

Advertising and Sponsorship Policy

SUMMARY

- 1.1 As the Council faces unprecedented financial challenges a review of current advertising channels has identified new opportunities. This report sets out a new Advertising and Sponsorship Policy for the Council which aims to make sure any advertising/sponsorship taken on by the Council follows strict guidelines.
- 1.2 The policy aims to:
- set out the terms upon which advertising and sponsorship may be sought and accepted by Derby City Council
 - provide helpful advice to Council employees and prospective advertisers and sponsors on what is, and is not, acceptable form of advertising for the Council.

RECOMMENDATIONS

- 2.1 To support the principle of one corporate approach and policy to generating income through advertising and sponsorship.
- 2.2 To approve the new Advertising and Sponsorship Policy outlined in Appendix 2.

REASONS FOR RECOMMENDATIONS

- 3.1 To make sure any advertising falls within the rules and guidelines laid out by the Advertising Standards Authority (ASA).
- 3.2 To clearly outline what types of advertising/sponsorship will not be accepted by the Council.
- 3.3 To provide a unified approach to advertising across the city.
- 3.4 To generate a robust income stream for the Council.



SUPPORTING INFORMATION

- 4.1 Derby City Council is working under unprecedented budget challenges and the need to be innovative in generating revenues streams is higher than ever. The Communications Division is currently investigating several income generation streams through advertising/sponsorship. Although other Directorates generate income to support Council initiatives they do so on an ad-hoc basis and without an overarching policy. This report proposes a corporate approach and one policy which all Directorates will follow. All the advertising opportunities will be monitored and marketed through appropriate channels, such as our website, using a corporate media pack and rate card.
- 4.2 The policy will make sure that any potential advertisers are clear that the Council will not accept any advertisement/sponsorship which does not meet the Advertising Standards Authority (ASA) guidelines or will not be accepted if it, in the reasonable opinion of the Council:
- is inappropriate or objectionable
 - may result in the Council being subject to prosecution
 - promotes gambling
 - promotes payday loans
 - refers to tobacco or similar products
 - promotes the misuse of alcohol or promotes the use of alcohol to children
 - might be deemed inappropriate for children, for example violent films, pornography and so on
 - appears to influence support for a political party/candidate
 - appears to conflict with the Council's wider promotion of healthy and active lifestyles
 - appears to promote racial or sexual discrimination, or discrimination on the basis of disability, faith, gender or age
 - is the subject of a complaint to the ASA and upheld by such Authority as a legitimate complaint.

The above list is not exhaustive, and the Council retains the right to refuse advertising on the grounds that, in the Council's opinion, it is inappropriate, or it conflicts with services already provided by the organisation. The Council reserves the right to remove advertising without reference to the advertiser.

OTHER OPTIONS CONSIDERED

- 5.1 Do nothing. However, it is entirely appropriate to investigate all methods of generating income for the Council as pressures on budgets continue. Therefore a policy is required to make sure clear standards are being met.

This report has been approved by the following officers:

Legal officer Financial officer Human Resources officer Estates/Property officer Service Director(s) Other(s)	Director of Legal and Democratic Services Group Accountant – Neighbourhoods and Chief Executive’s Office Director of Strategic Services and Transformation Head of Communications
For more information contact: Background papers: List of appendices:	Lucy Wigley 01332 643493 lucy.wigley@derby.gov.uk None Appendix 1 – Implications Appendix 2 – Advertising and Sponsorship Policy

IMPLICATIONS

Financial and Value for Money

- 1.1 Work is on-going to test the appetite of local businesses to use Council owned assets and there are conversations with colleagues about the possibility of accessing capital funding to improve roadside assets.

Legal

- 2.1 The draft policy has been reviewed by the legal department. The policy includes a disclaimer to show that acceptance of advertising or sponsorship does not imply endorsement of products and services by Derby City Council. In order to make this clear all publications, or other media, with advertising or sponsorship should carry the disclaimer shown in the policy.

Personnel

- 3.1 Any impact on current staffing levels in the Communications Divisions is unknown at present.

Equalities Impact

- 4.1 All necessary actions will be taken to ensure all equality groups are not adversely affected by any proposals agreed.

Health and Safety

- 5.1 All advertising/sponsorship will meet Health and Safety requirements.

Environmental Sustainability

- 6.1 No known issues.

Property and Asset Management

- 7.1 No known issues.

Risk Management

- 8.1 As paragraph 5.1, a full risk assessment will be undertaken related to the location of any new roadside assets.

Corporate objectives and priorities for change

- 9.1 By generating income we can continue to focus on providing and maintaining good quality services.

Derby City Council – Advertising and Sponsorship Policy

1. Introduction

The purpose of the policy is to set out the terms upon which advertising and sponsorship may be sought and accepted by Derby City Council (the “Council”).

The Council is committed to developing appropriate advertising and sponsorship opportunities, to support its core activities either directly or indirectly. It will encourage commercial relationships which do not conflict with the delivery of its strategic goals.

