

Public Document Pack

ADDITIONAL CIRCULATION



To: All Members of the Council

Town House,
ABERDEEN, 5 October 2015

COUNCIL

The undernoted items are circulated in connection with the meeting of the **COUNCIL** to be held here in the Town House on **THURSDAY, 8 OCTOBER 2015 at 10.30am.**

FRASER BELL
HEAD OF LEGAL AND DEMOCRATIC SERVICES

BUSINESS

GENERAL BUSINESS

6(a) By-election Results (Pages 5 - 8)

6(h) Introduction of a Communications Protocol (Pages 9 - 34)

MOTIONS

7(a) Motion by Councillor Yuill

“That this Council instructs officers to report on the feasibility of locating a major item of public art at an appropriate point alongside the route of the Aberdeen Western Peripheral Route and what the potential sources of funding for such a project might be”

The principal circulation contained a typographical error in respect of the above motion - it should be *what* rather than *that*

BUSINESS THE COUNCIL MAY WISH TO CONSIDER IN PRIVATE

- 8(b) Minute of Meeting of Social Work Complaints Review Committee of 24 September 2015 - for approval (Pages 35 - 44)

Website Address: www.aberdeencity.gov.uk

Should you require any further information about this agenda, please contact Martyn Orchard on 01224 523097 or email morchard@aberdeencity.gov.uk

ABERDEEN CITY COUNCIL

COMMITTEE	Council
DATE	8 th October 2015
LEAD OFFICER	Chief Executive
TITLE OF REPORT	By-election Results
REPORT NUMBER	OCE/15/037
CHECKLIST COMPLETED	Yes

1. PURPOSE OF REPORT

The report brings before the Council the results of the Midstocket/Rosemount and the George Street/Harbour by-elections held on 1st October 2015.

2. RECOMMENDATION

That the Council notes the results of the by-elections.

3. FINANCIAL IMPLICATIONS

The report has no financial implications.

4. OTHER IMPLICATIONS

An induction process introducing the new members to the Council has been put in place by the Chief Executive and relevant officers.

5. BACKGROUND/MAIN ISSUES

Following the resignations of former Councillors Forsyth and May by-elections were called in the Midstocket/Rosemount and George Street/Harbour wards.

The by-elections were held on Thursday 1st October 2015 and the results of both are set out on the attached declaration by the Returning Officer.

6. IMPACT

The new members join the Council and will play a role in agreeing and monitoring the delivery of Council policy.

7. MANAGEMENT OF RISK

The report relates solely to the election of two new members of the Council.

8. BACKGROUND PAPERS

None

9. REPORT AUTHOR DETAILS

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**Aberdeen City Council Local Government By-Elections
1st October 2015**

I, Angela Scott, as Returning Officer for Aberdeen City Council give notice that the successful candidates in these elections were as follows:

Midsocket/Rosemount ward

Candidate and party:	Alex Nicoll, SNP
Stage at which elected:	4
Number of valid votes:	2853
Number of votes rejected as void:	19

George Street/Harbour ward

Candidate and party:	Michael Hutchison, SNP
Stage at which elected:	1
Number of valid votes:	1878
Number of votes rejected as void:	20

Angela Scott
Returning Officer

cm/2.10.15

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Appendix A: Overview of communications activity and operational guidance for staff

- 1.1 The aim of the protocol is to provide a clearer framework of behaviour and expectation from both members and officers. Although the items below are an operational guide only and cannot cover every eventuality, it does highlight what represents acceptable communications practice.
- 1.2 Advertising Campaigns: The Code of Recommended Practice on Local Authority Publicity (1988) (“the Publicity Code”) explicitly permits a politician to be presented as the representative of the Council, provided the publicity material produced by the Council does not seek to affect public support for that individual or their party grouping.
- 1.3 Printed materials and posters: Thought needs to be given to the purpose of printed material and posters that contain the image of serving politicians. If material is likely to remain in the public eye for a lengthy period then it may be unsuitable to include an image of a politician, particularly if usage would continue into an election period.
- 1.4 Use of logos and branding: The communications handbook will set out the design standards operated by the Council. The Council has a range of logos that it uses based on and complementary with the Aberdeen City Council crest.
- 1.5 The default logo is the Aberdeen City Council crest as approved by the Lord Lyon.
- 1.6 Inclusion in Council publications: The Council has a clear set of editorial guidelines. It is appropriate to cover the actions of the administration as they, through full Council and other committees, perform a policy making role for the authority. Conveners and Deputy Conveners and those with specific responsibilities are often the representatives of the Council’s campaigns and services.
- 1.7 However such coverage needs to meet the principles listed in the Publicity Code, and in particular should be ‘objective, balanced, informative and accurate’. It would represent a breach of the Publicity Code to include quotes from any member that politically criticises another member.
- 1.8 Budget coverage: Budget coverage in media releases will be factual in nature and will describe the origins of the adopted budget proposals and any amendments. As elsewhere in this protocol, documents prepared by officers containing advice and recommendations may benefit from explanatory media releases and/or comment. Such releases would concentrate on matters of fact and would not in any way pre-judge budget decisions. Substantive amendments through a vote at a budget meeting will have their origins referenced.
- 1.9 Press releases and their availability: Not all press releases will be made available on the Council’s website nor will they be automatically sent to members. In this regard the Council is adopting the same approach as the press offices of government departments at Westminster and Holyrood. For instance they do not issue press releases in advance to MSPs and MPs.
- 1.10 Working with the media: The Council operates a 24/7 press office to support and promote understanding of the Council’s policies and services. All press enquiries should be responded to via the communications department. Officers must not respond directly but members can respond individually if

