



DRAFT Communications and Media Policy

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1 Policy Objective

This policy describes Muswellbrook Shire Council's principles and framework for Communications, Media and Social Media.

The Policy is structured in two parts: Part 1 Communications and Media and Part 2 Social Media.

2 Scope

This policy applies to all Council Officials.

3 Enforcement

Clause 3.1(b) of Council's *Model Code of Conduct* provides that Council Officials must not conduct themselves in a manner that is contrary to statutory requirements or Council's administrative requirements or policies. A breach of a policy may also constitute a breach of Council's Code of Conduct.

4 Definitions

In this Communications and Media Policy, the following terms mean:

Term	Definition
Authorised User	members of Council staff who are authorised by the General Manager to upload content and engage on the Council's social media platforms on Council's behalf
Council	Muswellbrook Shire Council
Council Official	Councillors, members of staff and delegates of the Council (including members of committees that are delegates of the Council)
Councillor	a current elected member of Muswellbrook Shire Council
DMO	Council's Digital Media Officer
Media and Communications Coordinator	a Council Official appointed to this position
Media	print, broadcast and online media used for communicating information to the public, including, but not limited to, newspapers, magazines, internet platforms, radio, and television broadcasters
Minor	for the purpose of this policy, is a person under the age of 18 years
Personal Information	information or an opinion (including information or an opinion forming part of a database and whether recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion
Social Media	online platforms and applications, such as but not limited to social networking sites, wikis, blogs, microblogs, video and audio sharing sites, and message boards, that allow people to easily publish, share and discuss content. Examples of social media platforms include, but are not limited to Facebook, Twitter, Snapchat, LinkedIn, Yammer, YouTube, Instagram, Flickr and Wikipedia

5 Principles

At the heart of the Communications and Media Policy are the six 'principles' of media and social media engagement.

Muswellbrook Shire Council is committed to upholding and promoting the following principles:

Openness	<p>Council will ensure that we promote an open exchange of information between our Council and the media.</p> <p>Our social media platforms are places where anyone can share and discuss issues that are relevant to our Council and the community we represent and serve.</p>
Relevance	<p>We will ensure our social media platforms are kept up to date with informative content about our Council and community.</p>
Consistency	<p>We will ensure consistency by all Councillors and staff when communicating with the media.</p>
Accuracy	<p>The information Council shares with the media and the content we upload onto our social media platforms and any other social media platforms will be a source of truth for Council and the community and we will prioritise the need to correct inaccuracies when they occur.</p>
Respect	<p>Our social media platforms are safe spaces. We will uphold and promote the behavioural standards contained in this policy and our Council's code of conduct when using our social media platforms and any other social media platform.</p>
Timeliness	<p>We will ensure that we respond to media enquiries in a timely manner.</p>

These principles underpin every aspect of a Council's media and social media activity and Council Officials must commit to upholding them.

Part 1 Communications and Media

6 Introduction

6.1 Media – opportunities and challenges

The Communications and Media Policy has been developed to provide a framework to assist Council when dealing with the media and to ensure that media engagement by Councillors and staff is consistent, accurate and professional and enhances Council's reputation.

Effective media engagement can assist Council in keeping their community informed, explain decisions and to promote community confidence in Council and its decisions.

The term "media" in this policy means print, broadcast and online media used for communicating information to the public, including, but not limited to, newspapers, magazines, internet platforms, radio, and television broadcasters.

How Council is portrayed in the media impacts greatly on how the organisation is perceived. Media can be an effective tool to promote Council programs, events, and initiatives. In addition, media can be invaluable in times of crisis or emergency when information needs to be communicated to the public.

Despite its obvious benefits, media also presents a variety of challenges and risks. These include:

- maintaining the accuracy, reliability, and integrity of information
- ensuring confidential information is managed appropriately, and
- the increased exposure and risk to reputation where information is not managed appropriately.

7 Administrative Framework

The Communications and Media Coordinator's role is to:

- be the lead point of contact for all media enquiries, requests for interviews, requests to film or photograph council staff, facilities or events for news and current affairs purposes.
- be responsible for preparing media statements.
- liaise with relevant staff members within the organisation where appropriate.
- ensure that media statements are approved by the General Manager or appropriate Director prior to their release.
- monitor media enquiries and responses.
- ensure that media organisations and their representatives are treated professionally, equally and without bias.
- ensure that media enquiries are dealt with promptly.
- ensure that all media releases are published on the Council's website.

