

Hackney Council's Corporate Advertising and Sponsorship Policy 2022

1. Background

- 1.1 The purpose of this policy is to give guidance on the principles and procedures relating to any advertising or sponsorship carried by Hackney Council.
- 1.2 The application of the principles of Hackney's advertisement and sponsorship policy are context dependent and will at times require subjective judgements. These will be communicated to advertisers upon request as reasonably required.
- 1.3 The standards and procedures contained herein are consistent with Hackney Council's advertising and sponsorship objectives:
 - i. To ensure that our position and reputation are adequately protected in advertising and sponsorship agreements.
 - ii. To ensure that we adopt a consistent and professional approach towards advertising and sponsorship.
 - iii. To ensure best value is obtained and provided in sponsorship arrangements, including any arrangements made where we receive either money or a benefit in kind.
 - iv. To protect members and individual officers from allegations of inappropriate dealings or relationships with advertisers and sponsors.
 - v. To ensure the council consistently implements its commitment in relation to the Local Government Declaration on Sugar Reduction and Healthier Foods.
 - vi. This policy will be subject to ongoing updates made by the Council on a regular and reasonable basis.

1.4 Advertisement

- i. For the purposes of this policy, advertising is defined as the following: "an agreement between Hackney Council and the advertiser where we receive money for the placing of an announcement in our publications (including those produced by the Mayor in relation to their civic, ceremonial and fundraising role), on our website, our intranet and other physical sites (including but not limited to: billboards, hoardings, printed materials and vehicles), from an organisation or individual for the act or practice of calling public attention to one's product or service or to raise awareness."
- ii. This policy clarifies the standards for approval of advertisements.
- iii. The regulation of advertising in the UK is the responsibility of the Advertising Standards Authority (ASA). The ASA applies the Advertising Codes [<http://www.cap.org.uk/Advertising-Codes.aspx>]. Any requirements listed herein are to be regarded as in addition to those required by the ASA UK Code of Non-broadcast Advertising and Direct & Promotional Marketing (CAP Code).
- iv. Hackney Council values advertising revenue and will work to maximise this income stream. Some forms of advertising may be accepted but restricted to certain channels and / or pages on our website. A maximum level of advertising will be set for each channel and intrusive advertising will be avoided.

- v. The appearance of advertisement on any council publication is not an endorsement by Hackney Council of that company, product or service. In order to make this clear all publications with advertising should carry the 'Disclaimer Notice' (Appendix 1).

1.5 Sponsorship

- i. For the purposes of this policy, sponsorship is defined as the following: "an agreement between Hackney Council (including in relation to the Speaker's fundraising activities) and the sponsor, where we receive 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."
 - ii. This policy sets the terms upon which sponsorship may be both sought and accepted by Hackney Council.
 - iii. We will actively seek opportunities to work with both local and national organisations by identifying sponsorship opportunities of mutual benefit and which are in keeping with our strategic priorities and core values. We welcome all opportunities to work in partnership.
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2 Standards for approval of advertisements

2.1 Advertisements carried by Hackney Council will not conflict with:

- i. Relevant ASA Advertising Codes.
- ii. The Consumer Protection from Unfair Trading Regulations 2008.
- iii. Equality Act 2010.
- iv. The Code of Recommended Practice on Local Authority publicity.
[\[https://www.gov.uk/government/publications/recommended-code-of-practice-for-local-authority-publicity\]](https://www.gov.uk/government/publications/recommended-code-of-practice-for-local-authority-publicity)
- v. The council's policies, core values or the stated aims and priorities as set out in the Corporate Plan.
- vi. Additional required standards as outlined below [2.2-2.3].

2.2 Advertising will not be accepted if it promotes any of the following:

- i. Weapons, violence or anti-social behaviour of any description.
- ii. Pornography and/or sexually explicit services and/or products.
- iii. Loans and/or speculative financial products.
- iv. Gambling products, services or organisations.
- v. Cosmetic surgery.
- vi. Tobacco and related products, including e-cigarettes / vaping.
- vii. Alcohol displayed on Council owned media¹. This includes advertisements where there is a range of drinks featured, some of which are alcoholic.
- viii. Unproven health and weight loss products e.g. weight loss pills.
- ix. Directly or indirectly, food and non-alcoholic drink which is high in any of fat, sugar and salt ('HFSS' products), as defined by the Department of Health and Social Care's Nutrient Profiling Model (NPM), without exceptions². The NPM is available [here](#). This includes advertisements where there is a range of food/drink featured, some of which is HFSS, for example, when promoting a meal within a restaurant or from a delivery service. In any case of doubt, it is for the advertiser to show that their product is not HFSS, their advertisement is not promoting HFSS products or there are exceptional grounds.

