



Advertising and Sponsorship Policy

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1 Introduction

1.1 The council has a [Corporate Plan](#) which sets out our ambition for the borough and the actions we are going to take to achieve this. It informs everything we do and sets out our key priorities from 2023 to 2027 through a suite of corporate objectives and associated commitments.

Advertising and sponsorship can provide local authorities with a range of benefits such as revenue generation to help fund delivery of valuable services, community projects and events; increasing their profile and credibility, and; providing a platform for community messaging to improve health and wellbeing and promote local events and attractions.

A facilitative but considered approach to advertising and sponsorship can therefore serve to support delivery of the council's objectives, both directly and indirectly.

Accordingly, this Advertising and Sponsorship Policy, which replaces the previous version introduced in 2017, provides a revised framework for how we are promoted and how we promote others, with the aims of:

Being consistent

- Establish a consistent and professional approach and set of standards
- Provide a framework of controls
- Ensure compliance with legislation, advertising industry codes and other council policies, including our Communications Strategy and brand guidelines
- Align with council's corporate objectives and compliment national policy (including the 9pm TV watershed and online ban introduce in 2025), to 'close the gap' in inconsistent messaging.

Protecting reputations

- Safeguard and steward the image and environment of the borough
- Uphold and protect the reputation and integrity of the council, its staff, partners and elected members
- Further our strategic vision and support our priorities by facilitating communication
- Protect children and vulnerable groups from the harmful influences of HFSS marketing

Boosting opportunities

- Secure best value for money and maximise income
- Improve the health and wellbeing of residents
- Support economic growth and the development of commercial partnerships with the private sector
- Help to deliver long-term economic savings of a healthier population
- Further the Council's strategic vision and deliver its objectives

1.2 Importantly, this revised policy introduces restrictions on the advertisement or endorsement (i.e. through sponsorship) of high fat, salt or sugar (HFSS) products to support consumers in making healthier choices and, in doing so, supports a range of commitments under the council's #onecommunity objective, alongside the Government's national ambition to halve childhood obesity rates by 2030 and significantly reduce the health inequalities that persist and are exacerbated by HFSS advertising.



2 Context and Definitions

2.1 Advertising and sponsorship encompasses goods, services, ideas, causes, opportunities, prizes and gifts.

2.2 Advertising

Advertising is a form of communication used to raise awareness, encourage or persuade an audience – viewers, readers or listeners or a specific group of people – to do or believe something. Advertising is usually paid for.

The council's own use of advertising is part of our ongoing commitment to communicate openly; provide important public information; raise awareness of the council's role, work and successes; encourage positive behaviour change and promote opportunities for people to engage with the council and local decision-making. Examples include promoting local consultations, encouraging people to vote and promoting healthy living campaigns.

Advertising messages can take a variety of forms and can be viewed via a variety of media channels (e.g. newspapers, magazines, television commercial, radio advertisement, outdoor advertising, for example on billboards and contracted bus services, direct mail, blogs, websites, social media and text messages, etc.).

A person who consumes advertising is anyone who is likely to receive a given marketing communication, whether in the course of business or not.

2.3 Advertising definition

Advertising is defined within this policy as:

“an agreement between the council (or its intermediaries) and an 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, outdoor, broadcast or electronic media.”

Or

“an agreement between the council (or its intermediaries) and a provider, whereby the council pays money to an organisation or individual in consideration of which the council gains publicity in the form of an advertisement in externally controlled print, outdoor, broadcast or electronic media.”

2.4 Sponsorship

To sponsor something is to support an event, activity, person, or organisation financially or by providing products or services. It should be mutually beneficial. Sponsorship should not be confused with other types of funding which the council administers e.g. grants.

Sponsorship is a business relationship between a provider of funds, resources or services and an individual, event or organisation which offers in return rights and association that may be used for commercial advantage in return for the sponsorship investment.

There can be cross-over between how advertising and sponsorship works in practice. For example, advertising on roundabouts is usually called sponsorship because the funds support the cost of maintaining these sites.



2.5 Sponsorship definition

Sponsorship is defined within this policy 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.”

Or

“an agreement between the council and the sponsored party, where the council provides either money or a benefit in kind for an event, campaign or initiative which is fully owned by another organisation or individual and which in turn provides publicity or other benefits to the council.”

3 Policy scope and application

3.1 This policy is two-fold, covering:

- 3.1.1 The council as an advertiser or sponsor; and
- 3.1.2 The council as an owner of an advertising platform or sponsorship opportunity which an external individual, group or organisation may wish to take up

3.2 Recruitment advertising placed by the council should take account of this policy but is covered by a separate process and contract. Please contact the HR team for advice on all recruitment advertising related matters.

3.3 In certain instances, advertising of some notices is a requirement by law. This includes Traffic Regulation Order (TRO) notices and is covered by a separate process. For information on how to place statutory notices, email communications@gravesham.gov.uk

3.4 Any historical sponsorship, advertising or contractual arrangements affected by this policy should be reviewed at the next contractually available juncture.

3.5 This policy applies to Gravesham Borough Council, including when working in formal partnership or collaboration with another body. The policy does not apply to the council's wholly owned companies.

4 General principles

4.1 When working with an advertiser or sponsor, it will be essential that any agreement supports the council's strategic vision set out in its Corporate Plan, the aims of this policy, and is compatible with its wider strategy and policy framework.

4.2 The council will not permit advertising or sponsorship arrangements, nor enter into agreements, with any organisations and individuals:

- Which are in dispute with the council or where there is pending/active legal action.
- That are currently undergoing (or expecting to do so in the following three months) a procurement process with the Council or are in contract negotiation with the council where acceptance of advertising or sponsorship agreements may be viewed as an endorsement of a bid.



- Whose business could reasonably be deemed to be offensive, discriminatory or otherwise cause upset or embarrassment to the council or its members or officers or the general public.
- Involved in discrimination, victimisation, harassment or other conduct that is prohibited under the Equality Act 2010 or subsequent legislation.
- Who may by association bring the council into disrepute.
- Who in the opinion of the Chief Finance Officer (or staff assigned this task on their behalf) is currently declared bankrupt or is a current director of a company in liquidation or subject to a voluntary arrangement with their creditors.

4.3 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 lending support to any political party.
- The council must be satisfied that the use of branding and logos of any sponsoring or advertising company are appropriate and not incompatible with, nor risk damage to, the council's reputation/brand.
- The council will have rights of approval on all appropriate sponsorship related activity such as the use of the Council IP, publicity and promotion of the sponsorship in the sponsor's promotional activities, and sponsor events at council owned venues.
- Adverts must not contain anything which is in any way defamatory, obscene or illegal or which infringes copyright or any other intellectual property rights or other rights belonging to a third party or which if published or displayed would constitute a breach of contract or confidence or the publication or display of which is for any reason unlawful.
- All adverts must be lawful, accurate, decent, honest and truthful and created with a sense of social responsibility.
- Legal liability for the content of any advert placed in line with this policy will rest with the advertiser and the council will be indemnified by the advertiser in respect of any claims.

4.4 Whether advertising and/or sponsorship is a suitable method for achieving our objectives, or whether external requests to use council-owned platforms should be approved, will be decided on a case-by-case basis on the merits of each opportunity or request.

4.5 The council may advertise its own services as appropriate using its own platforms. This may include adverts relating to traded services or quasi-trading services, which generate an income. The council permits paid-for advertising on some of the platforms it owns, and this may include advertising from companies including the council's wholly owned companies. In both these circumstances the council will comply with the Local Authority Supply of Goods and Services Act (1970)

4.6 The council must ensure a return on investment when it is a sponsor. The appropriate lead officer should consult their Head of Service or Assistant Director before deciding whether the council should be a sponsor or whether sponsorship of a council product/service is the best marketing communications method.

4.7 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.

4.8 All sponsorship and/or advertising arrangements (excluding those made by a third party under a formally procured contract or concession arrangement) must be governed by a signed Sponsorship or Advertising Agreement and logged on the council's register of Sponsorship and Advertising Agreements.



5 Advertising and sponsorship content requirements

- 5.1 The council welcomes opportunities to work with sponsors or advertisers (or consider acting as a sponsor or advertiser) where such arrangements support its values, strategic goals, corporate objectives and/or helps drive forward the council's aspirations
- 5.2 The council will not permit any advertising and/or sponsorship that represents a conflict of interest or is likely to cause serious or widespread offence. Particular care will be taken in relation to race, age, religion or belief, sex, sexual orientation, disability, gender identity or gender expression, pregnancy or maternity and marriage or civil partnership.
- 5.3 Content that is not permitted for advertising and/or sponsorship includes, but is not limited to, advertising that contains, implies or suggests any of the following:
- Advocacy of, or opposition to, any party-political purpose
 - Disparagement of any person or class of persons
 - Promotion or incitement of illegal acts
 - Promotion or availability of sexually orientated entertainment materials
 - Promotion or availability of tobacco products or substitute tobacco products, weapons, gambling¹ or illegal drugs
 - Promotion or availability of payday loans or gold traders, pyramid promotional schemes, pawn shops, or unproven health and weight loss products
 - Advertising of loan advancers which meet the Financial Standards Authority's definition of 'High-Cost Short-Term' (HCST)
 - Advertising of organisations who offer ways to avoid paying legitimate tax in the UK
 - Promotion or availability of infant formula, other infant milks, bottles and teats and foods marketed as suitable before six months of age (in accordance with the [International Code of Marketing of Breast-milk Substitutes](#))
 - Promotion or availability of foods and drinks that are high in fat, salt and/or sugar (HFSS) as defined by the Department of Health and Social Care's [nutrient profiling model](#). (see Appendix 1 for additional policy guidance on HFSS restrictions).
 - Advertising that infringes on any trademark, copyright or patent rights of another company
 - Claims or representations in violation of advertising or consumer protection laws.
 - Non-compliance with this policy or the ASA Codes of Practice (see section 9).
 - Matters for which a licence, permit, consent, etc. is required but not in place.
- ¹ Except for the National Lottery or for small or large society lotteries and local authority lotteries, as defined in the Gambling Act 2005.
- 5.4 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.
- 5.5 In addition, the council retains the right to refuse advertising or sponsorship on any grounds, including that, in the council's opinion, it is inappropriate, it conflicts with services already provided by the organisation or it is incompatible with the council's values and strategic goals as set out in its Corporate Plan or wider policy framework.
- 5.6 The Council reserves the right to remove advertising or withdraw from sponsorship arrangements without reference to the partner company if the council's reputation is brought into disrepute as a result of the actions of the advertiser/sponsoring organisation or it comes to the council's attention that the advertiser, advertisement, sponsor or sponsorship is not compliant with this policy.



6 Responsibilities

- 6.1 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.
- 6.2 The relevant head of Service/Assistant Director is responsible for the implementation of the Advertising and Sponsorship Policy within their service area.
- 6.3 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.
- 6.4 Decisions on sponsorship opportunities will be taken by the appropriate Head of Service or Assistant Director for the specific service area.
- 6.5 Subject to resources, adverts and sponsorship arrangements will be periodically monitored to ensure compliance with this policy.

7 The council's role as local planning authority

- 7.1 Some advertising infrastructure or platforms may require separate consent under planning legislation. This Policy does not deal with the issue of planning; however further guidance is available from <https://www.gravesham.gov.uk/planning>

8 Industry codes

- 8.1 The Advertising Standards Agency (ASA) is the UK's independent regulator of advertising across all online and offline media. The UK advertising codes lay down rules for advertisers, agencies and media owners to follow. The ASA proactively monitors advertising for compliance as well as responding to complaints, and issues rules on its investigations.
- 8.2 The ASA codes of practice are the 'rule books' which cover two areas:
 - non-broadcast advertising and direct and promotional marketing (CAP code): the central principle of this code for all marketing communications is that they should be legal, decent, honest and truthful. All marketing communications should be prepared with a sense of responsibility to consumers and society and should reflect the spirit, not merely the letter, of the code; and
 - broadcast media (BCAP code): the overarching principles of this code are that advertisements should not mislead or cause serious or widespread offence or harm, especially to children or the vulnerable.
- 8.3 The ASA codes cover a wide range of guidance including:
 - misleading advertising;
 - harm and offence;
 - political advertisements;
 - environmental claims;
 - medicines, medical devices, health-related products and beauty products;
 - weight control and slimming;
 - financial products;



- gambling;
- lotteries;
- alcohol;
- tobacco, rolling papers and filters;
- electronic cigarettes; and
- specific guidance when featuring or addressing children.

8.4 The council will always adhere to the terms of any current legislation and relevant nationally recognised industry codes, and in this policy chooses to go further in some areas such as restrictions on high fat, salt and/or sugar products.

9 Further information

9.1 Relevant codes of practice and policies have informed this policy including:

- The Advertising Standards Authority (ASA). www.asa.org.uk
- UK Code of Non-broadcast Advertising and Direct & Promotional Marketing (CAP code). <https://www.asa.org.uk/codes-and-rulings/advertising-codes/non-broadcast-code.html>
- Code of Recommended Practice on Local Authority publicity <https://www.gov.uk/government/publications/recommended-code-of-practice-for-local-authority-publicity>
- Department of Health and Social Care nutrient profiling model <https://www.gov.uk/government/publications/the-nutrient-profiling-model>
- The Equalities Act 2010 <https://www.gov.uk/guidance/equality-act-2010-guidance>
- Local Authority Supply of Goods and Services Act (1970) <https://www.legislation.gov.uk/ukpga/1970/39/section/1>
- Data Protection Act 2018 <http://www.legislation.gov.uk/ukpga/2018/12/contents/enacted>
- The Healthier Advertising Toolkit <https://www.sustainweb.org/reports/feb22-advertising-policy-toolkit/>

10 Disclaimer

10.1 The entering into of an advertising or sponsorship arrangement by the council shall not, of itself, signify any endorsement by the Council of the advertiser or sponsor or of any product, service or event being advertised.

10.2 In order to make this clear all council-owned and branded publications, or other media, containing advertising or sponsorship, may carry the following disclaimer:

“Gravesham Borough Council cannot accept liability for errors or omissions contained in any advertising provided by an advertiser or sponsor. Gravesham Borough Council does not accept any liability for any information or claims made by the advertisement or by the advertiser or sponsor. Any inclusion of Gravesham Borough Council’s name or logo on a publication should not be taken as an endorsement by Gravesham Borough Council.”

10.3 Nothing in this policy shall bind the Council in relation to the exercise of any of its statutory functions and agreement by the council to enter into any advertising or sponsorship arrangement shall not oblige the council to grant any permission or consent (for example, advertising consent) which may be required in order for the arrangement (or any element of it) to be implemented. Where possible, the advice of the department responsible for granting the necessary consent should be sought at the earliest possible stage and any agreement, if



concluded prior to the granting of such consent, should state that it is contingent on the relevant consent being obtained.

- 10.4 Save for where the Council agrees to the contrary, contracts relating to advertising and sponsorship arrangements shall state that it shall be the responsibility of the advertiser or sponsor to obtain all necessary consents and permissions which are required in order to implement the arrangement and shall also require the advertiser or sponsor to fully indemnify the council against any losses arising from the failure to arrange such consent.
- 10.5 All sponsorship and advertising should be undertaken using Gravesham Council's chosen form of contract and this is at the sole discretion of Gravesham Council to decide.



APPENDIX 1 - High Fat, Salt or Sugar Policy

Guidance Note

This Guidance Note constitutes a formal addendum to the council's Advertising and Sponsorship Policy and should be read and applied in conjunction with that policy. It details further guidance relating to restrictions of food and drink that is considered High Fat, Salt or Sugar (HFSS) under the UK Nutrient profiling Model (NPM) for advertising or sponsorship approvals.

1 General Principles

- 1.1 The UK Nutrient Profiling Model (NPM) is widely used and has been subject to rigorous scientific scrutiny, extensive consultation, and review. Furthermore, the scoring system it uses balances the contribution made by beneficial nutrients that are particularly important in children's diets with components in the food that children should eat less of. It has therefore been concluded that the NPM model is the best way of identifying food that contributes to child obesity. Such food and drink is not only purchased directly by children but is bought for them by others.
- 1.2 Guidance on how to identify whether a product is considered HFSS under the NPM is available [here](#).
- 1.3 The outcome of any reviews or revisions of the NPM will be taken into consideration in applying our policy.

