



Councillors' Social Media Policy

*This policy provides guidance to Councillors
on their use of social media*

Adopted April 2023 Minute ?

SOCIAL MEDIA POLICY FOR COUNCILLORS

1. Purpose of this protocol

- 1.1 Social media is one of the key means of communication for individuals and organisations. The Council recognises Councillors' increasing use of social media and recognises the potential issues which may arise from their use of that social media. This policy is intended to provide guidance and clarity on what is and is not acceptable and complements the general rules under the Code of Conduct for Councillors.
- 1.2 In the use of social media by Councillors, the same standards of behaviour and conduct apply online as would be expected offline and therefore all points made in this policy can also be applied to all other forms of communication written or verbal made as a councillor.

2. Types of Social Media

- 2.1 Social media is a collective term used to describe technologies which allow the creating and sharing of information, ideas, interests and other forms of expression via virtual communities and networks and invite the posting of comments, contributions or facilitate conversations.
- 2.2 This policy covers all forms of social media and social networking sites which include (but are not limited to):
 - Facebook, Twitter, Instagram and other social networking sites
 - YouTube and other video clips and podcast sites
 - LinkedIn
 - Blogs and discussion forums
 - Email

3. Social Media can be used to:

- Support councillors in performing their community leadership role.
- Promote the work they are doing to a variety of audiences.
- Engage with residents, businesses and community groups.
- Keep in touch with local views and opinions.
- For campaigning on local issues.

4. Key Points to bear in mind:

When posting to social media councillors should remember that:

- They are an elected representative of the Council.
- What they post can affect the reputation of the Council.
- The Council is a corporate decision-making body – councillors can't independently make decisions for the Council on social media.
- Some issues and communications are best left to the Council's official social media channels which are managed by officers and designated councillors.
- Having a single voice or message can be critical in some situations – for example, in the event of major flooding.
- Councillors don't have to respond to or comment on everything on social media – and sometimes it's best not to.

- Councillors should be mindful of the difference between fact and opinion. They also play a central role in preventing the spread of disinformation so they should think twice before they press 'share' or 'retweet'.

5. Using Social Media as an Individual

- 5.1 It is important for Councillors to note that they are personally responsible for the social media content they create, publish and share. Being a councillor will not prevent someone from pursuing legal action following the publication of an untrue statement. In such a situation, it is likely that the councillor will be held personally liable.
- 5.2 Councillors can make private and personal non-political social media contributions, unconnected to Tisbury Parish Council business, where they are making that contribution in their personal capacity. In these circumstances the Code of Conduct is unlikely to apply.
- 5.3 In considering whether Councillors are acting as a member, the Standards Committee would have regard to the following factors:

The privacy settings on a Councillor's social media page

Where a councillor has a private, personal blog or social media page, which is used in their personal capacity as a private individual and not as a member, there should be appropriate privacy settings in place on those accounts. This will enable them to control who is able to see, review and comment on their posts. If their account is open to all readers, it may be reasonable for residents, and the Standards Committee, to assume that they are acting in their capacity as a councillor.

A Councillor's profile on the social media site

Where this is intended to be private, a councillor should not describe themselves as a member or refer to Tisbury Parish Council business or contacts. If they refer to themselves as a councillor to discuss official business, it would be difficult to argue that they were not subject to the Code of Conduct.

A disclaimer in a private blog to the effect that comments are not made as a member will not necessarily avoid the application of the Code.

Anonymous postings on social media

Tisbury Parish Council does not support or encourage anonymous postings by councillors conducting Tisbury Parish Council business. The issue of whether there was sufficient evidence to attribute the post to that councillor will be a matter to be decided by the Standards Committee.

6. Using Social Media as a Councillor:

- 6.1 Councillors should consider online activities where the Code of Conduct may apply:
- **Forum Posts:** A previously stated if a councillor identifies themselves as a councillor the Code will likely apply. If a councillor puts content on the site which could only have been obtained by them as a member, the Code

is also likely to apply. Councillors should also consider that any information they post on a forum could be reposted in part or in full by others.

- **Comments made by others:** It is important for councillors to check their blog or networking site to ensure there are no defamatory or obscene comments posted by others. It is good practice for blogs to include a statement making clear how inappropriate or offensive comments will be dealt with. Any offensive posts should be removed immediately.
- **Contacts on social media sites:** Various terms are used to define contacts on social media sites. These include 'friends' (Facebook) and 'followers' (Twitter). Councillors should be aware that anyone they include as a contact on a social media site could be regarded as a "close associate" within the meaning of paragraph 6 of the Code - interests. Simply including someone on a site as a friend does not establish a close association but it is one factor which would be taken into account in deciding whether such an association exists.

7. Other important issues to consider

7.1 There are considerations apart from the Code of Conduct which councillors should take into account when using online media. The following is a brief guide to some of the legal pitfalls in establishing personal social media sites. These can be avoided if a councillor's online content is objective, balanced, informative and accurate.

7.2 In the main, councillors have the same legal duties online as anyone else, but failures to comply with the law may have more serious consequences.

