

Press and Media Policy

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Press and Media Policy

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Press and Media Policy

INTRODUCTION & PURPOSE

- Engaging with the mass media and with professional media is an important part of enhancing the reputation of BrisDoc. Failing to manage media relations successfully could lead to the organisation's reputation being damaged.
- NHS organisations are subject to regular media enquiries. It is, therefore, essential for BrisDoc to have a policy in place for responding to media enquiries and other engagement such as BrisDoc staff writing for healthcare media. Not only does this ensure the reputation of BrisDoc is protected and upheld but it helps to guard the reputation of the NHS as a whole.
- The NHS is an internationally recognised brand. Everything NHS staff say and do can impact on how the NHS is perceived.
- Positive media coverage helps BrisDoc attract and retain staff and maintain the confidence of patients and the public. Negative media coverage can damage staff morale and public confidence and, despite the exceptionally high quality of our services, can worry and upset our patients.
- Damage to morale and confidence can be instantaneous and catastrophic, or gradual and erosive. In the former, the damage may be irreparable (Mid-Staffs NHS Trust), whereas in the latter case this damage can be repaired but needs a great investment of time and effort.
- Dealing with the media of whatever origin, public or professional calls for a planned, sustained and regulated approach. This policy seeks to put in place a system or process that everyone needs to follow, without fail, when it comes to dealing with the mass media and professional media.
- This media engagement policy also aims to make sure BrisDoc is proactive in managing its reputation; is consistent in its approach to its relationship with the media and has a realistic overview of how it is perceived as an organisation and how what it does might be of interest to the media.
- The social media Policy is closely related but distinct from this policy
- All Heads of Service, Practice Managers, Deputy Medical Directors, Business Services Heads and Directors must familiarise themselves with the contents and implications of this policy. It is also their responsibility to ensure that all staff they manage and lead, already in post and new starters, are aware of this policy document.

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SCOPE & DEFINITIONS

Scope

This document applies to all directly and indirectly employed staff within BrisDoc and other persons working within the organisation in line with the organisation's Equal Opportunities Policy.

BrisDoc is committed to the principles of Equality and Diversity and will strive to eliminate unlawful discrimination in all its forms. We will strive towards demonstrating fairness and Equal Opportunities for users of services, carers, the wider community and our staff.

Definitions

For the purpose of this document, the following definitions apply:

<i>Journalist</i>	A writer or editor for a newspaper or magazine or for television or radio
<i>Professional Media</i>	<i>Journals, formal and informal dedicated to a particular health care sector e.g. Pharmacists, Doctors</i>
<i>Mass media</i>	Newspapers, television, radio and online that communicate news and information to large numbers of people
<i>Communications</i>	All of the communications media that reach a large audience, especially television, radio, newspapers, online media
<i>Marketing Communications Team</i>	Team of professionals employed by BrisDoc to deal with all communications matters
<i>Publicity</i>	Promotional activity, such as media relations, especially advertising and the dissemination of information, designed to increase public interest in or awareness of something or somebody
<i>Reputation</i>	The views that are generally held about somebody or something
<i>Consent</i>	To give formal permission for something to happen
<i>Approval</i>	Official sanction, e.g. formal or official agreement or permission by a manager to proceed with publicity plans
<i>Press/media release</i>	An official statement or account of a news story that is specially prepared and issued to newspapers and other news media for them to make known to the public
<i>Press/media statement</i>	An official statement or report that an organisation gives to journalists in reaction to a story they will be publishing (or broadcasting) or has already been covered
<i>Proactive</i>	Publicising information or stories that are of interest to the media, rather than expecting the media or public to know what is going on or approach us for more information or waiting until problems develop.
<i>Reactive</i>	Reacting to media interest or enquiries rather than initiating or instigating publicity
<i>Media enquiry</i>	An approach from the media for information, comment or access to facilities in pursuance of a media/public consumption story

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PROCESS/REQUIREMENTS

MEDIA ENQUIRIES (reactive – usually mass media)

The first point of contact for a mass media enquiry will vary. The enquiry shared with the relevant Service Manager. A Director or (if nonavailable) another senior manager should be briefed on the enquiry.

The Service Manager or Director should either answer the enquiry directly, using information supplied by relevant members of staff, or ensure that the appropriate member of staff is supported to respond on behalf of BrisDoc.

Staff are **not** permitted to make contact with the media themselves to pass on information nor to express opinions in relation to any patient or any other matter related to BrisDoc. The only exception to this requirement is when they have obtained prior express permission from the Directors.

