

February 2008

MEDIA CHARTER AND HANDLING POLICY

1. Introduction

1.1. This Charter has been established in response to a need for a formal relationship between YUSU and the Student Media outlets it supports at York. In conjunction with the editorial teams of the major news broadcasting and publishing societies this Charter aims to address procedures relating to reporting and to formalise complaint procedures regarding the student Media.

1.2. YUSU, University Radio York (URY), York Student Television (YSTV), Vision and Nouse Newspapers, Bad Taste and Film Making Soc have drawn up this Charter in order that it may be as representative of the needs of all parties affected as possible.

1.3. This Charter will be available to any member of the Union or other concerned party upon request as a constituent part of the Union Code. It is the responsibility of the signed parties that their society members are made aware of this Charter and adhere to it.

2. Media Charter Contract

2.1 The senior members of the society and the YUSU Societies and Communications Officer must ensure that:

- a) The senior members and YUSU Societies and communications Officer hold membership of the National Union of Journalists.
- b) The NUS/NUJ Code of Conduct is adhered to.

2.2. Any breach of this Charter will in the first instance be referred to the senior society member and the YUSU President or appointed officer.

MEDIA RIGHTS

2.3. By signing to this Charter the YUSU Executive and Media Societies recognise the following rights.

- a) The right of societies to access to information.
- b) The right to freedom of the press and independent reporting.
- c) The right of the media to inform the student community of issues of concern.
- d) Where ratified, the right of societies to funding, support, suitable office space and equipment.

UNION EXECUTIVE RIGHTS

- e) The right to accurate reporting of Union activities.
- f) The right to ensure the student media does not produce material that contravenes Union equal opportunities policy or the YUSU Constitution.

3. Conducting Interviews

GENERAL INTERVIEWS

3.1. Interviews should be declared as such and pre-agreed by both the officer and the interviewer.

3.2. Where possible all interviews should be recorded by dictaphone.

3.3. The interviewee should initial any notes of interviews.

3.4. Where phone interviews are made permission must (legally) be sought from the interviewee if the conversation is to be recorded. Where phone interviews cannot be recorded quotes should be read back and confirmed with the interviewee.

3.5. All records of interviews should be filed and kept until three weeks after print. In the case of broadcast media, records should be kept for a minimum of 40 days. Where a complaint has been received, records should be kept until the complaint has been resolved.

INTERVIEWING UNION OFFICERS

3.6. Interviews with Union Officers will be conducted in accordance with Section 3 of this Charter.

3.7. Union Officers have a duty to provide quotes where requested, provided the subject matter is appropriate to their role as a YUSU officer.

3.8. Journalists should not ask personal or inappropriate questions to officers. Officers may reserve the right to turn down a question if felt inappropriate.

3.9. Officers may reserve the right to refer questions to other officers where it is felt they are more qualified to answer.

3.10. Any answers provided by Officers to questions must be answered in their capacity as a Union Officer. Any personal comments or opinion referring to the Union or other Officers must be stated as such. The officer must substantiate any reference to an individual or organisation and this must be reflected in the reporting.

3.11. Officers may refuse to answer questions but must provide good reason. Where Officers refuse to comment the media reserve the right to print or broadcast this reason. Where reasonable the media may broadcast or print where an Officer has refused to cooperate.

3.12. Where Officers refuse to cooperate to the point of obstruction, the media society representatives should refer to the YUSU Complaint Procedure (YUSU Constitution, Section 3, Appendix 1).

3.13. Where an Officer has a reasonable complaint regarding the media they should refer to the Complaints Procedure laid out in this Charter.

INTERVIEWING UNION STAFF

3.14. Union Staff will not be available for interview unless within protocol outlined in the YUSU Staff Handbook:

3.15. Staff members will not take part in any public discussion of Union Policy issues, nor give public expression to views contrary to the policies of the Union.

3.16. Staff will not comment to the media, including the student media, in their role as a member of staff without the approval of the Societies & Communications Officer or Services & Finance Officer.

3.17. If appropriate permission has been granted for interviewing staff, interviews must be conducted in accordance with this charter.

