



# CONSTITUTION OF THE COUNCIL

## Part 5 Section 4

### **PRESS AND MEDIA PROTOCOL**

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## 1.0 SUMMARY

- 1.1 This protocol has been produced to clarify good practice relating to the effective management of media relations at Wirral Council and is supplementary to the Protocol on Member and Officer Relations
- 1.2 Given that not all situations can be covered in detail as much depends on a set of circumstances at any one time, this protocol is designed to be as flexible as possible yet retain a trusted and tested workflow.
- 1.3 The protocol applies to all Councillors, Committee Chairs (and committee members), and council officers that may be contacted by local, regional, national or specialist media, and includes print as well as broadcast media.

## 2. Legal Framework

- 2.1 All press releases and media engagement on behalf of the Council will:
  - (a) be in accordance with the Council's agreed Media Guidelines;
  - (b) be issued or organised through the Council's Communications and Media Team;
  - (c) be concerned only with matters of policy and/or which relate to the Council's functions; and
  - (d) not contain anything of a political nature. In this respect regard must be given to the relevant legislation concerning publicity issued by local authorities, especially around election time, as summarised below.

Any policy related comments will normally be made by the Leader, in his /her absence the Deputy Leader or, where appropriate, the relevant committee chair. Where matters relate to a specific ward, comments may be made or added by the relevant ward member(s) where appropriate. Each case will turn on its facts, however, and appropriate advice should be sought.

- 2.2 Under Section 2 of the Local Government Act 1986 a places a prohibition upon the Council that it:

*"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:*

- (a) *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;*
- (b) *Where material is part of a campaign the effect which the campaign appears to be designed to achieve"*

- 2.3 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”.
- 2.4 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 of in coming to any decision on publicity.

### 3. The Publicity Code

- 3.1 The Code of Recommended Practice on Local Authority Publicity was last issued in 2011 can be found on the website of the Ministry of Housing, Communities & Local Government.
- 3.2 The Publicity Code is grouped into seven principles for local authorities to follow, that the Council’s publicity should:
- be lawful
  - be cost-effective
  - be objective
  - be even-handed
  - be appropriate
  - have regard to equality and diversity
  - be issued with care during periods of heightened sensitivity.
- 3.3 The Publicity Code gives recommended practice on a number of aspects of publicity covering subject matter, costs, content, dissemination, advertising, recruitment advertising, publicity about individual members of an authority, timing of publicity, elections, referendums and petitions, and assistance to others for publicity. The principles may be summarised as follows.
- 3.4 The principle of lawfulness is that an authority’s publicity should comply with statutory provisions and advises that any paid-for advertising published by a local authority should comply with the Advertising Standards Authority’s Advertising Codes.
- 3.5 The principle of cost-effectiveness is that local authorities should be able to confirm that consideration has been given to the value for money that the publicity is achieving, while recognising that in some circumstances this will be difficult to quantify.
- 3.6 The principle of objectivity requires local authority publicity to be politically impartial. The Publicity Code acknowledges that a council has to be able to explain its decisions and justify its policies, but this should not be done in a way that can be perceived as a political statement or a commentary on contentious areas of public policy.
- 3.7 The principle of even-handedness has the effect that local authority publicity can address matters of political controversy in a fair manner and may contain links to other political sites, or contain political logos on material hosted for third parties. But local authorities should ensure that publicity about the council does not seek to affect

support for a single councillor or group. The Publicity Code does, however, recognise that at times it is acceptable to associate publicity with a single member of the council.

- 3.8 The principle addressing the appropriate use of publicity is that local authorities should refrain from retaining the services of lobbyists, i.e. political professionals whose job it is to bring their client's message to those in a position to influence policy. Appropriate use of publicity is also about the frequency, content and appearance of council newsletters in order to prevent unfair competition with local newspapers. It sets out that generally the frequency of council newsletters should be no more than quarterly.
- 3.9 The equality and diversity principle is that publicity by local authorities may seek to influence positively the attitudes of local people in relation to matters of health, safety and other issues where publicity can have a positive influence on the behaviour of the public.
- 3.10 Finally, the principle that local authority publicity should be issued with care during periods of heightened sensitivity gives guidance as to how local authority publicity should be treated during period of elections and referendums, both national and local.

