

**Directorate of Organisational Development &
Workforce
Communications & Marketing**

ADVERTISING POLICY

Reference:	DCP062
Version:	1.0
This version issued:	28/01/15
Result of last review:	N/A
Date approved by owner (if applicable):	N/A
Date approved:	03/12/14
Approving body:	Commercial Ventures Group
Date for review:	December, 2017
Owner:	Sarah Mainprize, Head of Communications & Marketing
Document type:	Policy
Number of pages:	11 (including front sheet)
Author / Contact:	Sarah Mainprize, Head of Communications & Marketing

Northern Lincolnshire and Goole NHS Foundation Trust actively seeks to promote equality of opportunity. The Trust seeks to ensure that no employee, service user, or member of the public is unlawfully discriminated against for any reason, including the "protected characteristics" as defined in the Equality Act 2010. These principles will be expected to be upheld by all who act on behalf of the Trust, with respect to all aspects of Equality.

Contents

Section	Page
1.0 Purpose.....	3
2.0 Principles	3
3.0 Area	3
4.0 Duties, Roles Responsibilities and approval	3
5.0 Maintenance of public confidence.....	4
6.0 Advertising content and style	4
7.0 Sponsorship guidelines.....	5
8.0 Unacceptable categories (not specifically limited to).....	6
9.0 Special consideration categories (not specifically limited to).....	6
10.0 Existing national guidance	7
11.0 Complaints	7
12.0 Income	7
13.0 Monitoring Compliance and Effectiveness	7
14.0 Associated Documents	7
15.0 References.....	8
16.0 Definitions	8
17.0 Consultation	8
18.0 Equality Act (2010).....	9
Appendix A - NHS Identity guidelines	10

1.0 Purpose

- 1.1 Advertising and advertising-related sponsorship opportunities lie within Northern Lincolnshire and Goole NHS Foundation Trust (the Trust) and the Commercial Ventures Group (CVG) seeks to generate income by displaying or running paid-for advertisements/sponsorships within the hospitals or in Trust digital and printed publications. Generally, the Trust is supportive of advertising and sponsorship initiatives.
- 1.2 This policy statement sets out guidance and standards for the acceptance of advertising/advertising-related sponsorship by the Trust.
- 1.3 It prescribes how commercial (or similar) advertising arrangements will be managed by officers of the Trust in a manner that is fair and transparent, and that takes account of the nature of the Trust's business and the impact on patients, carers and staff.

2.0 Principles

- 2.1 The core business of the Trust is to provide healthcare. The Trust acknowledges that benefits to patients and to the organisation can arise from advertising arrangements with external organisations, provided that these are appropriately established and managed.
- 2.2 All income from this activity goes towards supporting patient care throughout the Trust.

3.0 Area

This policy applies to all areas and sites managed by Northern Lincolnshire and Goole NHS Foundation Trust – principally Diana, Princess of Wales Hospital, Scunthorpe General Hospital and Goole and District Hospital. It also includes any other property (estate) the Trust holds or occupies (such as vehicles).

4.0 Duties, Roles Responsibilities and approval

- 4.1 Displaying advertising or accepting sponsorship from an external organisation sends an implicit message of support for their activities and behaviours and therefore the process requires centralising to ensure the protection of the Trust's reputation and to maintain public confidence.
- 4.2 The head of communications and marketing, reporting to the CVG, is responsible for managing the Trust's advertising agreements. Only the CVG is authorised to enter into any advertising agreements or agreements for publications or other materials that contain advertising.
- 4.3 Any member of staff considering the establishment of an arrangement involving advertising or advertising-related sponsorship as defined in this policy must seek approval from the CVG via the head of communications and marketing. All enquiries regarding advertising or sponsorship received by Trust employees must be referred to the head of communications and marketing in the first instance.

- 4.4 Where departments are approached directly for sponsorship and purposes or where they are holding an event, campaign or similar which requires sponsorship, the department must request approval from the CVG before approaching organisations. It may be necessary to request references from existing clients.
- 4.5 The head of communications and marketing is responsible for managing advertising arrangements and related content, referring all new requests/proposals to the CVG as well as any specific adverts or content that requires special consideration as per section 9.0.
- 4.6 All proposed advertising or sponsorship content will be considered by the Trust's head of communications and marketing plus at least two other representatives of the Trust's CVG prior to agreeing to use it. In most cases this consideration will need to be undertaken promptly and the individuals involved will endeavour to complete this task within the given deadline.
- 4.7 All contracts and agreements entered into with third parties must include an option for the Trust to approve or refuse all advertising material. The head of communications and marketing must give express approval to the third party for any content of advertising and other materials before it is published or displayed.
- 4.8 All contracts for advertising and sponsorship will be authorised and managed centrally in this way to ensure that the best terms are negotiated, that Standing Financial Instructions (SFIs) are not breached, to ensure continuity and consistency and to protect the reputation and best interests of the Trust.
- 4.9 Any unauthorised advertising will be removed with immediate effect.

