

DEPUTY MAYOR AND EXECUTIVE MEMBER FOR CHILDREN'S SERVICES

<p>Date: Thursday 8th September, 2022 Time: 12.00 pm Venue: Mandela room</p>

AGENDA

1. Advertising on Council Website 3 - 12

Charlotte Benjamin
Director of Legal and Governance Services

Town Hall
Middlesbrough
Date Not Specified

MEMBERSHIP

Councillors M Smiles

Assistance in accessing information

Should you have any queries on accessing the Agenda and associated information please contact Susie Blood, 01642 729645, susie_blood@middlesbrough.gov.uk

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MIDDLESBROUGH COUNCIL	
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Report of:	Director of Regeneration
Submitted to:	Deputy Mayor and Executive Member for Children’s Services
Date:	8 September 2022
Title:	Advertising on Council website
Report for:	Decision
Status:	Public
Strategic priority:	Quality of service
Key decision:	Yes
Why:	Decision(s) will have a significant impact in two or more wards
Urgent:	No
Why:	Not applicable

Executive summary	
<p>The Council is in the early stages of building a new website which will replace the current www.middlesbrough.gov.uk.</p> <p>The new website will have improved design and functionality for residents. Its aim will be to improve user experience and increase the number of online transactions, including payments and service requests.</p> <p>This report recommends that approval is given for advertising to be sold on the website. Selling advertising would generate income that could assist the overall budget position of the Council.</p> <p>The Council would ensure only suitable advertising was permitted and would have controls in place as part of any agreement with a third-party agent. Advertising that was contrary to the Council’s values would not be permitted.</p> <p>The implications of the recommendation have been considered by the appropriate officers and are set out in the main body of the report.</p>	

Purpose

1. To seek approval of the Deputy Mayor and Executive Member for Children's Services to allow advertising space to be sold on the new Council website and to note the associated policy.

Background and relevant information

2. The Council's ICT and Marketing and Communications teams are currently working on a project to develop a new Council website. This will replace www.middlesbrough.gov.uk.
3. This refresh is necessary as the current website has become outdated in terms of functionality and design. It is hoped the new website will be operational in 2023-24.
4. The introduction of a new Council website presents the opportunity to introduce new features, including advertising space.
5. A focus group of residents has been established as part of the wider website project. The group has been asked its opinion on the use of adverts on the website. Analysis shows 65% of respondents were happy for adverts to be used, providing usability of the website wasn't compromised.
6. Officers have spoken to the Council Advertising Network (CAN) as part of the research for the new website. The network generates income for public sector bodies by selling advertising on websites – at no cost to the organisations.
7. CAN works with the web and IT teams at the organisations it partners with to introduce simple technology that sells advertising space to quality brands. The advertising income is paid directly to the organisation quarterly.
8. Councils working with CAN have control over the type of advertising that appears on their websites. This is important from a reputational point of view. Councils can also promote local businesses or their own campaigns using CAN's technology.
9. CAN automatically blocks certain categories of advert including political, adult content, gambling, alcohol, fast food and payday loans. Organisations on the network can choose which categories they allow. Organisations can request an advert is removed at any time.
10. The policy at appendix 1 outlines what the Council's approach would be on the suitability of potential advertisers and positioning of any adverts.
11. Should approval be given to sell advertising space, the Council would consider a partner such as CAN.

What decision(s) are being recommended?

That the Deputy Mayor and Executive Member for Children's Services:

- Gives approval for advertising space to be sold on the new Council website
- Notes the associated policy to be used by the Marketing and Communications team when making decisions on advertising.

Rationale for the recommended decision(s)

12. Allowing advertising on the new Council website opens the potential to raise money that would support the overall budget position of the Council.

Other potential decision(s) and why these have not been recommended

13. The alternative would be to develop the new Council website without the ability to sell advertising. This isn't recommended as the decision would cut off a potential revenue stream.

Impact(s) of the recommended decision(s)

14. The impact of the recommended decision would represent a change for users of the Council website.

Legal

15. Any legal agreement with a potential partner would only be entered into after the input of legal services.

Strategic priorities and risks

16. The two items under the Quality of Service heading are affected by this issue, namely:

QOS 11 - Improve user experience of the council website, increasing online transactions

QOS 10 - Increase sponsorship income from businesses for various council activities.
17. Improving the user experience of the council website and increasing online transactions is the main objective of the new website project. A decision is required now as to whether we should incorporate advertising options into the design. Allowing advertising on the site would also present an opportunity to increase sponsorship income.

Human Rights, Equality and Data Protection

18. Protected groups would not be affected by this report's recommendation. Adverts that could be viewed as discriminatory or not supportive of the Council's commitment to fairness and inclusion would be permitted. An Impact Assessment is provided at appendix 2.
19. The advice of the Data Protection Officer will be sought before any contract is entered into. This will be relevant where personal data is used in relation to advertising cookies.

Financial

20. The development of the new Council website is at an early stage, however early discussions with an established potential partner in this field have taken place.
21. An estimate from the Council Advertising Network suggests the Council could see revenue of up to £5,000 per annum from advertising on the main Council website.

Extending advertising to a wider range of websites managed by the Council could see this figure rise to £12,000 per annum. This would be at no cost to the Council.

22. Any income generated from website advertising would contribute to the overall financial position of the Council.

23. If this report's recommendations are approved, full due diligence would take place before any arrangements is entered into with a potential partner.

24. This due diligence would take place in 2022 with the Head of Marketing and Communications authorised to enter into any subsequent legal agreement, after consultation with finance and legal colleagues.

