

## Media Policy

Strategic Reference	To provide accountable, open and transparent communication between Council and the community and ensure public access to timely, relevant and accessible information.
File reference	AR17/6305
Responsibility	Community & Corporate Department
Revision Number	2
Effective date	June 2013
Last revised date	May 2017
Minutes reference	072/17, 195/14, 210/13
Next review date	Every two years, May 2019
Applicable Legislation	<p>Copyright Act 1968 (Cth)  Criminal Law Consolidation Act 1935 (SA)  Defamation Act 2005 (SA)  Fair Trading Act 1997 (SA)  Fair Work Act 1994 (SA)  Freedom of Information Act 1991 (SA)  Local Government Act 1999 (SA)  Local Government (Elections) Act 1999 (SA)  Equal Opportunity Act 1984 (SA)  Australian Human Rights Commission Act 1986 (Cth)  Privacy Act 1988 (Cth)  State Records Act 1997 (SA)  Civil Liability Act 1936 (SA)</p>
Related Policies	<p>Community Engagement Policy  Code of Conduct for Council Employees  Code of Conduct for Elected Members  Equal Employment Opportunity, Discrimination, Harassment &amp; Bullying Policy  Election Caretaker Policy  Human Resource Policy  Information Security Policy  Privacy Policy  Records Management Policy  Volunteer Policy  Social Media Policy</p>
Related Procedures:	N/A

## 1. Purpose

- 1.1. This Policy provides a framework for Elected Members and staff to interact with the media.

## 2. Introduction

- 2.1. Communication with the media allows Council to promote its work and to educate and inform its community about Council activities.
- 2.2. This policy is designed to ensure Council is capable of effectively promoting and responding to media issues in a professional, timely and positive manner.
- 2.3. This communication may take the form of distributing accurate, positive and informative stories and may also involve responding to media enquiries and working together with media outlets on issues of public interest.
- 2.4. This policy also outlines procedures of elected members and council staff who, acting as an appointed representative of the Coorong District Council, make public comment or provide information to the media about Council activities.
- 2.5. Public comment includes public speaking engagements, speaking on radio or television, views expressed to newspapers, magazines, websites, books, journals, notices or other such forums where it might be expected that the publication of the comment will be accessible to part or all of the Coorong District or Local Government community.

## 3. Definitions

For the purposes of this policy:

**“Employee” or “Staff”**: is any person who is employed by the Council, but also includes any contractors, volunteers (including Committee members), trainees, work experience students and consultants undertaking work for, or on behalf of the Council whether they are working in a full-time, part-time or casual capacity.

**“Media”** includes print, radio, television and social media formats.

## 4. Power to Make the Policy

Council is empowered to make this Policy in accordance with Section 132A of the Local Government Act 1999.

## 5. Responsibility

### Speaking on behalf of Council

- 5.1. The Mayor is Council's official spokesperson, unless Council has appointed another Member to act in this capacity. Close liaison with the Mayor and the Chief Executive Officer is essential for consistent reporting.
- 5.2. Elected Members may not speak on behalf of Council unless authorised to do so by the Mayor, or unless Council has clearly spoken (as a body) and granted permission to do so.
- 5.3. The CEO has delegated authority from the Coorong District Council to make official statements on behalf of Council and to respond to media enquiries and is principal spokesperson for Council in relation to all operational matters, including the delivery of services and the implementation of Council policy.
- 5.4. The CEO may delegate this authority to a Departmental Director or other appropriate Council staff to make public comment to the media on specific matters relating to administration or Council activities on a case by case basis.
- 5.5. Comments made by the official spokesperson, be it the Mayor, CEO or a delegated spokesperson from the Elected Members or Administration, must truly reflect the will of the Council as expressed in its meetings.
- 5.6. To ensure there is general awareness of the issues being canvassed, details of the information provided to the media are to be conveyed to the Chief Executive Officer, the Mayor and other staff as appropriate, as soon as practicable.
- 5.7. The CEO will ensure that the Mayor and the appropriate staff are kept informed of media enquiries, activities and outcomes as appropriate.
- 5.8. Comments made by the official spokesperson must not show disrespect for Council, its decisions, its decision-making process, Elected Members, Council management or staff.
- 5.9. Comments made by the official spokesperson must not give the media or any unauthorised person information brought to Council in confidence.

### **Elected Members as Individuals**

- 5.8 As a member of the community, Elected Members retain the right to make public comment or speak to the media. However, any public comments made by Elected Members are to be clearly identified as their opinions only and do not necessarily represent the position of Council nor unduly reflect on any Council decision.
- 5.9 If questioned by the media on their opinion regarding business yet to come before Council, Elected Members should refrain from commenting to remove the risk of prejudicing the business in the Chamber.

- 5.10 Elected Members speaking as individuals must not give the media, or any unauthorised person, information brought to Council in confidence.
- 5.11 For Policy regarding communications relating to Elections, refer to the Caretaker Policy.

## **Staff**

- 5.12 Staff must not speak to the media on any issue relating to the Council or Council business, Elected Members or staff unless specifically authorised to do so by the Mayor or the CEO.
- 5.13 This authorisation will be obtained through the relevant Departmental Director.
- 5.14 Staff who are contacted directly by a journalist or media outlet should refer them to the CEO or Departmental Director.
- 5.15 Staff, as members of the public, retain the right to their own opinion, but must ensure that any comments made in the public domain cannot be construed as being representative of the Council or the Administration. Staff must not show disrespect for Council, its decisions, its decision making process, Elected Members, Council Management or staff.
- 5.16 Staff speaking as individuals must not give the media or any unauthorised person information presented to Council in confidence.

## **6. Principles**

Coorong District Council recognises that effective use of media is essential in engaging with its community.

