

Livewell Southwest

Media Relations Policy

Version No. 5

Notice to staff using a paper copy of this guidance.

The policies and procedures page of LSW intranet holds the most recent version of this document and staff must ensure that they are using the most recent guidance.

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Media Relations Policy

This policy covers media relations only and does not cover social networking. Please refer to the separate social media policy for guidance on using social networking sites.

1. Introduction

- 1.1 Livewell Southwest is a social enterprise that provides publicly funded services across both health and social care. Public services have a high profile in the media, with stories appearing daily across local, regional, national and trade media – in print, on broadcast and online.
- 1.2 Effective and strategic media relations are essential to the success of our organisation – both to promote and protect the reputation of Livewell Southwest, and our staff. The media is an essential channel through which to communicate with the people and communities we serve, our commissioners, partners and peers.
- 1.3 Positive publicity is essential to our success as an organisation as we operate in an era of increased competition in the provision of public services. It encourages commissioners to commission from us, it attracts staff to join our organisation and it helps build trust and engagement with the people and communities we serve. Developing positive stories and encouraging media to write about them or broadcast them requires specific media relations skill and investment in time.
- 1.4 Public confidence in an organisation can be damaged overnight by a bad news story. How our organisation responds when a negative story reaches the press can help make the difference between catastrophic or minor reputational damage. Handling and responding to negative media stories requires a great deal of skill and time.
- 1.5 It is therefore essential that Livewell Southwest is able to engage with the media on a basis of authority and knowledge, and that only approved spokespeople are authorised to liaise with the media, with the support of experienced media relations staff in the Marketing & Communications team.

2 Purpose

- 2.1 Our policy is for our Marketing & Communications team to actively engage with media to develop positive working relationships with journalists and to try to be as co-operative with the media as possible in all circumstances.
- 2.2 Where media interest involves a person in receipt of our services permission will always be sought to gain their written consent before confidential details are disclosed. If consent cannot be directly obtained because of incapacity, if the person is under the age of 16, or if they have died, consent will be sought from the next of kin.

- 2.3 Department of Health guidance (appendix A) dictates that an organisation can disclose confidential patient details to enable the organisation to protect its reputation or if it is deemed to be in the public interest. As a provider of NHS services, we follow this guidance.

3 Definitions

- **Media:** this term covers the following:
 - Local newspapers (print and online) e.g. The Herald / Tavistock Times
 - Regional newspapers (print and online) e.g. Western Morning News
 - National newspapers (print and online) e.g. The Guardian / Daily Mail
 - Trade and sector newspapers (print and online) e.g. Nursing Times / Caring Times
 - Digital-only publications e.g. BBC Online / The Independent
 - News agencies and newswires, e.g. South West News Service / Press Association
 - Local and national radio, e.g. Heart FM / BBC Radio
 - Local and national television news and production companies, e.g. ITV West country / BBC Spotlight / Two Four
 - Partner and peer magazines and publications, e.g. CCG and local authority newsletters

- **Proactive media relations:** this term refers to all contact with media that is initiated by Livewell Southwest

- **Reactive media relations:** this term refers to all contact with media that is initiated by media or other external sources such as patients / the community.

4 Duties and responsibilities

The **Chief Executive** is ultimately responsible for the content of all policies, implementation and review.

- 4.1 The media relations policy applies to all Livewell Southwest employees including non-executive directors, contractors and volunteers.
- 4.2 The policy applies to all contact with media – proactive or reactive. It provides a framework for all media liaison within Livewell Southwest.
- 4.3 All media relations – proactive or reactive – is to be handled by the Marketing & Communications team.

5 Handling reactive media enquiries

Staff are not permitted to make contact with the media or to respond to media enquiries in relation to any patient or other matters relating to Livewell Southwest. To do so would be a breach of this policy. All media relations is to

be handled by the Marketing & Communications team, the Chief Executive, an Executive Director. (Out of hours – this will be the Director on Call).

- 5.1 Any approach from a journalist, programme researcher or other member of staff from a media outlet in any capacity must be referred immediately to the Marketing & Communications team on livewellswcomms@nhs.net or 01752 435020. This is standard practice and media will expect you to do this.
- 5.2 Ensuring all media enquiries come through the Marketing & Communications team means Livewell Southwest can effectively manage and respond appropriately to the complex array of enquiries and requests that arise, in line with our Marketing & Communications strategy and plan.
- 5.3 If any other member of staff receives an enquiry from media (including any request to film on property used by Livewell Southwest) you should:
 - Note the caller's name, phone number, email address and the organisation they are representing
 - Note the nature of their enquiry and their deadline (without giving any response or comment)
 - Inform the caller that an appropriate person will call or email them back
 - Pass on the information to the Marketing & Communications team without delay, (and certainly within one hour) to: livewellswcomms@nhs.net / 01752 435020
- 5.4 The Marketing & Communications team can be contacted on the above details Monday to Friday 9am to 5pm. Outside of these hours, including weekends and bank holidays, ask the Mount Gould switchboard to call the on-call director who will respond to the journalist directly.
- 5.5 In the event of a major incident, Livewell Southwest's Emergency Plan will be followed and the Head of Marketing & Communications will be contacted by the lead director.
- 5.6 The organisation will endeavour, subject to media deadlines, to ensure that appropriate clinical and managerial staff are involved in discussions about any proposed media response to reactive enquiries and that, where appropriate, any external organisations or partners (e.g. PHNT, NEW Devon CCG, PCC) are informed and involved.

