Social Media Guidance for Councillors

(adopted by the Executive on 22 September 2020)

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Guidance on the use of social media and mobile devices

1. Social media is the term used for online tools, websites and interactive media that enable users to interact with each other by sharing information, opinions, knowledge and interests. This policy and guidelines cover social media issues over the internet and by email, smart phones, social networking sites, blogging, tweeting or. through desktop computers, laptops, smart TVs and mobile devices such as smartphones and tablets.

2. For the purposes of this policy, the term 'social media' covers sites and applications including but not restricted to Facebook, Twitter, MySpace, Flickr, YouTube, LinkedIn, blogs, discussion forums, wikis and any sites which may emerge after the creation of this policy where Guildford Borough Council could be represented via online participation.

3. Councillors are increasingly using social media to engage with their electorate. The Council has made available laptop devices to all councillors to assist them in accessing and annotating agendas, reports and other meeting papers electronically.

4. The Openness of Local Government Bodies Regulations 2014 (that came into force on 6 August 2014) expressly permit any person who attends a meeting to use any communication method, including the internet, to publish post or otherwise share the results of that person's reporting activities during that meeting. "Reporting" includes photographing or making a video or audio recording of proceedings at a meeting and providing written commentary on proceedings using social media.

5. All Council, Executive, Planning, Licensing, Corporate Governance and Standards, Executive Advisory Board, Guildford Joint Committee and Overview and Scrutiny meetings are now webcast live on the Council's website and available to view from the webcast library for up to six months after the meeting. Anyone reading tweets or live blogs during the meeting may just as easily view the meeting itself via www.guildford.gov.uk/webcasting.

6. Inappropriate use of social media and mobile devices could be used as grounds to challenge a contentious decision or result in complaints of breaching the Councillors' Code of Conduct. The guidance does not intend to prohibit councillors from using social media and mobile devices for professional and personal purposes. However, it highlights some of the important considerations for councillors who choose to use social media platforms.

Who does this guidance apply to?

This guidance applies to Councillors attending Council meetings. It is also general good practice for professional conduct.

Key points

1. Social media is always on, so consider setting personal limits and establishing your own routine

2. Councillors are subject to the council's code of conduct when using social media

3. Social media has become an every-day communications tool for councillors and the people they represent, and the potential for councillors using social media is huge. Social media allows you to be innovative and responsive as well as providing links to useful sources of information or sign posting to other organisations.

4. Users must ensure that they use social media sensibly and responsibly, in line with corporate policy. 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.

Constant Risks

This policy applies to councillors and co-opted members. It gives guidelines on how to use social media, sets out how we can effectively manage social media usage and indicates how any risks or pitfalls can be minimised or mitigated. The following risks have been identified with social media use (this is not an exhaustive list):

1. Virus or other malware (malicious software) infection from infected sites.

2. Disclosure of confidential information.

3. Damage to the Council's reputation.

4. Social engineering attacks (also known as 'phishing').

5. Bullying or "trolling". An internet "troll" is a person who starts arguments or upsets people, by posting inflammatory or off-topic messages online with the deliberate intent of provoking readers into an emotional response or of otherwise disrupting normal discussion, often for their own amusement.

6. Civil or criminal action relating to breaches of legislation.

7. Breach of safeguarding through the use of images or personal details leading to the exploitation of vulnerable individuals.

8. Breach of the code of conduct for members through inappropriate use.

9. In light of these risks, the use of social media sites should be regulated to ensure that such use does not damage the Council, its employees, councillors, partners and the people it serves. As such this policy aims to ensure:

   a) A consistent and corporate approach is adopted and maintained in the use of social media.
   b) Council information remains secure and is not compromised through the use of social media.
   c) Users operate within existing policies, guidelines and relevant legislation.
   d) The Council's reputation is not damaged or adversely affected.

10. This guidance encapsulates a number of the Council's existing codes and policies and seeks to clarify what is acceptable use of social media and mobile devices. It may not always be apparent to members of the public when councillors are using social media in their personal capacity, or in their capacity as councillors.

11. The guidance sets out considerations and recommendations for councillors to ensure they use social media and mobile devices appropriately. These include guidelines on privacy settings, publishing information appropriately, and exercising care when communicating with others.

12. This guidance does not cover the appropriate use of mobile devices in terms of software and technology (e.g. what applications are appropriate to download). This is covered by the Council's Acceptable Use of ICT Equipment and Systems Policy.