## **4.0 CONTEXT**

- 4.1 The aim of this protocol is to ensure that Wirral Council makes the best use of its communications resources to support open, accessible, and responsive communications, whilst acknowledging that council resources may not be used for party political purposes.
- 4.2 It clearly sets out the respective roles of all members and officers in dealing with the media.
- 4.3 Adherence to the protocol will ensure consistency of standards, accuracy of information and appropriate political and officer input with a view to protecting and enhancing the reputation of Wirral Council.
- 4.4 The aim of the protocol is to ensure that the council is seen to communicate in a professional and objective manner. In all cases, the council's approach to the media should be:
- open and honest
  - proactive
  - responsive
  - timely
- 4.5 The ability to act as quickly and decisively depends on being fully up to date as a Comms Team. Councillors and officers should ensure issues which will affect the Council's reputation should be brought to the attention of the Comms Team in confidence as soon as possible.

## **5.0 COMMUNICATION PRINCIPLES**

5.1 The council's Communication and Marketing strategy complies with the following principles:

- i) To support honest, open, two-way communication
- ii) To promote and protect the reputation of the Council
- iii) To regulate the correct use of the corporate identity and style
- iv) To ensure all publicity is produced in an easy to understand and accessible format and style
- v) To practice a proactive and planned approach to media handling, advertising, marketing, and wider communication
- vi) To provide effective communication and marketing support
- vii) To promote the council's vision, priorities, and policies
- viii) To set standards on communicating with hard to reach groups
- ix) To support effective partnership working through developing communication strategies for joint projects

5.2 The Council must comply with the provisions of the Local Government Act 1986 ("the Act") regarding publicity. All media relations work will comply with the national Code of Practice for Local Government Publicity. The Code is statutory guidance and the Council must have regard to it and follow its provisions when making any decision on publicity. This is explained at sections 2 and 3 above.

## **6.0 COMMUNICATIONS & MARKETING**

6.1 The council's Communications and Marketing team provides advice and support to all directorates and elected members. Its main roles are to manage and maintain relationships and reputation, as well as to promote pro-active publicity on council policy, local authority partnerships, local initiatives / achievements and other issues affecting the council and the borough.

6.2 The service should be the first point of contact for all media enquiries and all outgoing publicity or potential promotional opportunities with the press or any other publications. Their expertise and knowledge support elected members and officers to ensure opportunities for proactive positive news are maximised and negativity is mitigated and managed where possible.

6.3 No Wirral Council press releases or publications should be issued without the involvement of the Communications and Marketing team.

6.4 The council's communication resources may not be used to affect or be designed to affect public support for a political party or to provide a political advantage to a councillor.

## **7.0 MEDIA RELATIONS**

- 7.1 Wirral Council values the media as one of its key partners in communication and aims to forge strong professional links with local, regional, and national media. The council is committed to being transparent and maintaining a positive working relationship with media. We respect the right of the media to report on any given topic.
- 7.2 Providing a professional information service to the media is a key responsibility for the council. The council takes a proactive approach to working with the media wherever possible.
- 7.3 The way in which the council is portrayed in the media has a major influence on how it is perceived, and every opportunity should be taken to publicise the council's services, decisions, policies, and initiatives.
- 7.4 All councillors and officers should support the Communications and Marketing team in responding to media enquiries in a timescale that meets journalists' deadlines. If the council fails to reply in time, the journalist may source their story elsewhere or record a 'No comment' response, which may not be in the council's interests.
- 7.5 The Communications and Marketing team will never knowingly mislead the media on a story. In order to maintain a good long-term relationship, the Section needs to be trusted by the media and the wider community.

## **8.0 PROCESSES**

### **8.1 MEDIA ENQUIRY**

- 8.1.1 All media enquiries should be referred to the Communications & Marketing team in the first instance and the identified communications point of contact. This enables the service to make a judgement about how an enquiry should be answered and by whom. The response can often be handled with a written statement.
- 8.1.2 The vast majority of council publicity will include a written quote or interview, which can help to make the content more interesting and provide an authoritative voice on the subject matter. In certain cases, where a press release or statement is simply to provide a brief announcement or notice, this may not be necessary.

### **8.2 SPOKESPERSONS**

- 8.2.1 One of the most important aspects of dealing with and managing media is being able to provide a prompt response to a query, question, or interview request. The sooner we can respond and involve ourselves in the story, the greater the chance we have to influence it. This is especially important where the council's reputation might be affected.
- 8.2.2 We will also work to influence the news agenda proactively by offering people for interview or providing case studies to illustrate topical issues. We will use our forward planning process to identify opportunities in advance but may still want/have to exploit on-the-day stories particularly when there is breaking news or developing

stories.

