
NSW Treasury

Advertising Policy

Treasury Internal Policy & Procedure 1.09

27 September 2022

treasury.nsw.gov.au



Acknowledgement of Country

The NSW Treasury acknowledges that Aboriginal and Torres Strait Islander peoples are the First Peoples and Traditional Custodians of Australia, and the oldest continuing culture in human history.

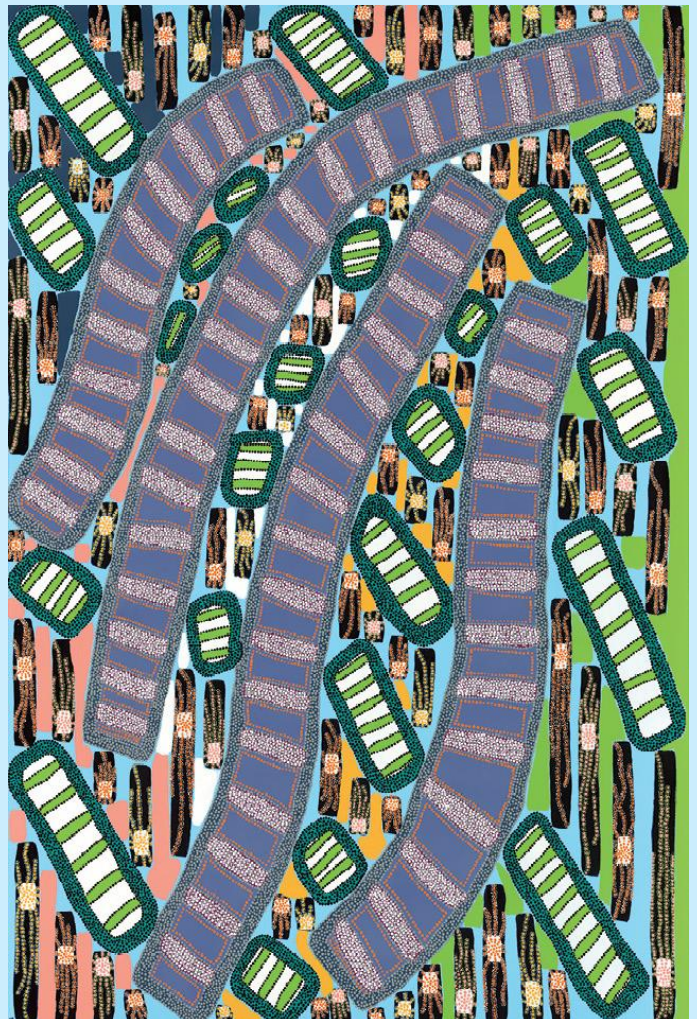
We pay respect to Elders past and present and commit to respecting the lands we walk on, and the communities we walk with.

We celebrate the deep and enduring connection of Aboriginal and Torres Strait Islander peoples to Country and acknowledge their continuing custodianship of the land, seas, and sky.

We acknowledge the ongoing stewardship of Aboriginal and Torres Strait Islander peoples, and the important contribution they make to our communities and economies.

We reflect on the continuing impact of government policies and practices and recognise our responsibility to work together with and for Aboriginal and Torres Strait Islander peoples, families, and communities, towards improved economic, social and cultural outcomes.

Artwork: 'Regeneration' by Josie Rose



Preface

I am pleased to present NSW Treasury's Advertising Policy.

The Policy has been developed in accordance with the *Government Advertising Act 2011*, the Government Advertising Regulation 2018 and the Government Advertising Guidelines.

NSW Treasury uses advertising to inform the public of their rights, obligations and entitlements, and to explain government policies, programs, services and initiatives.

It reinforces NSW Treasury's commitment to advertise only for the purpose of public information and to ensure impartiality, consistent with the prohibition on political advertising set out by the *Government Advertising Act 2011*. The aim is to promote transparency and the efficient and effective use of taxpayer funds used for advertising purposes.

The Policy applies to all staff within Treasury, including the Office of Energy and Climate Change.

Through the effective application of the Policy, Treasury can ensure that any advertising initiatives are assessed appropriately, accurately and with the aim of informing the community at the right time, through the most effective channels and by using cost-efficient methods.

Dr Paul Grimes PSM
Secretary, NSW Treasury

27 September 2022

Note

General inquiries concerning this document should be initially directed to the Communications Division, NSW Treasury: communications@treasury.nsw.gov.au

This publication can be accessed from the Treasury's intranet.