2 Exceptions

- 2.1 There are no exceptions to the policy offered on council-owned advertising sites.
- 2.2 The only circumstance in which an exception will be considered is for council run events or within the footprint of an event operating on council-owned land, where the application of the policy would make the event unviable or logistically unfeasible to run; for example, directional signage to stalls at a food and drink festival. Any exceptions are granted at the council's sole discretion on the basis of professional judgement.
- 2.3 In the event of a dispute on any exception application for an event, a final and binding decision will be made by the relevant Director.

3 Content featuring only non-HFSS products

- 3.1 These would normally be approved but would still need to comply with other sections of the Council's Advertising and Sponsorship Policy.

4 Content featuring only HFSS products

- 4.1 Where proposed content features only food and/or drink which is rated HFSS, such copy would be rejected, unless a practical exception has been agreed by the council as per paragraph 2.2 of this Appendix.



- 4.2 It is therefore recommended that, before committing to advertising production or sponsorship agreements, advertisers and/or sponsors should discuss their eligibility with the council or its agents.

5 Content where there is a range of food/drink featured, some of which is HFSS

- 5.1 The advertising or promotion of HFSS products is unacceptable under the policy, so a range or meal could not feature them (e.g. fish, chips and peas could only be advertised if all products were non-HFSS). This would also apply to any meal settings being shown, including those for restaurants, aggregator platforms and delivery services.
- 5.2 It is the responsibility of advertisers and/or sponsors and their agents to verify the status of the products featured using the NPM.

6 Content where no food or drink is featured directly but the advertisement is from or features a food and/or drink brand

- 6.1 This may include:
- 6.1.1 advertisements where the brand's logo is included but no products, such as a brand values campaign,
 - 6.1.2 directional signage to a store, app or website,
 - 6.1.3 promotional advertising which is price-led but features no products such as '50% off everything' or similar,
 - 6.1.4 advertising about a business or its performance, and/or
 - 6.1.5 content such as slides delivered by a sponsor at an event sponsored by a food or drink brand.
- 6.2 Food and drink brands (including food and drink service companies or ordering services) will only be able to place such advertisements if the advertisement promotes healthier options (i.e. non-HFSS products) as the basis of the copy.
- 6.3 Where advertisers and/or sponsors are uncertain about the classification of proposed copy under these guidelines, they should discuss this with the council or its agents.

7 Advertisements or other content where food and drink is shown 'incidentally' i.e. it is not the subject of the advertisement but is included (or implied) by visual or copy

- 7.1 HFSS products should not be promoted by being featured in advertisements for other products. It is the responsibility of advertisers and their agents to verify the HFSS status of the products featured using the NPM.
- 7.2 Where a food or drink item is featured incidentally and does not relate to a specific identifiable product which can be assessed for its HFSS status, advertising copy may be rejected by the council or its agents on the basis that the advertisement promotes the consumption of HFSS foods.



8 Advertisements or other content where food and drink is referenced in text, through graphical representations or other visual representations

- 8.1 HFSS products should not be promoted through references in text, graphical images or other visual representations of food and drink. Where a food or drink item is featured in this way and does not relate to a specific identifiable product which can be assessed for its HFSS status, copy may be rejected by the council or its agents on the basis that it promotes the consumption of HFSS foods.

9 Indirect promotion of HFSS food and/or drink

- 9.1 Where a product is non-HFSS but falls within a category covered by the office for health Improvement & Disparities (OHID)'s recommendations for sugar or calorie reduction, the product should always carry a prominent product descriptor to help differentiate it from noncompliant products (e.g. where an advertisement features a non-HFSS pizza or burger, the image should be accompanied by prominent text that names the specific product and retailer).
- 9.2 Children should not usually be shown in advertisements for products which are compliant in a category which is covered by OHID's recommendations for sugar or calorie reduction.

10 Portion sizes

- 10.1 The NPM model is based on nutrients per 100g of a product, rather than recommended portion size. Advertisers should always ensure that they promote products in portion sizes which encourage healthy eating. For products that are non-HFSS but fall within a category covered by OHID's recommendations for sugar or calorie reduction, the product should be displayed as a single portion, unless agreed otherwise by the council or its agents.
- 10.2 If advertisers, sponsors and/or agencies are unsure about how to interpret this, or any other aspect of these guidelines, they are encouraged to get in touch with the council or its agents and work together on a solution to avoid submitted copy requiring changes or being rejected.