

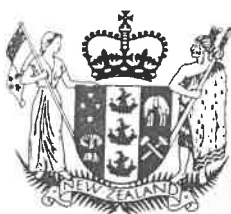
REPORT OF THE

# AUDIT OFFICE

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SUGGESTED GUIDELINES FOR  
A CONVENTION ON  
PUBLICLY-FUNDED  
GOVERNMENT ADVERTISING AND PUBLICITY

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**THE  
AUDIT  
OFFICE**

OFFICE OF THE CONTROLLER AND AUDITOR-GENERAL,  
WELLINGTON, NEW ZEALAND.

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28 April 1989

**SUGGESTED GUIDELINES FOR**

**A CONVENTION ON**

**PUBLICLY-FUNDED GOVERNMENT ADVERTISING AND PUBLICITY**

**Introduction**

- 1 The attached guidelines have been prepared in four parts:
  - A - SCOPE
  - B - PRINCIPLES
  - C - STANDARDS
  - D - ACCOUNTABILITY
  
- 2 Parts A, B and C are intended to be the basic yardstick by which to judge whether the cost of a particular item of advertising, or publicity, or other material to be disseminated by the Government or one of its agencies can be regarded as an acceptable charge upon the public purse. Part D sets out what the Audit Office considers to be the essential elements for the proper management of the communication of information, whether using advertising or publicity or other techniques.

Background

- 3 In the past two years, the Audit Office has on several occasions been called upon to express an opinion on the propriety of certain Government-sponsored advertising and publicity being paid for by the taxpayer. In seeking to form an opinion, the Audit Office was faced with an absence of any publicly recognised "rules". Thus, in what can be plainly a very subjective area of judgement, it virtually had to identify its own standards which, not unnaturally, were themselves open to challenge.
  
- 4 Towards the end of 1988, it became evident that the lack of any formal guidance on Government advertising and publicity ought, in the general public interest, to be remedied. The Audit Office decided that it should take the initiative and accordingly set in motion a consultative and deliberative process to that end.
  
- 5 Our starting point was the United Kingdom Cabinet Office note on Central Government Conventions on Publicity and Advertising dated 25 April 1985. Other material considered included the Television Standards and Rules of the Broadcasting Rules Committee, the United Kingdom Independent Broadcasting Authority Code of Advertising Standards and Practice, and the Australian Federal Government Guidelines for Information Activities. We had extensive discussions with a range of professionals in the fields of advertising, public relations and the media.
  
- 6 The attached guidelines therefore represent a distillation of a considerable breadth of knowledge, experience and practice, covering both the public and private sectors.

Application

- 7 The guidelines have been formulated to apply in the first instance to the Government and its departments of State, since the events giving rise to our initiative occurred in that arena. Although wider application has not been addressed specifically, we believe that the essential elements of the guidelines may be applicable equally to other organisations in the public sector funded from the public purse.

Enforcement

- 8 An important issue that needs to be dealt with is how and/or by whom these or any other guidelines that may be adopted are to be enforced. Our own inclination is that the guidelines become, in effect, self-enforcing through a common acceptance and agreement to abide by them on the part of the "advertisers". As far as the advertising industry and the media are concerned, it has been suggested to us that existing regulatory mechanisms are adequate for the purpose. We note that those mechanisms have no statutory basis, but we would not at this stage recommend an alternative. We so suggest, however, that the agreement of the regulatory bodies concerned to the guidelines be sought.

