



SOCIAL MEDIA POLICY

TOWN COUNCIL MEETING

REPORT 95/21

13 DECEMBER 2021

The purpose of this Report is to provide Members with a draft for the Town Council's Social Media Policy.

No. DETAILS

1) BACKGROUND

- a) Town and Parish Councils are increasingly adopting Social Media policies to provide protection for both Members and their Councils as their engagement in the range of social media increases.
 - b) The Council's Business Development Officer in discussion with the Clerk and after reviewing several such policies developed by other Town and Parish Councils, has developed a draft, attached to this Report, for Members' consideration.
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2) RECOMMENDATION

The Town Council is recommended to consider the attached draft and agree its Social Media Policy.

VENTNOR TOWN COUNCIL



Ventnor Town Council, Salisbury Gardens, Ventnor

Health and safety

SOCIAL MEDIA POLICY

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This document is approved and authorised for application within **Ventnor Town Council**

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Ventnor Town Council, Salisbury Gardens, Ventnor

Health and Safety

Social media policy – Revised 2021

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This policy provides guidance to employees, and Councillors on the use of social media, both for business and personal purposes and sets clear expectations of employee's and Councillor's conduct. This is to ensure that both are able to use social media effectively for both business and personal purposes without inadvertently placing themselves in a situation where the appropriateness of their conduct is called into question.

While the guidelines and expectations regarding conduct must be followed by all employees and Councillors it should be noted the policy document itself does not constitute a term of the contract of employment. Staff should refer to the council's code of conduct for specific guidance on how the council expects them to behave.

The social media policy may be amended, withdrawn, suspended, or departed from at the discretion of the council at any time.

All Ventnor Town Council staff and Councillors must ensure that they are familiar with, comply with the contents of, and support the council's policies, procedures, and guidance.

1. Purpose

Social media is an increasingly popular means of communication that allows people greater freedom in how they express themselves both socially and for business purposes. For many it is now their preferred way of finding out what is going on or contacting organisations like Ventnor Town council. Engaging with people through social media can give us, as a council, connection, and dialogue with residents we may not reach through other channels. Conversations are already happening out there relating to council services – and we have an opportunity to get involved, help people to find the right information and correct misconceptions!

This policy will help you to make the right decisions about social media. Even if you are not actively using it for your service your customers may be talking about their experiences in public forums. It is, therefore, important to understand the opportunities, as well as the risks social media brings. This policy outlines the standards we expect when you engage in social media, in both a business and personal capacity. This policy should be read alongside the operational guidance on social media.

2. The scope

For the purposes of this policy, social media is any type of online media that allows discussion and interaction as opposed to broadcast only.

There are several types of social media we, Ventnor Town Council, use now or may use in the future and this policy covers all types, for example:

- Social networking (Facebook, LinkedIn, Google+).
- Microblogging (Twitter, Tumblr).
- Photo sharing (Instagram, Snapchat, Pinterest).
- Video sharing (YouTube, Facebook Live, Periscope, Vimeo)

This policy also covers private messages sent over online channels such as direct messaging via Facebook, Twitter, and WhatsApp.

This policy applies to all employees of Ventnor Town Council including, but not restricted to:

- Councillors
- Volunteers
- Consultants
- interims engaged from time to time by the council.

3. Responsibility for implementation of the policy

Employees are responsible for their own compliance with this policy and for ensuring that it is consistently applied to protect the privacy, confidentiality, reputation, and interests of the council. In this regard the expectations regarding use of social media are covered by the council's code of conduct for employees.

Any concerns about social media use should be discussed with your line manager in the first instance.

If this isn't possible, please speak to the Town Clerk or Business Development Officer (responsible for the policy) or use the council's whistleblowing procedure.

Councillors are encouraged to use all forms of media to build relationships with the community, to promote council activities or to assist with understanding the views of the community in order that they may represent the community's views at council meetings.

Councillors must comply with the Council's Code of Conduct at all times. No individual Councillor may represent the Council. Members must take care to avoid giving readers the impression that they are representing Ventnor Town Council when publishing any content.

