



## **4. COMMUNITY LIAISON**

Policy 4.6

Customer Service and Unreasonable Complainants Policy

**Version 4**

## **4. COMMUNITY LIAISON**

### **4.6 CUSTOMER SERVICE AND UNREASONABLE COMPLAINANTS POLICY**

#### **OBJECTIVES:**

- To provide guidance for staff and Councillors in dealing with customers
- To ensure that Council resources are used efficiently and effectively when dealing with customers
- To ensure that all customers are treated fairly and reasonably
- To provide a mechanism for dealing with unreasonable complainants, having regard to staff wellbeing and safety

#### **LEGISLATION AND REGULATORY FRAMEWORK**

The following legislation and regulatory framework is applicable to this policy:

- Local Government Act 1993
- Government Information (Public Access) Act 2009
- Freedom of Information Act, 1982 (Federal)
- Lithgow City Council Code of Conduct
- State Records Act 1998
- NSW Ombudsman Unreasonable Complainant Conduct Guidelines

#### **COUNCIL POLICIES**

The following Council policies should be referred to in conjunction with this policy:

- Policy 9.16 Corporate Image

#### **COMMUNITY STRATEGIC PLAN**

This policy supports the sentiments expressed by the community during the preparation of the Community Strategic Plan ~ Our Place, Our Future that "Council focuses on strong civic leadership, organisational development and effective governance with an engaged community actively participating in decision making processes affecting their future".

- GL3 We are all valued citizens
- GL3.1 We provide prompt, knowledgeable, friendly and helpful advice.

#### **POLICY:**

##### **1. SERVICE COMMITMENT**

- 1.1 Council staff and Councillors will meet the needs of our customers in a professional and ethical manner with courteous and efficient service.

- 1.2 Council's service commitment:
  - a) Treat you fairly and with respect;
  - b) Offer friendly and polite service;
  - c) Deal with your comments, suggestions and complaints positively;
  - d) Respond to your enquiries promptly and efficiently;
  - e) Act with integrity and honesty;
  - f) Focus on solutions for you, the customers where possible; and
  - g) Value your personal information by maintaining your confidentiality.
- 1.3 Council staff will strive to respond to all correspondence received from customers within fourteen (14) days. An acknowledgement letter may be sent where investigations are such that more than 14 days are required to respond.
- 1.4 All mail correspondence will be sent to Council's Records Section for recording.
- 1.5 Telephone calls to Council's switchboard will be answered as quickly and efficiently as possible.
- 1.6 Council staff will answer incoming calls by clearly stating their name, department and/or position. Unanswered calls will divert to another member of staff or to voice mail. Voice mail messages will receive a response within 24 hours.
- 1.7 Staff making outgoing calls will identify themselves by name and department and/or position, and shall clearly outline the purpose of the call.
- 1.8 Reception area and customer service centre staff will greet customers as quickly as possible and in a professional and helpful manner.
- 1.9 Staff required to visit a customer external to Council facilities will attempt to contact the customer first and make an appointment. At the beginning of a Council visit, staff will clearly identify themselves and the purpose of the visit.
- 1.10 Staff will comply with Council's Code of Conduct in their dealings with customers and in particular conduct their exchanges with regard to the key principles in the Code of integrity, objectivity, accountability, openness and respect. Decisions and advice should be premised on relevant legislation and Council's administrative procedures.

## **2. CUSTOMER SERVICE RESPONSIBILITY**

- 2.1 All Councillors, staff, contractors and volunteers are responsible for the provision of quality customer service. They should perform their duties in a professional and responsible manner and treat members of the public fairly, respectfully and consistently, in a non-discriminatory manner and with proper regard for rights and obligations.
- 2.2 Each staff member is accountable for the quality of customer service delivered through their own work or the quality of output of any project or work team(s) of which they are a member.
- 2.3 Directors, Managers, Team Leaders and Supervisors are responsible for working in consultation with their teams to develop and implement customer focused systems and processes that respond to and satisfy internal and external customer needs and expectations.
- 2.4 Staff will be provided with the appropriate tools, information and training to provide quality customer service.

### **3. UNREASONABLE COMPLAINANTS**

- 3.1 Unreasonable complainants are individuals or groups who behave in ways that are inappropriate and unacceptable, despite Council's best efforts to assist them. Unreasonable complainant conduct is any behavior by a current or former complainant which, because of its nature or frequency raises substantial health, safety, resource or equity issues for Council, our staff, other service users and complainants or the complainant.
- 3.2 Unreasonable complainants conduct may be divided into the following categories:
- a) Unreasonable persistence - continued, incessant or unrelenting conduct by a complainant that has a disproportionate and unreasonable impact on Council, staff, services, time and/or resources;
  - b) Unreasonable demands - demands (expressed or implied) that are made by a complainant that have a disproportionate and unreasonable impact on Council, staff, services, time and/or resources;
  - c) Unreasonable lack of cooperation - an unwillingness and/or inability by a complainant to cooperate with Council and/or Council's customer service and complaint resolution processes;
  - d) Unreasonable arguments - any complaints that are not based on reason or logic, incomprehensible, false, inflammatory, trivial or vexatious; and/or
  - e) Unreasonable behaviors - conduct that compromises the health, safety and security of Councillors and/or Council officers including abuse, threats or harm directed towards them.

