

Advertising and Sponsorship 2024-2026

## **Sheffield City Council Advertising and Sponsorship Policy**

### Contents

1. Purpose of the policy
2. Definitions
3. Scope
4. Rules
5. Principles
6. Conflict of interest
7. Agreements
8. Public accountability
9. Responsibilities and decision making
10. Disclaimer
11. Implementation and review

## 1. Purpose of the Policy

- 1.1 The purpose of this policy is to set out the terms upon which advertising and sponsorship may be sought and accepted by Sheffield City Council (the Council).
- 1.2 It provides guidance on the principles and procedures relating to any advertising or sponsorship agreement.
- 1.3 The Policy: a) outlines the rules and guidelines that the Council and its potential sponsors and advertisers must follow; b) assesses risk and managing potential conflicts of interest; c) clarifies public accountability and transparency of decision making.
- 1.4 By applying this policy the Council will:
- a) be consistent;
  - b) establish a set of standards;
  - c) provide a framework of controls;
  - d) ensure compliance with legislation, advertising industry codes and other council policies, including our brand guidelines;
  - e) safeguard and steward the image, environment and health of the city;
  - f) uphold and protect the council's reputation and corporate identity;
  - g) further our strategic vision and support our priorities by facilitating communication;
  - h) maximise the use of our assets to generate revenue;
  - i) build positive relationships with businesses through advertising and sponsorship

## 2. Definitions

2.1. **Advertising**, for the purposes of this policy, is defined as a transaction between the Council and an external organisation in which the organisation can display informative and/or persuasive content about its products, services, causes or ideas in/on Council assets in exchange for a previously agreed financial sum.

2.1.1 Advertising opportunities fall into two categories,

- a) those channels which are most clearly associated with the Council, including, but not exhaustively, its main and associated websites; intranet, social media accounts; corporate and service publications; buildings and vehicles.
- b) those channels where the Council acts as landlord or operator, but which may be managed for the Council under transparent and tendered agreements.

2.2. **Sponsorship**, for the purposes of this policy, is defined as a relationship between the Council and an external organisation in which the organisation supplies funding, resources or other services in exchange for recognition from the Council, either through the offer of association with a project or event that may be used for commercial advantage, naming rights or another mutually beneficial agreement.

2.3. Sponsorship may also refer to the Council, or one of its traded services, acting in the sponsor role by providing resources to an external organisation in exchange for recognition.

2.4 Recognition can include, but is not limited to, appropriate signage, inclusion of the sponsor’s name and logo on Council publications/assets and other external publications and naming rights for an event or building for the term of the sponsorship.

### 3. Policy scope

3.1 This policy is three-fold, covering:

- The Council as an advertiser or sponsor;
- The Council as an owner of an advertising platform or sponsorship opportunity which an external individual, group or organisation may wish to take up
- The Council’s sub-contracted and commissioned services (where council funds are the predominant income) and council leases where the council is a majority owner or shareholder.

3.2. Any existing advertising or sponsorship agreements must be reviewed against this policy at the end of any contractual term.

3.3. Advertising or sponsorship agreements concerning Council assets that are managed by a third party should adhere to this policy, or in the case of 3.2, adopt the policy terms at the earliest opportunity.

3.4 Advertising or sponsorship that forms part of a wider agreement for a) third-party organised events b) third-party long term commercial leases should adhere to the terms of this policy, unless specific terms are/have been negotiated as part of a separate formal contract agreement between a third-party and the Council. See 4.7.

3.5 When working in formal partnership or collaboration with another body, the Council will adhere to this policy. Contributing partner organisations not governed by the terms of this policy are encouraged to adopt these terms as best practice.

### 4. Rules

4.1. All advertising and sponsorship agreements must fall within the guidelines and rules laid out by:

- [Recommended code of practice for local authority publicity - GOV.UK \(www.gov.uk\)](http://www.gov.uk)
- [Marketing and advertising: the law: Regulations that affect advertising - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

4.2. Without any limitation on the Council’s ability to exercise its discretion, the Council does not consider the following companies, partnerships, organisations or individuals as suitable for entering into advertising or sponsorship agreements with:

| Category  | Advertising   | Sponsorship   |
|---|---------------|---------------|
| Discrimination against any individual or group on the basis of any protected characteristic detailed in the Equality Act 2010 | Not permitted | Not permitted |
| Weapons or illegal drugs or products  | Not permitted | Not permitted |

