



RESPONSIBLE AI

Generative AI Governance for Marketing

An MMA Framework



Generative AI Governance Framework for Marketing

Executive Summary

As generative AI increasingly transforms marketing practices, organizations need robust governance frameworks to harness its potential responsibly. The Generative AI Governance Framework for Marketing provides organizations with a comprehensive roadmap for harnessing the power of generative AI while safeguarding consumer interests and ensuring legal compliance.

The framework consists of three components: governance dimensions, an implementation guide outlining steps such as assessment, policy development, training, monitoring, and establishing feedback loops, and a decision tree.

Core Principles:

1. Fairness and Non-Discrimination
2. Transparency and Accountability
3. Privacy and Data Protection
4. Human Oversight and Control

Key Governance Dimensions:

- Generative AI Policy
- Data Management
- Model Development
- Communication & Disclosure
- Monitoring & Evaluation
- Legal Compliance and Industry Standards
- AI Governance & Risk Mitigation Policies

A comprehensive decision tree helps organizations evaluate their readiness for generative AI in marketing, directing them to adjust their strategy or proceed with the AI solution based on their responses. It covers crucial aspects such as:

- Purpose of AI use (e.g., content creation, personalization)
- Ethical considerations (privacy, bias, transparency)
- Vendor evaluation
- Data governance
- Legal compliance
- Innovation vs. consumer protection balance

This framework enables marketers to address ethical complexities, ensure innovation, and maintain consumer trust while complying with legal standards. It emphasizes continuous refinement as generative AI evolves, balancing transformative potential with responsible implementation.

Introduction

Generative AI is transforming marketing, offering both innovative capabilities and ethical challenges. This transformation necessitates robust governance to ensure ethical application, protect consumer interests, and drive responsible innovation. This necessity has birthed the Generative AI Governance Framework for Marketing, designed to guide organizations in harnessing the benefits of generative AI while navigating its complexities with integrity.

This framework consists of three components:

1. A list of governance dimensions
2. An implementation guide
3. A decision tree

Core Principles

The framework is founded on core values derived from the EU High-Level Expert Group on AI's Ethics Guidelines for Trustworthy AI and the OECD Principles on AI. These values should inform all interactions with generative AI:

1. **Fairness and Non-Discrimination:** Actively counter potential biases in both data sets and the resulting AI models. Promote equality, ensure fair representation, and prevent discriminatory outcomes that can deny opportunities, perpetuate stereotypes, or exacerbate existing inequalities.
2. **Transparency and Accountability:** Cultivate trust through clear disclosure about the usage of generative AI. Maintain clear lines of responsibility, offer readily accessible channels for reporting potential harms or breaches of trust, and enable stakeholder understanding of decision-making processes.
3. **Privacy and Data Protection:** Adhere to privacy and AI regulations (GDPR, CCPA/CPRA, EU AI Act, etc.), prioritize user consent, and collect and use data responsibly. Invest in secure data infrastructure to protect individuals' personal information and prevent unauthorized access or misuse.
4. **Human Oversight and Control:** Maintain "human-in-the-loop" safeguards whenever necessary, ensuring AI systems are carefully

monitored and evaluated. AI should enhance rather than supplant human decision-making and expertise, particularly in situations where sensitive or high-risk outcomes are possible.

By aligning the core principles with established frameworks, this governance framework ensures consistency with widely accepted standards while still tailoring the values to the specific context of generative AI in marketing. This provides a solid foundation for the responsible development and deployment of these powerful technologies.

Governance Dimensions

1. Generative AI Policy

Before starting a generative AI project, your organization should enact policies that govern the use of generative AI, to promote risk mitigation while enabling innovation. These policies should be guided by the core values of fairness and non-discrimination, transparency and accountability, privacy and data protection, and human oversight and control. Here's how these values translate into the components of a successful generative AI policy:

Content Creation and Usage Guidelines

- **Monetizable Content:** Require significant human intervention for AI-generated content intended for direct monetization. This protects against potential copying due to current copyright standards for AI-generated works.
- **Non-Monetizable Content:** Permit AI assistance for ideation, drafts, or non-commercial material when aligned with legal and ethical guidelines. Implement human review processes to ensure quality and accuracy.
- **Internal vs. External Usage:** Designate appropriate use cases for internal optimization versus external customer-facing content. Apply stricter oversight and review processes for external materials.