- 8.2.3 It is important that quotes are attributed to an individual as this demonstrates responsibility and counters perceptions that the council is a faceless and unaccountable organisation.
- 8.2.4 The Leader, Deputy-Leader and Committee Chairs will act as spokespersons for the council in responding to the press and media and making public statements on behalf of the council. The Leader, Deputy-Leader and Chairs should liaise with the Communications and Marketing team on all forms of contact with the press and media.
- 8.2.5 Where a matter has significant implications for policy or the reputation of the council, the Leader of the Council will be contacted.
- 8.2.6 Quotes will be attributed to officers on any specific operational issues which requires technical or in-depth knowledge to articulate. Officers will be quoted in circumstances where a member of the public would reasonably expect an operational, officer perspective. Communications staff will advise with recommendations. These situations will be such as when:
- there is a need to respond extremely quickly in changing circumstances to maintain the flow of information to the public (e.g. an emergency road closure or an environmental health investigation);
  - specific technical information is being explained
  - there is a legal aspect to the comment which would benefit from attribution to a professional officer rather than a politician.
- The Leader of Council and/or relevant Committee Chairs will be quoted in all other press releases.
- 8.2.7 Where the appropriate responsible Committee Chair or Vice-Chair is unavailable within media deadlines, and therefore unable to approve comment that would otherwise be attributable to him/her, the Leader of the Council will be quoted or an alternative suitable responsible councillor.
- 8.2.8 In the event of neither an appropriate Committee Chair/Vice-Chair nor the Leader of the Council being available, an appropriate responsible officer will approve the quote, which will be attributed to a 'council spokesperson'. Whilst this is not best practice from a public transparency or accountability perspective, it does serve to reinforce the clearly defined roles of councillors and officers in the decision-making process.
- 8.2.9 Quotes, comments and statements will reflect the factual representation of the Council's or Committee's decisions, and not that of the individual and/or political party views.
- 8.2.10 Party and political group views, decisions and communications are separate from the role of the Council's Communications & Marketing Team and should be conveyed through news releases and publications resourced and issued by their own groups and be clearly endorsed with the name of the political group concerned. The

Communications & Marketing Team as a matter of courtesy would appreciate copies of any release which a political group sends out.

### **8.3 APPROVAL PROCESS**

- 8.3.1 Each directorate has an allocated communications support officer, which will be aligned with each committee area. This individual will be the main contact when producing and agreeing proactive and responsive communications.
- 8.3.2 For both news releases and/ or statements, sign off will be required by the relevant Director prior to issuing. Where a councillor quote is required, a communications officer will prepare a narrative, which will be forwarded to the relevant Committee Chair/Member for approval.
- 8.3.3 In addition, and again prior to the issuing of any news release, statement or channel of communication, Committee Chairs and Group Spokespersons will be fully briefed. Whenever that is not reasonably practicable, such as where time sensitive or response issues may arise, a separate briefing will take place between the Chief Executive/Director, relevant Member and senior communications manager.
- 8.3.4 In exceptional circumstances, where an urgent response is required to meet a tight deadline, the Assistant Chief Executive, and/or Assistant Director (Corporate Office) will provide approval in their absence. - See illustrations a & b below re process workflow.

### **8.4 PROACTIVE MEDIA**

- 8.4.1 Positive media coverage supports the reputation of the Council.
- 8.4.2 When issuing proactive media, all content will follow a corporate style appropriate for the media being targeted, and a central record will be maintained. All releases will accurately reflect the corporate view of the council, contain relevant facts, and include an approved quotation from the appropriate Councillor/ Committee Chair.
- 8.4.3 All official council news/press releases will be placed on the council's website within one working day of issue.
- 8.4.4 Any officer contacted by a journalist requesting an interview should refer the journalist to the Communications and Marketing team, who will liaise with the appropriate Committee Chair.
- 8.4.5 Officers should never give their opinion on specific council policy but must keep to the corporate line and key messages. Their role is to provide expertise and factual knowledge only, in support of the council's approved and agreed policies.

### **8.5 NEGATIVE MEDIA**

- 8.5.1 From time to time the Council must respond to negative issues. It is important that these situations are managed carefully to limit the potential for negative publicity.
- 8.5.2 Members and officers must alert the Communications and Marketing team as soon as a potentially negative issue which may attract media interest comes to light. They should not wait until contact is made by the media.
- 8.5.3 Members and officers must be prepared to work together to prepare holding statements, other information and carry out research even if no media have contacted the council about an issue.
- 8.5.4 When preparing a response, the following strategy will be followed:
- i) where the council has made a substantial mistake, it will explain what went wrong and what it is doing to put it right. It will not be defensive but take the attitude that it can learn from its mistakes.
  - ii) where the media has made a substantial mistake in reporting the activities of the council it will quickly and assertively explain the mistake to the media and seek a right of reply.