A - SCOPE

- A.1 The issue for consideration is COMMUNICATING INFORMATION - whether in any particular sense it might be called 'Advertising' or 'Publicity' or some other name.
- A.2 COMMUNICATING INFORMATION means an activity involving the development, production and dissemination of material in the form of: printed matter - pamphlets, booklets, press statements, posters, etc;
- or: audio-visual matter - films, video tapes, etc;
- or: press, radio, cinema and television advertisements/commercials/sponsored features.
- A.3 The material disseminated may be either "Paid" or "Unpaid".
- \* "Paid" material is material the ultimate dissemination of which to the target audience is undertaken by a third party in consideration of payment; and includes advertising in the press, on radio and on television, and leaflet campaigns.
  - \* "Unpaid" material is material which is not disseminated in consideration of payment to a third party; and includes papers presented to Parliament as White and Green Papers or other forms of consultation document, press statements and other official briefing material.
- A.4 Development of the material may involve the use of
- : public relations consultants;
  - or: market research agencies;
  - or: advertising agencies;
  - or: other specialist consultants.

B - PRINCIPLES

B.1 A Government has the right, indeed probably has a duty, to ensure that all citizens have equal access to full and accurate information about governmental programmes, policies, and activities which affect their benefits, rights and obligations.

B.2 It is improper for a Government to communicate information at public expense for the purpose of securing some advantage to itself.

B.3 Specifically -

\* A Government may, for example, disseminate material that:

- Explains its policies.
- Informs the public of governmental services available to them.
- Informs the public of their rights and liabilities under the law.

\* A Government should not, for example, disseminate material that:

- = Is designed to promote, or has the effect of promoting, its interests above those of any other parliamentary grouping.
- = Is designed to secure, or has the effect of attempting to secure, popular support for the party-political persuasion of the members of the Government.

B.4 A Government may properly communicate information at public expense which is designed to encourage social behaviour that is generally regarded as being in the public interest, such as road safety and other accident-avoidance practices or participation in the electoral process.

B.5 The subject-matter of any information being communicated should be relevant to the Government's responsibilities. Specific matters dealt with in the material disseminated should themselves be relevant to the subject-matter and be identifiable with issues in which the Government has a direct and substantial interest.

C - STANDARDS

C.1 There are a number of criteria, both objective and subjective, against which the quality of material to be disseminated should be judged. Those criteria fall broadly into three groups:

- i Accurate, Factual, Truthful.
- ii Fair, Honest, Impartial.
- iii Legal, Proper.

C.2 For material to be Accurate, Factual and Truthful, it should conform to the ordinary meaning of those words. That which is held out to be the truth should be founded upon ascertainable facts, carefully and precisely expressed in conformity with those facts. No claim or statement should be made which cannot be substantiated.

C.3 For material to be Fair, Honest and Impartial, it should be complete in itself and presented in an unbiased and equitable manner. Specifically:

- \* The recipient of the information should always be able to distinguish clearly and easily between facts on the one hand, and comment, opinion and analysis on the other.
- \* When making a comparison, the material should not mislead the recipient about the situation with which comparison is being made and it should state explicitly the nature of the comparison being made.
- \* When dealing with, for example, a policy proposal, the information given should include both the pros and cons of the proposal as well as those of any alternative views.



- \* Material may include a response to, but should not be aimed solely at rebutting, the arguments of others.
- \* Material should not attack or scorn, for its own sake, the views, policies or actions of others.

C.4 Material is Legal and Proper when:

- \* It complies in every respect with the law. Even in cases when the material is not subject to the law, it should be prepared so as to conform to the principles of behaviour implicit in that law. An example is the false representation provisions of the Fair Trading Act 1986.
- \* It is fit, suitable, or right for the purpose and is consistent with the standards expected by society.
- \* It avoids political slogans and expressions or language bearing political connotations.

C.5 Material should always be prepared using the highest standards of communication knowledge and techniques. When it is intended that material be developed on the basis of information gathered by surveys, opinion polls, etc, the information-gathering process must itself be subject to the highest standards for such processes.

C.6 The key quantitative criterion is that of cost. No information should be communicated regardless of the cost.

C.7 The cost of the chosen scale and methods of communicating information must be justifiable in terms of achieving the identified objective(s) for the least practicable expense. Objectives which have little prospect of being achieved, or which are likely to be achieved only at disproportionate cost, should not be pursued without good reason.