they choose but they are encouraged to seek the advice of the department on matters of Council policy and service delivery. In general terms the Council's Communications and Promotion service will endeavour to answer media enquiries in line with the deadlines supplied by journalists. However a judgement will be made as to how the Council responds in order to protect and promote the Council's reputation – but in line with the principles and policies set out in this document. Given limited resources, and at the discretion of the Head of Communications and Promotion, some media enquiries may be treated as Freedom of Information (Fol) requests.

- 1.11 Where media enquiries and requests are deemed to be of relevance to opposition and backbench Councillors they will be contacted by the Communications and Promotion service and, where appropriate, given support to produce a response.
- 1.12 Blogs and websites: The Publicity Code predates the internet so it is necessary to apply its principles to modern communication tools such as websites, blogs and social media. For blogs in the name of elected members in the period before elections and referendums it may be necessary to suspend the publication of new blogs and to move existing links to a less prominent position for named blog material already published.
- 1.17 Broadcast advertising material: Advertising material that is intended for broadcast by stations subject to Ofcom rules must first have the script cleared by the Communications and Promotion service and as appropriate the monitoring officer. In essence content must not seek to affect public support for politicians. There should be a public interest purpose to the material, such as providing useful information about Council services or seeking to promote positive changes in behaviour. The advice of a specialist broadcasting clearing house may be sought prior to any production stage.
- 1.18 Mailings and other communications: Direct mailings can often be a useful method of communication between the Council and residents. On particularly important issues a mailing from the administration to residents could be deemed to be an appropriate use of resources i.e. annual Council Tax brochure. Officers will provide advice on the most suitable channel given the specific circumstances. There will need to be a retained and clear audit trail for significant communications projects.
- 1.19 All Council publicity must clearly and unambiguously identify itself as a product of the Council. Printed material should do this on the front page.

2. Overview of communications activity and accountability lines

The activity list below is not exhaustive but is intended to provide a simple guide to ensuring best practice and compliance with Council policy, legislation and guidance. All communications activity must be subject to the principles in the Publicity Code. As a general rule, consult directorate communications advisers before engaging in any mass communication exercise.

Comms activity	Objective	Action	Accountable officer (escalation list)
Publications (news content)	To ensure that there is a balanced reflection of Council and community news	Ensure that there is a balance of community and political figures	<ol style="list-style-type: none"> 1. Comms Business Adviser 2. Marketing, Content and Design Manager 3. Head of Communications and Promotion
Publications (quotes and images)	To comply with legislation, the Publicity Code, best practice and Council policy	<p>Ensure that quotes focus on local issues and avoid personal political criticism</p> <p>Members of the Administration will often represent the Council for services and policies but there is a need to consider balance and objectivity</p> <p>Ward level stories to be encouraged from elected members and the public if appropriate</p>	<ol style="list-style-type: none"> 1. Comms Business Adviser compiling initial press release 2. Marketing, Content and Design Manager/ External and Internal Communications Manager 3. Head of Communications and Promotion
Publications (adverts)	To comply with legislation, the Publicity Code, best practice and Council policy	Review all adverts in line with Council policies	<ol style="list-style-type: none"> 1. Advertising Officer 2. Marketing, Content and Design Manager 3. Head of Communications and Promotion

Comms activity	Objective	Action	Accountable officer (escalation list)
Media releases	To comply with legislation, the Publicity Code, best practice and Council policy	Communications Business Advisers will ensure there is a focus on service delivery and local issues for all content.	<ol style="list-style-type: none"> 1. Comms Business Advisers compiling initial press release 2. External and Internal Communications Manager 3. Head of Communications and Promotion
Reactive media response	To comply with legislation, the Publicity Code, best practice and Council policy	Whilst promoting and protecting the reputation of the Council all media responses will be fair and honest.	<ol style="list-style-type: none"> 1. Comms Business Advisers compiling initial press release 2. External and Internal Communications Manager 3. Head of Communications and Promotion
Website content	To ensure that website content complies with legislation, the Publicity Code, best practice and Council policy	<p>Communications staff will ensure there is a focus on accessibility, service delivery and local issues for all content.</p> <p>Directorates will ensure that content uploaders have manager permission to upload every piece of content</p>	<ol style="list-style-type: none"> 1. Service managers in directorates 2. Comms officer approving content 3. Web officer/editor 4. Head of Communications and Promotion
External paid for broadcast adverts	To comply with broadcast legislation, the Publicity Code, best practice and Council policy	All requests for broadcast adverts must be cleared at the concept stage by the Head of Communications and Promotion	<ol style="list-style-type: none"> 1. Relevant Head of Service /Corporate Director 2. Communications Adviser 3. Head of Communications and Promotion 4. External script clearing company and Monitoring Officer (if required)