### **4. UNREASONABLE COMPLAINANTS – GUIDELINES**

- 4.1 As per the NSW Ombudsman's guidelines, unreasonable complainants will generally be managed by limiting or adapting the ways that complainants can interact with Council and/or access council services including:
- a) Limiting contact person(s) – e.g. appointing a sole contact person in Council for the complainant for the particular complaint;
  - b) Restricting subject matter – e.g. limiting the subject matter of communications that will be considered and responded to under the complaint;
  - c) Limiting contact times – e.g. limiting a complainant's contact to a particular time, day, length of time, or curbing the frequency;
  - d) Limiting contact locations – e.g. limiting the locations where we will conduct face-to-face interviews to secured facilities or areas of the office; and/or
  - d) Limiting contact channels – e.g. limiting or modifying the forms of contact that the complainant can have with Council including face-to-face interviews, telephone and written communications, prohibiting access to Council premises, and making contact through a representative only.
- 4.2 A decision may be made to:
- a) Take no further action on the complaint;
  - b) Terminate Council services altogether;
  - c) Decline to acknowledge or take action on any future complaints; and/or
  - d) Have no further contact with complainant.

- 4.3 A decision to have no further contact with a complainant will only be made if it appears that the complainant is unlikely to modify their conduct and/or their conduct poses a significant risk for our staff or other parties that may include:
- a) Acts of aggression, verbal and/or physical abuse, threats of harm, harassment, intimidation, stalking, assault, etc.;
  - b) Damage to property while on our premises;
  - c) Threats with a weapon or common office items that can be used to harm another person or themselves;
  - d) Physically preventing a staff member from moving around freely, either within their office or during an off-site visit – e.g. entrapping them in their home; and/or
  - e) conduct that is otherwise unlawful.
- 4.4 Under this Policy all decisions made to limit, withdraw, change or restrict a complainant's access to Council services must be approved by the General Manager. The following actions may be taken:
- a) The General Manager may write to the customer advising them of Council's concern and requesting that they limit and focus their requests and that if the customer continues to place unreasonable demands on the organisation Council may:
    - i) not respond to any future correspondence and only take action where, in the opinion of the General Manager the correspondence raises specific, substantial and serious issues; or
    - ii) only respond to a certain number of requests in a given period.
  - b) The customer shall be given an opportunity to make representations about Council's proposed course of action and will be referred to Council's Code of Conduct for options available to them by way of formal complaint about particular staff or via submissions they might make to the NSW Ombudsman, Office of Local Government or ICAC.
  - c) If the customer continues to contact Council after being advised of Council's proposed course of action, the General Manager may, after considering any representations from the customer, advise the customer that either or both of points i) - ii) above will now apply.
- 4.5 Complainants are entitled to one appeal of a decision to change/restrict their access to our services. This review will be undertaken by a Director who was not involved in the original decision to change or restrict the complainant's access. This Director will consider the complainant's arguments along with all relevant records regarding the complainant's past conduct. They will advise the complainant of the outcome of their appeal by letter which must be signed off by the reviewing Director. Any materials/records relating to the appeal are to be kept in the appropriate file.
- 4.6 If a complainant continues to be dissatisfied after the appeal process, they may seek an external review from an oversight agency such as the Ombudsman. The Ombudsman may accept the review (in accordance with its administrative jurisdiction) to ensure that Council has acted fairly, reasonably and consistently and have observed the principles of good administrative practice including, procedural fairness.

## **5. VEXATIOUS COMPLAINTS**

- 5.1 If in the opinion of the General Manager a person continues to make representation by way of correspondence, telephone, e-mail or personal representation, that has no basis in fact and/or is considered to be

undertaken in with frivolous or mischievous motives then the General Manager may declare such person to be a vexatious complainant. The General Manager may then take the same action as outlined in 'Unreasonable Complainants - Guidelines' clause 4.4.

## 6. GENERAL

6.1 In all of the situations referred to in this policy, adequate documentary records must be made and maintained on the appropriate Council file.

6.2 Where the General Manager determines to limit a customer's access to Council in any of the ways specified in this policy, the General Manager must advise the Council, ICAC, the Office of Local Government and the NSW Ombudsman for their information.

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<b>Reference:</b>	Dataworks: Policy Register	<b>Council Policy No:</b>	4.6	<b>Effective Date:</b>	4 Nov 08
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<b>Attachments:</b>					



## **4. COMMUNITY LIAISON**

Policy 4.10

Community Engagement and Communications Policy

**Version 1**

## 4. COMMUNITY LIAISON

### 4.10 Community Engagement and Communications

#### **PURPOSE:**

To ensure that Lithgow City Council conducts appropriate community engagement and communication which, at a minimum, meets legislative requirements and encourages community participation in decision making.

This policy clarifies an open and transparent process for informing, involving and engaging the community and the role of Councillors, management and staff.

#### **OBJECTIVES:**

- To offer opportunities for the community to participate in the decisions made by council;
- To provide an effective two-way flow of information between Council and the community;
- To ensure local decision-making is transparent and works in the interest of the community and considers its many and diverse stakeholders; and
- To ensure that effective internal processes and controls exist within Council to ensure good governance and effective community representation.