- **Libel:** If a councillor publishes an untrue statement about a person which is damaging to their reputation, they may bring proceedings for libel against them. This will also apply if a councillor allows someone to publish something libelous on that councillor's website or social media page and does not take prompt action to remove it.
- **Bias and Predetermination:** Councillors should avoid publishing anything which might suggest they have already made up their mind about a matter that they may be involved in determining. Otherwise, the decision runs the risk of being invalidated.
- **Disclosing Confidential Information:** Before releasing any information on social media, councillors should be mindful of whether that information is confidential. As in other circumstances, they must not disclose information given to them in confidence by anyone, or information acquired by them which they believe, or ought reasonably to be aware, is of a confidential nature.
- **Copyright:** Placing images or text on a site from a copyrighted source (e.g. extracts from publications, photos etc) without permission is likely to breach copyright legislation. Councillors should avoid publishing anything they are unsure about or seek permission from the Clerk in advance. Breach of copyright may result in prosecution or an award of damages. This risk may be avoided by providing a link to the material.
- **Data Protection:** Councillors should never publish the personal data of individuals in their capacity as a member. They should not publish/upload any photographs of others unless they have expressly sought permission

from them to take the picture and to post it to their social media. They should avoid taking pictures of children or vulnerable people altogether. They should be careful to ensure that the way photographs are presented on social media is not misleading.

- **Obscene Material:** Councillors should never publish anything which people might consider obscene. Publication of obscene materials is a criminal offence.
- **Pre-Election Period:** The Electoral Commission requires that candidates provide a return of expenditure on any form of advertising or campaign literature and that includes web advertising. There are additional requirements such as imprint standards for materials which can be downloaded from a website. Full guidance for candidates can be found at www.electoralcommission.org.uk. Tisbury Parish Council will not support councillors to use social media and will not publish blogs when the blog author is involved in an election.
- **Repetition:** It is important to note that councillors cannot avoid liability by saying they are repeating what others have said. Anyone who repeats a libellous statement is liable for it. This is particularly important if a councillor 'likes' something on Facebook or re-tweets something. Think carefully before re-tweeting or 'liking' a post. If in doubt, please don't. Liking, sharing or retweeting content from others can appear as agreement or recommendation.
- **Emergency Situations:** Social media is a useful way to get information to the community during the response to an emergency. However, the uncontrolled flow of unconfirmed information can disrupt the activities of the emergency services. Any messages post by a councillor will be given greater weight than postings by members of the public. It is therefore strongly recommended that in such situations councillors consult those in charge of the emergency response before posting information. This will ensure that they do not inadvertently mislead the public or hamper the response to an incident.

8. Do's and Don'ts when using Social Media

8.1 The Local Government Association provides advice on the Do's and Don'ts when using social media:

Do

- **talk** to residents, employees and others. And do answer their questions (quickly and honestly).
- **trust** your employees to use social media.
- **be responsible** at all times.
- **be respectful** at all times, too.
- **innovate** – different approaches work for different people.
- have a **personality** – corporate speak or just issuing press releases won't work well on social media.
- **share** other people's helpful content and links.
- **credit** other people's work, ideas and links.
- **listen** (social media is designed to be a two-way channel, just like any good conversation).

- **ask** your own questions. Seek feedback from your residents (but make sure you share the results with them).
- have a **rota** where appropriate – share the load and you'll get more from your accounts.
- adhere to your existing **HR policies** – you don't need a separate HR policy especially for social media.
- **learn** from others – there is rich learning of good practice social media use such as that listed in the Local Government Association's website: <https://www.local.gov.uk/our-support/communications-and-community-engagement/social-media-guidance-councillors>
- and more than anything, do use social media in the spirit in which it was intended – to **engage, openly and honestly**.

Don't

- **broadcast** or talk at people. Your residents will soon spot broadcasts and respond accordingly.
- **block** social media – social media is not a risk, blocking its use is a risk
- try to **cover up** mistakes, be honest and you'll get more respect for it in the long run.
- build accounts and just hope people will come – sometimes it is best to go to the places where your audiences are already having conversations.
- **assume** that social media will look after itself – you will need to invest time, enthusiasm and energy to make it work. And don't leave your accounts unattended for long spells.
- post content which will **embarrass** your council or yourself.
- **ignore** legal advice, it's there to help you.
- think that a **disclaimer** in your bio will save you from potential legal action, it won't.
- expect your staff to make do with **old technology** which can be a barrier to effective working.
- **share your passwords** with anyone other than your communications leads.
- forget that **social media is 24/7** – just because you leave at 5.00 pm doesn't mean the world stops or that residents won't be active. If your account is only staffed 9-5 then you should say so on your profile.

9. Further Guidance

The Council wishes to encourage councillors' use of new technology, including social media. This guidance is intended to help councillors to use social media in a way which avoids legal and reputational risk both to the Parish Council and to the individual councillor. The Parish Clerk or Monitoring Officer are happy to help councillors by providing additional advice and guidance as appropriate.

This policy will be reviewed annually.

Date approved:

Review Date: