

Council Publicity – Guidance Note

Report of the Executive Director of Commercial and Corporate Services

1. Members will recall that in January 2010, the Standards Committee endorsed a Guidance Note on Council Publicity. This was produced for the benefit of Members and Officers in order to assist them in ensuring that all publicity issued on behalf of the Council complied with legislative requirements and the Code of Recommended Practice on Local Authority Publicity which was in force at the time.
2. The Code on which the existing guidance was based was contained in two separate circulars; the original dating from 1988 was issued by the Department of the Environment and this was amended in April 2001 by a further circular from the Department of the Environment, Transport and the Regions.

A revised Code has now been issued by the Department of Communities and Local Government and came into force on 31st March this year. The Code may be accessed via the link below.

<http://www.communities.gov.uk/documents/localgovernment/pdf/1878324.pdf>

In light of this revision, it is appropriate to review the Council's Guidance Note in order to ensure that it is consistent with the current Code.

3. The explanatory memorandum to the revised Code recognises the importance of local understanding of the operation of the democratic process and effective communication. It is acknowledged that the public need to know what their local authority is doing if they are to hold it to account.
4. The new Code is grouped into seven principles that publicity by Local Authorities should follow. Publicity should:
 - be lawful
 - be cost effective
 - be objective
 - be even handed
 - be appropriate
 - have regard to equality and diversity
 - be issued with care viewing periods of heightened sensitivity.

Specific guidance is given on the frequency, content and appearance of local authority newsletters, newssheets and similar publications.

5. A draft amended Guidance Note has been prepared for the consideration of the Committee and is shown in the Appendix to this report. The Note is designed to reflect the principles referred to above whilst also providing a framework which enables the Council to explain what it does and why.

Recommendation

The Committee is requested to:

1. Note and endorse the Guidance Note or advise on any desired changes.
2. Agree that copies be sent to all Members, Chief Officers and Heads of Service.
3. Recommend the Council to formally adopt the Guidance Note on Council Publicity and agree that it be included in the Constitution in place of the previous version

GUIDANCE NOTE ON COUNCIL PUBLICITY

1. PURPOSE

- To assist members and officers to ensure that all publicity materials issued and promotional activity undertaken by the Council, or using Council resources, is in accordance with the Government's Code of Recommended Practice on Local Authority Publicity and complies with the law.
- To provide a framework for the use of Council publicity which enables the Council to explain what it does and why, by ;
 - increasing public awareness of the services the Council provides
 - allowing local people a real and informed say about local issues that affect them
 - explaining to electors and local tax payers the reasons for particular policies and priorities
 - improving local accountability
- This guidance supplements the Code, but does not replace it, and the Code takes precedence.

2. APPLICATION

This guidance applies to;

- All publicity including materials produced and promotional activity undertaken using Council resources
- Such publicity materials produced and promotional activity undertaken by other organisations, including community groups, where the publicity materials or promotional activity are provided with Council assistance

This guidance does not apply to;

- publicity produced using other resources, e.g. newsletters issued by community or political groups or by individual Councillors, using their own resources

NB Councillors must still take care to ensure that publicity they issue independent of the Council is consistent with the Code of Conduct, including the requirement to show respect for others

Council resources include resources that are owned, maintained or paid for by the Council in whatever form, and include;

- funding
- officer time and assistance
- premises, including notice-boards and display areas
- equipment, including use of copiers faxes and printers
- stationery
- advertising arrangements provided by or on behalf of the Council

3. PUBLICITY

Publicity includes;

Communications and activity intended to provide information to the public or a section of the public about the organisation's activity, such as

- Leaflets and brochures
- Newsletters
- Residents' magazines
- Notices, advertisements, banners and placards
- Websites and social media, such as
 - Blogs
 - Facebook
 - Twitter
 - LinkedIn

Activities intended to engage the public in providing them with information about the organisation's activity, such as;

- Events
- Exhibition stands
- Distribution of promotional materials including
 - Publications
 - promotional literature
 - promotional gifts, pens, bags etc

PRINCIPLES OF PUBLICITY

Council Publicity will be lawful, cost-effective, objective, even-handed, appropriate, have regard to equality and diversity, and be issued with care during periods of heightened sensitivity;

Cost Effective

- Publicity will be designed to achieve maximum value for money, and the availability of cost-neutral alternatives will be considered and used where possible
- Where publicity is already available from another public authority, the council will issue publicity only where this provides additional value, for example by putting a national issue in a local context.
- Appropriate expert advice will be taken before embarking on a publicity campaign involving very large expenditure. Advisors may include economic analysts, public relations or other experts.
- The purchase of advertising space will not be used as a method of subsidising voluntary, public or commercial organisations.