#### **POLICY:**

Lithgow City Council recognises that effective community engagement and communication has benefit to Council and the community. Such benefits include:

- Better outcomes through understanding needs and views of the community and customers;
- Outcomes that are broadly supported by the community;
- Increased satisfaction with Council services, operations, staff and Councillors;
- Increased awareness, understanding and acceptance of decisions made;
- Development of solutions to local issues through Council/community partnerships; and
- Increased community understanding of Council processes and responsibilities.

Community engagement planning will be informed by the Public Participation spectrum developed by the International Association for Public Participation (IAP2) which outlines five levels of public participation; inform, consult, involve, collaborate and empower.

Council will consider the level of impact and complexity of a project prior to conducting a community engagement process and prepare a community engagement plan and determine appropriate methods for engagement that align with the determined level of impact.

Council will utilise Council owned channels and platforms to inform the community of opportunities for engagement and to communicate Council services, programs and decisions.

## **1 LEGISLATION**

The following legislation is applicable to this policy:

- Local Government Act, 1993
- Local Government Amendment (Planning and Reporting) Act 2009
- Local Government Regulation (2005)
- Environmental Planning and Assessment Act, 1979 and Regulation
- Government Information (Public Access) Act 2009
- Freedom of Information Act, 1982 (Federal)
- National Parks and Wildlife Act 1974 (NPW Act)
- Copyright Act 1968
- Defamation Act, NSW 1974
- Privacy Act, 1988
- Lithgow City Council policies
- Lithgow City Council Code of Conduct
- Workplace Surveillance Act.

## **2 COUNCIL POLICIES**

The following Council policies should be referred to in conjunction with this policy:

- Policy 4.6 Customer Service Policy
- Policy 4.8 Consultation with indigenous people
- Policy 7.5 Notification of Development Applications
- Policy 9.10 Councillor Workshops and Briefing Sessions
- Policy 9.12 Media and Social Media Policy

## **3 COMMUNITY STRATEGIC PLAN**

This policy supports the sentiments expressed by the community during the preparation of the *Community Strategic Plan ~ Our Place, Our Future* that "Council focuses on strong civic leadership, organisational development and effective governance with an engaged community actively participating in decision making processes affecting their future".

- GL1 Our Council works with the community

- GL1.1 our community is involved in the planning and decision making processes of Council.
- GL3 We are all valued citizens
  - We provide prompt, knowledgeable, friendly and helpful advice.

#### 4 SCOPE

This policy applies to all Council operations and functions. This extends to all Council representatives and staff involved in the process of community engagement and communications.

#### 5 DEFINITIONS

**Community Engagement** is the process of Council and groups of people working cooperatively around an issue prior to Council determining a decision or a direction on that issue.

Engagement can include:

- Gather and provision of information;
- Consultation; and / or
- Participation.

**Communication** is a process for informing the community about Council services, programs and decisions. Communication may be formal and structured or informal and less structured to meet the needs of a particular audience. Communication is a vital component of community engagement.

**Community** refers to all stakeholders including but not limited to residents, ratepayers, interest groups, organisations and individuals with an interest in the Lithgow Local Government Area and the services, functions and future direction of Lithgow City Council.

#### 6 PRINCIPLES FOR COMMUNITY ENGAGEMENT

As part of this commitment, Council has adopted the following principles which provide the framework through which all community engagement will be considered and delivered:

1. Council's community engagement activities are based on the belief that those who are potentially affected negatively or positively by a decision have a right to be involved in the decision-making process.
2. Council recognises that in a system of representative democracy, it is neither practical nor possible to undertake extensive community engagement on every issue, however, when a decision has the potential to impact the local community significantly, Council will seek out and facilitate the involvement of those potentially affected by or with an interest in a decision.
3. When undertaking community engagement, Council staff will present their views and professional recommendations in an open and respectful manner

to inform the community and assist in the achievement of a knowledgeable outcome from each engagement opportunity.

4. All materials and methods developed by council to support community engagement will be genuine, unbiased, understandable and appropriate to ensure the community can participate in a meaningful way.
5. When undertaking community engagement (consultation and higher on the spectrum), Council's commitment is that the community's contribution will influence the decision. Council will also communicate to engagement participants, where practicable, how their input can and did affect the decisions.

These principles are adapted from the International Association for Public Participation Core Values for Public Participation (IAP2 © 2007 [www.iap2.org](http://www.iap2.org)) and are reflective of the philosophy of the NSW Local Government Amendment (Planning and Reporting) Act 2009.

When undertaking community engagement and communicating with the community Council will:

- Inform the community about Council's decision-making processes with regard to strategic planning, asset management and service delivery;
- Ensure that participation processes are clear about the decision to be made and the level of influence the community can have on the decision;
- Communicate clearly the context and objectives of community engagement processes;
- Provide community members with all appropriate and relevant information about the background to the issue, including existing policies, legislative requirements opportunities and constraints;
- Use community engagement methods appropriate for the targeted community groups;
- Ensure allocation of adequate resources, including time and skills as well as funding, to participation processes;
- Be respectfully curious about community views and perspectives, free from bias; and
- Where appropriate, report on, consider, respond to and act on community input received as part of the Council decision making process.

## **7 WHEN COUNCIL SHOULD ENGAGE**

Different issues under consideration by Council will have varying requirements for community engagement. Council representatives and staff are responsible for determining if, and to what extent community engagement is required as appropriate to their role and function.

