REPORT: Revised Draft Media Policy 2023

DIVISION: Strategy, Partnerships and Engagement
REPORT DATE: 4 July 2023
TRIM REFERENCE: ID23/1710

EXECUTIVE SUMMARY

Purpose	Seek endorsement	
Issue	• To review a revised Draft Media Policy	
Reasoning	• To review the 2021 Draft Media Policy that was placed on public exhibition but not formally endorsed by Council. • If adopted, the Draft Media Policy will replace the former Media Policy (2017).	
Financial Implications	Budget Area	There are no financial implications arising from this report.
	Funding Source	N/A
	Proposed Cost	N/A
	Ongoing Costs	N/A
Policy Implications	Policy Title	Draft Media Policy.
	Impact on Policy	If adopted, the policy will be replaced by the Media Policy 2023.
Consultation	Strategic Partnerships and Investment	Communications Services Manager Strategic Partnerships and Investment

STRATEGIC DIRECTION

The Towards 2040 Community Strategic Plan is a vision for the development of the region out to the year 2040. The Plan includes six principle themes and a number of objectives and strategies. This report is aligned to:

Theme: 4 Leadership

CSP Objective: 4.1 Council provides transparent, fair and accountable leadership and governance

Delivery Program Strategy: 4.1.2 Council's decision-making processes are open, transparent and accountable

RECOMMENDATION

1. **That the draft Media Policy, as attached at Appendix 1, be placed on public exhibition for a period of 28 days, inviting the public to make submissions.**
2. **That a further report be provided to Council following the public exhibition period.**

Natasha Comber
Director Strategy, Partnerships and Engagement

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Communication Services Team Leader

BACKGROUND

Previous Resolutions of Council

25 October 2021	1. *That the report of the Manager Corporate Image and Communications, dated 8 October 2021, be noted.* 2. *That the draft Media Policy, as attached at Appendix 1, be placed on Public Exhibition for a period of 28 days, inviting the public to make submissions.* 3. *That, should the Media Policy be adopted by Council after the Public Exhibition period, such policy be reviewed biennially.*

Dubbo Regional Council's existing Media Protocols Policy was adopted 2017 and is due to be reviewed. In October 2021 a revised version was developed, a draft policy was put up to Council and subsequently the draft version was placed on public exhibition. However due to a number of competing priorities including COVID, organisational and political change the draft policy was not presented back to Council for endorsement.

In consideration of outcomes from the early 2022 Communications Service Review and under the new structure of Strategic Partnerships and Investment the Communications Services team have reviewed the policy in line with updated code of conduct policies, updated council structure and formation of committees.

REPORT

The draft Media Policy draws upon industry best practice and legislation to ensure media relations are held to the highest possible standard. The policy aims to provide a framework to ensure a co-ordinated, consistent and accurate approach to managing media relations to enhance the region's reputation while mitigating the associated risks. The key principals of the draft Media Policy aim to uphold and promote media engagement through openness, consistency, accuracy and timeliness.

The revised draft Media Policy (Appendix 1) has been developed in consultation with the Office of Local Government model media policy (December 2022) and takes into consideration advances in technology and the importance of transparency and need for accurate information to be provided to the media and the community.

The key changes between the draft 2021 Media Policy and the proposed 2023 Draft Media Policy have been outlined in the table below. The overall appearance and structure of the policy have been altered to be in-line with the Office of Local Government model media policy. In addition, administration procedures have been removed from the policy and outlined in the Media Procedures Management Policy.

Former draft Media Policy 2021	Draft Media Policy 2023
Without delegation from the Mayor, or in their absence, the Deputy Mayor, no other Councillor was able to engage with the media on behalf of Dubbo Regional Council	A Committee Chairperson may be the spokesperson for the Committee they chair regarding the Committee recommendation, before a resolution has been made by Council.
Representatives seeking interviews or comment from individual councillors should be directed to the Community Support Officer and DRC's corporate website where all contact information for Councillors is publically available.	Media representatives seeking interviews or comment from individual Councillors including the mayor on individual views on Council matters or any other matters should utilise Councillors publicly available contact details on Council's website.
	Media representatives seeking interviews or comment from Council as an entity/organisation should contact the Communications Services Team in the first instance.
	Media representatives seeking interviews or comment from the Mayor or CEO as a spokesperson on behalf of Council can contact the Communications Services Team in the first instance, or the mayor directly.
The Mayor and CEO must approve all Media Releases.	All media statements must be approved by CEO, or CEO's delegated representative, prior to issue. The Mayor or other Councillor is to approve releases they are quoted in, as per the approval process.
Role of Communications Services: It is not the responsibility of the Communications Services team to handle media requests on behalf of Councillors.	Role of Communications Services: It is the role of the Communications Services Team to handle media requests on behalf of Council as an entity/organisation. The Communications Services Team do not manage personal, political or opinion requests on behalf of the Mayor or Councillors, or requests not directly related to the matters of Council.