Objective and even-handed

- Publicity describing the Council's policies and aims will be balanced, objective, and factually accurate and may include explanation of the reasons for adopting the policy or aim.

- Publicity relating to policies and proposals from central government will be balanced, objective and factually accurate. The Council's views and reasons for holding those views may be publicised
- Publicity will not include material likely to be perceived by readers as constituting a political statement, or being a commentary on contentious areas of public policy
- Publicity about matters that are politically controversial will seek to present the different points of view in a way that is fair and objective.
- Publicity may be issued to correct material issued by other parties if this is incorrect or misleading. This will seek to explain the facts in an objective manner.
- The Council will not issue publicity whose primary purpose is to persuade the public to hold a particular view on a question of policy.
- Advertising material paid for by the council will be clearly identified as being advertising, and will not be issued in any publication owned or controlled by a political party.
- Publicity about the work of the Mayor and Deputy Mayor will illustrate the civic role of first citizen and demonstrate how they carry out their responsibilities on behalf of the city as a whole.
- Other than at times of heightened sensitivity in the period before elections and referendums, publicity about the work of individual Councillors may be produced where this reflects work done by that Councillor to achieve positive improvements for the community in their local area and the Council may present the views of those individuals on local issues. Such publicity will not seek to affect public support for the individual member but to promote public awareness of the role of the councillor in the ward. If the views expressed by or attributed to individual councillors do not reflect the views of the local authority itself, the publicity will make this fact clear.

Appropriate

- The Council may host social media sites including publicity prepared by third parties, such as blogs and forums maintained by individual Councillors independently of the Council.
- If a Councillor prefers to maintain an individual council website, this will be subject to editorial control by the council and must not contain material of a political nature
- It is acceptable for material on hosted sites to include logos of the third parties' political parties or other organisations
- The Council will maintain arrangements to ensure any hosted material is moderated and that unacceptable material is removed
- The Council will not seek to influence public officials, MPs, political parties, members of political parties, or the Government by paying for the use of lobbyists or for stands or displays at political party conferences
- publicity, in hard copy or online, will be clearly identified as the product of the council, and printed materials will indicate this on the front page
- Publicity will be designed to be discernibly different from a commercial publication, and will include only material about the business, local

- services and facilities provided by the Council and other local service providers
- Council publications such as newsletters will be issued no more often than quarterly, and will be issued less frequently where this meets the aim of the communication

Lawful, and having regard to equality and diversity

- Publicity that appears to be designed to affect public support for a political party (whether or not this is the intention) will not be issued by or on behalf of the Council.
- Publicity will be designed to ensure that relevant information reaches sections of the community in the way that best meets their needs
- Publicity will be made freely available on request, in a format that is accessible to the individual or group
- Positive publicity seeking to influence local views in relation to health, safety, crime prevention, race relations, equality, diversity and community issues may be issued where the law allows
- All relevant publicity will be designed to promote the Council's duty to eliminate discrimination, advance equality and foster good relationships within and across communities

PRINCIPLES OF PUBLICITY BEFORE AN ELECTION OR REFERENDUM

During the period between the publication of the notice of election and the day of polling additional principles apply;

- The Council will continue to respond to events and legitimate service enquiries giving answers that are factual and not party political.
- Publicity will not be published on controversial issues nor will views or proposals be reported in such a way that identifies them with any individual members or groups of members.
- Publicity relating to individuals involved directly in the election will not be published by the Council during this period unless expressly authorised by or under statute.
- The Council will suspend hosting of materials produced by third parties, including Councillors' social media sites, and public forums
- The Council will not publish information about the work done by individual Councillors, including information about their views on local issues, during this period
- Councillors are free to issue their own political publicity under the electoral rules, so long as this does not involve the use of Council resources
- The Council will seek to plan its business so as to avoid the need to arrange events involving Members during this period.

FOOTNOTE

Section 2 of the Local Government Act 1986 - local authorities are not permitted to issue material that 'in whole or in part, appears to be designed to affect public support for a political party.