| Category  | Advertising  | Sponsorship  |
|---|--|--|
| Sexual or pornography orientated entertainment materials or products  | Not permitted  | Not permitted  |
| Tobacco and related products  | Not permitted  | Not permitted  |
| E-cigarettes / vaping   | Permitted only if advert is part of a stop smoking campaign, featuring a product that is not owned or part-owned by the Tobacco Industry | Not permitted  |
| Gambling or betting products <sup>1</sup> , services or organisations   | Not permitted  | Not permitted  |
| Fossil fuels<br>All firms and associated sub-brands or lobbying organisations that extract, refine, produce, supply, distribute or sell any fossil fuels  | Not permitted  | Not permitted  |
| Airlines & airports<br>Content which might reasonably be deemed to promote more flying  | Not permitted  | Not permitted  |
| Cars – content promoting petrol, diesel and hybrid electric plug-in vehicles  | Not permitted  | Not permitted  |
| Foods and drinks that are high in fat, salt and/or sugar (HFSS) as defined by the <a href="#">Department of Health and Social Care’s nutrient profiling model</a> <sup>2</sup> .  | Not permitted  | Not permitted  |
| HFSS food and drink brands or those synonymous with, including food ordering services, where no food or drink product is featured directly <sup>3</sup>   | Not permitted  | Brands/companies synonymous with HFSS foods and drinks not permitted |
| Breast or infant milk formulas not in accordance with the International Code of Marketing of Breast-milk Substitutes, or involves companies who produce or promote infant formula, other infant milks, bottles and teats, and foods marketed as suitable before 6 months of age | Not permitted  | Not permitted  |

<sup>1</sup> Including “in-game currencies” used for gambling-like activity

<sup>2</sup> Sheffield City Council or its representatives may request evidence of nutrition information of food and drink products advertised, and in line with the Food Standards Agency recommendations, Sheffield City Council expects any laboratory used for nutrition analysis to have ISO 17025 accreditation and this should be by the United Kingdom Accreditation Service (UKAS).

<sup>3</sup> Examples may include: advertisements where the brand’s logo is included but no products, such as a brand values campaign, directional signage to a store, app or website, promotional advertising which is price-led but features no products such as ‘50% off everything’ or similar, advertising about a business or its performance.

| <b>Category</b>   | <b>Advertising</b>   | <b>Sponsorship</b> |
|---|--|--------------------|
| Alcoholic drinks and low/zero alcohol drinks from brands synonymous with alcohol                          | Not permitted. Includes advertisements where a range of drinks are featured, some of which are alcoholic or low/zero alcohol by a brand synonymous with alcohol. | Not permitted      |
| Loan advancers which meet the Financial Standards Authority's definition of 'High Cost Short Term (HCST)' | Not permitted  | Not permitted      |

#### 4.2.1 The Council will not accept advertising or sponsorship

- a) that infringes on any trademark, copyright or patent rights of another company
- b) in all scenarios where it is legally permissible, from companies who are in dispute with the Council or where there is pending/active legal action.
- c) when companies are in contract negotiation with the Council and the arrangements may be viewed as an endorsement of a bid.
- d) That supports advocacy of, or opposition to, any political party or any socially inflammatory or controversial subjects or issues
- e) where there are claims or representations in violation of advertising or consumer protection laws; those that have been found, or are suspected, to have failed to comply with the guidelines laid out by the Advertising Standards Authority
- f) from those whose advertising may result in the Council being subject to prosecution or bring the Council into disrepute.

#### 4.3. The Council reserves the right to decline or remove advertising deemed to be objectionable on the grounds that it:

- a) does not comply with current advertising law or incites, provokes or condones someone to break the law (particularly crime, violence and antisocial behaviour)
- b) could reasonably be seen as likely to cause pressure to conform to an unhealthy body shape, or as likely to create body confidence issues, particularly among young people.
- c) will or is likely to leave the Council in breach of the Equality Act or its Public Sector Equality Duty
- d) does not meet the minimum requirements of WCAG 2.1 accessibility standards
- e) poses a health and safety risk. For example, as a result of flickering or other visual imagery in the case of digital media
- f) is inappropriate or out of line with organisational values, policies or strategic goals as set out in the Council's Corporate Plan
- g) conflicts with services already provided by the organisation.

#### 4.4 The Council reserves the right to remove non-compliant advertising at any time without reference to the advertiser.

#### 4.5 The restrictions above apply both to the explicit promotion of goods and services, and implicit promotion as part of advertising or sponsorship of other types of goods, products, or services.

4.6 Advertising and sponsorship required during an event, including the Council's owned venues, should be within the boundaries of the event space and form part of the hire agreement. Any potential deviation from the food, drink and alcohol restrictions listed above for a specific event should be considered separately and made explicit in the hire agreement.

4.7 As mentioned in 3.4 specific terms outside of the rules of this policy may be applied in certain circumstances. Subject to agreed terms a third-party may be able to advertise or accept sponsorship of a product or organisation that the Council will not. Any terms outside of this policy must always be agreed in accordance with advice from the Advertising and Sponsorship Officer, and with approval from the Director of Policy & Engagement, as per 9.3.