Consultation

- Following adoption of the recommendations of this report, the draft policy will be presented to Council and recommended to go on public exhibition for a period of 28 days allowing for community consultation.
- Any public submissions will then be addressed before a final version of the policy is presented to Council for adoption.

Resourcing Implications

- Monitoring of policy adherence and any resulting action required will likely have some impact to Communications Services staff resources however it is expected this will be managed within existing resources levels.
- Ongoing reviews of the policy must be conducted at a minimum of three year intervals or as legislation changes and this will occur within existing resources and engaging with Local Government NSW for specific advice.

Preferred Option

- That the Draft Media Policy, attached as Appendix 1, be adopted for the purpose of public exhibition.

Planned Communications

- The draft policy will be placed on Council's Your Say platform to support the public exhibition process, in addition to targeted communication to key stakeholders.
- There will be targeted internal engagement with key stakeholders in regards to operational processes aligned to the draft Policy.
- Pending a further report to Council and the adoption of the draft Policy; the community be made aware of the outcome with the Policy uploaded to the website (www.dubbo.nsw.gov.au under the A-Z Council Policy page) and any submitters to the Public Exhibition period be acknowledged and advised of outcome.

Timeframe

Key Date	Explanation
August 2023	Public Exhibition Period (28 days)
September / October 2023	Further report to Council for final adoption

APPENDICES:

1⇩ DRAFT 2023 Council Media Policy

MEDIA POLICY

Date	20 June 2023
Council Resolution Date	XX
Responsible Position	Manager Strategic Partnerships and Investment
Branch	Strategic Partnerships and Investment
Division	Strategy Partnerships and Engagement
Version	2
TRIM Reference Number	
Review Period	Annual
Review Date	June 2024
Consultation	Executive Leadership Team, Senior Leadership Team and Communications Services Branch

Document Revision History	
Description	**Date**
Policy defines Dubbo Regional Council spokespeople (corporate and elected representatives) and procedures for engaging with and providing media commentary or media product to mainstream media.	
Notes:	

PURPOSE

The purpose of Council's Media Policy is to provide a framework to ensure a co-ordinated, consistent and accurate approach to managing media relations to enhance the region's reputation while mitigating the associated risks.

Any comment made to a journalist or member of a media organisation is to be consistent with this policy, Council's Code of Conduct Policy, Social Media Policy and accurately reflect the decisions and values of Dubbo Regional Council.

BACKGROUND AND REFERENCES

Council is committed to the four principles of media engagement which should underpin every aspect of Council's media activity. All council staff, council officials and Councillors should commit to upholding them:

- Openness
- Consistency
- Accuracy
- Timeliness

Council is also committed to four principal values that hold an overarching vision and purpose of the organisation, which should be represented in the approach taken when working with the media. The values are:

- To be progressive
- To be sustainable
- To work as one team
- To account for all actions

The policy is to be read in conjunction with:

- Defamation Act 2005
- State Records Act 1998
- Copyright Act 1968
- Local Government Act 1993
- Privacy and Personal Protection Act 1998
- Government Information (Public Access) Act 2009
- Anti-Discrimination Act 1977
- Industry Codes of Practice, as identified by the Australian Communications and Media Authority (ACMA). This includes the Broadcasting Services Act, Commercial Radio Code of Practice, and Community Radio Code of Practice.
- Dubbo Regional Council's Record Management Policy
- Dubbo Regional Council's Social Media Policy
- Dubbo Regional Council's Corporate Image Policy
- Dubbo Regional Council's Community Engagement and Communications Policy
- Dubbo Regional Council's Code of Conduct Policy

SCOPE

This policy applies to the Mayor, all Councillors, Council staff, contractors and volunteers when representing Council in the media. This policy applies to verbal and written comments in the media, public speaking engagements which includes industry conferences, industry publications/media, media releases and the use of social media. For specific social media requirements, refer to Council's Social Media Policy.
Concerns or complaints about the administration of a council's engagement with the media should be made to the council officer responsible for media management in the first instance.