Council will undertake a formal community engagement process in the following circumstances:

- Where there is a legislative/statutory requirement;
- When Council resolves to undertake community consultation;
- On issues that have the potential to affect the delivery of services or facilities that contribute to community well-being, growth and prosperity;

- When identifying and understanding the needs and priorities of the community for the purposes of strategic planning; and / or
- To monitor and evaluate community satisfaction with Council or Council services.

Under the Local Government Act 1993 Council is required to publicly exhibit certain information for a set period of time. Notification in respect to Development Applications is governed by the Environmental Planning and Assessment Act 1979. Any statutory obligations must be adhered to. Procedures for the notification of Development Applications are detailed in Policy 7.5 – Notification of Development Applications.

## **8 PREPARING A COMMUNITY ENGAGEMENT PLAN**

Council staff will ensure the following steps are followed when planning and undertaking community engagement:

1. Define the project;
2. Determine the level of impact and influence;
3. Determine type of participation;
4. Review stakeholder and select appropriate engagement methods (participation methods must consider accessibility for intended audience);
5. Develop timeframe and resources; and
6. Consider feedback, reporting and evaluating.

## **9 COMPLIANCE WITH COUNCIL POLICY AND RESPECTIVE LEGISLATION**

To comply with Council Policy and respective legislation the following special considerations apply:

### **1. Submissions**

In circumstances where Council seeks written submissions from the public, all submissions received will be regarded as public and available for general access unless the writer specifically requests that they want their personal details to be suppressed.

Written submissions include correspondence received in person, email, completion of online form or other paper based submission form.

Submissions must be addressed to the General Manager.

### **2. Surveys**

Use of surveys including online surveys, polls and questionnaires are to be undertaken in line with the Privacy Act and Council's Information Management Policies. This includes:

- Securely storing recipients personal information;
- Disclosing how and why personal information is being collected and how it will be used;
- Clearly identifying the survey as being undertaken by or on behalf of Lithgow City Council;
- Developing and publicising any terms or conditions for the award of participation incentives;

- When utilising online collection tools, action should be taken to restrict multiple entries from the same user; and
- Telephone surveys must be completed in accordance with the 'do not call register'.

### **3. Public Exhibition**

Changes to relevant council procedures, policies, and tenders must go on public exhibition in accordance with the relevant legislation.

## **10 LEVEL OF ENGAGEMENT**

Council will call for different levels of engagement depending on the issue, and its immediate or long term impact on the community and at different stages of a project.

The five levels of engagement outlined in the International Association of Public Participation Spectrum shown below will be utilised:

**Inform:** To provide the public with balanced and objective information to assist them in understanding the problem, alternatives, opportunities and/or solutions.

**Consult:** To obtain public feedback on analysis, alternatives and/or decisions.

**Involve:** To work directly with the public throughout the process to ensure that public concerns and aspirations are consistently understood and considered.

**Collaborate:** To partner with the public in each aspect of the decision including the development of alternatives and the identification of the preferred solution.

**Empower:** To place final decision-making in the hands of the public.

The identified level of engagement and its financial implication for each project will be noted in Council Committee Papers and Council Business Papers. The level will be determined in consultation with the appropriate Manager and Director.

## **11 ROLES AND RESPONSIBILITIES**

There is a need to ensure that everyone in Council is aware of their responsibilities to ensure that Community Engagement and Communication is used successfully by Council.

Councillors should ensure that all new proposals that are brought to their attention have appropriate community engagement completed (or specified as part of the project brief). Councillors should encourage a positive attitude to involving the community at the appropriate level.

The Executive Management Team should support the community engagement and communications process and encourage the appropriate level of engagement by all staff.

Council employees need to be aware of the importance of community engagement and staff directly involved in major projects should be trained to the appropriate level

of the community engagement techniques and practices (or should have access to trained advisers).

A Councillor's role is to listen to the community and consider various views when making decisions at Council. Community Engagement provides valuable opportunities for Councillors to hear and understand the voice of the community and ensure that this voice is properly represented when Council meets and makes resolutions which impact the future of our community.

A Council staff member's role in Community Engagement is to organise and facilitate the discussion, record, provide feedback, evaluate the engagement and consider the community's views when making unbiased recommendations to Council or committees.

Both Councillors and Council staff are encouraged not to dominate or direct community discussions, nor to dismiss the community's input. Instead, Councillors and staff should allow discussions to move forward in an open, respectful and inclusive way.

### Key responsibilities

Position	Responsibility
Mayor	To lead Councillors in their understanding of and compliance with this Policy and Procedures.
General Manager	To lead employees (either directly or through delegated authority) in their understanding of and compliance with the Policy and Procedures. To approve resources to develop, implement and review this Policy and Procedures.
Responsible Officer	As the "Principal Officer" under the Government Information (Public Access) Act (GIPA), The General Manager has delegated his/her responsibility to other Council employees as outlined below. The GIPA employees are responsible for making initial decisions regarding release of information within the time periods stipulated in the GIPA Act. In this function, the GIPA employees may deal with prospective applicants and liaise with organisation units regarding access to information.
Executive Management Team	To communicate, implement and comply with this Policy and related Procedures. To lead employees in their understanding of and compliance with this Policy and Procedures.
Corporate Strategy & Communications	Facilitate the provision of regular training to all Council officials on their role and responsibilities in relation to the Policy and related Procedures.
All Council employees	To comply with this policy and related procedures. Prepare communications plans as part of planning processes for projects which impact the community.

