reviews, or other assignments for advertisers should neither solicit business from agencies nor accept assignments requested by participating agencies. Consultants also should disclose to their clients, in advance, any fees or commissions they have received, or will receive, from any agencies involved in the search process for any type of services rendered to those agencies.

Consultants should also provide the advertiser with an employment history; if any of the consultant's work experience was with an agency, the consultant should specify his/her titles and responsibilities with the agency, including whether he/she has ever been directly employed with an agency under consideration.

4. Searches for "Undisclosed Advertisers"

Consultants should not request any proprietary or sensitive information or materials from agencies until the advertiser can be identified. The information requested at the undisclosed stage should be confined to an agency's capabilities, work samples, history, organizational structure, case histories, etc.

Information beyond that which can be found on www.AAAAagencysearch.com or the agency's own Web site should only be requested after the consultant confirms in writing to the agency that the review is not being conducted on behalf of a company, service, or product conflicting with a list of clients provided by the agency. This list should remain as confidential as any other document provided by any of the parties during the review process.



5. Nonexistent or Unassigned Searches

The consultant should agree not to solicit information from agencies for prospective assignments (i.e., assignments that have not been contracted for by an advertiser), or use a fabricated search as a means of collecting database information on agencies. This would include soliciting information from agencies whose capabilities clearly do not meet the criteria for an assignment.

6. Agency Fees for Inclusion in New Business Search

Agencies should not be required to pay a fee to a search consultant in order to participate in an agency review conducted by the consultant; similarly, agencies should not be required to pay such a fee for winning an account review. Agencies also should not be required to pay a fee in order to have their credentials listed in a consultant's database as an inferred means of participating in account reviews conducted by the consultant.

7. Consultant Public Comments Regarding Agencies and Searches

It is often in the best interest of the agency search to keep the process confidential. Therefore, the consultant must not talk to the media, unless agreed to by the advertiser.

It is inappropriate for a consultant to publicly comment on the strengths and weaknesses of any agency, particularly those participating in a review currently being conducted by that consultant. Such comments, either complimentary or derogatory, can be detrimental to the interests of advertiser, agency, and search consultant since they cast doubt on the objectivity of the consultant as an impartial facilitator in the search process.