STRUCTURE:

The Media Policy is structured as follows:

Part 1	Principles	Set out the principles of media engagement for councils
Part 2	Framework	Contains administrative framework for engagement with the media
Part 3	Engagement	Details those who are able to engage with the media and when
Part 4	Standards	Prescribes the standards of conduct expected of council officials when engaging on media in an official capacity or in connection with their role as a council official
Part 5	Emergencies	Prescribes who will be the media spokesperson to the media during emergencies
Part 6	Elections	Prescribes how councillors should engage with the media in the lead up to an election.
Part 7	Record management	Contains information about records management and privacy requirements relating to social media
Part 8	Definitions	Defines key words and people used in the Media Policy

PART 1 – PRINCIPLES

1.1 Dubbo Regional Council is committed to upholding and promoting the following principles of media engagement:

- **Openness**: We will ensure an open exchange of information between Council and the media.
- **Consistency:** We will ensure consistency by all councillors and staff when communicating with the media and that all spokespeople uphold the core values of Council.
- **Accuracy:** The information we share with the media will be a source of truth for our council and community and we will prioritise the need to correct inaccuracies when they occur.
- **Timeliness**: We will ensure that we respond to all media enquiries in a timely manner as long as reasonable deadlines are received.

PART 2 - ADMINISTRATIVE FRAMEWORK FOR ENGAGEMENT WITH THE MEDIA

2.1 The Chief Executive Officer will appoint a member of Council staff to be the Media Coordinator (*see definition), be this for a single project or for a wider variety of projects across the organisation. The coordinator will be a suitably qualified member of staff and by default is a staff member from the Communications Services Team.

2.2 The CEO may appoint more than one Media Coordinator, depending on the nature of the projects and scope of the responsibilities.

2.3 The role of the Media Coordinator is to:

General

a) be the lead point of contact for all media enquiries, requests for interviews, requests to film or photograph council staff, facilities or events for news and current affairs purposes;
b) ensure that media organisations and their representatives are treated professionally, equally and without bias; and
c) provide guidance to councillors approached by the media for comment to avoid communication of misinformation.

Media Statements & Requests

a) ensure that media enquiries are dealt with promptly;
b) maintain a record of all media enquiries and responses;
c) delegate to staff members to respond to media enquiries where appropriate;
d) be responsible for preparing media statements prior to their release;
e) ensure that media statements are approved by the Mayor and/or CEO prior to their release; and
f) ensure that all media releases are published on the Council's website.

Delegated staff roles

a) develop and/or approve media training and/or induction to be provided to delegated staff and/or councillors;
b) maintain effective oversight of delegated staff;
c) revoke a staff member's status as a delegated staff member when required; and
d) maintain a register of delegated staff roles.

2.4 The following protocols underpin this policy:

General

a) The Communications Services Team is the first points of contacts for Mayors, Councillors, Executive Leadership team and Council employees on all media-related issues.
b) Councillors and Council employees who become aware of issues or potential issues that could lead to adverse media outcomes for Council should contact the Manager Strategic Partnerships and Investment, Team Leader Communication Services or Communication Services Partner.
c) While social media platforms are not within the scope of this policy, the Social Media Policy outlines the responsibilities of elected representatives and employees using these channels.

Spokesperson/s

d) The Mayor is the Council's official spokesperson on issues before the Council, Council policy and interpretation of policy and matters that may generate high community interest.

e) Councillors are entitled to enter public debate and make comment on Council affairs provided they clearly state that such public comment reflects their personal opinion and not that of the Council (Council's Code of Conduct Policy applies). Once Council reaches a decision, the Mayor is the spokesperson.

f) The CEO, or CEO's delegated representative, is the official spokesperson on issues relating to the management of Council operations and employees or actions or issues that may commit the Councils resources to any purpose.

g) The Communications Services Team will determine the most appropriate spokesperson with issues cross over political and operational lines, in consideration of organisation and reputational risk.

h) Council employees may be called on as subject matter experts based on their technical expertise to provide further detail and/or may be required to brief the Media Coordinator or approved spokesperson on the specific issue.

i) Council employees may provide media comment on operational issues only that require specific subject matter expertise and are not related to any business currently before Council and are considered routine, not political, topical or high profile.

