

THE CONSUMER OMBUDSMAN'S GUIDELINES

SPONSORSHIP AND OTHER MARKETING IN SCHOOLS

Sponsorship in schools is a form of marketing and the same rules apply to it as to other forms of marketing. These guidelines are intended for companies which are planning commercial co-operation with schools.

Sponsorship in schools means marketing undertaken by a firm or an organisation, based on a co-operation agreement between the sponsor and the school. It is characteristic of sponsoring that the company or organisation expects also a contribution from the school. The school's image is used for marketing purposes by the sponsor company. The financial support the school receives from the sponsor is not comparable to charity.

Marketing is regulated by the Consumer Protection Act. In this context, marketing is defined as information targeted at consumers regarding consumer goods and companies. In other words, it covers all commercial communication. The Consumer Protection Act is also applicable to sponsorship. Chapter 2 of the Consumer Protection Act contains provisions on marketing. In

the preparatory materials for the Act and in accordance with the Market Court's reasoning, a principle has been adopted, according to which marketing targeted at children is judged on a stricter basis than marketing in general, because children are more susceptible to advertising than most people, due to their inexperience and credulity. The International Chamber of Commerce International Code of Advertising Practice and the ICC Code on Sponsorship also recognise the principle of the special position of children and young people as consumers.

These sponsorship guidelines aim to define, on a basis of statutory provisions and legal praxis, how sponsorship can be carried out in schools without violating the marketing provisions of the Consumer Protection Act. These guidelines are not definitive, so they can be adjusted and defined further as the situation changes. Sponsorship in schools should also comply with the Consumer Ombudsman's other marketing guidelines' notably those on:

- Children and marketing (1997).

- Photography in schools and day-care centres (1992) and
- Sweepstakes and marketing competitions (1993).

It should furthermore be remembered that the Act on Measures to Reduce Tobacco Smoking (693/76) prohibits tobacco advertising, including indirect advertising. The Alcohol Act (1143/94) contains a corresponding ban on the advertising of strong alcoholic beverages. As to minors, advertising of mild alcoholic beverages is likewise forbidden. Tobacco and alcohol advertising is supervised by the National Product Control Agency for Welfare and Health.

Validity of the co-operation agreement

The Finnish school system is based on the principle of compulsory education and funded with tax revenue. A commercial agreement between a school and a company or organisation does not oblige pupils or their parents to take part in the co-operation activities, unless they are parties to the agreement. Decisions concerning minors are made by their

legal guardians. Pressuring people into commercial co-operation is an unacceptable marketing method.

Identification of marketing

- The commercial nature of sponsorship and other marketing in schools should be clearly recognisable.
- Pupils and their parents should be given clear information about the commercial co-operation and the contents of the commitment.
- Teaching material should be marked clearly with its source and purpose, or the source or purpose should be explained to the pupils in some other way decided by the school before the material is used within the classroom.
- Advertisements and other commercial messages should be distinguished from the teaching material or the educational content of the material. Surreptitious advertising or other disguised forms of marketing should not occur.
- If pupils take part in event marketing, competitions or other forms of marketing which differ

from traditional advertising, the pupils should be told what they are involved in. Where under-age pupils are concerned, permission should be obtained from their parents for participation in such events.

- All commercial material should state clearly who produces it or sponsors it. Sponsored material should not contain merchandising slogans or logos, with the exception of the identifying logo of the sponsor.

Sponsorship principles

- Sponsorship should be decent and truthful.
- Sponsorship should not play on the fear, credulity, loyalty or inexperience of children and young people.
- Sponsorship materials or activities should not include any explicit encouragement to buy the sponsor's goods or services.
- The authority of the teachers or of the school should not be exploited in a way that make pupil or their parents believe that pupils will attract unfavourable attention or are given a disadvantage at school, if

they do not buy or use the sponsor's products. Pupils and teachers should be allowed to be critical of the sponsor or its products.

- Sponsorship should not encourage children to persuade their parents to buy the sponsor's products.
- Sponsorship should not include claims that particular goods or services are superior or inferior to others, unless documentary evidence is available to that effect.

Unsolicited marketing

- Only marketing materials addressed to a school or its teachers should be sent to schools. Advertisements should not be sent directly to pupils.
- Advertisements sent to schools should only invite the schools to apply for additional material or to participate in promotional activities.
- Pupils should not be given or sent product samples without the school's permission.