





Murrumbidgee
COUNCIL

Media and Communication Policy (Revision 2)

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Document Revision History	
Previous Policy 1	Murrumbidgee Council Media Policy
Date adopted by Council:	21 September 2017
Minute Number:	203/09/17
Previous Policy 2	Murrumbidgee Council Social Media Policy
Date adopted by Council:	25 May 2017
Minute Number:	99/05/17
Revision Number:	1
Policy Renamed:	Media and Communications Policy (incorporating Media and Social Media Policies)
Review Date:	September 2020
Date adopted by Council:	30 September 2020
Minute Number:	210/09/20
Revision Number:	2
Review Date:	September/October 2022
Date adopted by Council:	22 November 2022
Minute Number:	169/11/22
Next Review:	See item 12 of this Policy
Revision Number:	
Review Date:	
Date adopted by Council:	
Minute Number:	

November 2022

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1. Purpose

The purpose of this policy is to provide a framework for engaging with Council's internal and external audiences. It shall be implemented through Council's Communication Strategy, Community Engagement Strategy and Community Participation Plan.

2. Scope

The Media and Communication Policy applies to Council officials including Councillors, Council employees, people on work experience, volunteers, committee members, consultants and contractors. The social media section of this policy only relates to Council officials' use of social media in an official capacity or in connection with their role as a Council official.

3. Policy Statement

Murrumbidgee Council is committed to building positive and lasting partnerships with its audiences through effective two-way, transparent communication. The following guidelines must be followed when engaging with audiences through various digital and non-digital communication tools.

4. Principles

4.1 Engagement Principles

These fundamental principles guide all engagement and communication activities. It must be:

- a. Genuine and ongoing
- b. Timely
- c. Simple and accurate
- d. Accessible and inclusive
- e. Collaborative and two-way
- f. Transparent
- g. Responsive
- h. Respectful
- i. Legislatively and ethically compliant

4.2 Branding requirements

All public communication materials must follow and reflect Council's adopted identity as outlined in Murrumbidgee Council's Style Guide.

4.3 Records Management

All communication and engagement activities must comply with record keeping obligations under the *State Records Act 1998* and Council's Records Management Policy.

5. Broadcast and Print Media

5.1 Coordinating media statements and media liaison

The role of the Media and Communications Officer (or another person delegated by the General Manager) 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. delegate to staff members to respond to media enquiries where appropriate
- d. maintain a register of delegated staff
- e. maintain effective oversight of delegated staff
- f. revoke a staff member's status as a delegated staff member when required
- g. ensure that media statements are approved by the Mayor and/or General Manager prior to their release
- h. develop and/or approve media training and/or induction to be provided to delegated staff and/or Councillors
- i. maintain a record of all media enquiries and responses
- j. ensure that media organisations and their representatives are treated professionally, equally and without bias
- k. ensure that media enquiries are dealt with promptly
- l. provide guidance to Councillors approached by the media for comment to avoid communication of misinformation, and
- m. ensure all media releases are published on Council's website

5.2 Authorised Council Spokespeople

5.2.1 The Mayor is the principal public spokesperson on matters relating to the representative Council, decisions of Council and the community. He/she may delegate the Deputy Mayor or another Councillor to speak on his/her behalf.

5.2.2 The General Manager, in his/her statutory role, is the lead spokesperson on operational and administrative matters relating to Council. He/she may delegate other staff members to act as spokesperson on operational matters.

5.2.3 Councillors have a right to express their own views to the media in their role as a member of the governing body and as a representative of the community. However, they must make it clear their views do not necessarily represent the position of Council. Communications with the media must be in accordance with Council's Code of Conduct for Councillors.

5.2.4 Council employees, service providers, contractors, people on work experience and volunteers must not communicate with the media in an official capacity unless prior approval has been obtained from the General Manager.

5.2.5 Council employees, service providers, contractors, people on work experience and volunteers may communicate with the media as private individuals, with the following restrictions:

- a. they must not comment on Council policies or business, staff, confidential legal advice or commercial-in-confidence matters, nor make predictions as to future actions of Council.
- b. they must not be identified as Council officials.
- c. their comments must not be perceived as representing an official Council position or policy.
- d. Communications with the media must be in accordance with Council's relevant Codes of Conduct.