7.1 Who can engage with the media?

The General Manager is the official spokesperson for the Council on operational and administrative matters and may delegate other council staff to speak on Council's behalf where

appropriate, (for example, where the delegated staff member has professional expertise regarding the subject matter, or the General Manager is unavailable).

The Mayor is the principal member and spokesperson of the governing body of the Council, including representing the views of the Council as to its local priorities (section 226(c) of the *Local Government Act 1993*). If the Mayor is unavailable, the Deputy Mayor may act as the Council's spokesperson. The Mayor may delegate their role as spokesperson to other Councillors where appropriate, (for example, where another Councillor is best placed to comment, because the issue is of particular interest to them, or it is within their area of expertise).

As members of the governing body and representative of the community, Councillors are free to express their personal views to the media. 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 Council (unless authorised to do so).
- must uphold and accurately represent the policies and decisions of Council.
- must not disclose Council information unless authorised to do so, and
- must seek information and guidance from the General Manager/ Communications and Media Coordinator where appropriate before providing comment to the media to ensure they have the most up-to-date and relevant information and have considered reputational or other risks.

Where Councillors (including the Mayor) become aware of potential issues that could result in media interest, they should provide this information to the General Manager/ Communications and Media Coordinator at the earliest convenience.

7.2 Council Staff

Council staff must not speak to the media about matters relating to the Council unless authorised by the General Manager to do so.

If Council staff receive a media enquiry or they are invited to comment to the media on a matter relating to the Council, they must refer the enquiry to the General Manager.

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 not make comments that reflect badly on the Council or that bring it into disrepute.

7.3 Conduct standard when engaging with media.

Council Officials must comply with Council's *Code of Conduct* when engaging with the media in an official capacity or in connection with their role as a Council Official.

Council Officials must not share information or make comments to the media through either direct or indirect mechanisms that:

- are defamatory, offensive, humiliating, threatening, or intimidating to other Council Officials or members of the public.
- contains profane language or is sexual in nature.
- constitutes harassment and/or bullying within the meaning of Council's *Model Code of Conduct* or is unlawfully discriminatory.

- is contrary to their duties under the *Work Health and Safety Act 2011* and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety.
- contains content about the Council, Council Officials or members of the public that is misleading or deceptive.
- divulges confidential Council information.
- breaches the privacy of other Council Officials or members of the public.
- contains allegations of suspected breaches of Council's *Code of Conduct* or information about the consideration of a matter under the Council's *Procedures for the Administration of the Model Code of Conduct*.
- could be perceived to be an official comment on behalf of the Council where they have not been authorised to make such a comment.
- commits the Council to any action.
- violates an order made by a court.
- breaches copyright.
- advertises, endorses, or solicits commercial products or business.

7.4 Use of media during emergencies

During emergencies, such as natural disasters or public health incidents, the General Manager and Communications and Media Coordinator will be responsible for coordinating media releases and statements on behalf of the Council.

Councillors, Council staff and other Council Officials must not provide comment or information to the media that is inconsistent with official advice issued by the Council and any other agency coordinating the emergency response.

7.5 Media engagement in the lead up to the elections

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 in an election.

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

Under Council's Code of Conduct section 8.18, council letterhead, council crests, council email or social media or other information that could give the appearance it is official Council material must not be used: a) for the purpose of assisting your election campaign or the election campaign of others, or b) for other non-official purposes.

7.6 Records management requirements

Media content created and received by Council officials acting in their official capacity is a Council record and may be subject to information access applications made under the *Government Information (Public Access) Act 2009*. These records must also be managed in accordance with the requirements of the *State Records Act 1998* and Council's approved records management policies and practices.

Part 2 Social Media

8 Introduction

8.1 Social media opportunities and challenges

Social media is at the heart of modern communication. Since its inception, social media has grown in popularity and influence and is now fundamental to not just how people interact with one another, but also to how we work, play and consume information and ideas.

Social media can be broadly defined as *online platforms and applications - such as social networking sites, wikis, blogs, microblogs, video and audio sharing sites, and message boards - that allow people to easily publish, share and discuss content¹*. Significantly, one of social media's key features is its unprecedented reach and accessibility, in that anyone with a computer or mobile device can use social media to generate content which has the potential to be viewed and shared worldwide.

