

## Appendix 3

Intranet

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Councillors

Intranet homepage

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# Social Media Toolkit

## Social Media Toolkit

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### Introduction

Social media encapsulates a wide range of applications and channels such as Facebook, Twitter, Blogs etc.

The benefits of social media are widely recognised and it is a helpful tool to Councillors to engage with their communities.

Social Media affords the Councillors the opportunity to engage with people who do not traditionally seek out their local representatives. It can assist Councillors in gaining an understanding of the local issues, to keep up to date with developments whether that be through the news, publications or announcements and be a vital tool for public debate and its use by Councillors is encouraged.

There are however some pitfalls to be aware of, and this local Guidance is produced to help Councillors avoid these.

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### Considerations when using social media

#### Legal considerations

Like anyone else publishing material, Councillors need to be aware of the laws that apply to published material. Some of the main ones are these:

- **Defamation:** if you publish an untrue statement about a person or an organisation that is damaging to their reputation you may be liable to pay damages;
- **Copyright:** publishing information that is not yours, without permission, may also result in an award of damages against you;
- **Harassment:** it is an offence to repeatedly pursue a campaign against a person that is likely to cause alarm, harassment or distress;
- **Data protection:** do not publish personal data of other people, including photographs, without their express permission to do so;
- **Incitement:** it is an offence to incite any criminal act;
- **Discrimination and 'protected characteristics':** it is an offence to discriminate against anyone based on protected characteristics (as defined in the Equality Act 2010);
- **Malicious and obscene communications:** it is an offence to send malicious or obscene communications.

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#### Specific considerations for Councillors

##### Bias and pre-determination

Councillors sitting on regulatory committees such as planning or licensing should be aware that they are allowed to have a view but not have gone so far as to have predetermined their position on a matter. Any views aired on social media (including "liking" a

comment made by others) could be used as evidence of making a decision in advance of hearing all relevant information. The Council's decision is then open to challenge and could be invalidated, and provisions of the Code of Conduct could be engaged.

#### Equality and discrimination

The Council is a public authority required to comply with the Equalities Act 2010. It is an offence to discriminate against anyone based on their protected characteristics (age, disability, gender reassignment, race, religion or belief, sex, sexual orientation, marriage and civil partnership and pregnancy and maternity).

The Council must also have 'due regard' to the Public Sector Equality Duty (which consists of eliminating unlawful discrimination, advancing equality of opportunity and fostering good relations) and that applies to Councillors when appearing to act in their official capacity.

#### Electioneering

Council resources, including the use of social media on Council mobile devices or IT equipment, should not be used for political/campaign purposes. Particular care should also be taken when using social media during the pre-election publicity period (the period between the notice of election and polling day).

Councillors can continue to use their social media pages during the pre-election period and may use it for campaigning purposes, subject to the [Electoral Commission's guidance on election campaigning](#).

Councillors also need to be mindful that in using their Councillor social media page for these purposes may engage the [Member Code of Conduct](#).

The Head of Legal and Democratic Services issues guidance to all members on the pre-election publicity rules in advance of an election.

The Electoral Commission has also published [guidance](#) including on the requirements to provide a return of expenditure on election advertising which includes web advertising.

#### Human rights

Article 8 of the European Convention provides that public authorities should not interfere with the right of individuals to a private and family life without lawful authority to do so, and where it is necessary, proportionate, and in pursuit of one of the aims set out in Article 8(2) which are national security, public safety, economic well-being, health or morals, prevention of crime or disorder, or protecting others' rights. Observing the use of social media by other people, even on 'open' profiles, can engage Article 8.

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## Netiquette

It is recommended that Councillors use social media accounts/pages for council or ward business, which are separate from their personal (or those of close family members/friends) social media profiles and clearly identifiable as accounts used in your official capacity.

Councillors will need to monitor and, where appropriate, censor or remove the contributions made by others to their sites.