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Policy Statement and Objective

If you're advertising on behalf of the NSW Government, you have a responsibility to ensure taxpayer funds are being used efficiently and effectively.

Advertising plays an important role in effectively achieving public policy goals in New South Wales. Advertising activities undertaken by NSW Treasury (the Department) must comply with the Government Advertising Act 2011 (the Act), the Government Advertising Regulation 2018 (the Regulation) and the Government Advertising Guidelines (the Guidelines).

The Department uses advertising to inform the public of their rights, obligations and entitlements, and to explain government policies, programs, services and initiatives.

This policy provides a framework for the development of an advertising campaign, and to:

- reinforce consistency in messaging and proactive representation of the Department and NSW Government brand
- coordination of advertising across the Department and key stakeholders, with relevant associated approval timings
- improve accuracy of reporting on planned and actual advertising activities and expenditure
- ensure the Department's advertising activities are compliant with the Act.

What is advertising

An activity is considered government advertising if it is both:

- funded by or on behalf of a government agency
- disseminated under a commercial advertising distribution agreement by means of radio, television, the internet, newspapers, billboards, cinemas or others.

The Act generally applies to traditional advertising campaigns bought through a media buying agency. However, it can also apply to other communications activities, depending on how these activities are arranged, funded or distributed.

Please contact the Communications Division for further advice.

More information is available on the NSW Government website.

Scope

This policy applies in conjunction with other policies to all staff and contractors of the Department. This includes ongoing, temporary and casual staff, private contractors and consultants engaged by the Department to perform or enable the role of a public official.

This policy applies to advertising undertaken by the Department. This policy applies to third-party advertising included in a Departmental publication, and to joint publications published by the Department.

Roles and Responsibilities

Key roles and responsibilities across Treasury (including OECC)

Who	Responsibilities
Secretary	<ul style="list-style-type: none"> • Certifies all campaigns by signing the compliance certificate • Approves campaigns more than \$1 million (ex GST) • Certifies routine campaigns likely to exceed \$250,000 (ex GST)
Authorised Officer (routine campaigns)	<ul style="list-style-type: none"> • Approves routine campaigns up to \$250,000 (ex GST) • Delegated by the Secretary or as defined under the Act
Deputy Secretaries OECC Executive	<ul style="list-style-type: none"> • Endorse all campaigns for their respective groups • Approve campaign spend up to \$1 million (ex GST) (TSY excl OECC) • Approve campaign spend up to the financial delegation as defined under relevant policies (OECC)
Executive Director, Communications or delegate	<ul style="list-style-type: none"> • Responsible for administering the NSW Treasury Advertising Policy • Provides guidance and assistance to the Treasury divisions for them to be able to comply with the Act, Regulations, and Guidelines on NSW Government Advertising
Communications Division	<ul style="list-style-type: none"> • Provides advice to Treasury teams about advertising policy, processes and procedures • Defines scope and solution options, and supports the teams to execute preferred option • Ensures creative elements are in line with Department and NSW Government brand guidelines • Coordinates the NSW Government peer review approval process, including the content and format of the advertising submission, for campaigns costing more than \$250,000 (ex GST) • Attends and leads peer review on behalf of the Treasury branches • Ensures advertising activity complies with the Act, Regulations and Guidelines, and the <u>requirements set out by the NSW Government</u> • Ensures evaluations of advertising activity are completed and reports are shared with Treasury team/s responsible for the campaign, senior management (Deputy Secretaries and the Secretary) and the Department of Customer Service (DCS) as appropriate • Maintains advertising register for tracking and reporting purposes

	<ul style="list-style-type: none"> • Provides divisional data and information for inclusion in advertising reports to DCS, including actual and forecasted expenditure • Coordinates annual reporting to NSW Government for forecasted and actual expenditure advertising campaigns • Approves or rejects third-party advertising in Departmental publications or website
<p>Treasury Groups, Divisions and Branches</p>	<ul style="list-style-type: none"> • Engages with or executes advertising through relevant communications teams in consultation with the Communications Division • Defines the issue/need and secures approval of required budget in line with financial delegations • Provides confirmation of budget to the Communications Division for any campaign • Ensures content is in line with the intentions of the Act and with government policy • Nominates a delegated officer with financial authority to incur the expenditure provided that the advertising complies with the Act, the Regulation, and the Government Advertising Guidelines • Ensures advertising is registered with the Communications Division to support reporting requirements • Prepares, or supports the Communications Division with the preparation of, all reporting requirements, including (where necessary) a compliance certificate • Provide copies of creative executions to the Communications Division for audit purposes • Provides the Communications Division with the support required to prepare the peer review documentation, including all information and data for campaigns costing more than \$250,000 (ex GST) • Provides copies of creative executions to the Communications Division for audit purposes • Coordinates the production of cost-benefit analysis and other information required by NSW Government for review of campaigns costing more than \$1 million