What is the purpose of this guidance?

1. The purpose of this guidance is to provide parameters for Councillors' appropriate use of social media and mobile devices, in particular, during Council meetings.

2. Improper use of social media and mobile devices could be used as grounds for challenging a contentious decision, or result in complaints of breaching the Councillors Code of Conduct, for a failure to show respect for others or bringing the Council or the office of councillor into disrepute.

3. Councillors are asked to follow these guidelines to ensure that they comply with the Councillors Code of Conduct.

Guidance on the use of social media and mobile devices in meetings

1. Frequent use of mobile devices during meetings may give the public the impression that councillors are not fully considering the points made during the debate of an item in order to contribute to the decision that is to be made.

2. Even though the frequent use of such devices during meetings may be in a councillor capacity, this guidance seeks to assist councillors understand what is considered acceptable use as well as provide examples of uses that should be avoided.

3. Use mobile devices sparingly, discreetly and with common sense at meetings, considering the impression they are giving to others. Councillors should remember that most meetings are now webcast.

4. There may be occasions when texting or emailing between Councillors during meetings on matters relevant to the debate at hand may be valuable (on the same basis as circulating paper notes to other Councillors). Mobile devices also enable Councillors to manage their busy lives when time is at a premium. However, frequent use of these devices during meetings may give the public the impression that the councillor is not paying full attention to an item that is being discussed in a debate on a decision that is to be made.

Examples of acceptable use:

(a) reading and annotating meeting papers and background information relevant to that meeting;

(b) communicating with others at the meeting on matters relevant to the debate at hand; and

(c) sending and receiving communications to/from home relating to domestic circumstances (e.g. childcare arrangements), within reason and with common sense.

Avoid the following:

(a) using social media during quasi-judicial meetings or during the consideration of confidential or exempt items of business at meetings; and

(b) frequently checking emails and messages that are not related to the meeting;

(c) taking and sending electronic images of proceedings; and

(d) extended periods of use that suggests that insufficient attention is being paid to the meeting.

Responsibilities of Councillors and Co-opted Members

1. You are personally responsible for the content you publish on any form of social media. Publishing or allowing to be published (in the form of a comment) an untrue statement about a person which is damaging to their reputation may incur a libel action for which you will be personally liable.

2. Social media must not be used in a way that might lead to a complaint that you have breached the Council's Code of Conduct for Councillors and Co-opted Members.

3. Social media sites are in the public domain and it is important to ensure you are confident of the nature of the information you publish. Once published, content is almost impossible to control and may be manipulated without your consent, used in different contexts, or further distributed.

4. It is recommended that you have separate social media profiles for your role as a Councillor or Co-opted Member and for your private life.

5. Make use of stringent privacy settings if you don't want your social media to be accessed by the press or public. Read the terms of service of any social media site accessed and make sure you understand their confidentiality/privacy settings.

6. You are personally responsible for the content you publish on any form of social media. Publishing or allowing to be published (in the form of a comment) an untrue statement about a person which is damaging to their reputation may incur a libel action for which you will be personally liable; no indemnity from the Council will be available.

7. Do not disclose personal details such as home addresses and telephone numbers. Ensure that you handle any personal or sensitive information in line with the Council's Data protection policy.

8. Do not use the Council's logo, or any other Council related material on a personal account or website.

9. Safeguarding issues are paramount because social media sites are often misused by offenders. Safeguarding is everyone's business – if you have any concerns about other site users, you have a responsibility to report these.

10. Do not publish or report on meetings which are private or internal (where no members of the public are present or it is of a confidential nature) or exempt reports (which contain confidential information or matters which are exempt under the provision of the Local Government (Access to Information) Act 1985).

11. Make use of stringent privacy settings if you don't want your social media to be accessed by the press or public. Read the terms of service of any social media site accessed and make sure you understand their confidentiality/privacy settings.

12. Copyright laws still apply online. Placing images or text from a copyrighted source (e.g. extracts from publications or photos) without permission is likely to breach copyright. Avoid publishing anything you are unsure about or seek permission from the copyright holder in advance.

13. Don't send or post inappropriate, abusive, bullying, racist or defamatory messages to members of the public, other councillors or officers either in or outside the work environment.

14. The Council will not promote councillors' social media accounts during the pre-election period.

15. In any biography, the account should state the views are those of the councillor in question and may not represent the views of the Council.

16. Be aware of your own safety when placing information on the internet and do not publish information which could leave you vulnerable.

