

# BEST PRACTICE GUIDELINES

For selecting advertising  
& media agencies





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# Introduction

These best practice guidelines have been developed jointly by the Department of the Prime Minister and Cabinet (DPMC), officials from other government entities and the Communication Agencies Association of New Zealand (CAANZ).

The guidelines' aim is twofold; to make sure government entities engage advertising and media agencies that will provide the best possible response to the entity's communications brief, and to give those agencies the confidence that they are taking part in a fair, transparent and agreed selection process that reflects the time and commitment required to respond to the invitation to pitch.

Advertising agencies will either have in-house capacity to deliver all or some of the services needed to meet the brief, including media, or they may lead a consortium of service providers that, together, will deliver the brief. It may be in some cases, a government entity might call for separate tenders to respond to each part of the brief, including media. These guidelines do not preclude the latter possibility.

From a government entity's perspective, the processes described in these guidelines will reduce the costs, and in so doing, increase the value of the selection process.

DPMC represents state sector agencies in its negotiations with New Zealand's media organisations for the purchase of advertising time and space and provides a whole-of-government perspective on government communications. Every year, together government agencies spend more than \$60 million on the purchase of advertising and media services alone.

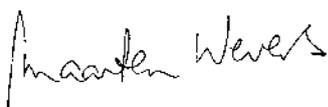
With close to 100 member agencies with a combined annual turnover of more than \$1 billion, CAANZ represents an estimated 95 per cent of agency billings in New Zealand.

While on one level, these guidelines are about the purchase of advice and services, at another, and deeper, level they represent a starting point, a sound basis, for mutually rewarding and productive relationships. Good relationships are two way. The arrangement where the provider of the service is expected to initiate, build and maintain that relationship with the purchaser is less likely to succeed than the one based on the understanding that both parties have a responsibility to the growth and nurture of a healthy and productive relationship, regardless of who writes the cheque.

These guidelines are the first step in establishing the kind of confident, committed and vibrant partnership that rewards both parties and achieves shared goals.

The guidelines begin with a set of overarching principles upon which the suggested selection process is based, before describing the processes for three categories of tender based on budget size. However, the categories, and the budget size they represent, are not cast in stone. The guidelines set out to achieve value for money outcomes through linking effort expended on a tender process to the financial benefit for the successful tenderer. From time to time, there may well be situations that the suggested principles and processes do not cover.

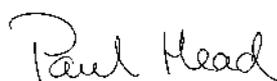
The purpose of these guidelines is to assist both government agencies and their partners in the advertising and media industries to achieve improved outcomes from their commercial collaboration. We commend the guidelines to those who participate in this important sector, and trust they will assist in delivering better results for all affected parties, including, importantly, New Zealanders and the communities that are served by government advertising and information services.



**Maarten Wevers**

Chief Executive

Department of the Prime Minister  
and Cabinet



**Paul Head**

Chief Executive Officer

Communication Agencies  
Association (CAANZ)

## Agency – Government Working Group on Government Procurement

Jo Fitzgerald	Alcohol Advisory Council of New Zealand
Mike Shatford	Ministry of Social Development
Dennis De Reus	Ministry of Social Development
Sean O’Neil	Inland Revenue
Rachel Prince	New Zealand Transport Agency
John Dee	Department of the Prime Minister and Cabinet
Brent Anderson	Department of the Prime Minister and Cabinet
Evan Voyce	Busby, Ramshaw, Grice
Paul Head	Communication Agencies Association New Zealand (CAANZ)
Sean Keaney	Rapp
Grant Maxwell	MEC Global
Andrew Holt	Clemenger BBDO
Brian Van den Hurk	DraftFCB
Livia Esterhazy	Saatchi & Saatchi
Paul Sinclair (convenor)	Maven
Gemma Coppins	Maven

## The principles

Seven principles underpin the processes described in these guidelines. They are principles of:

- Fairness
- Transparency
- Clarity
- Respect
- Flexibility
- Ethical behaviour
- Fitness for purpose

### Fairness

The process must be fair. At each stage in the process, the participating parties – the government entity, the advertising agency and/or the media agency – should work from the same brief, be provided with the same information and given the same timeframes in which to respond.

Participants should be advised that replies to their questions during the process will be circulated to all participants, unless that question signals a particular approach to the process which could be considered a participant's intellectual property.

For example, the answer to this question could be circulated to all participants: *have you predetermined the campaign budget split between research, creative and media spend and, if so, what is it?*

The answer to this question might not be circulated to the other participants: *what do you feel about the use of humour to communicate a serious issue?*

However regardless of its nature, before any question is circulated and before a response is given, agencies should be offered an opportunity to withdraw their question.

### Transparency

Many government entities have relationships with advertising agencies that extend beyond the length of an individual campaign but, in the interests of ensuring best value for the taxpayers' dollar and the anticipated level of expenditure, are required to put communications advice and services out to tender.

However, government entities should not use the tendering process as a means of confirming or validating its on-going relationship with its current agency. That would be unfair to other agencies who would expend time and resources in preparing for the pitch. Ultimately, it would be counter-productive, as disillusioned agencies decline to take part in that entity's tenders and, in so doing, deprive the entity of exposure to new and different ways of doing things. There are other ways of assessing your agencies' performance. These guidelines provide an example of one approach as Appendix V.

On the other hand, entities and agencies have spent physical resources and philosophical commitment in developing rewarding and effective long term relationships and there is no reason why those relationships need to be put at risk by the need to call for tenders for particular projects.

This situation can be easily resolved by the government entity:

- making it clear to all participants that it has an existing relationship with an agency and that this agency will be invited to take part in the tender process;
- while acknowledging the incumbent agency has the benefit and client knowledge inherent in an existing relationship, ensuring that the existing agency does not have access to any materials or thinking that would give it an unfair advantage over the other participants;
- ensuring any communication with the existing agency on the tender during the tender process meets the formal selection protocols (guidelines) for all agencies; and
- making a commitment to a fair selection process where the historical performance/relationship history is only part of the decision criteria and the outcome of the process is not a forgone conclusion.

In this way, the benefits of an historical relationship are acknowledged while giving new entrants a degree of confidence to participate in the process and the information necessary to make a decision whether to participate in the first place. It is worth noting that there are no rules requiring Government entities to re-tender their business after a certain time.

