



THE IVERS  

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PARISH COUNCIL

## **SOCIAL MEDIA POLICY FOR MEMBERS**

Adopted 26 September 2018 (PF&GP item 54)

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**1. What is social media?**

1.1 'Social media' is the term used for online websites and applications that enable users to create and share content. Users can interact with each other in various ways and build online networks which encourage participation, dialogue and involvement.

1.2 There are many social media sites but some of the most popular examples are Facebook, Twitter, YouTube, Instagram and LinkedIn.

1.3 There are many benefits of using social media and The Ivers Parish Council Members are encouraged to participate.

1.4 Social media can help Members keep up to date with breaking news, listen and respond to what people are saying in their communities, mobilise support, seek feedback and keep connected with like-minded people.

1.5 Increasing numbers of people are using social media to stay up to date with news, talk to friends and join in conversations. They are using social media to voice their opinions, share positive and negative experiences, praise and criticise. Not using social media can mean missing out on this vital link to local communities and to the world.

**2. What the policy is about**

2.1 This policy sets out the principles which The Ivers Parish Council Members are expected to follow when using social media in their official capacity. It applies to all Members, regardless of status or position.

2.2 The intention of this guidance is to encourage and enable The Ivers Parish Council Members to conduct legitimate activities through social media with confidence, whilst serving to highlight areas in which conflicts can arise.

2.3 It is important that Members are aware that whilst the law regarding social media is an evolving area, the law does apply (**see section 7.0**) and if Members use social media in a manner which could be deemed unlawful, the Councils would not be able to defend Members' actions as it would be considered their personal responsibility.

2.4 Contravention of the advice within this policy could result in a breach of the Members' Code of Conduct, civil action or even prosecution. This applies whether the equipment being used when the policy is breached is Council owned or personal property.

2.5 This policy supplements The Ivers Parish Council Data Protection policies.

### **3. Why use social media?**

3.1 Social media is an incredibly valuable tool for communicating with people directly and instantly. Rather than waiting for a resident or group to approach the Councils, social media offers the opportunity to connect with the community proactively, listen to what people are saying and engage with them on an equal footing, focusing on two-way communications rather than simply delivering messages via press releases and newsletters.

3.2 Social media provides further opportunities for Members to communicate with residents, which can lead to:

- Better informed residents
- Greater involvement with residents
- A new dialogue between residents and the Councils
- Better knowledge of our customers and communities
- Easier access to hard to reach groups like the younger population of The Ivers

3.3 To add to this, social media is:

- Real-time; you could send a message and potentially contact thousands in seconds
- Engaging
- Direct; delivered straight to a person's phone or computer
- Free
- Paperless

3.4 Cons and potential risks

- Reputational damage to the Councils and Members as a result of misuse
- Once information is posted on a social media site it is in the public domain
- Once posted, a message is difficult to remove or edit and even if it can be deleted, it may already have been seen and saved by someone else
- Possibly time consuming
- Potential legal action against the Councils or individuals as a result of the posting of unsuitable or restricted content
- Breaches of the statutory Code of Practice for publicity (e.g. during the 'Purdah' period before an election)

3.5 All of the potential risks can be easily managed and should not be a barrier to Members' use of social media.

### **4. Social media use at The Ivers Parish Council**

4.1 The Communications Officer is responsible for publishing content on the corporate social media accounts.

4.2 Currently we have corporate Twitter and Facebook accounts.

4.3 These are managed by the Communications Officer and the passwords are changed regularly for security.

4.4 Members are encouraged to set up individual accounts to represent themselves as Councillors and interact with residents.

## **5. Basic Principles of using social media**

5.1 The same standards of behaviour and conduct apply online as would be expected offline. The main elements of the Members' Code of Conduct which are relevant to online behaviour are:

You must:

(1) provide leadership to the council and communities within its area, by personal example and

(2) respect others and not bully any person

(3) recognise that officers (other than political assistants) are employed by and serve the whole council

(4) respect the confidentiality of information which you receive as a member: (i) not disclosing confidential information to third parties unless required by law to do so or where there is a clear and over-riding public interest in doing so; and (ii) not obstructing third parties' legal rights of access to information

(5) not misconduct yourself in a manner which is likely to bring the council into disrepute

(6) use your position as a member in the public interest and not for personal advantage

(7) act in accordance with the council's reasonable rules on the use of the resources of the council for private or political purposes

(8) exercise your own independent judgement, taking decisions for good and substantial reasons:

(9) account for your actions, particularly by supporting the council's scrutiny function

(10) ensure that the council acts within the law.

