

**Meeting: TCF Governance Board**

**Date and Time: Wednesday 26 JANUARY 2022 at 17:00 (CET)**

**Venue: Conference call**

**Present:** Thomas Peruzzi (Virtual Minds) (Chair)

Ben Barokas (Sourcepoint)	Benoit Oberlé (Sirdata)
Jaakko Kuivalainen (Sanoma)	Ben Humphry (Huawei)
Jochem Schlosser (Adform)	Markus Ruhl (Publicis Groupe) – left 18:15
Romain Gauthier (Didomi)	Karsten Rieke (Criteo)
Robert Blanck (Axel Springer)	Colin O'Malley (Integral Ad Science)

**Board Observer:**

Christie Dennehy-Neil (IAB UK)	Alexis Bley (EACA)
Petri Kokkonen (IAB Finland)	Conor Murray (EGTA)
Luc Vignon (IAB France)	Leigh Freund (NAI)
Tim Geenen (IAB Netherlands – VIA)	

**In attendance:**

Townsend Feehan (CEO, IAB Europe, Managing Organisation)  
Thomas Mendrina (Chair, TCF Steering Group)  
Ninon Vagner (Senior Privacy & Compliance Manager, IAB Europe, Managing Organisation)

Anne Goodman – Secretariat (IAB Europe)

The Chair opened the meeting welcoming the new Board members and the new Observers.

The Chair then reminded the Board members that a nomination for the position of Vice Chair to support the Chair was still outstanding and was necessary for the efficient running of the Board.

**Action: Board Members to provide a nomination (s) to the secretariat**

**Steering Group (SG) update (PAPER 2 19-01-22) for noting** – Chair of SG  
Thomas Mendrina presented the update from the SG and its working groups (WG) on recent TCF developments that the SG oversaw. The update was circulated to the Board and Observers prior to the meeting.

The SG Chair highlighted the following details.

**Policy WG** had met just before the TCF Governance Board meeting, therefore the SG report did not reflect the updates from this latest meeting. The MO gave 2 updates in relation to this meeting. 1) it was advised that as Filip Sedefov (IAB secretariate lead for this WG) following Filip Sedefov's departure from IAB Europe in the second week of February, Ninon Vagner would be taking over his role in relation to this WG.; 2) Alongside IAB UK, the MO were continuing a dialogue with the ICO (UK DPA) in the follow-up to the publication of its Opinion, "Data Protection and Privacy Expectations for Online Advertising Proposals".

### **DPA Outreach WG**

It was noted that as outlined in the report there were a significant number of conversations taking place.

There were no questions from the Board or the Observers. The Chair thanked Thomas for his ongoing support for the SG as the Chair and contribution to the DPA WG.

**Managing Organisation (MO) update (PAPER 3 19-01-22) for noting** – CEO of the MO Townsend Feehan supported by Ninon Vagner Senior Privacy and Compliance Manager of the MO presented the update from the MO. The update had been circulated to the Board and observers prior to the meeting.

In addition to the detail described in the MO report the MO noted that vendor registration continued to show a healthy uptick with 5 new vendors registered to date in January.

There were no question from the Board or the Observers.

**TCF Strategic Plan (PAPER 4 19-01-22) Board discussion and oversight** - CEO of the MO Townsend Feehan.

The MO noted that the Strategic Plan, circulated prior to the meeting to the TCF Governance Board as part of the meeting papers, had been reviewed by the IAB Europe Board at their last meeting December 16<sup>th</sup>, 2021. The MO presented the plan to the TCF Governance Board.

The meeting called out the "deep" importance of the compliance mechanism and process, called out under the Strategic Plan section TCF compliance, and suggested that collectively we should be more vocal and communicate more "aggressively" the details involved in the mechanic and process of compliance management and enforcement. The MO responded that it was also important that the communication drew attention to the "narrow" scope of the TCF as a counter to the "broader" perception that the market may have of the TCF (leading to the misperception that a broader scope of compliance issues are attributable to TCF).