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## **9. GOVERNANCE**

Policy 9.10

**COUNCIL WORKSHOPS AND BRIEFING SESSIONS**

Version 3

## **9. GOVERNANCE**

### **9.10 COUNCIL WORKSHOPS AND BRIEFING SESSIONS**

#### **OBJECTIVE:**

To allow the mayor, elected councillors and senior management staff to:

- Exchange information (sometimes confidential) on proposals that are being worked on by staff or proposals that councillors would like to see investigated.
- Provide a forum for discussion on proposed staff initiatives and discuss options for engaging the community in determining Council's strategic corporate direction.
- Assist councillors/executive staff in team building.
- Help develop trust and understanding between those who attend the workshops.

#### **LEGISLATION**

The following legislation is applicable to this policy:

- Local Government Act 1993
- Government Information (Public Access) Act 2009
- Freedom of Information Act, 1982 (Federal)
- Lithgow City Council Code of Conduct
- Code of Meeting Practice
- State Records Act 1998

#### **COUNCIL POLICIES**

The following Council policies should be referred to in conjunction with this policy:

- Policy 4.10 Community Engagement and Communications

#### **COMMUNITY STRATEGIC PLAN**

This policy supports the sentiments expressed by the community during the preparation of the *Community Strategic Plan ~ Our Place, Our Future* that "Council focuses on strong civic leadership, organisational development and effective governance with an engaged community actively participating in decision making processes affecting their future".

- GL3 We are all valued citizens
  - GL3.1 we provide prompt, knowledgeable, friendly and helpful advice.

## **POLICY:**

The Council has resolved to hold regular workshops and briefing sessions to ensure effective communications and information flow between staff and councillors.

Under the Local Government Act 1993, a council can hold a workshop (or sometimes called a briefing session) under its general powers as a body corporate. Workshops are informal gatherings and can provide useful background information to councillors on the business of council. Workshops may involve councillors, council staff and invited participants.

## **DECISIONS**

Under the terms of the NSW Local Government Act 1993 and the Meetings Practice Guidelines issued by the Department of Local Government, workshops or briefing sessions CANNOT make a decision or issue a direction to staff or councillors.

## **FORMAT**

- The workshops are to be chaired in rotation and in alphabetical order by councillors.
- There will be no standing orders or formal meeting procedures.
- Those attending the workshop should be respectful and show courtesy for the person that is talking.

The General Manager, Directors and other staff will provide a brief update on their responsibility area(s).

## **REPORT**

A report shall be kept of matters discussed.

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<b>Attachments:</b>					



## **9. GOVERNANCE**

Policy 9.12

**MEDIA AND SOCIAL MEDIA POLICY**

Version 3

## **9. GOVERNANCE**

### **9.12 MEDIA AND SOCIAL MEDIA POLICY**

#### **OBJECTIVES:**

- a) To provide a policy for the release of information relating to Council business through media outlets.
- b) To endorse Council's use of social media for the dissemination of information and to facilitate discussion as part of a community engagement strategy.
- c) To ensure the media receives accurate information in a timely manner.
- d) To ensure the community and other stakeholders are kept abreast and informed about Council decision, developments, policies and major projects.
- e) To clearly identify authorised spokespersons on behalf of Council and provide guidelines when making statements regarding Council business.
- f) To clearly identify roles and responsibilities for Council staff in terms of media management and pro-active promotion of Council's service, events and activities.
- g) To ensure media spokespersons are skilled and feel confident to present to the community with print, online and broadcast media.

#### **DEFINITIONS**

##### **Media**

The term commonly given to various means of communication that reaches a broad cross-section of the community such as television, radio and newspaper.

##### **Social media**

The term commonly given to web-based tools that allow users to interact with each other in some way – by sharing information, opinions, knowledge and interests online. As the name implies, social media involves the building of online communities or networks to encourage participation and engagement.

This includes blogs, message boards, social networking websites (such as Facebook, twitter, LinkedIn, MySpace) content sharing websites (such as Flickr, YouTube) and many other similar online channels.

##### **Worker**

As defined in the Work Health and Safety Act 2011 and varied to include councillors. A worker is:

- A councillor, or

- An employee, or
- A contractor or subcontractor, or
- An employee of a contractor or subcontractor, or
- An employee of a labour hire company who has been assigned to work in the person's business or undertaking, or
- An outworker, or
- An apprentice or trainee, or
- A student gaining work experience, or
- A volunteer.

## **PURPOSE**

Communicating with the media and on social media is an important part of achieving Council's broader objectives and commitment to transparency and open, honest communication with the public. Media coverage is a key driver of organisational reputation – hence the need for a positive framework for interaction and engagement.

The purpose of this policy is to:

- Inform the community of Lithgow City Council's use of media and social media platforms for the distribution of information and community consultation pertaining to the business of Council.
- Outline the responsibilities of Councillors and Council workers with regarding to engaging the media and use of social media.

This policy has been developed to ensure that the interface between Council and the media is managed appropriately to maximise the benefits for Council and to minimise the risk of adverse publicity and misunderstanding due to inaccurate information or inappropriate sharing of information.

