

MEDIA AND PUBLIC COMMENT POLICY

September 2023

SUTHERLANDSHIRE

PREPARED BY:
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1. PURPOSE

Sutherland Shire Council strives to communicate with our community in an open and accountable manner, and we recognise the media can play an important role in this process.

The purpose of this Policy is to articulate Sutherland Shire Council's (Council) commitment to engaging with media in a fair, open and transparent way that effectively balances the media's right to pursue information with a legitimate public interest value with Council's right to determine what information should appropriately be disclosed in the interests of our organisation and the community we serve.

This Policy provides the principles which guide Council's engagement with media in relation to both individual approaches for public comment and as a general principle. We strive to maintain a mutually beneficial relationship with all media representatives in an environment of professionalism, fairness, honesty and respect.

This Policy underpins all interactions between Council staff and elected officials who may have cause to speak publicly on matters pertaining to Council, and any journalists or media outlets that may be seeking such comment.

2. APPLICATION

This Policy applies to all staff, including positions assigned the required Delegations of Authority to participate in media activity. Council supports and encourages appropriate participation in media activity, in accordance with the following:

2.1. Mayor and Chief Executive Officer

The Mayor and the Chief Executive Officer are Council's official spokespeople. Both can issue media statements and make public comment in line with Council Policy. The Executive Public Relations and Media Specialist and Public Relations and Media Advisor are responsible for liaising directly with media outlets and journalists to manage all requests for comment, to ensure that the Mayor and Chief Executive Officer are best able to exercise their role as spokespeople for Council.

2.2. Council Staff

a. Corporate Communications Staff:

The Manager Communication and Engagement, Executive Public Relations and Media Specialist and the Public Relations and Media Advisor are required to liaise and make comment to the media as part of the accountabilities of their roles. In keeping with the apolitical nature of their roles, such comments will at all times be limited to factual information, not political interpretation.



b. All Staff:

Council staff must not speak to the media about matters relating to the Council unless authorised by the Chief Executive Officer to do so.

Dependant on the nature of a media request or opportunity, specific staff members may be granted approval to engage with the media on matters that relate to their area of authority or expertise. Approval must be granted by the Chief Executive Officer on a case by case basis, with approval coordinated by Council's Public Relations and Media Team.

If Council staff are contacted by media or are invited to share their views or provide public comment on matters pertaining to Council in their capacity as a member of staff, they should immediately alert their Director and the Executive Public Relations and Media Specialist.

If authorised to speak to the media, Council staff:

- must uphold and accurately represent the policies and decisions of the Council,
- must not disclose Council information unless authorised to do so by the Chief Executive Officer / Media Coordinator; and,
- will be provided with information, guidance and support by Council's Public Relations and Media Team prior to any approved engagement with media, to ensure they have the most up-to-date and relevant information and are well informed about potential reputational or other risks.

Where Council staff become aware of potential issues that could result in media interest, they should provide this information to the Chief Executive Officer and the Executive Public Relations and Media Specialist.

Council staff are free to express their personal views to the media on matters that do not relate to the Council, but in doing so, must ensure they are acting in accordance with Council's Code of Conduct for Council Staff, and not making comments that bring Council into disrepute or disclose confidential Council information.

2.3. Councillors

Council recognises that individual Councillors have a legitimate interest in engaging in media activity on matters of significant interest to the community and to their constituents.

Council acknowledges that Councillors may have well established relationships with specific journalists and media outlets and will at times be contacted by any media seeking public comment by virtue of the fact that they are an elected public official and that their contact details are readily accessible via Council's website.



When engaging with the media, Councillors:

- must not purport to speak for the Council unless authorised to do so,
- must clarify when speaking to the media that they are expressing their personal views as an individual Councillor and that they are not speaking for the Council (unless authorised to do so),
- must accurately represent the policies and decisions of the Council,
- must not disclose council information unless authorised to do so; and,
- are encouraged to seek information and guidance from the Chief Executive Officer and / or Executive Public Relations and Media Specialist, where appropriate, before providing comment to the media to ensure they have the most up-to-date and relevant information and are well informed of any potential reputational or other risks.

