

Neath Port Talbot Council – Advertising and Sponsorship Policy

1. Introduction:

As part of a wider Income Generation Strategy, this policy sets out the council's approach to seeking and accepting advertising and sponsorship.

For the avoidance of doubt, this policy is applicable where the council is offering advertising or sponsorship opportunities to external partners. Separate policies and systems are in place for agreements entered into whereby the council is the customer.

The council is keen to develop appropriate advertising and sponsorship opportunities to support its activities either directly or indirectly. It will encourage commercial relationships which do not conflict with the delivery of its strategic goals.

This policy aims to provide helpful advice to council employees and prospective advertisers and sponsors on what is, and is not, an acceptable form of advertising/sponsorship.

This policy relates to advertising and sponsorship opportunities connected to the council's assets, services, events and other activities that it has responsibility for.

To ensure transparency and to make opportunities available to all, we will promote advertising and sponsorship opportunities on the council's website.

We will encourage a culture where officers and councillors are actively looking out for opportunities to increase income through sponsorship and advertising. We will provide training in building effective external relationships where appropriate, and to ensure everyone acts in accordance with this policy.

This policy is intended to create a balance between creativity and innovation, and measuring opportunities against risk.

This policy is supported by the following documents:

- An Advertising and Sponsorship Procedure and Checklist
- Neath Port Talbot Council Standard Terms and Conditions

2. Purpose of this policy is to:

- Provide a robust framework and control measures for advertising and sponsorship activity in support of income generation
- Maximise the opportunities to attract advertising/commercial sponsorship for appropriate assets, events, campaigns or initiatives
- Ensure there is no conflict with council priorities, values or services
- Establish a unified and corporate approach to advertising and sponsorship across the council
- Ensure compliance with legislation, advertising industry codes of practice and other relevant council policies
- Support the development of commercial partnerships with the private sector
- Safeguard the image and environment of the county borough
- Support the council's reputation and corporate identity
- To protect members and officers from allegations of inappropriate dealings or relationships with advertisers or sponsors

3. Definitions and guiding principles:

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”.

All advertising must:

- a. fall within the guidelines laid out by the Advertising Standards Authority (ASA) www.asa.org.uk
- b. adhere to the Privacy and Electronic Communications Regulations (PECR) <https://ico.org.uk/for-organisations/guide-to-pecr/what-are-pecr/>

- c. 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>
- d. follow the Code of Recommended Practice on Local Authority Publicity in Wales
<https://gweddill.gov.wales/docs/dpsp/publications/140814-local-authority-publicity-en.pdf>

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
- and **should not** be defamatory

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 or payday loans
- refers to tobacco, psychoactive substances or similar products
- promotes the misuse of alcohol or promotes the use of alcohol to or by children
- might be deemed inappropriate for children, for example violent films, adult content etc.
- 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 discrimination on the basis of gender reassignment, age, sex, race, nationality, disability, pregnancy and maternity, sexual orientation, religion and belief, marriage and civil partnership
- is the subject of a complaint to the Advertising Standards Authority and upheld by such Authority as a legitimate complaint

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 council will welcome all opportunities to work with sponsors where such arrangements support its 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 this policy or the Advertising Standards Authority Code of Practice
- 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, nationality, faith or gender

The lists above are not exhaustive and the council retains the right to decline advertising/ sponsorship from any organisation or individual, or in respect of particular products, which the council in its sole discretion considers inappropriate.

The council reserves the right to refuse advertising/sponsorship offers from companies, which are in dispute with the council, or where there is pending/active legal action between them and the council, or which are in contract negotiations concerned with the direct provision of services for the council where this may be viewed as an endorsement.

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.

The council is committed to treating Welsh and English languages equally and will encourage sponsors/advertisers to do the same.

4. Roles and Responsibilities:

The development of a strategic approach for generating income through Advertising and Sponsorship is a key action in the council's Corporate Communications and Engagement Strategy.

Overall responsibility for this strategy rests with the Assistant Chief Executive and Chief Digital Officer and the Deputy Leader.

Responsibility for the implementation of the Advertising and Sponsorship Policy rests with the Assistant Chief Executive and Chief Digital Officer. Political responsibility rests with the Deputy Leader.

Heads of Service and/or Accountable Managers have individual responsibility for promoting, agreeing and awarding advertising/sponsorship contracts, with advice provided by the Strategic Marketing and Communications Advisor, subject to contract values as set out in section 5.

The Strategic Marketing and Communications Advisor is the single point of contact and has responsibility for:

- the day to day management of this policy and its application to sponsorship and advertising arrangements that are offered by the council
- Providing expert advice and guidance on potential opportunities

All potential advertisers/sponsors should be referred to this policy and the relevant Terms and Conditions.

Reference shall be made to the council's Contract Procedure Rules when determining the level of advertising required for an advertising/sponsorship opportunity according to the value of the agreement to ensure that best value is achieved by the council.

5. Authorisation to agree Advertising/Sponsorship agreements:

The relevant Accountable Manager can sign off agreements valued at £5,000 and under (and relating only to one financial year or event).

The relevant Head of Service must sign off agreements valued at between £5,001 and £20,000 (or covering more than one financial year with an aggregate total of £20,000).

The relevant Director in consultation with the Cabinet Member must sign off agreements valued at between £20,001 and £25,000.

Agreements valued at £25,000+ require explicit approval by Cabinet/Cabinet Board.

Sponsorship arrangements can be complex. They can involve a combination of cash sponsorship, in kind benefits, and provision of services. Officers should be aware that although the value to the council in cash may be relatively low, the combined value over a multi-year contract, for example, might well take the agreement over the thresholds outlined above.

All advertising and sponsorship agreements between the council and the advertiser/sponsor must be documented in writing.

6. Evaluation:

Where there is competition between two or more organisations/companies for a sponsorship opportunity, the offers should be evaluated through a fair, transparent, and equal process that ensures the chosen offer provides best value to the council.

7. Disclaimer:

Acceptance of advertising or sponsorship does not imply endorsement of products and services by Neath Port Talbot 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 ensure the accuracy of any advertisements, Neath Port Talbot Council does not accept any liability for errors and omissions. Neath Port Talbot Council does not accept any responsibility for claims made by advertisers and such advertisements should not be taken as an endorsement by Neath Port Talbot Council of the advertised product, service or business being advertised.'

8. Monitoring and Review:

This policy will be reviewed annually. Any significant changes will be reported to Cabinet for approval.