- C.8 Material may be disseminated either in response to a specific request for it (solicited material), or at the initiative of the publisher (unsolicited material). Although it could be argued that people who solicit material ought not as a consequence take exception to what they receive, generally speaking the content, tone and presentation of solicited material should nevertheless conform to the principles in Section B and meet the foregoing standards in this section.
- C.9 Unsolicited material, especially that aimed at individuals and dealing with sensitive or controversial issues, should be disseminated only to those who are clearly and directly affected by the information being communicated.

D - ACCOUNTABILITY

D.1 Every project to communicate information at public expense must be managed under an appropriate regime of controls so as to ensure that:

- i It is conducted properly;
- ii It complies with the guidelines in Sections A, B and C;  
and
- iii It is subject to the necessary accountabilities.

D.2 An appropriate regime of controls -

MUST contain the following elements:

- a Identification of the information needs of the recipients.
- b Specification of the objectives to meet those needs.
- c Justification of the project and approval to proceed.
- d Designation of responsibility for implementing the project.
- e Authorisation of the material to be disseminated.

SHOULD, if appropriate, require:

- f Monitoring implementation of the project.
- g Post-implementation effectiveness checks.

REQUIRES the above aspects of the project to be fully documented.

D.3 No project should be contemplated in the absence of an identified information need by the intended recipients. The perceived necessity for a project may stem from random or informal indicators, but such indicators must be properly confirmed and their nature and extent reliably established. Confirmation can be achieved in a number of ways, including surveys, analysis of reports by counter staff, analysis of correspondence.

- D.4 In company with the identified information needs, a specification of the objectives to meet those needs is critical in determining the nature of the project. The objectives are specially relevant to the formulation of the material to be disseminated and the manner of its dissemination.
- D.5 Responsibility for agreeing that the project is justified and giving approval to proceed is a normal feature of the process of expenditure control. Who has that responsibility is a matter for determination by the controlling authority [Cabinet], and can be decided in the general context of delegation of financial authority.
- D.6 The purpose of designating who (preferably one person) is responsible for the implementation of the project is to provide an essential focus for control and accountability. Who is made responsible is a matter of choice according to the circumstances, and such person need not be the approving authority for the project. But the person(s) designated must personally authorise each piece of material to be disseminated.
- D.7 Every piece of material to be disseminated must include a clear attribution as to its origin and thus who, to the recipient, is responsible for its content. That attribution may be, as appropriate -
- : Personal, by name and/or a publicly recognisable title. For example, "David Caygill, Minister of Finance", or "John Grant, Director-General of Social Welfare".
  - or : Impersonal, by a publicly recognised name or description. For example, "Department of Education", or "Office of the Minister for the Environment".

- D.8 A pre-requisite to every authorisation of material to be disseminated is a positive confirmation of the accuracy of factual information. Such confirmation must be provided by a recognised authority.
- D.9 If a project is large or complex enough, its implementation should be progressively monitored by the designated person(s) to ensure that agreed arrangements are being adhered to. This, again, is a normal feature of the process of expenditure control, and is comparable with other kinds of contract performance monitoring.
- D.10 It is incumbent on those who commit the expenditure of public money to show that the purpose of the expenditure has been achieved. The discharge of that obligation is particularly important in the case of "paid" material (see A.3) and when a project is significantly expensive. In those cases, checks should be carried out on the effectiveness of the project in achieving its specified objectives.
- D.11 There must be a visible record of every substantive step and every decision in connection with a project. Once the justification for a project has been agreed and approval given for it to proceed, a full written brief incorporating all relevant particulars (including, especially, the objectives) should be prepared. When an outside agency is engaged to prepare material it should be given a copy of the brief together with an explicit direction that the material is to conform to the guidelines in Sections A, B and C.
- D.12 As a matter of course, the written brief and all other documentation relevant to setting up and implementing a project are to be made available upon request under the Official Information Act. Such documentation is to include that relating to any survey, opinion poll, etc undertaken in connection with the project.
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