Comms activity	Objective	Action	Accountable officer (escalation list)
External paid for non-HR print adverts	To comply with legislation, the Publicity Code, best practice and Council policy	<p>Communications Business Advisers should ensure directorates plan for a balanced mixture of promotional activity and ensure content is service focused.</p> <p>Comms advisers to support directorates on the appropriate use of logos. In general terms the Aberdeen City Council crest and Shaping Aberdeen logo will suffice.</p>	<ol style="list-style-type: none"> 1. Relevant Head of Service or nominee 2. Communications Business Adviser 3. Head of Communications and Promotion
Banners and posters on Council assets	To comply with legislation, planning regulations, Highways regulations, Transport Scotland, the Publicity Code, best practice and Council policy	<p>Banners and posters can take up to 16 weeks to clear and manufacture – i.e. in the case of lamp post banners where planning permission may be required</p> <p>Ownership of assets must be ascertained, site visits conducted and the appropriate approval channel selected</p>	<ol style="list-style-type: none"> 1. Relevant Head Service or Service Manager 2. Communications Business Adviser 3. Marketing, Content and Design Manager 4. Head of Communications and Promotion 5. Monitoring Officer (if appropriate)

Comms activity	Objective	Action	Accountable officer (escalation list)
Direct Mail letters and leaflets to residents	To comply with legislation, the Publicity Code, best practice and Council policy	In the first instance managers, in consultation with communications, should identify if a letter is the best/most cost effective communication tool. Inclusion of members and branding requires the input of the Communications and Promotion service	<ol style="list-style-type: none"> 1. Relevant Head of Service 2. Communications Business Adviser 3. Head of Communications and Promotion 4. Monitoring Officer
Websites, Apps and social media	To comply with legislation, the Publicity Code, best practice and Council policy To enable members of the public and other stakeholders to engage with the Council in the manner they find the most convenient	In the first instance managers, in consultation with communications, should identify the communications objectives of the project and then determine the most appropriate dissemination channel. If new social media, Apps and website channels are the most appropriate vehicle then communications will advise on the next steps such as business case development (where costs are involved as a result of new tools or integration is required)	<ol style="list-style-type: none"> 1. Relevant Head of Service 2. Communications Business Adviser 3. Head of Communications and Promotion 4. Transformation Board if appropriate

Appendix B: Editorial and Advertising Guidelines for Council Publications and assets

Objectives of the Council's publications:

- To support the delivery of the Council's strategic programmes including but not limited to:
 - Shaping Aberdeen and the City Centre Masterplan
 - Smarter Aberdeen
- To communicate the Council's policies, priorities, initiatives and services including promotion of Shaping Aberdeen
- To enhance residents' ability to access local services by providing information about services, meetings, advice and in format which they can access
- To influence attitudes in relation to supporting healthy lifestyles, crime prevention and fear of crime, race relations, equality, diversity and community cohesion
- To develop a shared sense of identity and promote a positive image of the community, the Council and Aberdeen
- To support residents through national and local welfare reform changes
- To promote economic well-being and foster enterprise and entrepreneurship
- To create an understanding of the responsibilities and work of the Council and of Councillors.

Editorial Policy

The editorial policy sets out the principles and process by which editorial content is decided upon:

- 1) Editorial is defined as news, features, information, anything that is not a paid-for advertisement.
- 2) Aberdeen City Council publications operate within the Code of Recommended Practice on Local Authority Publicity (1988) ("the Publicity Code").
- 3) Discretion over topics covered, style, content and presentation rests initially with the Marketing, Content and Design Manager, and in their absence, an appropriate G16 manager within the communications service, with the approval of Head of Communications and Promotion and/or the chief executive.
- 4) Judgments are made within the constraints of all relevant legislation, statutory guidance, regulation and Council policy. It includes, but is not limited to, the following:-
 - 4.1 the Local Government Act 1988;
 - 4.2 the Code of Recommended Practice on Local Authority Publicity as issued under section 4 of the Local Government Act 1986
- 5) Aberdeen City Council publications should function with professional independence, within the objectives set out above and with the editorial oversight of the Head of Communications and Promotion or a nominated manager as outlined in 3 above.
- 6) Stories and features will have undergone a standard fact-checking exercise with the appropriate service and reasonable care will be taken as to the accuracy of the material published.

