



# ELMS FARM PRIMARY SCHOOL COMMERCIAL SPONSORSHIP POLICY

**THIS DOCUMENT IS** a statement of the aims, principles, and procedures for Commercial Sponsorship at Elms Farm Primary School.

**IT WAS DEVELOPED in December 2023** through a process of consultation with governors.

**IT WAS APPROVED** by the governing body on 12<sup>th</sup> December 2023

**REVIEW:** annually

## STATEMENT OF INTENT

Elms Farm Primary School is aware that commercial sponsorship can be an effective way of accessing funding and resources in the best interests of pupils at the school. They can help to bolster the school's relationship with the wider community and provide opportunities to enrich the educational provision offered at the school by utilising the skills and experience found in community organisations.

The school is also aware, however, of the importance of ensuring that all commercial sponsorship arrangements entered into align with the school's ethos and values, reflect the standards of ethics and care expected by the government of schools in England, and put the best interests of pupils first.

For the purposes of this policy, "commercial sponsorship" is defined as any commercial agreement by which a sponsor, for the mutual benefit of the sponsor and the school, contractually provides financing or other support in order to establish an association between the sponsor's image, brands or products and the school in return for rights to promote this association and/or for the granting of certain agreed direct or indirect benefits.

## 1.0 LEGAL FRAMEWORK

1.1 This policy has due regard to all relevant legislation and statutory and non-statutory guidance including, but not limited to, the following:

- DfE (2020) 'Governance handbook'
- Data Protection Act 2018
- The UK General Data Protection Regulation
- The British Code of Advertising, Sales Promotion and Direct Marketing
- Tobacco Advertising and Promotion Act 2002

1.2 This policy operates in conjunction with the following school policies:

- Finance Policy
- Child Protection and Safeguarding Policy
- Conflicts of Interest Policy
- Anti-fraud and Corruption Policy
- Data Protection Policy
- Gifts, Hospitality and Anti-bribery Policy



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## 2.0 ROLES AND RESPONSIBILITIES

2.1 The governing board is responsible for:

- Ensuring clarity of vision, ethos and strategic direction.
- Holding leaders to account for the educational performance of the school and its pupils, and the effective and efficient performance management of staff.
- Overseeing the financial performance of the school and making sure its money is well spent.
- Determining the criteria that any commercial organisation will be required to meet in order to sponsor the school.
- Providing final approval of commercial organisations' suitability to work with the school.

2.2 The headteacher is responsible for:

- Demonstrating consistently high standards of principled and professional conduct, upholding and demonstrating high standards of ethics and behaviour, as outlined in the [Seven Principles of Public Life](#).
- Ensuring that the school operates in a transparent and accountable way towards donors, stakeholders, government agencies and future patrons.
- Prioritising and allocating financial resources appropriately, ensuring efficiency, effectiveness and probity in the use of public funds.
- Ensuring that the school's website hosts contact details and instructions for commercial organisations to get in contact where they wish to sponsor the school.
- Conducting initial assessments of the suitability of commercial organisations to sponsor the school.
- Making a recommendation to the governing board on the suitability of the commercial organisation to sponsor the school.
- Ensuring that a commercial partnership liaison officer is appointed to manage the partnership between the school and commercial partner.

2.3 The SBM is responsible for:

- Controlling, monitoring and evaluating the school's finances, ensuring compliance with financial requirements and regulations and ensure value for money is achieved.
- Finding and helping to implement appropriate methods of income generation that can be used to acquire extra funds for the school.
- Ensuring that a written agreement is in place to define the parameters of the partnership between the school and the commercial organisation.
- The commercial partnership liaison officer is responsible for:
  - Ensuring that the school and all commercial partners uphold their responsibilities under their partnership agreements.
  - Being the point of contact for all concerns and queries from commercial partners.
  - Holding catch-up meetings with commercial partners at least [termly](#).



