

# Costessey Town Council



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## SOCIAL MEDIA POLICY 2019 AGREED BY FULL COUNCIL ON 16 July 2019

### 1 Introduction

**1.1** Social media is the collective term for the current set of online tools, websites and interactive media that enable users to interact with each other in various ways, through sharing information, opinions, knowledge and interests in a variety of forms. Social media involves building online communities and / or networks that encourage participation or dialogue and involvement.

**1.2** As a council CTC needs to set out clear guidelines for Councillors and Staff on the use of social media to ensure that resources are used effectively to deliver good customer service and to communicate. CTC also needs to be aware of the risks of using social media and how users can mitigate those risks to protect the Council and themselves against security or reputational damage.

**1.3** The policy covers ALL activity on social media sites. Users must comply with this policy when blogging in a professional capacity, or when adding comments to non-council social media sites or forums where they are giving the official Council response, or when the content posted could be linked to their position within the Council or to the Council as a whole.

**1.4** Users must ensure that they use social media sensibly and responsibly. They must ensure that their use will not adversely affect the Council or its business, nor be damaging to the Council's reputation and credibility or otherwise violate any Council policies.

### 2 Privacy

**2.1** When dealing with the public we must remember that social media is a public communication tool, not a secure or encrypted email. We must ensure that we do not request or publish any personal information about customers, their children or any other vulnerable dependant or person via social media. Such information would include, for example, a full name on sites where posting is anonymous or undertaken under an assumed profile name, full postal address, email, telephone number – or any other identity related material.

**2.2** FOI (Freedom of Information) requests may be made via CTC social media sites and must be dealt with in accordance with the law.

### 3 Social Media and Councillors

**3.1** It is not a requirement for Councillors to have a Facebook or Twitter account or to use other forms of social media to fulfil their role as a Councillor.

**3.2** However, if you are using or planning to use social media in connection with your work as a Councillor, or are already using such media in your private capacity, these guidelines will be

relevant. **Remember that, whenever you act or appear to act in your official capacity, you must comply with the Code of Conduct.**

## **4 Uses**

### **4.1 Social Media can be used:**

- To support Councillors in performing their community leadership role
- To keep in touch with or obtain local views and opinions
- For campaigning on local issues

### **4.2 Examples**

- Blogging and micro blogging – online journals – Twitter is an example of micro blogging, where entries are limited to 140 characters
- Online Forums – people with similar interests sharing information and opinions – AccyWeb is an example
- Social networking sites – these facilitate connections between who already know each other, often in a social context, but are increasingly used by businesses to promote their products or services - Facebook is an example
- Video and photo publishing – sharing videos and photographs worldwide – Instagram is an example

## **5 Things to bear in mind**

- Any communication is capable of being misinterpreted. While the use of social media should not be more susceptible to this problem than any other form of communication, something about the immediacy of social media seems to magnify the problem.
- By the nature of such media, misinterpretation or misrepresentation, particularly with regard to something that is perceived as being more controversial than it was expected to be, is likely to lead to rapid and wide broadcasting of that apparently “controversial” item.
- There are no special, additional legal or ethical burdens relating to the use of social media. The same rules apply here that govern the rest of your behaviour as a Councillor – you just need to think about them in this new context – their immediacy and ease of dissemination.
- Although the best use of social media is conversational in tone, publishing to the web is still publishing. What you’ve said on the web is recorded and it is permanent. Most pitfalls will be avoided if your online content is accurate, informative and thought through. Think of it as speaking in public. **Think before you commit each word.**
- This doesn’t mean that Councillors cannot, in the appropriate context, communicate politically. This might be expected of a Councillor, but you should be careful not to say anything that you wouldn’t be comfortable repeating or justifying, for example, at a public meeting.

## **6 Unacceptable Behaviour & Use of IT Equipment & Social Media**

**6.1** The following are deemed to be **unacceptable uses** by employees. (NB: this list is not exhaustive, and Council shall reserve the right to add or amend examples of misuse at any time):

- a) Allowing non-authorised users to access IT & Social Media using employees’ log-in details or while they are already logged-in

- b) Visiting websites that contain obscene, hateful, pornographic or otherwise illegal material
- c) Passing on such material to others
- d) Using IT / Social Media to send offensive or harassing material to others
- e) Using IT / Social Media to perpetrate any kind of fraud
- f) Hacking into unauthorised areas or sites
- g) Publishing defamatory or knowingly false material about the Council, its employees, members, colleagues and / or residents on social networking sites / blogs / wikis or any online publishing format
- h) Undertaking deliberate activities that waste staff effort or networked resources
- i) Introducing any form of malicious software into the corporate network
- j) Gambling on-line
- k) Disclosing any confidential information without consent
- l) Naming the Council on sites or discussing internal Council matters which could put Council at risk of legal action against it.

## **7 Relevant Elements of the Councillors' Code of Conduct:**

**7.1 You must treat others with respect** - do not use social media to make personal attacks or indulge in rude, disrespectful or offensive comments.

**7.2 You must comply with equality laws** – do not publish anything that might be seen as racist, sexist, ageist, homophobic, xenophobic or anti-faith.

**7.3 You must not bully or harass anyone** – do not say anything, particularly if it is part of a series of similar comments about a person or on a theme that might be construed as bullying or intimidation.

**7.4 You must not bring the Council into disrepute** – you should not publish anything that could reasonably be perceived as reflecting badly upon or lowering the reputation of you or the Council.

**7.5 You must not disclose confidential information** - you must not, in your use of social media, just as in any other circumstances, disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature.

**7.6 Inadvertent leaks of the Council's confidential information** are more likely to take place when a member is using social media, rather than, say, when they are carefully drafting a letter for publication in the local paper. This may be because of the more immediate, conversational, off-the-cuff nature of much social media communication. Councillors must be careful to apply exactly the same standards to their social media communications as they would to statements made in a more formal context.

