

Kersey Parish Council Press, Media and Reporting Policy Including Protocol for Reporting at meetings of the Council

Introduction

1. In the interests of openness and transparency Kersey Parish 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 Parish Clerk.
2. The Council shall, where possible, co-operate with those whose work involves gathering material for publication in any form including use of the internet.
3. 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, other legislation which may apply and the Council's standing orders and financial regulations. The Council's financial regulations and relevant standing orders referenced in this policy are available via the Council's publication scheme.
4. The Council cannot disclose confidential information or information the disclosure of which is prohibited by law. The Council cannot disclose information if this 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.

Communications with the media, including social media

5. The Council's communications with the media seek to represent the corporate position and views of the Council.
6. This policy applies on those occasions when the Parish Council, as a corporate body, is asked for a statement, a comment or information from the media, or as a corporate body issues a press release, or information to factually clarify/correct other comments published in the media. Media is defined as any activity "reporting" on the Parish Council.
7. This policy does not, and is not intended to, apply when individual Councillors are contacted directly by the media for a personal comment/statement nor when individual Councillors contact the media with a personal statement in their private capacity. Councillors must make it clear that any views expressed, where different from Council Policy, are their own personal views. (Councillors are not permitted to use their title 'Councillor' and staff are not permitted to use their job title.) Councillors and staff should take care not to misrepresent the corporate position and views or to damage the reputation of others in the Council or the Council itself and/or bring the Parish Council into disrepute. Councillors must bear in mind their responsibilities under the Code of Conduct.
8. The general principle is that the Chair of the Parish Council will act as the press officer. Any official contact with the media concerning the Parish Council's policies, the decisions it takes and the services it provides will be made by the Chair following consultation with the Clerk.

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9. Press releases and statements will be prepared by the Clerk and/or Chair in association with other Councillors as required, and will normally be restricted to matters that have been debated and agreed by the Parish Council.

10. Any approach or enquiry from the media about any matter relating to the Parish Council should be referred to the Chair and Clerk. A decision will then be made, in consultation with other Councillors where necessary, about the format and content of any response. Any response to any media item will be made by the Chair following consultation with the Clerk.

11. As more and more information becomes available at the press of a button, it is vital that all information is treated sensitively and securely. Councillors are expected to maintain an awareness of the confidentiality of information that they have access to and not to share confidential information with anyone.

12. In the main, Councillors have the same legal duties on-line as anyone else, but failure to comply with the law may have more serious consequences. Councillors should take extra care when electoral campaigning and when writing on planning matters. Councillors are expected to abide by the Code of Conduct including the Nolan Principles (as enshrined in the Code of Conduct) and the Data Protection Act when working with the media and social media and in all their work on behalf of the Council.

13. Councillors and staff must avoid making any social media communications that could damage the Council's official business or reputation, even indirectly. On-line content should be objective, balanced, informative and accurate. What is written on the Internet is permanent. The key to whether on-line activity is subject to the Code of Conduct is whether the Councillor is giving the impression that he/she is acting as a councillor. It is the perception which counts. If the perception is that a Councillor is acting as a councillor, the provisions of the Code of Conduct apply.

“Do’s and Don’ts” as a Councillor

- Comments should be respectful and informative, never intimidatory, condescending or “loud”. “Loud” is when capital letters are used. Use sentence-case format.
- Refrain from posting controversial or potentially inflammatory remarks. Language which could be deemed as offensive, discriminatory, especially in respect of race, sexuality disability etc. should not be published on any social media website.
- Avoid personal attack, on-line fights and hostile communications.
- Never use an individual’s name unless you have written permission.
- Never make false or misleading statements.
- Respect the privacy of other Councillors, staff and residents.
- Be aware not to publish anything which violates laws or regulations.

Meetings

14. A meeting of the Council and its committees are open to the public unless the meeting resolves to exclude them because their presence at the meeting is prejudicial to the public interest due to the confidential nature of the business or other special reason(s) stated in the resolution. In accordance with the Council’s standing orders, persons may be required to leave a meeting of the Council and its committees, if their disorderly behaviour obstructs the business of the meeting.

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15. Where a meeting of the Council and its committees include an opportunity for public participation, the media may speak and ask questions. Public participation is regulated by the Council's standing orders.

16. The photographing, recording, filming, use of social media or other reporting of a meeting of the Council and its committees which enable a person not at the meeting to see, hear or be given commentary about the meeting is permitted, subject to the protocol below for reporting at meetings.

17. The Council shall, as far as it is practicable, provide reasonable facilities for anyone taking a report of a Council or committee meeting.

Protocol for the reporting at meetings of the Council

1. Except where members of the public have been excluded due to the confidential nature of the business, any person may film, photograph, audio record or use social media to report on meetings of the Council, or a committee, including any public participation session.

2. Reporting is restricted by legislation to the proceedings of the meeting, in other words from calling to order to the official closure of the meeting.

3. In accordance with Government guidelines, Council policy does not permit the filming or photographing of persons under the age of eighteen or vulnerable adults without permission of a responsible adult.

4. Any persons who object to being filmed or photographed and have moved to an area designated for this purpose should also not be filmed or photographed. However, the Council cannot guarantee that anyone will not be filmed or photographed.

5. Any person intending to report should give notice before the commencement of the meeting to the Clerk or Chair of the Council. This will enable reasonable facilities to be afforded.

6. Where the Council has been so notified, the Chair will announce at the start of the meeting, that proceedings may be filmed, photographed or recorded and invite any members of the public not wishing to be filmed or photographed to move to a designated area.

7. Any filming or recording of meetings should be conducted overtly from a fixed point in an area of the meeting room specified by the Clerk or Chair.

8. Live oral commentary will not be permitted at any time.

9. The use of flash photography or additional lighting will not be allowed unless agreement has been reached in advance of the meeting.

10. Recordings will not be made for reporting by the Council or any other person during any part of the meeting when the public and press are excluded.

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11. Persons reporting on a meeting who act improperly or in a disruptive manner could be excluded from the meeting. 'Disruptive behaviour' would include any action or activity which disrupts the conduct of the meeting or impedes other members of the public from being able to see, hear or film etc., the proceedings. This might include:

- Moving outside designated public areas
- Excessive noise during debate
- Intrusive lighting and use of flash photography
- Asking people to repeat for the purpose of recording
- Failure to observe this protocol

12. Those reporting on meetings should not edit the recordings, films or photographs in a way that could lead to misinterpretation of the proceedings. This includes refraining from editing an image or views expressed in a way that may ridicule, or show a lack of respect towards those being photographed, filmed or recorded.

13. Recording and reporting the Council's meetings is subject to the law and it is the responsibility of those recording and reporting to ensure compliance, including data protection and defamation. They will be responsible for any allegations of breaches of the law which may result from their use of recorded material and are admitted to the Council meeting on the basis that they accept this responsibility. The Council reserves the right to initiate legal proceedings in appropriate circumstances.

14. The Council takes no responsibility for any recording made by others. It also takes no responsibility where a recording which it makes is subsequently used by any third party. Any third party making or editing a recording of a meeting shall in doing so be taken to have indemnified the Council against all actions, proceedings, costs, claims, demands, liabilities, losses and expenses whatsoever relating to the making or use of that recording.

15. The Council asserts no copyright or control over recordings of meetings made by itself or others whilst on Council premises, subject to paragraph 12 above.

16. Generally, archived recordings made by the Council will be available on request.

This policy was adopted by Kersey Parish Council at a meeting on 4 March 2019

Minute Reference: 42/19