

CARDIFF COUNCIL
SPONSORSHIP POLICY

Definitions:

The following definitions are provided to avoid confusion between partnership marketing and financial sponsorship.

Partnership marketing

Partnership marketing is the development and delivery of Council messages via partnerships with private and public sector organisations, utilising one or more elements of the partner's range of marketing communications channels. Partnership marketing does not usually involve payment of any fee to the partner; it is generally in-kind activity.

Sponsorship

Sponsorship generally involves the payment of fees for the right to be associated with an activity. Council departments can use sponsorship in two ways:

Undertaking financial sponsorship

A Council department may pay a fee for the rights to a public association with an activity, item, person or property, in return for a set of benefits. A number of different types of sponsorship fall under this heading:

- event sponsorship; and
- media sponsorship (of TV/radio programming, cinema, digital or press content).

Seeking sponsorship

Alternatively, a Council department may act as a rights holder, seeking external financial support or the provision of services in lieu of payment in return for a set of benefits, for an activity, event or campaign that the department has created.

Further descriptions of sponsorship disciplines (including broadcast and events sponsorship) can be found in the 'Important Terms' section annexed at Appendix A.

See also the Sponsorship/Partnership Marketing Checklist which sets out the factors involved in deciding whether sponsorship/partnership marketing is the best method for achieving the Council's aims. They have been grouped together to reflect the stages in the sponsorship/partnership marketing process.

This policy document sets out the Council's definition of "sponsorship" and the terms upon which the sponsorship may be both sought and accepted by the Council.

1. Purpose of the Policy

- 1.1** In order to enhance, vary or reduce the cost of current activities, the Council may enter into a sponsorship agreement. This may involve either the Council granting sponsorship to a third party in the form of some benefit, or the Council receiving sponsorship in the form of some benefit from a third party, with the intention in all cases being to support the Council's activities.
- 1.2** When granting sponsorship, the Council must also consider the provisions relating to granting financial assistance contained in the relevant legislation.
- 1.3** Sponsorship can be advantageous for all parties, however the Council must ensure all sponsorship agreements do not compromise or question the integrity of the Council's operations.

2. Objectives and Coverage of the Policy

- 2.1** Cardiff Council's Sponsorship Policy outlines the principles and procedures for acceptance and granting of sponsorship proposals. The Policy is concerned primarily with:
 - (a) assessing risk and managing potential conflicts of interest
 - (b) public accountability and transparency of decision making
 - (c) financial management and benefits

3. What is Sponsorship?

- 3.1** "Sponsorship" can be defined as "a business relationship of mutual benefit involving the transference of funds, resources or services from the sponsor to the sponsored party in return for an association and a set of rights which are to the mutual satisfaction of both parties". Sponsorship is not philanthropic and a sponsor will expect to receive a reciprocal benefit beyond a modest acknowledgement.
- 3.2** 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.
- 3.3** Association of a company's name with Council events or activities can be particularly attractive in terms of the opportunities for media coverage and as a display of public spirit. In some cases sponsors' motives or the benefits the sponsor anticipates may be less apparent. Careful consideration should always be given to understanding what a sponsor might gain from the arrangement.

- 3.4** The Council encourages the involvement of the private and voluntary sectors in the sponsorship of Council activities wherever appropriate. Sponsorship can help exploit the commercial potential of the Council's non-tangible assets, allowing more productive use of existing resources and, potentially, reducing the cost to the taxpayer of our activities.
- 3.5** Sponsorship should not be confused with advertising which can be defined as "any paid form of non-personal presentation and promotion of ideas, goods or services by an identified organisation".