Despite its obvious benefits, social media also presents a variety challenges and risks. These include:

- the emergence of new, harmful forms of behaviour, such as cyber-bullying and trolling.
- maintaining the accuracy, reliability and integrity of information disseminated from multiple sources.
- organisations can be held liable for content uploaded onto their social media platforms by third parties²;
- content uploaded in a person's private capacity can adversely affect their employment and cause significant reputational damage to colleagues and employers; and
- rapid innovation can make it difficult to keep pace with emerging technologies and trends.

In addition, potential corruption risks may arise due to social media use. These include:

- customers, development proponents / objectors, tenderers, or other stakeholders grooming public officials by behaviours such as 'liking' specific posts, reposting content, or sending personal or private messages.
- public officials disclosing confidential or sensitive information.
- using social media for sponsorship opportunities, which may unfairly advantage one sponsor over another and lack transparency; and
- public agencies or officials promoting certain businesses by behaviours such as 'following' them, 'liking' content, or making comments, which may result in those businesses being favoured over others.

¹ NSW Department of Education. Social media policy: Implementation procedures – November 2018

² As confirmed by the High Court of Australia in *Fairfax Media Publications Pty Ltd v. Voller, Nationwide News Pty Limited v. Voller, and Australian News Channel Pty Ltd v. Voller*, 8 September 2021.

8.2 Social media and local government in NSW

As in the federal and state jurisdictions, social media has become an important tool in government and political discourse at the local level. In the context of NSW local government, social media has two primary functions:

- a) it is used by Councils to interact and share information with their communities in an accessible and often more informal format.
- b) it enables Councillors to promote their achievements and address their constituents directly about community issues and events in ways that either complement or bypass traditional news and print media.

In addition, many Councils use social media as the platform through which they webcast their meetings. This increases transparency by providing visibility of Council decision making in real time.

However, Council is not immune from the challenges associated with social media, which can pose a significant risk both in a legal sense, and in terms of a Council's ability to operate in a unified and coordinated way. It is therefore vital that Councils have the right policy settings in place so that the full benefits of social media can be realised, whilst mitigating risk.

9 Administrative framework for Council's social media platforms

9.1 Platforms

Muswellbrook Shire Council will maintain a presence on the following social media platforms, including but not limited to:

- Facebook, Instagram, LinkedIn, Twitter, YouTube.

Council's social media platforms must specify or provide a clearly accessible link to the House Rules for engaging on the platform.

9.2 Establishment and deletion of Council social media platforms

A new Council social media platform, or a social media platform proposed by a Council related entity (for example, a Council committee), can only be established or deleted with the written approval of the General Manager or their delegate.

Where a Council social media platform is established or deleted the General Manager or their delegate may amend the deletion or establishment without the need for endorsement by the Council's governing body.

9.3 Role of the Communications and Media Coordinator and the Digital Media Officer

The Communications and Media Coordinator's role is to:

- approve and revoke a staff member's status as an authorised user.
- develop and/or approve the training and/or induction for authorised users.
- maintain a register of authorised users.
- maintain effective oversight of authorised users.

The Digital Media Officers (DMO)'s role is to:

- moderate the Council's social media platforms in accordance with this policy.
- ensure the Council complies with its record keeping obligations under the State Records Act 1998 in relation to social media.
- ensure the Council adheres to the rules of the social media platform(s).
- coordinate with the Council's Communications and Media Coordinator to ensure the Council's social media platforms are set up and maintained in a way that maximises user friendliness and any technical problems are resolved promptly.
- The DMO is an authorised user for the purposes of this policy.

9.4 Authorised users

Authorised users are members of Council staff who are authorised by the General Manager/Communications and Media Coordinator to upload content and engage on social media on the Council's behalf.

Authorised users should be members of Council staff that are responsible for managing, or have expertise in, the events, initiatives, programs or policies that are the subject of the social media content. The General Manager/Communications and Media Coordinator will appoint authorised users when required.

An authorised user must receive a copy of this policy and induction training on social media use and Council's obligations before uploading content on Council's behalf.

