

1. Policy Objective

The Elected Members Media and Communications Policy (Policy) establishes protocols for the effective management of media and communications to ensure compliance with the *Local Government Act 1995* (the Act) and City of Mandurah Code of Conduct for Elected Members, Committee Members and Candidates (Code of Conduct).

As per the Act, the Mayor is the official spokesperson for the City and Councillors have an important role in facilitating communication between the Council and the community.

This Policy provides a framework to assist the Mayor and Councillors to make the most of different communication channels in carrying out their roles.

The City of Mandurah Elected Member Social Media Guideline that accompanies this Policy assists Elected Members in understanding the risks of social media, obligations when using social media and guidance on how to best manage different scenarios when using social media in carrying out their role, and also in personal use.

2. Applicability

This Policy applies to the Mayor and Councillors (Elected Members), Committee Members in either their role as an Elected Member or in a personal capacity and the Chief Executive Officer (CEO), where stated.

This Policy is to be reviewed at the commencement of each new Mayoral term.

Policy Statement

3. Official Spokesperson and Media Liaison

3.1 Speaking on behalf of the City

As per s.2.8(1)(d) of the Act, the Mayor speaks on behalf of the local government. The Mayor, as the spokesperson, represents the City in official communications, including, but not limited to; official announcements and promotions, proactive and reactive media, speeches and presentations and advocacy activity.

Where the Mayor is unavailable, the Deputy Mayor may act as the spokesperson in accordance with s.2.9 and s.5.34 of the Act.

The CEO may speak on behalf of the City, where authorised to do so by the Mayor in accordance with s.5.41(f) of the Act.

As the provisions of the Act essentially direct that only the Mayor, or the CEO if authorised, may speak on behalf of the Local Government, it is respectful and courteous to the Office of Mayor to refrain from commenting publicly, particularly on recent decisions or contemporary issues, until such time as the Mayor has had opportunity to speak on behalf of the City.

3.2 Mayoral Social Media Official Accounts

Elected Members Media and Communications



Social media accounts owned by the Mayor and clearly identified as Mayoral accounts are recognised as important City of Mandurah communication channels. As such, these accounts are utilised as part of official communications activity and the Mayor will be supported by the City of Mandurah to manage these social media accounts. This is to assist the Mayor in fulfilling their role as the City's official spokesperson, under section 2.8 of the Act.

The City must not purchase advertising or paid content via Mayoral social media accounts.

The Mayor, as the owner of the account, must manage and publish content that complies with the Code of Conduct and section 4.2 of this Policy.

At the end of a Mayor's tenure, the City must immediately remove itself from accounts associated with the former Mayor and it is expected that the 'Mayor' title be removed from these social media accounts as soon as practicable.

The use of local government resources for an electoral purpose is prohibited under regulation 17 of the *Local Government (Model Code of Conduct) Regulations 2021*. At all times Mayor must refrain from using their Mayoral social media accounts for direct campaigning purposes.

During the caretaker period, the City will continue to support the Mayor in the management of the social media accounts for the purposes of fulfilling their role as the official spokesperson on the City. The City will manage and utilise the Mayoral social media accounts in accordance with the Council Caretaker Policy POL GVN 06.

3.3 Councillor Social Media Official Accounts

As per s.2.10 of the Act, Councillors have an important role in facilitating communication between the community and Council. To assist in carrying out this role, the City of Mandurah supports Councillors with the provision of generic content for use on Councillor social media accounts, including:

- Copies of City of Mandurah media releases
- City event promotional information and material that has been created as part of official City promotional campaigns and activities
- Images and video content purchased by the City
- Key messaging that has been created as part of official City communications activity.

Any content or information made available to Councillors for reproduction on individual social media accounts must be made available to all Councillors to ensure equitable access to this material.

During the Caretaker Period, the City will continue to provide access to generic, publicly available content for Councillors to use on their social media channels, in accordance with Council Caretaker Policy and Code of Conduct. This is to ensure Councillors can continue to carry out their core duties during the caretaker period effectively. In accordance with the Council Caretaker Policy, this content should not be used for the purposes of campaigning.