5.2 The principles of selflessness, integrity, objectivity, accountability, openness, honesty and leadership apply.

5.3 The difference between online and offline behaviour is that online behaviour can potentially be seen by more people and captured permanently. There is also more potential for comments posted online to be misinterpreted as tone can be misunderstood and irony or sarcasm lost in translation.

## **6. Political activities on social networking sites**

6.1 When Members are using personal social media accounts they are free to engage in political activity. However, they must make clear what their position on the Council is and state that their views are their own.

### **6.2 Bias and predetermination**

6.3 Members who are involved in making planning or other quasi-judicial decisions, should not post anything on social media that could suggest they have completely and irrevocably made their mind up on an issue that is due to be formally decided upon. Members need to be able to show that they attended the committee or hearing with an open mind and are prepared to take on board and weigh up all evidence and arguments, otherwise the decision may later be challenged as invalid.

6.4 The public must be able to trust the integrity of the Members of The Ivers Parish Council. Our residents need to be confident that the outside activities of Members do not undermine either of the Councils' reputations and that decisions are not perceived to be influenced by any commercial or personal interests. Members should be mindful of what they post on social media and how this could affect perceptions of their integrity.

6.5 Any potential conflicts of interest regarding Members' use of social media should be discussed with the Chairman and the Clerk.

## **7.0 Social media and the law**

7.1 Members are personally responsible for the material they broadcast via their own social media accounts or websites.

7.2 This includes if anything is published that breaks the law such as defamatory statements or anything which is in contempt of court, breach of copyright or political comment and electioneering.

Some basic guidance is below:

### **Defamation / Libel**

7.3 Defamation is the act of making a statement about a person that is considered to harm their reputation, for example, by lowering others' estimation of the person or company, or by causing them to lose their rank or professional standing. If you publish an untrue statement about a person which is damaging to their reputation, they may take libel action against you. If the defamatory statement is written down (in print or online), it is known as libel. If it is spoken it's slander.

### **Bullying and discriminatory comments**

7.4 Behaving in a discriminatory, bullying or harassing way towards any individual or group including making offensive or derogatory comments relating to sex, gender reassignment, race, nationality, disability, sexual orientation, religion, belief or age, via social media, could, in certain circumstances, result in criminal sanction. Posting

any comments or posts, including sharing other people's posts, which incite hatred on the grounds of race, religion or sexual orientation is illegal.

## **Media Law**

7.5 By posting on public social media platforms, you are a 'publisher'. This means you must abide by law which applies to the media, such as court reporting restrictions.

7.6 Cases of members of the public breaching reporting restrictions on social media have featured in the news in recent years – one of the most well-publicised examples was when Sally Bercow was fined after breaching a court order not to identify a young person involved in a court case:

<https://www.telegraph.co.uk/news/politics/9689048/Sally-Bercow-urged-to-turn-off-Twitter-after-breaching-schoolgirl-court-order.html>

7.7 The Sexual Offences Amendment Act 1992 guarantees lifetime anonymity for any victims and alleged victims of sexual offences. Any detail which could risk identification of a victim of a sexual offence, such as the school they go to or their place of work, where they live or who their family and friends are, should not be published. Breach of the Sexual Offences Act can result in a fine or even imprisonment and being made to sign the Sex Offenders' Register.

7.8 Further reading is available on the [Crown Prosecution Service](#) website.

## **Obscene material**

7.9 Publication of obscene material is a criminal offence.

## **Breach of Copyright**

7.10 Placing images or text on your site from a copyrighted source without obtaining permission is likely to breach copyright laws.

## **Engaging with young and vulnerable people**

7.11 Do not take or use photographs of children without permission from a parent or guardian.

7.12 If you notice any inappropriate images or comments from someone you suspect to be young or vulnerable and are concerned there may be an issue, please contact the CDC/SBDC safeguarding lead, Martin Holt, on 01895 837354, for advice. You can also report material to the social media platform you are using. Details are in the 'help' section of the platforms.

