

North West Leicestershire District Council Advertising and Sponsorship Policy 2023

1.0 Introduction

Whenever something takes place with a significant public audience it creates an opportunity for organisations who may wish to use that opportunity to raise awareness of their brand, service, products, values or opinions.

Public bodies such as councils should recognise that they naturally attract significant public audience to much of their activity and potentially are seen as a significant “opportunity” by organisations seeking to raise their own profile. These organisations may look for both simple means to exploit the council’s profile (advertising) or a slightly more sophisticated approach in the form of alignment by sponsorship.

The benefit to the Council of operating an advertising and sponsorship policy is that it can provide additional resource with which to support the delivery of services.

This policy document has been designed to support North West Leicestershire District Council (the Council) to take a consistent and corporate approach to securing advertising and sponsorship of council activities.

The policy can be used both reactively (where the Council is approached by a third party wanting to advertise with or sponsor council activity), or proactively (where a service wishes to increase its budget to deliver an activity by selling advertising or sponsorship opportunities).

The opportunity of advertising or sponsorship, both reactive or proactive, will be listed on the council’s website and be accessible to potential advertisers and sponsors.

This policy sets out the Council’s definition of advertising and sponsorship and the terms upon which advertising and sponsorship may be sought and accepted by the council.

2.0 Purpose

This Policy aims to:

- Maximise the opportunities to attract commercial sponsorship and advertising for appropriate council events, campaigns, or initiatives.
- Identify the types of sponsorship, advertising and support that are appropriate for council activities.
- Make sure that a consistent and professional approach is adopted to the development of advertising and sponsorship agreements.
- Make sure that the council’s reputation is adequately protected and not brought into disrepute.
- To provide fair opportunity to all potential sponsors without bias or favouritism.
- Ensure accountability and transparency of decision making.

3.0 Definition of ‘Advertising’

‘Advertising’ – is a contract between parties promoting a product (or service) to potential and current customers. Advertising is typically displayed on signs, brochures, websites, direct mailings, social media, or email messages etc.

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The Council abides by national guidance published by the **Advertising Standards Agency (ASA)** – the UK’s independent regulator of advertising across all online and offline media.

The central principle of all advertising is that it should be legal, decent, honest, and truthful.

The Council abides by the **Town and Country Planning Act 1990**. The Control of Advertisement Regulations provides the rules on displaying advertising. The Council has a duty to ensure that advertising complies with this legislation.

4.0 Definition of ‘Sponsorship’

‘Sponsorship’ - is a contract between parties in which one party contributes to all or part of the delivery of a project or activity, usually in exchange for commercial benefit.

This could include financial contributions or value in kind.

Sponsorship is a significant business activity and companies seek sponsorship opportunities for a variety of legitimate business reasons including:

- to raise the company’s image and public profile
- to improve public/community relations and instil goodwill
- to show creativity and public spirit
- to generate public exposure and media coverage
- to differentiate the company from its competitors
- to increase profits/market share.

Sponsorship is not a way for any company or organisation to be viewed favourably by the Council in any other business arrangements they might be a party to.

5.0 General Principles.

North West Leicestershire District Council will welcome all opportunities to work with individuals, companies or organisations who wish to sponsor council activities where such arrangements support the council’s [core values](#).

Examples of ‘acceptable’ advertising or sponsorship

The Council can recognise advertisers and sponsors in several ways. The extent of such recognition **shall** be commensurate with the level and nature of the advertising and/or sponsorship provided. The Council shall retain full discretion as to the recognition attributed to the advertiser or sponsor.

Advertising and sponsorship recognition **shall** be tasteful and must not create situations of potential embarrassment or criticism of the Council. Such forms of recognition can include, but are not limited to:

- a) appropriate signage;

- b) media release acknowledging the role and contribution of the sponsor, invitations to selected council functions, which may include hospitality, preferential seating, presentation of an award etc.
- c) inclusion of sponsor's name and logo on council publications and other external publications;
- d) naming rights for an event, building etc. for the term of the sponsorship;
- e) an award or trophy struck in the sponsor's name and publicly presented;
- f) merchandising of goods at selected points of sale;
- g) displays in council buildings/facilities
- h) an opportunity for the sponsor's name and/or logo to be promoted through appropriate general advertising by the council;
- i) print advertising campaign to acknowledge major sponsors.