Contacting the media outside of this arrangement would be a breach of this policy and may result in disciplinary action being considered or taken through established processes as stipulated in the BrisDoc Disciplinary Policy.

Staff must be made aware and follow the Whistleblowing Policy should they feel the need to raise or highlight an issue. The Whistle Blowing Policy is available on the intranet.

Should staff be approached by the media to comment –“ off” or on the record* – they must decline the request and redirect the journalist to the Service Manager or Director *without fail*. This is standard practice and journalists will be aware of this requirement but may still make approaches in the hope someone will provide with them some information. * NB: there is no such thing as “off” the record, if a journalist hears something and thinks it is of interest to the public they will find a way of featuring this information.

General Data Protection Regulation compliance

BrisDoc has got an absolute duty of care to our patients. This also includes observing and maintaining patient confidentiality in line with the NHS Code of Confidentiality. Under normal circumstances there will be no basis for disclosure of confidential and identifiable information to the media.

Permission to discuss the care and treatment of patients, including the taking of pictures and moving images (filming) must always be obtained *before* any media involvement. Again, this needs to be approved by the Service Manager or Director who will provide a consent form (see APPENDICES A; B and C) that will be signed by the patient and staff involved and sent back to the Governance Manager for filing as an information request.

If consent cannot be obtained from the patient because of incapacity or death or they are a young person unable to consent, the matter should be discussed with the Caldicot Guardian or their representative a close relative – personal representative - may consent before any patient details are disclosed with the media if deemed appropriate by the Caldicott Guardian. In such circumstances, the Service Manager or Director and the Information Governance lead must all be consulted as well and must approve all planned media engagement.

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There will be occasions, however, when NHS organisations and staff are asked for information about individual patients. The Service Manager or Director will take a view on whether disclosure is justifiable. Examples include:

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

In all circumstances, care must 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 must 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 correct.

Where additional information is to be disclosed, e.g. to correct statements made to the media, patient consent must be sought, but disclosure without consent may be justified in the public interest. The patients concerned and/or their representatives must be advised of any forthcoming statement and the reasons for it.

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

Disclosures need to be justified on a case-by-case basis and must be limited to the minimum necessary in the circumstances.

This approach also applies to BrisDoc service delivery or commercial information. To ensure that BrisDoc staff support the wider system and the NHS this policy should also apply. At all times staff are a representative of BrisDoc.

Managing Enquiries

Most media enquiries are made directly to the Service Manager or Director. However, if any other member of staff receives an enquiry from the media (including any request to film on BrisDoc sites) they must:

- make a note of the caller's name and phone number/email address, the media they are representing, and the nature of their enquiry
- inform them that an appropriate person will call or email them back
- pass the information to the Service Manager or Director as soon as possible. (This is standard practice and journalists will be aware of this requirement.)
- Media requests need to be prioritised and important to "speak to" Director/Manager (within 1 hour) to make them aware of contact and not to rely on "email" to do this.
- The Governance Manager should be advised at the same time, where the contact will be recorded as information request

All communications should be signed off by a Director.

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DEALING WITH MEDIA INTEREST (reactive)

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

Staff must *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).

PROFESSIONAL MEDIA

We encourage staff members to engage in healthcare writing. If BrisDoc is to feature in any way which could be identifiable, a Director or senior manager should be consulted and ideally should review any piece prior to publication.

PROMOTING GOOD/POSITIVE STORIES (PROACTIVE)

Media releases can help to publicise matters of interest, decisions that have been made, events and achievements etc.

The Service Manager or Director issues **all** of BrisDoc's media releases and the Governance Manager maintains a log and copy of everything that is issued.

News releases may be loaded onto our website as agreed.

The media receive huge amounts of press releases daily so there are no guarantees that a press release will be picked up. To help secure a share of voice for BrisDoc, the Service Manager or Director will, where possible, 'sell in' a good news story to a publication over the phone or at a face-to-face meeting rather than relying on email correspondence.

Staff are **not** permitted to contact the media to pass on information nor to express opinions in relation to any patient or other matter related to the BrisDoc. The only exception to this requirement is when they have obtained prior express permission from the Service Manager or Director See Appendix D, which may be useful for as guide when staff have obtained the necessary permissions to talk directly to the media.

FREEDOM OF INFORMATION

The media is increasingly using the Freedom of Information Act to obtain information from organisations, sometimes openly but sometimes without disclosing their identity.

