

# Taunton Deane Borough Council

**Executive - 4 March 2009**

**Report of the Strategy and Communications Manager**

## **Proposals for a new Appendix to the existing Media Protocol covering issues relating to the new Scrutiny arrangements**

(This matter is the responsibility of Executive Councillor Steve Brooks)

### **Executive Summary**

This report proposes a new amendment to the existing Media Protocol which will cover the promotion of Scrutiny as part of the new arrangements for Scrutiny to be launched in 2009.

#### **1. Purpose of Report**

- 1.1 This report considers the existing arrangements for promoting Scrutiny outcomes and proposes an additional Appendix for the existing Media Protocol which was discussed, amended and supported by Overview and Scrutiny Panel on 27 November 2008.

#### **2. Background**

- 2.1 The existing Media Protocol was approved in April 2006 and subsequently updated in June 2007. The reasoning for the Media Protocol is adequately explained within the "Introduction" to the Media Protocol provided in Appendix 1.
- 2.2 A key aim of Scrutiny is to involve local people in scrutiny and to promote the outcomes from the work of the various Groups and Panels. The existing Media Protocol does not adequately cover the new scrutiny arrangements. Therefore, an addition to the Media Protocol was written following an examination of best practice elsewhere in the country. This addition was supported by the Strategy and Performance Panel in February 2008, however, the Executive felt unable to support it at that time as the new Scrutiny arrangements were still a pilot project.
- 2.3 The Executive agreed that a press release could be sent out at the completion of an individual Task and Finish review and this press release would include quotes from the Chair of the Task and Finish Review as well as the Portfolio Holder. The press release would then be jointly signed off by the Chair and the Portfolio Holder.

2.4 Therefore, for the Council to be in a position to promote our new Scrutiny arrangements in 2009 the proposal is to provide an additional Appendix to the existing Protocol. The aim of the additional Appendix (provided in appendix 2) is to create acceptable ways of raising the profile of scrutiny, encourage community involvement and publicise the outcomes of the Task and Finish Reviews.

### **3. Overview on Scrutiny Panel on 27 November 2008**

3.1 The proposed Appendix to the Media Protocol was discussed at the Overview and Scrutiny Panel on the 27 November 2008. The Panel recommended a couple of small amendments to the Appendix which have now been made and they recommended to the Executive that they approve the Appendix.

### **4. Recommendations**

4.1 It is recommended that the Executive consider approving the Appendix to the Media Protocol which needs to come into effect when the new Scrutiny arrangements are introduced.

## **Appendix 1 TDBC Media Protocol**

### **Proposed additional Appendix to Media Protocol to cover Scrutiny**

#### **Purpose of the Appendix to the Protocol**

The primary aim of this addition to the Media Protocol is to:

- create acceptable ways of raising the profile of Scrutiny
- encourage community involvement
- publicise the outcomes of Task and Finish Review in ways which are consistent with the main Media Protocol's working principles.

Its purpose is to provide guidance to Officers when deciding to publicise Scrutiny and covers:

- the role of individual Councillors in promoting Scrutiny
- the promotion of the Scrutiny Committees and the Task and Finish Reviews

#### **Principle**

The Executive or individual Portfolio Holder should not have approval rights or a "veto" over any press release originating from the Scrutiny function. There will be a clear process in place and the Media and Public Relations Officer will ensure that the reputation of the Council is protected in all instances.

#### **The work of the Scrutiny Committees**

Press releases will be produced with the request or approval of the Chair and Vice-Chair of the Committee, unless the Committee specifically request one in the form of a vote. Releases may only relate to upcoming items on the agenda (as approved by the Chair / Vice-Chair) or to recommendations voted by the Committee.

All press releases relating to an agenda item or recommendations of a Scrutiny Committee will be drafted by the Media and Public Relations Officer and Scrutiny Officer. The release will be non-political, factual, contain only information on the agenda item or recommendation(s), prefaced with an explanation of the role and powers of Overview and Scrutiny, and a statement that any requests for further information be directed via the Media and Public Relations Officer as per the Media Protocol (this includes requests for quotes or statements from Portfolio Holders or members of the Scrutiny Committee). A quote from the Chair or Vice-Chair may be included.

If the press release relates to a recommendation made to a Portfolio Holder or the Executive, then a statement may be included by way of response to the recommendation being made. If a comment is not forthcoming within 48 hours of the press release being requested, the press release will be distributed.

Recommendations made by Committees with reference to external bodies (public or private sector, including partnerships) can be released without the need for a quote from the Executive, however the release must state the relationship between TDBC, TDBC's Scrutiny function and the external organisation in question. If appropriate, explanation of "what happens next" to the recommendation should also be included.

