**The Highland Council – Media Protocol**

**(Revised version May 2017)**

**(Reviewed – February 2022)**

* 1. **Introduction:**

Local Authority decisions, services and projects are of considerable interest to the media. You only have to open a local paper or view a press website to see the volume of articles which relate to Council business.

The Highland Council deals with around 2500 media enquiries per year and issues some 700 press releases per year on behalf of the Council.

Due to the need for transparency, integrity and political neutrality, it is important that the Council has a way of ensuring that press releases and interviews reflect these values and it is the role of the Communications Office to support this.

This protocol aims to clarify the identification of appropriate spokespersons for proactive and reactive communications. This includes interviews and quotes in news releases, as well as senior Members responding to media enquiries. The protocol also sets out when, and when not, it is appropriate for a press release to be made on behalf of the Council.

The protocol supports all the objectives outlined in the Council’s Corporate Communications Strategy, in particular objective 11 which states:

*“To provide strategic communications advice and training to assist members and officers who have responsibility for communicating Council initiatives, policies and decisions, as well as agreed campaign activities.”*

The purpose of the Corporate Communication Strategy is to support delivery of the Council’s programme and to ensure effective communications with Highland people and relevant stakeholders. The strategy seeks to ensure that communications are managed in a planned, consistent and proactive way.

The protocol aims to achieve transparency, fairness and consistency in all decisions regarding media handling and public relations activity, and is in line with the Local Government Act 1986 and the Code of Practice 1988, which sets out guidance on publicity for Local Authorities.

**1.2 Political Neutrality:**

The Council Communications Office and all Council Staff must remain politically neutral at all times. Only Council news releases which refer to Council related matters, policies, functions, decisions and programme commitments may be issued by the Communications Office. Group or Political Party press releases should only be issued direct from the Group/Party.

The Council actively undertakes lobbying and campaign activities in key areas, where this is agreed as part of the Council’s Programme or the Administration’s strategy. The Council’s communications will however, at all times, remain factual, politically neutral and cannot be used to promote political views, personal opinions or individual ward member interests.

**1.3 Statutory restrictions**

During any pre-election periods, there are specific statutory restrictions, as well as national (UK and Scottish Government) guidance. The Council may not publish anything which could be perceived as being politically biased.

Any planned launches or initiatives should be avoided during the pre-election period. Only press releases relating to routine “business as usual” may be issued quoting the appropriate service manager or Director and will avoid quoting members. In exceptional circumstances, where members are quoted or photographed, there must be cross-party representation. Detailed guidance will be issued prior to a pre-election period and the Communications Office will provide advice and guidance.

**1.4 Media enquiries**

The Communications Office handles around 2,500 media enquiries per year and these are logged together with the response provided. All staff should refer direct media enquiries to the Communications Office to maintain an overview of enquiries and responses.

Factual responses will be provided with the support of the relevant Officers and Directors. Requests for comment will be referred to the appropriate Administration member.

Members of the media will often go to local members for comment on matters or incidents of interest in their area. Where this relates to a local council issue, we will endeavour to brief local members with background information and/or lines to take at the earliest opportunity, if these are not covered by a press release. Local members can also refer media enquiries to the Communications Office, or to the appropriate Committee Chair of Group Leader.

Members should not hesitate to contact the Communications team for advice regarding any media enquiry that is not party political. We are not permitted to provide advice or support on party political matters. (see section **1.2**)

All press releases are copied to all members by email and are published on the Council website and circulated on social media. If press releases are embargoed to a later date/time, they will be circulated to members and published at that time. Private background briefings may be given to members, as appropriate, where there are sensitive, complex or confidential issues.

We have a joint multi-agency media protocol for managing the communication of high-profile incidents involving schools. (eg. substance abuse, public health matters etc). This protocol enables effective liaison between the agencies, Police, NHS and the Council and joint responses to media enquiries where appropriate. It also assists with decision-making around the content of letters being sent to parents regarding sensitive incidents.

For incidents involving the Police or criminal matters, see section **2.10**.

**2. Protocol:**

**2.1 Spokespersons**

As the Council is a member-led organisation, elected members take the lead role in publicising the priorities, policies and decisions of the Council.

Officers will not usually provide comment in statements or interviews. They will however provide factual information, explanation and clarification for media enquiries, and for the purpose of interview requests in agreement with their Director or Head of Service. The Chief Executive or Directors may wish to comment on specific issues relating to their field of expertise, professional role, or in exceptional circumstances, with the agreement of the Leader. Officers will lead on operational matters.

When drafting news releases and statements, Communications Officers will quote Office Bearers/Administration portfolio leads - the Leader of the Council, Depute Leader, Convener, and/or relevant Committee Chairs/Vice-Chairs, Provost, Area Leaders or other portfolio holders where relevant, eg Veterans’ Champion.

In some cases, it may be more appropriate to quote, or include a quote from, a Service Director, or other relevant officer, if the quote relates to technical expertise or a professional role.

