

# Kirby Muxloe Parish Council

## Media and Press Policy

### 1. Introduction

Kirby Muxloe Parish Council (“the Council”) is committed to the provision of accurate information about its governance, decisions and activities. Where this information is not available via the Council’s publication scheme, please contact the Council’s Clerk or, in his/her absence, the Chairman.

The Council shall, where possible, co-operate with those whose work involves gathering material for publication in any form including use of the internet (“the media”).

This policy explains how the Council may work with the media to meet the above objectives in accordance with the legal requirements and restrictions that apply.

The purpose of this policy is:

- To establish a framework for achieving an effective working relationship with the media
- To ensure that the views and policies of the Council are presented accurately
- To clarify who is authorised to speak on behalf of the Council
- To provide guidance for Councillors and staff on how to deal with some of the practical issues that may arise when dealing with the Press and Media
- To ensure consistency in the Council’s dealings with the Press and Media
- To ensure that all elements of the Press and Media will be treated equally

### 2. Legal Framework

This policy is subject to the Council’s obligations which are set out in the Public Bodies (Admission to Meetings) Act 1960, the Local Government Act 1972, the Local Government Act 1986, the Freedom of Information Act 2000, the Data Protection Act 2018, the General Data Protection Regulation (GDPR) or subsequent legislation which may apply and the Council’s Standing Orders. The Council must also have regard to the Government’s Code of Recommended Practice on Local Authority Publicity.

The Council cannot disclose ‘*confidential items/information*’ or information the disclosure of which is prohibited by law. The Council cannot disclose information if it is prohibited under the terms of a court order, by legislation, the Council’s standing orders, under contract or by common law. Councillors are subject to additional restrictions about the disclosure of confidential information, which arise from the Code of Conduct adopted by the Council, a copy of which is available via the Council’s publication scheme.

### 3. Media Attendance at Meetings

Meetings of the Council, its committees and sub-committee are open to the public and press unless the meeting resolves to exclude them because their presence at the meeting is prejudicial to the public interest by reason of the confidential nature of the business to be transacted or other *special* reason(s) stated in the resolution.

In accordance with the Council’s standing order, persons may be required to leave a meeting, if their disorderly behaviour obstructs the business of the meeting.

Where meetings include an opportunity for public participation, the media may speak and ask questions. Public participation is regulated by the Council’s standing orders.

The photographing, recording, filming or other reporting of a meeting of the Council and its committees (which includes, e.g., using a mobile phone or tablet, recording for a TV/radio broadcast, providing commentary on blogs, web forums, or social networking sites such as Twitter, Facebook and YouTube) which enable a person not at the meeting to see, hear or be given commentary about the meeting is permitted unless (i) the meeting has resolved to hold all or part of the meeting without the public present or (ii) such activities disrupt the proceedings or (iii) the following two paragraphs apply:

- a. The photographing, recording, filming or other reporting of a child or vulnerable adult at a Council or committee meeting is not permitted unless an adult responsible for them has given permission.
- b. Oral reporting or commentary about a Council or committee meeting by a person who is present at the meeting is not permitted.

The Council shall, as far as it is practicable, provide reasonable facilities for anyone taking a report of a Council or committee meeting and for telephoning their report at their own expense.

The Council's standing orders will confirm if attendance by the public, their participation, photographing, recording, filming or other reporting is permitted at a meeting of a sub-committee.

## **5. The Parish Clerk**

Wherever possible all communications with the Press and Media should be made through the 'Parish Clerk'.

The Parish Clerk, as the Proper Officer of the Council, is authorised to receive all communications from the Press and media and to issue Press Statements on behalf of the Council in consultation with the Chairman, In the absence of the Parish Clerk, media communications will be handled by the Chairman, In the absence of the Chairman, the Vice Chairman and/or relevant Committee Chairman will be consulted.

Communications made by the Parish Clerk will relate to the stated business and day to day management of the activities or adopted policy of the Council. They should not speculate on matters that have not been considered by the Council. Where such questions are put to the Parish Clerk, they should inform the enquirer that they will be notified of a response within 24 hours where practical. The Parish Clerk should then consult with the Chairman or relevant Councillor(s) on a suitable response, which may in fact be "no comment"

The Parish Clerk in consultation with the Chairman or Vice Chairman/Committee Chairman is authorised to publish press statements on any urgent meetings where there is insufficient time for a Council meeting.