3.4 Responding to Media Enquiries

In line with s.3.1 of this Policy, all enquiries from the media for an official City comment, must be directed to the Mayor, CEO or a person authorised by the CEO, for actioning.

Elected Members Media and Communications



If a Councillor is approached directly by media for their individual comment on a matter, this should be considered in line with s.4.2 of this Policy. A Councillor who is approached by the media for a personal statement is encouraged to seek the advice of the Mayor or CEO, particularly in relation to the broader context of the matter being discussed by the media. This will assist Councillors to avoid inadvertently conveying incorrect or misleading information.

4 Communications by Elected Members

4.1 Code of Conduct for Elected Members, Committee Members and Candidates

Elected Member and Committee Member communications must at all times comply with the City of Mandurah's Code of Conduct.

Comments either published by a Councillor or which become public and which breach this Policy or the Code of Conduct, may constitute a minor breach of the *Local Government Act 1995* and may be subject to a complaint in accordance with the Code of Conduct Complaints Management Policy POL-GVN 09.

There is always a risk that personal or private communications may be shared or become public at some point in the future. Therefore, Elected Members should ensure that their personal or private communications do not breach the requirements of this Policy, the Code of Conduct and the *Local Government (Model Code of Conduct) Regulations 2021*.

4.2 Statements by Elected Members on City Matters

The City's official communications are consistent with relevant legislation, policies, standards and the position adopted by Council.

A Councillor speaking on City matters to the media, or otherwise, in public must identify themselves as an Elected Member of the Council, and avoid any suggestion or appearance of speaking on behalf of the City.

Any public statement made by a Councillor, whether made in a personal capacity or in their capacity as an Elected Member, must:

- not include City of Mandurah Council decisions or major announcements prior to the Mayor or the City making the first announcement
- clearly state that the comment or content is a personal view only, which does not necessarily represent the views of City
- be made with reasonable care and diligence
- be lawful, including avoiding contravention of; copyright, defamation, discrimination, or harassment laws
- be factually correct
- avoid damage to the reputation of the local government
- not reflect adversely on a decision of the Council
- not reflect adversely on the character or actions of another Elected Member or Employee
- maintain a respectful and positive tone and not use offensive or objectionable expressions in reference to any Elected Member, Employee or community member.

Elected Members Media and Communications



5. Record Keeping and Freedom of Information

Official communications undertaken on behalf of the City, including on the City's social media accounts and third-party social media accounts must be created and retained as local government records in accordance with the City's Record Keeping Plan and the *State Records Act 2000*. These records are also 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 City's Record Keeping Plan and the *State Records Act 2000*. Elected Member records are also subject to the *Freedom of Information Act 1992*.

Legislative Context

Local Government Act 1995

Local Government (Model Code of Conduct) Regulations 2021

State Records Act 2000

State Records Office Guideline – Management of Digital Records

Freedom of Information Act 1992

Defamation Act 2005

Code of Conduct for Elected Members, Committee Members and Candidates

Related Documents

These documents are mandatory and required to give effect to this policy:

[Code of Conduct for Elected Members, Committee Members and Candidates](#)

[GVN 06 - Caretaker Period Policy](#)

City of Mandurah Code of Conduct for Elected Members, Committee Members and Candidates

Code of Conduct Complaints Management Policy POL - GVN09

Supporting Documents

The following documents inform this Policy:

City of Mandurah Guideline – Elected Member – Personal Use of Social Media

Responsible Directorate:	Strategy & Economic Development
Responsible Department:	Corporate Communications
Reviewer:	Manager Corporate Communications
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Elected Members Media and Communications



Last review:

N/A

Amendments			
Version #	Council Approval Date, Reference	Date Document In force	Date Document Ceased
1	Replaces former policies POL CMR 03 & POL CMR 10	25 July 2023	
2			