

## 13 REPORT OF THE CHIEF EXECUTIVE OFFICER

### 13.1 Endorse for public exhibition: Draft Media Policy

CSP Objective: Outcome 5.2: Governance is transparent and builds trust

CSP Strategy: 5.2.2 Communicate openly and honestly with the community to build a relationship based on transparency, understanding, trust and respect.

Delivery Program: 5.2.2.1 Council's external and internal communications, including web and intranet assets, deliver efficient online services for users, facilitate effective engagement between our community and Council, meet legal requirements, and industry and accessibility standards.

#### Summary

The proposed Kiama Municipal Council Media Policy has been drafted to provide a framework to assist Council staff, executives and Councillors when dealing with the media and to ensure that media engagement by staff and Councillors is consistent, accurate and professional and enhances the council's reputation.

The policy also sets out some best practice guidelines and expectations of journalists and media organisations when dealing with Council.

#### Financial implication

Nil

#### Risk implication

The risk of not having this policy is a lack of clarity in our dealings with the media, which can result in misunderstandings and misinformation.

#### Policy

Draft Media Policy

#### Consultation (internal)

Mayor and Councillors

Executive Leadership Team

Management Leadership Team

Cross-council Communications Officers

Governance

#### Communication/Community engagement

The draft policy will be placed on public exhibition for 21 days and promoted via our usual channels (website, press release, social media).

#### Attachments

1 DRAFT Media Policy [↓](#)

#### Enclosures

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Nil

### RECOMMENDATION

That Council:

1. proceed to public exhibition for a period of 28 days on the draft Media Policy to seek community feedback.
2. note if submissions are received during the exhibition period a further report will be provided on any proposed amendments to the draft Media Policy.
3. adopt the draft Media Policy if no submissions are received on the day after the completion of the public exhibition period.

### Background

The proposed Kiama Municipal Council Media Policy is based on the Office of Local Government's Model Media Policy (2022) and therefore reflects industry best practice.

The OLG states: "The model policy is not mandatory, and councils are free to choose whether to use or to adapt it for their own purposes. If adopted, the policy will operate to supplement the provisions of councils' adopted codes of conduct." Staff have determined to take the model policy as a baseline and adapt it by adding sections pertinent to Council's business need and custom and practice.

The Media Policy provides a framework and guidelines for Council to ensure accurate information is shared, rather than having to issue corrections, retractions and counter statements.

The policy seeks to minimise the risk of misinformation in the media, which can have a negative effect both within the community, and Council. The media policy also clarifies who can be a spokesperson for Council, under which circumstances, and permissions required.

Note: an earlier version of this policy shared with Councillors omitted clause 3.1.1 (clause 3.1 in the model policy) due to a transcription error. This has now been added back in. The clause is as follows:

*3.1.1 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.*

Note, that while section 3.3 providing guidelines for when Councillors engage with the media is covered in our Councillor Code of Conduct, this has been included to ensure any media organisations using the policy are aware of these matters when interviewing or quoting Councillors.

Section 5 on *Standards of Conduct and Process* for media dealing with Kiama Council sets out our expectations and guidelines for best practice of how Council expects to interact with media. Having these standards of conduct clearly defined can help protect Council staff, Councillors and media when reporting on Council business. This section is also a valuable go-to when operating in a constantly changing media landscape. A

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good, clear policy such as this helps us maintain good media interactions, provides easy-to-understand guidelines for staff and Councillors.

Please note, the policy also contains an updated definition of 'social media' in this policy to align with legal definitions. The recently adopted Social Media policy will be resubmitted to Council in November as a report for information, noting this subsequent updated definition as an administrative change in order to have policies in complete alignment.

The proposed Media Policy complements our Social Media Policy and Code of Conduct and sets out valuable best practice guidelines for interactions involving Council and the Media.