Sharing Confidential & Proprietary Information

- **Partners & Agencies:** Stipulate confidentiality rules and outline the current legal landscape before granting partners access to generative AI systems. Ensure partners understand and agree to your AI usage policies.

- **Third-Party AI Services:** Prohibit entering sensitive or proprietary company data into external AI services not governed by an enterprise agreement with a confidentiality clause. Implement technical safeguards to prevent unauthorized data sharing.

Ethical Considerations

- **Respect for Intellectual Property:** Require adherence to copyright laws and prohibit using AI to infringe upon the rights of others. Provide clear guidelines on proper attribution and fair use.
- **Fair & Balanced Representation:** Implement measures to counteract potential biases in AI models, particularly for content involving sensitive categories. Regularly audit AI outputs for inclusivity and fairness.
- **Transparency in AI Use:** Establish clear guidelines for disclosing the use of AI in any consumer-facing AI system, as required by the Colorado AI Act. Ensure transparency in AI-driven decision-making processes.

Quality Control and Verification

- **Critical Assessment:** Educate employees about AI's potential to generate incorrect or misleading information. Establish strict verification and fact-checking protocols for AI-generated content.
- **Output Verification:** Require employees to fact-check and verify AI output before use, especially for seemingly authoritative information. Implement multi-stage review processes for critical content.

Data Management

- **Permissible/Restricted Data:** Clearly define what data can and cannot be used to train or influence AI models. Consider privacy, intellectual property, and industry-specific regulations (e.g., HIPAA, financial regulations).
- **Data Governance:** Implement robust data governance practices to ensure compliance with relevant regulations and protect sensitive information. Regularly audit data usage in AI systems.

Responsibilities & Adherence



- **Employee Training:** Provide ongoing training on ethical AI use, copyright implications, specific policies, and best practices. Ensure all employees understand their responsibilities when using AI tools.
- **Violation Reporting:** Establish a clear process for reporting policy violations or ethical concerns. Implement a non-retaliation policy to encourage open communication.
- **Policy Updates:** Regularly review and update the AI policy to reflect evolving technologies, regulations, and best practices. Communicate changes promptly to all relevant stakeholders.

2. Data Management

Robust data governance forms the bedrock of responsible generative AI deployment in marketing. Protecting data for all involved – consumers, employees, and the organization itself – necessitates explicit policies governing acquisition, retention, and utilization. Here's what strong data governance requires:

Responsible Data Practices

- **Data Minimization:** Prioritize collecting only essential data necessary for the specific generative AI application. Actively implement de-biasing techniques across datasets to minimize harm and unfair outcomes.
- **Stakeholder Transparency:** Clearly inform consumers, employees, and relevant partners about data collection, use policies, and any potential impacts of generative AI technologies.

Data Security

- **Protection Measures:** Employ strong encryption and access controls and conduct regular security assessments to safeguard employee, consumer, and company data.
- **Compliance:** In all data-handling practices, strictly adhere to international privacy and AI statutes, industry regulations, and ethical norms.

Ongoing Stewardship

- **Periodic Audits:** Implement regular audits to assess data integrity, detect potential biases, and ensure overall alignment with privacy principles.
- **Clear Protocols:** Establish well-defined protocols for data transparency, consent management, and secure data access procedures.

3. Model Development

Integrating generative AI into marketing demands a focus on ethical considerations, human-centric design, and transparency to align with organizational and consumer welfare. Policies should specifically address:

Bias Mitigation & Transparency

- **Bias Assessments:** Conduct regular bias assessments on datasets and models, ensuring fair treatment across diverse consumer groups and proactively mitigating potentially discriminatory outcomes.
- **Transparency & Accountability:** Prioritize AI methods that offer insights into decision-making processes (e.g., feature importance, attention mechanisms). This promotes explainability and understanding of model behavior and facilitates responsible use.

