



Media Policy

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Applicable legislation	See Annexure A		
Related Policies and Corporate Documents	Code of Conduct – Elected Members; Code of Conduct – Council Employees; Public Consultation Policy; Media Procedure		
Additional references			
Delegations Apply	NO		
Effective from:	27 March 2012		

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PREAMBLE

Council recognises that traditional media (e.g. press, television magazine, radio) and social media (e.g. Facebook, Twitter, YouTube) provide opportunities for the City of Mitcham to communicate and engage with its community and stakeholders.

PURPOSE

The intent of this policy is to provide understanding and guidance for the appropriate use of media platforms, including social media and tools, by Elected Members, employees, contractors, agents and volunteers for the purpose of conducting Council business.

SCOPE

This policy applies to Elected Members, employees including full-time, part-time, contract, casual, work experience, trainees, contractors, agents and volunteers of the City of Mitcham who propose to use media platforms on behalf of the City of Mitcham.

The policy outlines requirements for compliance with confidentiality, governance, legal, privacy and regulatory parameters when using media platforms to conduct Council business. It aims to:

- Inform appropriate use of media tools for the City of Mitcham
- Promote effective and productive community engagement through the media
- Minimise miscommunication or mischievous communications
- Help the City of Mitcham manage the inherent challenges of speed and immediacy of Social Media.

The policy applies to those digital spaces where people may comment, contribute, create, forward, post, upload and share content, including:

- Blogs
- Bulletin boards
- Citizen journalism and news sites which facilitate public comment
- Forums and discussion boards
- Instant messaging facilities
- Microblogging sites (e.g. Twitter)
- Online encyclopaedias (e.g. Wikipedia)
- Podcasts
- Social networking sites (e.g. Facebook, MySpace, Google+, Bebo, Friendster, LinkedIn)
- Video and photo sharing sites (e.g. Flickr, YouTube)
- Video podcasts
- Wikis
- Any other websites that allow individuals to use simple publishing tools or new technologies emerging from the digital environment.

As it is not possible to expressly refer to or list the specific sites or kinds of social media outlets, the absence of a reference to a particular site or kind of social media activity does not limit the application of this policy.

This policy is not intended to cover personal use of social media where:

- the author publishes information in their personal capacity and not on behalf of, or in association with the City of Mitcham and
- no reference is made to the City of Mitcham, its Elected Members, employees, policies and services, suppliers or other stakeholders or Council related issues.

Personal use of social media during work hours is covered by the Network & Software Use Policy (Administration).

This policy should be read in conjunction with other relevant policies and procedures of the City of Mitcham.

DEFINITIONS

Media platform Various means of communication through which news, entertainment, education, data, or promotional messages are disseminated. Media platform includes television, radio, newspapers, magazines, billboards, direct mail, telephone, fax, and internet.

Social Media Are various online technologies that enable people to communicate easily via the internet to share information and resources. Internet based social networking tools include but are not limited to:

- Blogs
- Bulletin boards
- Citizen journalism and news sites which facilitate public comment
- Forums and discussion boards
- Instant messaging facilities
- Microblogging sites (e.g. Twitter)
- Online encyclopaedias (e.g. Wikipedia)
- Podcasts
- Social networking sites (e.g. Facebook, MySpace, Google+, Bebo, Friendster, LinkedIn)
- Video and photo sharing sites (e.g. Flickr, YouTube)
- Video podcasts
- Wikis
- Any other websites that allow individuals to use simple publishing tools or new technologies emerging from the digital environment.

PRINCIPLES

The City of Mitcham recognises that effective use of media is essential in engaging with its community.

Media and social media are key communication tools to allow the City of Mitcham to inform the community and stakeholders about relevant issues.

All media contact should be coordinated to maintain a correct and consistent message and professional image.