5.0 Maintenance of public confidence

- 5.1 Commercial (or similar) arrangements, especially advertising or sponsorship must not compromise the independent status of the Trust or the NHS. It must be legal and comply with advertising standards and wider guidance. It must not be in conflict with the medical ethics, values and behaviours (standards) of the Trust or any other Trust policies or procedures. It must not be detrimental or compromise the Trust's reputation, the wider NHS and public confidence in the NHS.
- 5.2 The Trust will not endorse any product or service advertised or promoted through sponsorship. Any publication or product must carry the disclaimer that the products or services advertised are not endorsed by the Trust (see advertising content and style section 6.0).

6.0 Advertising content and style

- 6.1 The contents and style of an advertisement should comply with the standards of the code of conduct issued by the Advertising Standards Authority (ASA) via the Committee of Advertising Practice 'The UK Code of Non-Broadcast Advertising, Sales Promotion and Direct Marketing' (CAP code). View the full code at www.cap.org.uk

6.2 The key principles of the code are that all advertisements should be:

- Legal, decent, honest and truthful
- Prepared with a sense of responsibility to the consumers and to society
- in line with the principles of fair competition generally accepted in business
- Should contain nothing which is likely to cause serious or widespread offence. Particular care should be taken to avoid causing offence on the grounds of race, religion, gender, sexual orientation or disability
- Must not compromise the values of the NHS
- Must not compete with services provided by the NHS

6.3 All advertising should also fit with the values and principles of the NHS guidelines on corporate identity, Department of Health (DH) guidance on communications partnerships and DH guidance on ethical standards for the NHS.

6.4 Advertisements should not align themselves with the Northern Lincolnshire and Goole NHS Foundation Trust, carry the corporate identity of the Trust, or in any way imply the endorsement of the Trust. The following disclaimer should appear on all advertisements:

“While every effort has been made to ensure the accuracy of advertisements, this advertisement does not constitute an endorsement of this company, product or service by Northern Lincolnshire and Goole NHS Foundation Trust.”

7.0 Sponsorship guidelines

7.1 The use of sponsors’ logos and other branding must not interfere with the Trust’s own corporate identity.

7.2 The placement of logos or branding of external organisations on materials hosted by Northern Lincolnshire and Goole NHS Foundation Trust must be approved by the Trust’s head of communications and marketing. Similarly, any use of the Trust logo on any materials produced by an external sponsor must be approved by the head of communications and marketing before circulation as part of the sponsorship agreement.

7.3 A sponsorship agreement should be in place between the Trust and the partner organisation which clearly sets out the sponsorship arrangement and which ensures best value is obtained and provided.

8.0 Unacceptable categories (not specifically limited to)

The following product groups are considered to be unacceptable for advertising:

- Alcohol
- Breast milk substitutes and associated products (the Trust has UNICEF accreditation)
- Gambling
- Religious organisations
- Political parties and organisations with politically motivated messages
- Pornography/adult entertainment/messages of an adult nature
- Slimming aids
- Tobacco
- Un-established products – such as allergy testing, quick-fix diet remedies, hair re-growth products
- Legal services (excluding probate)
- Competitors for the Trust's services, including private services

9.0 Special consideration categories (not specifically limited to)

9.1 Some product groups require special consideration before proceeding with an advertising arrangement, especially where the arrangement might be considered to undermine the principles of policy (see section 2.0), including, for instance:

- Health insurance for private treatment
- Legal services – probate
- Funeral services
- Pharmaceutical products
- Private nursing homes
- Private nursing agencies
- Employment agencies/consultancies
- Food groups – consider a statement alongside food and confectionary advertising which promotes a healthy balanced diet

- 9.2** Guidelines on the type of issues that should be taken into account if considering entering into an agreement for advertising of a special consideration category are detailed in Appendix A.
- 9.3** In addition, any advertising or sponsorship which expresses a negative view of the NHS will not be accepted.
- 9.4** Advertisers should not use the Trust's name in association with products or services without consent in writing from a Trust executive director.

10.0 Existing national guidance

Arrangements for commercial advertising must include consideration of potential conflict of interest with reference to the Trust policies, Department of Health guidance on communications partnerships and Department of Health guidance on ethical standards for the NHS.

11.0 Complaints

In the event of a number of complaints being received by the Trust in relation to a specific advertisement or sponsorship initiative, the CVG will review the advertisement or sponsorship, make recommendations and take appropriate action, including the right of withdrawal of the advertisement or sponsorship initiative.

12.0 Income

All income generated by advertising should be authorised by the CVG and received as per Standing Financial Instruction relating to Income Generation. All commercial agreements involving advertising must be approved by the CVG.

13.0 Monitoring Compliance and Effectiveness

- 13.1** Where significant changes are made to this policy, these will be consulted on via the Trust intranet and approved by the CVG.
- 13.2** The policy will be accessible to all staff via the intranet and will be reviewed every three years or sooner should the need arise.