Procedures

What rules apply to government advertising

A government advertising campaign must not be designed to influence (directly or indirectly) support for a political party.

Further:

- Material that is part of a government advertising campaign must not contain the name, or give prominence to the voice or any image, of a Minister, any other member of Parliament or a candidate nominated for election to Parliament under the *Electoral Act 2017*.
- Material that is part of a government advertising campaign must not contain the name, logo or any slogan of, or any other reference relating to, a political party.

Advertising on behalf of the NSW Government brings specific responsibilities, including to ensure taxpayer funds are being used efficiently and effectively.

There are rules that apply to all government advertising, and some that apply only to campaigns with large campaign budgets.

In addition, organisational, communications or project plans must comply with the Department's procurement, social media and sponsorship policies. For the latest rules and regulations please visit nsw.gov.au

When it is prohibited to use advertising

NSW Government advertising is usually not permitted in the lead up to the State Election.

Under the *Government Advertising Act 2011*, no government advertising campaign may be carried out after 26 January in the year in which the election is held (the pre-election period), subject to limited exceptions for service announcements and other matters. Further information is available at nsw.gov.au

Ensure you coordinate with the Communications Division for the most recent information.

Approvals

The Executive Director, Communications (or delegate) is required to endorse the Advertising Brief prior to it being submitted for final approval.

Budget considerations

Authorised officers are responsible in ensuring that taxpayer funds are being used efficiently and effectively. Staff are to estimate the total cost of a proposed advertising campaign at its outset. This ensures the correct process is followed and appropriate delegation is applied.

Consideration should be given to any required elements in the overall budget based on:

- deliverables/outputs
- roles/responsibilities, such as media agency vs creative, production, culturally and linguistically diverse and Aboriginal spend, research, and post-campaign evaluation.

In addition, any spend above \$250,000 will require peer review, and if it exceeds \$1 million it will require a cost-benefit analysis. Further information is available at nsw.gov.au

Peer review

All government advertising campaigns with budgets greater than \$250,000 (ex GST) must be peer reviewed through the Department of Customer Service.

However, before this is done, the branch must contact the Communications Division, which will lead the peer review process. The branch must ensure that the Communications Division has all the required information to undertake this function. Failure to provide all relevant information may result in the campaign being delayed or rejected.

Please contact the Communications Division at communications@treasury.nsw.gov.au to discuss support required.

Cost-benefit analysis

For campaigns over \$1 million, you are required to work with the Communications Division to meet NSW Government requirements.

Briefing templates to be used

Staff are to complete the NSW Treasury Brief and use it to seek approval (through the appropriate Division or Group) to proceed from the Secretary. This will also ensure advertising activities are coordinated and synergies leveraged where appropriate, and there is no duplication of advertising effort across the department.

Please contact the Communications Division at communications@treasury.nsw.gov.au to discuss the process and support required.

Compliance certificates

A NSW Government Advertising Compliance Certificate is required for all advertising undertaken by the department. Staff are to prepare and progress compliance certificates to the Secretary as part of the Advertising Brief process.

Treasury applies the guidelines as outlined on the NSW Government website.

All approved compliance certificates for advertising campaigns are to be saved in the appropriate record management system (i.e. Objective, or CM9 in the case of Office of Energy and Climate Change) and shared with the Communications Division (communications@treasury.nsw.gov.au) for auditing purposes.

Engaging communications agencies

The Advertising and Digital Communications Prequalification Scheme lists approved communications service providers for use by agencies.

Please liaise with Executive Director, Communications (or delegate) to facilitate engagement of a supplier.

All engagement with a media agency must go through Communications. Treasury teams are to discuss their needs with Executive Director, Communications (or delegate). More information is available on the [NSW Government website](#).

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