Sometimes, government entities brief agencies together in the mistaken idea that getting everybody in the same room together increases transparency. It does not. All it does is constrain agencies from asking the questions that will result in the best possible response to the brief. However, there is a need for all parties to meet on a one-on-one basis early in the process so questions can be answered and expectations confirmed. The process described in these guidelines allows for that meeting.

## Clarity

Requests for information (RFIs) and requests for proposals (RFPs) must be clear and unambiguous in their requirements. RFIs must be clear about the nature and extent of information required and RFPs must contain a clear brief with understandable and measurable objectives. The importance of measurable objectives cannot be underestimated. They cement a shared understanding of the outcome and provide an empirical platform for review.

RFPs must contain a budget range. Agencies need to know how big the entity views the task so they can allocate appropriate resources, including the time and cost to prepare creative responses. They also need to know that the budget relates to the tasks identified in the RFP. An agency should not learn after it has successfully tendered that the entity's budget includes public relations for example – a fact that was not revealed in the RFP.

Government entities must be clear whether the tender is calling for a response to a project – a specific campaign with a specific time frame – or a partnership; a longer term communications programme conducted over an extended period where the communications response may well evolve to meet changing requirements or circumstances. These guidelines contain examples of projects and partnerships.

Government entities must also be clear in their RFPs whether agencies are required to provide a creative response and the extent of that response. Depending on the nature and size of the brief, the RFP could call for any of the following:

- no creative response required;
- a bespoke strategic response without creative;
- examples of creative responses to similar campaigns in the past;
- a limited creative response to the particular brief. This may be a concept, rather than a full execution of the creative response. It may not be finished work but more of a campaign idea with a supporting creative strategy; or
- a full creative response. This might be the creative concept and strategy accompanied by a well-developed execution e.g. scripts and story boards, of how that idea would be represented in the various media identified in a comprehensive media strategy.

It is difficult to impose rules about the provision of a creative response and judgement is called for. Government entities should be considered and clear in their requirements in this regard. A full creative response is costly and time-consuming for agencies to deliver. While a full creative response may be justified for significant campaigns with substantial budgets, agencies will be less enthusiastic about responding with a full creative response to more modest communications tasks. A requirement to provide full creative briefs in that situation may, in fact, be counter-productive. Agencies may decide not to take part in the selection process and, in so doing, reduce the choices available to the government entity.

## Respect

Respect does not start after the signing of the agreement with the successful agencies. It starts the moment an RFI is posted on the GETS website. It means that successful and unsuccessful respondents are notified of their fate as soon as possible and certainly within 7 working days of the closing of the RFI process. The outcome of the RFP process is also dealt with in a timely fashion.

At all stages of the selection process, agencies have made a commitment. That commitment needs to be acknowledged and the outcome communicated in a timely manner. It allows unsuccessful participants to get on with their business and successful participants to plan for the next stage in the selection process.

Unsuccessful participants in the RFP process should be given an opportunity to receive face-to-face feedback on their proposal.

Respect also should have regard to timing. Unless it is unavoidable, government entities should be sensitive to the needs of busy people and not initiate tendering processes in the three weeks before Christmas, the week after Christmas and around Easter.

## Flexibility

These are guidelines only. They are not prescriptive and they do not replace the need for good judgment. They retain the flexibility needed to reflect that the purchase of strategic and creative communications advice and services calls for a greater degree of subjective judgment than purchase decisions for other goods and services.

While the selection process should enable decision-making, it must not drive decision-making. In particular, the RFP documentation should allow a level of flexibility that allows respondents to demonstrate their individual approaches to strategic and creative problem-solving.

A good RFP achieves two results; it allows the entity to get the information necessary to make a decision and it allows agencies the necessary scope to demonstrate the qualities they believe are necessary to achieve the programme requirements described in the RFP.

## Ethical behaviour

Ethical behaviour should not be assumed, it should be demonstrated.

Purchasers should not access a mine of great ideas from the RFP process and then choose the cheapest providers to execute them. While RFP responders should ensure their intellectual property is appropriately and legally safeguarded, government entities should be explicit in their RFP about their commitment to the sanctity of intellectual property.

Ethical behaviour demands confidentiality at all stages of the process while it is in train. It means that purchasers will not reveal the names of participants, only the name of the successful participant at the end of the process and after the competitors have been informed of the outcome.

Likewise, RFP respondents are expected to treat the process as confidential as a safeguard against the possibility of any attempt to exert undue and external influence on the outcome.

If RFP responders and government entities have an existing relationship, those relationships should be carefully managed during the tender process. However, this does not mean that government officials, like communications managers, should not have contact with the advertising industry. Government communications people should get to know the advertising industry. They should know about industry developments and any 'informal' information that will help them do their jobs better and have the context within which to make their purchase decisions. Judgment is always required. The occasional cup of coffee or lunch is reasonable; an "all expenses" out-of-town "seminar" is not. On this matter, the employees of Government entities should pay due regard to the standard of conduct demanded by their employer. In most cases this will be clearly stated in codes of conduct.

Ethical standards work both ways. In their presentations, shortlisted agencies should clearly identify those people who would be working on the account, even if they are not actually present at the presentation. Sometimes, it is not possible for agencies to nominate all the people they would assign to the business, particularly in cases where people having particular expertise may have to be employed to meet the requirements of the task. In those cases, the agency should at least outline the team's structure and identify the areas where they need to employ staff with particular skills.

## Fitness for purpose

The processes outlined in these guidelines are based on a 'fit for purpose' approach to the selection process. Simply, the complexity of the process should reflect the size of the project. For example, it is a waste of all parties' time and resources to take part in an extensive and expensive process where the programme and its associated budget are modest.

## Government Procurement Policy

The Government expects its departments, and encourages other public sector agencies, to be guided in their procurement by the following principles:

- best value for money over whole of life
- open and effective competition
- full and fair opportunity for domestic suppliers
- improving business capabilities, including e-commerce capability
- recognition of New Zealand's international trade obligations and interests
- requiring sustainably produced goods and services wherever possible, having regard to economic, environmental and social impacts over their life cycle.

(Refer to [www.business.govt.nz/procurement](http://www.business.govt.nz/procurement)).

