



## 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 **Elected Members** 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.
- 1.4 The aim of the protocol is to ensure that the 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. In all cases, the council's approach to the media should be:
  - open and honest
  - proactive
  - responsive
  - timely
- 1.5 It clearly sets out the respective roles of all Elected Members and officers in dealing with media enquiries **and provides clarity on the circumstances for which Members and other council representatives should comment / be quoted in press releases, statements etc.**
- 1.6 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.
- 1.7 The ability to act as quickly and decisively depends on being fully up to date as a Communications Team. All Elected Members and officers should ensure issues which will affect the council's reputation should be brought to the attention of the Communications Team in confidence as soon as possible.

## 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.~~

## **4.0** **COMMUNICATION PRINCIPLES**

- 4.1** The council's Communications 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
- 4.2** 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.

## **5.0 COMMUNICATIONS & MARKETING**

- 5.1** The council's Communications and Marketing team provides advice and support to all directorates, **council officers** 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.
- 5.2** 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.
- 5.3** Their expertise and knowledge support Elected Members and officers to ensure **effective media handling**. **This includes** opportunities for proactive positive news are maximised and negativity is mitigated and managed where possible.
- 5.4** No Wirral Council press releases or publications should be issued without the involvement of the Communications and Marketing team.
- 5.5** 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 an **Elected Member**. ~~councillor~~.

## **6.0 SOCIAL MEDIA**

- 6.1** The council will use social media, including X, Linked In etc and Facebook, to promote its news, in addition to conventional media. The Communications and Marketing team is responsible for the council's main channels and has the discretion to write and post material without clearance, provided it is in line with the social media protocol and the council's key messages. Social media activity should not be used to damage the reputation of the council.

## **7.0 MEDIA RELATIONS**

- 7.1** ~~The 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, **and** ~~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 **Elected Members** ~~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, **both the team** ~~Section~~ **and key named council officers** need to be trusted by the media and the wider community.

## 8.0 **PROCESSES – MEDIA ENQUIRIES**

- 8.1 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 **team** ~~service~~ to make a judgement about how an enquiry should be **addressed** ~~answered~~ and by whom. The response can often be handled with a written statement.
- 8.2 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.
- 8.3 Any media enquiries that are deemed to be of a party political nature, will be referred to the Leader of the relevant party group for their information/response. **Elected Members should make their own arrangements for issuing party political material to the media and ensure that the material does not use the council's brand identity or resources.**
- 8.4 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 a senior member of the Communications & Marketing team.

## 9.0 **SPOKESPERSONS**

- 9.1 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/ **spokespersons** in the story, the greater the chance we have to influence it. This is especially important where the council's reputation might be affected.
- 9.2 **The Communications and Marketing team will work to respond to** ~~We will also work to influence~~ the news agenda proactively by offering **relevant spokespersons** ~~people~~ for interview or providing case studies to illustrate topical issues. We will use our forward planning process to identify opportunities in advance but **will continue to** ~~may~~



~~still want/have to~~ exploit on-the-day stories particularly when there is breaking news or developing stories.

- 9.3 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.
- 9.4 The Leader, Deputy-Leader and Committee Chairs/**Vice 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/**Vice Chairs** should liaise with the Communications and Marketing team on all forms of contact with the press and media.
- 9.5 Where a matter has significant implications for policy or the reputation of the council, the Leader of the Council will be **quoted**. ~~contacted. In his/ her absence, this will fall to the Deputy Leader.~~
- 9.6 **Committee Chairs will be quoted on all other matters relating to committee portfolios. The relevant Director will use his/her best judgement, in consultation with the relevant Committee Chair, as to whether ward councillors should also be quoted. This should only be in exceptional circumstances.**
- 9.7 Quotes will **only** be attributed to officers ~~where 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 **officers** 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);
  - **The Leader, Deputy Leader or Committee Chair/Vice Chair is unavailable.**
  - 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.~~
- 9.8 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/ **Deputy** will be quoted. ~~or an alternative suitable responsible councillor.~~
- 9.9 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 **may be** ~~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 **Elected Members** ~~councillors~~ and officers in the decision-making process.



- 9.10 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.~~

## 10.0 APPROVAL PROCESS

- 10.1 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.
- 10.2 For both news releases and/ or statements, sign off will be required by the relevant Director prior to issuing. Where an **Elected Member** councillor quote is required, a communications officer will prepare a **quote** narrative, which will be forwarded to the relevant ~~Committee Chair~~ **Member** for approval.
- 10.3 ~~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 **on the proposed communications approach**. 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.
- 10.4 In exceptional circumstances, where an urgent response is required to meet a tight deadline, **a relevant Assistant Director or Head of Communications** ~~the Assistant Chief Executive, and/or Assistant Director (Corporate Office)~~ will provide approval in their absence.