Councillors may use their individual and, if applicable, any party social media accounts or properties, provided that it is clear that opinions expressed in these channels do not represent the views of the council. Disclaimers should be used if the content is a personal opinion.

4. Business use of social media

Before embarking on using social media for business purposes employees and Councillors must comply with the requirements set out in the current operational guidelines.

Generally, the use of social media in a business context is to:

- promote and publicise activities that will enhance the reputation of the council, the services it provides and commissions, and the wider community of organisations with which it works in partnership
- respond to specific questions from the public, businesses, and partners
- clarify or correct any unclear or incorrect statements or views
- provide information, advice, and guidance (particularly in emergency situations)
- Initiate and participate in dialogue with the public relating to council services
- Promote the image of a human and approachable council

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Business services must have sufficient resources to manage their social media accounts (once agreed with the Business Dev Officer) so they can respond to questions and feedback within the council's recommended response times.

All information and responses you post as an employee are public statements and count as a council record and are evidence of the council's work. They may be used as reference at any time in the future and you are responsible for anything that you say online.

You must not use any information that you obtain in the course of your work for the council for personal gain or pass it on to others who may use it in such a way.

You must not disclose any politically sensitive information. Politically sensitive includes, but is not restricted to, matters that are being considered or debated, or are due to be considered or debated, by the council or cabinet or one or more of the council's committees (or are awaiting a decision as a result of such consideration/debate). It also includes subject matters which are known to be, or could reasonably be considered likely to be, politically controversial. If you are in any doubt, you should seek advice from the Town Clerk or Business Development manager.

Never publish confidential information through social media that you may have learned or have access to as part of your job. This includes personal information about service users, their families, or friends or others e.g. contractors, elected members, council employees as well as council related information.

This requirement continues even after you have left employment.

You should NEVER use social media to 'spy' on service users covertly, even if they have not setup privacy settings as this could contravene Article 8 of the Human Rights Act. To make sure you stay within the law you must read and follow the clear procedural steps laid out in the Covert Surveillance Procedural Guidance. If you are in any doubt, you should get advice from Legal Services before taking any action.

You should keep in mind the relevant council policies and guidance when considering any social media activity, whether business or personal. The following documents relate to Ventnor Town Council and will be available on VTC SharePoint.

- Code of Conduct (VTC Policy)
- Internet and Digital Communications policy
- Fairness and Diversity in Employment Policy
- Data Protection and Freedom of Information Guidance
- Safeguarding Adults on the Isle of Wight (VTC Policy)
- Safeguarding Children on the Isle of Wight (VTC Policy)

5. Personal use of social media

As the use and popularity of social media grows, the line between what is public and private, personal, and professional can become blurred. It is important therefore that employees and Councillors are aware that their personal digital activity could have an adverse impact on their professional role or the council's image and reputation.

Even if you do not expressly name the council as your employer on social media, this policy will still apply if a connection with your employment can be reasonably made.

You should refer to council policies for guidance on what the council considers to be unacceptable in any public comment you make about services delivered or commissioned by the council.

Specifically, the council will not tolerate any of the following activity on social media if it can be connected to you as an employee of the council:

- abusive or threatening behaviour
- inappropriate comments or material that may be regarded as discriminatory
- false or misleading statements that could have a negative effect on the council's reputation
- inciting or supporting somebody to commit a crime or other unlawful acts

This could include content you share or like as this could suggest you approve of that content.

You must consider carefully whether you accept 'friend requests' from service users, their families, friends or others e.g. contractors, elected members. Accept them only if you are quite sure this will not put you, as a council employee, in the position of having a real or apparent conflict of interest

As is the case for business use of social media you should never publish anything that is confidential to the council or use social media to comment on potentially sensitive matters, including – but not restricted to – the following:

- information about service users
- information that is politically or commercially sensitive
- any information intended for internal use only (including matters concerning council services, organisational change, or related proposals)
- intellectual property.

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Do not use council email addresses and other official contact details for setting up personal social media accounts or for communicating through such media.