## **BACKGROUND**

Lithgow City Council is committed to making the best use of all available media to improve communication with the public. This includes using all reasonable and cost-effective means to improve the way we communicate, reach out and interact with the different communities we serve.

Social media and the media are the Council's most important channels of communication with the community. They are effective mediums which the Council works with to provide factual and positive information on policies, initiatives, performances and achievements.

It is important that any potential risks are managed through a common-sense approach and framework as well as proactively monitoring the development of such applications.

It is important that the Council builds on its relationship with the media and the community and continues to issue timely, informative and interesting media releases and to provide other information as necessary.

It is also important that each media release and the distribution of information through social media is approved through the correct Council channels.

## **SCOPE**

This policy applies to the Mayor, all Councillors and Council staff when representing Council in the media. This policy applies to verbal and written comments in the media, public speaking engagements, media releases and the use of social media.

## **POLICY**

### **Council Workers (not including Councillors)**

1. Any comment made to a journalist or member of a media organisation is to be consistent with Council's Code of Conduct and accurately reflect the decisions and values of Council.
2. The Mayor and General Manager are the official spokespeople on Council affairs, as per the NSW Local Government Act (1993).
3. All media enquiries received by workers without media delegation should be directed in the first instance to the General Manager.
  - a. Approval as an authorised spokesperson will be made on a case by case basis according to the subject matter of the inquiry. Approval may be granted by the General Manager.
  - b. Only the General Manager, Mayor, Directors or authorised spokespersons have permission to speak to the media.
  - c. Council workers with a professional expertise are allowed to speak to the media on a specific subject within their field – on specified occasions – with the permission of the General Manager and in consultation with the relevant Director.
  - d. No contractor employed by council is allowed to speak to the media regarding Council business without the express permission of the General Manager.
4. Council workers have an obligation to support Council decisions and shall not use the media to damage Councils reputation, undermine public confidence in the Council or local government generally.
5. As members of the community, council workers are entitled to offer their personal views on matters which are the subject of community engagement, bearing in mind point 4 above. Workers who are uncertain in this matter should seek the guidance from their Supervisor, Director or the General Manager.

6. Council workers must not make political or controversial statements in or to the media relating to Council affairs, decisions and/or events, or about council officials that are likely to generate negative publicity and damage the reputation of Council.
7. The Personal Assistant to the General Manager and Mayor is responsible for distributing media releases, articles, columns, statements and other media material on behalf of the Mayor and Council.
8. The Media and Social Media Policy also applies in emergency and public alert situations.

### **Councillors**

1. Councillors may openly discuss matters of interest with the media and on social 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 operations.
2. The Mayor and the General Manager are the official spokespeople on Council affairs, as per the NSW Local Government Act (1993).
3. Councillors have an obligation to support Council decisions and shall not use the media to damage Council's reputation, undermine public confidence in the Council or local government generally.
4. As members of the community, Councillors are entitle to offer their personal views on matters which are the subject of community engagement, always bearing in mind how that may be perceived given their substantive role with Council. Councillors who are uncertain in this matter should seek guidance from the General Manager or Directors.

Position	Role
Mayor	To lead councillors in their understanding of, and compliance with, this policy and related guidelines.
General Manager	To lead workers (either directly or through delegated authority) in their understanding of, and compliance with, this policy and related guidelines.
Directors and Managers	To communicate, implement and comply with this policy and related guidelines.
Supervisors and Team Leaders	To support workers in their understanding of, and compliance with, this policy.
All Council workers	To implement this policy.
Council Committees	To be aware of, and adhere to this policy.

Council recognises the important role the media plays in informing the public about the work of the organisation and its facilities and businesses. Subject to operational and legal constraints, Council provides the media with as much information as is practical and possible about this work, as long as it is clearly in the public interest for such matters to be known.

Council will not, for operational and legal reasons, comment on any matter that is the subject of an ongoing investigation or consideration, or where it is not in the public interest for the matter (or the details of the matter) to become publicly known, in some cases, the issue may be subjected to the public interest test (GIPA Act) to determine what information should/can be released, or information may be withheld to avoid potential defamation/privacy breaches.

### **Confidential Information**

The integrity and security of confidential documents or information in an authorised media spokesperson's possession, or for which the spokesperson is responsible, must be maintained and managed in line with Council's Code of Conduct.

Confidential information will not be released by Council via any form of media or social media.

### **Defamation**

Council staff and elected officials should be aware of defamation laws when commenting in the media.

As a guide, under *Defamation Act 2005*, published material that identifies a person (not necessarily by name) and meets any of the below criteria may be considered defamatory:

1. Exposes a person to ridicule,
2. Lowers the person's reputation in the eyes of members of the community, or
3. Causes people to shun or avoid the person, or
4. Injures the person's professional reputation.

### **Legislation**

Actions and comments are governed by various legislative and Council requirements.

Councillors and staff members may expose themselves to legal action or sanctions under these requirements unless complying with this policy and relevant Standard Working Procedures.