In the interests of promoting a positive, respectful and harmonious organisational culture, Councillors should endeavour to resolve personal differences privately and must not prosecute them publicly through the media.

Where Councillors (including the Mayor) become aware of potential issues that could result in media interest, they should provide this information to the Chief Executive Officer and Council's Public Relations and Media team.

In engaging with any media or responding to specific media requests, whether providing an on the record comment or less formal interaction, Councillors must ensure that they are acting in accordance with the Code of Conduct for Councillors.

This Policy does not prevent the Mayor or Councillors who are candidates at a Council or any other election from providing comment to the media in their capacity as candidates at the election.

Any media comment provided by the Mayor or Councillors who are candidates at a Council or another election must not be provided in an advertisement, newspaper column, or a radio or television broadcast paid for by the Council or produced by Council or with Council resources.

3. PRINCIPLES

3.1 Application of Principles

No one principle should be applied to the detriment of another. Principles must be collectively considered and applied to the extent that is reasonable and practicable in the circumstances.

3.2 Respect

Council agrees to work with all media representatives in a fair, respectful and timely manner.



3.3 Transparency

Council acknowledges the importance in engaging with journalists and media outlets in as open and transparent a manner as can be reasonably afforded when addressing matters that have a demonstrable public interest value.

3.4 Accuracy

Council reserves the right to make strategic decisions regarding the provision of media comment and will not sacrifice accuracy and standard procedure for the sake of meeting media-imposed deadlines.

3.5 Media Resources

Information directing journalists and media outlets how to seek comment from Council is readily accessible to all members of the public via Council's website.

For all media requests to Council during business hours, media are directed to contact Council's Public Relations and Media team via media@ssc.nsw.gov.au, with out of hours inquiries to be directed to media@ssc.nsw.gov.au or via 0409 718 424.

In accordance with Council's commitment to support journalists and media outlets in their delivery of well informed, timely news to their audiences, Council's Communication and Engagement team will endeavour to respond in as comprehensive a manner as is warranted within a reasonable timeframe.

Where a journalist feels that Council's response does not completely satisfy their inquiry, they may be encouraged to seek further information by way of a formal application for the *Government Information (Public) Access Act 2009 (GIPA Act)*.

4. RESPONSIBILITIES

4.1 Responsible Officer

The Manager Communications, Engagement and Customer is the Responsible Officer for this Policy and is responsible for keeping the Policy current.

4.2 Council

In accordance with section 22 of the *Local Government Act 1993*, Council has the functions conferred or imposed on it by or under any other Act or law.

4.3 Chief Executive Officer

Council has delegated the Chief Executive Officer the authority to exercise the responsibilities detailed in this Policy.



4.4 Directors

Directors are responsible for ensuring their Directorate adheres to the requirements of this Policy and provide guidance in respect of media and public comment within their Directorate and the organisation.

4.5 Employees

Employees must adhere to the requirements of this Policy and operate within the authorities of this Policy.

5. POLICY COMPLIANCE

The Manager Communication, Engagement and Customer is responsible for compliance with this Policy.

6. RECORD KEEPING, CONFIDENTIALITY AND PRIVACY

Council adheres to and complies with the *NSW State Records Act 1998* and *Privacy and Personal Information Protection Act 1998* through its Access to Information Policy and Privacy Management Plan.

7. BREACHES OF POLICY

Breaches of this Policy will be managed in accordance with disciplinary procedures with the Chief Executive Officer and / or Director Corporate Support being notified by the Manager Communications and Engagement of such breaches.

8. RELATED DOCUMENTS

- Access to Information Policy
- Code of Conduct for Councillors
- Code of Conduct for Staff
- Privacy Management Plan
- Community Engagement Policy

9. RELEVANT LEGISLATION AND REGULATIONS

- *Local Government Act 1993 (NSW)*
- *Local Government Regulation 2021 (NSW)*
- *Copyright Act 1968*
- *State Records Act 1998 (NSW)*
- *Privacy and Personal Information Protection Act 1998 (NSW)*
- *Government Information (Public Access) Act 2009 (NSW)*
- *Racial Discrimination Act 1975*
- *Disability Discrimination Act 1992*
- *Sex Discrimination Act 1984*



End of Document

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