5.3 Standards of conduct when engaging with the media

5.3.1 Council officials must comply with the Council's code of conduct when engaging with the media in an official capacity or in connection with their role as a Council official.

5.3.2 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 or contains profane language or is sexual in nature
- b. constitutes harassment and/or bullying within the meaning of the *Model Code of Conduct for Local Councils in NSW*, or is unlawfully discriminatory
- c. 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
- d. contains content about the Council, Council officials or members of the public that is misleading or deceptive
- e. divulges confidential Council information
- f. breaches the privacy of other council officials or members of the public
- g. 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*
- h. could be perceived to be an official comment on behalf of the Council where they have not been authorised to make such comment
- i. commits the Council to any action
- j. violates an order made by a court
- k. breaches copyright
- l. advertises, endorses, or solicits commercial products or business

5.3 Access to information and images by the media

5.3.1 All media enquiries must be referred to the Media and Communications Officer, or in his/her absence, to the General Manager, the Mayor or a member of staff nominated by the General Manager.

5.3.2 All Council documents on the public record are open to perusal by the media, except those relating to staff, confidential legal advice and commercial-in-confidence matters. All file perusals by the media are subject to the provisions of Council policies dealing with access to information, privacy and freedom of information legislation.

5.3.3 All Council and Committee meetings are open to the media, except those dealing with staff, confidential legal advice or commercial-in-confidence matters. All media requests to film or photograph Council staff, facilities or activities must be referred to the Media and Communications Officer.

5.3.4 Unauthorised release of Council documents by Council officials will be referred to Council's Code of Conduct.

5.4 Induction and training

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

5.4.2 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. Councillors' questions about media engagement

5.4.3 Councillors must direct any questions about their obligations under this policy to the General Manager.

6. Social Media

6.1 Social Media Platforms

6.1.1 A new social media platform for Council or a Council-related entity can only be established or deleted with the written approval of the General Manager or their delegate.

6.2 Social Media Coordinator

6.2.1 The role of the Media & Communications Officer (or another officer person appointed by the General Manager) is to:

- a. approve and revoke a staff member's status as an authorised user
- b. develop and/or approve the training and/or induction to be provided to authorised users
- c. maintain a register of authorised users
- d. maintain effective oversight of authorised users
- e. moderate Council's social media platforms in accordance with section 6.5 of this policy
- f. ensure Council complies with its record keeping obligations under the *State Records Act 1998* in relation to social media (see clause 6.7)
- g. ensure Council adheres to the rules of the social media platform(s)

6.3 Authorised Social Media Users

6.3.1 Members of Council staff may be authorised by the General Manager or Media and Communications Officer to upload content and engage on social media on Council's behalf. This includes designated staff who have responsibility for administering sites related to specific operations of Council, for example Jerilderie Library.

6.3.2 An authorised user must receive a copy of this policy and induction training on social media use and Council's obligations before uploading content on Council's behalf.

6.3.3 The role of an authorised user is to:

- a. ensure, to the best of their ability, that content they upload onto social media platforms is accurate
- b. correct inaccuracies in Council generated content
- c. engage in discussions and answer questions on Council's behalf on social media platforms
- d. keep Council's social media platforms up to date
- e. moderate Council's social media platforms in accordance with section 6.5 of this policy
- f. ensure Council complies with its record keeping obligations under the *State Records Act 1998* in relation to social media (see clause 6.7 of this policy)
- g. use language consistent with that function and avoid expressing or appearing to express personal views when undertaking their role
- h. adhere to the Terms of Use of the social media channel being used, as well as copyright, privacy, defamation, discrimination and other laws.

6.4 Councillors' official social media platforms

This section refers to Councillors who have official social media platforms of individual Councillors to communicate as a Councillor, as opposed to personal pages. The previous sections on Social Media Coordinator and Authorised users do not apply to this section.

6.4.1 Councillors are responsible for the administration and moderation of their own social media platforms and ensuring they comply with the record keeping obligations under the *State Records Act 1998* and Council's records management policy in relation to social media. This also applies to Councillors who have another person administering, moderating or uploading content onto their social media platform.

6.4.2 Councillors must also comply with the rules of the platform when engaging on social media as well as Council's Code of Conduct.

6.4.3 Councillors who engage, or intend to engage, on social media must receive induction training on social media use. Induction training can be undertaken either as part of the Councillor's induction program or as part of their ongoing professional development program.