Explainability & Interpretability

- **Explainability:** Whenever possible, employ AI methods that explain their outputs for enhanced troubleshooting, understanding, and ethical use.
- **Managing Limitations:** Acknowledge when outputs might lack clear reasoning. Document the decision-making processes and emphasize the need for heightened scrutiny and human-in-the-loop review in such cases.
- **Context-Driven Approach:** Tailor the level of explainability required based on the specific marketing use case, recognizing that some scenarios demand greater transparency.

Human Oversight


- **Critical Scenarios:** Clearly define scenarios demanding substantial human intervention and judgment before adopting AI-generated outcomes. Emphasize that AI should augment, not replace, human decision-making, especially in high-impact contexts.

4. Communication & Disclosure

Transparency and accountability are essential to responsible AI in marketing. It is imperative for organizations to clearly articulate the extent and manner in which AI influences their marketing strategies. This includes transparent communication about data collection, analysis, the decision-making processes powered by AI, and the specific terms and conditions governing these activities.

To ensure transparency and accountability:

- **Audit Trails and Compliance Checks:** Implement mechanisms for tracking AI decisions and data integrations, ensuring adherence to internal policies and external regulations.
- **Compliant Terms & Privacy Statements:** The FTC says it will go after companies that 'quietly' change privacy policies to mine user data for AI. Make sure your user agreements



are easily understandable to consumers and follow the commitments that user data was collected under.

- **Disclosure Policies:** Set internal and external communication standards regarding the use of generative AI, including limitations or potential risks.
- **Feedback Channels:** Enable open communication where consumers, experts, and internal stakeholders can voice concerns and contribute to a culture of ethical awareness.

5. Monitoring & Evaluation

The dynamic nature of generative AI requires a governance model that is flexible and responsive. To ensure ongoing alignment with ethical guidelines, policies, and responsible use, implement continuous monitoring, assessment systems, and clear criteria for model deployment readiness. Successfully adapting to AI developments requires:

- **Readiness Evaluation:** Define specific metrics and benchmarks addressing privacy, security, and ethical considerations that a model must meet before deployment, both internally and externally. Conduct thorough reviews encompassing:
 - Bias and fairness assessments
 - Robustness against adversarial attacks
 - Transparency and explainability (where applicable)
 - Alignment with legal and regulatory requirements
- **Regular Assessments:** Establish periodic reviews to track ethical alignment, address data quality, ensure fairness, and adapt to evolving technologies, regulations, and consumer expectations. Incorporate updates as needed to stay aligned with industry best practices.
- **Employee Education:** As generative AI technologies evolve, so must the competencies of marketing professionals who wield them. Equip your workforce with the knowledge and skills necessary to navigate the complexities of AI in marketing with ethical consideration and strategic acumen through a commitment to continuous learning.
- **Consumer Redress Escalation:** Establish transparent escalation channels to address concerns regarding AI-generated content or experiences. This demonstrates your organization's commitment to ethical practice and accountability.

6. Legal Compliance and Industry Standards

Operationalizing AI in marketing demands a deep understanding of relevant laws and industry norms across AI, intellectual property, consumer protection, and privacy. To build an environment of trust and reliability, organizations must align AI initiatives with these best practices:

- **Proactive Compliance:** Monitor industry-specific developments and regulatory changes to ensure compliance with regulatory standards (data privacy, consumer protection, intellectual property).
- **Industry Engagement:** Participate in forums, workshops, and conferences to stay informed about best practices and emerging risks. Collaborate with experts, other organizations, and regulatory bodies whenever possible. This provides a platform for exchanging ideas and experiences that can guide the refinement of governance practices.

7. AI Governance & Risk Mitigation Policies

Establishing comprehensive AI governance and risk mitigation policies is crucial for addressing potential risks and ensuring responsible AI use in marketing. These policies should cover risk assessment processes, accountability structures, incident response plans, and the formation of a cross-functional AI Council to guide decision-making.