**ACTION: MO to prepare a detailed note that summarised the compliance activities that the MO is leading on and share with Governance Board.**

*NOTE secretariat: Board to note that the MO report includes an update on compliance and key activities in the months following each Board meeting so the Board may want to review if a summary is necessary*

Under section TCF Development the Strategic Plan referred to "emerging solutions". The Board questioned the MO's position regarding these solutions as there were

likely to be some useful opportunities which would benefit from oversight and an appropriate risk analysis. The MO highlighted the ADPC solution proposed by NOYB that referenced the TCF, therefore it considered it important to give feedback. The MO noted that the ADPC solution had been discussed in both the Policy WG and FSWG exploring the common elements with the TCF and preparing an analysis document for both groups to comment on for potential submission in the context of the current public comment period on the proposal. The MO believes there could be value in engaging directly with Sustainable Computing Lab and NOYB, whose interpretation of at least some aspects of the GDPR aligns well to IAB Europe's own. The discussion in the WGs centered on opportunities for interoperability with the TCF. The Board supported this level of exploration and collaboration.

There were no other Qs from the Board or the Observers.

**TCF Compliance** – Ninon Vagner, Senior Privacy and Compliance Manager, MO presented and asked the Board to consider a proposed update to the compliance process.

Following the implementation of the automated vendor compliance programme reported in previous Board meetings the initial findings had identified in the first instance 3 compliance failings:

- Vendors using cookies with a *cookieMaxAgeSeconds* above what they have registered
- Vendors setting cookies prior to obtaining consent for purpose 1
- Vendors tampering the TC String

The later was deemed to be a priority to focus on as this was a blatant case of fraudulent activity. The MO had identified 2 specific cases on this in the web environment – the board suggested that user cases should be broadened to include App and CTV alongside web.

For this mater it was suggested that the enforcement process be amended removing both the “heads up” notification (7 days) and “suspension warning” (28 days) and replacing with an immediate suspension that would effectively remove the vendor from the GVL post the weekly (17:00 CET Thursday) GVL publication. This would also include an immediate notification to the TCF community of the action taken against a specific vendor. The MO highlighted that this action was in line with the TCF Terms & Conditions.

The Board agreed that this update to the compliance process was a positive step, and it was appropriate that non-compliant activity of this nature should be associated with the “payment of a high price”. It was agreed that the MO should proceed with the process that would manage this enforcement update to the community.

The Board also proposed that it could potentially support the MO with investment in managing the identification of this fraudulent activity. The Board emphasised that such activity was consistently called out by the community as undermining the reputation and integrity of the TCF and was an operational risk to the Framework. The MO acknowledged this support, highlighting that its current resources were sufficiently robust to cover the necessary activity but suggested it would follow up this offer if its own resources become challenged. In addition, the Board notified the

MO that several the Board members were working with the ad tech company *Confiant* (called out in the MO report) who could possibly support the MO with identification of such activity.

The Board also suggested that with the help of the Tech Lab the string could be secured so that tampering was made more difficult. Examples of cryptographic keys and distributed ledgers were suggested.

*NOTE secretariat: the Tech Lab have previously discussed TC String security as an important aspect of technical specification of the Global Privacy Platform. WG “signal integrity subgroup” was set up to look at several proposals that explored signing the consent string – the proposal for signing based on the JWT proposal was considered the most appropriate but beyond this the work stream was not pursued.*

The Board raised several questions relating to user matching/cookie syncing as a broad problem and the methodology that vendors should use when initiating user matching/cookie syncing in the context of TCF needed to be further defined. It was suggested that this was put on the agenda of the next the FSWG meeting to discuss and expand guidance

**ACTION: MO to add to the FSWG agenda**

**APD update (PAPER 5 19-01-22) for noting** - CEO of the MO Townsend Feehan.

The MO presented an update on the APD process as described in the paper. Further action items were discussed by the Board as “reserved business”

**TCF Governance Board 2022 schedule**

The Chair asked the secretariat to proceed with scheduling all meetings for 2022. Advising the Board members that this would require more of their time to complete but would ensure that the meetings were in place with good lead time.

**AOB**

There was no other business proposed by the Board members.

The Chair thanked the board members for attending and providing valuable discussion, opinion, and oversight.

**Next meeting**

The next meeting of the Board will be Q2 2022 and in line with the current cadence this will be the first two weeks in April. A ‘doodle poll’ will be distributed to determine the best date and in line with the suggestion of the Chair will also include dates for the Q3 (July) and Q4 (October) meeting

**Close**

The Chair thanked the Board.

**The meeting closed at 19:00 CET**