



# Pershore Town Council

## COMMUNICATIONS AND MEDIA PROTOCOL

### AIM

The aim of the protocol is give clear and unequivocal guidance upon the Town Council's processes for communications and media arrangements.

### CORRESPONDENCE

#### Town Clerk's Role

- The point of contact for the Town Council is the Town Clerk and it is to the Clerk that all correspondence for the Council should be addressed.
- The Clerk should deal with all correspondence following a meeting. All official correspondence should be sent by the Clerk in the name of the Council using Town Council letter headed paper or email using Council email format. Where correspondence from the Clerk to a Councillor is copied to another person, the addressee should be made aware that a copy is being forwarded to that other person (e.g. copy to XX).
- No individual Councillor should be the sole custodian of any correspondence or information in the name of the Council, a committee, sub-committee or working group.
- Wherever possible free access to all official documentation held by the Town Clerk will be afforded to Councillors, although it is noted that by law Councillors do not have a right to obtain confidential information/documentation unless they can demonstrate a 'need to know'.

#### Agenda Items for Council, Committees, Sub-Committees and Working Groups

Agendas should be clear and concise and contain sufficient information to enable Councillors to make an informed decision and for the public to understand what matters are being considered and what decisions may possibly be taken at the meeting.

Items for information should be kept to a minimum on any agenda.

Where the Town Clerk or a Councillor wishes Councillors to receive matters for “information only”, this information is to be circulated via the Clerk.

### **Councillor correspondence to external parties**

As it is the Clerk’s role to send the Council’s correspondence, councillors writing to other bodies should do so on a personal basis only, with a copy to the Clerk. If it is a constituent matter then a copy to the Clerk should normally be sent unless the issue is private and confidential.

A copy of all outgoing correspondence relating to the Council or a Councillor’s role within it, should be sent to the Clerk, and it be noted on the correspondence, e.g. “copy to the Clerk” so that the recipient is aware that the Clerk has been advised.

Individual Councillor communications with constituents is a matter between that Councillor and the recipient(s). Canvassing or any other promotional work by an individual councillor shall not involve the Town Clerk or any other employee.

## **COMMUNICATIONS**

### **Communications with Town Council employees**

Councillors must not give instructions to any member of staff, unless authorised to do so (ie for example, three or more Councillors sitting as a committee with appropriate delegated powers from the Council).

No individual Councillor, regardless of office, may give instructions to the Clerk or to another employee that are inconsistent or conflict with Council decisions or arrangements for delegated power.

#### **E-mails:**

- Instant replies should not be expected from the Clerk, or any other member of staff; any reasons for urgency should be stated;
- Information to other Councillors should normally be directed via the Clerk
- E-mails from Councillors, when acting on behalf of the Council and not in their personal capacities, to external parties should be copied to the Clerk;
- Councillors should acknowledge their e-mails when requested to do so.

#### **Meetings with the Clerk or other staff:**

- Wherever possible an appointment should be made;
- Meetings should be relevant to the work of that particular officer;
- Councillors should be clear that the matter is legitimate Council business and not matters driven by personal or political agendas

## **MEDIA**

### **Communications with the Media, Press and Public**

The Town Council's communications need to be:

- Open – honest and transparent
- Consistent – in message and in delivery
- Responsive – proactive and timely
- Accurate – factual and correct
- Accessible – inclusive and representative
- Legal.

In addition, when dealing with the media, both officers and councillors need to have particular regard for:

- The Data Protection Act (1998)
- The Disability Discrimination Act (1995)
- The Freedom of Information Act (2000)
- The Human Rights Act (1998)
- The Race Relations Act (1976)
- The Sex Discrimination Act (1975)
- The Contempt of Court Act (1981) and contempt at common law
- The Defamation Act (1996) and defamation at common law

#### **Media enquiries**

Press reports from the Council, its committees or working groups, should be from the Clerk or via the reporter's own attendance at a meeting.

Unless a Councillor has been authorised by the Council to speak to the media on a particular issue, Councillors who are asked for comment by the press should make it clear that it is a personal view and ask that it must be clearly reported as their personal view.

Unless a Councillor is absolutely certain that he/she is reporting the view of the Council, they must make it clear to members of the public that they are expressing a personal view.

#### **Ward councillors**

Generally, it will not be possible for the media releases about individual councillors to be made, except where they are chairing a particular committee.

Sections 39 to 42 of the publicity code state that:

*"The functions of a local authority are discharged by the council corporately. It is therefore inappropriate for public resources to be used to publicise individual councillors. In the interests of public accountability, however, it may be appropriate to give publicity to the views or activities of individual members when they are representing the council as a whole: for example, when the chairman of a council speaks or acts as the first citizen of the whole community, or when a chairman*

*of a committee opens a new scheme or launches a policy approved by the council or by his committee on the council's behalf."*

Ward Councillors who issue political media releases should not imply that they are from the Council.

There should be no persuasion of the Town Clerk or other officers to support them in their political objectives. Officers are only there to carry out the work of the Council and to implement the decisions it takes. They cannot support members in a political capacity or help to deliver political aims.

Ward Councillors must not give instructions to officers, other than through the formal decision-making process. In particular, members must not instruct the Town Clerk to issue media releases on their behalf, but can however, alert the Clerk to particular events or developments that may require media coverage.

When speaking to the media there should be no editorial "exclusivity" and the Councillor should always state in what capacity they are speaking to the media and what their role is in relation issue in question.

### **Partnerships with the Council**

Where other organisations are contracted to provide services on behalf of the Council, they will be expected to follow this protocol and liaise with the Town Clerk prior to any media release.

### **Media handling during the election period**

During the run up to election, it is vitally important that media handling is properly controlled to ensure that there can be no allegation of political bias in anything that the Council does. Although the laws relating to political neutrality apply at all times, in the election period, the laws relating to publicity become a lot stricter. This period is often referred to as "purdah".

Publicity is defined in section 6 of the Local Government Act 1986 as *"any communication, in whatever form, addressed to the public at large or to a section of the public"* The Act covers the obvious forms of publicity such as media releases, speeches and events, but applies equally to the less obvious, for example the use of political colours in advertising and even the colour of floral displays.

During the election period, the Town Clerk will not issue any media release that could be seen as promoting the views of a particular political party, individual member of group of members. Media releases will not quote councillors during this period and members will not be photographed.

**Responding to letters in the paper**

Letters to the paper can be informative for the Town Council. However, while they can sometimes be unpleasant and on occasion, inaccurate, very often responding to them will only add fuel to the fire and keep a story going. For this reason, all non-political letters to newspapers should be first cleared through the Town Clerk who will, if necessary, consult with the Chairman of the Council or relevant Committee. Councillors may of course respond in their political capacity.

If Councillors receive a complaint from a member of the public, this should be dealt with under the Council's complaints procedure and therefore referred to the Town Clerk as soon as practicable.