

MEDIA POLICY

POLICY OBJECTIVE

The intent of this policy is to provide Council Officials, Volunteers and Contractors of Wentworth Shire Council (Council) with guidelines and procedures that encourage use of media that mitigate reputational risk to Council.

1. POLICY STATEMENT

Media is an integral marketing and communications tool for Council to promote, engage with, respond and listen to the diverse needs of the community. Due to the public nature of media, this policy governs the acceptable use of media and clarifies the responsibilities of Council officials, Volunteers and Contractors in both their personal and official use of all forms of media.

2. POLICY COVERAGE

The policy applies to all Council Officials, Volunteers and Contractors when representing Council in the media and presenting personal comments in media. This policy applies to verbal and written comments in the media, public speaking engagements, media releases and the use of social media.

3. STRATEGIC PLAN LINK

Objective: 4.0 Wentworth is a caring, supportive and inclusive community that is informed and engaged in its future

Strategy: 4.1 Provide strong and effective representation, leadership, planning, decision-making and service delivery

4. DEFINITIONS AND ABBREVIATIONS

Term/Word	Definition
Social Media	<p>The collective of online communication channels dedicated to community-based input, interaction, content-sharing and collaboration. These channels allow users to transfer text, video, audio, images and general information easily and, often, instantaneously among social media users. These sites include, but are not limited to:</p> <ul style="list-style-type: none">• Facebook• Twitter• YouTube• Pinterest• What's App/Messenger• Instagram• LinkedIn• Snapchat
Media	<p>The term commonly given to various means of communication that reaches a broad cross-section of the community such as social media, television, radio, website and print media.</p>
Council officials	<p>All Councillors and Council employees</p>

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Authorised Delegate	A Council employee who has the authority, in accordance with their delegation, to represent Council in media or who is approved by the General Manager to interact with the media
Personal use of social media	Means <u>you are not</u> identified or perceived as a Council official, Volunteer or Contractor of Council when participating on social media
Professional use of social media	Means <u>you are</u> authorised to comment as a Council official and your participation on social media is on behalf of Council
Code of Conduct	Council's adopted Code of Conduct.
Display picture (Social Media)	The profile image or profile name displayed on the social media account to identify ownership.
Social media account	Refers to a page or profile created within a social media platform to promote a brand or service.
Reliansys	Internal Operational System holding various Registers

5. POLICY CONTENT

Council employees (not including Councillors)

- 5.1 The Mayor and General Manager are the official spokespeople on Council affairs, as per the *Local Government Act 1993*.
- 5.2 All media enquiries received by employees MUST be directed in the first instance to the Office of the General Manager.
- 5.3 Where appropriate and with authorisation by the General Manager, or in the absence of the General Manager, the Acting General Manager, the Director of a Department, or an appropriate Manager is authorised to make statements to the media on behalf of Council relating to issues concerning their specific expertise or knowledge.
- 5.4 Council employees have an obligation to support Council decisions and shall not use the media to damage Council's reputation, undermine public confidence in the Council or local government generally.
- 5.5 As members of the community, Council employees are entitled to offer their personal views on matters which are subject to community engagement (bearing in mind point 4.4 above). Employees who are uncertain in this matter should seek guidance from the General Manager or their Director.
- 5.6 Council employees must not make political or controversial statements in or to the media relating to Council affairs, decisions and/or events, or about Council officials that are likely to generate negative publicity and damage to the reputation of Council.
- 5.7 The Office of the General Manager is responsible for distributing media releases, articles, columns, statements and other media material on behalf of the Mayor and Council.
- 5.8 Council recognises that employees may use social media in their personal life. This policy does not limit usage of social media for personal expression or discourage activities that are not associated with their employment or civic responsibilities.

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Individuals are responsible for content published in a personal capacity on any form of social media platform – whether it is their own or someone else’s account.

5.9 Staff using social media in a personal capacity must:

- Not imply that they are authorised to speak as a representative of Council or give the impression that the views expressed are those of Council.
- Not use a Council email address or any Council logos or insignia.
- Not make negative references to Council, other Council officials, services or any business-related individual or associated organisation.
- Not use the identity or likeness of another Council Official.
- Understand that ‘shares’, ‘likes’ or ‘retweets’ may be viewed as an endorsement of the original post.
- Not post material that is offensive, obscene, pornographic, threatening, abusive, harassing or defamatory.
- Not make comments or post any material that might bring the Council into disrepute.

Council Officials should avoid engaging with clients with whom they conduct direct business as friends on their personal social media account as this could be perceived as a Conflict of Interest. LinkedIn is an exception as it is considered a professional social networking platform. On LinkedIn, Council employees may add business-related clients to their network but should not conduct business through the platform.

Council Officials should be aware of their obligations under the Code of Conduct and that they are responsible for content they publish on any form of media. Any breaches may be referred to the General Manager and may be dealt with under the Code of Conduct.

Councillors

- 5.10** The Mayor and the General Manager are the official spokespeople on Council affairs, as per the *Local Government Act 1993*.
- 5.11** Individual Councillors may make statements to the media, which may include a comment on or express their disassociation from a Council decision. The Councillor in question should advise the Mayor of their action. The Councillor should also make it clear to the media that the comment or opinion expressed is a personal one and may not be the official position of Council. The comment or opinion must not bring Council, Council decisions or civic office into disrepute.
- 5.12** Councillors have an obligation to support Council decisions and shall not use the media to damage Council’s reputation, undermine public confidence in the Council or local government generally.
- 5.13** As members of the community, Councillors are entitled to offer their personal views on matters which are subject of community engagement, always bearing in mind how that may be perceived given their substantive role with Council. Councillors who are uncertain in this matter should seek guidance from the General Manager.
- 5.14** Councillors should understand that ‘shares’, ‘likes’ or ‘retweets’ may be viewed as an endorsement of the original post.