6.4.4 Council officials must:

- a. attribute work to the original author, creator or source when uploading or linking to content produced by a third party
- b. obtain written permission from a minor's parent or legal guardian before uploading content in which the minor can be identified
- c. exercise caution when sharing, liking, retweeting content as this can be regarded as an endorsement and/or publication of the content.

6.4.5 Council media releases and other content that has been authorised according to the Council's media and communications protocols may be uploaded onto a Councillor's social media platform. They may also upload publicly available Council information onto their social media platforms.

6.4.6 Other requirements are:

- a. Councillors must identify themselves on their social media platforms in the following format: *Councillor "First Name and Last Name"*.
- b. A Councillor's social media platform must include a profile photo which is a clearly identifiable image of the Councillor.
- c. If a Councillor becomes or ceases to be the mayor, deputy mayor, or the holder of another position (for example, chairperson of a committee), this must be clearly stated on the Councillor's social media platforms and updated within 14 days.
- d. Councillor social media platforms must specify or provide a clearly accessible link to the 'House Rules' for engaging on the platform.
- e. A Councillor's social media platform must include a disclaimer to the following effect: *"The views expressed and comments made on this social media platform are my own and not that of Murrumbidgee Council"*.
- f. A Councillor must advise the General Manager/SMC of any social media platforms they administer on which content relating to the Council or Council officials is, or is expected to be, uploaded. The Councillor must do so within 14 days of becoming a Councillor, or of becoming the administrator.

6.4.7 Council officials must not use social media to post or share comments, photos, videos, electronic recordings or other information that:

- a. is 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
- m. advertises, endorses or solicits commercial products or business
- n. constitutes spam
- o. is in breach of the rules of the social media platform.

6.4.8 Council officials must not incite or encourage other persons to act in a way that is contrary to the requirements of this Part.

6.4.9 Councillors must uphold and accurately represent the policies and decisions of the Council's governing body but may explain why they voted on a matter in the way that they did (see section 232(1)(f) of the *Local Government Act 1993*).

6.5 Standards of conduct on social media platforms

Moderating social media platforms

6.5.1 Councils and Council officials should be aware that they may be considered a 'publisher' of any content uploaded onto a social media platform they administer, including content that:

- a. is uploaded by a third party; and/or
- b. appears on their social media platform because they have 'liked', 'shared', or 'retweeted' the content, or similar

6.5.2 Council officials who are responsible for the moderation of the Council's or Councillors' social media platforms may remove content and 'block' or ban a person from those platforms. Such actions must be undertaken in accordance with this Part.

House Rules

6.5.3 Social media platforms must state or provide an accessible link to the 'House Rules' for engaging on the platform.

At a minimum, the House Rules should specify:

- a. the principles of social media engagement referred to in clause 4.1 of this policy
- b. the type of behaviour or content that will result in that content being removed or 'hidden', or a person being blocked or banned from the platform
- c. the process by which a person can be blocked or banned from the platform and rights of review
- d. a statement relating to privacy and personal information (see clause 7.4 of this policy)
- e. when the platform will be monitored (for example weekdays 9 am – 5 pm, during the Council's business hours)
- f. the social media platform is not to be used for making complaints about the Council or Council officials

6.5.4 For the purposes of clause 5.4(b), third parties engaging on social media platforms must not post or share comments, photos, videos, electronic recordings or other information that:

- a. is defamatory, offensive, humiliating, threatening or intimidating to 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. contains content about the Council, Council officials or members of the public that is misleading or deceptive
- e. breaches the privacy of Council officials or members of the public
- f. 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*,
- g. violates an order made by a court
- h. breaches copyright
- i. advertises, endorses or solicits commercial products or business,
- j. constitutes spam
- k. would be in breach of the rules of the social media platform.

Removing or 'hiding' of content

6.5.5 Where a person uploads content onto a social media platform that, in the reasonable opinion of the moderator, is of a kind specified under clause 6.5.4, the moderator may remove or 'hide' that content.

6.5.6 Prior to removing or 'hiding' the content, the moderator must make a record of it (for example, a screenshot).

6.5.7 If the moderator removes or 'hides' the content under clause 5.6, they must, where practicable, notify the person who uploaded the content that it has been removed and the reason(s) for its removal and their rights of review.

