

# Guidance on use of social media for elected members

## Introduction

Social media is a collective term used to describe ways to create and publish on the internet. People generally use the term to describe how organisations and individuals share content and create conversations on the web.

Social Media tools include, but are not limited to:

- Blogs/Microblogging e.g. Twitter
- Social Networking e.g. Facebook, Foursquare
- Collaboration networking media
- Social bookmarking
- Photo and video sharing e.g. Youtube, Flickr, Snapchat
- RSS aggregation services
- Wikis e.g. Wikipedia

Social Networking is defined as ‘the use of dedicated websites and applications to interact with other users or to find people with similar interests to one’s own’.

Social media provides many opportunities to engage and communicate with people in new and innovative ways. This guidance provides advice in respect of the use by members of social media sites, blogs, ‘wikis’ or any other online publishing format and should be read alongside the Members ICT Protocol and Code of Conduct for Elected and Co-opted Members.

## General Tips on Using Social Media

The Local Government Association have produced the following Do’s and Don’ts to get the most from using social media.

Do	Don't
<p>Talk to residents, staff and others. And do answer their questions (quickly and honestly)</p> <p>Be responsible at all times</p> <p>Be respectful at all times, too</p> <p>Innovate – different approaches work for different people</p> <p>Have a personality – corporate speak or just issuing press releases won't work well on social media</p> <p>Share other people's helpful content and links</p> <p>Credit other people's work, ideas and links</p>	<p>Talk at people.</p> <p>Try to cover up mistakes, be honest and you will get more respect for it in the long run</p> <p>Build accounts and just hope people will participate – sometimes it is best to go to the places where your audiences are already having conversations</p> <p>Assume that social media will look after itself – you will need to invest time, enthusiasm and energy to make it work. And don't leave your accounts unattended for long spells</p> <p>Post inappropriate comments or tweets</p> <p>Post content which will embarrass your Council or yourself</p>

<p>Listen (social media is designed to be a two-way channel, just like any good conversation)</p> <p>Ask your own questions. Seek feedback from your residents (but make sure you share the results with them)</p> <p>Learn from others – there is rich learning of good practice social media use across local government via organisations such as the LGA.</p> <p>and more than anything, do use social media in the spirit in which it is intended – to engage, openly and honestly.</p>	<p>Engage in protracted debates that could be perceived as inflaming sensitive Council business. Know when to stop posting comments or tweeting etc.</p> <p>Ignore legal advice, it is there to help you</p> <p>Think that a disclaimer in your bio will save you from potential legal action, it won't</p> <p>Share your passwords</p> <p>Forget that social media is 24/7 – just because you leave at 5.00 pm doesn't mean the world stops or that residents won't be active</p>
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## Legal Considerations

In the main, elected members have the same legal duties online as anyone else but failures to comply with the law may have more serious consequences and extra care needs to be taken when writing on planning, licensing and other quasi-judicial matters.

### Defamation

You must not use social media to publish defamatory statements or material. If you publish an untrue statement about a person which is damaging to their reputation, they may take a libel action against you. A successful libel claim against you may result in an award of damages against you.

### Copyright

Placing images or text on social media 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 on social media that might suggest you do not 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

You should avoid publishing anything on social media that people would consider obscene. Publication of obscene material is a criminal offence.

### Bullying and Discriminatory comments

Behaving in a discriminatory, bullying or harassing way towards any individual including making offensive or derogatory comments relating to sex, gender reassignment, race (including nationality), disability, sexual orientation, marital status, pregnancy or maternity,

religion or belief or age via social media by posting images or links or comments could, in certain circumstances, result in criminal sanction.

### **The Code of Conduct for Elected and Co-opted Members**

It is very important to note that the rules of good conduct set out in the Code must be observed in all situations where you are acting in the capacity as a councillor, including representing the Council on official business.

The public expect high standards of conduct at all times from elected members.

You should be mindful that your perception of when you are carrying out official business and when you are acting privately may be different to the view of the public. This may have implications where your views are taken as those of the Council or political party, rather than your personal opinion. Therefore, it is important to be clear in your social media accounts/profiles. The key to whether your online activity is subject to the Code of Conduct for Members is whether you are giving the impression that you are acting as a councillor, and that is the case whether you are in fact acting in an official capacity or simply giving the impression that you are doing so.

One way to separate your personal/private business from your 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 to clearly identify the role you are undertaking when using that account. This separation of accounts will assist in managing friends' lists and the content of any tweets/post etc. However, even then, you still need to be careful to ensure that what you say on your personal/private business account does not compromise your position as a councillor.

The Code of Conduct for Elected and Co-opted Members applies to online participation in the same way it does to other written or verbal communication. Councillors should comply with the general principles of the Code in what they publish.