



## **Use of Social Media – Guidance for Councillors**

**March 2018**

### **1. Purpose of this Guide**

Social media is an important and growing means of communication for Councillors. It can be an effective way of staying in touch with your constituents, advising them of the work you and the Council have been doing and getting useful information from your communities.

Many Councillors are already successfully using social media for these purposes and for their own local and political campaigning. However, there are potential issues that can arise from the use of social media that could get you into difficulties. This guide has been produced to help you avoid these difficulties wherever possible.

### **2. What is Social Media?**

Social media is the collective term for websites and applications that allow users to create, post and share content in the form of text, videos, pictures etc. It enables users to interact with each other online sharing information, opinion, and knowledge. It is about creating conversations and two-way communication. Examples of popular social media sites include Facebook, Twitter, YouTube, Instagram, Flickr, LinkedIn and various blogging sites.

### **3. Councillors and Social Media**

When you're using social media as a councillor you are subject to the same laws and policies that you would be subject to when acting as a councillor in any other circumstance. You are personally responsible for anything you post. It is also wise to monitor any comments others leave on your site.

#### **Your online identity**

When using social media it is important to consider in what capacity you are posting because the lines between you as a private individual and you as a councillor can become blurred. You may be clear when you are posting as a councillor and when you are posting as an individual but this may not always be clear to others. You should bear in mind how you might be perceived by those viewing your sites. This is important because Council policies such as the Code of Conduct apply to you as a Councillor but not to you as an individual. It is also important to distinguish when you might be speaking on behalf of the Council and when you are expressing your own views as an individual or as a councillor.

Actions that you could take to make these distinctions clearer include:

- Having separate Councillor and private accounts,
- Making use of the privacy setting on your private account to restrict those who have access to it,
- Putting a disclaimer in your account profile stating that the views expressed are your own (however putting such a disclaimer does not mean that the elected member is exempt from complying with the code of conduct or from any potential legal action that may ensue).

You should not use Council equipment to make personal posts.

### The Code of Conduct

The Code of Conduct applies to your online activity in the same way that it applies to any other written or verbal communication you produce as a councillor. You should comply with the Code whenever you post something online and in what you allow others to publish on your accounts.

The following sections of the code are particularly relevant to social media activity:

- You must respect others and not bully any person,
- You must respect the confidentiality of information which you receive as a member,
- You must not misconduct yourself in a manner which is likely to bring the Council into disrepute.

If, following a complaint, you are found to have breached the Code of Conduct through your use of social media you will be subject to the same sanctions as for any other breach of the Code.

## **4. Legal/ Formal Considerations**

As with the Code of Conduct, the same laws apply to online content as apply to other forms of spoken and written communication.

### Libel

If you publish a damaging untrue statement about someone via your social media accounts you may be subject to libel action. You would be personally liable for any damages awarded against you. This can also apply to libellous statements published by others on your accounts which you are aware of and do not remove quickly.

### Copyright

Posting copyrighted images or text on your sites without permission is likely to breach copyright. It is not always obvious that an image is subject to copyright and if you are unsure either seek written permission in advance or avoid posting.

### Data Protection and Confidentiality

Do not post any personal data relating to any individual without their express permission. You should also be extremely careful with how you manage any information identified exempt that you have access to because of your position as councillor. This matter is covered by the Code of Conduct.

### Bias and Pre-determination

If you are involved in Planning, Licensing or any other quasi-judicial decisions you should be careful not to post anything that could suggest you have reached a decision in advance of the meeting taking place or the decision formally being made. If you have indicated that you do not have an open mind on the matter and you are then involved in taking the decision, it may become invalid as a result.

In order to avoid any potential conflicts of interest, you should also exercise caution in seeming to endorse any business which could have dealings with the Council, either currently or in the future.

### Bullying and Discrimination

Posting bullying, harassing and discriminatory comments online, particularly where they relate to protected characteristics<sup>1</sup> not only causes distress to the victim but also damages the reputation of you and the Council and could, in some circumstances, result in criminal action being taken against you.

### Elections

Electoral Commission requirements on advertising and campaign literature also apply to online advertising. Full guidance is available on the Commission website ([www.electoralcommission.org.uk](http://www.electoralcommission.org.uk)).

### Safeguarding

Social media sites are often targeted by those seeking to put children, young people or vulnerable adults at risk. If you have any concerns about other users of your accounts you have a responsibility to report these via the usual channels.

