

**TO EACH MEMBER OF THE
OVERVIEW AND SCRUTINY COMMITTEE**

27 November 2019

Dear Councillor

OVERVIEW AND SCRUTINY COMMITTEE- TUESDAY 3 DECEMBER 2019

Further to the Agenda and papers for the above meeting, previously circulated, please find attached the following:

Agenda Item	Description
9.	Communications Strategy – Revised Appendix 2 – Tewkesbury Borough Council Media Protocol Revised Tewkesbury Borough Council Media Protocol to reflect updated legislation regarding local government publicity.

Should you have any queries regarding the above please contact Democratic Services on
Tel: 01684 272021

Yours sincerely

Head of Democratic Services





Tewkesbury Borough Council's Media Protocol 2019

CONTENTS

INTRODUCTION	3
PART A: KEY ELEMENTS OF CODE OF PRACTICE	4
A1: The Legal Position	4
PART B: LOCAL COMMUNICATIONS PROTOCOL	5
B1: Media enquiries	5
B2: Spokespeople	5
• Councillors	5
• Ward councillors	6
• Officers	6
• Chief executive	7
• Partnerships	7
B3: Photo opportunities	8
B4: Target for responding to media enquiries	8
B5: Embargoes	8
B6: No comment	8
B7: Off the record	9
B8: Inaccurate reporting	9
B9: Emergencies	9
B10: Bad news stories	9
B11: Respecting confidentiality	9
B12: Staff and councillors' responsibility to protect the council's reputation	10
B13: Press at committee meetings	10
B14: Reporting council decisions	10
B15: Press releases	11
• Who writes press release?	12
• Who should be quoted in a press release?	12
• Stages of press release approval	13
• Format	13
• Contact details on press releases	13
• Distribution of press releases	13
• Equal opportunities	13
• Issuing a press release when the communications officer is absent	14
B16: Mayoral publicity	14
B17: Court cases	14
B18: Media briefings	14
B19: Media interviews	15
B20: Monitoring	15

INTRODUCTION

This protocol explains how the council will achieve a coordinated approach to media relations and will ensure that all media relations activity meets legal requirements.

The protocol provides clarity and agreement on when and which councillors and other council representatives should comment to the media.

Tewkesbury Borough Council recognises the need for 'openness' and accountability, and this is reflected in how the council deals with the media. The council will endeavour to be honest and proactive and will forge strong professional links with local, regional, national and specialist media.

MORI research shows that the better-informed people are the more satisfied they are with public services - so communication is clearly a vital function for Tewkesbury Borough Council.

Key means of communicating include: Tewkesbury Borough Council's website; *Tewkesbury Borough News* (the council's newspaper to residents), corporate leaflets; media relations; emails; social media; advertising, together with a range of consultation activities.

This document deals primarily with the protocol for handling outgoing communications. A separate document deals with the council's Consultation Policy.

Please note: The council only has one communications officer. If the communications officer is away from the office for any length of time, the response time to an enquiry may be longer.

The supporting officer will be the corporate development and performance manager, who will endeavour to respond to enquiries as quickly as possible.

The leader of the council is the lead member for communications.

PART A: THE LEGAL POSITION

Underpinning all aspects of this protocol is the general principle, reflecting government legislation, that the council will not involve itself in any publicity which appears to be designed to affect public support for a political party.

The council also aims to be open in its workings, ensure information is accessible, encourage public involvement in decision making and promote the interests of the borough's residents.

In addition, all council communications will comply with relevant legal requirements, and conform to the Code of Recommended Practice on Local Government Publicity, issued by the Secretary of State in March 2011, which highlights factors to be borne in mind when taking decisions on publicity - see: <http://www.communities.gov.uk/documents/localgovernment/pdf/1878324.pdf>

For the purposes of guidance for councillors and officers, paragraphs 16 and 34 are particularly relevant and are reproduced below:

16. Any publicity describing the council's policies and aims should be as objective as possible, concentrating on the facts or explanation or both. Local authorities should not use public funds to mount publicity campaigns whose primary purpose is to persuade the public to hold a particular view on a question of policy. It is acceptable for local authority publicity to correct erroneous material which has been published by other parties, despite the fact that the material being corrected may have been published with the intention of influencing the public's opinions about the policies of the authority. Such publicity should seek to explain the facts in an objective manner.

