

Wiltshire Council

Policy for generating income through advertising and sponsorship

1. **Introduction**

- 1.1 The purpose of the policy is to set out the terms upon which advertising and sponsorship may be sought and accepted by Wiltshire Council (the “council”).
- 1.2 The council is committed to developing appropriate advertising and sponsorship opportunities, to support its core activities either directly or indirectly. It will encourage those commercial relationships which do not conflict with the delivery of its strategic goals.
- 1.3 The policy aims to provide helpful advice to council employees and prospective advertisers and sponsors on what is, and is not, acceptable forms of advertising for the council, without being overly prescriptive.
- 1.4 The policy relates to advertising and sponsorship opportunities connected to the council’s assets, services, events and other activities that it is formally responsible for.

2. **Advertising**

- 2.1 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”

- 2.2 The policy is not designed to be an exhaustive list of rules regarding advertising behaviour, as the starting point is that all advertising falls within the guidelines laid out by the Advertising Standards Authority (ASA) www.asa.org.uk and upholds the rules laid out in the British Codes of Advertising and Sales Promotion www.asa.org.uk/asa/codes/capcode and the Code of recommended practice on Local Authority publicity www.communities.gov.uk/publications/localgovernment/coderecommended
- 2.3 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
 - The codes are applied in the spirit as well as the letter

- 2.4 **An advertisement will not be accepted if it, in the reasonable opinion of the council**
- 2.4.1 appears to influence support for a political party/candidate
 - 2.4.2 is inappropriate or objectionable
 - 2.4.3 may result in the council being subject to prosecution
 - 2.4.4 promotes gambling
 - 2.4.5 refers to tobacco or similar products
 - 2.4.6 refers to alcohol
 - 2.4.7 appears to conflict with the council's wider promotion of healthy and active lifestyles
 - 2.4.8 appears to promote racial or sexual discrimination, or discrimination on the basis of disability
- 2.5 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.
- 2.6 With regard to advertising which may affect public support for a political party (section 2 of the Local Government Act 1986, as amended by section 27 of the Local Government Act 1988) the law requires that regard is given to the content, style, timing and other circumstances of the publication. Also, the likely effect on those to whom it is directed and:
- 2.6.1 whether the material refers to a political party or persons identified with a such party
 - 2.6.2 promotes or opposes a point of view on a question of political controversy which is identifiable as the view of one party and not another, or,
 - 2.6.3 where the material is part of a campaign, the effect which the campaigning appears to be designed to achieve
- 2.7 Advertisements will not be accepted from organisations in financial or legal conflict with the council.
- 2.8 The council reserves the right to refuse advertising in the council's publications or other media when space is limited by the needs of editorial content or for any other reason without explanation.
- 2.9 The council reserves the right to remove advertising without reference to the advertiser.
3. **Sponsorship**
- 3.1 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".

- 3.2 The policy aims to
 - 3.2.1 maximise the opportunities to attract commercial sponsorship for appropriate events, campaigns or initiatives
 - 3.2.2 ensure that the council's position and reputation is adequately protected
 - 3.2.3 ensure an appropriate return is generated from sponsorship agreements
 - 3.2.4 ensure that a consistent and professional approach is adopted to the development of sponsorship agreements
 - 3.2.5 protect councillors and officers from potential allegations of inappropriate dealings or favouritism with sponsors
- 3.3 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
 - 3.3.1 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
 - 3.3.2 aligns the council with any organisation or individual which conflicts with its values and priorities.
- 3.4 The council will not therefore enter into sponsorship agreements with
 - 3.4.1 organisations which do not comply with the Council's Advertising Policy or the Advertising Standards Authority code of practice
 - 3.4.2 Organisations in financial or legal conflict with the council
 - 3.4.3 Organisations with a political purpose, including pressure groups and trade unions
 - 3.4.4 Organisations involved in racial, or sexual prejudice or discrimination on the basis of disability.
- 3.5 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.
- 3.6 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**

- 4.1 Before agreeing advertising or sponsorship, council officers will consider the policy document and follow the guidelines provided.
- 4.2 The overall coordination of advertising and sponsorship agreements across the council will be the responsibility of the Policy, Research and Communications service.

- 4.3 All potential sponsors should be referred to the policy for information and guidance.
- 4.4 All sponsorship bids must be approved by the Service Director for Policy, Research and Communications in association with the appropriate Cabinet Member, and will comply at all times with the council's procurement policy, which may require the advertising of a sponsorship opportunity to potential sponsors.
- 4.5 Sponsorship agreements must be referred to Legal Services for review, prior to signing.

5. **Disclaimer**

- 5.1 Acceptance of advertising or sponsorship does not imply endorsement of products and services by Wiltshire Council. In order to make this clear all publications, or other media, with advertising or sponsorship should carry the following disclaimer:
- 5.2 'Whilst every effort has been made to ensure the accuracy of the content of the advertisements contained in this publication, Wiltshire Council cannot accept any liability for errors or omissions contained in any of the advertisements provided by an advertiser. Wiltshire Council does not accept any liability for any information or claims made by the advertisement or by the advertisers. Any inclusion of Wiltshire Council's name on a publication should not be taken as an endorsement by Wiltshire Council'