6.5.8 A person may request a review of a decision by a moderator to remove or 'hide' content. The request must be made in writing to the General Manager and state the grounds on which the request is being made.

6.5.9 Where a review request is made under clause 6.5.8, the review is to be undertaken by the General Manager or a member of staff nominated by the General Manager who is suitably qualified and who was not involved in the decision to remove or 'hide' the content.

Blocking or banning

6.5.10 If a person uploads content that is removed or 'hidden' under clause 6.5.5 of this policy on 3 occasions, that person may be blocked or banned from the social media platform/all social media platforms.

6.5.11 A person may only be blocked or banned from a Council social media platform with the approval of the General Manager. This clause does not apply to blocking or banning a person from a Councillor's social media platform.

6.5.12 Prior to blocking or banning a person from a social media platform, the person must, where practicable, be advised of the intention to block or ban them from the platform/all platforms and be given a chance to respond. Any submission made by the person must be considered prior to a determination being made to block or ban them.

6.5.13 The duration of the block or ban is to be determined by the General Manager, or in the case of a Councillor's social media platform, the Councillor.

6.5.14 Where a determination is made to block or ban a person from a social media platform/all social media platforms, the person must, where practicable, be notified in writing of the decision and the reasons for it. The written notice must also advise the person which social media platforms they are blocked or banned from and the duration of the block or ban and inform them of their rights of review.

6.5.15 Despite clauses 6.5.10 to 6.5.14, where a person uploads content of a kind referred to under clause 6.5.14, and the moderator is reasonably satisfied that the person's further engagement on the social media platform poses a risk to health and safety or another substantive risk (such as the uploading of defamatory content), an interim block or ban from the platform/all platforms may be imposed on the person immediately for a period no longer than 6 months.

6.5.16 A person who is blocked or banned from the platform/all platforms under clause 5.16 must, where practicable, be given a chance to respond to the interim block or ban being imposed. Any submission made by the person must be considered when determining whether the interim block or ban is to be removed or retained.

6.5.17 A person may request a review of a decision to block or ban then from a social media platform. The request must be made in writing to the General Manager and state the grounds on which the request is being made.

6.5.18 Where a review request is made, the review is to be undertaken by the General Manager or a member of staff nominated by the General Manager who is suitably qualified and who was not involved in the decision to block or ban the person. Where the decision to block or ban the person was made by the General Manager, the review must be undertaken by another senior and suitably qualified member of staff who was not involved in the decision.

6.5.19 Where a person that is the subject of a block or ban continues to engage on a social media platform(s) using an alternative social media account, profile, avatar, etc., a moderator may block or ban the person from the platform(s) immediately. In these circumstances, clauses 6.5.10 to 6.5.18 do not apply.

6.7 Records management and privacy requirements

Records Management

6.7.1 Social media content created, sent and received by Council officials (including Councillors) acting in their official capacity is a Council record and may constitute open access information or be subject to an information access application made under the *Government Information (Public Access) Act 2009*. These records must be managed in accordance with the requirements of the *State Records Act 1998* and Council's approved records management policies and practices.

6.7.2 You must not destroy, alter, or remove social media content unless authorised to do so. If you need to alter or remove social media content, you must do so in

accordance with this policy, and consult with the Council's records manager and comply with the requirements of the *State Records Act 1998*.

6.7.3 When/if a Councillor's term of office concludes, the Councillor must contact the General Manager to manage/transfer records of social media content created during their term of office and comply with the requirements of the *State Records Act 1998*.

6.7.4 In fulfilling their obligations under clauses 6.7.1 to 6.7.3, Council officials should refer to any guidance issued by the State Archives and Records Authority of NSW relating to retention requirements for Councils' and Councillors' social media content.

Privacy considerations and requirements

6.7.5 Social media communications are in the public domain. Council officials should exercise caution about what personal information, if any, they upload onto social media.

6.7.6 The *Privacy and Personal Information Protection Act 1998* applies to the use of social media platforms by the Council and Councillors. To mitigate potential privacy risks, Council officials will:

- a. advise people not to provide personal information on social media platforms
- b. inform people if any personal information they may provide on social media platforms is to be used for official purposes
- c. moderate comments to ensure they do not contain any personal information
- d. advise people to contact the Council or Councillors through alternative channels if they have personal information they do not want to disclose in a public forum.