In the case of a local issue, the Committee Chair may consider it relevant to permit a quote from a local ward member, speaking on behalf of other ward members. This would be coordinated through the Ward Manager, in agreement with the Committee Chair. The views of individual Ward Members cannot be promoted. (see para **2.6**), however Members are free to directly offer the media their own comments.

Communications Officers will usually draft the quotes, in liaison with the member or in line with their comments at committee, and provide them to members/officers for their approval. In the absence of the above approval or where quotes are needed urgently, they will be approved by the Communications and Resilience Manager or a Director.

In extremely urgent cases, Communication Officers may use their own professional judgement to provide appropriate quotes or lines to take, as necessary.

The Council will never say “no comment”. Sometimes, for legal reasons, or for reasons of employee or customer/client confidentiality, we are unable to comment on a particular issue. Where this is the case, we would usually explain that we are unable to comment and state the reason as part of a statement. (e.g. “we are unable to comment due to ongoing legal proceedings”)

Individual quotes should be kept to a minimum in news releases, where possible. Two or three at most is best practice. A pragmatic approach will be taken where quotes form partners for joint press releases need to be included.

Where interviews are requested, these bids will be discussed with the appropriate Member or Officer. Interviews will be considered positively, where appropriate, however only given if the right Administration or Officer spokesperson is available and if appropriate to do so. Support will be provided by Communications Officers in terms of advice and guidance and any media interview training requirements or requests.

Where media opportunities or launches are held in a Ward, the Ward Manager will liaise with Ward Members.

Media interview guidance is available on the Intranet and media training can be provided if required.

Press releases require approval from those quoted and relevant Directors/senior officers/report authors. The final draft should be sent for information to relevant Administration Members or relevant Ward Members, who may be asked for comment on a specific topic. All press releases are sent via Vuelio to all Members at time of issue to the media, unless embargoed; and to Ward Managers, Executive Leadership Team and Corporate Communications Team.

**2.2. Portfolios**

The Leader, Depute Leader or Convener should be quoted to support major Programme commitments. Where these relate to specific services or committees, the Committee Chair or Vice Chair should be quoted. It may be that a specific “champion” will be nominated to promote a particular project.

For news stories or development projects with an area dimension, for example, The West Link, the opening of a new office, school or a road, it is appropriate to quote the Committee Chair/Vice Chair or Area Leader/Provost. It is recommended that a local lead Administration spokesperson is identified as a lead spokesperson for key projects, where the Committee Chair is not “local”.

It is important to quickly address media enquiries or issues which relate to complaints or have a reputational impact, e.g. housing, children’s’ services. It is appropriate to quote the relevant service Committee Chair/Vice Chair and/or the Service Director.

Issues concerning the UK or Scottish Governments should be responded to by the Leader or Depute Leader or Chair of the relevant Committee.

The Convener will lead on issues surrounding the business of Council meetings and Highland wide strategic civic duties.

Where a Committee Chair is a not a member of the Administration, they can be quoted on matters of committee business, however the Vice Chair or other Administration portfolio holder may be quoted on matters of Council policy initiatives, projects and programme commitments and relevant launches.

Key spokespersons for specialist areas, not identified by Council, are agreed with the Administration.

**2.3 Local Committees:**

The Communications office also supports the work of the Local Committees in promoting items of interest on the agendas and the outcome of any decisions at meetings. Local Chairs will normally be quoted in addition to any relevant portfolio holder for the topic.

It will not always be possible for a press officer to attend an Local Committee and in this case, Ward Managers will provide an update on the outcomes of decisions for public communication. Communication Officers will liaise with Local Committee Chairs regarding key points of interest.

In instances where the Local Chair is not a member of the Administration, the Communication Office will provide support, but can only publish comments in line with Local Committee’s work and decisions.

**2.4 Area Provosts/Depute Provosts**

Media releases and quotes relating to Area or Depute Provost duties will be confined to that civic role\*. Examples are 100th birthdays; Diamond Weddings; visits of Cruise Liners; World Mountain Bike Championships; Hogmanay Celebrations, visiting dignitaries etc. (\*Except where the Provost is also Leader/Committee Chair)

**2.5 Common Good Fund Announcements**

Media releases and quotes relating to Common Good funded projects or awards of funding should quote: Local Chairs/Provosts.

**2.6.1 Local initiatives/Ward Members**:

The Communications Office can help publicise positive stories about local council or common good initiatives, investments and news, where this helps to promote council priorities and values or is a Council response to a local matter.

The Code of Recommended Practice on Local Authority Publicity sets out clear guidance governing Local Authority publicity.

Ward Members, may be quoted as a group, or one Member on behalf of the group, with the other Members’ agreement, in liaison with Ward Managers. The Council cannot promote the views or business of individual Ward Members,

The press office can provide communications advice to councillors, but cannot provide political advice or produce press releases for members on individual ward or party political issues.

Individual Members may provide comment directly to the media or issue their own press releases if they wish to do so, on any matter they choose.