17. Anyone receiving threats, abuse or harassment via their use of social media should report it to their political group leader, the Monitoring Officer and/or the police.

Conduct

1. Councillors are reminded that in respect of social media, they are governed by the Code of conduct for members and relevant law. You are acting in your "official capacity" and any conduct may fall within the Code whenever you:

    a) Conduct the business of the Authority; or

b) Act, claim to act or give the impression you are acting as a representative of the Authority; or

c) Act as a representative of the Authority.

2. Breaches of this policy may amount to a breach of the Council's code of conduct for members.

3. Other violations of this policy, such as breaching the Data Protection Act, could lead to fines being issued and possible criminal or civil action being taken against the Council or the individual(s) involved.

4. The Council reserves the right to request the removal of any content that is deemed to be in breach of the code of conduct for members.

Good practice on the use of social media and mobile devices

1. Councillors may use these and other platforms in their official capacity but should remember that the public may still perceive them as acting in that capacity even when that is not their intention.

2. Councillors should:

   a) consider whether they need to set appropriate privacy settings for any blog or networking site – especially if it is a private, non-political blog;

   b) keep an eye out for defamatory, untrue or obscene posts from others and remove them as soon as possible to avoid the perception that they condone such views;

   c) be careful about any connection with service users who are vulnerable adults or children, as this could be regarded as a safeguarding issue;

   d) ensure they use Council facilities appropriately and comply with the Acceptable Use of ICT Equipment and Systems Policy ;

   e) be aware that by publishing information that they could not have accessed without their position as a councillor, they will be seen as acting in their official capacity;

   f) be careful about being too specific or personal if referring to individuals; and

   g) be aware that the libel laws cover blogs, social media and other forms of digital content publication.

3. Councillors should not:

   a) place images or text on their site from a copyrighted source (for example extracts from publications or photos) without permission

   b) post comments that they would not be prepared to make face to face;

   c) refer in a blog to any information identified by the Council as confidential or exempt;

   d) disclose information given to them in confidence by anyone or information acquired by them which they believe or are aware is of a confidential nature;

   e) publish personal data of individuals except with express written permission to do so;

f) give the impression that they are expressing the views of the Council where it is not appropriate to do so; and

g) if they are involved in determining planning or licensing applications or other quasi-judicial decisions, publish anything on their blog that might suggest they do not have an open mind about a matter they are involved in determining.

Inappropriate Use of Social Media by Others

1. Anyone receiving threats, abuse or harassment via their use of social media should report it to the police.

2. Other inappropriate content can be reported to the social media site directly to ask for it to be removed.

3. You may wish to save a screenshot in the circumstances.

Online safety, personal security and digital citizenship

1. Digital Citizenship, which has begun to be taught in schools, is about engaging in appropriate and responsible behaviour when using technology and encouraging others to do so as well. It encompasses digital literacy, ethics, etiquette, online safety, norms, rights, culture and more.

2. In any personal online biography, it is advisable to make clear that the views are those of the councillor in question and may not represent the views of the council. If space allows, you may also want to set out a 'response' policy, such as "I welcome questions via email" and an 'engagement' policy, such as "abusive content will be removed".

3. It is easy to put personal information online, such as your birthday, routines, places you frequent, future visits, holiday destinations, relationships, and opinions, etc, which are then available for anyone in the public domain to access. For personal safety, as well as identity security, you may want to consider whether you share personal information, images of friends and/or family and details of any routines.

4. Social media posts now include location-based information, particularly from mobile phones, which tells people exactly where you are or where you have been. Again, with personal security in mind, you may want to turn off these notifications.

5. You can 'search for yourself' to check what information you can find out about yourself, your family or your business on-line. Checking this regularly means you can check what is in the public domain and edit it if necessary.

6. With respect to personal security, it is advisable not to include on social media details such as your personal phone numbers, home address, details of family members or vehicle details.

7. A picture paints a thousand words, and a photo can relay personal information you may not want shared on social media. As such, it is advisable to only publish photos of family, friends and colleagues with your consent and theirs, to ensure photos don't reveal your home or places frequented with family members such as schools or care homes, and to disable automatic photo and location tagging so that you have to approve another user

identifying you in a photo or being at a specific location. You may also want to make your family and friends aware that you will be following these precautions.

8. Some people say things via social media that they probably would not say in person, and they can post false information, insults or messages that you would not want to be associated with you. These can multiply and be shared quite rapidly. Councillors, and in particular female councillors, are unfortunately increasingly the subject of online abuse, bullying and harassment on social media. See our section on handling abuse on social media on how to manage this.