These guidelines recommend three categories of involvement; programmes with advertising budget of up to \$300,000; programmes with an annual budget of around \$300,000 to \$1,000,000; and programmes with an annual budget of more than \$1,000,000. Each has a selection process that balances the complexity of the process against the size of the project. These categories of expenditure are a guide only and should be seen as flexible to individual government entity requirements.

These guidelines cover both projects and partnerships.

A **project** is a discrete campaign designed to achieve specific objectives within a particular timeframe and the relationship ends with the end of the campaign. On the other hand, a **partnership** is a longer term communications programme conducted over an extended period where the communications response may well evolve to meet changing requirements over time. A partnership may well involve the delivery of a number of projects or campaigns, and will have an impact on how the task is resourced and budgeted.

The next section of these guidelines deals with each of those categories in turn.



## Category One

# Programmes with a budget of up to \$300,000

### **A project**

The Ministry of Maritime Affairs has set aside a budget of \$150,000 for the production of a workplace safety video with supporting promotional material that will be shown at each New Zealand port installation, posted on the Ministry's website and used in safety seminars by the Ministry's work safety staff. The Ministry's chief workplace safety adviser is charged with getting the job done.

These guidelines recommend for a simple tender process for the purchase of advertising advice and services for a programme with a value of less than \$300,000. Calling for tenders for such a programme may generate limited interest from agencies, simply because the financial return may not be worth the time invested in a formal tendering process. Remember to keep a record of why the particular approach was taken.

The following process is suggested.

1. Ensure that you have an approved budget. "Publicity spending" over \$150,000 requires Ministerial approval for government departments while a board or some other approval may be necessary for Crown entities.
2. The government entity's manager (either communications or purchasing) gathers market information on agencies which have a track record in the particular area and may be interested in a small budget project. For example this could be done by an informal discussion with colleagues from other government entities about the nature of the task, or by conducting online research.
3. The manager selects two or three agencies for a separate "on site" meeting with each agency. At that meeting, the nature of the brief is outlined in greater detail and the agency is asked to respond with details of:
  - its experience/expertise in the particular area
  - how it would work with the client to develop and execute the communications brief
  - how the day-to-day account management would be organised and the agency personnel involved
  - hourly rates
  - a programme cost estimate
  - the agency's approach to working on programmes with modest budgets.
4. Armed with this information (and a more subjective assessment of the client/agency "fit" gained from the face-to-face meeting), the manager is in a position to make a selection. They may seek the advice of colleagues. Appendix III of these guidelines "Selection Criteria" may be useful in this regard.
5. The selection is made, the successful agency informed, the unsuccessful advised and the arrangement is formalised with an exchange of letters between the government entity and the agency(s).

This process is simple, effective and, for the size of budget, fit for purpose.



## Category Two

Programmes with an annual budget of around \$300,000 and \$1,000,000

### A project

The Ministry of Personpower Transportation is charged with communicating a new policy that requires all pedal-powered two-wheel road bikes to be registered annually. The Ministry has allocated a budget of \$850,000 to communicate this new requirement to the New Zealand public. The manager of the Ministry's Personpower Safety Rules Team is charged with selecting an agency(s) to develop and implement a public information campaign, explaining why the new policy has been adopted, what the new rules are and what people have to do to comply with them.

## A partnership

A Ministry of Diet and Exercise has been established with the key objective of improving the nation's health by encouraging people to eat healthier food and to exercise. The new ministry is looking to select advertising and media partners to work with the Ministry to achieve its objectives over a five-year time frame.

The following process is suggested for both projects and partnerships.

1. The manager compiles a shortlist, by using the Government Electronic Tender Service (GETS) to publish a registration of interest (ROI), which collects basic information about businesses who may be interested in supplying and can be used to shortlist.

GETS is a free service, operated by the Ministry of Economic Development, which is designed to promote open, fair competition in the New Zealand market by providing information about New Zealand Government business opportunities. All central and local government agencies (including the Defence Force and the Police) are encouraged to use the service. Most advertising agencies are registered to use the service. GETS has a threshold of tenders of \$100,000 or more. Detailed information about the service can be found at [www.gets.govt.nz](http://www.gets.govt.nz)

2. The ROI should cover the following points:
  - the nature of the task – is it a project or a partnership?
  - the nature of the brief (i.e. a public awareness campaign to advise the New Zealand public of the new requirement to register pedal powered, two-wheeled bicycles and what they have to do to register)
  - a budget range
  - advise that the public awareness campaign must comply with the Cabinet Office Manual's guidelines for advertising (Appendix I) and the Auditor-General's advice on government advertising and publicity (Appendix II)
  - in no more than **ten A4 pages**, the agency, or consortium, is to provide an overview (refer also to Appendix VI) of
    - agency ownership/structure
    - size
    - capabilities/special expertise
    - previous experience of similar communications tasks
    - previous experience of working with government entities
    - their approach to account management/budget costs and controls
  - interested parties are given **seven working days** in which to respond to the ROI.
3. From the ROI responses, the manager assembles a shortlist of **up to four** agencies.
4. Within **five working days**, the manager informs the successful agencies that they will be invited to tender for the business and informs the unsuccessful agencies that they will not be invited to tender for the business.

5. The manager sends a formal invitation or a Request for Proposal (RFP) to the successful agencies inviting them to submit their proposal. The RFP should contain:
  - a. the policy background to give context to the brief;
  - b. existing research, also to give context to the brief;
  - c. the brief (i.e. a public awareness campaign to advise the New Zealand public of the new requirement to register pedal powered, two-wheeled bicycles and what they have to do to register);
  - d. available budget expressed as a range, (and any predeterminations on research/media/creative split);
  - e. the nature of the creative response required (refer to the principle on clarity in these guidelines);
  - f. the number of shortlisted agencies and whether the entity's existing agency will be pitching for the business (refer to the principle on transparency);
  - g. reference to Appendix B of the Cabinet Office Manual on guidelines for government advertising and the Auditor-General's advice on Government advertising and publicity;
  - h. reference to the entity's commitment to ethical standards and its respect for intellectual property;
  - i. notice that the tender process follows these best practice guidelines (or the reason(s) for not following these best practice guidelines);
  - j. the requirement for confidentiality from both parties;
  - k. in no more than **60 A4 pages**, the agency, or consortium, is to provide the following information. If this information has been provided at the RFI stage, there is no point in repeating it.
    - details of agency ownership/affiliations
    - size
    - capacity
    - capabilities/special expertise
    - cost structures/charge out rates
    - previous experience of similar communications tasks (supported by case studies and referees/references)
    - previous experience of working with government entities (supported by case studies and referees/references)
    - their approach to account management/budget costs and management
    - the names and expertise of the agency staff assigned to the account
    - details of the agency's accountability and quality control policies and procedures
    - the agency's view of the required strategic and tactical approach to the communications task; and
    - the strategic and/or creative and media response to the brief.