6 Handling media who arrive unannounced

- 6.1 Dealing with journalists, photographers and camera crews that arrive unannounced at a Livewell Southwest property requires a slightly different approach. A response of 'no comment' looks defensive and hostile.
- 6.2 A measured response, within the guidelines of this policy, and delivered with composure, conveys a professional and dignified message, for example: *"I am sorry I*

am not able to answer your questions right now, but if you give me your contact details, either I or someone on my behalf will get back to you.”

- 6.3 Contact the Marketing & Communications team or the on-call director immediately by telephone if media arrive unannounced at your place of work. Do not attempt to give a media interview yourself or to respond to questions with any other response other than outlined in point 6.2.

7 Positive media stories

- 7.1 Where Livewell Southwest judges a media enquiry to be a positive story we will aim to maximise the opportunity. Any member of staff who believes they have a good news story that may be of interest to media should contact the Marketing and Communications team on livewellswcomms@nhs.net with as much notice as possible.
- 7.2 The Marketing & Communications team will prepare media materials such as a press release and photography, or arrange filming, if a story is judged to be of media interest, and will liaise with media to build their interest in covering the story. Please note that media coverage is never guaranteed and is dependent upon the media being interested in the story, whether it fits within their editorial guidelines and the content is to media standards and requirements, whether it reaches them in a timely fashion and what else is on the news agenda that day.
- 7.3 Local media frequently contact us for input to positive media stories, for example for top tips and guidance for people looking to live healthier lifestyles, or for information about us as a major organisation and employer in the region. Livewell Southwest will aim to maximise these opportunities for positive reactive comment. All enquiries of this nature are to be forwarded to the Marketing & Communications team without delay as per the process outlined in point 5.3 above.

8 Positive approaches from TV and film companies

- 8.1 From time to time staff within Livewell Southwest are approached by programme makers and production companies to participate in documentary style programming, or for filming requests, or for location shoots for TV or film.
- 8.2 If any member of staff is approached by programme makers or production companies the request must be forwarded immediately to the Marketing & Communications team on livewellswcomms@nhs.net or 01752 435020.
- 8.3 The Marketing & Communications team will evaluate each request on its merit and the decision on whether to participate or not will be taken against the following factors:
- What is the advantage to Livewell Southwest? Reputationally or otherwise?

- Is there any political element that it may not be appropriate for Livewell Southwest to be associated with?
 - Is there a reputational risk to Livewell Southwest in taking part or not taking part?
 - Is there a risk to patient or staff confidentiality?
 - Will participating place an unacceptable time pressure on staff who are involved or will it disrupt the delivery of services?
- 8.4 The permission of the Chief Executive, and all staff members and patients who would be involved, will be sought by the Marketing & Communications team before any filming request is agreed to.
- 8.5 Any programmer or production company must understand that Livewell Southwest has the right to stop filming at any point deemed necessary and that filming may only take place within an agreed area and within prior written consent of staff and patients.

9 Negative media stories

- 9.1 Where the media enquiry is deemed to be a negative news story the aim will be to minimise damage to Livewell Southwest by:
- Establishing the exact nature of the enquiry and angle of the journalist through skilled questioning
 - Responding swiftly and within the journalist's deadline
 - Provide a response – even if it has to be 'generic' due to deadlines/confidentiality – we never say 'no comment'
 - Presenting the facts, without compromising patient or staff confidentiality
 - Highlighting relevant positive actions and service or performance aspects / figures
 - Where appropriate, apologising for any errors and making clear actions taken in response
- 9.2 Negative news stories will usually be responded to by way of a written media statement, drafted by the Marketing & Communications team, and attributed to a relevant Livewell Southwest spokesperson (usually the Chief Executive or other Executive Team member). Where media deadlines permit, we will seek to involve relevant clinical and managerial staff in gathering information for and approving the media statement. The statement will always be approved by the person the statement is attributed to.
- 9.3 Where significant and widespread media interest is expected, Livewell Southwest will consider, in consultation with appropriate Executive Directors, whether to:
- Proactively issue a media statement or longer press release to media and other stakeholders (this may include partners such as PCC, GPs, local councillors and MPs, for example)

- Proactively issue the media statement to staff for information only via our internal communications channels
- Proactively publish a media statement on our corporate website and social media channels
- Report the media interest as a Serious Untoward Incident to the NEW Devon CCG media team

Where a potentially controversial story is being covered, journalists will try to gain as much information as possible. Staff should be aware that what can appear to be a simple phone conversation can lead to inadvertent passing on of information which may be misinterpreted and /or breach patient confidentiality.

