

Standards Committee – 26th April 2016

Proposed Social Media Policy for Councillors

Summary of report:

For the Standards Committee to consider whether or not the Council should adopt a Social Media Protocol for Councillors to assist and guide them in their usage of social media.

Background papers:

1. Draft Social Media Protocol for Councillors.
- 2.

Recommendation:

That if the Standards Committee approve the proposed Social Media Protocol for Councillors that a report be submitted to Council for approval in respect of the same, in order that it may form part of the Council's protocol section of the Constitution.

1.0 Background

1.1 Social Media is a collective term used to describe online media which offers easy ways to publish content online and also to facilitate and participate in online conversations, which may invite the posting of comments or contributions, or otherwise invite discussion. Social media can involve social networks (eg. *Facebook*); professional networks (eg. *LinkedIn*); content communities sites (eg. *Flickr* and *Youtube*); blogs (eg. via sites such as *Wordpress* and *Blogger*); micro-blogging sites (eg. *Twitter*). Social media can be accessed by a variety of digital equipment, such as laptops, smart-phones and tablets, which can also be used to capture audio-visual information.

1.2 Social media can play an important part in the operation of a democratic society by offering positive opportunities for the Council and its Elected Members to engage with the citizens of Walsall. For example, social media can be an efficient and cost effective way for the Council to keep in touch with residents and businesses. Councillors can also effectively use social media to interact with constituents and support local democracy. It has been demonstrated that, when used effectively, social media can engage those who would not otherwise participate in local politics or interact with their Councillors Members.

1.3 Conversely the use of social media can also potentially present the Council and Councillors with certain risks and challenges, which could result in complaints under

the Code of Conduct against a Councillor, or action against the Council itself. It is therefore important that Elected Members recognise the risks associated with social media and ensure that they do not use social media in a way that may breach the Code of Conduct. It is intended that the Council's Standards Committee will have regard to the Protocol when determining allegations of breaches of the Code of Conduct involving the use of social media. The Council offered training to Councillors in respect of the use of social media in the current municipal year and are going to repeat the training in the forthcoming municipal year.

1.4 Councillors are bound by the terms and conditions of the individual social media sites. In addition, Members should recognise that their use of social media could be covered by the Code of Conduct, and it is likely that any failure to comply with the law and user agreements of the sites could also constitute a breach of the Code of Conduct. In particular, Councillors should also avoid using social media in a way which suggests bias and predetermination.

1.5 In addition to issues covered by the Code of Conduct, Councillors are reminded that their use of Social Media may have implications in general law, which may have serious consequences. Potential difficulties arising from the use of social media can be avoided if the information published by Councillors is objective, balanced, informative, and accurate. The effects of publishing information online can be long lasting, as access to online published content is pervasive and effectively published in perpetuity.

1.6 Councillors should consider not using social media during meetings. This may give members of the public the impression that they are not fully attending to the proceedings of a meeting. This can be done by ensuring that mobile devices are used sparingly and discreetly during meetings. It may also lead to challenge where the meeting is dealing with regulatory matters such as licensing and planning.

1.7 Councillors should ensure that their use of social media does not breach the Council's principles of equality. Discriminatory statements are also likely to be unlawful.

1.8 The Council can only take action against elected members under the code of conduct for elected members when they are acting in their official capacity as an elected member and not in a private capacity. In determining whether or not a Member was acting in an official capacity, it would be necessary to consider the context of a Member's use of social media, taking into account such factors as:

- a) The public profile of a Councillor, which can result in a reasonable assumption being made that the Councillor was acting in their official capacity as a Councillor;
- b) The privacy settings on the social media site or blog. It is a Councillor's responsibility to ensure that appropriate privacy settings are in place. If constituents can access a Councillor's posts they may make the reasonable assumption that the Councillor is acting in an official capacity;
- c) Councillors should seek to enable other users of social media to avoid any misunderstanding over the capacity in which they are acting.

1.9 Councillors should try to avoid discussing Council business on a personal social media site, or make remarks about others. It is not adequate for Members to subsequently claim that any disputed posts were made in a private capacity as anyone investigating will have to look at the full circumstances of the case. Placing council issues on personal websites can create blurred lines as to whether or not an elected member is acting in an official capacity as a councillor.

2.0 Financial Implications

2.1 None

3.0 Resource and legal considerations:

3.1 Training in relation to the use of social media will be provided internally to elected member in the forthcoming municipal year. Adoption of a protocol and training on the use of social media may prevent complaints under the Elected Member Code of Conduct.

4.0 Performance and Risk Management issues:

4.1 This should assist in improving and widening communication in the wider community; support councillors leadership roles; assist in keeping a finger on the pulse of local issue and needs. There are risks in communication however if a protocol is adopted and training undertaken it should help to minimise this risk to both the council and elected members.

5.0 Equality Implications:

5.1 In maintaining up to date policies and procedures the council will ensure that services are delivered fairly in an open and transparent manner. There are specific requirements in both codes that elected members and officers observe equalities.

6.0 Consultation:

6.1 Consultation has been undertaken with the council's Communications team. Further consultation will be undertaken with Group Leaders, Elected Members and the Communications and IT team prior to a report going to council.

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