

Press and Media Protocol / Officer-Member External Communications Protocol

Summary

1. How the councils handle their media relations and activities will determine how their key stakeholders (residents, businesses, external partners, and media organisations) perceive and subsequently portray the councils to others. This can therefore have a significant impact on their reputations.
2. This protocol sets out the framework for how officers and members will effectively manage media relations. It is supplementary to the Protocol on Member and Officer Relations in the councils' constitutions and requires both parties at all times to endeavour to work constructively together for the good of the councils and districts.
3. It does not cover all situations in detail as much will depend on the individual circumstances, so it is designed to be flexible while setting out a tried and tested approach.
4. The protocol applies to all members and officers who may be contacted by members of the media.

Legal framework

5. All press releases and media engagement on behalf of the councils will:
 - be in accordance with this protocol
 - be organised and managed by the Communications and Engagement Team, to ensure proactive, effective, and efficient management of the councils' public messaging and reputation
 - focus on matters of council policy, services and democratic decisions
 - not contain anything of a party-political nature
 - be in line with the relevant legislation concerning publicity issued by local authorities, with particular care around the pre-election period.

6. Section 2 of the Local Government Act 1986 states that local authorities:

"...shall not publish any material which, in whole or in part, appears to be designed to effect support for a political party. In determining whether material falls within the prohibition regard shall be had to the content and style of the material, the time and other circumstances of publication and the likely effect on those to whom it is directed and in particular the following matters:

- Whether the material refers to a political party or to persons identified with a political party or promotes or opposes a point of view on a question of political controversy which is identifiable as the view of one political party and not of another.
- Where material is part of a campaign the effect which the campaign appears to be designed to achieve."

7. The term 'publicity' is defined in the Act as "any communication in whatever form, addressed to the public at large or a section of the public". Local authorities are also required by section 4(1) of the Act to have regard to the Code of Recommended Practice on Local Authority Publicity contents when coming to any decisions on publicity.

The Publicity Code

8. The [Code of Recommended Practice on Local Authority Publicity](#) was issued in 2011 by the Ministry of Housing, Communities & Local Government.

9. Under the code there are seven principles that local authorities must follow when carrying out any publicity. It should be:

- **Lawful**
Publicity should comply with statutory provisions and any paid-for advertising should comply with the Advertising Standards Authority's Advertising Codes.
- **Cost-effective**
Consideration must be given to the value for money the publicity will achieve. The code acknowledges that in some circumstances this may be difficult to quantify.
- **Objective**
This requires local authority publicity to be politically impartial. The code acknowledges that councils must be able to explain their decisions and justify their policies, but that this should not be in a way that could be perceived as a political statement or commentary on contentious areas of public policy.
- **Even-handed**
Publicity can address matters of political controversy but in a fair manner and should not seek to affect support for a single councillor or group. The code does, however, recognise that at times it is acceptable to associate publicity with a single member of the councils.
- **Appropriate**
Press and media relations and proactive communications should relate to material matters that impact the council or residents directly.
- **Accessible and inclusive**
Local authorities can positively influence the behaviours and views of local people in relation to health, safety, and other issues where publicity can have a positive impact on the behaviour of the public.

Publicity by local authorities may seek to influence (in accordance with the relevant law and in a way which they consider positive) the attitudes of local people or public behaviour in relation to matters of health, safety, crime prevention, race relations, equality, diversity and community issues. Local authorities should consider how any publicity they issue can contribute to the promotion of any duties applicable to them in relation to the elimination of discrimination, the advancement of equality and the fostering of good relations.

- **Issued with care during periods of heightened sensitivity**

This gives guidance as to how local authority publicity should be treated during elections and referendums, both national and local.