Media Statements (written and verbal)

j) The Communications Services Team is responsible for managing media relations, preparing media releases, statements and quotes, identifying opportunities for positive promotion of Council and providing briefings and/or speaking notes for Mayor, Councillors, CEO, Executive Leadership Team and Council employees.

k) All media statements must be approved by CEO, or CEO's delegated representative, prior to issue.

l) All media releases and written statements prepared by the Communications Services Team will be distributed concurrently to all Councillors and the Executive Leadership Team.

m) Council employees must not make political or controversial statements to the media relating to Council affairs, decisions and/or events, or about Council officials which are likely to generate negative publicity for Council (Council's Code of Conduct Policy applies)

Part 3 – WORKING WITH THE MEDIA

3.1 All media contacts / enquiries are handled by Council's Communications Services Team in the first instance, allowing enquiries to be logged, responded to and any subsequent coverage to be monitored and evaluated.

3.2 Media organisations and their representatives will be treated equally and without bias.

3.3 Roles and Responsibilities when working with the Media:

Spokesperson	Roles & Responsibilities

Mayor	a) The Mayor is the principal member and spokesperson of the governing body of the Council, including representing the views of the Council as to its local priorities (section 226(c) of the Local Government Act 1993). b) If the Mayor is unavailable, the Deputy Mayor may act as the Council's spokesperson. c) The Mayor may delegate their role as spokesperson to other Councillors where appropriate, (for example, where another Councillor is best placed to comment, because the issue is of particular interest to them, or it is within their particular area of expertise).
CEO	d) The CEO is the official spokesperson for the Council on operational and administrative matters. e) The CEO may delegate to other council staff to speak on their behalf where appropriate, (for example, where the delegated staff member has professional expertise regarding the subject matter, or the CEO is unavailable).
Committee Chairpersons	f) The Committee Chairperson may be the spokesperson for the Committee they Chair regarding the Committee recommendation before a resolution has been made by Council. Then refer to part 3.3 c.
Councillors	g) As a member of the governing body and as a representative of the community, councillors are free to express their personal views to the media. h) When engaging with the media councillors: • must not purport to speak for the Council unless authorised to do so; • must clarify when speaking to the media that they are expressing their personal views as an individual Councillor; • must uphold and accurately represent the policies and decisions of the Council; • must not disclose Council information unless authorised to do so; and • must seek information and guidance from the CEO or Communications Services Team where appropriate before providing comment to the media to ensure they have the most up-to-date and relevant information and have considered reputational or other risks. i) In the interests of promoting a positive, safe and harmonious organisational culture, councillors should endeavour to resolve personal differences privately and must not prosecute them publicly through the media or social media.

	j) Where councillors become aware of potential issues that could result in media interest, they should provide this information to the CEO / Communications Services Team. k) Media representatives seeking interviews or comment from individual Councillors, including the Mayor on individual views on Council matter or any other matters should utilise Councillors publically available contact details on Council's website.
Council Staff	l) Council staff must not speak to the media about matters relating to the Council unless authorised by the Communications Services Team to do so. m) If Council staff receive a media enquiry or they are invited to comment to the media on a matter relating to the Council, they must refer the enquiry to the Communications Services Team. n) Council staff are free to express their personal views to the media on matters that do not relate to the Council, but doing so, must not make comments that reflect badly on the Council or that bring it into disrepute. o) If authorised to speak to the media, Council staff: • must uphold and accurately represent the policies and decisions of the Council; and • must seek information and guidance from the Communications Services Team where appropriate before providing comment to the media to ensure they have the most up-to-date and relevant information and have considered reputational or other risks. p) Where Council staff become aware of potential issues that could result in media interest, they should provide this information to the Communications Services Team.
Communications Services Team	q) It is the role of Communications Services Team to handle media requests on behalf of Council as an entity/organisation. Communications Services Team do not manage personal, political or opinion requests on behalf of the Mayor or Councillors, or requests not directly related to the matters of Council. r) The Communications Services Team should be the first point of contact for the Mayor, Councillors and Council staff on all media-related issues that relate to Council as an organisation s) The Communications Services Team may respond directly to the media on matters that have already been approved and published.