9. Having a social media presence means that people can contact you at any time. This is great in terms of accessibility but means that they may expect you to reply immediately, which can create a sense of pressure. It is useful to set your own rules and limits for how you manage your social media presence.

10. You can be sent phishing requests and malicious software on social media the same as you can on email, so maintain the same level of vigilance.

11. Be aware that some individuals post socially unacceptable, defamatory, inciting or even intimidatory remarks to generate online activity on the back of advertising or promotion of ideologies, brands or events. Similarly, the term "internet troll" is used to refer to a person or group of people who deliberately start arguments or upset people by posting inflammatory or off-topic messages online with the deliberate intent of provoking readers into an emotional response or of otherwise disrupting normal discussion, often for their own amusement.

12. Be aware of safeguarding because social media sites are often misused by offenders. Safeguarding is everyone's business – if you have any concerns about other site users, you have a responsibility to report these.

13. The usual protocols regarding confidential information, copyright, data protection, purdah, exempt reports, etc, apply to social media. Avoid publishing anything where there is doubt or seek permission in advance. Your council may also have a protocol regarding the use of social media in the run up to, during and after both internal and public meetings.

14. To be an effective councillor you won't stop meeting people and posting leaflets simply because you are posting online. You will know your residents best - consider which channel works best for them to connect with you, online and offline.

15. To provide support councillors in their use of social media, it is recommended that councils have their own policies, protocols and training, as well as a point of contact within the council to give support and to report to if things go wrong. The Local Government Association will be working with members to develop more detailed advice for councils in a future guide.

Principles for Using Social Media

You should follow these five guiding principles for any social media activities:

1. Be respectful – set the tone for online conversations by being polite, open and respectful. Use familiar language, be cordial, honest and professional at all times. Make sure that you respect people's confidentiality – do not disclose non-public information or the personal information of others.

2. Be credible and consistent – be accurate, fair, thorough and transparent. Encourage constructive criticism and deliberation. Make sure that what you say online is consistent with your other communications.

3. Be honest about who you are – it's important that any accounts or profiles that you set up are clearly and easily identifiable. Be clear about your own personal role.

4. Be responsive – make an effort to share what you know. Offer insights where appropriate and put people in touch with someone who can help if you can't. Respond to questions and comments in a timely manner.

5. Be confident – don't be scared of participating. Follow these rules and seek further guidance if you need it. If you're about to publish something that makes you even the slightest bit uncomfortable, pause to think about it. Feel confident in what you say before you say it – and say it as clearly as you can.

Think twice – Think carefully about all your social media posts. Once published it will be too late to change your mind. Follow these rules and seek further guidance if you need it.

Responsibilities of councillors on social media

1. Councillors are personally responsible for the content they publish on any form of social media. Publishing or allowing to be published (in the form of a comment) an untrue statement about a person which is damaging to their reputation may incur a defamation action for which you will be personally liable. The same applies if you pass on any similar untrue statements you receive.

2. Social media sites are in the public domain and it is important to ensure you are confident of the nature of the information you publish. Once published, content is almost impossible to control and may be manipulated without your consent, used in different contexts, or further distributed.

3. You can make use of stringent privacy settings if you do not want your social media to be accessed by the press or public. It is advisable to read the terms of service of any social media site accessed and make sure you understand their confidentiality / privacy settings.

4. Some councillors choose to have separate social media profiles for personal and council use. It is important to keep in mind, however, that even the strictest privacy settings is no guarantee for posts or actions to remain private. As a rule of thumb, never post anything online you would not be comfortable saying or sharing in a public meeting.

5. The code of conduct for members and relevant legislation continues to apply online and in social media. If you are referring online in any way to your role as a councillor, you are deemed to be acting in your "official capacity" and any conduct may fall within the code.

Guidance on Capturing Social Media Posts

1. Posts made using third party sites such as Facebook or Twitter are not held or within the control of the Council - posts can be deleted by site administrators without the knowledge or consent of the Council.

2. In exceptional circumstances, copies of posts maybe made and retained by the Council, in line with relevant Council procedures. These copies will be held for a period dependent on the type of investigation they are subject to.

3. Where inappropriate use is suspected, it is suggested that you should pro-actively attempt to capture any inappropriate posts before they might be deleted. Copies should be made and reported to the Monitoring Officer within the Council, as well as following the social media sites own reporting procedures where appropriate.