- 7) There is also a recognised photographic content and style in line with editorial policy.
- 8) Editorial material is selected on their news value and also the information they give residents about key issues as set out in paragraph 18 of the Publicity Code i.e. it may be “an appropriate means of influencing public behaviour or attitudes on such matters as health, safety, crime prevention or race relations.”
- 9) There is no guarantee that an article or feature will appear in a specific publication although content is planned within the framework of a forward plan based around the Council priorities, agreed with the directorates.
- 10) Paragraphs 40-41 of the Publicity Code state that it is acceptable to promote the work of individual members of the authority in the interest of public accountability where the individual is representing the Council or to report discussions of the Council or committees.
- 11) No political material is accepted in Aberdeen City Council publications. Section 2 of the Local Government Act 1986 details restrictions on publicity more generally and paragraph 43 of the Publicity Code details restrictions on publicity during periods of heightened sensitivity such as elections.
- 12) Court stories may be used where appropriate with details of defenders/accused published in accordance with the law. Reports of antisocial behaviour orders (ASBOs) are also published in accordance with the law which allows for juveniles to be named. The Council has a policy to name perpetrators.

Advertising Guidelines agreed by Aberdeen City Council 2005

The Council's Policy and Strategy Committee of 27 September 2005 approved the following list as being unsuitable for sponsorship opportunities:

- Sponsorship for contraceptive and associated products and services;
- Sponsorship for political parties or where the content is to be of a political nature;
- Sponsorship on behalf of Trade Unions or Employers Federations;
- Sponsorship that may be construed as offering services of a sexual nature;
- Sponsorship for religious organisations or of a religious nature;
- Sponsorship which may be construed as showing or encouraging racial, sexual, gender or other forms of prejudice;
- Sponsorship promoting cigarettes or tobacco;
- Sponsorship promoting alcohol or alcoholic products;
- Sponsorship that is considered not to comply with the guidelines set down from time to time with the Advertising Standards Authority;
- Such sponsorship types that may be specified in advance by the Council from time to time.

Additionally, the Council reserves the right to exclude other types of sponsorship or Sponsors at their discretion.

Appendix C: Photography and Video policy

1. Introduction

- 1.1 The purpose of this policy is to ensure that correct authorisations are in place for the use of photographs and media recordings in ACC public communications and photographs taken for and on behalf of ACC accord with legal requirements.
- 1.2 This policy is not intended to cover the photographing and filming of children and young people or the use of CCTV – there are separate policies in place for these. Please contact the Commercial & Advice team of Legal Services if you need further information.
- 1.3 Any reference in this policy to photographs includes any images including video and other media recordings.

2. Use of photographs

- 2.1 The Data Protection Act 1998 (“DPA”) protects the privacy of individuals by limiting the ways in which information relating to individuals can be collected, stored and shared. The purpose of the DPA is to ensure that personal data is dealt with in a responsible way. This includes all personal information including photographs or recordings of individuals. Sometimes, a photograph is not close enough to identify people. These pictures cannot be classed as personal information, because no-one can be picked out. However, close-ups or pictures where people can easily be identified count as personal information under DPA.

These are the main principles of the DPA for the purposes of this policy:-

- (i) Personal data – information about a living individual that is processed automatically (e.g. by a computer) or held within a relevant filing system or recorded with the intention of processing or filing it, and which enables the individual to be identified or identifiable. Personal data can include photographs or images, in digital or analogue form.
- (ii) Sensitive personal data – this is personal data that consists of information on someone’s racial or ethnic origin, political opinions, religious or similar beliefs, trade union membership, physical or mental health condition, sex life, offences (committed or alleged), or proceedings/sentences for those offences.
- (iii) Processing – this has a very broad scope, including: obtaining, recording or holding data as well as specific activities such as organising, adapting, altering, retrieving, consulting, using, disclosing, disseminating, aligning, combining, blocking, erasing or destroying information
- (iv) Data subject – the person who is the subject of the personal data

- (v) Data Controller – the person who determine how the personal data is processed (in this case ACC)

The DPA sets out eight principles of good information handling which must be followed by those who process personal data:

Personal data must be:

- (i) fairly and lawfully processed
- (ii) processed for limited purposes – purposes should be made known to the data subject and should not be determined retrospectively once the data has been obtained
- (iii) adequate, relevant and not excessive – it is unacceptable to hold additional data just in case it might be needed
- (iv) accurate and, where necessary, up to date
- (iii) not kept for longer than is necessary
- (iv) processed in line with the rights of the data subject
- (v) secure – appropriate technological and management systems must be in place to prevent unlawful use or accidental loss or damage
- (vi) not be transferred outwith the EU (with certain exceptions for example where consent is given)

Photographs taken for personal use are exempt from the DPA.

- 2.2 The DPA does not prevent ACC from using photographs but permission of all the clearly identifiable people whose image will be used must be obtained, **before** footage is recorded. Consent of a parent/guardian or carer is required for all young people under 16.
- 2.3 A consent form is attached at Appendix 1. When taking photographs for ACC, the photographer must make it clear why he is using that person's image; what he will be using it for; where the pictures will appear – for example in brochures, publicity information or the internet. In effect, people should have the option of not being included. If people willingly pose for a photographer, then they just need to be told what the picture is for. It is especially important to make sure that parents are consulted about photographs of their children.
- 2.4 Once a photograph has been taken, it is important that it is only used for the purpose described. If photographs are taken for ACC publications or to promote ACC services, these should not then be released to third party or private companies unconnected to ACC without further consent being obtained.
- 2.5 If the photographer is taking images at an event attended by large crowds, this is regarded as a public area so he does not need to get the permission of everyone in a crowd shot. People in the foreground are also considered to be in a public area, however, it would be best practice to address those within earshot, stating where the photograph may be published, and give them the opportunity to move away. If the photographer wants to use an image of a

particular individual with the crowd in the background he must get their verbal permission and record the fact that he has done so. He can record their consent when he takes the photograph or when he returns to the office. A copy of verbal consent is attached at Appendix 2.