## **Task and Finish Reviews**

### **During a Review**

Task and Finish Reviews will be responsible for their own publicity and should consider involving the public at the earliest stage. Final report will be released to the public, with a press release as appropriate.

Each new Review should consider the press and publicity needs and imperatives – for instance involving the public – when it begins. Task and Finish Reviews should be carried out in the public domain wherever possible, involving those communities most effected by the topic being reviewed.

### **Upon completion of the Review**

The final report of the Review will be released to the public, with a press release where appropriate, between the completion of the Review and presentation of their findings to the Executive (or other decision-making body to whom the recommendations apply). The content of the press release will remain factual, stating the aims and recommendations of the review (and to whom they would apply), including a quote from the Chair of the Review, stating what will happen next to the report. An explanation of the Task and Finish Review will also be included, and that further requests for information should be directed via the Public Relations Officer.

There will be no Executive or Portfolio Holder quote in this release.

### **Post "decision" at Executive – or other decision-making body to whom the recommendations apply**

A further release may be made stating which recommendations will be implemented and those that will not. If the TDBC Executive are the decision-making body, the relevant Portfolio Holder (or Leader) will be expected to explain the reasons for the Executive decision, and what will happen next.

### **The TDBC Website**

The website will be promoted as a source of information relating to Scrutiny at Taunton Deane, the link for which will be included in either the main body of any Scrutiny related press release, or in the editors notes; whichever is most appropriate.

### **The role of Ward Councillors**

When an issue/initiative relates to a specific area, the Ward Councillor (s) may be invited to provide a quote for a press release.

### **Political initiatives**

The above is without prejudice to the freedom of political parties to pursue their own press relations strategies.





## Appendix 2

### Media Protocol

#### Introduction

#### The Aims Of Media & Public Relations

- **To increase public awareness of the services provided by the authority and the functions it performs.**
- **To allow local people a real and informed say about issues that affect them.**
- **To explain to the local community the reasons for particular policies and priorities**
- **In general, to improve local accountability**

(From the Code of Recommended Practice on Local Authority Publicity, ODPM)

Taunton Deane Borough Council is committed to delivering effective media management in order that the local community are well informed about the services and issues, which may affect their everyday lives. It is also about engaging with residents, ensuring that the Council's priorities match the aspirations of local residents and encouraging resident and stakeholder participation in the process.

#### The Role of the Media and Public Relations Officer

The Council employs a Media and Public Relations Officer (PRO) whose role is to effectively communicate with the local community through local and regional media. The role aims to provide consistent messaging and build relationships in order to work effectively with the media. The media will, rightly, challenge certain decisions made by Councillors and Officers of the Council, and good communication will ensure that Council policies and decisions are clearly presented.

There are many methods of communication:

- Newsletter
- Press Release
- Fact Sheet
- Press Kit
- Press Conference
- Media Tutorials
- Media Roundtables
- Media Interviews

Each is a vehicle of communication, which ultimately aims to inform and educate the local community, and enhance the reputation of Taunton Deane Borough Council.



The PRO is responsible for ensuring good two-way communication between the Council and the community. Therefore, the media protocol can be considered as a set of principles that provides guidance to the PRO, Executive Councillors and Officers on how those principles should work. In a large and complex organisation, it aims to provide clarity on the various roles and responsibilities - for example, the role of a spokesperson, the level of officer involvement, handling of media enquiries and also the distribution of press releases. The protocol is a good platform to work from, but it is the PRO who will decide what is contained in a press release, who is the relevant spokesperson and who is invited to attend photo calls on each piece of news in accordance, as much as possible, with the following protocol.

## **The Media & the Law**

In the context of media relations, the Council is legally obligated and needs to be open and accountable. Any information or comment should be objective, balanced, informative and accurate. Publicity produced by the Council should be without political bias.

The distinction between the authority as a body and the individual councillor is important. As **The Local Government Act 1986** states: *“A Local Authority shall not publish any material which in whole, or in part, appears to be designed to affect public support for a political party”*.

The Council should adhere to **the Code of recommended practice on local authority publicity, contained in section 27 of the Local Government Act 1988**. This makes it clear that any publicity describing the Council’s policies and aims should be as objective as possible, concentrating on facts, or explanation - or both.

The Council is required to provide agendas for public meetings to the media on request, is required to admit the media to meetings and must specify exempt agenda items for which the media is excluded from the meeting.

In addition to the media’s rights under the Freedom of Information Act, the media should be able to immediately access:

- Three days’ notice of dates of meetings open to the press
- Agendas and minutes of council meetings
- Register of planning applications
- Record of payment of allowances to councillors
- Statutory register of members’ interests
- Local government Ombudsman reports
- The annual accounts
- The annual audits
- Performance indicators
- A number of statutory plans, including Best Value Performance Plan
- General financial information
- The annual report



## **Talking to the media**

The Council welcomes the opportunity to talk with the media and therefore the starting point to the protocol is that “*no comment*” is not a recommended response to media enquiries. The only situation when such a response is appropriate, is for legal reasons or, if there is not enough factual information available, to make a statement.