IDENTIFICATION

3.18. YUSU recognises the needs of journalists of media societies to be identified as members of their respective societies. Therefore the Societies and Communications Officer will allocate identifiable press passes to those who request one as long as they are a fully paid member of their respective society (in accordance with membership lists). Press passes will only be valid with a current NUS card.

4. Publishing and Broadcasting

4.1. Editors, programme directors and relevant society members are expected to have a reasonable grasp of legal issues including libel, defamation, slander, court cases, privacy, elections and copyright. This shall include those guidelines as defined by YUSU during Union elections. Where possible the Union training team will provide basic training to this effect.

4.2. Broadcast media shall abide by statutory regulations as defined by the Independent Television Commission and the former Radio Authority Code of Practice or OFCOM guidelines.

4.3. Where uncertainty remains legal advice must be sought from the Union solicitor or from the NUS Press Office.

4.4. The Press Complaints Commission Code of Practice shall be adhered to when reporting.

5. Online Publishing

5.1. The rules in this media charter apply to online news websites and other online publishing run by media outlets, subject to the variations set out in section 5.

5.2. Before publishing articles likely to be contentious, advice should be sought from the Union Manager, Societies & Communications Officer, and Academic and Welfare Officer, and their decisions on inclusion of content followed, based on the legal, accuracy and welfare issues listed in this media charter.

5.3. It is not necessary to submit all articles for checking before publishing. However, when publishing any article relating to News, Comment or Sport, a notification must be sent to the Societies & Communications Officer and Academic and Welfare Officer via email.

5.4. If the Societies & Communications Officer, Union Manager, or Academic and Welfare Officer consider an article to be a risk to the Union or to the welfare of any member, or if the article breaks other terms of this Media Charter, the article must be removed from the website within 3 hours. It may be republished only with approval of the Societies & Communications Officer.

6. Media Awards

6.1. The YUSU President will not sign off any piece of media work for award entry submission unless it has been made explicitly clear which pieces of work are being submitted.

6.2. Any piece of media work that has not been broadcast or distributed on campus will not be signed off for submission.

7. Financial Risk Management

7.1. To help limit expenditure of societies, YUSU will take the following responsibilities.

7.2. YUSU will hold the account with any printers and take responsibility for ordering the papers. The print run will only go ahead when the Union is sure the societies have sufficient funds to cover the cost of the print run, and at this point the Union will place the order.

7.3. YUSU will take into account any future income from advertising if the Finance Office has received an order form, contract or advertising agreement signed by the advertiser.

7.4. When an advertiser has signed a contract / advertising agreement / order form, the Union will take on the responsibility for invoicing and chasing up the advertiser.

7.5. If the media societies disagree with the Union's decision, they have the right to appeal as laid out in the Complaints Procedure.

7.6. YUSU and representatives from each paper will meet prior to the Spring and Summer terms to assess the financial state of the outlets and approve the printing of the issues for the following term. If the Union considers that either paper cannot afford to print, they have the authority to reduce number of issues authorised.

LIABILITY RISK MANAGEMENT

7.7. Media societies will provide the Union Manager with copies of News, Comment and Sport section, along with any other articles deemed to be contentious by the editorial team, prior to these being sent to print, allowing the Union Manager at least one working day to check for any legal issues wherever possible. These sections may be submitted in draft form rather than as laid-up if necessary, when sent in advance. Ongoing features that have been previously identified as contentious by the Societies and Communications Officer must also be submitted at the same time.

7.8. The above sections should be submitted as laid-up documents, ready-to-print for proofing by 9am on the day of print. The Sport section does not need to be submitted in laid-up form for proofing, provided that all text content is sent.

7.9. Any articles considered potentially a risk to the Union by the media societies will be raised with the Union Manager as early as possible.

7.10. If required, the Union has the ability to print media not to distribute any publication until such time as the Union has sought legal advice from the Union solicitor. Advice should be sought as soon as possible.