4.7.1 In the case of Council assets that are managed by a third party, specific terms may be negotiated as part of a separate commercial contract agreement or contract renewal.

4.7.2 In the case of third-party major, national or international events, specific terms may be negotiated as part of a separate contractual hire agreement.

4.7.3 In the case of third-party long term leases specific terms may be negotiated as part of a separate contractual lease agreement.

4.8 In the case of small local businesses and their related events, exemptions to this policy may apply. The Council may accept advertising and sponsorship, if deemed appropriate, from the list of unsuitable partners or content (at 4.2) if it meets specific 'small local business' criteria as set out in appendix 1. Any terms outside of this policy must always be agreed in accordance with advice from the Advertising and Sponsorship Officer.

4.9. There may be times when the Council want to sponsor local events or services. The list of unsuitable partners or content for sponsorship (at 4.2) applies.

## 5. Principles

5.1. Any consideration given to advertising or sponsorship agreements shall have regard to the following principles:

- a. must be compatible with the values and priorities in the Council's Corporate Plan and its wider strategy and policy frameworks;
- b. the commercial and/or social value of any arrangement must be clear for both parties;
- c. an arrangement cannot be perceived to influence or hinder how the Council operates or makes decisions;
- d. arrangements must not impose or imply conditions that would limit or appear to limit the Council's ability to carry out its functions fully or impartially;
- e. the reputation and credibility of the Council is not damaged;
- f. the form of sponsorship is consistent with the stated objectives of the Council which includes the Council's image;
- g. agreements are formed with regard to public accountability and transparency with clear statements of objectives and benefits achieved;
- h. the extent of recognition is to be determined in relation to the level and nature of the sponsorship; and is subject to written agreement specifying the benefits and costs.

5.3 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, or could be perceived as, lending support to any political party.

5.4 The Council may advertise its own services as appropriate using its own platforms. This may include adverts relating to traded services which generate an income.

5.5 The Council must ensure a return on investment when it is a sponsor. This return extends beyond financial return, and may include other benefits such as but not limited to reputational or supporting Council objectives and policy.

5.6 The use of branding and logos of any sponsoring company must be compatible with the Council's corporate brand guidelines and the Sheffield city brand guidelines and all artwork is subject to approval by the Council.

5.7 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 Communications team and should not be disproportionate to the sponsorship provided.

5.8 Promotional materials and designs should adhere to WCAG 2.1 standards for accessibility. The Council's Communications Service encourage best practice in accessibility to ensure all barriers to engagement are removed and can provide support to ensure that minimum requirements have been met.

5.9 Where advertising is generated by the Council, the content will be commissioned via the Council's Communications team.

5.10 Media relations or publicity for all agreements are undertaken by the Council's Communications team. All media or publicity information produced by the sponsor must be approved by the Council's Communications team before circulation.

## **6. Conflict of Interest**

6.1. Council Officers and Members are required to declare in advance if they have any personal interests, involvement, or potential conflict of interest with any potential sponsor. In the event of a potential conflict of interest, that Officer or Member will take no part in the consideration of advertising or sponsorship with that organisation.

6.2. Every advertising or sponsorship proposal will be assessed against the possibility of a conflict of interest and will be refused or terminated where during the life of the advertising or sponsorship the sponsor: a) has a current development 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 or inspection 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.

6.3. It is required that any individual or organisation with an advertising or sponsorship agreement with the Council will disclose the agreement if there is a current development application or planning matter relating to them, or if the individual or organisation is subject to regulation or inspection by the Council. If such a conflict is not declared, this is grounds for termination of the contract.

## **7. Agreements**

7.1. There should be a Council approved written form of agreement which clearly sets out:

- a) the benefits, including economic benefits, available to the Council and the sponsor and the nature of the benefits e.g., naming rights;
- b) any personal benefits available to the sponsor's employees and relatives;
- c) the form or forms of sponsorship which will be available;
- d) the scope of uses which the sponsor can make of the advertising sponsorship arrangement;
- e) the term of the advertising conditions regarding renewal; or sponsorship agreement and any;
- f) consequences of change which may occur over time e.g. a shift in the relationship, new policies, new corporate missions or objectives;
- g) financial accountability requirements;
- h) provision for termination or suspension of the agreement.

7.2. The agreement must include a statement that "the Council's function will continue to be carried out fully and impartially, notwithstanding the existence of an advertising or sponsorship arrangement."

7.3. The agreement must include a statement to the effect that any attempted influence of the Council's regulatory functions will result in an automatic review and/or termination of the agreement.

7.4. Advice should be taken from Legal Services before entering into any agreement.

## **8. Public Accountability / Reporting**

8.1. The Council is committed to principles of open governance and of public accountability, transparency and accessibility. To meet these objectives, the Council agrees that:

- a) advertising and sponsorship agreements must be in the form of written agreements;
- b) the Council's Advertising and Sponsorship Policy is publicly available on the Council's website.

