



# NEW FRANKLEY IN BIRMINGHAM PARISH COUNCIL

## SOCIAL MEDIA POLICY

*Approved at the Parish Council meeting on 21<sup>st</sup> September 2019*

*Reviewed at the Parish Council meeting on 17<sup>th</sup> April 2023*



## **New Frankley in Birmingham Parish Council Social Media Policy**

The aim of this Policy is to set out a Code of Practice to provide guidance to staff and Parish Councillors in the use of online communications, collectively referred to as social media.

Social media is a collective term used to describe methods of publishing on the internet. The policy covers all forms of social media and social networking sites which include (but are not limited to):

- Parish Council Website
- Facebook, Myspace and other social networking sites
- Twitter and other micro blogging sites
- Youtube and other video clips and podcast sites
- LinkedIn
- Bloggs and discussion forums
- Parish Council Emails

### **Who does it apply to?**

The principles of the Policy apply to Parish Councillors and all Council Staff. It is also intended for guidance for others communicating with the Parish Council.

The policy sits alongside relevant existing policies which need to be taken into consideration.

### **Use of Social Media**

The use of social media will not replace existing forms of communication. The website and other forms of social media will be used to enhance communication. Therefore existing means of communication should continue with social media being an additional option.

### **The Policy**

1. The Council will appoint a nominated member of staff/ Councillor or Councillors as moderator(s). They will be responsible for posting and monitoring of the content ensuring it complies with the Social Media Policy. The moderator will have authority to remove any posts made by third parties from our social media pages which are deemed to be of a defamatory, libel nature. Such posts will also be reported to the Hosts (i.e. Facebook) and also the clerk.

2. The clerk will maintain and update the Parish Council Website

Under the Transparency Code for Parish Councils with an annual turnover less than £25K there are requirements for specified information and documents to be posted on a council's

website. There is a different requirement for a councils with a turnover >£200,000, though at date of this note, no documents have been specified for councils with a turnover > £25K and under £200,000. See WALC's Good Practice Guide on Website Provision and Information to appear on Websites March 2015, found in members area of website under miscellaneous.

Social media may be used to:

- Post minutes and dates of meetings
- Advertise events and activities
- Good news stories linked website or press page
- Vacancies
- Retweeting or 'share' information from partners i.e. Police, Library and Health etc.
- Announcing new information.
- Post or Share information from other Parish related community groups/clubs/associations/bodies e.g. Schools, sports clubs and community groups
- Refer resident queries to the clerk and all other councillors

**Facebook** will be used to support the website information above.

**Emails** will be used to distribute information of council business.

#### **Guidance for Councillors using the Council's Social Media Presence**

Individual Parish councillors are responsible for what they post. Councillors are personally responsible for any online activity conducted via their published e-mail address which is used for council business. Councillors are strongly advised to have separate council and personal email addresses, and adhere to **The Members' Code of Conduct, see Guidance for Councillors at the end of this document.**

3. All social media sites in use should be checked and updated on a regular basis and ensure that the security settings are in place.

4. When participating in any online communication;

- a. Be responsible and respectful; be direct, informative, brief and transparent.
- b. Always disclose your identity and affiliation to the Parish Council. Never make false or misleading statements.
- c. Parish Councillors should not present themselves in a way that might cause embarrassment. All Parish Councillors need to be mindful of the information they post on sites and make sure personal opinions are not published as being that of the Council or bring the Council into disrepute or is contrary to the Council's Code of Conduct or any other Policies.

- d. Keep the tone of your comments respectful and informative, never condescending or “loud.” Use sentence case format, not capital letters, or write in red to emphasis points.
  - e. Refrain from posting controversial or potentially inflammatory remarks. Language that may be deemed as offensive relating in particular to race, sexuality, disability, gender, age or religion or belief should not be published on any social media site.
  - f. Avoid personal attacks, online fights and hostile communications.
  - g. Never use an individual’s name unless you have written permission to do so.
  - h. Permission to publish photographs or videos on social media sites should be sought from the persons or organisations in the video or photograph before being uploaded.
5. Respect the privacy of other councillors and residents.
6. Do not post any information or conduct any online activity that may violate laws or regulations, *see below libel and copyright*.
7. Residents and Councillors should note that not all communication requires a response.
- a. There will not be immediate responses to communications as they may be discussed by the Parish Council and all responses will be agreed by the Parish Council.
  - b. The Parish Clerk and the moderators will be responsible for all final published responses.
  - c. If a matter needs further consideration it may be raised at either the open forum or as a full agenda item for consideration by a quorum of Councillors. Again the poster shall be informed via the page or direct message that this is the case.
  - d. If the moderator feels unable to answer a post for example of a contentious nature this shall be referred to the Parish clerk. The poster will be informed by way of response to this fact and also be invited to correspond with the Parish Clerk directly.
  - e. Some communication from residents and other third parties may be required to be discussed at a Parish Council meeting. When this is necessary the item will be placed on the next available agenda. Any response will then be included in the minutes of the meeting.
8. The nominated moderator or moderators shall remove any negative posts which may contain personal and inflammatory remarks, libellous or defamatory information without further comment or notification.
- a. Spell and grammar check everything.
  - b. Correct any errors promptly.