## 11.0 PROACTIVE MEDIA

~~8.4.1 Positive media coverage supports the reputation of the Council.~~

- 11.1 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 **Spokesperson**. ~~Councillor/ Committee Chair.~~
- 11.2 **Any departments wanting to promote a new initiative or event and would like to issue a press release to the media, must contact the Communications and Marketing team who will do this for them.**
- 11.3 All official council news/press releases will be placed on the council's website ~~within one working day of issue.~~

11.4 Any officer contacted by a journalist requesting an interview should refer the journalist to the Communications and Marketing team. **Should the interview be of a sound nature, the team** ~~who~~ will liaise with the appropriate Committee Chair.

11.5 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.

## **12.0 NEGATIVE MEDIA**

12.1 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.

12.2 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.

12.3 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.

12.4 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.

## **13.0 CORRECTING INACCURATE REPORTING**

13.1 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.

13.2 The issue will be discussed with the appropriate Committee Chair and Chief Officer and a plan of action agreed.

13.3 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 **will** be judged individually **by the Head of Communications and Marketing**.

## **14.0 PARTNER COMMUNICATIONS**

14.1 **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.**

- 14.2 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 Director and Committee Chair to agree an appropriate comment.
- 14.3 If issuing or participating in a joint media release with our partners, we will ensure the following:
- The council's role or contribution is identified appropriately, and the release includes quotes from named Elected Members or, if appropriate, an agreed senior officer.
  - Partner quotes will also be included.
  - The lead organisation will issue the press release.
  - Where appropriate, the council's logo is included with any others on the media release paper or email (as most media releases are issued this way).
  - The draft text of the media release must be approved by the Head of Service. Partner organisations must also give their individual approval.
  - The method, manner and timing of distribution are agreed in advance with the partner.

## **15.0 PHOTO OPPORTUNITIES**

- 15.1 The Communications & Marketing team and/ or Journalists often arrange a photo opportunity to support and enhance a story. It is the responsibility of the Committee Chair to be available for the photograph. If the Chair is not available then a discussion will take place as to who would be best suited to attend. Officers and third parties may be involved in photo opportunities, where appropriate and in accordance with the media protocol.
- 15.2 To 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.

## **16.0 EMBARGOES**

- 16.1 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.
  - When it is linked to the outcome of legal proceedings and/or directions by a court.
- 16.2 **To 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. In the circumstances of a court direction, an embargo will likely be legally enforceable.

## **17.0 CRISIS COMMUNICATIONS**

- 17.1 A standalone Crisis Communications Plan is in place and details several local scenarios and outlines the principles, resource allocation and strategic communications activity required to provide corporate communications during the response and recovery phases arising from a local emergency.

- 17.2 In the event of an emergency plan being invoked, to respond to a 'major incident or event', crisis communications protocols agreed with local resilience partner organisations are activated. These protocols supersede the council's own media protocols for the period of the emergency.

## **18.0 MEDIA ON SITE**

- 18.1 From time to time, the media (including photographers) may decide to go 'on site' to a council facility/building/property. This again should always be with the prior approval of the Communications and Marketing team because the reason for them being 'on site' can be positive or negative for the council.
- 18.2 If the Communications and Marketing team receive a request that the media intend to go 'on site' they will contact the relevant officers at the premises involved, as well as the relevant senior officer and Committee Chair, if of a significant nature.
- 18.3 If the reason for the 'on site' visit is to promote the council in a positive light, it may be that a member of the Communications and Marketing team does not have to be in attendance. If, however, the reason is to show the council in a negative light, a member of the team will be on hand at the premises, wherever possible.
- 18.4 If any employee or Elected Member are aware that a member of the media is going to be or is 'on site', the Communications and Marketing team must be notified immediately.

## **19.0 MEDIA ACTIVITY PRE/POST COUNCIL MEETINGS**

- 19.1 Committee (and other) agendas/ reports are made available to the media and public available online **5 working days** ~~7-10 days~~ prior to a meeting. ~~This provides adequate notice for the media pick up many stories ahead of meetings.~~
- 19.2 In the period **leading up to the** ~~between the~~ publish date of agenda and reports, the Communications and Marketing team **will review the reports** ~~will draw up a schedule of communications~~ to promote, manage and/ or negate any potential outcomes. ~~This can be shared with Members and Officers. These pre committee releases will be~~ **factual only.**
- 19.3 If an approach is made by the media for an interview before the meeting, it will be for the Committee Chair or, where necessary, a relevant officer to decide whether or not they wish to comment.
- 19.4 The communications officer will liaise with the senior officer and Committee Chair to prepare news releases to follow committee meetings. These news releases, as with all others, should detail the decisions/ recommendations taken at committee and be issued as promptly as possible after the meeting/event to maximise coverage and to ensure they remain relevant.
- 19.5 Members of the media are welcome to attend live streamed Council and Committee meetings. During the said meetings **Elected Members and officers** ~~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.