6.7.7 Council officials must ensure they comply with the *Health Records and Information Privacy Act 2002* when engaging on and/or moderating social media platforms. In fulfilling their obligations, Council officials should refer to any guidance issued by the Information and Privacy Commission of NSW, such as, but not limited to, the Health Privacy Principles.

6.8 Private use of social media

Note: Activities on social media websites are public activities. Even though privacy settings are available, content can still be shared and accessed beyond the intended recipients. The terms and conditions of most social media sites state that all content becomes the property of the site on which it is posted.

6.8.1 For the purposes of this policy, a Council official's social media engagement will be considered 'private use' when the content they upload:

- a. is not associated with, or does not refer to, the Council, any other Council officials, contractors, related entities or any other person or organisation providing services to or on behalf of the Council in their official or professional capacities, and
- b. is not related to or does not contain information acquired by virtue of their employment or role as a Council official.

6.8.2 If a Council official chooses to identify themselves as a Council official, either directly or indirectly (such as in their user profile), then they will not be deemed to be acting in their private capacity for the purposes of this policy.

Use of social media during work hours

6.8.3 Council staff who access and engage on social media in their private capacity during work hours must ensure it does not interfere with the performance of their official duties.

7. Electronic Direct Mail (e-newsletters)

7.1 Staff working on electronic direct mail campaigns will manage all personal data collected for email marketing in accordance with the Privacy and Personal Information Protection Act.

8. Emergency and crisis management

In the event of an emergency, Council plays a pivotal role in disseminating information to the community via our communication channels.

8.1 Working with the media during emergencies

8.1.1 During emergencies, such as natural disasters or public health incidents, the Media & Communications Officer will be responsible for coordinating media releases and statements on behalf of the Council.

8.1.2 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.

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

8.2 Use of social media during emergencies

8.2.1 During emergencies, such as natural disasters or public health incidents Media & Communications Officer, or in his/her absence, someone appointed by the General Manager, will be responsible for the management of content on the Council's social media platforms.

8.2.2 To ensure consistent messaging both during and after an emergency, authorised users and Council officials must not upload content onto Council's or their own social media platforms which contradicts advice issued by the agency coordinating the emergency response, or agencies supporting recovery efforts.

8.2.3 Training on social media use during emergencies should be included in training and/or induction provided to authorised users and Councillors

9. Non-compliance with this policy

Failure to comply with this policy may be dealt with in accordance with Council's relevant Code of Conduct, Local Government (State) Award or other laws.

10. Definitions

This policy's definitions are:

Community means all people who live or work in the Murrumbidgee Council Local Government Area.

Council means Murrumbidgee Council.

Council official means Councillors, Council staff, volunteers or delegated persons as defined in the Local Government Act 1993.

Council spokesperson: A person authorised to communicate with the media on Council's behalf.

Media: Relates to all forms of official communication including, but not limited to print and digital media. Digital media can include all forms of online media, including Council's website and presence on social media.

Media statement or comment: A verbal or written statement issued by the Council that states its position on a matter of Council business, Council policy or public interest.

Staff means all employees of Murrumbidgee Council (full time, part time, casual, contractors and temporary).

Social media is the term used for internet and mobile-based channels and tools that allow users to interact with each other and share opinions and content. It refers to user-generated information, opinion and other content shared and discussed over open digital networks.

11. References and related documents

The following legislation and/or guidelines are applicable to this policy:

Murrumbidgee Council documents

- Council's Vision
- Code of Conduct for Councillors
- Code of Conduct for staff
- Code of Conduct for Council Committee Members, Delegates of Council and Council Advisors
- Style Guide
- Communication Strategy
- Community Engagement Strategy

- Social Media Register
- Complaints Management Policy
- Internet, Intranet, Email and Computer Use Management Policy
- Privacy Management Policy
- Records Management Policy

Legislation and professional guidelines

- Freedom of Information Act 1982
- Privacy and Personal Information Protection Act 1998
- Local Government Act 1993
- Copyright Act 1968
- Defamation Act 2005
- Government Information (Public Access) Act 2009
- Web Content Accessibility Guidelines version 2 (WCAG 2.1)

12. Policy Review

This Policy:

- To be reviewed within the first year of the new Council term;
- May be reviewed and amended at any time at Council's discretion (or if legislative or State Government policy changes occur).