14.0 Associated Documents

- 14.1** The Trust Sponsorship Policy.
- 14.2** The Communications Strategy.

15.0 References

15.1 Advertising Standards Authority, Department of Health, and NHS Identity guidelines should be considered when implementing the policy:

Advertising Standards Authority: <http://www.asa.org.uk/>

15.2 Department of Health guidance for:

- Ethics
- Partnership
- Corporate ID – specifically NHS brand guidelines for NHS Foundation Trusts
- Standing Financial Instruction relating to Income Generation

15.3 Advertising Standards Authority:

Mid City Place
71 High Holborn
London
WC1V 6QT
Tel: 020 7492 2222

16.0 Definitions

For the purposes of this policy, definitions of advertising and sponsorship have been clarified:

- **Advertising**

Advertising is a contractual relationship which involves the Trust selling advertising space for profit (income generation). The Trust could generate income by displaying or running paid for advertisements and promotional materials which would appear in Trust publications, and other physical sites including but not limited to posters, billboards and hoardings, printed materials such as leaflets and mailings, online advertising and promotions via the website and intranet and via 'intelligent reception' screens.

- **Sponsorship**

For the purposes of this policy, sponsorship is an agreement between Northern Lincolnshire and Goole NHS Foundation Trust and a third party, where the Trust will receive money or a benefit in kind from the third party for carrying its brand on physical or digital materials.

17.0 Consultation

The Commercial Ventures Group was consulted about the development of the policy.

18.0 Equality Act (2010)

- 18.1** In accordance with the Equality Act (2010), the Trust will make reasonable adjustments to the workplace so that an employee with a disability, as covered under the Act, should not be at any substantial disadvantage. The Trust will endeavour to develop an environment within which individuals feel able to disclose any disability or condition which may have a long term and substantial effect on their ability to carry out their normal day to day activities.
- 18.2** The Trust will wherever practical make adjustments as deemed reasonable in light of an employee's specific circumstances and the Trust's available resources paying particular attention to the Disability Discrimination requirements and the Equality Act (2010).

**The electronic master copy of this document is held by Document Control,
Directorate of Performance Assurance, NL&G NHS Foundation Trust.**

Appendix A

NHS Identity guidelines

Sponsorship and advertising

Sponsorship and selling advertising space are more straightforward transactions than other communications partnerships.

However, the public will make assumptions about who benefits most from these transactions, and about whether the NHS is choosing to endorse the activity or values of the sponsor or advertiser. For these reasons you should consider the following if you are undertaking sponsored activities or selling advertising space.

1. Sponsorship

Sponsorship refers to an arrangement where the NHS receives financial support or support-in-kind in return for the rights to public association with an activity or property.

For example, a local company sponsoring an NHS staff newsletter or nurse awards ceremony.

Points to consider:

- NHS organisations may enter into commercial sponsorship arrangements. However, they (as with other communications partnerships) should avoid entering into arrangements with organisations perceived to be in conflict with health, for example tobacco companies
- NHS organisations need to ensure they are not put under any undue obligation to a sponsor (or that they become open to the accusation), that core business functions are not affected and that they remain impartial
- A written contract should be put in place. Colleagues from other NHS organisations may be able to offer advice and examples of best practice
- The sponsor's support should be seen as adding significant benefit to an existing health promotion message or campaign
- There should be no overt commercial advantage to the sponsor in terms of the direct sale of products or brands as a result of their association with the NHS. Their involvement should be seen as secondary to the aims of the NHS
- The risks of being overly dependent on funding for a project include the possibility that the sponsor withdraws support. Organisations should consider how the project would be funded if this happened
- Organisations should weigh up the time taken to manage the sponsorship against the potential benefits

In general, it will not be appropriate for the NHS to pay to sponsor an activity. If you are thinking about this type of sponsorship, you should consider:

- Whether it is justifiable to divert money from core business needs
- Negotiating rights and benefits of the partnership that are most useful for you
- Ensuring you are happy with the price of the sponsorship
- Making sure you maximise the use of your rights to get most benefits
- Other sponsors, in case they conflict with NHS aims and objectives

2. Advertising space

Selling advertising space – for example, on the back of hospital appointment cards, on plasma screens or in other NHS-owned spaces – is a straightforward transaction. However, the public will make assumptions about the transaction and so consideration should be given to the following:

- Who will see this advertising, and what message does it communicate about the relationship of the NHS to the advertiser?
- Who will audiences think benefits most?
- Have you compared the costs (time, resources etc) of selling advertising space to the benefits? Are the benefits sufficient to justify the risks?
- Do you risk losing control of the process by working with a third-party?
- A written contract should be put in place and you should consider excluding certain types of advertiser from this (e.g. tobacco, 'no win, no fee' solicitors, etc)

More information on income generation can also be found in National Health Service Income Generation: Best Practice, which can be found at www.dh.gov.uk