

Derby City Council – policy for generating income through advertising and sponsorship

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
- promotes unhealthy food or drinks defined as high saturate fat, salt and/or sugar (HFSS)
- appears to conflict with the Council's Climate Change Strategy
- appears to conflict with Derby City Council's Equality, Dignity and Respect Policy
- is from an organisation in financial or legal conflict with the Council
- is from an organisation with a political purpose, including pressure groups and trade unions
- 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.

The Council reserves the right to use any advertising provided by the client in their promotional materials.

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 which do not comply with Derby City Councils Equality, Dignity and Respect Policy

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 and Marketing Division.

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

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 agree to 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’.