34. During the period between the notice of an election and the election itself, local authorities should not publish any publicity on controversial issues or report views or proposals in such a way that identifies them with any individual members or groups of members. Publicity relating to individuals involved directly in the election should not be published by local authorities during this period unless expressly authorised by or under statute. It is permissible for local authorities to publish factual information which identifies the names, wards and parties of candidates at elections.

PART B: LOCAL COMMUNICATIONS PROTOCOL

The following sections describe the local protocols for communication and publicity adopted by the council. These take in to account the legal framework and good practice.

B1: Media Enquiries

All media enquiries should be passed to the communications officer in the first instance. It is that officer's role to deal with and decide the best way to respond to the enquiry.

The communications officer will contact the relevant lead member and/or officer to decide the best method of response. It is imperative that the lead member and/or officers respond promptly to the communications officer's request to ensure a quick response to any media enquiry. The communications officer will endeavour to respond to media enquiries within the same day and certainly within 24 hours.

Every media enquiry should be used as an opportunity to get the council's vision and priorities across to the public.

If there is a disagreement between the officers and the councillors about how a story should be handled, the chief executive and the leader will be requested to arbitrate. In the absence of the leader, the relevant member to arbitrate would be the deputy leader and that in the event of the chief executive being absent it should be one of the corporate heads of service who is not involved in the "story" in question.

B2: Spokespeople

Councillors

When communicating the work and decisions of the council, emphasis should be placed on those who are democratically accountable for those decisions.

The leader, deputy leader and lead members will, on behalf of the council, be the designated spokespeople on Executive Committee decisions and agreed council policy.

The leader of the council is the principal spokesperson for the council at local, regional and national level. Each of the lead members has a portfolio and the relevant portfolio holder will be the nominated spokesperson on the area of his/ her responsibility.

If the lead member is not available to comment then the communications officer will work with officers to draft a comment.

Note: Nothing in this protocol precludes councillors or political groups from speaking or contacting the media directly. This would include letters, faxes and emails. Councillors must, however, make it clear to the media whether they are speaking:

- (a) Officially on behalf of Tewkesbury Borough Council - in this case the communications officer must be involved in the process (or in their absence the relevant corporate head of service).
- (b) Officially on behalf of their particular political group - stating the name of that political group.
- (c) Personally as a ward councillor when talking about more specific issues.

The response to a release issued by a political group remains with group leaders, ensuring that officers' political neutrality cannot be called into question.

If a borough councillor also represents another authority (such as the county council) and is asked to comment on an issue that directly affects Tewkesbury Borough Council, the councillor must inform the communications officer so he or she is aware of the issue.

Ward councillors

When reacting to a media enquiry, the comment will be attributed to the appropriate lead member and/or corporate head of service.

However, where we are acting proactively through press releases and the issue is specific and local to a particular ward, the communications officer will invite the local ward councillor(s) to provide a comment to go alongside the lead member's comment. The communications officer will review the comment and recommend for inclusion as appropriate to the lead member.

It is the responsibility of the ward members to respond quickly to a comment request as deadlines are often very tight.

Where there is any disagreement or need to clarify appropriateness, the comment will be referred to the chief executive for a decision. For wards represented by more than one councillor from the same party, they must agree and supply one quote attributed to one of them.

If there is more than one political group represented within a ward, then each political group may supply one local ward quote. However, inclusion of more than three quotes is not considered best practice and if this situation arises the communications officer will lead the discussion to resolve the issue.

Officers

All officers must operate within the legal restrictions on publicity described in Section A and the council's Code of Conduct, as well as keeping to the member/officer protocol. These documents are available on the intranet.

All officers must, in carrying out their jobs, act in a politically neutral way.

The media are often keen to talk directly to officers as they may have a more in-depth knowledge of a project or initiative. This will be to answer questions of fact, technical information and areas of expertise. Any employee who receives a media enquiry should redirect it to the communications officer in the first instance.

Unless an agreement has been made, it is not appropriate for officers to initiate contact with the media or respond to media enquiries independently without first consulting with the chief executive, the relevant corporate head of service or the communications officer.

The communications officer will then, in consultation with relevant officers, issue statements in response to such media enquiries. If the enquiry relates to a matter of agreed council policy rather than simple factual checks the communications officer will liaise with the relevant lead member.

Officers who have not received media training will not normally be expected to do live on-air interviews.

The Corporate Management Team or senior officers may be required to speak to the media on major and corporate issues, particularly if a quick response is needed and the lead member is not available. If you are required to speak to the media, it is essential that the communications officer is fully debriefed.