4. Principles

- 4.1** All sponsorship agreements will be in the form of a written agreement and comply with principles and procedures outlined in this policy.
- 4.2** The Council must consider whether the granting of sponsorship may require consideration of relevant legislation as it may be deemed as 'financial assistance'.
- 4.3** Sponsorship agreements must include a statement that that the Council's functions will continue to be carried out fully and impartially, notwithstanding the existence of a sponsorship arrangement.
- 4.4** There should be no real or apparent conflict between the objectives and mission of the Council and those of the sponsor.
- 4.5** The agreement will 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 sponsorship agreement.
- 4.6** Any consideration given to the establishment of sponsorship agreements shall have regard to the following principles:
- (a) not perceived to influence or hinder how the Council operates;
 - (b) do not impose or imply conditions that would limit or appear to limit the Council's ability to carry out its functions fully or impartially;
 - (c) the reputation and credibility of the Council is not damaged by making agreements with unsuitable third parties;
 - (d) the form of sponsorship is consistent with the stated objectives of the Council which includes the Council's image;
 - (e) agreements can be terminated if conditions of this policy are not met;
 - (f) agreements are formed with regard to public accountability and transparency with clear statements of objectives and benefits achieved.
- 4.7** Sponsors must comply with all applicable requirements of the Council's Welsh Language Scheme and the Welsh Language (Wales) Measure 2011 ("the Measure") as and when the provisions of the Measure come into force and insofar as it relates to the provision of the Goods and/or Services in the carrying out of the Sponsor's obligations under any contract entered into.

5. Risk Assessment

- 5.1** Each sponsorship proposal must be subject to a risk assessment. This includes assessing:
- (a) ensuring that the sponsorship benefits for the third party do not outweigh the level of sponsorship;
 - (b) ensuring that the type or form of sponsorship is not inconsistent with the objectives or needs of the Council (e.g. accepting free products simply because they are free but not of any perceivable benefit to the Council);
 - (c) ensuring that any sponsorship proposal does not anticipate explicit endorsement of the sponsor or sponsor's products, as this form of proposal is not acceptable to the Council;
 - (d) ensuring no conflict of interest arises from the sponsorship;
 - (e) sponsorship that does not eventuate;
 - (f) the capacity of the Council to provide adequate resources and facilities to meet the terms of the proposed agreement.
- 5.2** If the assessment concludes the risks are unacceptably high or the Council is receiving minimal value from the proposal, the Council should discontinue consideration of the proposal at this stage.
- 5.3** The Council should not accept sponsorship from parties subject to or likely to be subject to their regulation or inspection.
- 5.4** Every sponsorship proposal will be assessed against the possibility of a conflict of interest and, in particular, may be refused or terminated in any case where during the life of the 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.
- 5.5** In these circumstances, the reasons for accepting sponsorship must be clearly recorded by the approving officer. The agreement of sponsorship must clearly provide suitable provisions to deal with issue, which could include termination or suspension of the sponsorship agreement until the matter is resolved.
- 5.6** It is expected that any individual or organisation with a 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.

6. Council Granting Sponsorship

- 6.1 The Council can receive requests to 'sponsor' activities of an external party e.g. provide funding or resourcing of activities. In most cases, 'sponsorship' is actually a request for financial assistance or support. These requests must be assessed in accordance with the applicable Council Policy.

7. Advertising for Sponsorship

- 7.1 It is accepted that the public interest is best served by the Council making sponsorship opportunities widely known through open tendering, although it is recognised that in certain circumstances this may prove impractical and requests for sponsorship may only be available by invitation.

- 7.2 Reference is to be made to the Council's Contracts Standing Orders and Procurement Rules which can be accessed at: http://www.cardiff.gov.uk/objview.asp?Object_ID=3589& when determining the level of advertising required according to the monetary and/or benefits in kind to be raised from the sponsorship agreement to ensure best value is achieved by the Council. **It is essential that these are followed.** By way of summary only the following applies according to the value of the sponsorship agreement:

- Up to £2,999.99-one quotation to be obtained in writing.
- Between £3,000.00 and £9,999.99-two quotations to be obtained in writing.
- Between £10,000.00 and £99,999.99-at least three written tenders must be invited.
- Between £100,000.00 and EU Services Threshold (currently £173,934.00)-at least four written tenders must be invited.
- Over £173,934.00-European Directive applies and the Public Contract Regulations 2006 that implement them in the UK, with tenders to be invited in accordance with the European Directive and the Public Contract Regulations 2006.

- 7.3 If the value of the sponsorship agreement is below EU Services Threshold, then in exceptional circumstances the Chief Officer (or a more senior officer) responsible for the procurement may, subject to the agreement of the Procurement Manager, determine that a reduced number of quotations or tenders (including a single tender) may be sought.

Any decision to accept a reduced number of quotations or tenders must be recorded in writing and such decision must be demonstrably in the best interests of the Council, represent best value and must set out how the matters set out in Rule 3.2 of the Council's Contracts Standing Orders and Procurement Rules are complied with. Such information must be set out in the Council's prescribed form (i.e. the Pre-Tender Report).