## Category Three

Programmes with  
an annual budget  
of more than  
\$1,000,000

### **A project**

Having held a referendum on the future of MMP, the Government has decided the voting public will be presented with three electoral options to be voted on at the 2014 General Election. A special Ministerial Taskforce with its own secretariat has been set up with the specific task of developing a public education campaign on the three options to be run in the six months prior to the General Election. It has a budget of \$2.5 million. The secretariat's manager has been tasked with selecting an advertising agency.

## A partnership

A new coalition government has established a Ministry of Community Sustainability. Its task is to develop policy and implement programmes that encourage citizens to adopt the principles of community sustainability from greater use of public transport and pedal power to harnessing the sun for residential home energy and growing their own vegetables. The new Ministry's objective is to promote the benefits to the individual of a healthy, independent and self-reliant and sustainable lifestyle and to promote community behaviour that reduces the nation's carbon footprint. Over the next three years, the Ministry plans to promote the general concept of personal sustainability to the general public and follow this up with yet-to-be-developed individual campaigns around specific programmes. In the first three years, the Ministry has budgeted \$3.5 million for communications advice and services. The Ministry's communications manager is charged with the task of selecting advertising and media agency partners.

These guidelines recommend a similar selection process for both these situations as described in the section on Category 2, with two important exceptions. They are:

1. The Government entity should issue an ROI. It should not use the more informal, internal means of drawing up a short list.
2. From three or four RFP responders, at least two agencies, or consortiums, are invited to give a comprehensive presentation to the government entity, including a detailed run-through of the agency's creative response. The presentation should be given largely by the agency team assigned to the account. The agencies who were not invited to give a presentation should be advised as soon as possible after the decision is made, with the offer of a face-to-face debrief on ways in which the agency could have increased their chances of success.

# Managing your advertising and media agencies

These guidelines have focused on the selection of advertising and media agencies. They have also stressed the importance of a confident, committed and vibrant partnership that rewards both parties and achieves shared goals.

However, Government entities have a responsibility for prudent management of public funds, so agency contracts need to have an agreed set of key performance indicators which enable the “health” of the contract to be measured regularly, say on a quarterly or six-monthly basis. An example of an evaluation chart for measuring agency performance appears in these guidelines as Appendix V. The key performance indicators should be agreed at the onset of the relationship and form part of the formal entity/agency agreement.

That process may, or may not, lead to a re-tender of the business. The prospect of losing business is an important incentive to ensure continued high performance from agencies, but government entities should not call for tenders on a regular, pre-determined basis, if they believe, and the review process confirms, that the existing relationship is achieving the desired outcomes. However, government entities should carry out informal checks – getting a range of views from other government entities – to ensure they are continuing to get value for money from their existing agencies.



## Appendix I

# Cabinet Manual guidelines for government advertising

### **Guidelines for Government Advertising**

These guidelines were approved by Cabinet and issued on 20 November 1989 (see page 22 for 2008 Cabinet Manual update).

#### **Introduction**

This document provides guidelines for Ministers and government departments for the preparation of and expenditure of public funds on government advertising and publicity. The guidelines may also be a useful reference point for other organisations which spend public funds on advertising and publicity.

#### **Purpose**

Governments may legitimately use public funds for advertising and publicity to explain their policies, and to inform the public of the government services available to them and of their rights and responsibilities. These guidelines recognise the public concern that government advertising should not be conducted in a manner that results in public funds being used to finance publicity for party political purposes.

#### **Scope**

Government advertising refers to any process for which payment is made from public funds for the purpose of publicising any policy, product, service, or activity provided at public expense by the government.

Government advertising should deal with matters in which the government has direct responsibility. The objective of the advertising may be to:

- inform the public of proposed/new/revised/existing government policies;
- inform the public of government services available to them;
- advise the public of new/revised/existing entitlements or responsibilities;
- encourage the public to adopt certain kinds of social behaviour generally regarded as being in the public interest (e.g. road safety advertising).

## Presentation

Government advertising should be presented in a manner which is:

- **Accurate, factual, truthful.** Factual information should be outlined clearly and accurately. Comment on and analysis of that information, to amplify its meaning, should be indicated as such.
- **Fair, honest, impartial.** The material should be presented in unbiased and objective language, and in a manner free from partisan promotion of government policy and political argument.
- **Lawful, proper.** The material should comply with the law.

## Format and Production

Government advertising may be in the form of:

- printed matter such as parliamentary papers, discussion and consultative documents, booklets, pamphlets, and posters;
- audio-visual material such as films and video-tapes;
- advertisements and sponsored features in the press, on radio, and on television.

The preparation of well-structured public relations strategies, involving one or more of the above forms of advertising, may be appropriate to guide the announcement and dissemination of information about major approved policy initiatives, particularly if the issue is relevant to a number of Ministerial portfolios.

The development of advertising material may involve the use of public relations consultants, market research agencies, advertising agencies, or other specialist consultants. In such cases reasonable and fair procedures for the tendering and employment of consultants should be followed. Only exceptional circumstances, such as extreme urgency, should necessitate a departure from reasonable and fair tendering procedures.

## Distribution

Major policy proposals may be presented to Parliament as White or Green papers, or publicly released by way of discussion documents. Such publications should be deposited in the Parliamentary Library at the time of publication and may be sent unsolicited to media representatives and interested parties. They are not, as a rule, distributed unsolicited to the general public, although copies may be provided on request either free or at a price to cover publication and distribution costs. A period allowing for public submission and comment is often specified.