- 2.6 Images should be stored for no longer than is necessary. It is therefore recommended that images are deleted from the image library or destroyed five years after the date on the consent form, in case family circumstances change, unless further consent is agreed. This is particularly important if the publication will have a high profile – i.e. it will have a wide circulation. However, certain images commissioned from commercial photographers may be stored and used for longer than five years in the event that they are valuable and considered still relevant for use in ACC publications.
- 2.7 If photographs of individuals are intended to be used on a website, the information is potentially being disclosed beyond the EU and, consequently, it is essential that the explicit consent of the individuals concerned is obtained. This permission must be clear and recorded. Written consent should be obtained if possible. The consent form at Appendix 1 should be used.
- 2.8 Care should be taken when including personal details of any child or adult with a photograph. Personal details may be used in certain circumstances, for example where a child or adult is being rewarded or recognised and publishing their names reflects that. Personal email or postal addresses, and telephone or fax numbers should not be included.
- 2.9 ACC has existing photographs on file. If you intend to re-use older photographs for which you did have consent but probably only for paper publications, it is recommended that you renew this consent if you want to use images on a website.
- 2.10 If consent was never obtained, you should be extremely careful and apply common sense when using them. Consider the following: for what purpose was the photograph originally taken; where was the photograph taken; when was it taken. Use common sense!
- 2.11 Any photographic library of ACC should be sufficiently organised so that consent can be checked at a later date if photographs are to be re-used. Photographs and signed consent forms should be kept together. Photographs should be destroyed when the consent has expired. Section 5 of this policy provides further detail on this.
- 2.12 Photographs, video and animations produced by Council staff and/or using Council assets and resources cannot be used for party political purposes in line with the Code of Recommended Practice on Local Authority Publicity (CoRPLAP 1988).

3. Restrictions on the right to take photographs

- 3.1 This section of the policy details the restrictions on the taking of photographs in public places.
- 3.2 Owners of property do not normally have the right to prevent someone from taking photographs of their property from a public place such as a public highway. There is also no general restriction on taking photographs while on private property, provided the photographer has permission to be on the property.
- 3.3 However, article 8 of the European Convention on Human Rights gives everyone the right to respect for his private and family life, his home and his correspondence. The use of a long lens to take a photo of someone in a private place, such as their home, without their consent, is an invasion of privacy even though the photo is taken from a public place.
- 3.4 For images of people in public places, the issue is whether where the place is one where a person would have a reasonable expectation of privacy. Any photographers acting on behalf of ACC are therefore advised to be careful when taking photographs intended for some kind of publication, even when the subject is in a public place. Written consent should be obtained if possible.

4. Photos of children

This section gives some general guidance on photographs of children. The policy “Photographing and Filming of Children and Young People” should be consulted for further detail. A child does not have the legal capacity to consent and a parent or guardian must consent on his behalf. If another family member or relative is at an event with a child, their permission should be sought. It is not illegal to photograph children in a public place but it is ACC policy that children and their parents should be informed and consulted and consent obtained before photographs are taken in public places. Children should also be given an opportunity to consent.

5. Commissioning of photographs

- 5.1 When selecting photographs for ACC publications and promotional material, images from the ACC image library (“the Asset Bank”) should be considered in the first instance. Reference should be made to the Corporate Communications team who are in the process of agreeing a procedure in relation to the Asset Bank.
- 5.2 ACC holds photography competitions. The terms and conditions at Appendix 3 should be used for such competitions. The terms and conditions require permission of the person featured in the photograph to have been obtained by the entrant. Photographs from such competitions may then be suitable for use in ACC promotional material or literature. If so a further discussion should be held with the relevant competition entrant and specific consent obtained. Copyright issues should also be considered – please see section 6 of this policy for further detail on this.

5.3 Photographs may be also be commissioned from agencies and third party photographers. In this case, a contract should be entered into with the agency/photographer. ACC standard terms and conditions relating to the procurement of services should be used. The photographer/agency should also be made aware of this policy and confirmation of acceptance of its terms should be received. A copy of this is attached at Appendix 4.

6. Copyright

6.1 This section of the policy gives a brief overview of the law on copyright as it applies to photographs.

6.2 It is important to be aware of the copyright position of any photographs to be used, because photographic images are considered as artistic works under the laws of copyright.

6.3 As a general rule the author of the work is the first owner of copyright and any moral rights which are contained within it. For photographs this is the photographer. If the photographs are made by an employee in the course of their employment, the employer is the first owner of copyright in the work. However this can be overridden by the specific contracts of employment or any other agreement to the contrary.