Chief executive

The chief executive will comment on recommendations to implementation of policy. In matters relating to the budget, the head of finance and resources will provide appropriate support. The chief executive may delegate to a relevant officer if appropriate.

In the chief executive's absence, the relevant Corporate Leadership Team member will comment.

Partnerships

Increasingly the council is working in partnership with other agencies. This includes issuing joint communications and publicity. The terms of this protocol and local government publicity law must be followed when the council issues joint publicity.

Where the council is approached for a comment in relation to a partnership of which it is a member, the communications officer will liaise with the relevant lead member and the partners to agree an appropriate comment.

B3: Photo opportunities

Journalists often arrange a photo opportunity to support and enhance a story. It is the responsibility of the lead member to be available for the photograph. If the lead member is not available then a discussion will take place between the communications officer, and the leader and deputy leader as to who would be best suited to take the lead member's place.

Ward member(s) will be invited to take part in the photo opportunity if the story is specific to their ward.

Officers and third parties may be involved in photo opportunities, where appropriate.

Please note: You need a person's consent (or parental consent for those under-16) before taking their photograph. Parental consent forms can be found on the intranet.

B4: Targets for responding to media enquiries

The communications officer will endeavour to answer all media enquiries within 24 hours. Some enquiries may require an even quicker response to meet press deadlines. In the case of TV and radio, responses are required almost instantly and sometimes hourly. The communications officer will make clear the priority of the enquiry when contacting lead members and officers.

Responding on target is only possible with the co-operation of all appropriate members acting as spokespeople and all officers responding quickly when asked for information. It can be damaging to the council's reputation to fail to respond to enquiries in a timely and effective manner.

B5: Use of embargoes

Embargoes will only be used when considered essential. For example, the following may legitimately be subject to an embargo:

- When news releases are linked to a launch event.
- When an issue of confidentiality requires it.
- When it is required by a third party.

Note: Embargoes are not legally enforceable and are adhered to by general local agreement. Nevertheless, they are important in terms of media relations so any breaches need to be referred to the communications officer.

B6: 'No comment'

While every effort must be made to avoid being 'unavailable for comment' there are some occasions when it is inappropriate to comment. For example, when legal action is pending, where an issue relates to the personal affairs of an individual or where there is a need to respect the privacy of a complainant or someone being complained about.

If 'no comment' is unavoidable, it should be supported by an explanation as to why the council is not in a position to comment. For example: "It would be inappropriate to comment on this issue due to the on-going court case," rather than "No comment".

Members and officers should discuss with the communications officer if it is felt that a "no comment" stance is the most appropriate.

B7: Off-the-record

When information is given 'off the record' the information is **not** for publication.

If information is given 'off the record' then a recorded agreement must be made clear beforehand.

B8: Inaccurate reporting

If an article appears in the media that is damaging to the reputation of the council, the lead member and/or head of service will work with the communications officer to prepare a response.

B9: Emergencies

Tewkesbury Borough Council has a key role to play in the Emergency Plan for Tewkesbury Borough. Arrangements are in place to ensure the council works with the other agencies involved. A communications officer from one or more of the agencies will be nominated to deal with the media. During an emergency, clear guidance on the relevant media contacts will be issued to officers and councillors.

B10: Bad news stories

Our policy is for mistakes to be acknowledged and apologised for 'on behalf of the council' where appropriate and where we are able to do so. Any proactive statements, or answers to media questions such as these, should be discussed with the communications officer and agreed with the relevant lead member and/or leader or deputy leader and the director. All proactive statements in response to bad news stories should endeavour to have reference to the council's improvement journey.

B11: Respecting confidentiality

Occasionally issues come to the attention of the media that involve staff or councillors and aspects of their private lives or employment contracts. It is not the council's policy to comment upon such issues. Factual responses are permitted, for example - 'I can confirm that the employee is no longer in employment with Tewkesbury Borough Council, but we are not prepared to discuss the situation in any greater detail'.

Members and officers speaking to the media should never give out personal information.

B12: Staff and councillors' responsibility to protect the council's reputation

Leaking of confidential information is not acceptable and for staff will be regarded as a disciplinary matter.

The leaking of confidential information by a councillor may amount to a breach of the council's Code of Conduct and Councillors should take advice from the monitoring officer before considering releasing to the press confidential information which they may feel is in the public interest.

B13: Press at committee meetings

The press is welcomed to all formal meetings. The press will be excluded in the part of the meeting that contains confidential items. These will normally be highlighted as being exempt in the meeting agenda.

The press will be asked to be seated in a designated area. All mobile phones should be turned off during the meeting.

In accordance with the Openness of Local Government Bodies Regulations 2014, proceedings of committee meetings may be recorded and this may include the recording of persons seated in the public gallery or speaking at the meeting. Anyone with objections to this practice must notify the democratic services officer, and the mayor will take reasonable steps to ensure that any request not to be recorded is complied with.

Any recording must take place in such a way as to ensure that the view of councillors, officers, the public and the press is not obstructed. The use of flash photography and/or additional lighting will not be allowed unless this has been discussed and agreed in advance of the meeting.

B14: Reporting Full Council/Executive Committee decisions

The agenda and papers for the meetings are made available to the media and public in advance. Releases issued prior to these meetings will be factual only. If an approach is made by the media for an interview before the meeting, it will be for the lead member or, where necessary, a relevant officer to decide whether or not they wish to comment.

The lead members and relevant officers, in consultation with the communications officer, will identify any individual issues warranting other media and website publicity after each meeting, or where possible beforehand.

It is possible that journalists attending the meeting or reading the press release will also request interviews with lead members and every effort will be made to accommodate this. If the lead member is unavailable, the relevant director or senior officer will be contacted.

The communications officer will liaise with the leader/deputy leader and relevant lead members and officers to prepare news releases to follow Executive Committee and Full Council meetings. These news releases, as with all others, should be issued as promptly as possible after the meeting/event to maximise coverage and to ensure they remain contemporaneous.

Releases will be factual, outlining the decision, the context in which it was made, issues relating to it and any action to be taken. Any quotes included will relate to the member's council responsibility and will not be party political. Releases on Executive Committee and Full Council decisions will outline the call-in procedure and will give contact details if more information is needed.

The communications officer will respond to media enquiries about decisions of these meetings by referring journalists, wherever appropriate, to the leader or lead member and relevant officers.

B15: Press Releases

A press release is the most common way of informing the media about the work of the council.

The communications officer may issue proactive press releases in a range of circumstances and in conjunction with others e.g. emergency services. For example:

- To inform about a member decision / recommendation.
- To publicise how to access a service – particularly if changes are being made.
- To publicise an event.
- To promote a campaign or raise awareness of a topic of local interest.
- To pass on good news for Tewkesbury Borough Council.
- To publicise Tewkesbury Borough Council's good practice and to raise its profile in support of the council's core values and objectives.
- To publicise an inspection report – good or bad.
- To publicise the fact that consultation is taking place and how to become involved in it.
- To inform residents what to do in cases of an emergency or to give safety alerts.
- To announce an appointment, election, reshuffle.

The content of proactive releases is drawn up in consultation with relevant officers to ensure factual accuracy and sent to the relevant lead member and head of service/operational manager for approval.

Who writes press releases?

Officers should, wherever possible, not only prepare a draft press release but also give five working days' notice before the press release needs to be issued so that there is enough time to fully prepare the release.

The communications officer will ensure that the press release is approved by all relevant parties and issue it to the media. The communications officer may give advice and/or amend any draft release as appropriate to maximise possible coverage and continue to present a consistent corporate view.

If the communications officer is absent then the corporate development and performance manager will be responsible.

It is recognised that some press releases are generated in response to unforeseen circumstances and these would be issued as soon as is practicable.

Press releases will be issued to the relevant media organisations and will be made available via the Intranet and the council's website.

No reference to any political groups or parties will be made in the body of any press release and the release will not present conflicting views of political groups and/or parties.

Note to councillors: Councillors and political groups may issue their own press releases but they must clearly state that the views expressed are their personal views, or those of their political party.

Note to officers: All written material must adhere to the council's Branding and Written Style Guide, which can be found on the intranet.

Who should be quoted in a press release?

Quotes are effective devices to make a press release more interesting to read and to back up the information in the press release.

In most cases, and where possible, the relevant lead member will be quoted. Where appropriate, the relevant officer may also provide a comment.

Where it is appropriate, the communications officer will contact the local ward member(s) for a comment.

If there is more than one political party represented within a ward, then each party may supply one local ward quote. However, inclusion of more than three quotes is not considered best practice and if this situation arises a view will be taken by the communications officer.

If a third party is involved in the news story, for example a town or parish council, or a local business, then the third party will be asked to include a quote in the press release.

Press releases and statements may contain officer contact details so that they can supply technical information to support a story or issue.

For press releases on committee decisions, the quote should be attributed to the relevant lead member unless that lead member or relevant members of staff have not had any involvement in the decision, in which case the chair of the committee should be quoted.