**Item 13.1**



# Media Policy

Policy Owner/Responsible Officer	Communications and Engagement Coordinator
Department	Office of CEO
Date adopted/endorsed	TBA
Resolution number (if applicable)	TBA
Next review date	TBA
TRIM reference	23/74056

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### Policy statement / Objectives

Kiama Municipal Council is committed to engaging effectively and professionally with the media to keep our community informed, explain decisions and to promote confidence in the council and its decisions.

How a council is portrayed in the media impacts greatly on how the organisation is perceived. Media can be an effective tool to promote council programs, events, and initiatives. In addition, media can be invaluable in times of crisis or emergency when information needs to be communicated to the public.

Despite its obvious benefits, media also presents a variety of challenges and risks. These include:

- maintaining the accuracy, reliability, and integrity of information
- ensuring confidential information is managed appropriately, and
- the increased exposure and risk to reputation where information is not managed appropriately.

Kiama Municipal Council has developed and continues to maintain an excellent relationship with local and regional media that we are committed to upholding. This policy sets out the principles, best practice and behaviour we have established and will continue to use in dealing with the media, as well as our expectations for media organisations and their representatives when dealing with Council.

#### The objectives of the policy are to:

Provide a framework to assist council staff, executives and councillors when dealing with the media and to ensure that media engagement by councillors and staff is consistent, accurate and professional and enhances the council's reputation.

The policy also sets out some best practice guidelines and our expectations of journalists and media organisations when dealing with Council.

Our policy is based on the Office of Local Government's Model Media Policy (2022).

At the heart of the Media Policy are the four principles of media engagement. These are:

- Openness
- Consistency
- Accuracy
- Timeliness.

These principles, which are expanded upon in Part 1, should underpin every aspect of a council's media engagement and all councils and council officials should commit to upholding them.

### Scope

This policy applies to engagement between council officials and the media. It does not generally apply to social media use. Kiama Council has a separate Social Media Policy.

### References

- Clause 3.1(b) of the *Model Code of Conduct for Local Councils in NSW* provides that council officials must not conduct themselves in a manner that is contrary to a council's policies. If adopted by a council, a breach of the policy will be a breach of the council's code of conduct.
- Kiama Municipal Council's Code of Conduct – Council Staff, Contractors & Volunteers 2019

- Kiama Municipal Council's Code of Conduct for Councillors 2019
- Kiama Municipal Council's Social Media Policy 2023
- Office of Local Government Model Media Policy 2022

**Consultations**

- Executive Leadership Team
- Management Leadership Team
- Cross-council Communications Officers
- Governance

**Definitions**

In the Media Policy, the following terms have the following meanings:

Term	Definition
Council official	means Councillors, members of staff and delegates of the Council (including members of committees that are delegates of the Council)
Media Liaison	means a person appointed under clause 2.1.1 of this policy
media	means 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
personal information	means 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
social media	means social media platforms and applications, such as but not limited to social networking sites, wikis, blogs, microblogs, video and audio sharing sites, webpages (internet 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, X (formerly Twitter), Snapchat, LinkedIn, Yammer, YouTube, Instagram, Flickr and Wikipedia

**Variation and review**

Council reserves the right to review, vary or revoke this policy.

Date reviewed	Date adopted/endorsed	Brief detail of amendments
N/A		New policy

**POLICY**

**1. Principles**

We, the Councillors, staff and other officials of Kiama Municipal Council, are committed to upholding and promoting the following principles of media engagement:

<b>Openness</b>	We will ensure that we promote an open exchange of information between our Council and the media.
<b>Consistency</b>	We will ensure consistency by all Councillors and staff when communicating with the media.
<b>Accuracy</b>	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.
<b>Timeliness</b>	We will ensure that we respond to media enquiries in a timely manner.

