

# COLWICH PARISH COUNCIL



## PD009 MEDIA POLICY

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Parish Centre, St. Mary's Road, Little Haywood, Staffordshire, ST18 0TX  
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## MEDIA POLICY

# Media Policy – PD009

### Revision history

**This document was originally written by:**

<b>Name</b>	<b>Position</b>	<b>Date</b>
Michael Lennon	Clerk	

**This document version was reviewed by:**

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Chairman of Council	Wendy Plant

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### Revision History

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1		PD009-01	Initial Issue	NA
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# MEDIA POLICY

## Contents

1	Introduction.....	4
2	Communications with the Press and Public.....	4
3	Legal Requirements and Restrictions.....	4
4	Meetings.....	4
5	Other Communications with the Media.....	5

## **MEDIA POLICY**

### **1 Introduction**

- 1.1 Colwich Parish Council (“the 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 Council’s Clerk or, in his absence, the Deputy Clerk.
- 1.2 The Council shall, where possible, co-operate with those whose work involves gathering material for publication in any form including use of the internet (“the media”).
- 1.3 This policy explains how the Council may work with the media to meet the above objectives in accordance with the legal requirements and restrictions that apply.

### **2 Communications with the Press and Public**

- 2.1 The Clerk will clear all press reports, or comments to the media, with the Chairman of the Council and the Chairman of the relevant Committee.
- 2.2 Press reports from the Council, its Committees or working parties should be from the Clerk or an officer or via the reporter’s own attendance at a meeting.
- 2.3 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 be clearly reported as such.
- 2.4 Unless a Councillor is absolutely certain that they are reporting the view of the Council, they must make it clear to members of the public that they are expressing a personal view.
- 2.5 If Councillors receive a complaint from a member of the public, this should be dealt with under the Council’s adopted complaints procedure, or via a Council agenda item.

### **3 Legal Requirements and Restrictions**

- 3.1 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 1998, the Local Audit and Accountability Act 2014 and 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.
- 3.2 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.

### **4 Meetings**

- 4.1 As detailed in Standing Order 1.3, a meeting of the Council and its committees is 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

## **MEDIA POLICY**

accordance with the Council's Standing Orders 10.1-10.3, persons may be required to leave a meeting of the Council and its Committees, if their disorderly behaviour obstructs the business of the meeting.

- 4.2** 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 1.4-1.6.
- 4.3** The photographing, recording, filming or other reporting of a meeting of the Council and its committees (which includes e.g. using a mobile phone or tablet, recording for a TV/radio broadcast, providing commentary on blogs, web forums, or social networking sites such as Twitter, Facebook and YouTube) which enable a person not at the meeting to see or hear the meeting is permitted unless (i) the meeting has resolved to hold all or part of the meeting without the public present or (ii) such activities disrupt the proceedings or (iii) paragraphs 4.4 and 4.5 and below apply.
- 4.4** The photographing, recording, filming or other reporting of a child or vulnerable adult at a Council or committee meeting is not permitted unless an adult responsible for them has given written permission.
- 4.5** Oral reporting or commentary about a Council or Committee meeting by a person who is present at the meeting is not permitted.
- 4.6** The Council shall, as far as it is practicable, provide reasonable facilities for anyone taking a report of a Council or committee meeting and for telephoning their report at their own expense.

## **5 Other Communications with the Media**

- 5.1** This policy does not seek to regulate councillors in their private capacity.
- 5.2** The Council's communications with the media seek to represent the corporate position and views of the Council. If the views of Councillors are different from the Council's corporate position and views, they will make this clear.
- 5.3** The Council's Clerk or, in his absence, the Deputy Clerk may contact the media if the Council wants to provide information, a statement or other material about the Council.
- 5.4** In dealings with the media, including social media, Councillors in an official capacity and Officials must not:
  - 5.4.1** Hide their identity using false names or pseudonyms;
  - 5.4.2** Present personal opinions as that of the Council;
  - 5.4.3** Post controversial or potentially inflammatory remarks;
  - 5.4.4** Engage in personal attacks, online fights or hostile communications;
  - 5.4.5** Use a private individual's name unless given written permission to do so;
  - 5.4.6** Publish photographs or videos of minors without parental or guardian consent;
  - 5.4.7** Post any information that infringes the copyright of others;
  - 5.4.8** Post any information that may be deemed libel;
  - 5.4.9** Post online activity that may constitute bullying or harassment
  - 5.4.10** Bring the Council into disrepute, including through content posted in a personal capacity;

## **MEDIA POLICY**

**5.4.11** Post offensive language or pictures relating to race, sexuality, disability, gender, age, religion or belief;

**5.4.12** Conduct any online activity that violates laws, regulations or that constitutes a criminal offence.

**5.4.13** Disclose any confidential information about the Council or people.

**5.4.14** Additionally, Officials must not post content that is contrary to the democratic decisions of the Council;

**5.5** Councillors and Officials may wish to be aware that:

**5.5.1** Publishing libellous information may result in court action and a fine for damages. This may also apply if someone else publishes libellous information on your social media site. A successful libel claim may result in an award of damages against you.

**5.5.2** Posting copyright images or text on social media is an offence. Breach of copyright may result in an award of damages against you.

**5.5.3** Publishing personal data of individuals without permission is a breach of Data Protection legislation and may result in damages against you.

**5.5.4** Publication of obscene material is a criminal offence and, on conviction, may result in a custodial sentence.

**5.6** Subject to the obligations on Councillors not to disclose information referred to in paragraph 5.4 above and not to misrepresent the Council's position, Councillors are free to communicate their personal position and views.

<b>SIGNED</b>	
COUNCILLOR WENDY PLANT PARISH COUNCIL CHAIRMAN	