Examples of 'unacceptable' advertising or sponsorship

The Council will not enter into an advertising or sponsorship agreement if, in the opinion of the Council, the agreement:

- may be perceived as potentially influencing the council, it's officers or members in carrying out their functions.
- **Is in advocacy, or opposition to, any political party.**
- aligns the Council with any organisation or individual which conflicts with its values and priorities.

The industry categories that are not acceptable for entering into an advertising or sponsorship agreement can include, but are not limited to:

- Tobacco/cigarettes/vaping
- Alcohol
- Gambling (excluding lotteries supporting local good causes)
- Adult-oriented products/services
- Armaments
- Petrochemical Industry
- Payday Loans

Furthermore, the Council will not enter into sponsorship or advertising agreements with:

- Parties who do not comply with this advertising and sponsorship policy or the [Advertising Standards Authority code of practice](#).
- Parties in dispute with the Council or where there is pending/active legal action.
- Parties who are in contract negotiation with the Council where, in the opinion of the council, this may be viewed as an endorsement of said contract.
- Parties with a political purpose, including pressure groups or where the purpose of the advertising or sponsorship is to further a political purpose, view, or ideology.
- Parties involved in racial or sexual prejudice or discrimination on the basis of any protected characteristic.

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- Parties through which, in the council's opinion, their operations are involved in any illegal or immoral activities.
- Any party where an agreement will damage the reputation of the council.

The above lists are not exhaustive, and the Council retains the absolute right to decline advertising or sponsorship opportunities (including through third party suppliers) from any organisation or individual which the Council in its sole and absolute discretion considers inappropriate.

Mandatory Requirements

All advertisements and sponsorships arrangements placed by third parties at council events or on council property, **will be in the form of the written agreement** annexed to this policy which is compliant with the principles and procedures outlined in this policy.

Consideration given to the establishment of sponsorship agreements shall have regard to the following principles:

- The type or form of advertising or sponsorship is consistent with the key aims or values of the council.
- There **shall** be no conflict between the vision and key aims of the Council and those of the advertiser or sponsor.
- The advertising or sponsorship is not perceived to influence or hinder how the Council operates.
- It does not impose or imply conditions that would limit or appear to limit the council's ability to carry out its functions fully or impartially.
- It does not compromise the reputation, constitution, and credibility of the council.
- It is not viewed as product endorsement.
- The advertising or sponsorship **shall** make a net positive contribution to the finances of the council.
- Where the potential sponsor or advertiser has other links to the Council there must be no conflict of interest.

The Council is not able to offer advertising or sponsorship opportunities to individuals or organisations who are:

- The subject of a current planning application to the council,
- The subject of any form of enforcement action by the council,
- Subject to regulation or inspection by the council, or
- Where there is an identifiable conflict of interest.

6.0 Seeking Advertising or Sponsorship

Opportunities for advertising or sponsorship may come from Officers, Members, or the potential advertiser / sponsor.

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Before any advertising or sponsorship is sought the relevant Head of Service must consider whether advertising / sponsorship is appropriate in the situation and whether the “Mandatory Requirements” as set out in this document can be met.

Advertising or sponsorship **will** be sought by placing details of the Council activity that may be suitable for sponsorship or as an advertising opportunity on the council’s website. Details provided **shall** include:

- A description of the event or opportunity
- When the opportunity will begin
- The potential audience
- How long the opportunity might last.
- Officer contact details
- Whether or not the opportunity is exclusive to just one organisation

All potential advertisers and sponsors must be referred to this policy for guidance.

7.0 Considering Requests to Advertise or Sponsor

All advertising or sponsorship proposals received must be reported to the relevant Head of Service.