6.4 The copyright of any photographs taken by ACC staff in the course of their employment lies with ACC. However, there may be occasions where another person or organisation is commissioned to take photographs and, in the absence of any written agreement, the first legal owner of copyright is the creator and not ACC the commissioner. In this case ACC may only get a limited non-exclusive licence to the photographs. The documentation referred to at section 5 of this policy should be obtained and legal advice obtained as to whether an assignment or licence is required.

6.5 Photographs obtained from the internet are also subject to copyright so should not be used for ACC publications unless consent has been obtained.

6.6 Photographs on ACC's website and publications that are not owned by ACC may have a photographic credit attached to them (subject to any specific agreement). Photographs owned by ACC do not need a credit on own website but for non ACC publications the credit should read "Photograph courtesy of ACC".

7. Historic Exemption

There is an exemption in the DPA for those holding historic material, such as archivists. It enables personal data held legitimately for one purpose to be transferred to an archive and held there indefinitely and used for another purpose. This exemption could enable historical images to be held within a digital collection that is limited to research purposes – but remember that this

does not give the right to use the image as you please. Legal advice should be sought if you think this exemption may apply.

8. Social media

ACC's website, twitter, facebook and other social media accounts may invite people to send in photographs or video. The following suggested wording should be used:

"In contributing to ACC website, you agree to grant us a royalty-free, non-exclusive licence to publish and otherwise use the material in any way that we want. It is important to note that you still own the copyright to everything you contribute and that if your image and/or video is accepted, we will endeavour to publish your name alongside it."

Any terms and conditions of ACC in relation to online use should be referred to and no laws should be infringed when images are uploaded.

Appendix 1

Photo Release Form

I give my consent to having my photograph taken and/or artwork photographed in relation to Aberdeen City Council business as indicated below. I understand that these photos may:

1. be used in Council publicity material e.g. publications, documents, posters, flyers.
2. be used by local or national press in advertising/features relating to the Council.
3. be used on the Council website and social media pages promoting Council services.
4. be used in Council publicity videos and/or national television adverts and features.
5. include my full name in some cases (e.g. competition winners)

NAME:

ADDRESS:

POSTCODE: TELEPHONE:

ARE YOU UNDER 16 ? Yes No

(If you are under 16 years of age the permission of a parent or guardian will be required – see below)

SIGNATURE: DATE:

Parents/Guardian Permission

I have read the form above and agree to the permission given by my son/daughter/ward to feature in photography/video/website or to have artwork photographed, in relation to Council business.

NAME:

ADDRESS:

POSTCODE: TELEPHONE:

SIGNATURE: DATE:

This release is valid for five years from the date of signature. The Council will not use the personal details of any child or adult in a photographic image or video, on our website or in any of our other printed publications without permission. If the Council uses photographs of individual children, it will not use the name of that child in the accompanying text or photo caption without permission.

Appendix 2

VERBAL CONSENT FORM

Name of the project:

Name of the photographer or recorder:

Photographer's address:

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(insert the name of the person to be photographed/recorded)

Has verbally agreed to have their photograph taken/be videoed.

	Yes	No
In accordance with the Data Protection Act 1998, I have explained that:		
ACC may use these images in printed publications produced by ACC for promotional purposes		
ACC may use these images on our website, and it is understood that websites can be seen throughout the world and not just in the United Kingdom		
ACC may use these images in promotional videos		
This form is valid for [five years from the date of signing/for this project only]		
ACC will not include details or full names of any person, in an image on video, on our website or in printed publications without consent.		
ACC will not include personal email or postal addresses or telephone or fax numbers on our website or in printed publications.		

Signed:

Date:

Appendix 3

Competition Terms and Conditions

- This competition is open to all, other than employees of Aberdeen City Council
- Maximum [10] entries per person, per competition
- Each image can only be entered once. Duplicates will be removed
- Images must have been taken within the last six months and be your original work
- You must be the sole author and owner of the copyright of all images entered, at the time of entry
- Source material or proof of permission to use must be made available on request by Aberdeen City Council
- Aberdeen City Council does not accept any liability for the publication of unlawfully reproduced images
- [All images should be taken within the city of Aberdeen – the image should reflect your favourite spot in the city, highlighting why Aberdeen is a great place to live and visit]
- Computer-generated or computer-altered images will not be accepted. Artwork and illustrations will not be accepted
- To enter, tweet your photo and description using the hashtag #[] or email to []
- Images should be submitted as jpgs
- Each jpg should be a minimum 2MB in file size. Images submitted via email should include your name
- By entering your image, you grant to Aberdeen City Council the exclusive right to reproduce it for any purpose, at any time and in perpetuity
- The winners consent to the use of their image, name and/or photograph in any publicity carried out by Aberdeen City Council, without compensation
- It is the photographer's responsibility to ensure all/any people featured in the images have given full permission for their image to be used. Aberdeen City Council accept no responsibility for gaining the above permissions
- Written and signed permissions for all/any people featured in the images are required. A blank model release form is available to download atadd url....
- [Six] winning images will be selected and pieced together in a collage to make a postcard
- Aberdeen City Council's decision on all matters relating to the competition is final. No correspondence will be entered into
- Aberdeen City Council reserves the right to decide that the quality of entries falls below the standard required and no winners will be announced
- Aberdeen City Council reserves the right to use all images submitted for promotional use, regardless of whether or not it is selected as a winning entry
- Winners will be contacted via email or Twitter by X X 2014 and will be invited to a photo call on a date to be determined (before [])
- All rights (including ownership and Intellectual Property Rights) in any materials made available to the entrant by Aberdeen City Council shall remain owned by the Entrant
- Entrants will sign and deliver any document reasonably required by Aberdeen City Council to vest ownership of such Intellectual Property Rights in the Council and grant to the Council all necessary licence rights in relation to such