## **5. Principles for Social Media Use**

Following these principles when using social media should help you avoid difficult situations.

### Be respectful

Always post respectfully, politely and professionally. Social media does not need formal language but that does not mean it's not subject to the same standards you would use in any other form of communication. Be particularly careful if mentioning colleagues in your posts. If you have any concerns about an officer, report it via their manager or through the Council's have your say procedures.

### Be Accurate and Credible

Make sure that you're accurate and fair. Be careful to ensure anything that you post is correct and is consistent with any other communications you make. Watch out for the origins and details of anything you may retweet or share. Sometimes things that

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<sup>1</sup> Protected characteristics are sex, gender, maternity, race (including nationality), disability, sexual orientation, religion or belief and age.

look legitimate may come from dubious sources that you would not want to be associated with.

### Be Responsive

If you're using social media remember it's a conversation. People expect to interact with you and to receive responses to their questions.

### Be Confident

If you feel at all uncomfortable with what you're posting, it may not be the right thing to post. Feel confident in what you say before posting and don't be scared to participate.

## 6. Good Practice

As well as abiding by the general principles outlined above, the following represent good online practice.

### Allow Disagreement

Social media allows for ideas to be shared and conversations to take place. Not everyone is going to agree with you. Treat differences of opinion with respect, engage in the discussion and be wary about deleting views just because they don't agree with yours as this can look like gagging.

### Deal with Inappropriate Comments

If you knowingly allow discriminatory or defamatory comments to remain on your sites people may think you condone them and you could be found liable for them. Take swift action to remove any inappropriate or offensive comments and explain why you have done so.

### Don't try to Hide Mistakes

Mistakes can happen when using social media and when they do, they happen in public. If you do post something that is incorrect, don't just delete it, acknowledge it and correct it.

### Think about following/ friending

Some citizens may be uncomfortable if their councillor begins following them or sends them a friend request. Some Councillors choose to wait to be followed or friended first.

Online relationships with council employees need to be treated with caution. Whilst some online relationships may be valid – for example a colleague who is also a constituent – both parties need to be sure not to compromise the impartial and professional relationship that is important between councillors and colleagues.

### Remember it's Public

It may sound obvious but remember that what you post online is visible to the public. Don't post anything that you're not comfortable sharing with everyone.

### Pause before publishing

You can't unsay something that you've said and even if you delete a post you regret, it's likely to have been read and may have been shared or otherwise duplicated before you can get to it. Reflect on what you're posting to be sure you want to make it public and avoid posting when your decision making might be impaired.

## **7. Safety and Security**

Interacting with others online is generally safe but it can leave you, and the equipment and networks you work on, exposed to risks. You can minimise these risks in the following ways:

- Always lock your equipment when you're not using it,
- Have a secure password that isn't written down anywhere,
- Don't advertise where you're going to be before you go there, wait until afterwards to report on where you've been,
- If you become the target of abuse you can seek support from:
  - Your group,
  - IT, who if necessary can help you to block particular users,
  - The Police in particularly serious cases.
- HR have produced guidance for colleagues experiencing abuse or harassment, including via social media which may be applicable to Councillors. The Colleague Security Guidance is available on the intranet: <http://intranet.nottinghamcity.gov.uk/media/1210/hr-colleague-security-guidance-protocol.doc>

## **8. Further Support/ Guidance**

You can find the Council's Policies on Social Media (which largely apply to colleagues but contain some useful guidance) on the intranet:

- <http://www.nottinghamcity.gov.uk/aup>
- <http://qossweb.nottinghamcity.gov.uk/nccextranet/CHttpHandler.ashx?id=30887&p=0>

You can get further support and advice from Communications and Marketing:

Jennifer Lewis

Corporate Marketing Manager

[Jennifer.lewis@nottinghamcity.gov.uk](mailto:Jennifer.lewis@nottinghamcity.gov.uk)

0115 876 3381

And from the Council's Monitoring Officer:

Malcolm Townroe,

Director of Legal and Governance and Monitoring Officer

[Malcolm.townroe@nottinghamcity.gov.uk](mailto:Malcolm.townroe@nottinghamcity.gov.uk)

0115 876 4332

IDeA have produced some guidance for Councillors on getting the most out of social media: <https://www.local.gov.uk/our-support/guidance-and-resources/comms-hub-communications-support/digital-councils/social-media-6>