Relationship with Other Council Policies

This social media policy should be read in conjunction with:

1. The protocol for the use of recording devices during any meeting held under the auspices of Guildford Borough Council.

2. The Code of conduct for members which regulates the standards of conduct of elected members of Guildford Borough Council. It also outlines the arrangements for investigating and deciding upon complaints against members.

3. The Data protection policy which outlines the Council's adherence to the Data Protection Act 2018 with regard to the collection, storage and use of personal data.

Examples of the Use of Social Media

1. Can I comment/respond to questions posted on my social media page regarding general local issues?

Yes. The Social Media Policy is not intended to restrict the use of social media, it is a guidance tool to make Councillors aware of the risks and pitfalls. Social media is an excellent method for Councillors to interact with members of the public and should be encouraged.

2. Can I comment/respond to questions posted on my social media page regarding upcoming Council matters such as licensing or planning applications?

Councillors can take a view and express opinions or concerns, however, they must not show bias or pre-determination. Councillors are reminded to remain impartial and open minded and listen to all the facts before coming to a decision. Evidence of any kind of bias or pre-determination could leave the decision open to challenge.

3. I find comments on my social media page posted by a third party insulting and/or confrontational. How should I respond?

If at all possible, don't respond at all. Internet "trolls" are people who often try to "wind-up" public figures on purpose to get a reaction. It is best to not "feed the trolls" by ignoring the post. If it clear that the person is a serious, concerned member of the public then a suitably non-confrontational reply may be appropriate. Remember that you remain a representative of the Council online and should not do or say anything that you wouldn't do face-to-face or in a letter. If the post is potentially defamatory or illegal then it should be reported to the site administrators and/or the police.

4. *I discover information that is incidental to my role as a Councillor (for example, information relating to a planning application). Can I disclose this information via social media?*

Yes, however, you should take great care in doing so. Posting information obtained as Councillor will be seen as acting in your official capacity of a Councillor even if this is on your personal account. You should also remember that publishing anything regarding forthcoming or on-going decisions could be seen as pre-determination or bias. If the information is confidential then releasing the information may be a breach of the Code of Conduct.

5. *Someone has posted a racially aggravated comment on my personal blog, what can I do? Can I be held liable?*

 As soon as you become aware of the comment you should inform the site administrator. If you are exclusively in charge of the site you should consider reporting the comment to the Police. You should keep evidence of the post and then ensure it is taken down. Providing a Councillor takes reasonable care and reports the potential offence quickly they are unlikely to be held liable for someone else's breaches.

6. *I publish a post on my personal page regarding a matter that I will be making a decision on (such as a planning or licensing application). As this is my personal blog do the rules for pre-determination and bias still apply?*

Yes, they do. The Social Media Policy also extends to personal blog where the content/comment relates to Council matters. Councillors should take care when publishing information regarding a Council matter as this may leave the decision open to challenge.

7. *Do any special rules apply to social media posts and blogs during a local election period?*

During an election period Councillors should take particular care as legislation relating to electoral matters will apply to the online publication of electoral material or statements relating to the election. For example, if you publish a statement on your personal blog regarding another candidate the Representation of the People Act 1983 may apply. Under this legislation it is a criminal offence to make or publish a false statement of fact about the personal character or conduct of an election candidate.

8. *What happens if I breach the Social Media Policy?*

It depends upon the nature of the breach. However, punishment for a serious breach of the Policy may lead to a code of conduct complaint or even personal liability or criminal charges.

Managing and moderating your own pages

1. You may wish to set up your own councillor or community page on Facebook. These are valuable platforms to promote local information, news, events or council developments or seek people's views on community or council proposals.

2. Members of the community and others can contribute and comment in an interactive manner and whilst most is constructive and uses acceptable language, some individuals may use bad language or 'cross the line' into abuse or harassment.

3. If you are a Group or Page administrator, Facebook provides you with a range of tools to manage and moderate other people's content or contributions to your Group or Page for more serious breaches of standards.

You can:

a) block certain words or apply a 'profanity filter' in the settings, this will stop such postings appearing in your page

b) hide or delete comments, photos or tags

c) ban or remove someone from your pages

d) find useful guidance and instructions on the 'Banning and Moderation' section of Facebook

e) share the responsibility of administering a large Group with other councillors, friends or trusted community members

f) find guidance on making other people administrators on Facebook.