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- 5.15 Councillors should be mindful of their obligations under the Code of Conduct and that they are responsible for content they publish on any form of media. Any breaches may be referred to the General Manager and may be dealt with under the Code of Conduct.
- 5.16 Council has in place a single point of contact for enquiries from the media.
- 5.17 Copies of press releases are to be provided to the Councillors prior to publication.
- 5.18 Where possible Councillors are to be provided with prior notification of any Council Officials participating in a media interview.

Authorised Delegate

- 5.19 Council employees must be approved as an authorised delegate in order to participate on social media on behalf of Council and manage Council social media accounts. Authorised delegates must be aware that they will be publicly representing Council to a broad audience including, but not limited to, residents, media, government agencies and other external stakeholders. Council considers posting information on social media platforms is the same as distributing information or providing comment to the media.
- 5.20 Professional social media users must:
 - Only use an approved social media account.
 - Obtain prior approval from the General Manager or relevant Director before uploading content to Councils social media accounts.
 - Only disclose information classified as 'information in the public domain'.
 - Ensure content is objective and non-political in nature unless stating an authorised resolved position of Council.
 - Ensure they are not the first to make a Council announcement unless specifically authorised to do so.
 - Seek advice and approval from the Office of the General Manager when preparing responses to comments made by the community regarding Council initiatives.
 - Adhere to the terms of use of the relevant social media platform/website, as well as privacy, defamation, contempt of court, discrimination, harassment, copyright, fair use of third-party material which should be attributed to the original author or source and other applicable laws.
 - Sign the written consent form/s authorising the use of a photo and/or video prior to uploading and/or linking on the social media platform.
 - Disclose to the General Manager any engagement online with an external client, former external client, or their family and friends where there may be a real, potential or perceived conflict of interest.

General

- 5.21 Council recognises the important role the media plays in informing the public about the work of the organisation and its facilities and businesses. Subject to operational and legal constraints, Council provides the media with as much information as is practical and possible about its work.

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5.22 Council will not, for operational and legal reasons, comment on any matter that is the subject of ongoing investigation or consideration, or where it is not in the public interest for the matter (or the details of the matter) to become publicly known, in some cases, the issue may be subjected to the public interest test (*Government Information (Public Access) Act 2009*) to determine what information can be released, or information may be withheld to avoid potential defamation/privacy breaches. Council Officials should be aware of defamation laws when commenting in the media. As a guide, under the *Defamation Act 2005*, published material that identifies a person (not necessarily by name) and meets any of the below criteria may be considered defamatory:

- Exposes a person to ridicule
- Lowers the person's reputation in the eyes of the members of the community, or
- Causes people to shun or avoid the person, or
- Injures the person's professional reputation

5.23 Confidential information will not be released by Council via any form of media.

5.24 Comments or posts by third parties on Council social media pages containing any of the following will be removed:

- Comments not typically related to the particular article
- Defamatory, abusive, discriminatory or unlawful comments
- Content that infringes or threatens the privacy of others
- Spam or content that contains disrespectful language or material
- Content which is personal comment or attack made about Council Officials
- Content which advertises, endorses or solicits commercial products or commerce
- Content which breaches copyright
- Content which discloses confidential information
- Content that relates to legal matters involving Council
- Content which is offensive, demeaning or bullying in nature
- Content which impersonates other people, including other participants
- Comments in support of or opposition to political campaigns
- Content which is considered pornographic or contains links or content sexual in nature
- Content which relates negatively to religious, political or cultural beliefs

6. REVIEW

Review of this policy will incorporate relevant legislation, documentation released from relevant state agencies and best practice guidelines.

The standard review period will be every two years from the effective date. The responsible Council officer will be notified of the review requirements three (3) months prior to the expiry of this policy.

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The Office of the General Manager is responsible for the review of this policy.

7. RELATED DOCUMENTS & LEGISLATION

Actions and comments are governed by various legislative and Council requirements. Council Officials may expose themselves to legal action or sanctions under these requirements unless complying with this policy and relevant procedures.

The following documentation/legislation is applicable with this policy.

- Anti-discrimination Act 1991 NSW
- Copyright Act 1968
- Council's adopted Code of Conduct
- *Defamation Act NSW 1974*
- *Freedom of Information Act 2000*
- *Government Information (Public Access) Act 2009*
- *Privacy Act 1988*
- *Privacy and Personal Information Protection Act 1988 NSW*
- *State Records Act 1998*
- Wentworth Shire Council policies
- *Work Health and Safety Act 2011 NSW*

8. ATTACHMENTS

9. DOCUMENT APPROVAL

This document is the latest version of the official policy of the Wentworth Shire Council, as adopted by Council on 16 March 2022. All previous versions of this policy are null and void.

This policy may be amended or revoked by Council at any time.

A PDF copy of the signed document can be accessed from Council's record management system and Reliansys.

Signed: 

General Manager Wentworth Shire Council

6 April 2022

Date