

Bristol City Council

DRAFT - Advertising and Sponsorship Policy

Document Owner: Director: Policy, Strategy and Partnerships

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Introduction

The Council has a Corporate Strategy which details the contribution that we will make to the city. It informs everything we do and sets out our key priorities from 2018 to 2023. It reflects our role as one organisation within a complex city-wide system, where everyone has a role to play. It is aligned to Bristol's One City Plan, a long-term city-wide plan which helps us organise ourselves around our people, our needs and creating the city we want to live in.

The vision for our city is shared across public and private sector organisations, large charities, voluntary groups and grassroots communities – all striving to deliver Bristol's vision of becoming a fairer, healthier and safer city: a city of hope an aspiration, where everyone can share in its success. Achieving this alongside running a sustainable, resilient local authority may involve placing and accepting advertising where appropriate, as well as seeking sponsorship or acting as a sponsor for certain initiatives or services.

To ensure we remain true to our values and deliver the very best of our city, this advertising and sponsorship policy provides a framework for how we are promoted and how we promote others: ethically, consistently and aligned to our values and principles.

By applying this policy we will:

Be consistent

- Establish a consistent approach and set of standards
- Provide a framework of controls
- Ensure compliance with legislation, advertising industry codes and other council policies, including our Communications Strategy and brand guidelines

Protect reputations

- Safeguard and steward the image and environment of the city
- Uphold the council's reputation and corporate identity
- Further our strategic vision and support our priorities by facilitating communication

Boost opportunities

- Secure best value for money and maximise income
- Support development of our commercial partnerships with the private sector

Context and definitions

Advertising and sponsorship encompasses goods, services, ideas, causes, opportunities, prizes and gifts.

Advertising

Advertising is a form of communication used to raise awareness, encourage or persuade an audience - viewers, readers or listeners or a specific group of people - to do or believe something. Advertising is usually paid for.

The council's own use of advertising is part of our ongoing commitment to communicate openly; provide important public information; raise awareness of the council's role, work and successes; encourage positive behaviour change and promote opportunities for people to engage with the council and local decision-making. Examples include promoting local consultations, encouraging people to vote and promoting public health campaigns.

Advertising messages can take a variety of forms and can be viewed via a variety of media channels (e.g. newspapers, magazines, television commercial, radio advertisement, outdoor advertising, for example on billboards and contracted bus services, direct mail, blogs, websites, social media and text messages etc.)

A person who consumes advertising is anyone who is likely to receive a given marketing communication, whether in the course of business or not.

Advertising is defined within this policy as:

“an agreement between the council (or its intermediaries) and an 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, outdoor, broadcast or electronic media.”

Or

“an agreement between the council (or its intermediaries) and a provider, whereby the council pays money to an organisation or individual in consideration of which the council gains publicity in the form of an advertisement in externally-controlled print, outdoor, broadcast or electronic media.”

Sponsorship

To sponsor something is to support an event, activity, person, or organisation financially or by providing products or services. It should be mutually beneficial. Sponsorship should not be confused with other types of funding which the council administers e.g. grants.

Sponsorship is a business relationship between a provider of funds, resources or services and an individual, event or organisation which offers in return rights and association that may be used for commercial advantage in return for the sponsorship investment. For example, when Bristol hosted the Global Parliament of Mayors Annual Summit in 2018, corporate sponsorship raised £156,000 towards the running costs in return for opportunities to host and present relevant content to delegates.

There can be cross-over between how advertising and sponsorship works in practice. For example, advertising on roundabouts is usually called sponsorship because the funds support the cost of maintaining these sites.

Sponsorship is defined within this policy 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.

Or

“an agreement between the council and the sponsored party, where the council provides either money or a benefit in kind for an event, campaign or initiative which is fully owned by another organisation or individual and which in turn provides publicity or other benefits to the council.”

Scope

This policy is two-fold, covering:

- The council as an advertiser or sponsor; and
- The council as an owner of an advertising platform or sponsorship opportunity which an external individual, group or organisation may wish to take up

Recruitment advertising placed by the council should take account of this policy but is covered by a separate process and contract. Please contact the HR Resourcing team for advice on all recruitment advertising related matters. They will liaise with the council's contracted supplier on your behalf.