Any FOI request must be dealt with by the Information Governance Team (SIRO/Caldicott Guardian/IG Lead).

If it is known or suspected the enquiry is from the media, the Service Manager or Director will work together with the Information Governance Team to provide a response.

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SERIOUS INCIDENTS AND MAJOR INCIDENTS

These types of incidents can generate the rapid appearance of large numbers of reporters, photographers and camera crews. Sometimes these are related to the treatment of high-profile people or an unexpected occurrence such as a major transport incident or local disaster

BrisDoc has a draft press release Appendix E should there be a security data breach, which is a requirement of the Data Protection Security Toolkit.

ROLES & RESPONSIBILITIES

The Service Manager or Director is the first point of contact for members of the media enquiring about anything or anyone linked to BrisDoc.

The Service Manager or Director will endeavour, subject to press/media deadlines, to ensure that appropriate clinical and managerial staff are involved in discussions about any proposed response and that, where appropriate, any external organisation is informed and involved.

In the unlikely event that a member of the Service Manager or Director cannot be contacted to deal with an urgent media enquiry, then staff must pass the call to the most senior manager they can locate. The senior manager must then liaise with the Director on call.

Managers would be expected to ensure compliance with this policy and to approach the Service Manager or Director in the first instance with any plans to engage with the media – proactively or reactively.

Should external support be required by individuals or to address a particular scenario, this will be agreed and sought by the Directors at the time of the event.

TRAINING

It is recommended that senior managers and directors receive media training in anticipation of media interviews.

All other staff put forward for interviews will be fully supported before, during and after the interview by their line manager. This support includes drafting briefing documents and key messages; accompanying staff to recording studios/media houses for interviews as and when needed.

REFERENCES AND LINKS TO OTHER DOCUMENTS

Other BrisDoc policies that must be read in conjunction with this policy include:

- Incident Policy
- Violence and Aggression Policy
- Being Open Policy
- Whistleblowing Policy
- Disciplinary Policy
- Information Governance Policy

All of these can be found on BrisDoc intranet.

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FILMING REQUIREMENTS CHECKLIST

The following information must be obtained and agreed from the Film company

- Confidentiality agreement
- Risk assessment of the location
- Evidence of EPL
- Process for obtaining consent

and then BrisDoc should inform their EPL insurer.

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Appendix A - Consent form for commissioning photography of adults for media publications

Consent form for commissioning photography of adults for media publications

Name: _____

Address: _____

Contact telephone number: _____

NHS number (where applicable): _____

Location of photograph _____

BrisDoc would like to take photographs of you for promotional purposes. These images may appear in printed publications or on our website.

We need your permission before we take any images of you. Please answer the questions below and sign and date the form.

Please return the form to: _____

May we use your image in our printed publications Yes / No

May we use your image on our website? Yes / No

Are you happy for BrisDoc to use your image in any release or articles we do with the local and national media? Yes / No

What period of time do you agree to give for: (*please circle*) 6 months/1 year/ 2 years

Signature: _____

Date: _____11

Conditions of use:

- This form is valid from the agreed stipulated period from the date of signing. (E.g. 6 months/1year/2years). Consent will expire after this time.
- BrisDoc will not use these images after this time without gaining permission from you.
- We will not include any personal details (postal address, telephone number or fax numbers) in our publications or website.

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Appendix B - Consent form for photography of children for media publications

Consent form for photography of children for media publications

Name of parent/Guardian _____

Name of child _____

Address: _____

Contact Number _____

NHS number (where applicable): _____

Location of photograph _____

BrisDoc would like to take photographs of your child/children for promotional purposes. These images may appear in printed publications or on our website.

We need your permission before we take any images of your child/children. Please answer the questions below and sign and date the form.

Please return the form to: _____

May we use your child's image in our printed publications Yes / No

May we use your child's image on our website? Yes / No

Are you happy for BrisDoc to use your child's image in any release or articles we do with the local and national media? Yes / No

What period of time do you agree to give for: (*please circle*) 6 months/1 year/ 2 years

Signature: _____

Date: _____

Conditions of use:

- This form is valid from the agreed stipulated period from the date of signing. (E.g. 6 months/1year/2years). Consent will expire after this time.
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Appendix C - MEDIA CONSENT FORM

MEDIA CONSENT FORM

Press photography/ filming Date of interview/ photograph

Location

Name of person interviewed/photographed

Name of parent/guardian if patient is under 16

Patient contact number

TV/Radio/Newspaper involved

Reporter's name

Reporter's contact number

I consent that the photographs may be used for publication/viewing, and for the purposes of this filming only that (*insert name*)

May speak about the particulars of my case.