Elected Members and employees of the City of Mitcham are expected to demonstrate standards of conduct and behaviour that are consistent with relevant legislation, regulations and policies. A list of relevant legislation which may be used as a guide is included in Annexure A. Council policies and guideline provisions which must be adhered to in relation to the use of media include the following:

- City of Mitcham's acceptable use policies for email, internet, digital equipment, electronic communications
- Code of Conduct – Elected Members
- Code of Conduct – Council Employees
- Public Consultation Policy
- City of Mitcham employment contracts
- Media Procedure

POLICY STATEMENT

General

When using media platforms, Elected Members, employees, contractors, agents and volunteers are expected to:

- Seek assistance and authorisation from the Communications Officer
- Adhere to City of Mitcham's codes of conduct, policies and procedures
- Behave with caution, courtesy, honesty and respect
- Comply with relevant laws and regulations
- Reinforce the integrity, reputation and values of City of Mitcham.

The following is not permitted under any circumstances:

- Abusive, profane or sexual language
- Content not relating to the subject matter of that blog, board, forum or site
- Content which is false or misleading
- Confidential information about Council or third parties
- Copyright or Trade mark protected materials
- Discriminatory material in relation to a person or group based on age, colour, creed, disability, family status, gender, nationality, marital status, parental status, political

opinion/affiliation, pregnancy or potential pregnancy, race or social origin, religious beliefs/activity, responsibilities, sex or sexual orientation

- Illegal material or materials designed to encourage law breaking
- Materials that could compromise Council, employee or system safety
- Materials which would breach applicable laws (defamation, privacy, trade practices, financial rules and regulations, fair use, trademarks)
- Material that would offend contemporary standards of taste and decency
- Material which would bring the Council into disrepute
- Personal details or references to Elected Members, Council employees or third parties, which may be inconsistent with Council Private Policy
- Spam, meaning the distribution of unsolicited bulk electronic messages
- Statements which may be considered to be bullying or harassment

Depending upon the nature of the issue and potential risk, it may also be appropriate to consider seeking legal advice before selecting an appropriate media platform.

Authorisation

Ensure appropriate authorisation has been obtained before acting as a spokesperson on behalf of Council in any media platforms. The official spokespeople for the City of Mitcham are the Mayor and the Chief Executive Officer, unless authority is delegated. All media platforms are managed through the Communications Officer.

Media

Do not issue statements or make announcements through media platforms unless authorised. Do not respond directly if approached by media for comment; refer the inquiry to the Communications Officer as per Council's media procedure.

Expertise

Do not comment outside your area of expertise. Do not commit Council to actions or undertakings.

Disclosure

Only discuss publicly available information. Do not disclose confidential information, internal discussions or decisions of Council, employees or third parties. This includes publishing confidential, personal or private information where there is sufficient detail for potential identification of Councillors, Council employees or third parties.

Accuracy

Be accurate, constructive, helpful and informative. Correct any errors as soon as practicable. Do not publish information or make statements which you know to be false or may reasonably be taken to be misleading or deceptive.

Identity

Be clear about professional identity, or any vested interests. Do not use fictitious names or identities that deliberately intend to deceive, mislead or lie. Do not participate anonymously or covertly via a third party or agency.

Opinion

Elected Members have a right to publicly state their personal views as an individual **but are obliged to state that such views are personal and not made on behalf of, nor are they the opinion of, Council.**

Any personal comment given in relation to Council decisions must not be a misuse or misrepresentation of information or facts. There will be times when an Elected Member does not support a decision of the Council and may wish to inform the electors of his or her personal position on the matter. In such a situation the Elected Member should communicate clearly the decision of the Council, the process taken to arrive at the decision without misuse or misrepresentation of information or facts and then indicate his or her personal view **and must state that such views are personal and not made on behalf of, nor are they the opinion of, Council.**

The City of Mitcham recognises that staff, volunteers and independent members may be residents or ratepayers. As members of the City of Mitcham community they have the right to state their personal views publicly. However when any public comment is made there must be no misuse or misrepresentation of information or facts and the individual **must state that such views are personal and not made on behalf of, nor are they the opinion of, Council.**

General duty under the Local Government Act 1999

Elected Members and employees must be aware of their respective duties under sections 62 and 109 of the Local Government Act 1999 at all times and ensure that their use of social media is not contrary to these requirements.

