

Member Briefing Note on media issues:

At the start of the new civic year it seemed timely to issue a brief reminder on media issues. It is important to differentiate between council publicity and party publicity.

Under the Local Government Act 1986, local authorities cannot publish material which appears to be designed to affect public support for a political party. This will be decided on the content and style of the material, the time and circumstances of the publication and the likely effect on those to whom it is directed.

Publicity is “any communication, in whatever form addressed to the public at large or to a section of the public”

Local Authorities are required to have regard to the following underpinning principles of the codes of recommended practice:

- Be lawful
- Be cost effective
- Be objective
- Be even-handed
- Be appropriate
- Have regard to equality and diversity
- Be issued with care during periods of heightened sensitivity (pre-election period)

There are times when it is clear that the member is speaking on behalf of the authority and is authorised to do so and is commenting on approved Council policies and practices. On these occasions always involve the Corporate Strategy and Communications Team.

There will also be times when a member is speaking as an individual or on behalf of their political party. In these circumstances any publicity should only be issued by or on behalf of the political party. You should only use a personal or party email address or letterhead and not a swale.gov.uk one or council letterhead.

Outside of the pre-election period it is acceptable for the authority to publicise work done by individual members and to present their views on local issues.

It is difficult for a member to speak directly to the press without being perceived as speaking for the authority unless it is made clear that the member is speaking as an individual or through party publicity/documents etc.

Where a member wishes to make a party political statement any media release or interview must make it clear that they are issued by the individual/party. It must be stressed that members should ensure that, where such releases are made they come from their personal or group or party political e-mail address and/or be on individual or party political group letterhead.

Please bear the above in mind so as to ensure you do not breach the law and/or the Council's procedure rules where you prepare and issue press releases directly. The same applies where you speak to the media without central knowledge, coordination or communication.

That is not to say that members cannot speak to the press in their individual capacity or through their party group – just that any communication that is issued or giving the appearance that it is issued on behalf of the authority must go through the proper channels i.e. Corporate Strategy and Communications.

Such an approach helps to ensure:

- That press and PR is consistent;
- Accords with Council policy and decisions;
- Is presented in a non-party political way;
- The Council's reputation is maintained in dealing with the press;
- Any press/PR statements are "sense tested" across all Council functions, not just the individual portfolio holder's perspective.

This protects you by ensuring you are supported:

- In a consistent and non-partisan way;
- To avoid any potential breach of the rules on party political publicity;
- To avoid speaking out and potentially binding the Council to a course of action where the Council has not considered its policy or approach;
- To understand the corporate position, as appropriate;
- To be aware of potential traps that may be around the corner in relation to particular issues;
- By receipt of professional advice in dealing with the media through press releases and other engagement.

Separate guidance will continue to be issued to all members about pre-election periods.

If you have any questions please contact the Corporate Strategy and Communications Team.

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