

MALVERN TOWN COUNCIL COMMUNICATION AND PUBLICITY – COUNCILLOR GUIDELINES POLICY

1. Introduction

- 1.1. The purpose of these guidelines is to define roles and responsibilities within Malvern Town Council (hereafter known as 'The Town Council') and to provide guidance to Councillors for external communications, contact with the media and the effective use of social media. It is not the intention of these guidelines to curb freedom of speech or to enforce strict rules and regulations.
- 1.2. For the purpose of these guidelines, the term 'media' refers to means of mass communication and includes broadcasting (television and radio), print media (newspapers, magazines etc) and the internet.
- 1.3. The media is an important channel to convey information to the community, to increase public awareness of the services and facilities provided by Malvern Town Council and the reasons for particular policies and priorities. As such the Council must maintain positive, constructive media relations and work with the media to enable this.
- 1.4. It is important that the media has access to background information to assist them in giving accurate accounts to the public. To balance this, the Council reserves the right to defend itself from any unfounded criticism and will ensure that the public is properly informed of all the relevant facts.
- 1.5. The Council is accountable to the local community for its actions; this accountability can be managed in part through effective two-way communications.

2. The Legal Framework

- 2.1. The law governing communications in local authorities can be found in the Local Government Acts 1986 and 1988. The Council must also have regard to the Government's Code of Recommended Practice on Local Authority Publicity.
 - 2.2. The Town Council's Standing Orders (approved and adopted on 10 February 2015) and The Openness of Local Government Bodies Regulations 2014 should be adhered to.
 - 2.3. The Town Council's media relationships must be consistent with the provisions of:
 - The law governing communications set out in the Local Government Acts 1986 and 1988
 - The Code of Recommended Practice on Local Authority Practice
 - The Code of Conduct for Councillors as adopted by the Council
 - The Council's Standing Orders
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- 2.4. When dealing with the media, Councillors should always be aware of the need to comply with data protection requirements and the General Data Protection Regulation (GDPR) as from 25 May 2018 as well as the need to observe confidentiality.
- 2.5. The Council acknowledges the right of the media to obtain information under the Freedom of Information Act 2000.

3. Meetings of Council and Committees

- 3.1. In accordance with The Local Government Act 1972 copies of agendas, reports and minutes sent to Members for meetings of the Council or its Committees will be emailed to the media and facilities will be provided at meetings for the media to take notes of the proceedings.
- 3.2. The public and media shall be admitted to all meetings of the Council and its Committees, which may however temporarily exclude the public or the media or both, by means of the following resolution:

Meetings shall be open to the public unless their presence is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or for other special reasons. The public's exclusion from part or all of a meeting shall be by a resolution which shall give reasons for the public's exclusion.

(Note: the Town Council as a Parish Council is governed by the Public Bodies (Admission to Meetings) Act 1960.

- 3.3. These meetings may be reported on by filming, photographing, making an audio recording or otherwise reporting on them e.g. through the use of social media (*please refer to Malvern Town Council's Protocol for Filming or Recording Public Meetings*).
- 3.4. Councillors must treat anything said in a closed session of a meeting or working party as confidential and should not divulge that information. Councillors should take care that they do not make any comments that bring themselves or the Town Council into disrepute or make comments that may be defamatory or lead to any other legal action.
- 3.5. Town Council noticeboards will be used for advertising meeting notices.
- 3.6. Social media will be used for advertising meeting notices, events and delivering general public information notices.