Allowing defamatory or offensive statements to remain on a site can become the Councillor's own legal problem as the 'publisher' of the material, and could also give rise to Code issues where allowing comments to remain could be seen as condoning or endorsing them.

The council has a clear approach to the [moderation of social media on its website](#) and it is recommended that Councillors apply the same to moderating their own accounts

If you let people post comments then you should have clear and prominent guidelines about when you will moderate comments or block people from posting to the site. You should regularly monitor your site, and not be afraid to follow these guidelines.

Similarly, 'liking', 'sharing' or 're-tweeting' posts could be seen as an endorsement of them and legally this can be a separate instance of publication, by the Councillor, to which all the legal and Code considerations would apply.

Beyond that it is generally best to allow disagreement rather than to seek to censor it, although this should not dissuade you from your objective of seeking to persuade or to foster consensus. However, there is no need to respond to everything and unhelpful online arguments should be avoided. Be professional, respectful and polite, even (or especially) when corresponding with those who do not return the courtesy. Promptly admit to mistakes of fact.

You are strongly advised to avoid using social media when you are tired, angry, upset or your judgment may be impaired. Be aware that 'trolling' posts can be intended to bounce you into an unwise response to be used against you, and always consider whether anything you write might be interpreted in a way you do not intend. If 'trolling' becomes unacceptably harassing then report it to the Police and seek advice from, as appropriate, Member Support or your Parish Clerk.

Think carefully about who to 'follow' or 'befriend' online, and be cautious about accepting 'friend' requests from anyone under the age of 18. Online 'friendships' with Council Officers should be avoided as they may compromise the appearance of impartial advice. It is inadvisable to 'follow' anyone without a good reason and many Councillors wait to be 'followed' before considering returning the compliment.

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## Code of Conduct

Councillors should at all times be aware that when using social media they remain subject to the Council code of conduct.

Councillors may use social media in both an official and personal capacity but they must be aware that the public may perceive them as acting in either capacity when that is not their intention.

Any social media account which could be potentially linked to a Councillor would need to meet the standards of the Code of Conduct.

You should also consider your position carefully as to whether your online 'followers' or 'friends' are "close associates", for the purpose of declaring interests and participation in meetings where their well-being or financial position would be affected.

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## Responsibility of Councillors on social media

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. This also applies if you pass on any similar untrue statements you receive.

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 extremely difficult to control and may be manipulated without your consent, used in different contexts, or further distributed.

You can make use of strict privacy settings if you do not want your social media to be accessed by the press or public, however, please be aware that others that have access to your social media could share its content (either deliberately or inadvertently) so you should exercise caution on any private accounts also.

Members should

- read the terms of service of any social media site accessed;
- ensure your pages meet the relevant social media platform and the Electoral Commission's requirements in relation to political engagement/advertising;
- ensure your pages meet any requirements of your political group/party;
- make sure you understand the social media platform privacy settings, the links which can be found at the [further guidance section](#) of this document

It is important to keep in mind, however, that even the strictest privacy settings are 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.

The code of conduct for Councillors 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.

You may wish to set up a 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. Other Ward Councillors and other members of the community 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.

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:

- block certain words or apply a 'profanity filter' in the settings, this will stop such postings appearing in your page.
- hide or delete comments, photos or tags.
- ban or remove someone from your pages.

Useful guidance and instructions are available on the 'Banning and Moderation' section of Facebook. Administering a large Group can be a lot of work, particularly if group Councillors are active. If that's the case, you might want to share the responsibility with other Councillors. Guidance on making other people or administrators is available on Facebook.

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## Use of social media during committee meetings

Use mobile devices (other than official equipment for the meeting) sparingly, discreetly and with common sense whilst at meetings, considering the impression you are giving to others.

Councillors should be mindful that regulatory committees such as planning or licensing require the Councillor to alert officers to any lobbying material they have received. This would be difficult if it arrives on Twitter and is read by the Councillor during the course of a meeting.