Principles

10. This protocol will ensure the councils manage their media relations effectively and appropriately. It clearly sets out the respective roles of all members and officers in handling media opportunities and queries.
11. The councils value the media as a key communication partner. The councils are committed to being transparent and maintaining positive working relationships with the media and respect their right to report on any given topic and will providing a professional and accurate information service.
12. Following this protocol will ensure our standards are consistent. It will ensure our messaging and information is accurate due to appropriate member and officer input. This will all build and enhance the councils' reputation. In all cases, our approach to the media will reflect the standards set out in our communications strategy.
13. The Communications and Engagement Team is responsible for managing and issuing all press releases, media responses and public statements on behalf of the councils. It will advise on the most appropriate and effective timing, based on the relevant individual circumstances.
14. The team will make every effort to inform officers and members before they are exposed to significant issues through the media. However, in an increasingly fast and pervasive communications environment, particularly given the speed and ease of dissemination on social media this will not always be possible.

Spokespeople

15. For both proactive and reactive press activities, the Communications and Engagement Team attributes quotes to a relevant individual to demonstrate the councils are committed to openness and accountability.
16. The team will usually ask the Cabinet Member relevant to the subject matter to be a spokesperson for their council. The council leader or deputy leader can also speak as a substitute for the Cabinet Member or if a subject is particularly high profile or sensitive.
17. On rare occasions, the team may need to attribute a quote to senior officers – this will only occur for specific reasons or operational issues that require technical or in-depth knowledge, or if:
 - an extremely quick response is required in changing circumstances to maintain the flow of information to the public (like an emergency incident)
 - there is a legal aspect to the comment which would benefit from attribution to a professional officer rather than a member

- it is during the pre-election period where a factual statement is required.
18. In these circumstances, the nominated officer should never give their views on council policy. They should keep to the corporate line and key messages. Their role is to provide expertise and factual knowledge only, in support of the councils' approved and agreed policies.
19. Often, when none of the options above are available, the team will attribute quotes to an anonymous *spokesperson on behalf of* the relevant council.

Proactive Media Approach

20. The Communications and Engagement Team will prepare proactive press releases and statements to:
- communicate and promote Cabinet and Council decisions that would impact our communities or are of public interest
 - inform the public about changes to services in line with communications plans agreed with service teams
 - promote the work the councils as a whole are doing to deliver better outcomes for their communities, particularly in line with the Corporate Plans
 - influence and change behaviours to address issues facing the districts, country and the planet.
21. The team will do this by:
- identifying the desired objectives and outcomes when working with officers and members, and advising on the most effective and appropriate communications channels and timings
 - agreeing the key messages with the relevant subject matter expert and Cabinet Member
 - drafting the content for press releases and other communications materials, including quotes for the relevant Cabinet Member*
 - circulating draft content to subject matter experts and service manager or head of service for approval
 - circulating approved content to the relevant Cabinet Member* for comments and for approval of their draft quote.

*Where a piece of media work is specific to a particular location, the local ward member(s) should be also invited to take part regardless of their political party. Any quote or interview answers should simply reflect the benefit/impact on local residents rather than discussing the council decision or political aspects of the topic.

Reactive Media Approach

22. The Communications and Engagement Team leads on co-ordinating, drafting and preparing responses to ALL media enquiries. It's important that we respond in a timely manner as it gives the councils a greater chance of influencing the story. Failure to reply in time risks the story leading with an opposing point of view or a 'no comment' response being published.

Members being contacted by the press

23. If a member is directly contacted by, or contacts, the media on an issue, they should:

- contact the Communications and Engagement Team and relevant senior officer(s), except in relation to an enquiry that is party political in nature
- avoid speaking to the press until they've been suitably briefed by the Communications and Engagement Team and relevant senior officers before speaking on the council's behalf
- clearly indicate in which capacity they are speaking
- make it clear whether they are speaking in line with agreed council policy or giving their personal view
- consider the likely consequences for the councils of their own statement (e.g. committing to taking specific actions, image, and allegations/jumping to conclusions), particularly relating to subjects that could be an insurance or legal matter
- consider whether to consult other relevant members
- take particular care in what they say in the run-up to local or national elections to avoid allegations of electioneering, unless they have been contacted as an election candidate or political party activist – in these circumstances, the councils cannot provide support.