- **Comprehensive Policies:**
 - Craft clear policies around risk assessment, outlining processes to identify, manage, and reduce potential risks arising from generative AI projects. This includes the risk of misinformation, unfair outcomes, discrimination, or loss of intellectual property control.
- **Accountability & Responsibility Structures:**
 - Define clear roles (e.g., product manager, legal, data scientist, etc.) for implementing, monitoring, and responding to governance and risk procedures in generative AI use.
- **Incident Response Plans:**
 - Develop procedures for addressing AI-related incidents, including customer complaints, system failures, or potentially harmful outcomes.
- **AI Council:**
 - Establish an AI Council with cross-functional members from marketing, communications, legal, privacy, and product departments to advise on risks, mitigations, and project approvals based on comprehensive risk assessments.

Implementation Steps

1. **Assessment:**
 - a. Conduct a comprehensive review of existing marketing practices and technologies to pinpoint areas where AI governance can be integrated or improved.
 - b. Identify gaps in current practices and opportunities for incorporating AI governance principles, focusing on ethical use, data management, and transparency.
 - c. Seek out similar efforts in the industry to learn from successes and potential missteps. This helps ensure resources are used efficiently and avoids unnecessarily duplicating work.
2. **Policy Development:**

- a. Create and formalize policies and guidelines that reflect the principles outlined in the governance framework. These policies should be tailored to the organization's specific needs and objectives and cover aspects such as ethical AI use, data privacy, and consumer protection.
 - b. Ensure these policies are accessible to all employees and stakeholders and integrated into marketing departments' operational workflows.
- 3. Training and Awareness:**
- a. Develop and execute a training program for marketing teams and other relevant stakeholders. This training should cover the importance of AI governance, the details of the newly developed policies, and the practical steps for ensuring compliance.
 - b. Secure an executive sponsor for this initiative to underscore its organizational importance and facilitate resource allocation.
 - c. Aim to build a culture of ethical AI use within the organization, emphasizing the significance of responsible marketing practices.
- 4. Monitoring and Evaluation:**
- a. Set up systems and processes for ongoing monitoring of AI applications within marketing initiatives. This includes mechanisms for tracking performance, evaluating the ethical implications of AI use, and ensuring adherence to governance policies.
 - b. Implement regular review cycles to assess the effectiveness of AI technologies and governance practices, adjusting as necessary.
- 5. Feedback Loop:**
- a. Establish a structured feedback loop that involves key stakeholders, including marketing professionals, consumers, and potentially external advisors. This loop should facilitate the continuous collection of feedback on AI governance practices and AI-driven marketing activities.
 - b. Use this feedback to iteratively refine and improve governance frameworks, policies, and practices, ensuring they remain relevant and effective in the face of evolving technologies and market dynamics.

Decision Tree for Generative AI Marketing Readiness

1. Start: Planning to Use Generative AI in Marketing
 - a. Determine Purpose of AI Use
 - i. Content Creation
 - ii. User Generated Content
 - iii. Personalization
 - iv. Other
 - b. Evaluate Ethical Considerations
 - i. Privacy and Data Protection



1. Do you have consent to use the data?
2. Is the data anonymized and privacy-preserving techniques implemented?
- ii. Bias and Fairness
 1. Have you assessed the data and AI model for bias?
- iii. Transparency
 1. Can the AI's decision-making process be explained?
 2. Is there clear communication to consumers about AI's role?
1. Vendor Evaluation (for companies not building their own AI)
 - a. Existing Vendor Capabilities
 - i. Can current technology partners support AI experimentation?
 - b. Vendor Due Diligence
 - i. Do vendors adhere to ethical practices, data handling, and transparency standards?
 - c. Cost-Benefit Analysis
 - i. Are the costs and dependencies justified by the expected benefits?
 - d. Regular Vendor Audits
 - i. Are processes in place to review vendors' adherence to obligations and standards?
2. Data Governance Assessment
 - a. Data Acquisition
 - i. Is the data sourced ethically and legally?
 - ii. Is the data relevant and necessary?
 - b. Data Security
 - i. Are there robust and effective security measures in place?
 - ii. Is there a protocol for data breaches?
3. Transparency and Accountability
 - a. Decision Documentation
 - i. Are AI decisions and criteria documented?
 - b. Incident Management
 - i. Is there a plan for AI-related incidents?
4. Legal Compliance and Industry Standards
 - a. Regulatory Compliance
 - i. Are you compliant with local and international AI regulations?
 - b. Industry Guidelines
 - i. Do practices align with industry standards for ethical AI use?
5. Innovation vs. Consumer Protection
 - a. Innovative Applications
 - i. Does the AI application offer significant value without compromising consumer rights?
 - b. Consumer Rights and Protection
 - i. Are there mechanisms to address consumer concerns about AI-generated outcomes?