For press releases on motions approved at Council, quotes should be attributed to the relevant lead member or leader of the council (whichever is most appropriate) and the member who tabled the motion.

Stages of press release approval

Before issuing a press release to the media the communications officer will seek the approval from:

- Any quoted councillor/officer.
- Originating officer (where there is one).
- Any third parties involved in the press release.

Contact details on press releases

There must be contact details on the press release to give the media a contact for further information.

This will always include a contact for the communications officer and may also contain contacts for the lead member and/or relevant officer.

It will also contain contact details for any other third party mentioned within the press release.

It is essential that the councillor and/or officer lets the communications officer know if they are not going to be available at the time of the issuing of the press release.

Distribution of press releases

All press releases will be distributed to the following groups:

- Media
- Councillors – who are responsible for disseminating the relevant information to their town or parish council
- Head of service and operational managers
- Local MPs

Equalities

When drafting press releases or selecting photographs, all officers should be mindful of the council's Equalities Scheme.

Publicity should avoid the stereotyping of roles and should demonstrate the council's commitment to promoting equality and diversity. This applies to services and opportunities to people of any colour, gender, age, sexual orientation, race, religion or faith and people with disabilities.

Wherever necessary, information about services should be communicated in appropriate community languages.

Issuing a press release when the communications officer is absent

No Tewkesbury Borough Council press release should be sent to the media without being agreed by the communications officer, who will also issue the press release. If the communications officer is absent then press releases will need to be agreed by the relevant head of service and/or corporate leadership team member, and passed to the corporate services manager who will issue the press release to media contacts.

Each press release is also sent to every borough councillor so they can disseminate the relevant information to their parish and town councils.

All press releases must be uploaded to the council's website. In the communications officer's absence, IT will be requested to upload the content.

B16: Mayoral publicity

The mayor is the borough's civic head and is involved in several civic functions each year including the mayor's Civic Reception, the Civic Service and the Remembrance Services.

The Mayor of Tewkesbury Borough can be invited to attend various events in and around Tewkesbury Borough. Requests can be made in writing or through the council's website.

The Democratic Services team co-ordinates the Mayor's Diary.

B17: Court cases

Tewkesbury Borough Council will occasionally commence prosecutions and will want to use successful outcomes of court cases to deliver a message to the public. The best ways of doing this are by encouraging the press to attend the court case or by releasing the information to the media via a press release. It is imperative that all press releases about court cases are issued to the media at the earliest opportunity.

The communications officer should be informed about imminent court cases. The communications officer should also be alerted to the result of the court case as soon as possible.

B18: Press Briefings

Press briefings have two purposes:

1. To help explain complex issues that will aid the media's understanding of the subject and encourage accurate reporting.
2. To communicate an important story (good and bad news) that will attract media attention.

Press briefings will be held on an ad hoc basis to provide additional support including:

- When complex or major issues are being determined/raised.
- When sensitive issues need absolute accuracy and confidentiality.
- When major incident situations arise.
- When the media request clarity on council reports and agendas ahead of council meetings (a briefing will not go ahead if there is no media interest).
- To illustrate the work of major services.

The relevant officer should be involved to explain the technical details of the project, and the lead member should be in attendance for policy-related issues.

Any media briefing should only take place with the agreement of the lead member and outcomes of the briefing should be fed back to the lead member.

Regular media briefings will take place between the communications officer and the local media to ensure a constant dialogue around council business.

If a political group wishes to hold a press briefing this must be hosted outside of the council's premises and with no assistance from the communications officer or any other council officer.

B19: Media Interviews

When the communications officer is approached to provide a spokesperson for a media interview, the following guidelines will apply:

- Policy issues will be dealt with by the council leader, deputy leader or the lead councillor responsible for the relevant portfolio. Officer engagement may also be necessary.
- Civic issues will be dealt with by the mayor.
- The chief executive, Corporate Leadership Team and officers may be asked to take part in media interviews to provide technical information.

The media should be aware that a proposed interviewee has been selected to take part in the interview because of their knowledge and area of responsibility. A list of lead members, their areas of responsibility and photographs will be made available to the press and media

B20: Monitoring

Regular media monitoring will be conducted to ensure that Tewkesbury Borough Council is maximising all opportunities to communicate using the press.

A monitoring report of the media coverage of press releases is sent to lead members and the corporate management team, when possible, every day. A copy will also be available from the communications officer for anyone who might like to view it.