KELSALE-CUM-CARLTON PARISH COUNCIL

SOCIAL MEDIA PROTOCOL FOR MEMBERS

Purpose of this protocol

The Council welcomes Members' use of social media and would like to support this by giving guidance so that Members have greater clarity as to what is and is not acceptable usage of social media. This protocol is intended to provide such guidance and complements the general rules under the Suffolk Local Code of Conduct for Members.

What are social media?

Social media is the term to describe websites and online tools which allow people to interact. This could, for example, be blogs, and postings on a wide range of social media platforms including (but not limited to) Facebook, Twitter, Linked in, snap chat, integral etc.

On many social media sites users share information, give opinions and may create interest groups or pages leading to longer exchanges. Ultimately people use these sites and tools to build online communities and networks which encourage participation and engagement.

Social Media and Members

It is not a requirement for Members to have a Facebook or Twitter account or to use other forms of social media to fulfil their job as a Member. However, if you are using or planning to use social media in connection with your work as a Member, 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.

Social Media can be used;

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

Types of Social Media:

- 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

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 Member – 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 members cannot, in the appropriate context, communicate politically. This is expected of a member, but you should be careful not to say anything that you wouldn't be comfortable repeating or justifying, for example, at a public meeting.

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.

Social Media and the Suffolk Local Code of Conduct for Members generally:

- Aspects of the Suffolk Local Code of Conduct for Members will apply to your online activity in the same way as they do to any other communication you may use. The key to whether your online activity is subject to the Code is whether you are, or appear to be, acting in your capacity as a Member rather than as a private individual.

- It can be presumed by others that you are speaking as a Member. This can happen where you have a social media account where you comment both as a Member and as an individual. Although you may be clear in your mind that you are acting in a private capacity it may be less clear to others. This can also mean that your views can be taken as being those of your organisation or party (rather than you personally) when this may not be the case.

- The presumption can arise simply because you are commenting on Council business, because you are known to be a Member or make reference to this, use party political symbols or references in the text.

- 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 Member 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 member and some members may find the convenience of having one account outweighs the advantages of separate accounts. The Council's Communications Team can help you with more specific advice if needed.

Relevant Elements of the Members' Code of Conduct:

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

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

- **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.

- **You must not bring your office or 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.

- **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. 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. Members 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.

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

Some Do's

- 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 member, 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 elected member 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 member.

- 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.

Some Don'ts

- 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.

- 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.

General

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

The Monitoring Officer and the Communications Team are happy to help Members by providing addition advice and guidance as appropriate. Training is also available to individual Members or Groups on the use of social media.

Agreed at the Full Council meeting on the 27th January 2021.

Signed_____ (Chairman)

Date_____

To be reviewed January 2022