7.11. YUSU will ensure the media societies, all relevant Union officers and the Union Manager are trained on an annual basis to ensure they have a working knowledge of media law. This training will include any legal issue as seen fit by the relevant Union Officers or Union Manager.

7.12. The print organisation will not print any editions without an official order from the Students' Union, and that order will not be authorised until the Students' Union has approved copy and the relevant society being informed.

7.13. To ensure the value of the media training provided, all media societies must hold their AGMs by the end of Week 6, Autumn term.

8. Complaints Procedure

COMPLAINTS REGARDING PUBLISHED / BROADCAST CONTENT

8.1. All printed media shall publish in each issue a complaints procedure. Broadcast media shall display procedures in an accessible location.

8.2. Complaints shall be upheld where the society has breached the Press Complaints Procedure Code of Practice or equivalent and where the complainant considers that they have been subject to defamation, libellous comment, slander or other unsubstantiated allegation.

8.3. Any person wishing to complain about any item printed/broadcast within the student media should make the complaint to either the Editor/Head of media society. In the first instance the media societies senior members will deal with the complaint. Complaints made to a Union officer will be referred to an appropriate society member.

8.4. A letter of complaint should include:

- a) A statement clearly outlining which areas within this Charter have been breached
- b) A summary of the complaint, including any other supporting correspondence
- c) A copy of the complete article where possible. Include the name of the publication and the date. If the complaint is about a broadcast then include the date and time of the broadcast and the name of the broadcaster.

8.5. Complaints should be replied to within ten days of receipt. Where complaints are on matters outside the responsibility of the society, the complaint should be referred to the appropriate person by the chair or a senior position holder within the society.

8.6. If the complainant remains unsatisfied with the response then they can refer the complaint to the Societies and Communications Officer for mediation. Media society members may attend to clarify details, unless the Societies and Communications Officer feels the complainant has grounds to request they are not present. The Societies and Communications Officer should make every effort to help resolve the complaint through mediation before progressing it further.

8.7. If a satisfactory conclusion to the complaint is not reached through mediation then it is referred to a panel comprising of:

- a) the Societies & Communications Officer (Chair)
- b) the Education & Welfare Officer
- c) the chair of York University Media
- d) the head of each society or media outlet having subscribed to this charter

This panel will make recommendations to the Union Executive Committee to resolve outstanding complaints. Such recommendations must be ratified by the Executive Committee to take effect. These may include such recommendations as the de-ratification of societies, dissolution of media outlets from YUM, removal of a media society officer from post and other disciplinary actions within the society/affiliate. It is the responsibility of the society/affiliate to resolve internal recommendations. Where the complaint refers to a Union officer it may be recommended that this may be appropriately presented to the next UGM.

8.8. Where appropriate and if the complaint remains unresolved the matter may be referred to the Academic Registrar.

8.9. Where a complaint involves legal action being sought against a society or individual the Students' Union will have responsibility to provide the society or individual with appropriate legal support.

8.10. A log shall be kept of the type of complaints received while respecting the anonymity of the complainant. Where a continued recurrence occurs, this will be recommended to the panel to consider action. The log shall be made available to all panel members.

8.11. Where appropriate anonymity of the complainant will be respected at all times.

8.12. The resolution of any complaint upheld shall be published or broadcast in full and with due prominence by the society concerned.

COMPLAINTS REGARDING WITHOLDING OF A PRINT-RUN

8.13. If print media groups believe that they have adequate funds to print an issue and are denied the right to print by the Union, the following appeals procedure is available to the societies.

8.14. In the first instance, all complaints should be made to the Services & Finance Officer in writing within five working days of any refusal by the Students' Union to authorise funds for printing. An official response should be given to the newspapers within 48 hours of the complaint being made.

8.15. If the print media are still not satisfied, an invitational panel will be convened consisting of the following members:

- a) The Union Services & Finance Officer (Chair)
- b) The Union Manager
- c) The Union Finance Manager
- d) The YUM Chair
- e) A senior member from all media subscribing to this charter.

8.16. This panel should meet within 72 hours of a written complaint being received. The Services & Finance Officer will chair the panel and will remain impartial at all times unless a deciding vote is required. An agreement will be made by consensus.