The following legislation is applicable to this policy:

- Government Information (Public Access) Act 2009
- Freedom of Information Act, 1982 (Federal)
- Copyright Act 1968
- Defamation Act, NSW 1974

- Privacy Act, 1988
- Lithgow City Council policies
- Lithgow City Council Code of Conduct
- Workplace Surveillance Act.
- State Records Act 1998
- Anti-Discrimination Act 1991

### **Council Policies**

The following Council policies should be referred to in conjunction with this policy:

- Policy 4.6 Customer Service Policy
- Policy 4.8 Consultation with Indigenous People
- Policy 4.10 Community Engagement and Communications
- Policy 9.10 Councillor Workshops and Briefing Sessions

### **Community Strategic Plan**

This policy supports the sentiments expressed by the community during the preparation of the *Community Strategic Plan ~ Our Place, Our Future* that "Council focuses on strong civic leadership, organisational development and effective governance with an engaged community actively participating in decision making processes affecting their future".

- GL1 Our Council works with the community
  - GL1.1 our community is involved in the planning and decision making processes of Council.
- GL3 We are all valued citizens
  - GL3.1 we provide prompt, knowledgeable, friendly and helpful advice.

### **Protocols relating to Council Business**

#### **1. Council and Committee Meetings**

Council Officers will draft media releases relating to the outcomes of Council and Committee Meetings. These media release are issued as soon as practicable after the meeting.

Approval must be sought from the Supervisor, Manager, Director, General Manager and Mayor prior to release by the PA to the General Manager & Mayor.

#### **2. Reports before Committees/Council**

Council Officers are not permitted (unless authorised) to comment publicly on information and recommendations contained in reports that are before committees and Council:

Requests from media for staff to publicly comment on a particular item in the Business Papers must be brought to the attention of the General Manager.

Reports prepared for Council and Committees are public documents and may be reported on in the media.

### 3. Tenders

As a general rule, it is inappropriate to comment on a tender until it has been awarded by Council. When there is media interest in a tender, the media may be advised of the following:

- The tender closing date and project details;
- The number of tenders received by Council, the names of companies that submitted tenders and when Council will determine the tender;
- The outcome of the tendering process following a Council resolution.

In order to maintain probity to any tender process, no further comment will/should be made.

<b>Maintained by Department:</b>	Corporate Strategy & Communications	<b>Approved by:</b>	Council	<b>Exhibition Date:</b>	23/7/12 23/4/18
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<b>Attachments:</b>					



## **9. GOVERNANCE**

Policy 9.17

Corporate Image Policy

**Version 1**

# 9. GOVERNANCE

## 9. Corporate Image Policy

### PURPOSE:

Lithgow City Council has a clear Corporate Brand that is recognisable and presents Council as a professional, credible and progressive organisation. This policy aims to protect the image and reputation of Council by clearly defining how the Corporate Brand can be used and establishing the framework to govern activities which ensure that Council is professionally presented in a unified, consistent and positive manner.

### OBJECTIVES

A clear and consistent corporate identity enables the public to recognise Lithgow City Council and can assist with effective service delivery by raising awareness of policy, regulation, services and activities.

- To ensure Lithgow City Council's brand is represented in a professional, unified, consistent and positive manner.
- To ensure application of Council's corporate identity is consistent across all Council community and business activities, programs, communications, assets and facilities.
- To ensure all corporate communication undertaken or produced by Council is of a high standard, consistent, accurate, and represents the Corporation as a professional and highly regarded local government body.
- To ensure staff behave in a way that enhances public confidence in the integrity of Lithgow City Council and local government.

### LEGISLATION

The following legislation is applicable to this policy:

- Local Government Act 1993
- Government Information (Public Access) Act 2009
- Freedom of Information Act, 1982 (Federal)
- Copyright Act 1968
- Lithgow City Council Code of Conduct
- State Records Act 1998
- Trade Marks Act 1995
- Intellectual Property Laws Amendment Act 2006

### COUNCIL POLICIES

The following Council policies should be referred to in conjunction with this policy:

- Policy 4.6 Customer Service
- Policy 4.8 Consultation with Indigenous People
- Policy 4.6 Community Engagement and Communications
- Policy 9.10 Councillor Workshops and Briefing Sessions

## COMMUNITY STRATEGIC PLAN

This policy supports the sentiments expressed by the community during the preparation of the *Community Strategic Plan ~ Our Place, Our Future* that "Council focuses on strong civic leadership, organisational development and effective governance with an engaged community actively participating in decision making processes affecting their future".

- GL1 Our Council works with the community
  - GL1.1 our community is involved in the planning and decision making processes of Council.

## SCOPE

This policy applies to:

- All employees of Lithgow City Council, Councillors, Council volunteers, contractors, interns and casual and part-time employees;
- All areas where Council's brand is required to be displayed to the general public;
- All communications and community engagement activities conducted on behalf of Lithgow City Council; and
- All communications materials produced on behalf of Council.

## DEFINITIONS

**Corporate Brand** is a set of perceptions and images that represent a company, product or service. Elements of the corporate brand include the corporate logo, word mark, templates and design examples.

The **logo** is a graphic mark or emblem, which may include a tagline.

**Corporate image** is the reputation Council seeks to establish for itself in the mind of the community and other important stakeholders, created and reinforced by the Executive Management Team.

**Corporate Logos** include all Lithgow City Council logos and trademarks including those representing projects, businesses and facilities.