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## 3.0 Sponsorship criteria

3.1 The school will remain aware of its responsibility to uphold public trust and prioritise the best interests of pupils when entering into, and maintaining, sponsorship relationships.

Commercial sponsorship may take on the form of financial sponsorship, in-kind sponsorship, or promotions. Financial sponsors will provide the school with cash resources to meet a stated aim. In-kind sponsors can vary significantly – for example, where a company has provided prizes for an event wherein the company has been allowed to advertise their product.

The headteacher will assess any potential sponsorship to ensure that partnerships are only developed with organisations whose aims, ethos and values complement those of the school.

3.2 The school will only enter into any commercial sponsorship arrangement where the following principles and/or criteria are satisfied:

- The benefits of the commercial sponsorship to the pupils outweigh the costs
- The sponsorship does not undermine the work of the school promoting the health and well-being of all pupils and staff
- The commercial sponsorship complies with the specific rules covering advertising to children and will not include a direct exhortation to under-16s to buy advertised products or to persuade their parents or other adults to buy advertised products for them, i.e. “pester power”
- Any marketing activity connected to the sponsorship is proportionate
- Commercial sponsorship is used for additions or improvements at the school, not for funding core services
- The commercial sponsorship supports the curriculum and provides added value to children’s learning
- The organisation’s activities, products and/or services are age-appropriate for the pupils who attend the school
- The organisation has a positive public reputation
- There are no conflicts of interest between the organisation and a member of the governing board, SLT or staff – or, where there is a conflict of interest, this has been declared and managed in line with the Conflicts of Interest Policy

3.3 The school will not enter into any form of partnership with the following:

- Political parties
- Political or social pressure groups, or any organisation with a political focus
- Organisations selling tobacco, nicotine, drug, and alcohol products
- Organisations publicly known to have engaged in human rights violations, or unacceptable environmental or ecological harm
- Organisations which promote or provide opportunities for gambling, adult entertainment, or financial loans
- Organisations which promote or provide opportunities for engaging in any activity that would be illegal for children under the age of 18, e.g. watching pornography



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- Organisations that undermine the government’s healthy eating standards for schools

## 4.0 PARTNERSHIP AGREEMENT

4.1 The SBM will ensure that a written partnership agreement is in place to define the parameters of the relationship between the school and the commercial organisation, seeking legal consultation as and when required.

The written agreement will ensure that both sides are clear about the extent and limitations of the sponsorship relationship and provides an opportunity to clarify what the commercial sponsor seeks to gain from the arrangement.

4.2 All partnership agreements will explicitly detail:

- A description of the resources to be provided to the school by the commercial sponsor.
- A description of the marketing or other benefits that the sponsor will receive from the school.
- Clarification as to which party is responsible for the costs associated with producing marketing materials.
- Whether or not there are co-sponsors.
- A description of the licensing and intellectual property rights owned by the parties.
- A clause noting the Freedom of Information responsibilities of the school, and the sponsor if it is public sector organisation.
- A statement that the sponsor will not receive preferential treatment during tendering processes for commercial contracts.
- The boundaries that must be respected in terms of the organisation’s access to the school.
- How, and under what circumstances, the agreement can be dissolved.
- How any breaches of the agreement will be handled.
- Any relevant payment schedules, where funding is being provided from the organisation to the school.
- Boundaries will be established for any social media communication regarding the school/sponsorship.

4.3 The commercial partnership liaison officer will be the point of contact at the school for sponsoring organisations and will oversee the partnership and the adherence to the agreement of both parties. The commercial partnership liaison officer will ensure that regular meetings to catch up with the organisation and review all parties’ views on the arrangements are held least [termly](#).

The school will ensure that partnership agreements do not explicitly preclude the school from being able to partner with competitor organisations.

## 5.0 FINANCIAL REPORTING

5.1 All financial transactions will be recorded in accordance with school policies.



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## 6.0 DATA PROTECTION

6.1 The school will ensure that it complies with data protection and UK GDPR legislation and acts in line with the school's Data Protection Policy.