Whilst we are encouraging more social media engagement from employees there is still a requirement not to use your personal social media during core work hours. Occasionally you may need to use your personal social media network for business purposes, and this is allowed if authorised by the Town Clerk or Business Development Officer. For example:

- To manage a service specific Facebook page as these must be administered from a personal Facebook profile
- To post a Ventnor Town Council or service specific message to a closed Facebook group you belong to.

Council employees may be also residents so in some circumstances it could be appropriate to use a personal account to participate in social media activity run by the council.

Do not use personal social media to raise or discuss a complaint or grievance about the council, your manager, colleagues etc. If you have a complaint, you should use the council's formal grievance procedures.

If your post is 'politically restricted' these restrictions will also relate to social media.

6. What happens if it goes wrong?

You should always show respect to others when using social media and ensure that your actions do not have a negative impact on the council's reputation.

Mistakes happen – if you post something you didn't mean to, or get a message or response wrong, tell your line manager and the Business Development Officer immediately to agree remedial action and minimise embarrassment and reputational damage.

Anyone who feels that they have been subject to cyber-bullying or offended by material posted or uploaded by a colleague through any digital communication network should inform their line manager

VTC will take advice and investigate the matter as appropriate

Ventnor Town Council regards cyber-bullying as seriously as any other form of bullying or harassment. Cyber bullying will not be tolerated and will be regarded as misconduct that could lead to formal action, including dismissal in serious cases, under the council's Disciplinary and Dismissal Procedure.

If your online activities are considered to breach the council's social media policy, the council may require you to remove content that, in the reasonable opinion of the council, breaches the policy. It should also be noted that, although there is not at present a legal definition of cyber bullying within UK law, there are a number of existing laws that can be applied to cases of cyber-bullying and on-line harassment, which could constitute a criminal offence, including:

- The Protection from Harassment Act 1997
- The Criminal Justice and Public Order Act 1994
- The Malicious Communications Act 1988
- The Communications Act 2003 (s.127)
- The Defamation Act 2013

Ventnor Town Council expects managers to support staff when they raise concerns relating to cyberbullying and take care to make an informed evaluation of the severity of the incident. The Town Clerk or the Business Development Officer will provide advice to managers and any individual adversely affected by comments made about them on the internet.

7. Risks

Ventnor Town Council recognises that there are risks associated with the use of social media.

This policy recognises and aims to mitigate the following risks:

1. Criticism regarding the use of public funds, time, and resources.
2. Sharing and security of passwords.
3. Damage to the reputation of Ventnor Town Council.
4. Sharing and misuse of confidential information relating to Members of the Council, employees of the Council or members of the public.
5. Inappropriate use of social media including: the posting or sharing of personal views; the posting or sharing of offensive, obscene, discriminatory, defamatory, or misleading information.
6. Inappropriate comments by or inappropriate interactions with members of the public.
7. Endorsing inappropriate or controversial views and content published by other social media users.
8. Libel and misleading information; the risk of being sued.
9. Illegal use of images without permission from original source; including use of images of minors without the permission of a parent or guardian.
10. Inappropriate communication with minors or facilitating such inappropriate communication by other members of the public which may be deemed as 'grooming' or 'cyber-bullying'.
11. Deleting public records.
12. Theft of intellectual property rights.
13. Failing to act upon information given by a member of the public via social media.
14. Violating free speech by removing comments without good reason.

Non-compliance with this policy could have a significant effect on the efficient operation of the Council and may result in financial loss and an inability to provide necessary services to our customers.

8. Breach of policy

Please note that breach of this social media policy may lead to formal action under Ventnor Town Council's Disciplinary and Dismissal Procedure, Ventnor Town Council's code of Conduct Policy up to and including (in serious cases) dismissal.

9. Monitoring and review of this policy

This policy will be reviewed annually by the Town Clerk and the Assistant Town Clerk in consultation with the Business Development Officer to ensure that it meets legal requirements and reflects good practice.

Employees are invited to comment on this policy and suggest how it might be improved by contacting the Business Development Officer at Ventnor Town Council.