Signed

Date Time

Any further details:

Appendix D -GENERAL GUIDANCE – DEALING WITH THE MEDIA

Having referred the issue to the Marketing Communications Team and you are subsequently required to talk to the media, the following guidance may be useful:

Only speaking “On The Record”

From the moment the media approaches you, whether by telephone or in person, your conversation will be treated as "on the record". This means that any of your comments can be reported whether you intend them for public consumption or not. If you do not want a comment reported, avoid saying it.

Speaking Off the Record

This does not exist – if an issue is of interest to the media, they will cover it and you risk putting your reputation and that of the Trust at risk. Only speak to the media if you are prepared to be quote for what you have said.

Clarity

Be clear about what you want to say before you say it, and use clear, everyday language. NHS jargon or complex clinical descriptions are meaningless to the public - so refrain from using them and explain what they mean. Do not allow yourself to be rushed or pushed into saying something you don't mean. If you need thinking time to ensure that you are clear about your facts, say you will ring the media back. Please ensure that you do so.

Simplicity

Even if you spend half an hour talking to a reporter, very few of your comments are likely to be reported. This is because many articles are short, or other people's comments also have to be reported within the same article. It helps to think of two or three key points, which you can reiterate and expand on so that your main messages are more likely to be reported.

Using Your Expertise

Usually you will know far more about the subject under discussion than the reporter so do not be afraid to correct misconceptions or take the initiative to introduce new information which may be of more interest.

Deadlines

All reporters work to strict deadlines which are imposed by their "news desk" (a group of senior staff who co-ordinate the news gathering operation of a particular newspaper, radio station or television company).

Reporters will often demand instant comments, but you must not feel pressured into making off-the-cuff comments. You must take a telephone number and call back within an agreed timescale. With rare exceptions, it is best to respond to all enquiries, particularly those relating to potentially damaging allegations. You must remember that if you do not respond within the deadline, the reporter is not obliged to check with you again before publishing or broadcasting the news item, even if the result is an unbalanced report.

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Remember that BrisDoc wants to work in a collaborative fashion with the media and therefore wants to demonstrate a willingness to help with enquiries and an ability to do so in a professional manner with an awareness of their needs and deadlines.

Confidentiality

Individual patient confidentiality must be observed and respected. Even if a patient has put their private life into the public domain - for example, by telling the media of a complaint about the care provided by BrisDoc - it does not entitle you to expose all their personal details or question their motive for making a complaint.

POTENTIAL PITFALLS

If you are dealing with the media on behalf of BrisDoc it may be helpful to remember the following points:

Personal Opinions

Be clear with the media if you are expressing a personal opinion. However, you must be aware that if you are speaking on behalf of BrisDoc, your views may be represented as those of the organisation or, if they differ from the "corporate" view, they may be represented as evidence of conflict within BrisDoc.

Anger

Never allow yourself to become angry or make personal attacks on the reporter. The media will often play 'Devil's Advocate' to provoke a reaction and then report comments made in haste/anger. You may be robust in your comments without becoming angry.

Report back to the Service Manager/Director

Be sure to let the Service Manager/Director know about your conversation with the media: who you spoke to and from which publication/programme/channel, what was said, how you felt the conversation went, and when you are anticipating the story will be featured in the media.

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Appendix E - Draft Press and Media Statement for Data Security Breach

BrisDoc has taken measures to investigate and address a data security incident involving the <system/thing>.

On <Date and Time> BrisDoc received notification of the incident. BrisDoc quickly engaged its technical and security experts to help determine what occurred.

<What was found>

BrisDoc has reported this incident to the relevant regulatory authorities.

“We deeply regret this incident happened and are using lessons learned to improve our approach/security moving forward.”

Patient Support <if applicable>

Practice Services: Please contact the Practice Manager for your surgery

Integrated Urgent Care: Please contact the Governance Manager

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Appendix F – Media Policy in a hurry/under pressure

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Change Register

Date	Version	Author	Change Details
18/03/19	1.0	D Lowndes	
28/03/19	2.0	D Lowndes	NG comments
19/06/19	3.0	D Lowndes	EPPR inclusion
04/07/19	4.0	D Lowndes	Feedback from KR/CLN
27/09/21	5.0	D Lowndes	Annual; review
28/09/22	6.0	D Lowndes	Annual Review
30/01/23	7.0	D Lowndes	Annual Review