Actions to be taken to implement the recommended decision(s)

Action	Responsible Officer	Deadline
Complete due diligence on potential partner/s	Head of Marketing and Communications	TBC

Appendices

1	Proposed policy for controlling advertising on Council website
2	Impact Assessment

Background papers

No background papers were used in the preparation of this report.

Contact: Head of Marketing and Communications Andrew Glover
Email: andrew_glover@middlesbrough.gov.uk

Introduction

The Council website is both a vital communications tool and a key transaction point for residents and businesses.

The website is being updated in 2022-23 to bring it up to date in terms of design and functionality.

Allowing advertising on the Middlesbrough Council website would open up an income stream for the Council.

The Council's website is important from a reputational point of view. It is with this in mind that great care needs to be taken over the issue of advertising. This policy outlines the main points that would be considered when making decisions regarding the types and formats of advertising permitted.

Categories of advertising

The Council would not accept inappropriate advertising.

The following are examples of categories which would not be permitted across the entire site:

- Political
- Adult content
- Gambling
- Alcohol
- Fast food
- Payday loans.

In addition, certain sections of the website would have their own sensitivities in relation to what type of advertising was suitable.

The Marketing and Communications team would discuss any issues with individual directorates.

Social value principles

When making decisions relating to the types of advertising that would be permitted the Council will also consider the economic, social and environmental wellbeing effect on the local area. To this end, the Council will promote the opportunities to local businesses.

Advertising frequency and formats

The Council would control the number of advertising slots that were sold per page. This would prevent an overexposure to advertising.

Consideration would also be given to the location of adverts on the website.

The Council would work with page designers to ensure adverts were placed sensitively so users aren't distracted or stopped from carrying out their online task.

Review

This policy will be reviewed every three years or when legislation changes dictate it is no longer fit for purpose.

Andrew Glover, head of marketing and communications
August 2022

Template for Impact Assessment Level 1: Initial screening assessment

Subject of assessment:	Allowing advertising on the Council website.			
Coverage:	Overarching/cross-cutting			
This is a decision relating to:	<input type="checkbox"/> Strategy	<input type="checkbox"/> Policy	<input type="checkbox"/> Service	<input checked="" type="checkbox"/> Function
	<input type="checkbox"/> Process/procedure	<input type="checkbox"/> Programme	<input checked="" type="checkbox"/> Project	<input type="checkbox"/> Review
	<input type="checkbox"/> Organisational change	<input type="checkbox"/> Other (please state)		
It is a:	New approach:	<input checked="" type="checkbox"/>	Revision of an existing approach:	<input type="checkbox"/>
It is driven by:	Legislation:	<input type="checkbox"/>	Local or corporate requirements:	<input checked="" type="checkbox"/>
Description:	<p><u>Key aims, objectives and activities</u> Allowing advertising on the Council website would potentially raise income.</p> <p><u>Differences from any previous approach</u> Advertising space is not currently sold on the website.</p> <p><u>Key stakeholders and intended beneficiaries</u> Elected members, employees of the Council, residents, partners and businesses.</p> <p><u>Intended outcomes</u> The Council would generate advertising income.</p>			
Live date:	From approval of this report.			
Lifespan:	Reviewed annually.			
Date of next review:	12 months after date new website has been live.			

Screening questions	Response			Evidence
	No	Yes	Uncertain	
Human Rights Could the decision impact negatively on individual Human Rights as enshrined in UK legislation?*	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>No. Allowing advertising on the council website would not impact negatively on individual Human Rights as enshrined in UK legislation. This is because adverts that are allowed will be controlled by a policy which will ensure that no adverts are published that could be contrary to the Council's values or its legal duties.</p> <p>Evidence used to inform this assessment includes the Council Advertising Network (CAN) offer and the planned advertisement management policy.</p>
Equality Could the decision result in adverse differential impacts on groups or individuals with characteristics protected in UK equality law? Could the decision impact differently on other commonly disadvantaged groups?*	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>The Public Sector Equality Duty (PSED) requires that when exercising its functions the Council must have due regard to the need to:-</p> <ul style="list-style-type: none"> eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act; advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and foster good relations between persons who share a relevant protected characteristic and persons who do not share it. <p>In having due regard to the need to advance equality of opportunity, the Council must consider, as part of a single equality duty:</p> <ul style="list-style-type: none"> removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it; and; encouraging people who share a protected characteristic to participate in public life or in any other activity in which participation is low. <p>No. There is no concern that the decision would affect groups with protected characteristics differently. This is because adverts that are allowed will be controlled by a policy which will ensure that no adverts are published that could be contrary to the Council's values or its legal duties under the Equality Act.</p> <p>Evidence used to inform this assessment includes the CAN offer and the planned advertisement management policy.</p>
Community cohesion Could the decision impact negatively on relationships between different groups, communities of interest or neighbourhoods within the town?*	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>No. The associated policy will not allow for advertising that would potentially have an impact on community cohesion. This is because adverts that are allowed will be controlled by a policy which will ensure that no adverts are published that could be contrary to the Council's values or its legal duties under the Equality Act.</p> <p>Evidence used to inform this assessment includes the CAN offer and the planned advertisement management policy.</p>

* Consult the Impact Assessment further guidance appendix for details on the issues covered by each of these broad questions prior to completion.

Screening questions	Response	Evidence
<p>Next steps:</p> <ul style="list-style-type: none"> ➤ If the answer to all of the above screening questions is No then the process is completed. ➤ If the answer of any of the questions is Yes or Uncertain, then a Level 2 Full Impact Assessment must be completed. 		

Assessment completed by:	Andrew Glover	Head of Service:	
Date:	April 5 2022	Date:	

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