The policy aims to provide helpful advice to Council employees and prospective advertisers and sponsors on what is, and is not, acceptable form of advertising for the Council.

The policy relates to advertising and sponsorship opportunities connected to the Council’s assets, services, events and other activities that it has responsibility for.

2. Advertising

Advertising is defined as...

“An agreement between the Council and the advertiser, whereby the Council receives money from an organisation or individual in consideration of which the advertiser gains publicity in the form of an advertisement in Council controlled print, broadcast or electronic media”.

The policy is not an exhaustive list and takes as its start point that all advertising falls within the rules and guidelines laid out by the Advertising Standards Authority (ASA). All advertising must:

- fall within the guidelines laid out by the Advertising Standards Authority (ASA) www.asa.org.uk
- uphold the rules laid out in the UK Code of Non-broadcast Advertising, Sales Promotion and Direct Marketing (CAP Code) <http://www.cap.org.uk/Advertising-Codes/Non-broadcast-HTML.aspx>
- follow the Code of recommended practice on Local Authority publicity <https://www.gov.uk/government/publications/recommended-code-of-practice-for-local-authority-publicity>.

In line with the codes referred to above, advertisements should be:

- legal, decent, honest and truthful
- created with a sense of responsibility to consumers and society

- in line with the principles of fair competition generally accepted in business and that the codes are applied in the spirit as well as the letter.

An advertisement will not be accepted if it, in the reasonable opinion of the Council:

- is inappropriate or objectionable
- may result in the Council being subject to prosecution
- promotes gambling
- promotes payday loans
- refers to tobacco or similar products
- promotes the misuse of alcohol or promotes the use of alcohol to children
- might be deemed inappropriate for children, for example violent films, pornography and so on
- appears to influence support for a political party/candidate
- appears to conflict with the Council's wider promotion of healthy and active lifestyles
- appears to promote racial or sexual discrimination, or discrimination on the basis of disability, faith, gender or age
- is the subject of a complaint to the Advertising Standards Authority and upheld by such Authority as a legitimate complaint.

The above list is not exhaustive, and the Council retains the right to refuse advertising on the grounds that, in the Council's opinion, it is inappropriate, or it conflicts with services already provided by the organisation. The Council reserves the right to remove advertising without reference to the advertiser.

3. Sponsorship

Sponsorship is defined as...

"An agreement between the Council and the sponsor, where the Council receives either money or a benefit in kind for an event, campaign or initiative from an organisation or individual which in turn gains publicity or other benefits".

The policy aims to:

- maximise the opportunities to attract commercial sponsorship for appropriate events, campaigns or initiatives
- make sure that the Council's position and reputation is adequately protected
- make sure an appropriate return is generated from sponsorship agreements
- make sure that a consistent and professional approach is adopted to the development of sponsorship agreements
- protect Councillors and officers from potential allegations of inappropriate dealings or favouritism with sponsors.

The Council will welcome all opportunities to work with sponsors where such arrangements support its core values. However, it will not enter into a sponsorship agreement if, in the reasonable opinion of the Council, the agreement:

- may be perceived as potentially influencing the Council or its officers in carrying out its statutory functions in order to gain favourable terms from the Council on any business or other agreement
- aligns the Council with any organisation or individual which conflicts with its values and priorities.

The Council will not therefore enter into sponsorship agreements with:

- organisations which do not comply with the Council's Advertising Policy (above) or the Advertising Standards Authority code of practice
- organisations in financial or legal conflict with the Council
- organisations with a political purpose, including pressure groups and trade unions
- organisations involved in racial or sexual prejudice or discrimination on the basis of disability, faith or gender.

The list above is not exhaustive and the Council retains the right to decline sponsorship from any organisation or individual or in respect of particular products which the Council in its sole discretion considers inappropriate.

The Council will agree with the sponsor the nature and content of the publicity anticipated from the sponsorship opportunity, and will retain the right to approve all advertising material. The Council has a strong corporate identity and material relating to sponsorship agreements must not conflict with, or compromise this.

4. Procedures

Before agreeing advertising or sponsorship, Council officers will consider the policy document and follow the guidelines provided.

The overall coordination of advertising and sponsorship agreements across the Council will be the responsibility of the Communications Division.

All potential sponsors should be referred to the policy for information and guidance.

All sponsorship bids must be approved in consultation with the appropriate Cabinet Member and Chief Executive/Strategic Director.

Sponsorship agreements must be referred to Legal Services for review, prior to signing.

5. Disclaimer

Acceptance of advertising or sponsorship does not imply endorsement of products and services by Derby City Council. In order to make this clear all publications, or other media, with advertising or sponsorship should carry the following disclaimer:

'Whilst every effort has been made to make sure the accuracy of the content of the advertisements contained in this publication, Derby City Council cannot accept any liability for errors or omissions contained in any of the advertisements provided by an advertiser. Derby City Council does not accept any liability for any information or claims made by the advertisement or by the advertisers. Any inclusion of Derby City Council's name on a publication should not be taken as an endorsement by Derby City Council'.