As a general rule, the only individuals authorised to communicate with the media on Council matters are members of the Communications & Information team (namely the PRO), and Councillors who hold an appropriate office within the Council.

The office holders within this protocol are defined as the Leader of Council, Deputy Leader, Executive Councillors, and the Chairs of the Panels and Committees. On a day-to-day level, it will be the Leader and Executive Councillors who are the Council's primary spokespersons.

Only if the appropriate Executive Councillor is unavailable or if information of a technical nature needs to be provided (such as licensing, planning or other technical issues) is it appropriate to authorise an officer to speak to the media.

The media are asked to contact the Media and Public Relations Officer as the first point of contact with the Council on media enquiries. The PRO will aim to provide a quick and efficient service. *\*See section ‘Handling a media enquiry’.*

### **Leader of Council**

The Leader of Council is the Council's primary spokesperson. The Leader can be called upon to represent the Council on any subject. The Executive Member/ Portfolio Holder will be the first point of contact on a portfolio-led enquiry but, in the absence of the Portfolio Holder, the Communications Portfolio Holder will liaise with the Executive for a suitable spokesperson and/or the Leader will be asked to step in. The Leader, alongside the Council's Chief Executive, will be the designated spokesperson in the event of any crisis communications.

### **Executive Councillors**

The Executive Councillors will be the spokesperson for press releases, on media enquiries and at press briefings on subjects/issues that involve their respective portfolios. The majority of Council press releases and enquiries are portfolio-specific and, therefore, the Executive Councillors as the decision-makers are the main spokespersons.

### **The Mayor**

The PRO will manage press releases and interview opportunities for the Mayor on important civic occasions such as the Mayor Making, Citizenship Awards and other events throughout the year.





## **The Scrutiny Process**

The principle underpinning both this Protocol and the Statutory Code of Practice is that the legitimate purpose of a council's publicity service is to do just that – to give publicity to the **Council's** policies, services and actions – regardless of which political party, or parties, are in control. A clear distinction needs to be made between "the Council" and the party groups themselves – whether in control or in opposition.

The focus of the publicity service will therefore almost always be on the actions of the Executive and its members. The one exception to this general rule is in regard to Scrutiny, where an item that comes before the Executive has been previously considered by Scrutiny. When the current review of that function has been fully implemented, this should happen more frequently.

In such cases the PRO will have the discretion to include a quote from the Chair of a meeting as to why and how the panel arrived at its recommendation to the Executive - where this helps to better explain the Executive's decision.

But it must be emphasised that this does not, and cannot, create a platform to give the opportunity for the views of opponents of a politically controversial issue to be promoted by a Council press release. The Chair must always consider the Council's reputation and not use the opportunity to make political points.

Publicity and good communications are important if Scrutiny is to work properly. Amongst the changes brought about by a fully effective scrutiny process will be an increased need to seek the input and participation of our local community and stakeholders. As Scrutiny is still evolving within the Council, this part of the protocol will need to be reviewed in approximately 12 months time.

## **Ward Councillors**

The PRO will endeavour to alert ward councillors to upcoming press releases that impact their ward. However, the Statutory Code severely limits the Council's ability to give publicity to the role and actions of councillors other than the "office-holders" mentioned earlier. Within those constraints the PRO may conclude that the Council's publicity relating to a particular local issue or activity would be enhanced by the inclusion of some quotes from a ward representative of the affected ward. The PRO will also contact one of the councillors for the affected ward for a reaction to be published as part of that press release.

## **Chief Executive**

The Chief Executive is an important, high-level role and, as such, a key figure in the public arena. The PRO will work with, and include quotes from, the Chief Executive in press releases and will focus upon the Chief Executive as the lead spokesperson as appropriate. This will also apply to other Senior Managers/Heads of Service on occasion.



## **Officer Level**

Members of senior management may also speak with the media after consultation from, and briefing with, the PRO. The PRO will also arrange for interviews with employees or advisors who have expertise in a particular product or service area. In such cases, the PRO provides media training and related support and will brief those Officers speaking to the media on information that may be shared outside the organisation. The PRO will also participate in each interview to support the Officer, and will also provide the media with any further information requested following the interview.

The key point when talking to the media is that Officers do need to forward any media enquiries to the PRO. To ensure that consistent messaging is followed, there should be no direct line of communication between TDBC employees and the media without the approval / acknowledgement of the PRO.