2.3 Advertising will not be accepted if, in Hackney Council's opinion, it is reasonably objectionable on the grounds that it:

- i. does not comply with the law or incites, provokes or condones someone to break the law (particularly crime, violence and antisocial behaviour).
- ii. discriminates on the grounds of age, race, colour, national origin, religion or belief, sexual orientation, gender or disability.
- iii. poses a health and safety risk. For example, as a result of flickering or other visual imagery in the case of digital media.
- iv. 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.
- v. originates from a prohibited organisation, namely

¹ Major event advertising and sponsorship will be exempt from 2.2vii and subject to review and approval by the Council.

² The Local Authority or its representatives may request evidence of nutrition information of food and drink products advertised, and in line with the Food Standards Agency recommendations, [LA] expects any laboratory used for nutrition analysis to have ISO 17025 accreditation and this should be by the United Kingdom Accreditation Service (UKAS).

- a. Political organisations, lobby and campaign groups.
 - b. Manufacturers and distributors of tobacco products and / or alcohol.
 - c. Payday lenders.

- vi. is inappropriate to display because it is of a sensitive, indecent or obscene subject matter and/or content. For example:
 - a. It is of a racial, religious or political nature.
 - b. It affects public support for a political party or a person identified with such a party.
 - c. It is likely to cause widespread or serious offence to reasonable members of the public on account of the nature of the product or service being advertised, the design of the advertisement, its wording or by way of inference*.
 - d. It in some way touches on socially contentious issues, contains messages which could be regarded as contentious or a subtext which could cause offence*.
 - e. It can be considered as mocking a group or citizens.
 - f. It depicts children in a sexual manner or displays nude or semi-nude figures in an overtly sexual context.
 - g. It depicts or refers to indecency or obscenity or uses obscene or distasteful language.

- vii. Conflicts with Hackney Council in so far as it:
 - a. appears to compete directly with a council service, income stream and/or the local economy of the area. Examples are out-of-borough shopping centres and external adoption/fostering agency services.
 - b. associates the council with organisations in financial or legal conflict with the council.
 - c. contains negative references to Hackney Council services.

- viii. is unacceptable for some other substantial reason which Hackney Council will identify and explain as reasonably required.

*Advertisements which promote tolerance, discourage prejudice, and are in line with the Equality Act 2010, will not normally be disapproved on the grounds that they may cause offence or relate to socially contentious issues. Likewise neither will adverts which intend to promote the right to life, liberty or security of the person, or which reasonably promote causes which are not party political.

3. Procedures for advertisement approval

- 3.1** All contracts for corporate advertising will be managed centrally through the Communications Service at Hackney Council to ensure that the best terms are negotiated, that Contract Standing Orders are not breached and to ensure continuity should the person originally party to the agreement change jobs or leave.
- 3.2** The Communications Service will need to see and approve:
- i. All advertising before any Hackney Council publication goes to press or any advertisement is displayed in any part of the council or the borough (including in publications prepared by the Speaker in their civil, ceremonial or fundraising role).
 - ii. The layout, content and placement of any advertising features or supplements.
- 3.3** In all circumstances the Head of Marketing and Commercial Services retains the right to disapprove any advertisement or editorial related to advertisements in line with Section 2 of this policy.
- 3.4** Acceptance of advertising does not imply endorsement of products and/or services by Hackney Council. In order to make this clear all publications with advertising or sponsorship should carry the 'Disclaimer Notice' (Appendix 1).

4. Standards for approval of sponsorship

4.1 Sponsors carried by Hackney Council must operate within all relevant legislation and guidance including:

- i. UK Code of Non-broadcast Advertising and Direct & Promotional Marketing (CAP Code).
- ii. The Code of Recommended Practice on Local Authority Publicity
- iii. The Business Protection from Misleading Marketing Regulations 2008.
- iv. The Consumer Protection from Unfair Trading Regulations 2008.
- v. Equality Act 2010.

4.2 Hackney Council cannot put itself in a position where it might be said that a partnership has, might have, or may be thought to have:

- i. influenced the council or its officers or members in carrying out its statutory functions in order to gain favourable terms from the council in any business or other agreement.
- ii. aligned the council with any organisation which conducts itself in a manner which conflicts with our aims or values.