Mobile devices enable Councillors to manage their busy lives when time is at a premium. There may be occasions when texting or e-mailing between Councillors during meetings on matters relevant to the debate at hand may be valuable (on the same basis as circulating paper notes). However, it is important for Councillors not to give the impression that insufficient attention is being given to the discussion at the meeting. This could lead to the relevant decision coming under challenge if Councillors are perceived to have made a decision without having properly listened to the debate. It could also result in Code of Conduct complaints of a failure to treat others with respect or of bringing the Council into disrepute.

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## Online safety and personal security

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".

It is easy to put personal information online, such as your birthday, routines, places you frequent, future visits, holiday destinations, relationships, and opinions, 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.

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.

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.

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 friends and family or vehicle details.

A photo can relay personal information you may not want shared on social media. 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 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.

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 can be subject of online abuse, bullying and harassment on social media for further information on how to deal with this see section Abuse on Social Media and how to tackle this.

Having a social media presence means that people can contact you at any time. It can mean that a reply can be expected 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.

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.

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.

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## Abuse on social media and how to tackle this

Any intimidation or abuse on social media is subject to all the same potential criminal prosecutions as other forms of intimidation, with the additional criminal offences relating specifically to electronic communications. You are best placed to determine whether a post or interaction is abusive or intimidating, and if you feel intimidated you can take action to report it.

Every situation will be different, and it will need a personal judgement about whether it is worthwhile to pursue the incident, ignore it or politely acknowledge.

If you have received online abuse, even if you are not overly concerned or if you intend to ignore it, you should consider keeping a record should any incidents escalate in the future. You can simply 'screen shot', 'clip' or 'snip' tweets or posts on your phone, tablet or computer. (Members Support can help you do this). You may also decide to warn the perpetrator that you are keeping a record of all messages and may refer them to the appropriate authorities, which may stop them posting further comments or might encourage them to delete them. For more serious incidents, the guidance below will assist.

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## Tackling abuse on social media

In any situation that arises on social media, you will need to decide whether you want to engage in a discussion or ignore it, and whether the communication is abusive, intimidatory or threatening. When determining whether to engage or ignore, you'll need to balance the risks and likely success of either approach in stopping the situation.

If the communication is abusive, intimidatory or threatening, then keep a record of it (such as a screen shot). You can post that you find the communication abusive, intimidatory or threatening if you want to highlight the poor online behaviour, and report it to the social media platform and to the police. You can also make your council aware that you have been subjected to online abuse, intimidation or threats in your role as a Councillor so they can keep a record or take action as well. If you think there are threats to your personal safety or security, you can ask for advice from the police.

It may be useful to refer to our section on the legislation applicable to harassment and abuse to see if the communication falls into any of the categories so you can describe it to the police in these terms.

Perhaps most distressing is when multiple users all send abusive messages in quick succession or at the same time. This can be overwhelming and the structure of Twitter in particular means that the more posts and retweets, the more others see it, and they can be encouraged to add to the abuse. It can escalate very quickly. There are sadly some who will willingly add to the abuse for their own amusement, even if they are unaware of the details. This is a difficult situation to handle, particularly if the information is being held by another user. If this occurs, you are advised to make a record of the abuse, inform the social media platform, your council and the police if any of the tweets make significant personal threats. You may wish to remove the original post if you can.

If someone has posted some inaccurate information about you or the council, and if the information is defamatory (a false statement that could harm your reputation), again, the first step is to gather evidence. You may then want to contact the individual initially to request that the tweet or post be deleted; some individuals may have made a mistake without malice and will remove their post immediately. Depending on the nature of the tweet or post and the number of followers who may have viewed the tweet, you may wish to seek a correction and/or an apology.

If this approach is unsuccessful or where a defamatory tweet or post causes serious concern or is part of a concerted campaign, in addition to informing your council, you may wish to take your own legal advice.

If the tweet or post is a complaint about a council service, you can ask for contact details and pass the information to officers to follow-up on and inform the individual that this is the course of action you are taking. This may help defuse any tensions.