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| RISK | MITIGATING THE RISK |
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| Criticism regarding the use of public funds, time and resources. | The Town Clerk must ensure that all information posted is relevant to the work of Ventnor Town Council or to the residents of the Town. VTC should treat all Council Social Media Accounts as a means to communicating with the public as customers and not for socialising. |
| Sharing and security of passwords. | VTC users must not share the login details for Council social media accounts with any unauthorised individual. Other than in exceptional circumstances unless specifically approved by the Town Clerk ,users must also refrain from using personal devices and saving login details on these devices. |
| Damage to the reputation of Ventnor Town Council. | VTC must ensure that all information posted is relevant and noncontroversial. No offensive or inappropriate content should be posted or shared, and any such content should be removed as soon as it has been seen. VTC users should seek assistance from the Town Clerk whenever action is required to limit damage already done to the reputation of the Town Council. |
| Sharing and misuse of confidential information relating to Members of the Council, employees of the Council or members of the public. | All staff and Councillors are under a general requirement to maintain the confidentiality of information. All must make every effort to ensure that the confidentiality of information is maintained appropriately when drafting messages for Council social media accounts and should be aware that content which is published through social media cannot be permanently removed from the public domain even when deleted. Any private, confidential or sensitive information should not be posted or shared via the Council's social media accounts. This type of information should also not be shared through the instant messaging functions provided by social media sites, as these messages are not secure and can be easily shared. |
| Inappropriate use of social media including: the posting or sharing of personal views; the posting or sharing of offensive, obscene, discriminatory, defamatory, or misleading information. | VTC should not post any content which is obscene, defamatory, misleading, discriminatory, or offensive. They should also guard against the posting of any personal views of their own, of Councillors, or sharing those of other social media users. Sharing or liking the views and comments of other users would suggest an endorsement for these views from the Council and this should therefore be avoided at all times |
| Inappropriate comments by or inappropriate interactions with members of the public. | Ventnor Town Council should not be seen to endorse any inappropriate, offensive, or controversial views posted by other social media users. For this reason, VTC should guard against sharing or commenting on such posts by members of the public. If a member of the public has posted anything which is deemed inappropriate to a Council page, this should be removed as soon as possible to limit damage to the reputation of the Council. If a member of the public repeatedly posts content which is deemed inappropriate to the Council page, then this member of the public should be blocked and reported as a result. |
| Deleting public records. | VTC users should not delete posts or comments which contain information of public record unless absolutely necessary; if so an original record should be obtained either as a hard copy or on Ventnor Town Council's website. |
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| Theft of Intellectual Property rights or Copyright. | Intellectual Property includes any ideas which are owned by an individual. VTC users should be wary of the developments in legislation affecting Intellectual Property and should make every effort to credit any idea, Copyright or Trademark which has been borrowed from another individual or organisation. |
| Failing to act upon information given by a member of the public via social media. | Once a post has been made on the Council's social media account, such as a report from a member of the public, this should be considered as notice served to the Council. The Council has the same obligation therefore to monitor its social media channels for such notices as it does with email accounts, letters from the public and telephone messages. The Council may well be responsible for any consequences caused by its failure to act upon this notice. |
| Violating free speech by removing comments without good reason. | Ventnor Town Council must reserve the right to delete any comments or posts to its social media accounts by members of the public if these posts have violated this social media policy. Posts should be deleted only if they are deemed inappropriate for the reasons outlined in Section 7.5. Posts or comments from members of the public should not however be removed for expressing an opinion, however unpopular or critical this is of the Council. Warnings may be given to users once inappropriate comments have been removed to suggest that further violation may result in their account or profile being blocked and/or reported by the Council. |
| Libel and misleading information; the risk of being sued. | Any posts which could be considered defamatory or libellous regarding an individual or organisation could cause serious damage to the Council. This could include a risk of the Council being sued. As a result, posts should never be made which cast doubt upon the reputation of an individual or organisation. If there is a need to do this the Council must have evidence to support such posts. If a VTC user is unsure of whether any content might be deemed defamatory or libellous they should consult with the Town Clerk before posting it. |
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