Where more than one request to advertise or sponsor a specific council activity is received, consideration **shall** be given as to whether multiple advertisers / sponsors are appropriate or whether the opportunity needs to be exclusive. If the opportunity is considered exclusive, then the Head of Service will need to select one advertising / sponsorship offer and reject the others. Notes **shall** be kept detailing how the decision was made.

All parties **will** be contacted and advised of the outcome.

8.0 Awarding Advertising or Sponsorship

Where more than one organisation responds to or proposes an advertising or sponsorship opportunity, the Head of Service shall consider the following when making a decision:

- Sponsorship value (monetary or value in kind)
- Relevance of each organisation
- Location

9.0 Advertising and Sponsorship Agreements

All advertisement and sponsorship arrangements will not be deemed agreed until in the form of a written agreement that has been approved by the relevant Head of Service.

Advertising and sponsorship agreements will be referred to Legal and Financial Services for review prior to signing.

The agreement shall take the form of the template annexed to this Policy. The Agreement shall be in line with this policy and have regard to public accountability and transparency, including clear statements of:

- Parties - The agreement must be clear as to the parties involved including full contact details and a named point of contact.
- Details - The details, terms and value of the advertisement or sponsorship must be clearly set out.
- Advertiser/sponsor's obligations - The requirements/expectations of the advertiser/sponsor.
- The council's obligations - The requirements/expectations of the team, department or service area seeking sponsorship.
- Outcomes - The agreement **will** set out the objectives and benefits to be achieved.
- Length of advertising / sponsorship agreement - The duration of the advertisement / sponsorship agreement needs to be agreed between all parties.
- Declaration – Potential advertisers and sponsors are required to declare in advance if they have any personal interests, involvement, or potential conflict of interest with any council officers or elected members.
- Assessment of risk - Each advertising or sponsorship proposal will be subject to a risk assessment.

10.0 Working with Council Branding

The Council will make every effort to ensure that organisations engaging in advertising or sponsorship with the Council and its activities are provided with recognition and promote their brand or identity, subject to the following principles:

- The use of branding and logos of any sponsoring company must not interfere with the council's Corporate Identity Policy or Brand Guidelines.
- The size and positioning of sponsors' logos on any promotional material, goods or signage must be considered in conjunction with the council's Communications team.
- In the case of sponsorship, the Council will have the rights of approval on all appropriate sponsorship related activity, such as:
 - Use of the Council Intellectual Property (trademark and logos), which includes council owned venues, events, programmes etc.
 - Publicity and promotion of the sponsorship in sponsor's own advertising, media, and marketing materials, including in digital and social media.
 - Appropriate sponsor events at council-owned venues
 - All sponsorship activity and activation programmes will be agreed between the sponsor and council prior to implementation.

11.0 Monitoring and Review

It is possible during the agreement that circumstances and the values of one or more of the parties may change, meaning that the relationship is no longer appropriate. To accommodate

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such circumstances the Council will regularly monitor and review its advertising and sponsorship arrangements.

Annually each advertising and sponsorship agreement will be reviewed to check for the possibility of a conflict of interest and may be refused or terminated in any case where during the life of the sponsorship the sponsor:

- a) Has a current development application, licensing application or planning matter before the council, or the Council is aware of the possibility of an application or matter coming before the Council in the near future;
- b) is, or is likely to be, subject to regulation, inspection or enforcement action by the Council which may impose or imply conditions; and where the sponsorship may limit the council's ability to carry out its functions fully and impartially.

The Council will keep a register of all advertising and sponsorship agreements. The register will be a publicly accessible document.

12.0 Disclaimer

Acceptance of advertising or sponsorship does not imply endorsement of products and services by North West Leicestershire District Council.

The Council reserves the right to withdraw advertising or sponsorship with no guarantee of refund at any time to meet the demands of unexpected circumstances.

This includes:

- Force majeure (i.e. major environmental events)
- Periods of heightened sensitivity and/or developments following the installation of advertising (i.e. an external event deemed previously acceptable advertising in bad taste).

Advertisers and sponsors would be informed of such circumstances at the earliest available opportunity.

13.0 Review

This policy document will be reviewed every three years.