The role of an authorised user is to:

- ensure, to the best of their ability, that the content they upload onto social media platforms is accurate.
- correct inaccuracies in Council generated content.
- engage in discussions and answer questions on Council's behalf on social media platforms.
- keep the Council's social media platforms up to date.
- When engaging on social media on Council's behalf, an authorised user must identify themselves as a member of Council staff but they are not obliged to disclose their name or position within the Council.
- Authorised users must not use the Council's social media platforms for personal reasons.

9.5 Administrative tone

Authorised users upload content and engage on social media on the Council's behalf. Authorised users must use language consistent with that function and avoid expressing or appearing to express their personal views when undertaking their role. Authorised users may use more personal, informal language when engaging on Council's social media platforms, for example when replying to comments.

9.6 Register of authorised users

The Communications and Media Coordinator will maintain a register of authorised users. This register is to be reviewed annually to ensure it is fit-for-purpose.

9.7 Ceasing to be an authorised user

The Communications and Media Coordinator may revoke a staff member's status as an authorised user, if:

- the staff member makes such a request.
- the staff member has not uploaded content onto any of the Council's social media platforms in the last 12 months.
- the staff member has failed to comply with this policy.
- the Communications and Media Coordinator is of the reasonable opinion that the staff member is no longer suitable to be an authorised user.

10 Standards of conduct on social media

This policy only applies to Council Officials' use of social media in an official capacity or in connection with their role as a Council Official. The policy does not apply to personal use of social media that is not connected with a person's role as a Council Official.

Council Officials must comply with the Council's *Code of Conduct* when using social media in an official capacity or in connection with their role as a Council Official.

Council Officials must not use social media to post or share comments, photos, videos, electronic recordings or other information that:

- a) is defamatory, offensive, humiliating, threatening or intimidating to other Council Officials or members of the public.
- b) contains profane language or is sexual in nature.
- c) constitutes harassment and/or bullying within the meaning of Council's *Model Code of Conduct*, or is unlawfully discriminatory.
- d) is contrary to their duties under the *Work Health and Safety Act 2011* and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety.
- e) contains content about the Council, Council Officials or members of the public that is misleading or deceptive.
- f) divulges confidential Council information.
- g) breaches the privacy of other Council Officials or members of the public.
- h) contains allegations of suspected breaches of the Council's *Code of Conduct* or information about the consideration of a matter under Council's *Procedures for the Administration of the Model Code of Conduct*.
- i) could be perceived to be an official comment on behalf of the Council where they have not been authorised to make such comment.
- j) commits the Council to any action.
- k) violates an order made by a court.
- l) breaches copyright.
- m) advertises, endorses or solicits commercial products or business.
- n) constitutes spam.
- o) is in breach of the rules of the social media platform.

Council Officials must:

- a) attribute work to the original author, creator or source when uploading or linking to content produced by a third party.
- b) obtain written permission from a minor's parent or legal guardian before uploading content in which the minor can be identified.

Council Officials must exercise caution when sharing, liking, retweeting content as this can be regarded as an endorsement and/or publication of the content.

Council Officials must not incite or encourage other persons to act in a way that is contrary to the requirements of this Policy.

Councillors must uphold and accurately represent the policies and decisions of the Council's governing body but may explain why they voted on a matter in the way that they did. (see section 232(1)(f) of the *Local Government Act 1993*).

11 Moderation of social media platforms

Note: Councils and Council Officials should be aware that they may be considered a 'publisher' of any content uploaded onto a social media platform they administer, including content that:

- is uploaded by a third party; and/or
- appears on their social media platform because they have 'liked', 'shared', or 'retweeted' the content, or similar.

Council Officials who are responsible for the moderation of Council's social media platforms may remove content and 'block' or ban a person from those platforms. Such actions must be undertaken in accordance with this Policy.

11.1 House Rules

Social media platforms must state or provide an accessible link to the 'House Rules' for engaging on the platform. At a minimum, the House Rules should specify:

- a) the principles of social media engagement referred to in this policy.
- b) the type of behaviour or content that will result in that content being removed or 'hidden', or a person being blocked or banned from the platform.
- c) the process by which a person can be blocked or banned from the platform and rights of review.
- d) a statement relating to privacy and personal information.
- e) when the platform will be monitored i.e. weekdays 8am – 4.30pm, during Council's business hours.
- f) that the social media platform is not to be used for making complaints about the Council or Council Officials.