***Sections 39 to 42 of the Code of Recommended Practice on Local Authority Publicity state that:***

*“The functions of a local authority are discharged by the council corporately. It is therefore inappropriate for public resources to be used to publicise individual councillors. In the interests of public accountability, however, it may be appropriate to give publicity to the views or activities of individual members when they are representing the council as a whole: for example, when the chairman of a council speaks or acts as the first citizen of the whole community, or when a chairman of a committee opens a new scheme or launches a policy approved by the council or by his committee on the council’s behalf”.*

*(This does not prevent a member of staff of a local authority from responding to questions about individual members, since that is not “publicity” as defined in the 1986 Act.)*

**2.7 Media inquiries about individual councillors**

The Communications Office will inform councillors as soon as possible after receiving any media enquiries relating to them. In such circumstances, the Communications Office can provide advice and guidance to councillors on non-political matters only.

**2.8 Inaccuracies**

Inaccuracies in reporting should not be ignored. Unless errors are pointed out to the media, they will be unaware of the damage or indeed distortion the report has caused. Any such matters or a suspected breach of the Editors’ Code of Conduct should be reported to the Communications Office as soon as possible. A resolution should be sought in the first instance with the editor of the newspaper or website. If this fails, the matter may be considered for a report to the Independent Press Standards Organisation (IPSO) <https://www.ipso.co.uk/>

The Council has had some success in having a complaint upheld, where there are sufficient grounds to appeal.

**2.9 Incidents involving other organisations**

The Communications Office maintains close working relationships with other public and private sector organisations. We will liaise with relevant partner agencies before issuing any statements or information which may impact on them. We will always be publicly supportive of partners and will not criticise them through the media.

Specific joint media protocols are usually put in place for long-term or large scale projects, for example, the City-Region Deal.

The Highland Council works closely with partners on resilience matters through the Local and Regional Resilience Partnerships (LRP and RRP). There is a regional communications strategy for major incidents and emergencies. Police Scotland generally leads on the Response phase and the Local Authority leads on the Recovery Phase of an incident.

The Communication Team will endeavour to circulate received partner press releases (eg NHSH, Police Scotland, COSLA) to all Members as soon as they are received.

**2.10 Incidents involving Police investigations or Crown matters**

We work closely with our partners in Police Scotland where there are criminal investigations relating to or which may impact on council business.

It must be noted that “active” cases are subject to Contempt of Court Act legislation and therefore this restricts what anyone can say.

A case becomes “active” when a person has or is about to be charged, and the case remains active until sentencing.

It is very important to seek advice from the Communications and Resilience Manager prior to commenting on such matters.

2.11 Planning applications

The Council does not comment on planning applications ahead of a Planning Committee decision, except to confirm that an application has been received.

Individual councillors may be contacted the advice is to avoid saying anything that could be seen as being prejudicial to the outcome of the application.

Responding to the media in these circumstances may prevent you from participating in any decision making process related to the application.

If you wish to make any comment, the advice is to speak only in general terms and to preface the quote with: “It would be inappropriate to comment on an individual planning application.”

Members are reminded to comply with the requirements of the Councillors’ Code of Conduct when making any public comment (including press and social media) about a planning or licensing application in advance of that application being determined by the appropriate Committee.

2.12 Licensing Board

The Highland Licensing Board is constituted as an independent regulatory body by virtue of Section 5 of the Licensing (Scotland) Act 2005.

The main function of the Board is to regulate premises that sell alcohol to the public.

In general terms, no comments will be made on licence applications ahead of their consideration by the Licensing Board. The fact an application has been lodged can be confirmed and also that all applications will be judged on their own merits and in relation to the board’s policies. Any comment after a decision would come from the Chair or Vice Chair of the Board.

**2.13 Licensing Committee**

The committee deals with applications for taxi, private hire and street trading licences and sets the taxi tariffs.

In general terms no comments will be made on licence applications ahead of their consideration by the committee**.** Any comment after a decision would come from the Chair or Vice Chair of the Committee.

2.14 Social media

The Communications Office monitors activity on social media, in particular Twitter and Facebook, in line with the Corporate Communications Strategy and our Social Media Policy. Monitoring is undertaken within a limited resource and capacity, during office hours.

The Policy is to refer enquiries or complaints or requests for service to the website or to the Service Centre. Requests for service via social media are signposted to the formal channels of service provision.

Social Media Policy [http://ow.ly/GSEQp](https://t.co/ygCNb9dYIt) Report problems [http://www.highland.gov.uk/report](https://t.co/NHNbW4OgOL) Contact us by phone: <https://www.highland.gov.uk/contactus>

All media releases are tweeted (and published on Facebook), with the link to the website new story.

In line with our Social Media Policy, we will generally only retweet messages from partner organisations or other known and recognised non-political organisations, in order to share joint messages or show support for joint initiatives or spread important information.

We will not retweet/share messages of a political nature or which could be perceived to be politically biased in any way.

The Social Media Policy and Guidance is on our website. Specific guidance for members is available on the members’ intranet and further training and advice can be provided if required.

2.15 Training

Media relations and social media training can be provided to Councillors and Officers and training materials and guidance is available on the [intranet](https://www.highland.gov.uk/staffsite/info/53/corporate_communications) under Communications and Resilience.

**Ruth Cleland**

**Communications and Resilience Manager**

**April 2017**