In certain instances, advertising of some notices is a requirement by law. This includes Traffic Regulation Order (TRO) notices and is covered by a separate process. For information on how to place statutory notices, look on the Source or email corporate.communications@bristol.gov.uk

Any historical sponsorship, advertising or contractual arrangements affected by this policy should be reviewed at the next contractually available juncture.

Principles

When working with an advertiser or sponsor, it will be essential that:

- Any agreement supports the council's strategic vision set out in its Corporate Strategy.
- It is compatible with its wider strategy and policy framework, including the Constitution and Equality and Inclusion Policy.

The council will not permit advertising or sponsorship arrangements in the following situations:

- In all scenarios where it is legally permissible, the council will refuse applications from companies who are in dispute with the council or where there is pending/active legal action.
- When companies are in contract negotiation with the council where acceptance or advertising or sponsorship arrangements may be viewed as an endorsement of a bid.

In addition the council will uphold the national Code of Recommended Practice on Local Authority Publicity. This means that the council is not able to enter into an advertising or sponsorship agreement which connects the council with lending support to any political party.

Whether advertising and/or sponsorship is a suitable method for achieving our objectives, or whether external requests to use council-owned platforms should be approved, will be decided on a case-by-case basis on the merits of each opportunity or request.

The council may advertise its own services as appropriate using its own platforms. This may include adverts relating to traded services or quasi-trading services, which generate an income. The council permits paid-for advertising on some of the platforms it owns, and this may include advertising from companies including the council's wholly-owned companies. In both these circumstances the council will comply with the Local Authority Supply of Goods and Services Act (1970)

The council must ensure a return on investment when it is a sponsor. The appropriate lead officer must consult the council's External Communications service before deciding whether the council should be a sponsor or whether sponsorship of a council product/service is the best marketing communications method.

The use of branding and logos of any sponsoring company must be compatible with the council's corporate brand guidelines and the Bristol city brand guidelines.

The size and positioning of sponsors' logos on any promotional material, goods or signage must be considered by the appropriate lead officer in conjunction with the council's External Communications team.

Advertising and Sponsorship

The council welcomes all opportunities to work with sponsors or advertisers (or consider acting as a sponsor or advertiser) where such arrangements support its values, strategic goals, corporate objectives and/or helps drive forward the council's aspirations.

The council will not permit any advertising and/or sponsorship that represents a conflict of interest or is likely to cause serious or widespread offence. Particular care will be taken in relation to race, age, religion or belief, sex, sexual orientation, disability, gender identity or gender expression, pregnancy or maternity and marriage or civil partnership.

Content that is **not** permitted for advertising and / or sponsorship includes, but is not limited to, advertising that contains, infers or suggests any of the following:

- Advocacy of, or opposition to, any party political purpose
- Disparagement or promotion of any person or class of persons
- Promotion or incitement of illegal acts
- Promotion or availability of tobacco products or substitute tobacco products, weapons, gambling or illegal drugs
- Advertising of loan advancers which meet the Financial Standards Authority's definition of 'High Cost Short Term (HCST)'
- Advertising of organisations who offer ways to avoid paying legitimate tax in the UK
- Promotion or availability of sexually orientated entertainment materials
- Promotion of foods that are high in fat, salt and/or sugar and targeted towards children within 100 meters of a school, at a family orientated venue or event and across public transport networks
- Advertising that infringes on any trademark, copyright or patent rights of another company
- Claims or representations in violation of advertising or consumer protection laws

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, it conflicts with services already provided by the organisation or it is incompatible with the council's values and strategic goals. The council reserves the right to remove non-compliant advertising at any time without reference to the advertiser.

The council will not permit advertising in its parks and green spaces unless for an outlet or event operating within that space. If other advertising is required during an event, it should be within the boundaries of the event space and form part of the hire agreement.

Where advertising is generated by the council, the content will be commissioned via the council's Bristol Design agency (part of the External Communications service) and only outsourced where Bristol Design confirms it cannot provide the service.