11.2 Use of social media during emergencies

During emergencies, such as natural disasters or public health incidents, the Communications and Media Coordinator will be responsible for the management of content on the Council's social media platforms.

To ensure consistent messaging both during and after an emergency, authorised users and Council Officials must not upload content onto the Council's or their own social media platforms

which contradicts advice issued by the agency coordinating the emergency response, or agencies supporting recovery efforts.

11.3 Records management

Social media content created, sent and received by Council Officials (including Councillors) acting in their official capacity is a Council record and may constitute open access information or be subject to an information access application made under the *Government Information (Public Access) Act 2009*. These records must be managed in accordance with the requirements of the *State Records Act 1998* and Council's approved records management policies and practices.

You must not destroy, alter, or remove social media content unless authorised to do so. If you need to alter or remove social media content, you must do so in accordance with this policy, and consult with the Council's records manager and comply with the requirements of the *State Records Act 1998*.

In fulfilling records management obligations Council Officials should refer to any guidance issued by the State Archives and Records Authority of NSW relating to retention requirements for Councils social media content³.

11.4 Privacy considerations and requirements

Social media communications are in the public domain. Council Officials should exercise caution about what personal information, if any, they upload onto social media. The *Privacy and Personal Information Protection Act 1998* applies to the use of social media platforms by Council and Councillors. To mitigate potential privacy risks, Council Officials will:

- a) advise people not to provide personal information on social media platforms.
- b) inform people if any personal information they may provide on social media platforms is to be used for official purposes.
- c) moderate comments to ensure they do not contain any personal information.
- d) advise people to contact Council or Councillors through alternative channels if they have personal information they do not want to disclose in a public forum.

Council Officials must ensure they comply with the *Health Records and Information Privacy Act 2002* when engaging on and/or moderating social media platforms. In fulfilling their obligations, Council Officials should refer to any guidance issued by the Information and Privacy Commission of NSW, such as, but not limited to, the Health Privacy Principles.

For more information, please read Council's Privacy Management Plan available on Council's website: <https://www.muswellbrook.nsw.gov.au/policies/>

11.5 Private use of social media

Note: Activities on social media websites are public activities. Even though privacy settings are available, content can still be shared and accessed beyond the intended recipients.

The terms and conditions of most social media sites state that all content becomes the property of the site on which it is posted⁴.

³ See State Archives and Records Authority of NSW 'Government Recordkeeping / Advice and Resources / Local Government'.

⁴ Social Media: Guidance for Agencies and Staff (Government of South Australia) – page 9

11.6 What constitutes 'private' use?

For the purposes of this policy, a Council Official's social media engagement will be considered 'private use' when the content they upload:

- a) is not associated with, or does not refer to, Council, any other Council Officials, contractors, related entities or any other person or organisation providing services to or on behalf of Council in their official or professional capacities, and
- b) is not related to or does not contain information acquired by virtue of their employment or role as a Council Official.

If a Council Official chooses to identify themselves as a Council Official, either directly or indirectly (such as in their user profile), then they will not be deemed to be acting in their private capacity for the purposes of this policy.

12 Dispute Resolution

Concerns or complaints about the Council's communications should be made to the General Manager or Communications and Media Coordinator in the first instance. Complaints about the conduct of Council Officials on social media platforms may be directed to the General Manager.

13 Related Documents

13.1 Legislation and Guidelines

Local Government Act 1993

State Records Act 1998

Government Information (Public Access) Act 2009

Privacy and Personal Information Protection Act 1998

Health Records and Information Privacy Act 2002

Work Health and Safety Act 2011

[NSW Office of Local Government Model Media Policy](#)

[NSW Office of Local Government Model Social Media Policy](#)

13.2 Policies and Procedures

[Council's Model Code of Conduct](#)

[Council's Procedures for the Administration of the Model Code of Conduct](#)

[Council's Privacy Management Plan](#)

Records Management Policy

13.3 Other Supporting Documents

N/A

14 Version History

This section identifies authors who reviewed the Policy and the date that it became effective.

Version No.	Date changed	Modified by	Amendments/Previous adoption details
1	June 2023	Coordinator Media and Communica tions	First version.