Brief factual information documents and leaflets informing the public of new policies or entitlements may be sent unsolicited to the public, particularly when forming one element of a wider advertising strategy on a major policy issue, as suggested in paragraph 7 above.

## Justification and Accountability

Governments are accountable to Parliament for the use they make of all public funds. Government advertising should be undertaken only where there is an identified and justifiable information need by the intended recipients. This is particularly important in the case of major publicity strategies requiring significant amounts of public funds. It is appropriate in such cases to designate one person as project manager to be responsible for implementation. In any event every piece of material disseminated should include a clear attribution as to its origin and the Minister/agency accountable for it.

## Implementation

The onus is on Ministers and government departments to ensure that these guidelines are followed. They need to be read in association with other requirements that govern the expenditure of public monies such as the presence of an appropriation and other statutory provisions affecting such expenditures.

## References

These guidelines have been formulated with reference to the following documents:

- The United Kingdom Cabinet Office Note on Central Government Conventions on Publicity and Advertising of 25 April 1985.
- The Suggested Guidelines for a Convention on Publicly-Funded Government
- Advertising and Publicity, tabled in the House of Representatives by the Controller and Auditor-General on 2 May 1989.

## Note

### Update to the Cabinet Manual in 2008

The Cabinet Manual was updated and released on 16 April 2008.

The guidelines for government advertising issued in November 1989 have not been changed and are at Appendix B of the Cabinet Manual. However, three paragraphs have been added earlier in the Manual in respect of government advertising. They read:

### Government advertising guidelines

- 2.97 *The government has a responsibility to keep the public informed about important issues of the day and to ensure that the public is aware of services to which they are entitled. The government keeps the public informed through, for example, print, visual, or sound media, and appearances at conferences and other gatherings.*
- 2.98 *The Guidelines for Government Advertising (see Appendix B) assist Ministers and government departments in preparing advertising and publicity, and in the expenditure of public funds for this purpose. The State Services Commission is available to provide advice to departments on the guidelines, particularly if conduct and integrity issues arise. The Office of the Controller and Auditor-General is also available to provide advice, particularly as to probity and financial management.*
- 2.99 *Part 6AA of the Electoral Act 1993 provides the current statutory restrictions on election advertising. The State Services Commission's guidance to departments in an election year includes guidance relating to the Act. (See [www.ssc.govt.nz](http://www.ssc.govt.nz).) and...*

### Pre-election period

- 6.9 *In the period immediately before a general election, the government is not bound by the caretaker convention unless the election has resulted from the government losing the confidence of the House. (See paragraphs 6.16–6.35 for information about the caretaker convention.) Successive governments, however, have chosen to restrict their actions to some extent at this time, in recognition of the fact that an election, and therefore potentially a change of government, is imminent. For example, significant appointments have been deferred, and some otherwise unexceptionable government advertising has been considered inappropriate during the election campaign, due to the heightened risk of perception that public funds are being used to finance publicity for party political purposes. (See the Guidelines for Government Advertising in Appendix B for general guidance.) In practice, restraints have tended to be applied from about three months before the general election is due or from the announcement of the election (if the period between the announcement of the election and polling day is less than three months).*



## Appendix II

# The Auditor-General's advice on government advertising and publicity

### Guidance for government departments

The purpose of this document is to outline the process for government departments to follow when requesting advice or assurance from the Office of the Auditor-General (OAG) about government advertising and publicity.

It is up to government departments to make their own assessment about whether their advertising and publicity is within the Cabinet Manual government advertising guidelines and to decide whether or not to seek advice or assurance from the OAG, or from anyone else, such as the State Services Commission (SSC). Ultimately, the relevant Minister or Chief Executive is responsible for ensuring that the guidelines are followed.

### What you need to do before you ask us for advice

Before requesting the OAG's advice or assurance when planning government advertising and publicity campaigns, we expect government departments to have:

- made your own written assessment of whether the advertising and publicity is consistent with the Cabinet Manual government advertising guidelines, and had this assessment endorsed by senior management; and
- consulted the SSC about the correct use of all-of-government branding, matters such as political neutrality for public servants (in general and in respect of Part 6AA of the Electoral Act 1993), and other such issues within the SSC's area of responsibility.

You don't need a written assessment for subsequent material for that campaign. However, we might ask you to review your initial assessment if there are major changes or risks arising during the course of a campaign.

## Why you should make your own assessment

The assessment is mainly for your purposes and benefit. The expenditure of public money on government advertising and publicity is a sensitive matter that can attract widespread scrutiny.

You should be able to demonstrate that you have considered the Cabinet Manual government advertising guidelines and made appropriate decisions about your department's advertising and publicity.

Go to <http://www.cabinetmanual.cabinetoffice.govt.nz/appendix-b>.

## How to make your own assessment

You need to:

- consider your proposed government advertising and publicity against the criteria in the government advertising guidelines in Appendix B of the Cabinet Manual; and
- explain in writing how your government advertising and publicity is consistent with these guidelines.

## What goes into a written assessment

Your written assessment needs to address all the criteria (including saying which criteria do not apply, and why). The criteria cover: purpose, scope, presentation, format and production, distribution, justification and accountability, and implementation.

Please explain why your government advertising and publicity fits the applicable criteria, your rationale behind particular choices, and what risks you have taken into account as part of your assessment, for example, timing.

**...for example, your written assessment could say:**

### Purpose

We have assessed the *[proposal, plan, campaign, material]* against the Cabinet Manual guidelines for government advertising. The *[proposal, plan, campaign, material]* is a legitimate use of public funds because *[explain purpose, for example, it informs the public of government services available to them]*. It is not for party political purposes. Our assessment shows consistency with the guidelines as follows:

### Scope

The objective of our *[proposal, plan, campaign, material]* is to inform the public about a new *[type of]* service available to *[people aged from 15 to 50]*. The service is being introduced in *[month]* to coincide with International *[type of service]* Day to create maximum awareness. We consider the timing to be appropriate because *[explain why]*.

### Presentation

The *[wording of our advertisements]* has been approved by senior management as being accurate, factual, truthful, fair, honest, impartial, and lawful. We have consulted with the State Services Commission to ensure that the content is politically neutral and the material is appropriately branded. *[Explain why and/or discuss any particular risks or concerns.]*

## Format and production

We contracted [*name of advertising consultants*] to develop the [*proposal, plan, campaign, material*]. The contract was tendered on GETS in [*month*], followed by a formal selection process. The contract included appropriate market research before and during development of the [*proposal, plan, campaign, material*].