Privacy

Be sensitive to the privacy of others. Seek permission from anyone who appears in any photographs, video or other footage before sharing these via any form of media. If asked to remove materials do so as soon as practicable.

Intellectual Property

Seek permission from the creator or copyright owner, to use or reproduce copyright material including applications, sound recordings (speeches, songs), footage (video), graphics (graphs, charts and logos), images, artwork, photographs, publications or music. Also seek permission before publishing or uploading material in which the intellectual property rights, such as Trade marks, are owned by a third party e.g. company logos. Seek permission from the website's owner wherever possible before linking to another site (including a social media application).

Defamation

Do not comment, contribute, create, forward, post, upload or share content that is malicious or defamatory. This includes statements which may negatively impact the reputation of another.

Reward

Do not publish content in exchange for reward of any kind.

Transparency

Do not seek to buy or recompense favourable media commentary. Encourage publishers to be open and transparent in how they engage with, or review Council personnel, services or wares.

Political bias

Do not endorse any political affinity or allegiance.

Respect

Always be courteous, patient and respectful of others' opinions, including detractors.

Discrimination

Be mindful of anti-discrimination laws and do not publish statements or information which may be discriminatory.

Language

Be mindful of language and expression.

State of Mind

Do not use media platforms when inebriated, irritated, upset or tired.

Be safe

Protect your personal privacy and guard against identity theft.

Modification and moderation

Ensure that any social media sites created or contributed to can be readily edited, improved or removed and appropriately moderated.

Access

Be mindful of the requisite government web standards for accessibility. Information made available via non compliant platforms should be made accessible in another form where practical.

Be responsive

Specify the type of comments and feedback that will receive a response and clearly communicate a target response time. Make it easy for audiences to reach Council via other methods by publishing Council's phone number, generic email, Facebook, Skype and Twitter accounts.

Monitoring

The Council reserves the right, for legal compliance purposes, to monitor social media usage on its systems without advance notice and consistent with any applicable state, federal or international laws.

The Council may be legally required to produce logs, diaries and archives of social media use to judicial, law enforcement and regulatory agencies and will comply with any relevant requests.

Enforcement

All content published or communicated by or on behalf of City of Mitcham on a media platform must be recorded (including the author's name, date, time and media site location) and kept on record.

The City of Mitcham actively monitors social media for relevant contributions that impact on the Council, its operations and reputation. The City of Mitcham will be able to find – and act upon – contributions made by Elected Members and employees if deemed necessary.

This policy will be published and promoted to Elected Members and employees of the City of Mitcham.

For employees, breaching this policy may result in a code of conduct complaint, disciplinary action, performance management and/or review. Serious breaches may result in suspension or termination of employment or association.

For Elected Members, breaching this policy may result in a code of conduct complaint. The City of Mitcham reserves the right to remove, where possible, content that violates this policy or any associated policies.

POLICY REVIEW

This Policy will be subject to review every four (4) years or sooner at the discretion of the relevant General Manager.

The CEO has delegated authority to endorse any amendments to the Policy that do not vary the intent of the policy.

VERSION HISTORY

VERSION	AUTHOR(S) POSITION	CHANGES	DATE
1	Corporate Affairs	New Policy	27 March 2012
4	Governance Officer	Refer to Full Council Resolution 12 November 2019 Item 9.4	12 November 2019

Annexure A

Relevant legislation

- Copyright Act 1968 (Cth)
- Criminal Law Consolidation Act 1935 (SA)
- Defamation Act 2005 (SA)
- Fair Trading Act 1997 (SA)
- Fair Work Act 1994 (SA)
- Freedom of Information Act 1991 (SA)
- Local Government Act 1999 (SA)
- Local Government (Elections) Act 1999 (SA)
- Equal Opportunity Act 1984 (SA)
- Australian Human Rights Commission Act 1986 (Cth)
- Spam Act 2003 (Cth)
- Privacy Act 1988 (Cth)
- State Records Act 1997 (SA)
- Civil Liability Act 1936 (SA)