



POLICY NO:-
CP1-009 – MEDIA & COMMUNICATIONS

GOVERNANCE INFORMATION			
Procedure Link:	N/A	Administrative Policy Link:	

ADMINISTRATION INFORMATION					
History	1	CS1.7	OCM 12/3/24	Res: 9375	Synopsis: Policy reviewed.
Version:	2	CP1-009			Policy renumbered to CP1-009 and reformatted in accordance with new Policy Framework.

1. RESPONSIBLE DIRECTORATE

Chief Executive Officer

2. PURPOSE OR OBJECTIVE

Policy statements outline the Council’s views on issues and provide guidance for staff, the community and Council itself when assessing similar matters for decision.

Objective: To promote positive coverage of the Shire of Collie (“Shire”) business that is consistent, accurate and reliable. It also seeks to ensure best practices are observed.

Scope:

This policy applies to Elected Members and employees of the Shire of Collie.

The policy identifies authorities, responsibilities and obligations in relation to public communications and the management of information.

3. POLICY

The Shire supports and implements good governance practices and applies these principles to the appropriate use of and access to communication systems and information managed and retained by the Shire.

As such, it is the Shire’s position that communications, made on behalf of the Shire or Council, should be appropriately coordinated to ensure that quality and consistent information is provided to the community and Shire stakeholders. To this end, the following positions are established:

3.1 Media Liaison

Council will openly discuss matters of interest with the media unless disclosure of certain information contravenes Council’s obligations of confidentiality or privacy, duty of care, or could infringe other laws or regulations that govern its operation.

Media statements are to maximise the opportunity to present a positive image of the Shire and provide important information to ratepayers.

Media organisations and their representatives will be treated equally.

3.2 Speaking on behalf of the Shire

Shire President

The Shire President is the official spokesperson for the Shire of Collie (s2.8(1)(d) of the Act¹) and may represent the Shire in official communications, including: speeches, commentary, print, electronic mediums and Social Media.

In fulfilling his or her role, the Shire President may include commentary from other Council members in media and public statements where:

- a) a Council member has specific expertise or knowledge of a specific area of Council business;
- b) a comment from a Council member other than or as well as the Shire President would generally be expected by the community; or
- c) a comment from a Council member other than or as well as the Shire President maximises the positive perception of the Shire of Collie Council.

The Deputy Shire President may perform the above functions of the Shire President if the Shire President is not available or is unable or unwilling to perform the function. (s5.34 of the Act).

Chief Executive Officer (CEO)

The CEO or an officer approved by the CEO may speak to the media or otherwise in relation to Shire business in performance of the CEO's functions under s5.41 of the Act, including that of managing the day-to-day operations of the Shire. With the approval of the Shire President, the CEO or officer approved by the CEO may also make statements of the kind which would ordinarily fall within the role of the Shire President as official spokesperson of the Shire.

Elected Members

The role of an elected member (s2.10 of the Act) does not include speaking on behalf of the local government.

Elected Members are able to make statements in their own capacity as an individual Elected Member or in their private capacity. In doing so, it must be clear that comments reflect their own views and not that of the Council unless expressly authorised by the Shire President. In addition, the further duty of fidelity set out below must be observed.

Employees of the Shire of Collie

An employee is entitled to enter into public debate and make comment in their private capacity on civic affairs provided they do not give the impression they are speaking in their official position for or on behalf of Council. In doing so however, the duty of fidelity below must be observed.

¹ Reference to 'Act' is the *Local Government Act 1995*

3.3 Duty of Fidelity

Any statements by the Shire President, Chief Executive Officer, Elected Members and employees of the Shire must, in all circumstances, observe a duty of fidelity. This requires individuals to act in good faith and with loyalty to the Shire of Collie.

More specifically, statements by Council Members or employees must not:

- a) bring the Shire of Collie into disrepute or damage the Shire's reputation;
- b) compromise the person's effectiveness in their role with the Shire;
- c) imply the Shire endorsement of personal views;
- d) imply the Council Member or employee is speaking on behalf of the Shire, unless authorised to do so;
- e) disclose, without authorisation, confidential information;
- f) reflect adversely on a decision of the Council;
- g) reflect adversely on the character or actions of another Council Member or Employee; or
- h) breach the Shire's Code of Conduct.

3.4 Representing the Shire at Functions and Events

The Shire President, or where unavailable, the Deputy Shire President, is the Council's official representative at civic functions and events. In the event that neither is available for a specific event, the Shire President will nominate one of the following in order of preference:

- a) A Councillor;
- b) Chief Executive Officer.

3.5 Communication between Elected Members and Employees

All communication between Elected Members and employees must be directed through the Chief Executive Officer.

In the event any enquiry entails the use of Shire resources to the extent it may have an adverse effect on the day-to-day operations of the Shire, the enquiry is to be referred to the Chief Executive Officer for determination or referred to Council.

3.6 Public Consultation

Elected Members are permitted and encouraged to promote public participation in a Shire-led public engagement process. In doing so, information is to be presented fairly, and not infer a bias or lack of impartiality.

Public engagement processes will be guided by the principles and objectives set out in the Shire of Collie Communication Plan 2024.

3.7 Record Keeping

Official communications undertaken on behalf of the Shire, including third party social media accounts must be created and retained as local government records in accordance with *State Records Act 2000*. These records are subject to the *Freedom of Information Act 1992*.

Elected Member communications that relate to their role as an Elected Member are subject to the requirements of the *State Records Act 2000*. Elected Members are responsible for transferring these records to the Shire's administration if they are not already held by the administration. Elected Member records are also subject to the *Freedom of Information Act 1992*.

3.8 Improper Use of Information by an Elected Member or Employee

Elected Members and employees must not make improper use of any information acquired by the person in the performance of their role under the Act or any other written law. Elected Members and employees who have access to confidential information are to put in place measures to ensure that confidentiality is retained.

Comments which become public, and which breach this policy, and/or the Code of Conduct for Councillors, Committee Members, Candidates and employees may constitute a breach of the *Local Government Act 1995* (s5.105 refers) and may be referred for investigation.

Definitions

Communication means the imparting or exchanging of information by speaking, writing, computers or telephone.

Matters and or affairs means the business of the Shire.

Media means avenue of communication, as radio and television, newspapers, magazines and the internet that reach or influence people widely.

4. REFERENCE DOCUMENTS

Local Government Act 1995 – section 2.7(2)(b).