## **8 Social Media and the Code of Conduct for Councillors generally:**

**8.1 Aspects of the Code of Conduct for Councillors** will apply to your online activity in the same way as they do to any other communication you may use.

**8.2 It will be presumed by others that you are speaking as a Councillor. The presumption can arise simply because you are commenting on Council business, because you are known to be a Councillor or make reference to this, use political symbols or references in the text.**

**8.3 One way of avoiding this, and avoiding some of the potential problems related to the Code of Conduct, may be to consider keeping your online accounts as a Councillor separate from those where you communicate in a personal capacity. Another is to spell it out in the text (e.g. "speaking entirely personally..."). This is a decision for each Councillor and some**

**Councillors may find the convenience of having one account outweighs the advantages of separate accounts.** The Clerk or Deputy Clerk can help you with more specific advice if needed.

## **9 Staying out of Trouble - Some Do's and Don'ts**

### **Do:**

- set appropriate privacy settings for your blog or networking site – especially if you have a private, non-political blog.
- keep an eye out for defamatory or obscene posts from others on your blog or page and remove them as soon as possible to avoid the perception that you condone such views. **Be aware that the higher your profile as an elected Councillor, the more likely it is you will be seen as acting in your official capacity when you blog or network.**
- consider keeping your personal and councillor profile on social networking sites separate and maintain appropriate professional boundaries.
- ensure you use Council facilities appropriately; if you use a Council provided blog site or social networking area, any posts you make will be viewed as made in your official capacity.
- be aware that you will be seen as acting in your official capacity if you publish information that you could only have accessed by being an elected Councillor.
- feel able to make political points, but be careful about being too specific or personal if referring to individuals. An attack on individuals may be seen as disrespectful, whereas general comments about another party or comments on policy are less likely to be viewed as disrespect.
- recognise the positive, don't just use it to criticise. Say thank you.
- Keep blogs, Facebook pages etc up to date and relevant.

### **Don't:**

- blog in haste, particularly in circumstances where your judgement might be impaired; for example if you are tired or have consumed alcohol.
- post comments that you would not be prepared to make on paper or face to face.
- use Council facilities for personal or political blogs.
- request or accept a Council employee or contractor providing services to the Council as a "friend" on a social networking site where this suggests close personal association. For the avoidance of doubt, this does not apply to sites which are intended as a neutral, professional connections registry (such as LinkedIn).
- use social media in any way to attack, insult, abuse, defame or otherwise make negative, offensive or discriminatory comments about Council staff, service users, their family or friends, colleagues, other professionals, other organisations, or the Council.
- publish confidential information that you may have learned or had access to as part of your role as an elected Member. This includes personal information about service users, their families or friends or others e.g. contractors, Council staff as well as Council related information.
- represent your personal views, or those of any political party or interest group you belong to, as being those of the Council, on any social medium.

- upload or distribute images of children or vulnerable adults without permission from their responsible adult. More information to be found in the CTC Safeguarding Policy.
- browse, download, upload or distribute any material that could be considered inappropriate, offensive, defamatory, illegal or discriminatory.
- make conspicuous or excessive use of social media technology during the course of a Council or committee meeting so that you give the impression to the public of not being respectful of the proceedings and, more seriously, taking decisions that are not based on full engagement with the facts and arguments.

## **10 Some legal issues:**

- **Libel** – If you publish an untrue statement about a person which is damaging to their reputation, they may consider it as defamatory and consider legal action. The same thing may happen if, for example, someone else publishes something defamatory on your website; you know about it and don't take swift action to remove it. A successful legal claim could result in the award of damages against you.
- **Copyright** – Placing images or text on your site from a copyrighted source (for example extracts from publications or photos), without obtaining permission, is likely to breach copyright laws. Therefore, don't publish anything you are unsure about, or obtain prior permission. Again, a successful claim for breach of copyright would be likely to lead to an award of damages against you.
- **Data Protection** – Do not publish the personal data of individuals unless you have their express permission. Personal information in an email or personal exchange should not be presumed to imply any consent to pass it on to others. If you place personal information on a public forum you should expect it to be published by others.
- **Bias and Predetermination** – if you are involved in making planning, licensing or other quasi-judicial decisions, do not say anything through social media (or indeed anywhere) that suggests you have made your mind up on an issue that is due to be formally decided. While your likely view on a particular application may be well known, you need to be able to show that you attended the committee or hearing prepared to take on board and weigh all the evidence, and were genuinely persuadable to a different view, otherwise, the decision may be later challenged as invalid. If a person has suffered some sort of detriment as a result of such an invalid decision, they may have a claim against the Council for damages.

## **11 Sanctions For Misuse**

**11.1** Posting / publishing comments which could have a detrimental impact on Council's reputation or on the personal reputation or on the competence of employees may lead to formal disciplinary action.

**11.2** Breaching of the above rules by employees may be treated by Council as gross professional misconduct which could lead to summary dismissal.

**11.3** Breaching of the above rules by Councillors may be treated by Council as a breach of the Code of Conduct and may lead to standards enquires and appropriate sanctions being taken against the members in question.

**12 General**

**12.1** The Council wishes to encourage Councillors' use of new technology, including social media. This guidance is intended to help Councillors use social media in a way that avoids legal and reputational risk.

**12.2** The Town Clerk and her Deputy are happy to help Councillors by providing additional advice and guidance as appropriate. Training is also available

**12.3** The Council will review the Council Social Media Policy regularly and in light of new legislation

**AGREEMENT**

I agree to abide by Costessey Town Council's Social Media Policy 2019:

**Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Town Clerk:** \_\_\_\_\_ **Date:** \_\_\_\_\_