Both traditional and social media are key communication tools to allow the Council to inform the community and stakeholders about relevant issues.

All media contact should be coordinated to maintain a correct and consistent message and professional image.

Elected Members, employees, contractors, volunteers and Committee members of Coorong District Council are expected to demonstrate standards of conduct and behaviour that are consistent with relevant legislation & regulations, and adhere to Council policies and procedures.

## **5 Policy Statement**

When engaging with the media platforms Elected Members, Council Employees, Contractors, Volunteers and Committee members are expected to:

- Adhere to Coorong Council's codes of conduct, policies and procedures
- Behave with caution, courtesy, honesty and respect

- Comply with relevant laws and regulations
- Reinforce the integrity, reputation and values of Coorong District Council

The following is not permitted under any circumstances:

- Abusive, profane or sexual language
- Commentary which is false or misleading
- Confidential information about Council or third parties
- Discriminatory material in relation to a person or group based on age, colour, creed, disability, family status, gender, nationality, marital status, parental status, political opinion/affiliation, pregnancy or potential pregnancy, race or social origin, religious beliefs/activity, responsibilities, sex or sexual orientation
- Illegal material or materials designed to encourage law breaking
- Materials that could compromise Council, employee or system safety
- Materials which would breach applicable laws (defamation, privacy, trade practices, financial rules and regulations, fair use, trademarks)
- Material that would offend contemporary standards of taste and decency
- Material which would bring the Council into disrepute
- Personal details or references to Elected Members, Council employees, Committee members or third parties, which may be inconsistent with Council's Privacy Policy.
- Statements which may be considered to be bullying or harassment.

Any doubts or concerns about applying the provisions of this policy should be referred to Director Community & Corporate before using social media to communicate. Depending upon the nature of the issue and potential risk, it may also be appropriate to consider seeking legal advice.

#### Media

Do not issue statements or make announcements through media platforms unless authorised. Do not respond directly if approached by media for comment. Refer the enquiry to the Chief Executive Officer and/or Director Community & Corporate who will determine the most appropriate response and delegate accordingly.

#### Expertise

Do not comment outside your area of expertise. Do not commit Council to actions or undertakings.

#### Disclosure

Only discuss publicly available information. Do not disclose confidential information, internal discussions or decisions of Council, employees or third parties. This includes publishing confidential, personal or private information where there is sufficient detail for potential identification of any Elected Member, Council employees, Contractors, Volunteers, Committee members or third parties.

### Accuracy

Be accurate, constructive, helpful and informative. Correct any errors as soon as practicable. Do not publish information or make statements which you know to be false or may reasonably be taken to be misleading or deceptive.

### Identity

Be clear about professional identity, or any vested interests. Do not use fictitious names or identities that deliberately intend to deceive, mislead or lie. Do not participate anonymously or covertly via a third party or agency.

### Opinion

Elected Members must recognise and act in accordance with their responsibilities as stated in Council's Code of Conduct when discussing or commenting on Council matters. Generally, Elected Members should not express personal opinions on Council decisions or Council business or be critical of the Council. If it is not possible to separate official Council positions from personal opinions, Elected Members should consider using a formal disclaimer to **state that such views are personal and not made on behalf of, nor are they the opinion of, Council.**

Council employees, contractors, volunteers and committee members should not express or publish adverse personal opinions on Council generally or about Council business, programs, services or projects, on their personal social media platforms.

### General duty under the Local Government Act 1999

Elected Members and staff must be aware of their respective duties under sections 62 and 109 of the *Local Government Act 1999* at all times and ensure that their use of social media is not contrary to these requirements.

### Privacy

Be sensitive to the privacy of others. Seek permission from anyone who appears in any photographs, video or other footage before sharing these via any form of media. If asked to remove materials, do so as soon as practicable. In particular, parent/caregiver permission is required before taking or publishing a photograph of a minor.

### Intellectual Property

Seek permission from the creator or copyright owner to use or reproduce copyright material including applications, sound recordings (speeches, songs), footage (video), graphics (graphs, charts and logos), images, artwork, photographs, publications or music. Also seek permission before publishing or uploading material in which the intellectual property rights, such as Trademarks, are owned by a third party e.g. company logos. Seek permission from the website's owner wherever possible before linking to another site (including a social media application).

### Defamation

Do not comment, contribute, create, forward, post, upload or share content that is malicious or defamatory. This includes statements which may negatively impact the reputation of another.

Reward

Do not provide content/comment in exchange for reward of any kind.

Transparency

Do not seek to buy or recompense favourable media commentary.

Political Bias

Do not endorse any political affinity or allegiance.

Respect

Always be courteous, patient and respectful of others' opinions, including detractors.

Discrimination

Be mindful of anti-discrimination laws and do not publish statements or information which may be discriminatory.

Language

Be mindful of language and expression.

State of Mind

Do not comment to media when inebriated, irritated, upset or tired.

**6. Further information**

This policy will be available for inspection at the Council offices listed below during ordinary business hours and available to be downloaded, free of charge, from Council's internet site: [www.coorong.sa.gov.au](http://www.coorong.sa.gov.au)

Coorong Civic Centre	Meningie	Customer	Tintinara Customer Service
95-101 Railway Terrace	Service Centre	Centre	Centre
Taillem Bend, SA 5260	49 Princes Highway		37 Becker Terrace
	Meningie		Tintinara
Postal Address: PO Box	PH: 1300 785 277	EMAIL:	
399, Taillem Bend, SA	FAX: 08 8572 3822	council@coorong.sa.gov.au	
5260			

Copies will be provided to interested parties upon request. Email [council@coorong.sa.gov.au](mailto:council@coorong.sa.gov.au)

Any grievances in relation to this policy or its application should be forwarded in writing addressed to the Chief Executive Officer of Council.