- 7.4 Where a service area looking to put in place a sponsorship agreement and needs to undertake market analysis to identify suitable organisations to be invited to submit a quotation and tender in accordance with 7.2 then Commissioning and Procurement staff will be able to provide support and assistance during this process and in ensuring that the successful organisation is set up on the Council's Alito Supplier Directory and Council's corporate purchasing and payment system (SAP).

If a service area is looking to undertake a sponsorship campaign and need to undertake any market analysis to identify suitable organisations to be invited to submit a quotation/tender the Commissioning and Procurement staff will be able to provide support and assistance during this process. It is a requirement of any sponsorship agreement that the successful organisation is set up on the Council's Alito Supplier Directory and Council's corporate purchasing and payment system (SAP).

8. Unsuitable Activities for Sponsorship

8.1 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 sponsorship agreements with:

- (a) Those involved in the manufacture, distribution and wholesaling of tobacco related products, pornography and addictive drugs;
- (b) Those found guilty of illegal or improper conduct by any other legal authority;
- (c) Those which are involved in political fields [e.g. political parties];
- (d) Those whose services or products are considered to be injurious to health, or are seen to be in conflict with the Council's policies and responsibilities to the community.

9. Acceptable Types of Sponsorship

9.1 The Council can recognise its sponsors in a numbers of ways. The extent of such 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.

9.2 Sponsorship recognition should be tasteful and discrete 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, award presentation;
- (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 subject to approval in each individual case, in static displays or for an activity of the sponsor when not required for the Council's use;
- (h) an opportunity for the sponsor's name and/or logo to be promoted through appropriate general advertising by the Council;
- (i) annual print advertising campaign to thank major sponsors.

10. Agreements

- 10.1** The Council's approved form of Sponsorship Agreement shall be used in all circumstances wherever possible. However it is acknowledged there may be circumstances in which the sponsor may require its own form of agreement to be used. Notwithstanding this, every sponsorship agreement will require a written agreement incorporating conditions of contract which clearly set out:
- (a) the benefits, including economic benefits available to the Council and the sponsor and the nature of the benefits e.g. naming rights;
 - (c) any personal benefits available to the sponsor's employees and their relatives;
 - (d) the form or forms of sponsorship acknowledgment which will be available;
 - (e) the scope of uses which the sponsor can make of the sponsorship arrangement;
 - (f) the term of the sponsorship and any conditions regarding renewal;
 - (g) consequences of change which may occur over time e.g. a shift in the relationship, new policies, new corporate missions or objectives;
 - (h) financial accountability requirements;
 - (i) an indemnity by the sponsor against all liability for personal injury and for loss or damage costs, claims and expenses however caused or incurred as a result of any act of negligence by the sponsor;
 - (j) provision for termination or suspension of the agreement.
- 10.2** The agreement must include a statement that that the Council's functions will continue to be carried out fully and impartially, notwithstanding the existence of a sponsorship arrangement.
- 10.3** 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 sponsorship agreement.

11. Public Register

- 11.1** All Sponsorship Agreements are to be listed in a publicly accessible sponsorship register.

12. Approval of Agreements

- 12.1** All sponsorship bids shall be approved by the relevant Chief Officer or Head of Service in consultation with the relevant Cabinet Member.
- 12.2** Sponsorship Agreements must be referred to Legal & Financial Services for review prior to signing.
- 12.3** It is recommended that all potential sponsors are referred to this policy.

13. Access to Policy

- 13.1** The Sponsorship Policy is to be included in the Council's policy register and placed on the Council's website.

14. Public Accountability/Reporting

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

- (a) Sponsorship Agreements must be in the form of written agreement;
- (b) The Council's Sponsorship Policy is publicly available and listed on the Council's website;
- (c) A public register of sponsorship agreements is maintained by the Council.

15. Marketing and Media Relations

15.1 The Council's Communications team must be notified from the outset of all sponsorship agreements to be entered into by the Council.

15.2 Media relations for all sponsorship agreements are undertaken by the Council's Communications teams, unless otherwise agreed.

15.3 All media information produced by the sponsor must be approved by the Council's Communications teams before circulation.