7.13 A young or vulnerable person may choose to use social media to make a disclosure or allegation. These must be taken seriously and immediate action taken to investigate.

7.14 Be alert to any signs of grooming. All concerns must be reported the CDC/SBDC safeguarding lead. If you believe someone is in immediate danger, contact the police by calling 999.

7.15 Members are not expected to ensure that users meet the age limits for using social media platforms. However, any concerns must be reported to the safeguarding lead.

## **8. Personal vs professional use of social media**

8.1 We recognise Members may have social media accounts which they use for personal communication and expression, for example a private Facebook account.

8.2 It is worth considering that Members can have 'blurred identities' when they have a social media account where they comment both as a Member and as a private individual. For example, a Member may have a Facebook account where they have shared family photos in a personal/private capacity, and another time explained the Council's position on planning, in a Councillor capacity. It may be clear in the Member's mind when they are posting in a private capacity or as a Councillor, but it could be less clear to others.

8.3 Such blurred identities might, for example, have implications where Members' views are taken as those of the Council or political party, rather than a personal opinion.

8.4 One way to separate personal/private business from activities as a councillor is to have two separate accounts – one for personal/private business and the other for councillor activities. The latter account would have the title of Councillor in the profile name. This separation of accounts will assist in managing friends' lists and the content of posts.

8.5 This is a personal decision for individuals as some Members may consider there is no difference between personal and private life on social media.

8.6 If a Member publishes content online that has something to do with their work or services associated with the Council, we suggest using the following disclaimer: "The views expressed here are my own and do not necessarily represent the views of The Ivers Parish Council."

8.8 Members cannot reasonably be held responsible for the views of people they are connected with on social media, but should consider how their association with certain accounts would reflect on them.

## **9. Further advice**

9.1 If a Member thinks something on their social media or website gives rise to concerns about a conflict of interest, and in particular concerns about impartiality or confidentiality, this must be discussed with the Chairman and Clerk.

9.2 If a Member is offered payment to produce a social media post or blog for a third party this could constitute a conflict of interest and must be discussed with the Chairman and Clerk.

9.3 If a Member is contacted by the press about social media posts that relate to The Ivers Parish Council they should talk to the Chairman, Clerk and Communications Officer before responding.

## **10. Consideration towards other members, colleagues and the public when using social networking sites**

10.1 Social networking sites allow photographs, videos and comments to be shared with thousands of other users. However, it may not be appropriate to share council-related information in this way. Members should be considerate when taking photographs at private events and if in doubt, ask permission before posting them online.

## **12. Monitoring use of social media**

12.1 Members should be aware that any use of social media websites (whether or not accessed for work purposes) may be monitored and, where breaches of this policy are found, this may be a breach of the Members' Code of Conduct.

12.3 In particular, uploading, posting or forwarding a link to any of the following types of material on social media, whether in a professional or personal capacity, will amount to a breach of the Members' Code of Conduct (this list is not exhaustive):

a) pornographic material (writing, films, pictures, video clips)

b) a false or defamatory statement about any person or organisation

c) material which is offensive, obscene, criminal discriminatory, derogatory or may cause embarrassment to the Councils, their customers/residents or their staff

d) confidential information about the Councils or any of its staff or customers/residents (which Members do not have express authority to disseminate)

e) any other statement which is likely to create any liability (whether criminal or civil, and whether for the Member or the Councils); or

f) material in breach of copyright or other intellectual property rights, or which invades the privacy of any person

Any such conduct will be dealt with under the Members' Code of Conduct.



12.4 Where evidence of misuse is found the Chairman and Clerk may undertake a more detailed investigation involving the examination and disclosure of monitoring records to those nominated to undertake the investigation and any witnesses involved in the investigation. If necessary such information may be handed to the police in connection with a criminal investigation.

12.5 If a Member notices any use of social media by other Members or members of staff in breach of this policy they should report it to the Chairman and Clerk.

12.6 The Communications Officer will monitor social media comments about the Councils.

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