## **Handling A Media Enquiry**

Any Officers approached by the media to make a comment should politely refer the media to the Media and Public Relations Officer. The reasons for this are twofold: to keep a record of enquiries, and also to protect Officers from feeling pressured into making 'off the cuff' remarks that they may not otherwise make had they had time to think about a response. Officers are the technical experts and their input into enquiries is essential but should be made through the PRO.

Ideally, the PRO should always be the first point of contact for the media. The PRO will endeavour to ensure that, as much as possible, all responses are delivered within 24 hours or, where possible, sooner.

Upon receiving an enquiry, the PRO will make contact with the relevant Officer(s) and the Executive Councillor(s). The Communications Portfolio Holder will also be alerted. Information should be fed back to the PRO, who will then formulate a response. The response is returned to the relevant Officers and/or Executive Councillor for final approval before distribution to the media.

The enquiry can also be handled directly by the Executive Councillor or they can send their response to the PRO for distribution to the media.

## **1:1 Interviews**

Requests from the media for a 1:1 interview should be made via the PRO. The PRO will try and ensure a quick response and, as much as possible, confirm a spokesperson. An Executive Councillor will be the spokesperson on most occasions and, in certain cases, the Mayor or Senior Officers.



## **Data Protection and Media Enquiries**

The Council will not be drawn into discussion on individual cases, even when members of the public provide the press with personal information about their own situation. Housing and Benefits are often the areas in which the media will enquire about specific cases; in such situations the PRO will work with Officers to provide policy information but will not discuss the actual case and personal details of the individuals concerned.

## **Press Releases**

A press release may: promote something positive; defend the controversial; provide information; contain complex information. However, fundamentally, it should help promote a better understanding of Taunton Deane Borough Council.

A press release is a simple document that aims to deliver timely and accurate information in ready-to-publish form. It will not automatically receive coverage because the Council releases it, but because the information is deemed to be of interest to the publication's readers.

Executive Councillors and Officers should alert the PRO to potential newsworthy items or issues that may spark media interest. However, the decision about which issues warrant a press release rests with the PRO.

All press releases should follow the agreed corporate style and must be distributed through the PRO.

## **The Time Factor**

A press release should be distributed at the time of the relevant announcement. Time is an essential factor, old news is not considered newsworthy and that is why both members and Officers should ensure as much notice as possible is given to the PRO.

Generally, five days warning should be given to the PRO of the need for a press release. Occasionally, important news will be dealt with sooner and, if necessary, on the day of notification.

## **The Approval Process**

The PRO is responsible for developing Council press releases. Officers contribute to releases with technical information, and the Executive Councillors will also be involved in the approval process and, in addition, may be asked to submit a quote.



Officers and Executive Councillors will be emailed a copy of the draft press release for comment and approval. There will normally be an overnight approval timeframe but, occasionally, this could be narrowed to a matter of hours. The PRO will endeavour to ensure that all parties have an opportunity to sign-off but, when this is not possible, a senior Officer or a member will sign-off the release. It is for this reason that contact information for the PRO, Executive Councillors and the Communications Portfolio Holder is included on every release.

Members should be sent a copy of any news release as soon as practicable following media distribution.

## **Partnerships**

The PRO will ensure that partners are included within relevant press releases and also contacted for quotes to be included. The TDBC logo and a quote from the relevant spokesperson will also be provided to partners.

## **Press Briefings**

Press briefings are important to help explain complex issues, to launch an initiative and to communicate an important story. Officers and lead councillors should liaise with the PRO about the organisation of a press briefing, who should attend and what topics should be covered.

## **Photo Call**

Relevant members and Officers will be invited to photo opportunities as they arise. Depending on the issue this invitation could be extended to one or a combination of the "office-holders" mentioned earlier i.e. the Leader, Deputy Leader, and Executive Councillors.

As described in the sections in the Protocol on ward councillors and on Scrutiny the PRO may conclude that the publicising of the Council's initiative would be made more effective by the addition of the relevant Scrutiny Chair, and/or by an elected representative of the ward affected, and/or by Officers.

In such cases the PRO will aim to arrange convenient options for councillors but, in view of the inevitable pressures created by external timetables, this will not always prove possible and invitees must appreciate this.



## **Elections**

During elections, all publicity referring to a political party or anyone standing for election will be suspended between the publication of a notice of election and polling day. Councillors will not be quoted in press releases during this period unless it is a Councillor holding a key political or civic position commenting on an emergency, or an important event outside of the Council's control, and where there is a genuine need for a response from a Councillor.

## **Equal Opportunity and Race Equality Policies**

When drafting press releases or selecting photographs, all Officers should be mindful of the Council's Equal Opportunities and Race Equality Policies.

## **Media Monitoring**

The PRO keeps a record of all the media coverage generated for analysis to ensure that the aims of providing good communications and letting the public know about our services are being met.

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For further information or queries please contact:

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