

# Appendix 1

## Social Media Guidance For Councillors

### Introduction

This guidance offers advice and tips to councillors to ensure that the public are clear at all times whether councillors are using social media on behalf of the Council or as an individual. It also aims to ensure that use of social media by councillors is effective, lawful and does not expose the council to security risks, reputational damage or breach the current data regulation legislation.

This guide covers the use of social media over the internet and by email, smart phones, social networking sites, blogging, and tweeting, and all social media platforms.

Social media includes (but not limited to) social networking and applications such as Facebook, Twitter, Instagram, WhatsApp, Snapchat, Flickr, YouTube, LinkedIn, blogs, discussion forums, wikis.

### What to bear in mind

When you engage with people online it is important that a common sense approach is taken. The things that can get you into hot water anywhere else are just the same things to avoid in social media.

You are personally responsible for what you publish on social media. It is important that you think before you post online as words can't be unspoken. Even if you delete a statement, blog or tweet, it will probably already have been read, indexed or duplicated in places beyond your reach.

The law of defamation applies to social media in the same way as written or spoken communication. You can be sued for damages if a person or business considers their reputation has been or may be harmed because of your actions.

You need to be clear at all times whether you are posting in a personal or professional capacity, as an elected member or private individual. Including 'Cllr' or 'Councillor' in a name is taken to mean that the councillor is writing in the capacity as an elected member. Councillor profiles, websites and social media accounts should clearly be labelled as either private or personal or in your capacity as a councillor. This is particularly important as mixing these uses is likely to cause confusion to the public.

Anyone receiving threats, abuse or harassment via their use of social media should report it to their political group leader, members' services and/or the police. Complaints can also be made following the social media provider's own policies.

## **Using social media at council meetings**

If you are using social media during an official council meeting or event, ensure that the use does not negatively impact on the proceedings or contravene the Constitution or other council protocol.

Remember you should not publish or report on meetings which are private or internal (where no members of the public are present, or it is of a confidential nature) the content of exempt or confidential business dealt with by the Council in private sessions.

It is important for you to show that sufficient attention is being given to the discussion at the meeting. If it is perceived that a decision is made without you having properly listened to the debate, it could lead to the relevant decision coming under challenge. It could also result in code of conduct complaints of a failure to treat others with respect or bringing the Council into disrepute.

## **The code of conduct**

Your posts on social media are subject to the Code of conduct and various laws. You should apply the following guidelines to your online activity in the same way you would to other written or verbal communication.

- Show respect of others. The general principle is to avoid personal attacks, rude or offensive comments, however the right for an individual to express views is enshrined in law by the Human Rights Act 1998 and whilst the code of conduct requires councillors to treat others with respect, political expression may at times be considered disrespectful to a group of people.
- Not to bully or intimate others -repeated negative comments about individuals could be interpreted as bullying or intimidation.
- Avoid conducting yourself in a manner or behaving in such a way to give a reasonable person the impression you have brought your office or the council into disrepute.
- Comply with equality laws including the public-sector equality duty – do not publish any thing that might be seen, as racist, sexist, ageist, homophobic, anti-faith or offensive to any of the groups with the protective characteristics defined in the Equality Act 2010. Even as a joke or “tongue in cheek”
- Not disclose confidential information about people or the council
- Not to secure a benefit for yourself or disadvantage for others
- Ensure that readers are not misled into believing that any material published by you is on behalf of the council, authorised by the council or official council policy if it is not.

- Ensure all content that relates to the council or council business is accurate, fairly balanced, not misleading and complies with any relevant council policy.
- Comply with the terms and conditions of the social media site being used.

A complaint may be made against you if you contravene the code of conduct.

### **Personal social media accounts**

Councillors should be aware and recognise that there is a risk of damage being caused to the council via their personal use of social media when they can be identified as an elected councillor.

Consider the name that you use online. Prefacing your Twitter account with Cllr lets people know exactly who you are and indicates the Code of Conduct will apply.

If in respect of any personal use of social media a councillor can be identified as associated with the council by the profile or content, then the following guidance should be complied with.

Setting up separate accounts can help you manage your home life and role as a councillor separate.

#### ***Best practice:***

You can choose to set appropriate privacy settings to manage what the press or public can see and what your family and friends see.

Read the terms of service of any social media site accessed and make sure you understand their confidentiality and privacy settings.

You can expressly state through a prominent disclaimer on any profile or content that identifies you as a councillor (or otherwise refers to or implies a relationship with the council) that the stated views are your own personal views and not those of the council.

Keep your messages professional, polite and positive.

Exercise discretion when choosing who to follow on Twitter and befriend on Facebook. If you are Facebook friends with council employees, contractors on who have been procured to provide services to the council, company or a member of the public making a planning application or pressure groups, this might be construed as having a close personal association with them and therefore a personal interest

Ensure that readers are not misled into believing that any material published by you is on behalf of the council, authorised by the council or official council policy if it is not.

Ensure all content that relates to the council or council business is accurate, fairly balanced, not misleading and complies with any relevant council policy.

Comply with the terms and conditions of the social media site being used.

### **Things to avoid doing:**

Make any comment or post material so as to give a reasonable person the impression that you have brought your office as councillor or the council into disrepute.

Present political or opinion as fact or as representative of the council.

Imply that you are authorised to speak as a representative of the council nor give the impression that the views you express are those of the council.

Post or publish any material that is harassing or bullying. Harassment may include personal attacks on officers or members of the public.

Use the council's logo, or any other council related material on a personal account or website.

Publish content in a way which appears as if the council has endorsed it.

Publish content in an abusive manner or in any way which can be seen as unacceptable behaviour.

Disclose confidential council information or matters.

### **Civil Law and other considerations**

#### **Defamation**

If you publish an untrue statement about a person which is damaging to their reputation, if found liable to another person, you could be ordered to pay large sums of money as damages. This may also apply even if you retweet or pass on information originally posted by others.

#### **Harassment**

It is an offence to pursue a campaign repeatedly against a person that is likely to cause them person alarm and distress.

#### **Copyright**

Placing the images, documents, photos, videos and music without the permission of the person who created them is likely to be a breach of copyright. Avoid publishing anything you are unsure about or seek permission in advance.

### **Predetermination**

If you are involved in a decision making you should avoid publishing anything on social media that might suggest that you have already made up your mind about a matter you may be involved in determining. Otherwise the decision runs the risk of being invalidated.

### **Political comment and Electioneering**

It is not acceptable to make political points or canvass votes using social media accounts via the Council supplied computer equipment, at any time, and in particular in the run up to elections.

### **Data protection**

Do not post personal data of other people without their express permission to do so.

### **Useful contacts**

- For advice of a non- political nature on best practice contact the Communications Team
- For advice on the Code of Conduct contact the Monitoring Officer
- For information about courses and member training relating to social media contact Committee and Member Services