	t) Media representatives seeking interviews or comment from Council as an entity/organisation should contact the Communications Services Team in the first instance. u) Media representatives seeking interviews or comment from the Mayor or CEO as a spokesperson on behalf of Council can contact the Communications Services Team in the first instance, or the Mayor directly. v) The role of the Communications Services Team is to facilitate media requests and interviews about operational and corporate matters within DRC. This includes: • Preparation of Media Releases and Public Notices; • Statements and responses to media enquiries regarding council operations; • Facilitating media interviews and background regarding council operations; and • Providing talking points or writing speeches for official openings or events. w) Whilst elected representatives can make suggestions via the CEO for positive or responsive communication opportunities, Councillors including the Mayor, cannot direct staff at an operational level to undertake activities or communicate certain messages.

3.4 All media engagement by council officials must be conducted in a professional, timely and respectful manner.

3.5 Council officials who engage or are authorised to engage with the media must receive training on media engagement.

3.6 Media engagement training will be provided to councillors as part of their induction or refresher training or as part of their ongoing professional development program.

3.7 Councillors must direct any questions about their obligations under this policy to the CEO or Communications Services Team.

PART 4 – STANDARDS OF CONDUCT WHEN ENGAGING WITH THE MEDIA

4.1 Council officials must comply with the Council's Code of Conduct Policy when engaging with the media in an official capacity or in connection with their role as a council official.

4.2 Council officials must not share information or make comments to the media that:

a) are defamatory, offensive, humiliating, threatening, or intimidating to other council officials or members of the public;

b) contains profane language or is sexual in nature;
c) constitutes harassment and/or bullying within the meaning of the Code of Conduct Policy, or is unlawfully discriminatory;
d) is contrary to their duties under the Work Health and Safety Act 2011 and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety;
e) contains content about the Council, council officials or members of the public that is misleading or deceptive;
f) divulges confidential Council information;
g) breaches the privacy of other council officials or members of the public;
h) contains allegations of suspected breaches of the Council's Code of Conduct or information about the consideration of a matter under the Procedures for the Administration of the adopted Code of Conduct Policy;
i) could be perceived to be an official comment on behalf of Council where they have not been authorised to make such comment;
j) commits the Council to any action;
k) violates an order made by a court;
l) breaches copyright; or
m) advertises, endorses, or solicits commercial products or business.

PART 5 – USE OF MEDIA DURING EMERGENCIES

5.1 During emergencies, such as natural disasters or public health incidents, a Media Coordinator will be responsible for coordinating media releases and statements on behalf of the Council and assisting the Emergency and Risk Team as needed.

5.2 Councillors, Council staff and other Council officials must not provide comment or information to the media that is inconsistent with official advice issued by the Council and any other agency coordinating the emergency response.

5.3 Training on media engagement during emergencies will be provided to councillors and relevant staff and other Council officials.

PART 6 – MEDIA ENGAGEMENT IN THE LEAD UP TO ELECTIONS

6.1 This policy does not prevent the mayor or councillors who are candidates at a council election from providing comment to the media in their capacity as candidates at the election.

6.2 Any media comment provided by the mayor or councillors who are candidates at a council election must not be provided in an advertisement, newspaper column, or a radio or television broadcast paid for by the council or produced by the council or with council resources.

PART 7 – RECORDS MANAGEMENT REQUIREMENTS

7.1 Media content created and received by council officials (including councillors) acting in their official capacity is a council record and may be subject to information access applications made under the Government Information (Public Access) Act 2009. These records must also be managed in accordance with the requirements of the State Records Act 1998 and the Council's approved records management policies and practices.

PART 8 – DEFINITIONS

8.1 Council official: Councillors, members of staff and delegates of the council (including members of committees that are delegates of the council).

8.2 Media Coordinator: A person appointed under clause 2.1 of this policy, which will usually be someone employed within the Communications Services Team, however may be another person with relevant and suitable skills for the situation.

8.3 Media: Print, broadcast and online media used for communicating information to the public, including, but not limited to, newspapers, magazines, internet publishers, radio, and television broadcasters.

8.4 Personal Information: Information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion.

8.5 Social Media: Online platforms and applications, such as but not limited to social networking sites, wikis, blogs, microblogs, video and audio sharing sites, and message boards, that allow people to easily publish, share and discuss content. Examples of social media platforms include, but are not limited to Facebook, Twitter, Snapchat, LinkedIn, Yammer, YouTube, Instagram, Flicker and Wikipedia.