**2. Administrative framework for engagement with the media**

**2.1. Appointment and role of the Media Liaison**

- 2.1.1. The Chief Executive Officer will appoint a member of Council staff to be the Council’s Media Liaison. The Media Liaison should be a suitably qualified member of staff from Council’s Communications Team.
- 2.1.2. The Chief Executive Officer may appoint more than one Media Liaison from the Communications Team.
- 2.1.3. The Media Liaison’s role is to:
  - (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) be responsible for preparing all media statements prior to their release
  - (c) liaise with relevant staff members within the organisation where appropriate
  - (d) ensure that media statements are approved by the Mayor and/or Chief Executive Officer and/or appropriate Director prior to their release
  - (e) develop and/or approve media training and/or induction to be provided to relevant staff and/or Councillors
  - (f) maintain a record of all media enquiries and responses
  - (g) ensure that media organisations and their representatives are treated professionally, equally and without bias
  - (h) build/maintain good relationships with local and regional media organisations and representatives including freelancers, as appropriate
  - (i) ensure that media enquiries are dealt with promptly
  - (j) provide guidance to Councillors approached by the media for comment to avoid communication of misinformation
  - (k) ensure that all media releases are published on Council’s website.

### **3. Who can engage with the media**

#### **3.1. The Chief Executive Officer**

- 3.1.1. The Chief Executive Officer is the official spokesperson for the Council on operational and administrative matters.
- 3.1.2. The Chief Executive Officer 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 Chief Executive Officer is unavailable).

#### **3.2. The Mayor**

- 3.2.1. 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).
- 3.2.2. If the Mayor is unavailable, the Deputy Mayor may act as the Council's spokesperson.
- 3.2.3. 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).

#### **3.3. Councillors**

- 3.3.1. 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.
- 3.3.2. 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 and that they are not speaking for the Council (unless authorised to do so);
  - must uphold and accurately represent the policies and decisions of the Council;
  - must not disclose Council information unless authorised to do so;
  - must not bring the organisation or its staff into disrepute through any form of media commentary; and
  - must seek information and guidance from the Chief Executive Officer and/or Media Liaison 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.
- 3.3.3. 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.
- 3.3.4. Where Councillors (including the Mayor) become aware of potential issues that could result in media interest, they should provide this information to the Media Liaison / Communications Team.

#### **3.4. Councillors' questions about media engagement**

- 3.4.1. Councillors must direct any questions about their obligations under this policy to the Chief Executive Officer or Media Liaison.



**3.5. Council Staff**

- 3.5.1. 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 Team.
- 3.5.2. If approached outside of work, Council staff can express their personal views to the media on matters that do not relate to the Council, but in doing so, must not make comments that reflect badly on the Council or that bring it into disrepute.
- 3.5.3. If authorised in writing by the Chief Executive Officer or Media Liaison to speak to the media, Council staff:
- must uphold and accurately represent the policies and decisions of the Council;
  - must not disclose Council information unless authorised to do so by the Chief Executive Officer or Media Liaison; and
  - must seek information and guidance from the Media Liaison/ Communications 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.
- 3.5.4. Where Council staff become aware of potential issues that could result in media interest – whether positive, negative or neutral – they should provide this information to the Communications Team.

**3.6. Tone**

- 3.6.1. All media engagement by Council officials must be conducted in a professional, timely and respectful manner.
- 3.6.2. Where possible and appropriate to audience, align tone, key messaging and commentary back to our Community Strategic Plan.
- 3.6.3. Council's written statements should adhere to Council's style guide (based on the Australian Government Style Guide).
- 3.6.4. Council staff must take care to remain apolitical in commentary.

**3.7. Induction and training**

- 3.7.1. The Council must provide training to Council officials who engage or are authorised to engage with the media.
- 3.7.2. 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.

**4. Standards of conduct when engaging with the media**

- 4.1.1. Council officials must comply with Council's Code of Conduct when engaging with the media in an official capacity or in connection with their role as a Council official.
- 4.1.2. Council officials must not share information or make comments to the media through either direct or indirect mechanisms 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 Model Code of Conduct for Local Councils in NSW, 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 Model Code of Conduct for Local Councils in NSW
- (i) could be perceived to be an official comment on behalf of the 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; and/ or
- (m) advertises, endorses, or solicits commercial products or business.