The main medium for delivery is television advertising. This medium was chosen because [*explain rationale*]. We attach the market research summary, our proposed schedule for advertising, and a sample of material to be used. ...etc.

## Distribution

This does not apply because [*explain why*].

## Justification and accountability

The [*proposal, plan, campaign, material*] is part of our on-going campaign to introduce new [*type of*] services. In all instances we have attributed responsibility for the material to our department. The Cabinet paper approving the overall [*proposal, plan, campaign, material*] is attached.

## Implementation

This [*proposal, plan, campaign, material*] is funded under [*Vote*] as outlined in the [*year*] Appropriations.

## Who to contact

To request advice or assurance about government advertising and publicity, government departments should contact [enquiries@oag.govt.nz](mailto:enquiries@oag.govt.nz).

The Assistant Auditor-General Parliamentary Group chairs the Government Advertising Panel.

## When to make contact

We encourage government departments to contact us when planning a major advertising campaign and at agreed milestones during a campaign. We also advise on one-off and smaller advertising and publicity projects.

Please give adequate notice – at least one week – if you want us to consider advertising and publicity plans or material. The time taken for assessment will depend on the nature of the campaign.

## What will happen when you contact us?

You will be asked to send us your assessment and relevant supporting material, for example, advertising material. This can be done by email or hard copy.

You may be asked to come and brief us, particularly at the start of a major campaign and at milestones during the campaign.

Based on years of experience in this area, a wide view of public sector issues and themes, and our work within the public sector and Parliamentary environment, we can:

- give our view as to whether the government advertising and publicity is consistent with the Cabinet Manual's government advertising guidelines; and
- say what we consider to be inconsistent with the guidelines. But, it is the department's decision what to do with that advice.

The OAG does not:

- “approve” advertising and publicity material or content; or
- advise about use of the all-of-government branding (please refer to the SSC); or
- tell a department to stop or change anything or to make a decision for the department or the chief executive in regard to their advertising and publicity; or
- advise on compliance with the Part 6AA of the Electoral Act 1993 (please refer to the SSC or the Electoral Commission or obtain your own legal advice).

## Other considerations

The OAG must also have regard to its general statutory functions under the Public Audit Act 2001. If it appears relevant, therefore, the OAG may also ask for information or provide comment on issues relating to general financial management, appropriations, compliance with financial delegations, effectiveness and efficiency, compliance with statutory obligations, waste, probity, and financial prudence.

The OAG’s assurance is limited to the advertising campaign or programme as submitted and cannot be used as providing assurance for subsequent or linked campaigns or programmes – some of which may not be initiated by the department.

## Useful contacts and reference material

OAG government advertising panel administrator

Sandra Simon

phone: 04 917 1547

email: [sandra.simon@oag.govt.nz](mailto:sandra.simon@oag.govt.nz)

SSC Communications Manager

Jason Ryan

phone: 04 495 2850 or 027 244 7081

email: [jason.ryan@ssc.govt.nz](mailto:jason.ryan@ssc.govt.nz)

- *State Servants, Political Parties and Elections: Guidance for the 2011 Election Period*, available on the SSC website.
- OAG reports that discuss publicly-funded advertising or publicity and available through [www.oag.govt.nz](http://www.oag.govt.nz)
- *Advertising expenditure incurred by the Parliamentary Service in the three months before the 2005 General Election*, October 2006.
- *Government and parliamentary publicity and advertising*, June 2005.
- *Working for Families Communications Strategy*, September 2004, letter to Hon Murray McCully MP.
- *Good Practice for Managing Public Communications by Local Authorities*, April 2004.
- *Suggested guidelines for a convention on publicly-funded government advertising and publicity*, 1989.



## Appendix III

# The Advertising Standards Authority's codes of advertising practice

The Advertising Standards Authority runs a codes and complaints system covering all advertisements in all media. It provides a free complaints process for consumers.

There are 14 different codes covering a wide range of areas including food, therapeutic products and services, alcohol, gambling, environmental claims and financial advertising. The over-arching code is the Code of Ethics which outlines the requirements for truthful presentation and a due sense of social responsibility in advertising.

The ASA system is complementary to the many pieces of legislation that restrict advertising in a variety of ways.

The Advertising Standards Complaints Board regularly deals with consumer complaints about advertising from government departments and agencies. When considering such complaints, the Complaints Board takes into account a Court of Appeal Decision, *Electoral Commission Vs Cameron and Others (CA232/96)*. This case acknowledged that the ASA, through its members had been given the role of adjudicating on advertising complaints and this may include government advertisers. However, the Decision also said that the Complaints Board needed to take care not to substitute its views for that of a public body in the matters relating to public education advertising.

More information about the codes and complaints process is available on [www.asa.co.nz](http://www.asa.co.nz)

A free booklet of the codes is also available from the ASA.



## Appendix IV

# Selection criteria for advertising and/or media agencies

The following tables outline the recommended approach for a transparent and well documented agency selection process. Entities may allocate weightings to the key factors and apply measures on both an objective and subjective basis.

## Relationship

Weighting: X%

Who brings the most relevant experience – industry, tasks, people, and other government entities?

	Poor	Below Average	Average	Very Good	Outstanding
Agency X	1	2	3	4	5
Agency Y	1	2	3	4	5
Agency Z	1	2	3	4	5

Who has the best “client/agency fit”?

	Poor	Below Average	Average	Very Good	Outstanding
Agency X	1	2	3	4	5
Agency Y	1	2	3	4	5
Agency Z	1	2	3	4	5

## Strategy/Planning

Weighting: X%

Who has provided the greatest level of market and audience insight?

	Poor	Below Average	Average	Very Good	Outstanding
Agency X	1	2	3	4	5
Agency Y	1	2	3	4	5
Agency Z	1	2	3	4	5

Who has demonstrated the greatest understanding of the entity’s communication challenge?

	Poor	Below Average	Average	Very Good	Outstanding
Agency X	1	2	3	4	5
Agency Y	1	2	3	4	5
Agency Z	1	2	3	4	5

Who has identified a solid strategic platform and demonstrated how best to bring the core messages to life in an aligned and integrated fashion?