## POLICY

All elected representatives and staff employed by Lithgow City Council have responsibility to ensure that any materials produced on behalf of Council/or any

communications activities undertaken representing Council project a consistent corporate image and that the Corporate Brand is applied uniformly throughout Council.

In addition, Councillors and Council staff are to conduct themselves in a manner that reflects positively on both Council and the city, towns and villages in the Lithgow Local Government Area, in accordance with Council's Code of Conduct.

### **Lithgow City Council Brand Framework and Style Guide**

The Lithgow City Council Brand Framework and Style Guide define the appropriate use of the Council logo including the symbol, word mark and fonts and the correct use and application of the Council logo.

#### **Use of the Corporate Logo**

- Altering the existing artwork of any corporate logo is not permitted;
- All logos must be used in accordance with their specific brand mark guidelines
- Council's corporate logos cannot be reproduced by external parties on any published material or resource without the approval of the IT Manager and/or Corporate Strategy and Communications Officer as the responsible Council officers for ensuring all terms and conditions of the Brand Guidelines are adhered to; and
- Where Lithgow City Council co-operates with other councils to co-brand, materials should always be in accordance with the specific brand mark policy.

#### **Council facilities and campaign brands and logos**

Council recognises that a range of Council businesses, facilities and special communications projects utilise separate logos and visual identify. Such facilities and projects are to be clearly identified as associated with Lithgow City Council by utilising the Council log or a tagline stating: *"A business/facility/project/initiative of Lithgow City Council"*.

Corporate logos may not be used to provide or imply endorsement or promotion of third party products or service, or class of products or service, or be associated with commercial interests unless permission is granted by the General Manager. In the first instance, advice is to be sought from the Corporate Strategy & Communications Officer and/or the IT Manager.

#### **Additional corporate brands, trademarks, logos**

Approval must be obtained from the Executive Management Team for the development of additional corporate brands, trademarks or logos. All requests are to be managed through the Corporate Strategy & Communications Officer and/or IT Manager to ensure they comply with appropriate legislation and industry standards such as copyright and intellectual property laws.

Additional corporate brands are to be managed in line with separate brand guidelines.

#### **Photography, footage and image use**

To use photos, footage and complementary graphic elements and images is supported by Council to support effective design of communication material.

Council staff must ensure that the permission of all subjects is gained when taking/publishing photographs or videos on behalf of Lithgow City Council, using the

Photography Consent Form. Images representing (but not limited to) legal matters, contracts or construction projects must be filed in line with the *State Records Act* and Council's Records procedures.

Copyright laws apply to all articles, graphics, or data on the internet. Unauthorised use of a third party's graphic, photo, HTML or text with permission may be in breach of copyright. Staff should not download images/material from the internet for use in communication material including presentation and printed collateral.

### **Managing corporate brand through corporate communications**

Lithgow City council has a responsibility to ensure that accurate and relevant information is disseminated or made available to the public in a timely manner. In addition, clear and consistent branding enables the public to recognise Council activities, improving awareness of and access to information about policies, programs, services and events. Maintaining high standards of communications result in the public having more confidence in the credibility and the authority of information that clearly identifies Council as its source.

### **Graphic design services**

The Corporate Strategy & Communications Officer and IT Manager can assist with in-house graphic design. To ensure consistency, adherence to Brand Guidelines, compliance with this policy all major communications documents should be approved by one of these officers.

This policy advocates a balance of 'flexibility within guidelines', whereby Council Divisions have autonomy to conduct their particular communications activities, but in doing so must meet the requirements of this Policy and other related policies and procedures.

### **Appropriate Content**

Communications activities should not have political purpose (unless authorised by the General Manager and Mayor). Communications should be presented in unbiased and objective language, grammatically correct and in line with the Policy, and all related policies, documents and legislation including approval procedures.

### **Corporate Style**

Corporate design, style and content must protect the integrity of Council's corporate brand by delivering professional, accurate and authorised images, design and information.

## **RESPONSIBILITIES**

The Executive Management Team has overall accountability for Council's Corporate Image which is the way Lithgow City Council is perceived by stakeholders and the community. The Corporate Strategy & Communications Officer and IT Manager have direct responsibility in areas of Corporate Identity and branding, media and public relations, websites and on-line presence and communications.

The Corporate Strategy & Communications Officer and IT Manager also act as a central point of contact for staff who wish to promote their activities, services, programs or events to the community through the production of communications material that requires graphic design.

The Corporate Strategy & Communications Officer and IT Manager also provide service to managers and project leaders to ensure the community and stakeholder

groups are informed of projects, services and decisions that may affect them. Ensuring the community receives the most accurate information is produced in accordance with this Policy is a management accountability of all branches and Divisions of Council.

The Corporate Strategy & Communications Officer and IT Manager advise approvals required for communication collateral using the below table as a guide:

ITEMS	APPROVAL REQUIRED
Advertising of Council services, projects and initiatives (print, radio, online)	Respective Manager
Invitations/certificates/banners/promotional material	Respective Manager
Community notices/project fact sheets/regular newsletters/regulation signs	Respective Director
Building Signage	Respective Director
Plaques, interpretative signage, annual report, annual publications, LGA wide guides or collateral	General Manager

<b>Maintained by Department:</b>	Corporate Strategy & Communications	<b>Approved by:</b>	Council	<b>Exhibition:</b>	<b>23/4/18</b>
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