4. External Communications and Working with the Media

- 4.1. Councillors must always have due regard for the reputation of the Town Council in all their dealings with the media. It is important to build and develop a relationship with the local press and media, in which communication is a two-way process.
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- 4.2. Councillors must not disclose information that is of a confidential nature. This includes any discussion with the media on any matter which has been discussed under confidential items on Council or Committee agendas or at any other private briefing. If such leaks do occur, an investigation will take place to establish who was responsible, with appropriate action taken.
 - 4.3. In line with the Town Council's adopted Code of Conduct, all Councillors should act with integrity at all times when representing or acting on behalf of Malvern Town Council.
 - 4.4. When speaking or providing written material to the media, Councillors must make clear the capacity in which they are providing the information. For example:
 - i. As Mayor
 - ii. As Chairman of a Committee
 - iii. As a Ward Councillor
 - iv. As an individual Councillor (i.e. letter to press for publication)
 - 4.5. It is accepted that Councillors are able to use the prefix "Councillor" when writing to the press as an individual; however, Councillors must ensure that any communication with the press makes it clear whether they are writing to express their individual view or whether they are speaking on behalf of the Town Council as a whole. A copy of any written material sent to the media by a Member, as representing the Town Council must be forwarded to the Town Clerk.
 - 4.6. When Councillors write to the media in response to a matter in their ward, then they can sign themselves as Councillor xyz representing abc Ward, but they must again ensure that it is clearly stated whether they are expressing their own opinion or that of the Town Council.
 - 4.7. Councillors are advised to take particular care if the media approaches them for comment on a controversial or confidential subject, and should take care not to be led into stating something that they did not really mean to say. If unsure, a simple "no comment" statement should be made and the media should be asked to contact the Town Council offices.
 - 4.8. When a member of the media wishes to discuss an issue that is, or is likely to be, subject to legal proceedings, advice should be taken from the Town Council's solicitor before any response is made.
 - 4.9. There are a number of personal privacy issues which Councillors must handle carefully and sensitively. These include the release of personal information, (although Councillor contact details are in the public domain), and disciplinary procedures and long-term
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sickness absences that may affect service provision. In all of these, and similar situations, advice must be taken from the Town Clerk before any response is made to the media.

- 4.10. The Mayor (or Deputy Mayor in the absence of the Mayor) will be authorised to make contact with the media if the issue or query concerned is related to Civic business or Mayoral engagements.
- 4.11. The individual Chairmen of Council Committees will be authorised to make contact with the media if the issue concerned is related to decisions made by that particular committee. Any responses should be copied to the Town Clerk and Town Council's Press Officer and should reflect the Town Council's opinion.
- 4.12. The Town Clerk and/or Press Officer will ensure that the appropriate Councillors are involved in any Town Council response with relevant quotes included.
- 4.13. Unless authorised either by the terms of these guidelines or by the Town Council, Councillors who are asked for comment should make it clear that any opinions given are their own and not those of the Town Council and they should ask that it be clearly reported as their personal view.
- 4.14. When an immediate response is required to an important and/or potentially contentious issue relating to Town Council business, or an issue on which Town Council Policy has yet to be decided, the Town Clerk will call together the group of Committee Chairmen to discuss, formulate and agree a response on behalf of the Town Council. This may be done in person or by email or conference call.

5. Press Releases

- 5.1. The purpose of a press release is to inform the media and the public. This may include providing important public information, promoting the Town Council, advertising an event, explaining the Town Council's position on a particular issue or raising awareness of the Town Council's policies, services and functions. Press releases can be issued both before and after an event.
 - 5.2. The Town Clerk and the Town Council's Press Officer are authorised to receive all communications from the media and to issue press statements on behalf of the Town Council. All communications made by Town Council Officers will relate to the stated business and day-to-day management of the activities or adopted policy of the Town Council.
 - 5.3. The Town Clerk and Town Council's Press Officer will review potential press releases regularly to ensure a proactive approach is taken to reporting Town Council business.
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- 5.4. It may be appropriate for a press release to be issued on behalf of the Mayor or a Chairman of a Committee and in these circumstances the Town Council's Press Officer will work alongside the appropriate Councillor to ensure that this is achieved.
- 5.5. The following should be considered when reviewing items to be sent to the media:
- i. Agendas being issued and the business stated on them
 - ii. Committee and Council decisions
 - iii. Town Council events
 - iv. Town Council achievements
 - v. Important issues in the Town that may affect the Town Council
 - vi. Possible criticism/contentious issues
- 5.6. Press releases and advertisements for events will be sent to local newspapers and made available on social media as appropriate.
- 5.7. Press releases and advertisements for events will also be put on Town Council noticeboards.
- 5.8. The Town Council website will be used to convey information on matters of interest and latest news and will be updated regularly by Officers, under the direction of the Town Clerk or delegated authority of the Town Clerk.
- 5.9. There are occasions when it is appropriate for a letter to be submitted on behalf of the Town Council, for example to explain important policies or to correct factual errors in letters submitted by other correspondents; such letters should be kept brief and balanced in tone. All correspondence must come from the Town Clerk.

6. Social Media

- 6.1. Malvern Town Council acknowledges social media as a useful communication tool. However, clear guidelines are needed for Councillors on the use of social media to ensure it is used effectively as part of a wider communications mix and that its use does not expose the Town Council to security risks, reputational damage or breach of the Data Protection Act.
- 6.2. For the purposes of this section, the term 'social media' covers sites and applications including, but not restricted to, Facebook, Twitter, Myspace, Flickr, YouTube, LinkedIn, blogs, discussion forums, wikis and any sites which may emerge after the creation of this policy where the Town Council could be represented.
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- 6.3. Councillors should be aware of the following risks identified with social media use (this is not an exhaustive list):
- Virus or other malware infection from an infected site
 - Disclosure of confidential information
 - Damage to the Town Council's reputation
 - Social engineering attacks (also known as phishing)
 - Bullying or witch-hunting
 - Civil or criminal action relating to breaches of legislation
 - Breach of safeguarding through the use of images or personal details leading to the exploitation of vulnerable individuals
- 6.4. Councillors must ensure that they use social media sensibly and responsibly, in line with this guidance.
- 6.5. Councillors should have particular regard to Malvern Town Council's Code of Conduct and ensure that, when online, they treat others with respect and conduct themselves in a manner that will not bring the Town Council into disrepute.
- 6.6. Councillors should take time to think before publishing. Even when a post is deleted it could have been read several times and it could also have already had a screenshot taken and saved as a permanent record.
- 6.7. Consideration should be given by Councillors as to whether there are appropriate privacy settings in place for their social media accounts especially those that they use as personal accounts. Councillors should have separate accounts for Councillor posts and personal ones, and if a Councillor account is set up, a short statement should be posted disclosing their identity as a Councillor.
- 6.8. Councillors should be aware that, by publishing information obtained through their position as Councillor, they will be seen as acting as a representative of Malvern Town Council.
- 6.9. Councillors should be aware of misinterpretation and take care when communicating sarcasm or irony through short online messages as the message may be misinterpreted.
- 6.10. Councillors should avoid being drawn into an online argument with someone clearly trying to provoke or openly criticise, and in such a case should not respond.
- 6.11. Councillors should be aware that sharing someone else's post, e.g. 're-tweeting' on twitter or sharing on Facebook, may be interpreted as the Councillor agreeing, endorsing or supporting its content.
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- 6.12. Caution should be taken to avoid anything which could be considered discriminatory against, or bullying or harassment of any individual(s) such as:
- i. Making offensive or derogatory comments related to sex, gender reassignment, race (including nationality), disability, sexual orientation, religion or belief, or age
 - ii. Using social media to bully or harass another individual
 - iii. Posting images that are discriminatory or offensive, or providing links to such content
- 6.13. Town Council social media must not be used for party political purposes or specific party political campaigning.
- 6.14. Councillors will be personally responsible for their social media presence. Malvern Town Council does not take any responsibility for social media content on behalf of individual Councillors.
- 6.15. These guidelines do not seek to be either prescriptive or comprehensive but set out to provide guidance on how to deal with some of the practical issues that may arise when dealing with the media.

April 2018