	Poor	Below Average	Average	Very Good	Outstanding
Agency X	1	2	3	4	5
Agency Y	1	2	3	4	5
Agency Z	1	2	3	4	5

### Account Management

Weighting: X%

Who is the most “buttoned down” in its approach to account management/budget costs and controls – hourly rates, call reports, cost estimates, etc?

	Poor	Below Average	Average	Very Good	Outstanding
Agency X	1	2	3	4	5
Agency Y	1	2	3	4	5
Agency Z	1	2	3	4	5

Who has the most robust accountability and quality control policies and procedures?

	Poor	Below Average	Average	Very Good	Outstanding
Agency X	1	2	3	4	5
Agency Y	1	2	3	4	5
Agency Z	1	2	3	4	5

### Creative

Weighting: X%

Who consistently produces creative ideas that are original and on brief?

	Poor	Below Average	Average	Very Good	Outstanding
Agency X	1	2	3	4	5
Agency Y	1	2	3	4	5
Agency Z	1	2	3	4	5

Who has thought strategically, as well as creatively?

	Poor	Below Average	Average	Very Good	Outstanding
Agency X	1	2	3	4	5
Agency Y	1	2	3	4	5
Agency Z	1	2	3	4	5

## Media

Weighting: X%

Who consistently produces media recommendations that are on brief?

	Poor	Below Average	Average	Very Good	Outstanding
Agency X	1	2	3	4	5
Agency Y	1	2	3	4	5
Agency Z	1	2	3	4	5

Who has thought holistically about media and adopted an integrated campaign approach?

	Poor	Below Average	Average	Very Good	Outstanding
Agency X	1	2	3	4	5
Agency Y	1	2	3	4	5
Agency Z	1	2	3	4	5

## Production

Weighting: X%

Who has well defined production procedures – estimates, approvals, etc?

	Poor	Below Average	Average	Very Good	Outstanding
Agency X	1	2	3	4	5
Agency Y	1	2	3	4	5
Agency Z	1	2	3	4	5

Who consistently produces quality work?

	Poor	Below Average	Average	Very Good	Outstanding
Agency X	1	2	3	4	5
Agency Y	1	2	3	4	5
Agency Z	1	2	3	4	5

Who consistently meets production budgets and deadlines?

	Poor	Below Average	Average	Very Good	Outstanding
Agency X	1	2	3	4	5
Agency Y	1	2	3	4	5
Agency Z	1	2	3	4	5

## Finance/Administration

Weighting: X%

Who has a clearly defined invoicing procedure?

	Poor	Below Average	Average	Very Good	Outstanding
Agency X	1	2	3	4	5
Agency Y	1	2	3	4	5
Agency Z	1	2	3	4	5

Who has a clearly defined cost management programme?

	Poor	Below Average	Average	Very Good	Outstanding
Agency X	1	2	3	4	5
Agency Y	1	2	3	4	5
Agency Z	1	2	3	4	5

## Summary

Who has best satisfied the requirements of the communications brief?

	Poor	Below Average	Average	Very Good	Outstanding
Agency X	1	2	3	4	5
Agency Y	1	2	3	4	5
Agency Z	1	2	3	4	5

Who would the entity work best with to execute the communications brief?

	Poor	Below Average	Average	Very Good	Outstanding
Agency X	1	2	3	4	5
Agency Y	1	2	3	4	5
Agency Z	1	2	3	4	5



## Appendix V

# Agency review template

The following tables outline the recommended approach for reviewing the performance of an agency. Such reviews can be carried out following a campaign, quarterly, annually or after two or three years depending on circumstances.

Overall average score: xx

## Overall agency management

Weighting: X%

### Key

① = Unsatisfactory    ② = some improvement needed    ③ = Meets expectations    ④ = Exceeds expectations    ⑤ = Outstanding    NA = Not assessed

Measurement	Agency	Rating	Commentary
Leadership (Involvement of senior management, proactive leadership, value added to our business)		X	
Resources (Level of servicing, quality of personnel, internal resources provided)		X	
Skills (Level of personnel assigned to Client's account, thinking displayed beyond the brief)		X	
Processes (Responsiveness by the agency, turn around times and development process)		X	
Performance of campaign against agreed project goals		X	
Overall rating and comments (Identify any areas for improvement)		X	

## Account management

Weighting: X%

### Key

① = Unsatisfactory    ② = some improvement needed    ③ = Meets expectations    ④ = Exceeds expectations    ⑤ = Outstanding    NA = Not assessed

Measurement	Agency	Rating	Commentary
Relationship/Cultural alignment (Ability to work well with Client's staff, keeps Client informed all the time, proactive)		X	
Knowledge of Client's business, operational environment and competitors (Understanding of our business and key trends in our category)		X	
Interpretation and communication of briefs (Ability to assess integrated options as part of a communications brief)		X	
Interpretation and original thinking (Initiative and ideas displayed on our business)		X	
Strategic thinking and contribution (Strategic strength and leadership of strategic responses)		X	
Speed of response (Timeliness of account and process management)		X	
Productive meetings, decisions well documented (Administration of Client's account, contact reports)		X	
Financial Management (Fiscal responsibility of team, responsible use of resources)		X	
Overall rating and comments (Identify any areas for improvement)		X	

## Strategic planning

Weighting: X%

### Key

① = Unsatisfactory    ② = some improvement needed    ③ = Meets expectations    ④ = Exceeds expectations    ⑤ = Outstanding    NA = Not assessed

Measurement	Agency	Rating	Commentary
Understanding of our business and market		X	
Analysis and/or interpretation of research (provided by Client)		X	
Understanding of Client's customers, audiences, stakeholders		X	
Contribution to the development of communications and brand strategy		X	
Development of clear and insightful creative briefs		X	
Proactive in evaluation of our brand		X	
Overall rating and comments (Identify any areas for improvement and plans to address)		X	

## Creative

Weighting: X%

### Key

① = Unsatisfactory    ② = some improvement needed    ③ = Meets expectations    ④ = Exceeds expectations    ⑤ = Outstanding    NA = Not assessed