4.3 Hackney Council is not able to enter into agreements for sponsorships which:

- i. are in direct conflict with the council's advertising policy.
- ii. are, at the sole discretion of the Communications Service considered inappropriate in regard to the organisation, individual or in respect of particular products.
- iii. involve companies who produce or promote predominantly HFSS foods and / or drinks (according to the Nutrient Profiling Model) including sports drinks, fruit juices and smoothies.
- iv. in accordance with the International Code of Marketing of Breast-milk Substitutes, involve companies who produce or promote infant formula, other infant milks, bottles and teats, and foods marketed as suitable before 6 months of age.

4.4 Sponsorship materials must:

- i. not detract from Hackney Council's strong corporate identity
- ii. in their nature and content, be consistent with advertising policy as set out in this document.

5. Procedures for sponsorship approval

- 5.1 Before seeking sponsorship, council officers and the Speaker must consider this policy document and follow the guidelines provided. It is recommended that all potential sponsors are referred to this policy
 - 5.2 In accordance with our procurement policy and procedures we may advertise a sponsorship opportunity to potential sponsors.
 - 5.3 Sponsorship agreements must be referred to Legal Services at Hackney Council for review prior to signing. Before agreeing to any sponsorship opportunity all financial costs must be identified, including the sponsorship equivalent value of any sponsorship in kind.
 - 5.4 All sponsorship bids shall be approved by the Strategic Director and appropriate Cabinet member.
 - 5.5 The Communications Service will agree with the sponsor the nature and content of the publicity and will retain the right to approve all advertising material in line with advertising policy.
 - 5.6 Acceptance of sponsorship does not imply endorsement of products and service by Hackney Council. In order to make this clear all publications with sponsorship should carry the Disclaimer Notice in Appendix 1.
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Appendix 1: Disclaimer Notice for advertisement or sponsorship

'Whilst every effort has been made to ensure the accuracy of advertisements contained in the publication, Hackney Council cannot accept any liability for errors and omissions. Hackney Council cannot accept any responsibility for claims made by advertisers and their inclusion in [name of publication] should not be taken as an endorsement by Hackney Council.'

Appendix 2 – Guidance for decisions regarding advertising including high fat, salt or sugar food and non-alcohol drinks.

1. Definition of high fat, salt, sugar foods

- 1.1 Consistent with the Transport for London advertising policy effective 25 February 2019 the UK Nutrient Profiling Model (NPM) has been adopted by Hackney Council to define high fat, salt and sugar (HFSS) foods.
- 1.2 Any revisions to the NPM will be reflected in the advertisement decisions made by the council.
- 1.3 Explanatory guidance for calculating the Nutrient Profile score for food and drink can be found here: <https://www.gov.uk/government/publications/the-nutrient-profiling-model>. It is the advertisers' responsibility to verify the HFSS status of any product featured in their advertisement.

2. Exemptions

- 2.1 Advertisements including food and non-alcoholic drink considered HFSS under the NPM may be considered for an exception by Hackney if the advertiser or their agent can satisfactorily demonstrate and evidence that the product does not contribute (via HFSS diets) to obesity in children or adults.

3. Decision Table

Advertisement Content	Outcome	Notes
Only non-HFSS products featured	Approval	Advertisement must also meet standards for approval of advertisements; Section 2.
Only HFSS products featured	Rejection*	
A range of products are featured, including some which are HFSS	Rejection*	A meal or range e.g. meal deal will only be accepted if all products or food items are non-HFSS. Applies across all settings (restaurants, delivery services etc.)
No food or non-alcoholic drink is featured directly, but the advertisement is from a food and non-alcoholic drink brand.	Approval only if the advertisement promotes healthier options, with no HFSS product included*.	Inclusive of ads with brand logos only, directions to a brand's physical, mobile or online presence, or promotional advertising.
Food or non-alcoholic drink is shown incidentally or implied	Probable rejection if the food or non-alcoholic drink can be reasonably considered to be HFSS*	Includes cases in which the depicted food is made from non-food products.
Food and non-alcoholic drink is referenced in text or through graphical representations	Possible rejection if the advertisement can be reasonably considered to promote HFSS food*	Includes cases in which references do not relate to a specific product which can be assessed for its HFSS status.

*[unless a practical exemption has been agreed for the HFSS product(s)]