6. Continuous Improvement
 - a. Policy and Practice Review
 - i. Is there a schedule for regular review of AI policies and practices?
 - b. Stakeholder Feedback
 - i. Is feedback from consumers and other stakeholders integrated into AI governance?
7. Decision Points:
 - a. If any path leads to "No," direct to "Review and Adjust Strategy."
 - b. If all paths lead to "Yes," proceed to "Implement AI Solution."

Conclusion

The Generative AI Governance Framework for Marketing establishes a structured approach for ethically and effectively integrating AI technologies within the marketing sector. By following this framework, marketers are equipped to address the ethical intricacies of AI, ensuring innovation and consumer trust while maintaining compliance with legal and regulatory standards. This framework represents a solution and a beginning, prompting continuous conversation and refinement as generative AI advances. It underscores the ongoing commitment required to align AI's transformative potential with ethical responsibility, consumer protection, and regulatory adherence, setting a course for sustainable innovation in marketing.

Acknowledgment

We extend our gratitude to a distinguished group of individuals whose contributions have supported the development of the Marketing AI Implementation Checklist, a guide for adopting AI technologies responsibly and effectively.

Alec Foster's Contributions:

Our special thanks to Alec Foster, whose invaluable insights and profound expertise in responsible AI and marketing have been instrumental in creating and shaping this framework.

MMA's AI Leadership Coalition (ALC):

We also acknowledge MMA Global's AI Leadership Coalition (ALC). Comprising over 300 members from more than 160 brands, the ALC is the largest working group dedicated to responsibly and effectively applying AI in marketing.

ALC Contributors:

We are appreciative of the experience brought in by these key contributors from the ALC:

- **Joe Veverka**, Microsoft
- **Justin Thomas-Copeland**
- **Ceren Turkben Kaya**, Mastercard
- **Oliver Smith**, Daedalus Futures

We also extend our thanks to **Greg Stuart**, MMA Global CEO, **Rex Briggs**, ALC’s other subject matter expert, and **Hassan Khater**, ALC’s program manager, for their guidance in shaping the framework. And thanks to all the members of MMA’s ALC below.

ALC Members:



About the Author

Alec Foster, a trailblazer in responsible AI and ethical marketing, brings over a decade of expertise honed at Google, the White House, and entrepreneurial ventures. As MMA Global's Responsible AI Subject Matter Expert, Alec champions social progress and sustainable innovation through responsible AI practices in marketing. With an M.St. in AI Ethics from the University of Cambridge and a CIPP/US privacy certification, Alec excels in crafting AI-driven growth strategies that align consumer trust with business objectives. His contributions include developing machine learning models that simplify consumer arbitration and serving on the boards of algorithmic accountability nonprofits. Guided by his mission to champion transparent, respectful, and integrity-driven technology, Alec Foster leaves an indelible mark on the world of responsible AI and ethical marketing.

About MMA

Comprised of over 800 member companies globally and 15 regional offices, the MMA is the only marketing trade association that brings together the full ecosystem of marketers, martech, and media companies working collaboratively to architect the future of marketing while relentlessly delivering growth today. Led by CMOs, the MMA helps marketers lead the imperative for marketing change – in ways that enable future breakthroughs while optimizing current activities. The MMA is committed to science and questioning and believes that creating marketing impact is steeped in constructively challenging the status quo, encouraging business leaders to aggressively adopt proven, peer-driven, and scientific best practices without compromise. The MMA invests millions of dollars in rigorous research to equip marketers with unassailable truth and actionable tools. By enlightening, empowering, and enabling marketers, the MMA shapes future success while propelling business growth.



 **MMA**

#SHAPE**T**HE**FUTURE**[®]

Visit mmaglobal.com for more