Measurement	Agency	Rating	Commentary
Interpretation of the brief		X	
Communication of creative strategies and solutions		X	
Relevance of creative concepts		X	
Integrated campaign approach (Demonstration of campaign breadth beyond branding and design)		X	
Quality and originality of creative work		X	
Finished work reflects original concept (End work is executed to the concept expectations)		X	
Agreed concept deliverable within budget (Ability to deliver concept production within budget provided)		X	
Overall rating and comments (Identify any areas for improvement)		X	

## Media

Weighting: X%

### Key

① = Unsatisfactory    ② = some improvement needed    ③ = Meets expectations    ④ = Exceeds expectations    ⑤ = Outstanding    NA = Not assessed

Measurement	Agency	Rating	Commentary
Interpretation of the brief		X	
Communication of media strategies and solutions		X	
Relevance of media recommendations		X	
Integrated campaign approach (Demonstration of campaign breadth beyond branding and design)		X	
Quality of media thinking		X	
Agreed media solutions within budget (Ability to deliver within budget provided)		X	
Overall rating and comments (Identify any areas for improvement)		X	

## Production

Weighting: X%

### Key

① = Unsatisfactory    ② = some improvement needed    ③ = Meets expectations    ④ = Exceeds expectations    ⑤ = Outstanding    NA = Not assessed

Measurement	Agency	Rating	Commentary
Technical competence (Level of skill and initiative displayed amongst the production team to aid in better creativity)		X	
Budget control and competitive tendering (Financial expertise/ negotiation to deliver cost efficient results)		X	
Timely and accurate production estimates (Turn around times and production control)		X	
Pre and post-production processes (Responsible management of the pre and post production to add value to the end product)		X	
Overall rating and comments (Identify any areas for improvement)		X	

## Financial/administration

Weighting: X%

### Key

① = Unsatisfactory    ② = some improvement needed    ③ = Meets expectations    ④ = Exceeds expectations    ⑤ = Outstanding    NA = Not assessed

Measurement	Agency	Rating	Commentary
Budget control and cost estimate programme		X	
Timely and accurate invoicing		X	
Overall rating and comments (Identify any areas for improvement)		X	

## Agency collaboration

To be completed by Client and all agencies

### Key

① = Unsatisfactory    ② = some improvement needed    ③ = Meets expectations    ④ = Exceeds expectations    ⑤ = Outstanding    NA = Not assessed

Measurement	Agency	Rating	Commentary
Quality of communication (How well does the agency share information with other agencies)		X	
Quality of collaboration (Ability of agency to work with others to develop an integrated solution for the benefit of Client)		X	
Quality of time management (Ability of agencies to meet agreed timelines)		X	
Quality of production management (Work delivered between agencies is of the agreed quality)		X	
Quality of leadership (Ability to coordinate other agencies within the rotating lead model)		X	
Overall rating and comments (Identify any areas for improvement)		X	

## Client's performance

To be completed by agencies

### Key

① = Unsatisfactory    ② = some improvement needed    ③ = Meets expectations    ④ = Exceeds expectations    ⑤ = Outstanding    NA = Not assessed

Measurement	Agency	Rating	Commentary
Stability of the team (Level of stability amongst core client team)		X	
Quality of briefs (Adequate thought and information in briefs, clear direction and objectives)		X	
Timeliness of briefs (Sufficient time given from brief to final product delivery including strategy development and creative development)		X	
Approval chain efficiency (Approvals are turned around on time and efficiently)		X	
Feedback is clear and comprehensive (Creative feedback is provided with sufficient detail and confirmed in writing when requested)		X	
Realistic Budgets (Budgets provided are commensurate with communication objectives)		X	
Working relationship (Supportive, accessible, cooperative)		X	
Overall rating and comments (Identify any areas for improvement)		X	

## Appendix VI

# Common questions for the selection process

### Standard credential questions for ROIs

The information below sets out standard agency credential ROI questions for an advertising tender. It may be necessary to ask additional more specific or tailored questions. The principle for asking for these is to consider what information is most important to identifying a preferred agency and the time that is available for the agency to complete the tender.

#### 1. Company detail

Please provide the following company profile information:

- a. Full legal name.
- b. Trading name [*if any*].
- c. Company website.
- d. Company history.
- e. A company organisation chart.
- f. A list of the prospective agency's offices within New Zealand and any international affiliations and details regarding the extent of these relationships [*e.g. information sharing, shared resources, etc.*].
- g. GST registration number.
- h. Legal status [*i.e. limited liability or other*].
- i. Full contact details of Proposer's contact person [*including physical address, email and phone*].

- j. Full details of who has authority to legally bind the Proposer [*if different from contact person*].
- k. Details of owners/controllers.
- l. Name of insurer and type and amount of insurance held.
- m. Lawyers, bankers and accountants [*name of firm/bank*].
- n. Detail any existing or past relationships with our organisation.
- o. Details of three major customers and referees with email addresses. Include the following information for each referee: Company name, contact person, job title, direct dial number, mobile number, email address, a description of the products or services provided, and the length of relationship.
- p. Business continuity plans [*document storage, data backups, key person risk mitigation, and data security, for example*].
- q. Identify any sub-contracting parties to be utilised for on-going service delivery, e.g. PR, DM, Digital etc.

## 2. Agency capability and scope of services

Describe your approach to account management that will apply to this account, including:

- a. The names and capabilities of the team proposed to service the account, particularly the proposed account management team, including details as to their areas of responsibility, their experience and capability for undertaking this work.
- b. Confirm where your primary account management team would be based.
- c. Credentials of senior executives and the person/people who will be the escalation point for this account.
- d. Demonstrate the processes in place to manage and monitor budgets and expenditure.
- e. Account management and quality assurance processes.

## 3. Experience and track record

*This section should be customised to fit the specific needs of the organisation. While option (a) is recommended for all tenders, the options listed below could be used on an as-needed basis and could be added to.*

Provide the following information:

- a. An example of a successful and relevant campaign, demonstrating the entire process followed in the achievement of the client's objectives from brief to production and evaluation, including media planning/effectiveness

*Optional specific/tailored credentials*

- a. Provide details of your experience, or members of your proposed team's experience, working in the public sector.
- b. Outline your experience, or members of your proposed team's experience, in public sector marketing.
- c. Provide details of your experience of reaching our target audience/s.