Intellectual Property Rights to allow it to use the materials for all purposes contemplated or envisaged by the Contract, such licence to be non-exclusive and royalty free.

Appendix D: Social media, App and web guidelines for Council staff

Introduction

Social media channels, Apps and websites are evolving tools that can be effectively used to communicate and engage with a wide audience. Specifically Public Performance Reporting is a statutory requirement for local authorities which focuses on performance indicators which are required for publication each year. The guidance is issued by Scottish Ministers under Section 13 of the Local Government in Scotland Act 2003, which imposes a general duty on each local authority 'to make arrangements for the reporting to the public of the outcome of the performance of its functions'.

Audit Scotland in 2014 changed their assessment of how local authorities fulfil this function and are pressing local authorities to proactively improve the dissemination of this information through web and social media tools.

For the purposes of this protocol all Apps, websites and social media channels are subject to the guidelines contained in this appendix. In general terms it is important that staff contact a member of the Communications and Promotion service prior to using or procuring any new social media, App or website channel. This is because using existing corporate accounts may prove the most effective and in addition it aids the coordination and integration of Council communications activity.

Aberdeen City Council first created a social media presence in 2010. Since then, social media has become firmly established in the range of communications channels which the Council uses to engage with residents and customers.

Messaging through social media is instant and wide-reaching. Due to the potential reach and lifespan of posts on social media channels, as well as the potential damage to the Council's reputation that negative social media could cause, it is essential that the Council's social media accounts are effectively managed, monitored and administered.

Postings on social media channels are subject to the same rules and regulations as traditional Council communication channels. This document sets out Aberdeen City Council's approach to social media use and covers channels, management, content, engagement, analysis and reporting, and training.

1. Channels

The Council currently has corporate profiles on a number of social media channels. These are managed by the Communications and Promotion service. The channels currently in use are:

- Facebook
- Twitter
- YouTube (subject to review and development)
- Flickr (subject to review and development)
- Vimeo
- Google+
- LinkedIn
- Blog sites for the Chief Executive and Heads of Service

In addition to the main corporate accounts, there are a number of other Facebook and Twitter accounts that have been set up by individual teams and services. These will be subject to periodic review by the Communications and Promotion service. Any which have been inactive for the last 6 months, have low numbers of participants, and detract from the corporate accounts or which are otherwise no longer relevant will be closed and future content shared on the corporate channels.

Council employees wishing to use social media as a channel for a project or campaign should contact the Communications and Promotion service in the first instance. In most instances, it will be appropriate for the Council's corporate accounts to be used to deliver messages about specific campaigns or projects. Where a project specific campaign is established on a social media channel, this must be developed in discussion with the Communications and Promotion service, be required for a specific and defined period of time, comply with the Council's brand guidelines and have clearly established management and monitoring procedures in place.

In general terms though there has to be a clear reason why a separate account is required and this must be approved via the Communication and Promotion Service prior to set up.

2. Management

The Communications and Promotion service manage the Council's social media and web channels, using the channels to provide information to followers on key issues, campaigns and in emergency situations.

Customer Service staff are also responsible for responding to queries received through social media though this will be using the council's corporate channels. Primarily Customer Service staff responses will concern service delivery on specific cases rather than on matters of council policy or service delivery performance in general.

Currently a social media management platform is used to allow the management of posts, comments and feedback on Facebook, Twitter, Google+ and LinkedIn. The Communications and Promotion service will work with services to support the Council's social media presence and hence support residents who wish to engage with ACC in this manner.

A wide range of employees require different levels of access to the sites. Social media management software provides this, enabling the administrators to carry out different functions on the social media sites. Such software can also generate comprehensive reports on the effectiveness and reach of communications and engagement.

All Council employees with access to the corporate social media accounts (usually but not exclusively based in the Communications and Promotion service and Customer Service teams) should remember that:

- Log-in to the accounts should be through the account management software.
- The organisation may be held responsible for something an employee has written or said if it is on behalf of the organisation.
- They should check the validity and appropriateness of statements from other websites or social media channels that are being re-tweeted, re-posted or linked to on the Council's corporate accounts.
- However comments that are re-tweeted, re-posted or linked to on the Council's corporate account does not imply endorsement.