15.4 The use of sponsors' logos and other branding must not interfere or conflict with the Council's own corporate identity.

15.5 The use of the Council's corporate identity on any sponsors' publicity must be approved by the Council's Communications teams.

16. Disclaimer

16.1 Acceptance of advertising or sponsorship does not imply any endorsement of the sponsor's products or services by the Council.

17. Conflict of Interest

17.1 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 sponsorship with that particular organisation.

18. Policy Review

18.1 This policy is subject to continuous review and will be reviewed on an annual basis.

IMPORTANT TERMS

Events sponsorship

This involves the payment of a fee to the rights holder in return for promotional and branding benefits at an event (e.g. a sports event or conference).

Licensing

Licensing is a contractual arrangement between a third-party company (the licensee) and a Council department (the licensor), which allows the licensee to sell approved products carrying the licensor's branding into the retail market.

Media sponsorship

Sponsoring activity within specific media can be a good way of making messages accessible to your target audience. The audience will have an affinity with their chosen media and will tend to trust the tone of voice used in the magazine, newspaper, website, radio station or TV programme.

Advertiser-funded programming or branded content

An advertiser-funded programme (AFP) is a TV or radio programme that has received advertiser funding for its development or production. With a TV AFP, the advertiser usually funds the production of the programme in return for sponsorship credits, off-air marketing, rights and content ownership. The advertiser cannot influence the content or scheduling in any way that affects the editorial independence of the broadcaster. It can be described as 'any means by which an advertiser can have a deeper relationship with programming product beyond traditional media activity'. The commissioning process for AFPs can be lengthy and there are no guarantees that the programme idea will make it to air. Best practice advice for developing cost-effective AFPs is to work with a specialist sponsorship agency that has relationships with broadcasters' commercial and commissioning departments.

Radio promotions

These are a specific form of branded content. They are interactive, competition based and usually short term. Radio promotions are placed within programming and are therefore perceived as station editorial rather than as commercial or advertising activity. Stations will publicise promotions within other radio programming, using live reads and pre-recorded trailers. They will also support the promotion through off-air activity, e.g. on station websites and through street marketing teams. AFPs and radio promotions are governed by the Ofcom Broadcast Code.

Broadcast sponsorship

This involves an advertiser buying branded idents surrounding a TV or radio programme. It enables Council departments to communicate campaign messages via association with a specific TV or radio programme or a collection of programmes.

Clear sponsor idents can provide effective cut-through within cluttered advertising breaks and can target messages at specific audiences. As regulated by Ofcom, sponsor idents must not contain advertising messages or direct calls to action. However, they can include a telephone number or web address without instructing the viewer to call the number or visit the site.

Effectiveness of broadcast sponsorship is measured through viewing or listener figures for the programme as well as peaks in numbers of telephone calls or website hits in the period immediately after the programme (as well as ongoing during the campaign period).

Digital sponsorship

As penetration levels of digital access across the general public rise, so do the opportunities for advertisers to engage with their target audiences across various digital platforms. Online sponsorship can either run across an entire website or be limited to specific content areas within a site. Evaluation can be monitored by way of exposure to unique users and also by those interacting either directly or non-directly with the sponsorship opportunity. At present the digital arena is unregulated, but the Council keeps a close eye on developments on this and will be able to comment as required. Digital sponsorship is not just confined to sponsorship within pages of websites, and, increasingly, opportunities to sponsor the likes of podcasts and IPTV (Internet Protocol TV) content will become available.

Press sponsorship

Press sponsorship is print advertising that is styled to look and feel like the house style of the publication in which it appears. This can take the form of advertorials, stand-alone supplements or sponsored editorial features. Press sponsorship is a good way of putting across a complicated message in an informative, interesting and innovative way. The media can be very targeted (e.g. regional press or ethnic media) or can reach a very wide audience (through national publications). Any call to action is easy to monitor, as an advertorial can be coded and results analysed. PPA (Periodical Publishers Association) guidelines state that press sponsorship must be clearly marked as coming from a paid-for source.

Product placement

Product placement in a Council context involves the inclusion of a campaign within fictional or non-fictional media, e.g. a fire safety poster placed on the wall of a café in a major TV soap opera. Product placement can be difficult to achieve and involves lengthy negotiations with production companies and broadcasters, and again is regulated by Ofcom.