## **20.0 TIMING OF PUBLICITY**

**20.1** The Communications and Marketing team will make every effort to ensure that officers and **Elected Members** are informed before they are exposed to significant issues through the media.

**20.2** In an increasingly fast and pervasive communications environment this will not always be possible. When holding media briefings or issuing news releases **communications officers** ~~the press office~~ will use relevant ~~electronic~~ methods including internet, intranet, TEAMS, and e-mail **to make contact with Elected Members and officers.** ~~inform Councillors and staff.~~

## **21.0 PUBLICITY IN **THE PRE-ELECTION PERIODS****

**21.1** In the period between the notice of an election and **up to and including the day of the election** ~~the election itself~~ any publicity about **political parties**, candidates or other politicians is halted. This applies to local, **regional, national elections and referenda.** ~~national, or European elections.~~

**21.2** During this period council publicity ~~will should~~ not deal with controversial issues or report views, proposals or recommendations in a way that identifies them with individual **political parties**, candidates or other politicians. This is to **ensure** ~~make sure~~ that no individual **candidate, political or** political party gains an unfair advantage by appearing in corporate publicity.

**21.3** In these circumstances, where a quote is required, the relevant officer may be quoted, in accordance with the guidelines in this protocol.

**21.4** Council Practice: All press releases and media engagement on behalf of the council will:

- be in accordance with the council's agreed Media Protocol.
- be issued or organised through the council's Communications and Marketing team;
- be concerned only with matters of policy and/or which relate to the council's functions
- 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.

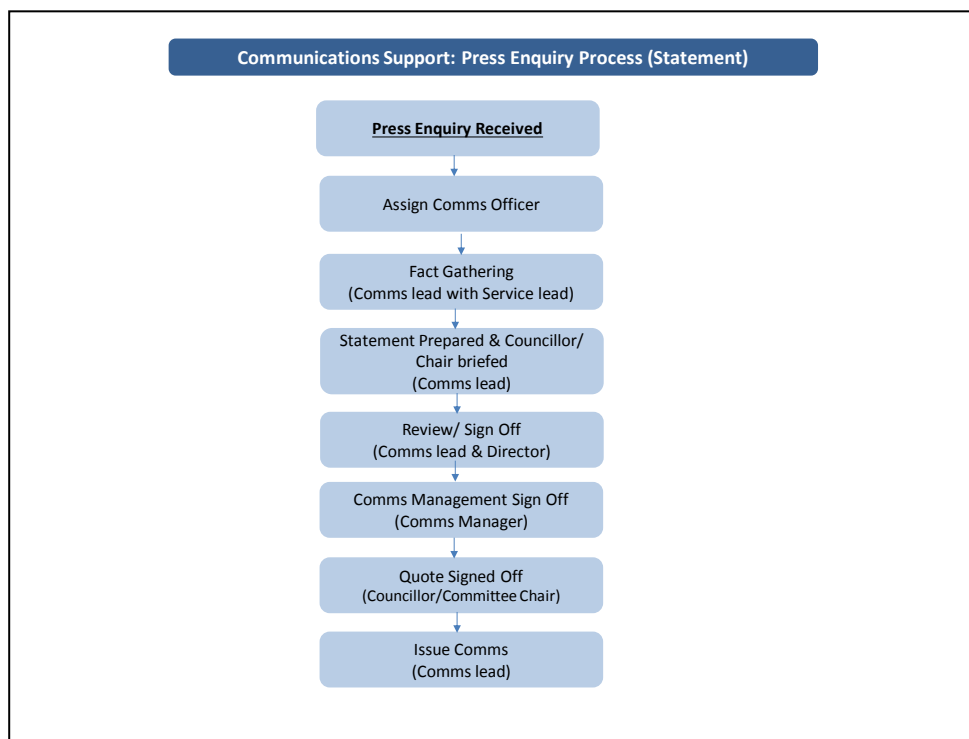
## **22.0 RESPONSIBILITY TO PROTECT THE COUNCIL'S REPUTATION**

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

22.2 Disclosing of confidential information by an Elected Member may constitute a breach of the Member Code of Conduct and Members should take advice from the Monitoring Officer before considering releasing to the press confidential information which they may feel is in the public interest.

## Appendices:

- Illustration a – Press Enquiry (Statement) Workflow



- Illustration b – Press Enquiry (Statement) Workflow