## **5. Standards of conduct for media engaging with Council**

### **5.1. Process**

- 5.1.1. All media enquiries including interview requests, photo requests and information/fact checks must be directed to the Media Liaison/ Communications Team. The Media Liaison officer will respond as soon as possible and arrange statements or interviews as appropriate.
- 5.1.2. Council expects a right of reply and/or request for comment when media articles or content mention Council.
- 5.1.3. To avoid issues with corrections and retractions after the fact, Council will always endeavour to check/confirm information in a timely manner (if supplied to us prior to publication, and advised of a reasonable deadline).
- 5.1.4. Media organisations and journalists should not quote Council officials unless the Council officials are speaking directly to the media via an arranged interview or statement as the delegated spokesperson for Council.
- 5.1.5. If media organisations and journalists wish to use information or quotes obtained indirectly (eg: a Council official addressing a community meeting), the quote and information must be checked with Council's Media Liaison /Communications Team prior to publication.
- 5.1.6. Should published articles provide incorrect information, Council will advise the media outlet and seek a correction, retraction and/or prepare its own media release.
- 5.1.7. If the media wishes to record any aspect of a Council Meeting or event, prior permission must be sought via the Media Liaison/ Communications Team or Executive Assistants (for a Council Meeting).
- 5.1.8. If members of the media are planning to attend or be present in a professional capacity at any Council premises or Council event (including Destination Kiama events, business and networking events, workshops, public consultations, community events etc.) the media organisation/ journalist/ photographer/ cameraperson should make this intent known to the event organiser and/or

Council's Media Liaison/Communications Team prior to attendance or, at the very least, upon arrival.

- 5.1.9. When attending a Council event, while Council staff will do their best to introduce members of the media to potential subjects, it is ultimately the responsibility of the media representative to declare who they are, which publication/s they work for, and obtain permission to record quotes or interviews, take photos or shoot footage at the event. The media should be especially mindful to ensure photo permissions have been granted for minors.

## **6. Use of media during emergencies**

- 6.1.1. During emergencies, such as natural disasters or public health incidents, the Chief Executive Officer and Media Liaison/s will be responsible for coordinating media releases and statements on behalf of the Council.
- 6.1.2. 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.
- 6.1.3. Training on media engagement during emergencies will be provided to Councillors, relevant staff and other Council officials.

## **7. Media engagement in the lead up to elections**

- 7.1.1. This policy does not prevent the Mayor or Councillors who are candidates at a council or any other election from providing comment to the media in their capacity as candidates at the election.
- 7.1.2. Any media comment provided by the Mayor or Councillors who are candidates at a council or another 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.
- 7.1.3. It is the responsibility of the candidate and/or media outlet, not the Council, to ensure any political advertising by candidates or political parties has been correctly authorised.
- 7.1.4. Note that Caretaker provisions and restrictions as defined in the Local Government Act apply in the lead up to an election.

## **8. Records management requirements**

- 8.1.1. 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.

## **9. Disclosure of paid advertising, content, advertorials social media coverage**

- 9.1.1. Council will endeavour to ensure any paid or gratis content is identified as such. This can include but is not limited to: following the usual format of advertisements (to clearly show it is a paid advert), using a different font for advertorial and/or including the term 'advertorial' or similar. It is understood that the regular Mayor's column in local publication/s is paid and/or syndicated content.
- 9.1.2. Council content on social media will either be clearly identified as Council content by appearing on Council's channels or under the Kiama Municipal Council name (or the name of an identified Council-owned facility or department, such as Kiama Leisure Centre), as per Council's Social Media Policy.

**Related forms/Documents**

- Code of Conduct – Council Staff, Contractors & Volunteers (2019)
- Code of Conduct for Councillors (2019)
- Social Media Policy (2023)
- Community Engagement Strategy (2016)

**Authorisation**

Name: Title of person authorising OR ELT OR Council Resolution No: \*\*\*\*

Date: Date endorsed by ELT or adopted by Council