3. Content

Aberdeen City Council uses social media for the following broad purposes:

- To share information
- To respond to queries from customers
- To engage and consult with citizens and stakeholders

Those who opt to receive information from the Council via Twitter, Facebook and Google+ can expect to receive the following:

- Direct and scheduled messages on services, campaigns and other key issues.
- Information on Council activities and events.
- Information on road closures and traffic disruptions.
- Emergency information on all issues including service disruptions, school closures, adverse weather etc.
- Invitations to provide feedback on specific issues on which we are consulting.
- Occasional live coverage of events (e.g. election counts, committee meetings, full Council).
- Shared information from other organisations that we feel is relevant to our customers.

We also create and share photos, videos and infographics. Visualisation of messages can increase customer understanding and enhances messages issued through other communications channels.

3.2 Branding and tone

All material published through the social media channels should be branded appropriately in line with corporate guidelines.

Social media is informal in tone but we still need to ensure that everything posted on our accounts is of interest and relevance to our followers and presents the Council in a professional light.

3.3 Scheduling content

We post on social media both instantly during the working day and also by scheduling messages through our social media management software throughout the day and outwith office hours.

During emergency situations, information will be issued 24/7 as required.

The Communications and Promotion service will oversee and coordinate the scheduling of social media messages to ensure that customers are not bombarded with too many updates within a short space of time as this could result in people 'unfollowing/unliking' the page.

4. Engagement

4.1 Engagement with customers

Customers who choose to communicate with the Council through social media can expect the same standards of response as they receive when making contact through the website or by email.

Customer Services monitor the social media accounts for specific reports, comments and complaints and deal with these in line with existing customer service standards. Comments

on matters of policy will be handled where appropriate by members of the Communications and Promotion service.

Replies to customers will be made within a target time of 24 hours (subject to review) Monday to Friday. Where appropriate, customers will be advised that further engagement will continue through other communications channels such as email and telephone to ensure the protection of personal information and details.

Training will be provided to all those who respond to customers through social media, to ensure consistency in language, tone, content and timing of responses. Training will also include guidance on when issues need to be escalated through the appropriate channels. Access to the Council's social media accounts and permission to respond to customers through these channels will only be provided once the relevant training has been undertaken. (See Section 6).

4.2 Engagement with partner organisations

The Council follows or 'likes' the social media accounts of other relevant organisations, including but not exclusive to government organisations, other local authorities, other key organisations in Aberdeen, media organisations and partners relevant to key initiatives and campaigns.

Staff are permitted to retweet or share comments from our partner agencies as long as content is appropriate.

4.3 Following and responding

Organisations or individuals who follow us on Twitter or like us on Facebook will not automatically be followed or liked back. This is to ensure that the content we see in our own feeds is relevant and that we can clearly see important messages from the partner organisations that we do follow.

Please note that Twitter does require account holders to follow each other before you can send and receive direct messages.

Being followed or liked by the Council does not imply endorsement of any kind.

The Council will not respond to spam or abusive posts. Inappropriate or abusive posts will be removed and social media accounts can be blocked from posting to the Council's account.

5. Analysis and Reporting

The Communications and Promotion service will use social media management software to prepare regular reports to assess the effectiveness of social media channels in reaching customers. We will undertake analysis to assess the reach and success of specific posts and campaigns as well as levels of customer engagement.

Over time, these reports will allow us to analyse how customers engage with the Council, and findings will be used to inform future strategies.

6. Training

All Council staff who are involved in engaging with and responding to the public on social media will receive training. This will cover:

- An overview of social media and the accounts that the Council operates.
- How social media fits in to the Council's overall customer service strategy.
- Examples of how the Council uses social media.
- Guidance on the language and tone to use in responses.
- How to use the social media management software. Standard responses to common enquiries received on social media.
- A list of contacts who can assist with common queries.

7. Principles

These principles apply to online participation in social media and set out the standards of behaviour expected from an employee of the Council.

Staff are expected to participate to the same standards as they would with other media or public forums where approval has been given.

Key standards and principles for staff are:

- **Be professional:** remember you are an ambassador for your organisation. Wherever possible, disclose your position as a representative of your directorate, service or team.
- **Be responsible:** be honest at all times and, when you gain insight, share it with others where appropriate.
- **Be credible:** be accurate, fair, and thorough and make sure you are doing the right thing.
- **Be relevant:** remember the purpose and function of social media is to enable you to fulfil your role professionally, effectively and efficiently.
- **Be authentic:** In general terms always use an Aberdeen City Council account to engage on Council business – not your own personal account.

Always remember that participation online results in comments being permanently available and open to being republished in other media. Never give out personal details such as home addresses or phone numbers and ensure no confidential information – Council or otherwise - is disclosed.

Also be aware that online participation may attract media interest in staff as individuals, so staff are urged to proceed with care. If in any doubt whatsoever, advice should be sought from line managers and the Communications and Promotion service.

Finally ACC employees must remain within the legal frameworks for local government, the employee code of conduct and be aware that defamation of character, copyright and data protection laws apply.

Appendix E: Brand guidelines

To be added March 2016

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Exempt information as described in paragraph(s) 1 of Schedule 7A of the Local Government (Scotland) Act 1973.

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