

COUNCIL POLICY LG542

COUNCIL MEMBERS MEDIA POLICY

KEY FOCUS AREA **Leadership and Governance**



Purpose

The purpose of this policy is to outline legislative obligations and provide clarity on the roles and responsibilities of the Council Members in relation to communicating through the media.

Definitions

'Media' - The means of communication, such as radio, television, social media and the internet that reach or influence people widely.

Policy

Responding to Media Enquiries

All enquiries from the Media for an official Town comment, whether made to an individual Council Member, must be directed to the CEO or a person authorised by the CEO. Information will be coordinated to support the Town to make an official response on behalf of the Town based on the following:

1. The Mayor is the official spokesperson for the Town, representing the Town in official communications, including; speeches, comment, print, electronic mediums and social media (*s.2.8(1)(d) of the Local Government Act 1995*).
2. The Deputy Mayor may perform the functions of the Mayor if the office of the Mayor is vacant or the Mayor is unavailable, unable or unwilling to perform the functions of the Mayor (*s 5.34 Local Government Act 1995*)
3. The role of a Council Member does not include speaking on behalf of a Local Government (section 2.10 of the *Local Government Act 1995*).
4. The CEO may speak on behalf of the Town, where authorised to do so by the Mayor (*s.5.41(f) of the Local Government Act 1995*).
5. The CEO only requires the approval of the Mayor when making statements of the kind which would ordinarily fall within the role of the Mayor as official spokesperson of the Town.

Using Social Media

A Council Member may choose to make a personal comment or post publicly on a matter related to the business of the Town using social media. Council members may do this to the extent that doing so does not conflict with their roles or obligations outlined in the Town of Claremont Code of Conduct for Council Members, Committee Members and Candidates (**Code of Conduct**).

Any public comment or post made by a Council Member, whether made in an authorised official capacity, personal capacity or in their Local Government representative capacity, must:

1. Clearly state that the comment or content is a personal view only, which does not necessarily represent the views of Town or another Council Member.
2. It must not imply:
 - a. The person is speaking on behalf of the Town, unless authorised to do so pursuant to s.2.8(1)(d) of the *Local Government Act 1995*.
 - b. The Town's endorsement of personal views.
3. Be made with reasonable care and diligence.
4. Be lawful, including avoiding contravention of; copyright, defamation, discrimination or harassment laws.
5. Be factually correct and not misleading.
6. Avoid bringing the Town into disrepute or damaging the reputation of the Town.
7. Not reflect adversely on a decision of the Council.
8. Not compromise or be detrimental to the person's effectiveness in their role with the Town.
9. Not reflect adversely on the character or actions of another Council Member, Committee Member, the CEO or a Town employee.
10. Maintain a respectful and positive tone and not use offensive or objectionable expressions or language.
11. Not disclose, without authorisation, confidential information
12. Not use Town photographs or marketing material;
13. Not use the Town's crest or logo without the consent of the CEO to ensure that the Town's branding and image is maintained.

Personal communications and statements made privately; in conversation, written, recorded emailed, texted or posted in personal social media, have the potential to be made public, whether intended or not. On the basis that personal or private communications may be shared or become public at some point in the future, Council Members should ensure that their personal or private communications do not breach the requirements of this policy and the Code of Conduct.

With the exception of prior existing relationships, Councillors should not connect with Town employees on social media.

Comments which become public and which breach this policy, the Code of Conduct may constitute a minor breach of the Local Government Act 1995 (refer s.5.105) and may be referred for investigation.

Record Keeping

Council Member communications including electronic communications that relate to their role as a Council Member are subject to the requirements of the *State Records Act 2000* and the Town's Record Keeping Plan. Council Members are responsible for transferring these records to the Town's administration. Council Member records are also subject to the *Freedom of Information Act 1992*.

Document Control Box			
Legislation:	<i>Local Government Act 1995</i> <i>State Records Act 2000</i> <i>Freedom of Information Act 1992</i>		
Organisational:	Code of Conduct for Council Members, Committee Members and Candidates		
Version #	Decision:	OCM Date:	Resolution Number:
1.	Adopted	18 May 2021	057/21