As a reminder, staff should ALWAYS pass on any call from the media – or suspect call (as journalists may use a number of ways to gain information and may not always disclose who they are) – to the Marketing & Communications team and/or on call Director.

10 Serious untoward and major incidents

- 10.1 Major (and some untoward) incidents are likely to generate the rapid appearance of reporters, photographers and camera crews. If media arrive at your place of work unannounced please follow the guidance in point 6 above.
- 10.2 Guidance on reporting serious untoward incidents and media handling for major incidents is contained in the major incident plan and the business continuity plan.

11 Rights of Union and Staff Association representatives

- 11.1 This policy does not restrict the right of elected representatives of recognised trade unions or staff associations to express their views through or to the media directly. Elected representatives of recognised trade unions or staff associations are fully entitled to make comment on behalf of their staff association or trade union.
- 11.2 They are not able to make comment on behalf of, or represent, Livewell Southwest. Information given should be accurate and, as a matter of courtesy, we would ask you to inform the Livewell Southwest Marketing & Communications team of your actions.
- 11.3 If you are appearing on film, this policy requests that you do not wear clothing or ID badges that include the Livewell Southwest logo and that you do not arrange filming to take place on Livewell Southwest property or in front of Livewell Southwest signage or branded items.

12 Commenting as an individual or on behalf of another organisation

- 12.1 There are occasions when individuals may wish to comment in the media or write a letter to the press. If you are doing this on something that in anyway has links to your employment at Livewell Southwest, or has links to any services that Livewell Southwest provides, you must seek approval from the Marketing & Communications team or the on-call director (this in no ways impacts on the Whistle Blowing Policy which staff should follow if they are raising a concern).
- 12.2 If you are commenting in your private capacity, you should not be interviewed at work and you should not use your work address if writing to the media.
- 12.3 You are free to use social networking or other internet communications channels in your personal life. However you must take particular care not to breach the privacy and confidentiality of patients and colleagues. Staff are strictly forbidden from posting or discussing any identifying information about patients through public media such as blogs, social networking or forums. More generally staff should bear in mind that comments that appear online can be picked up and used by media and that even those that appear light hearted could damage the reputation of Livewell Southwest. Please see the separate Social Media policy for further guidance on using social media.

13 Training

- 13.1 All approved spokespeople and on-call directors will receive training on handling media enquiries from the Marketing & Communications team.
- 13.2 The Marketing & Communications team will provide support and guidance to approved Livewell Southwest spokespeople regarding media relations.

14 Monitoring Compliance and Effectiveness

- 14.1 The policy's effectiveness will be monitored and reviewed periodically through the Marketing & Communications team and internal reporting to the Livewell Southwest Board.

All policies are required to be electronically signed by the Lead Director. Proof of the electronic signature is stored in the policies database.

The Lead Director approves this document and any attached appendices. For operational policies this will be the Locality Manager.

The Executive signature is subject to the understanding that the policy owner has followed the organisation process for policy Ratification.

Signed: **Steve Waite, Chief Executive.**

Date: **10.10.16**

Appendix A NHS Confidentiality Code of Practice November 2003, pages 44 & 45

Gateway Ref: 1656

“Under normal circumstances there is no basis for disclosure of confidential and identifiable information to the media. There will be occasions however when NHS organisations and staff are asked for information about individual patients. Examples include:

- Requests for updates on the condition of particular patients, e.g. celebrities;
- In distressing circumstances, e.g. following a fire or road traffic accident;
- In circumstances where a patient or a patient’s relatives are complaining publicly about the treatment and care provided.

Where practicable, the explicit consent of the individual patient(s) concerned should be sought prior to disclosing any information about their care and treatment, including their presence in a hospital or other institution. Where consent cannot be obtained or is withheld, disclosure may still be justified in the “exceptional” public interest.

In distressing circumstances, care should be taken to avoid breaching the confidentiality of patients whilst dealing sympathetically with requests for information. Where a patient is not competent to make a decision about disclosure, the views of family members should be sought and decisions made in the patient’s best interests.

Where information is already in the public domain, placed there by individuals or by other agencies such as the police, consent is not required for confirmation or a simple statement that the information is incorrect.

Where additional information is to be disclosed, e.g. to correct statements made to the media, patient consent should be sought but where it is withheld or cannot be obtained disclosure without consent may still be justified in the public interest. The patients concerned and/or their representatives should be advised of any forthcoming statement and the reasons for it.

There is a strong public interest in sustaining the reputation of the NHS as a secure and confidential service but there is a competing interest in ensuring that the reputations of NHS staff and organisations are not unfairly and publicly maligned.

Disclosures need to be justified on a case by case basis and must be limited to the minimum necessary in the circumstances. In some circumstances a “dignified silence” in the face of media enquiry, may be the best approach for the NHS to take, depending on the nature of the case involved.”