## **9. Responsibilities and decision making**

9.1 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.

9.2 The Council holds personal data of service users and compliance with UK GDPR will be adhered to in all cases.

9.3 All decisions are made in accordance with the Council's Constitution. The Director of Policy & Democratic Engagement has delegated authority to make binding final decisions.

9.4 The Director of Policy & Democratic Engagement authorises the Advertising and Sponsorship Officer to make day to day decisions in line with the terms of this Policy.



9.5 The Advertising and Sponsorship Officer is 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 and advise on all enquiries. The Advertising and Sponsorship Officer may refer to the Advertising and Sponsorship Advisory Group for guidance.

9.6 The Advertising and Sponsorship Advisory Group will advise as required, on a case-by-case basis to support decision making on Advertising and Sponsorship agreements. The Group includes representatives from across the Council's services to provide expertise and guidance where an advertising or sponsorship request requires further consideration.

9.7 Where advertising or sponsorship is discharged by a third party under a formally procured contract or concession arrangement, the third party must apply this policy and this should be reflected in contractual arrangements. Existing third-party agreements must adopt this policy on renewal, unless specific exemptions have been negotiated, as per 4.7. Terms must be negotiated with referral to The Advertising and Sponsorship Officer and Advisory Group.

9.8 The Council's Legal Service will approve the terms and wording of contractual agreements in relation to advertising and sponsorship.

## **10. Disclaimer**

10.1 All agreements for advertising and sponsorship should operate under the provision that the Council is not explicitly endorsing the product.

10.2. Advertising on Council assets should be clearly labelled as such.

10.3. Recognition of sponsorship should include phrases such as "sponsored by/ funded by/ in partnership with" to reflect that the Council's contribution is distinct from that of the business partner.

10.4. Acceptance of advertising or sponsorship does not imply endorsement of products and services by Sheffield City Council and the Council is not responsible for errors, omissions, information or claims made by the advertisement or by the advertiser or sponsor.

## **11. Policy Implementation & Review**

11.1. This version of the policy will come into effect from April 2024 and will be applied to all new Advertising and Sponsorship agreements, plus current Advertising and Sponsorship agreements as and when they are due for renewal.

11.2. Voluntary adoption of this policy in the middle of a contractual arrangement will be encouraged unless it would result in claims against the Council or additional costs.

11.3. This policy is subject to review in 2026.

## Appendix 1 - Advertising and Sponsorship – supporting local business

It is acknowledged that small local businesses do not present the same level of buying power, brand manipulation and potential harm than large corporations.

Advertising and sponsorship with local businesses can be very beneficial to both parties – building strong relationships, supporting the local economy, helping independent businesses to thrive and creating a vast range of commercial opportunities.

To support a business-friendly approach to the introduction of the council’s advertising and sponsorship policy, and the city’s vibrant leisure, events and hospitality scene the following criteria can be applied when assessing whether we can go into agreements with certain business types that would be listed as ‘not permitted’.

Sheffield City Council’s communications campaigns reflect the key priorities of the Authority. In all cases, the business or product type must not be in direct contradiction to a Sheffield City Council communications campaign.

Before assessing the below criteria, the product or business type should be checked against all live communications campaigns to determine whether it is suitable.

### Local independent business – acceptable criteria

Local food and drink, events and leisure businesses that sit within the ‘not permitted’ list would be considered for advertising and sponsorship only if they are:

- Categorized as an SME (small to medium enterprise)
- Registered as a Sheffield based business
- An independent business

On meeting these criteria, the business/product type will be assessed by the Advertising and Sponsorship officer to ensure it is appropriate. For example:

- a small local brewery may be accepted as a sponsor for a food festival but would not be accepted for a Fostering recruitment event or an Active Travel initiative.
- a local takeaway or pizza restaurant might sponsor a roundabout but would not be accepted for an advertising banner featuring HFSS foods on a local park railing or to sponsor a children’s playground.

Assessment of suitability will be carried out by the Advertising and Sponsorship Officer, with support from the Advisory Group if required.

Where it is deemed inappropriate the Advertising and Sponsorship Officer can support the business to look for alternative options across the council’s advertising and sponsorship asset suite.

### Promoting local businesses

The same rationale can be applied to the council in relation to promoting events and venues in the city. For example:

- Welcome to Sheffield could promote the opening of new independent food & drink venues, but could not promote a new fast food chain opening.
- The Moor Market could promote a new café or stall opening, but could not promote the sale of its fish and chips, or a 2-4-1 offer on frozen pizzas

Advice should be sought from the Advertising and Sponsorship Officer before promoting a business or product that falls within the not permitted list.