PRINTING APOLOGIES

8.17. Any printed apology should be in compliance with Press Complaints Commission Procedures. Each print media society and the Students' Union should retain a copy of these procedures.

8.18. Copies of apologies should be kept by the Media society concerned and by the Societies & Communications Officer.

RETRACTIONS

8.19. If concern about the content of a publication is serious enough that its retraction is required the ultimate decision lies with the Societies & Communications Officer.

8.20. The Societies & Communications Officer must be a member of the National Union of Journalists and have a reasonable understanding of legal issues affecting publications. They must have access to the NUJ Code of Conduct and legal advice.

8.21. The Societies & Communications Officer must retain up to date contacts for societies in the event of retraction. It is the responsibility of the society to ensure that contacts are kept up to date.

8.22. Media societies are responsible for providing the Societies & Communications Officer with an up to date list of distribution locations to facilitate retraction where necessary.

8.23. Where there is a matter of a perceived legal threat to individual students or organisations, legal advice should be sought from the YUSU solicitor and NUS legal team at the first available opportunity. YUSU and the media society should co-operate in seeking this advice.

8.24. Retraction must only be made where it is judged that the published material poses a realistic legal threat to individual students or organisations.

8.25. In the event of a retraction the Societies & Communications Officer must make all reasonable efforts to ensure that the media society contact is informed of the decision and reasonable justification offered before retraction. Decisions regarding retraction must be fully transparent to the Media Society.

8.26. Retraction of printed media takes the form of collection of all issues remaining at distribution points and the removal of any relevant articles from media websites. Publications should be retained by the society or the Students' Union until legal advice is returned. Broadcast media retraction takes the form of the removal of any listen/watch again items from broadcasters websites.

8.27. All efforts should be made to resolve any retraction as quickly as possible. Where possible a resolution should be reached within the next working day.

8.28. Where a possible legal threat is confirmed a suitable resolution should be negotiated before redistribution of publications. It must be confirmed by the YUSU solicitor and NUS legal team that any legal threat has been removed before redistribution. All parties will recognise the decision of legal representatives as absolute.

8.29. Where there is a disagreement between the YUSU solicitor and NUS legal advisor a third opinion will be sought from the National Union of Journalist legal advisors. The decision of the third party is final.

9. Adherence to the YUSU Constitution

9.1. The YUSU Constitution states that the Union should "...promote the interests of its [union's] members in those economic, social and welfare issues which have a direct effect on education or upon the position of its [union's] members in society." These measures are to ensure adherence with the Constitution and prevent any hysteria, which could impact upon the lives of our members, being generated by the media.

9.2. Media societies and affiliates, like any other society, must adhere to the YUSU Constitution as a premise for ratification.

9.3. Should a story place a member of the Students' Union at specific social, academic, physical or mental risk, as identified by the Academic and Welfare Officer, then the published story must not breach the student's anonymity unless it conforms to Section 1 of the PCC code. Breach of anonymity includes the use of name, photo, physical description, or any material that can lead directly to their identification.

9.4. Should the Academic and Welfare Officer consider that an article meets the criteria set out in 8.3, he/she must report this to a representative of the media society in question immediately. If no satisfactory solution can be reached, or if any party identifies a conflict of interest the matter will be brought before an invitational panel (quoracy 5) consisting of the following members:

- a) YUSU President
- b) YUSU Societies & Communications Officer (Chair)
- c) YUM Chairperson
- d) YUSU Academic & Welfare Officer
- e) Media Society Representative (from the publishing society)

9.5. Should a member of the Union waive their constitutional right to anonymity, they are fully entitled to do so, however they will not be able to break other individual(s) rights to anonymity on campus.

9.6. Should (a) reported individual(s) not be a member of the Students' Union or cease to be a member of the Students' Union then there are no grounds to support or defend their aims. Therefore constitutional issues do not apply and the individual(s) can be identified in accordance with the law of the land.