9. Councillors or parishioners who have any concerns regarding content placed on social media sites should report them to the Clerk of the Council. Misuse of such sites in a manner that is contrary to this and other policies could result in action being taken.

10. The Policy will be reviewed annually.

Date of Approval by Council .....

### **Additional background information (IDeA) 2010**

**Libel** If you publish an untrue statement about a person which is damaging to their reputation they may take a libel action against you. This will also apply if you allow someone else to publish something libellous on your website if you know about it and don't take prompt action to remove it. A successful libel claim against you will result in an 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 permission is likely to breach copyright. Avoid publishing anything you are unsure about, or seek permission in advance. Breach of copyright may result in an award of damages against you. **Data Protection** Avoid publishing the personal data of individuals unless you have their express written permission. **Bias and pre-determination** If you are involved in determining planning or licensing applications or other quasi-judicial decisions, avoid publishing anything that might suggest you don't have an open mind about a matter you may be involved in determining. If not, the decision runs the risk of being invalidated. **Obscene material Publication** of obscene material is a criminal offence. **Electoral periods and purdah**

The Electoral Commission requires that candidates provide a return of expenditure on any form of advertising or campaign literature and that includes web advertising. And there are additional requirements, such as imprint standards for materials which can be downloaded from a website. Full guidance for candidates can be found at [www.electoralcommission.org.uk](http://www.electoralcommission.org.uk) [www.electoralcommission.org.uk/guidance/those-we-regulate/candidates-and-agents](http://www.electoralcommission.org.uk/guidance/those-we-regulate/candidates-and-agents)

### **The council's legal position**

Material published by a local authority as an organisation is, for obvious reasons, restricted in terms of content. It must not contain **party political material** and, in relation to other material, should not persuade the public to a particular view, promote the personal image of a particular councillor, promote an individual councillor's proposals, decisions or recommendations, or personalise issues. Nor should the council assist in the publication of any material that does any of the above.

## The Members' Code of Conduct – Guidance for Councillors

NB The Localism Act 2011 placed a general obligation to *“promote and maintain high standards of conduct by members and co-opted members of the authority “*

**Councillors** can have ‘blurred identities, you may have a social media account where you comment both as a councillor and as an individual. Ensure it is clear when you are posting in a private capacity or as a councillor. Such blurred identities might for example have implications where your views are taken as those of your organisation or political party, rather than your personal opinion. There is the need to get social media accounts/ profiles clear, to be confident as to what you can and can't say while you are representing the Parish Council. How you use your online identity will also determine how online content will be treated in respect of the Members' Code of Conduct. Councillors may be communicating politically. **There is a difference between communicating on behalf of the council, for example blogging as a councillor or as a private citizen and the former will be held to a higher standard than the latter.** The key to whether your online activity is subject to the Code of Conduct is whether you are giving the impression that you are acting as a councillor. And that stands whether you are in fact acting in an official capacity or simply giving the impression that you are doing so. This may be less than clear if you have a private blog or a Facebook profile.

There are a number of factors which will come into play which are more a question of judgment than a hard and fast line. For example, a Standards Committee may take into account how well known or high profile you are as a councillor, the privacy settings on your blog or social networking site, the content of the site itself and what you say on it. Most councillors are using their online profile to communicate with citizens about representing their local area so engaging the code, if necessary, should be a relatively straightforward decision. Since the judgment of whether you are perceived to be acting as a councillor will be taken by someone else, it's safest to assume that any online activity can be linked to your official role. It is worth noting that web links to official council websites may give or reinforce the impression that you are representing the council.

Unless you've gone to significant effort to keep an online persona completely separate from your councillor identity, you are unlikely to be able to claim that you were acting in a completely private capacity. Members should comply with the general principles of the Code in what they publish and what they allow others to publish.

Some of the terminology in social media, like 'following' or 'friending' can imply an intimacy that's not really there. Both terms just mean you have linked your account to someone else so you can share information. Savvy internet users are used to this, but some people can feel a frisson of unease when their council, local police service or councillor begins following them on Twitter before establishing some sort of online relationship. Some councillors wait to be followed themselves first. Do make use of other communication functions that social media allows you. Twitter's 'list' function, for example, can help you to follow local people in a less direct way

## References

CivicSurf is a blogging programme for local leaders [www.civicsurf.org.uk](http://www.civicsurf.org.uk). Socitm Insight has produced Social Media – Why ICT management should encourage leadership to embrace it (January 2010) and Twitter Gritters: Council use of digital channels in emergencies. (February 2010) The Improvement and Development Agency (IDeA) 2010. Connected councillors a guide to using social media to support local leadership. IDeA March 2010 'Connected Councillors – A guide to using social media to support local leadership' LGA Connected Councillors Social Media Handbook, Cheshire East Council Jaffe PR Social Media Policy Template. November 7, 2012

(Adapted from CivicSurf's Legal Guidance for councillor blogs.

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