Other Considerations

When considering advertising and/or sponsorship opportunities, we will ensure that:

- It maximises the opportunities to attract commercial revenue for appropriate events, campaigns or initiatives
- The council's position and reputation is adequately protected
- An appropriate return on investment is sought
- A consistent and professional approach is adopted in the development of sponsorship agreements
- It protects elected members and officers from potential allegations of inappropriate dealings or favouritism with sponsors
- It fulfils the council's operating principles set out in its Corporate Strategy
- Where applicable it fulfils and complies with the Council's Procurement Rules and in particular the [Concessions Procedural Note](#).

All sponsorship and/or advertising arrangements must be governed by a signed Sponsorship or Advertising Agreement and logged with the council's External Communications team.

Responsibility

All council services, employees and elected members (when acting in an official capacity for or on behalf of the council) must comply with this policy.

The council holds personal data of service users and compliance with the Data Protection Act 2018 and this will be adhered to in all cases. Careful consideration will be given to whether it is appropriate and legal for specific data to be used for any advertising or direct marketing purposes. When required, people will be asked whether they are willing to 'opt in' to receive news, information or advertising messages from the council to ensure compliance when personal data is gathered and used.

The External Communications service are responsible for the implementation of the Advertising and Sponsorship Policy as well as the Council's terms and conditions for advertisers and sponsors. They can provide expertise on advertising and sponsorship matters.

The council's External Communications service is responsible for advising on all advertising opportunities and enquiries. Decisions on sponsorship opportunities will be taken by an appropriate lead officer, in conjunction with the expertise provided by relevant business partners, including but not limited to External Communications, Legal Services, Procurement, Risk and Insurance.

All decisions will be made in line with the council's established Decision Pathway. Where decisions are made by officers under delegated powers, the Chief Executive delegates to the Director: Policy, Strategy and Partnerships to make a binding final decision and/or exercise veto over advertising and sponsorship decisions made by other lead officers.

The Council's role as local planning authority

Advertisements which require consent under planning legislation are also subject of applications to Bristol City Council as local planning authority. In accordance with planning law, applications are considered having regard to considerations of amenity and public safety.

Advertisements may be considered to have an unacceptable impact on amenity or public safety where they would:

- Create or reinforce an incongruous feature in, or result in a negative visual impact on, its immediate neighbourhood;
- Detract from the character or setting of any feature of scenic, historic, architectural, cultural or similar interest;
- Be harmfully prominent in medium or long distance views;
- Cause a noise or other nuisance;
- Result in a negative impact on residents' living conditions by reason of its siting or illumination; or

- Would be likely to distract the attention of motorists and other road users.

Some advertisements benefit from 'deemed consent', which means permission is not needed from the local planning authority, depending on the size, position and illumination of the advert. Where the council proposes to install advertisements under deemed consent it will ensure there is no harm to amenity and public safety by applying the criteria above.

Further information

Relevant codes of practice have informed this policy:

- The Advertising Standards Authority (ASA). www.asa.org.uk
- UK Code of Non-broadcast Advertising and Direct & Promotional Marketing (CAP code). <https://www.asa.org.uk/codes-and-rulings/advertising-codes.html>
- Code of Recommended Practice on Local Authority publicity <https://www.gov.uk/government/publications/recommended-code-of-practice-for-local-authority-publicity>
- The Equalities Act 2010 <https://www.gov.uk/guidance/equality-act-2010-guidance>
- Local Authority Supply of Goods and Services Act (1970) <https://www.legislation.gov.uk/ukpga/1970/39/section/1>
- Bristol City Council Brand Guidelines <http://intranet.bcc.lan/ccm/content/articles/corporate/communications/brand-guidelines.en>
- Town and Country Planning Act 1990 <https://www.legislation.gov.uk/ukpga/1990/8/contents>
- Data Protection Act 2018 <http://www.legislation.gov.uk/ukpga/2018/12/contents/enacted>

For any queries about this policy please contact External Communications and Consultation on 0117 922 2650 or corporate.communications@bristol.gov.uk.

Disclaimer

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

“Bristol City Council cannot accept liability for errors or omissions contained in any advertising provided by an advertiser or sponsor. Bristol City Council does not accept any liability for any information or claims made by the advertisement or by the advertiser or sponsor. Any inclusion of Bristol City Council’s name on a publication should not be taken as an endorsement by Bristol City Council.”

Policy Review date: September 2021