## Twitter

You may wish to unfollow, mute or even block a person or group who is persistently tweeting you or is being abusive or intimidatory. Guidance about to mute and block is available from Twitter, but in summary.

- **Muting** allows you to remove an account's tweets from your timeline but does not go as far as unfollowing or blocking the account. Muted accounts will not know that they have been muted and you can 'unmute' them at any time.
- **Blocking** allows you to restrict specific accounts from contacting you, seeing your tweets or following you. Unlike muting, the perpetrators can find out that they have been 'blocked' and may accuse you of avoiding their scrutiny; this may be a small price to pay if their behaviour is checked and can be easily rebutted if necessary.

Twitter itself promotes 'Rules' encouraging constructive debate but it explicitly prohibits behaviour "that crosses the line into abuse, including behaviour that harasses, intimidates, or uses fear to silence another user's voice". If tweets are so offensive that you believe they violate Twitter's rules, you can report them to Twitter who may decide to take action. For further information about how to report 'violations' visit Twitter's how to [report violations](#) page.

## Facebook

Facebook has slightly different 'Community Standards' to Twitter and alternative methods of dealing with complaints.

You are also more likely on Facebook to encounter community or campaign groups or pages which facilitate scrutiny of you, fellow Councillors or the Council, and some will have been set up specifically with that purpose in mind. If these groups are not moderated effectively, they can provide a conduit for abuse and harassment.

If you are concerned about comments or postings about you in a group or page, you can report the post to the group administrator. If you concerned about a group that is abusive and you think it has broken Facebook's Community Standards, you can [report the group to Facebook](#).

## Blogs

Blogs are a quick and easy way for Councillors of the public or Councillors to set up mini-websites to discuss and air views on matters of interest.

Occasionally, blogs may take an interest in local, community matters and some have been set up specifically to scrutinise the local council or Councillors. At other times, Councillors may face negative comments on their own blog. While scrutiny is a key part of local democracy and accountability, on occasions, some blogs may make unfair comments or untrue allegations or may include abusive or threatening commentary. Unlike Facebook and Twitter, there are no 'community rules or standards' to moderate or challenge such content.

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## Social media dos and dont's

### Do

- talk to residents, staff and others, do answer their questions
- trust your teams and staff to use social media
- be responsible at all times
- be respectful at all times
- innovate - different approaches work for different people
- have a personality - corporate speak or just issuing press releases won't work well on social media
- share other people's helpful content and links
- credit other people's work, ideas and links
- listen (social media is designed to be a two-way channel, just like any good conversation)
- ask your own questions. Seek feedback from your residents (but make sure you share the results with them)
- have a rota where appropriate - share the load and you'll get more from your accounts
- adhere to your existing HR policies - you don't need a separate HR policy especially for social media
- talk to your communications team - they are there to help you
- learn from others - there is rich learning of good practice social media use across local government via organisations such as the LGA
- use social media in the spirit in which it was intended - to engage, openly and honestly

### Don't

- broadcast or talk at people. Your residents will soon spot broadcasts and respond accordingly

- block social media - social media is not a risk, blocking its use is a risk
- try to cover up mistakes, be honest and you'll get more respect for it in the long run
- build accounts and just hope people will come - sometimes it is best to go to the places where your audiences are already having conversations
- 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
- post content which will embarrass your council or yourself
- ignore legal advice, it's there to help you
- think that a disclaimer in your bio will save you from potential legal action, it won't
- expect your staff to make do with old technology which can be a barrier to effective working
- share your passwords with anyone other than your communications leads
- 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. If your account is only staffed 9-5 then you should say so on your profile

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## Further information and guidance

- LGA: Handling abuse on social media
- LGA: Social media dos and don'ts
- Connected Councillors: A guide to using social media to support local leadership and other guidance available on the Local Government Association website [www.local.gov.uk](http://www.local.gov.uk)
- LGA's Knowledge Hub [may contain useful information](#)
- Terms and conditions for Facebook
- Terms and conditions for Twitter

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