10. Consequences of Non-Adherence

10.1. The YUSU Services & Finance Officer considers a non-signatory party of this media charter to be in breach of the charter, and consequently not a legitimate society or internal affiliate.

10.2. Should any member of the Students' Union or reported on person/group believe that a signed party has not adhered to this charter then they can undergo the complaints procedure outlined herein.

10.3. Should the outcome of an investigation prove that a signed party has broken the conditions of this charter, then the panel set up previously could recommend a number of options, including:

- a) That the Editor or senior members of the outlet are required to resign their posts
- b) That the outlet is fined an amount specified by the panel, payable within 21 days.
- c) That the outlet must release a formal public apology in their next issue of at least half a page.
- d) That the outlet is required to give a maximum of three pages (as decided by the panel) to a YUSU internal affiliate for use as they wish.
- c) That the YUSU Services & Finance Officer freeze the said society's account.
- d) That the society's media can cease to be distributed/broadcast.
- e) That the Students' Union Executive Committee should refuse to ratify or deratify the said society.
- f) That the YUSU Services & Finance Officer requests that all equipment owned by the Students' Union used by the said society or affiliate be returned in full, or full market price be charged to the individual users.
- g) That all Students' Union premises used by the said society or affiliate be vacated immediately.

11. Media Handling Policy for Executive Officers

11.1. This Policy has been drawn up to ensure that all officers of the Union know how to deal with the media both on and off campus in relation to their responsibilities of their role. The Policy aims not to dictate the views or opinions of officers but to ensure that there actions and reactions to the press do not bring about legal action or any other disrepute upon the Union.

11.2. Officers should be aware that when talking to members of the on-campus media they might be unsuspectingly giving an interview. If it is clear that an interview is taking place the officer should request that the interview be recorded. If this is unable to occur then the officer should demand to see the written notes of the interviewer and sign-off on them that they are a fair and just record of the conversation. Once an officer has signed s/he will be unable to claim that s/he has been misquoted.

11.3. If the interview is held over the phone the officer should request that it is recorded. If the interview cannot be recorded then the officer should demand (in accordance with the Media Charter) that the reporter reread any quotes that will be used in his/her journalism.

11.4. When speaking to a campus media society an officer should, ideally, comment on issues solely related to their role and the remit of their position. They should not:

- a) Discuss any issue regarding Union staff
- b) Speak out against the actions of a fellow officer
- c) Discuss the specific state of any student with regards to incidents or rumours; despite the level of public knowledge surrounding the situation.

11.5. If at anytime an officer feels that they are being harassed by any member of the media, either directly or indirectly they should lodge a complaint with the President, who must then follow up on the complaint as laid out in the Media Charter.

11.6. Officers should proceed with extreme caution when dealing with external media, be they local or national. This does not mean that they should avoid contact with the media but instead should be very prepared and stay focussed upon the immediate issues.

11.7. Ideally when approached by the media, officers should immediately offer return contact soon, preferably by email, so that the officer has time to prepare a cohesive response. If replying by email an officer should save a copy to ensure that s/he is not misquoted (the email response also stops an officer from being drawn into a dialogue which may result in misquotes and confusion).

11.8. When approached by external media, an officer should always check with the President, Societies & Communications Officer or Academic & Welfare Officer the official statement from the Union. It is the remit of the sabbatical officer to then check with the University regarding the impact that any statement may have.

11.9. When speaking to the external media, officers should never:

- a) Discuss any issue regarding Union staff
- b) Speak out against the actions of a fellow officer
- c) Discuss the specific state of any student with regards to incidents or rumours; despite the level of public knowledge surrounding the situation.
- d) Confirm or deny any incident that s/he is questioned on
- e) Publicly attack policy of the University without prior consultation with the Executive Committee, the President, Services & Finance Officer or Academic & Welfare Officer

11.10. In the majority of instances untrained officers should avoid giving interviews with external media and refer any such situation to the President, Societies & Communications Officer or Academic & Welfare Officer.

11.11. If contact with external media is in written form then the press release should be checked through by either the President, Societies and Communications Officer or Academic & Welfare Officer; if necessary to be referred then to the Executive Committee.