6.2 The SBM and headteacher will conduct formal reviews of all partnership agreements **annually**. Where it is decided that a partnership will be terminated, the procedures outlined in the specific partnership agreement will be followed.

## 7.0 PUBLICITY AND MARKETING

7.1 The school will ensure that any publicity given to sponsors through commercial partnerships is proportionate and adheres to the school's ethos and values. The school will only host publicity material for the commercial partner which does not:

- Directly state that the school endorses the company or product.
- Explicitly encourage pupils, parents and/or school stakeholders to purchase the product or service the commercial partner provides.
- Include explicit sales messages, such as those which discuss the commercial partner's market position relative to competitors.
- Make claims that the commercial partner's product is superior to others.
- Suggest that the sponsor is the only supplier of that type of product or service.
- Contravene the specific rules surrounding the advertising of goods and products to children.

7.2 The school is aware that there are specific rules surrounding the marketing of food and drink to children. Under the British Code of Advertising, Sales Promotion and Direct Marketing, commercial sponsorship must not lead to the advertising or promotion of alcohol to under 18s; and must not lead to the advertising or promotion of products to under 16s that are high in fat, saturated fat, salt, or sugar. The Tobacco Advertising and Promotion Act 2002 prohibits the advertising, promotion, and sponsorship of tobacco products.

7.3 The school will ensure that any publicity material which features the logo of the commercial organisation, e.g. sports kits or promotional posters for a sponsored event, does so in such a way that the school's logo is the biggest and most prominent logo on the material. The school will also ensure that all featured logos of sponsors are the same size, receive the same amount of space and that, as far as design permits, no logo or organisation is given more priority in publicity than others.

## 8.0 COMMUNICATION WITH PUPILS

8.1 The school will decide on a case-by-case basis, taking into account the activities of the organisation, and any products or services sold by the organisation, whether it is appropriate to allow the organisation to have communication channels with pupils, e.g. hosting an assembly for pupils.



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8.2 The school will ensure that any communication between the organisation and pupils is appropriate for the pupils’ ages and is informative and/or educational. The school will ensure that parents and pupils are aware that communication between the organisation and pupils does not constitute endorsement of the product or service provided by the organisation over any competitors, and the commercial partnership liaison officer will ensure that the organisation is fully aware that it must not directly encourage pupils to purchase any particular product or service during communication.

8.3 The school will ensure that any communication between the organisation and pupils is supervised by school staff with DBS enhanced checks.

8.4 In line with the Child Protection and Safeguarding Policy, the school will ensure that the organisation is compliant with all safeguarding requirements relevant to the nature of its organisation.

## 9.0 CONFLICTS OF INTEREST

9.1 The school will ensure that sponsorship opportunities are offered equally to all organisations within the local community, and that the suitability of all commercial organisations for partnership with the school is assessed objectively and fairly based on the governing board’s criteria.

9.2 The school will ensure that any conflicts of interest, real or perceived, that could arise from any form of arrangement with a commercial partner is handled proportionally to the conflict and in line with the Conflicts of Interest Policy.

9.3 The school will not actively seek sponsorship partnerships with commercial organisations connected with staff, governors or pupils; however, it will assess them fairly and on the same terms as any other organisation when they make formal requests.

9.4 Where a potential commercial partner has made a formal request to sponsor the school, members of staff and governing board will be expected to declare conflicts of interest. Declared conflicts of interest will be recorded, and will be managed appropriately and on a case-by-case basis, e.g. by ensuring that the individual with a conflict of interest is not involved in the assessment and/or approval of the partnership.

9.5 The school will ensure that its website makes it clear that requests to sponsor the school can be made by any organisation that meets the [criteria](#) and that the school’s sponsorship by an organisation does not preclude that organisation’s competitors from making a formal request to sponsor the school.

Signed by:

\_\_\_\_\_ Headteacher                      Date: \_\_\_\_\_

\_\_\_\_\_ Chair of governors                      Date: \_\_\_\_\_