## **9. CORRECTING INACCURATE REPORTING**

- 9.1 Should the media publish/broadcast an inaccuracy relating to council business, policy or process, a quick decision will be taken on any action necessary to correct it.
- 9.2 The issue will be discussed with the appropriate Committee Chair and Chief Officer and a plan of action agreed.
- 9.3 It should be noted that in the case of minor inaccuracies which have little or no impact on the message being conveyed, it can sometimes be counterproductive to complain. Each case must be judged individually.

## **10. MEDIA ACTIVITY AHEAD OF MEETINGS**

- 10.1 Committee (and other) agendas/ reports are available online 7-10 days prior to a meeting. This provides adequate notice for the media pick up many stories ahead of meetings.
- 10.2 In the period between the publish date of agenda and reports, the Communications and Marketing team will draw up a schedule of communications to promote, manage and/ or negate any potential outcomes. This can be shared with Members and Officers.
- 10.3 Members of the media are welcome to attend live streamed Council and Committee meetings. During the said meetings members should be mindful that any comments and messages are put across in a manner which gives the journalist an accurate picture, rather than relying on the journalist's interpretation of what can be a complex issue or report.

## **11. TIMING OF PUBLICITY**

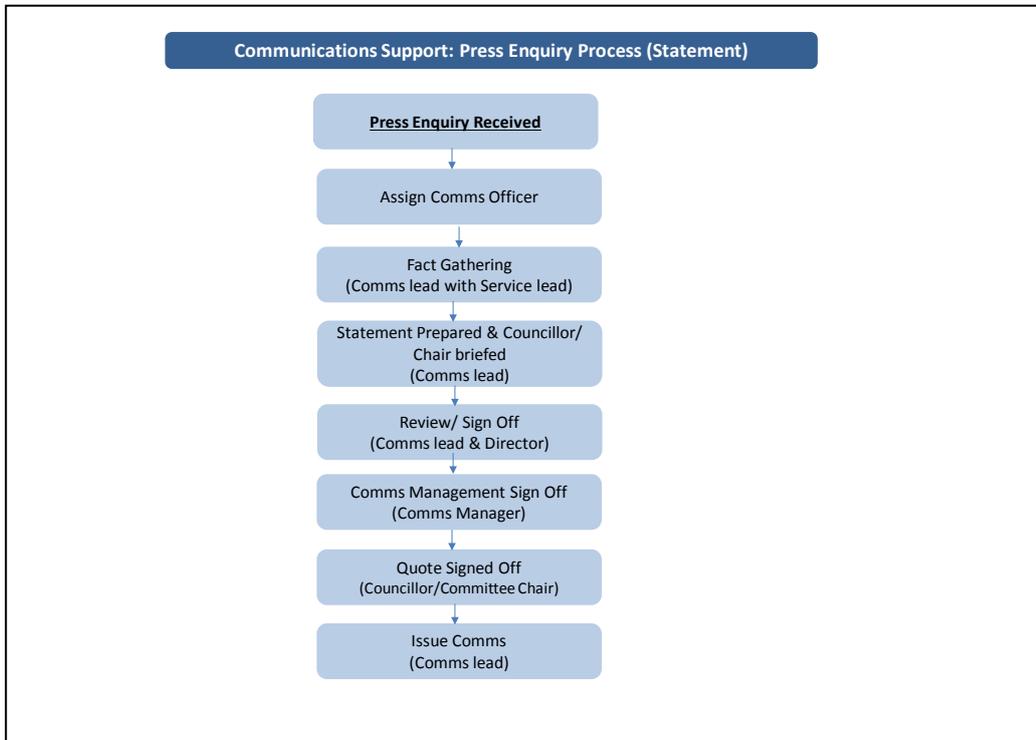
- 11.1 The Communications and Marketing Team will make every effort to ensure that officers and members are informed before they are exposed to significant issues through the media.
- 11.2 In an increasingly fast and pervasive communications environment this will not always be possible. When holding media briefings or issuing news releases the press office will use relevant electronic methods including internet, intranet, TEAMS, and e-mail to inform Councillors and staff.

## **12. PUBLICITY IN ELECTION PERIODS**

- 12.1 In the period between the notice of an election and the election itself all proactive publicity about candidates or other politicians is halted. This applies to local, national, or European elections.
  - 12.2 During this period council publicity should not deal with controversial issues or report views, proposals or recommendations in a way that identifies them with individual Members or groups of Members. This is to make sure that no individual Councillor or political party gains an unfair advantage by appearing in corporate publicity.
  - 12.3 In these circumstances, where a quote is required, the relevant officer may be quoted, in accordance with the guidelines in this protocol.
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**Appendices:**

- Illustration a – Press Enquiry (Statement) Workflow



- Illustration b – Press Enquiry (Statement) Workflow