## **6. Councillors**

Members of the Parish Council are not prevented from expressing a personal opinion through the media e.g., by writing to a newspaper or posting an opinion on an internet site. However, Members must make it clear that any views expressed are their own views. Members should take care not to misrepresent and/or bring the Parish Council into disrepute and must bear in mind their responsibilities under the Code of Conduct. Whilst it may be legitimate for a Councillor to make clear that they voted against a policy, if this took place in an open session, Councillors should not seek to undermine a decision through the press.

## **7. Press Releases / Approaches made to the Press / Media by the Council**

Press releases may be issued proactively to alert the media to a potential story, provide important public information or to explain the Council's position on a particular issue. Press releases made on behalf of the Council will normally be prepared by the Parish Clerk following any meetings of the Council or Committees. If press releases are drafted by another officer or Councillor, they must be issued by the Parish Clerk in consultation with the Chairman (Vice Chairman) of Council or relevant Committee. In the absence of the Parish Clerk this authority passes to the Chairman.

A direct approach by the Council to the media seeking an interview, issuing a statement or press release or to publish an article may only be made with authorisation from the Council or relevant committee, except in the case of an urgent matter, with insufficient time for a Council meeting, when the Parish Clerk is authorised to publish statements in consultation with the Chairman (Vice Chairman/Committee Chairman).

## **8. Approaches from the Press / Media**

Unexpected approaches from representatives of the media can lead to unguarded comments being made and great care must therefore be taken to avoid misrepresentation of the Council's policy or its position on the matter in question.

Reporters should be directed to contact the Parish Clerk (or in their absence, the Chairman) if they want to carry out an interview or obtain a statement about the Council's business and actions. Except in the most straightforward cases, the caller should be informed that a statement will be made within 24 hours and they should be asked to set out clearly what they want to know. This will allow time for the Parish Clerk to consult with the Chairman in producing a carefully worded response within a reasonable time.

Any verbal or written statement given by the Parish Clerk; must represent the corporate position and views of the Council, not the individual views of councillors or staff held in their official capacity.

Where the matter concerned has not been discussed by the Council an immediate response cannot be made and this should be made clear to the enquirer. The Parish Clerk should then consult the Chairman (Vice Chairman/Committee Chairman) on an appropriate response, which may be "no comment".

## **9. Tweeting and Blogging**

Councillors and members of the public are allowed to report from meetings, by any form of social media, provided it is not disruptive and does not detract from the proper conduct of the meeting. Councillors may not report confidential information from any section of a meeting that has been closed to the Public.

## **10. General Principles to be observed by Councillors and Staff**

- Be calm
- Be informed and certain of all your facts
- Ensure that when making comments on behalf of the Council that you are aware what Council Policy is and that your comments reflect that policy
- Ensure that your comments and views will not bring the Council, its Councillors or staff, into disrepute and ensure that comments are neither libelous nor slanderous
- Any publicity should be as objective as possible, concentrating on facts or explanations or both

- Publicity touching on issues that are controversial, or on which there are arguments for and against the views or policies of the Council should be handled with particular care
- Issues must be presented clearly, fairly and as simple as possible, although facts, issues or arguments should not be oversimplified
- Publicity should not attack, nor appear to undermine, generally accepted moral standards
- Public funds must not be used to mount publicity campaigns whose primary purpose is to persuade the public to hold a particular view on a question of policy
- Council resources must not be used on publicity that is, or could be misinterpreted as being, party political or on publicity which could be seen as promoting an individual member, particularly at election times
- The Council, its Councillors and staff cannot disclose information which is confidential or where disclosure of information is prohibited by law. This includes any discussion with the Press on any matter which has been discussed under confidential items on the Council's or Committee's agenda or at any other private briefing
- Councillors must act with integrity and observe the Members' Code of Conduct at all times when representing or acting on behalf of the Council
- Councillors and Staff are not permitted to misrepresent the corporate position and views of the Council or damage the reputation of others in the Council, or the Council itself
- A copy of any written material sent to the Press and/or Media by a Councillor, as representing the Council, must be forwarded to the Parish Clerk
- A Councillor should not raise matters relating to the conduct or capability of an officer at meetings held in public or before the Press