

# Diversity impact assessment

<b>TITLE</b> Name / description of the issue being assessed	Advertising and Sponsorship Protocol
<b>DATE</b> Date the DIA is completed	6 December 2018
<b>LEAD OFFICER</b> Name, title and dept of person responsible for carrying out the DIA.	Celia Glynn-Williams, Head of Communications & Marketing
<b>1 Summary description of the proposed change</b> <ul style="list-style-type: none"> <li>• What is the change to policy / service / new project that is being proposed?</li> <li>• How does it compare with the current situation?</li> </ul>	
<p>This protocol is new. Its purpose is to safeguard the reputation of the council, its members, partners and officers and to ensure protection for service users.</p> <p>The protocol sets out the terms on which advertising and sponsorship activities may be sought and accepted by the council in relation to current and prospective advertising and sponsorship opportunities. These may be connected to the council's buildings, assets, and physical resources and both new and existing products and services, including events.</p> <p>The protocol is two-fold covering:</p> <ul style="list-style-type: none"> <li>- the council as an advertiser or sponsor</li> <li>- the council as an owner of an advertising platform or sponsorship opportunity which an external individual, group or organisation may wish to take up.</li> </ul> <p>The Equality and Human Rights Commission tells us that people and organisations providing services, including goods and facilities, (service providers) must make sure that they do what equality law says they must in relation to Advertisements and marketing. The council's <i>Fair Access, Diversity and Inclusion Policy</i> regulates how the council approaches all its activities in order to meet its obligations under the Equality Act 2010 - implementing this protocol will seek to reinforce and monitor how it meets these obligations in relation to advertising and sponsorship activities.</p>	
<b>2 Summary of evidence used to support this assessment</b> <ul style="list-style-type: none"> <li>• Eg: Feedback from consultation, performance information, service user records etc.</li> <li>• Eg: Comparison of service user profile with Medway Community Profile</li> </ul>	
<p>There is currently no data available on how the council's current sponsorship and advertising practices have impacted on minority groups.</p>	

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### 3 What is the likely impact of the proposed change?

Is it likely to :

- Adversely impact on one or more of the protected characteristic groups?
- Advance equality of opportunity for one or more of the protected characteristic groups?
- Foster good relations between people who share a protected characteristic and those who don't?

(insert ✓ in one or more boxes)

Protected characteristic groups (Equality Act 2010)	Adverse impact	Advance equality	Foster good relations
Age		✓	
Disability		✓	
Gender reassignment		✓	
Marriage/civil partnership		✓	
Pregnancy/maternity		✓	
Race		✓	
Religion/belief		✓	
Sex		✓	
Sexual orientation		✓	
Other (eg low income groups)		✓	

### 4 Summary of the likely impacts

- Who will be affected?
- How will they be affected?

The impact of this protocol will be a reduction in the likelihood of marginalising minority groups through:

- clear protocols including reference to all stakeholders' responsibilities under the Equality Act 2010
- officers involved in advertising or sponsorship activity being trained in equality and diversity (and specific guidance on discrimination in these

- activities)
- best practice procurement standards (where appropriate)

## 5 What actions can be taken to mitigate likely adverse impacts, improve equality of opportunity or foster good relations?

- What alternative ways can the Council provide the service?
- Are there alternative providers?
- Can demand for services be managed differently?

There are clear protocols within the document that mitigate potential discriminatory practices and/or marginalise any minority groups. These include:

- (i) The protocol sets out the council's commitment to equality in all its activities (para.1)
- (ii) The principles (para.6) and permissions (para.7) set out in the policy include the following rules:
  - *'All adverts must contain nothing which is in any way defamatory, obscene or illegal'* (para.6)
  - *'All adverts must be lawful, accurate, decent, honest and truthful and created with a sense of social responsibility'* (para. 6)
  - No advert or sponsorship activity can be accepted from organisations 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'* (para.7)
  - No advert or sponsorship activity can be accepted from organisations whose *'business is involved in discrimination, victimisation, harassment or other conduct that is prohibited under the Equality Act 2010 or subsequent legislation'* (para.7)

Other protocols within the policy that seek to mitigate any potential discriminatory practices include:

- (i) A requirement for all advertisers and sponsors to confirm they meet the council's standard on both ethical and equality policies (para.8).
- (ii) 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 if it comes to the council's attention that the policy has not been complied with (para.7).
- (iii) Where a tendering process is required, the council's category management processes meet EU and/or UK standards where in all cases it must ensure that the inclusion of any standards in specifications are non-discriminatory (relates to para.9).

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## 6 Action plan

- Actions to mitigate adverse impact, improve equality of opportunity or foster good relations and/or obtain new evidence

Action	Lead	Deadline or review date
<p>In advertising, where procurement processes are not required, the content of any advertising is scrutinised by an officer who has undertaken sufficient Equality and Diversity training and has familiarised themselves with the Equalities and Human Rights Commission’s advertising best practice guides</p> <p>Therefore, It is recommended that all officers involved in sponsorship or advertising activities undertake the council’s e-learning modules on Equality and Diversity. Those involved in advertising should familiarise themselves with the following guides from the Equalities and Human Rights Commission:</p> <p><a href="#"><u>Advertising – What equality law means for advertisers and publishers</u></a>  <a href="#"><u>Advertising – a good practice checklist for advertisers and publishers</u></a>  <a href="#"><u>Advertising – FAQs about what is lawful advertising for jobs, goods, facilities and services, and accommodation</u></a></p>		
<p>Nb this action is recommended for all officers dealing with both sponsorship and advertising activities.</p>		

## 7 Recommendation

The recommendation by the lead officer should be stated below. This may be:

- to proceed with the change, implementing the Action Plan if appropriate
- consider alternatives
- gather further evidence

If the recommendation is to proceed with the change and there are no actions that can be taken to mitigate likely adverse impact, it is important to state why.

Proceed with proposal to approve the Policy.

## 8 Authorisation

The authorising officer is consenting that:

- the recommendation can be implemented
- sufficient evidence has been obtained and appropriate mitigation is planned
- the Action Plan will be incorporated into the relevant Service Plan and monitored

**Assistant Director**

**Date**

Contact your Performance and Intelligence hub for advice on completing this assessment

RCC:	phone 2443	email: <a href="mailto:annamarie.lawrence@medway.gov.uk">annamarie.lawrence@medway.gov.uk</a>
C&A (Children's Social Care):	contact your usual P&I contact	
C&A (all other areas):	phone 4013	email: <a href="mailto:jackie.brown@medway.gov.uk">jackie.brown@medway.gov.uk</a>
BSD:	phone 2472/1490	email: <a href="mailto:corppi@medway.gov.uk">corppi@medway.gov.uk</a>
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