Officers being contacted by the press

24. If an officer is contacted by the press on an issue, they should immediately refer the enquiry to the Communications and Engagement Team and offer no comments, suggestions, opinions or information to the press contact.

Enquiries from non-traditional media outlets

25. The interactive media landscape is constantly evolving. Alongside traditional newspapers and broadcast media (radio and television), local newsletters, blogs and social media influencers have a significant impact on public opinion, which is only increasing. More and more these groups, individuals and outlets are approaching the councils for comment on important topics. The Communications and Engagement Team will use its expertise, knowledge and understanding of the local media landscape to assess the likely short term and long-term impact of responding or not responding to these types of enquiry, including accounting for the potential future need to build and maintain relationships with them should their influence grow. This will all be balanced against the resources required to provide a response. Decisions on whether to respond, and how to go about it will be made by the Communications Team Leader and/or Manager.

How we respond to different types of enquiries

26. When a question, concern or accusation has been raised about the councils and their work, the Communications and Engagement Team will draft a quote or statement that positively and concisely explains the councils' position, process or decision in relation to the issue at hand.

27. When an enquiry is about an individual or individuals, we would avoid talking about the specific case(s) as a general rule. Instead, we would provide a statement that explains in general terms the relevant process and/or challenges the council faces related to this topic. On rare occasions, when an individual has proactively approached the press, and chosen to discuss their personal matters themselves, the council may choose to provide a specific response about their case. This would be done on a case-by-case basis, and would need to be cleared by our Data Protection Officer and the relevant Head of Service.
28. When the media has misunderstood or misrepresented an issue relating to the councils or their activities, the Communications and Engagement Team will quickly and assertively explain the mistake to the media and seek a correction, clarification and/or right of reply.
29. IF the councils have made a mistake, which can happen on occasion, they will explain the context and any mitigating circumstances, will explain what went wrong and why, and what they are doing to put it right and prevent it from happening again. The councils will not take a defensive stance but instead commit to learning from our mistakes.

No comment!

30. The councils will never issue or allow a 'no comment' response to subjects that relate to or impact on council services or activities, except potentially in very rare cases where the Communications and Engagement Team has assessed that the outlet making the enquiry would not have a significant enough impact to justify the resources – see the section above about non-traditional media outlets.
31. A key exception to this is where an enquiry relates to a legal or confidential matter or an ongoing investigation or case – in these cases the council will provide a short response to explain or confirm as much as possible and why no further comment is available at this time. For example: "The council can confirm it has received the letter, but as it's currently an ongoing legal matter, will not be commenting further."

Process for media interviews

32. The Communications and Engagement Team will work to influence the news agenda by offering interviewees or providing case studies to illustrate topical issues. The Communications and Engagement Team will use the processes set out in the councils' Communications and Engagement Strategy to identify opportunities in advance but may still want/have to exploit on-the-day stories particularly when there is breaking news.
33. When this occurs, the Communications and Engagement Team will contact the relevant Cabinet Member, or council Leader/Deputy Leader to ask if they are available to be interviewed and arrange the meeting with the media.
34. A pre-interview briefing can be supplied on request. Media training will be offered to all members and senior officers to assist with this.

Publicity in election periods

35. According to the Local Government Association: “The pre-election period, previously known as ‘purdah’, describes the period of time immediately before elections or referendums when specific restrictions on communications activity are in place. The term ‘heightened sensitivity’ is also used.”
36. In the period between the notice of an election and the election itself we will halt all proactive publicity about candidates or other politicians. This applies to local and national elections.
37. During this period, we would refrain from dealing with controversial issues or reporting views, proposals or recommendations in a way that associates them with individual members or political groups. This is to make sure that no individual member or political party gains an unfair advantage by appearing in corporate publicity.
38. During the pre-election period, where a response is required, we would issue a short factual statement and if a quote is required, the relevant officer may be quoted, in accordance with the guidelines in this protocol.