

DRAFT MEMBER GUIDANCE: SOCIAL MEDIA

INTRODUCTION

Social media is a term used to describe websites and online tools which allow people to interact with each other by creating their own content examples of which include but are not limited to:



- Social Networking sites (e.g. Facebook)
- Micro-blogging services (e.g. Twitter)
- Video sharing services (e.g. YouTube)
- Photo sharing services (e.g. Instagram)
- Online gaming and virtual reality (e.g. World of Warcraft)
- Messaging services (e.g. Whatsapp)
- Business Networking sites (e.g. LinkedIn)

It is not a requirement for you to use social media to fulfil your duties as a Councillor however, it can provide an effective platform for understanding, engaging and communicating with the community on issues of general importance.

Online communications can however be susceptible to misinterpretation and misrepresentation which can result in unexpected attention or controversy. In some instances this can then result in a conduct complaint.

This guide has been prepared to provide an overview of the general 'do's' and 'don'ts' of using social media. It should be read in conjunction with the **Members' Code of Conduct** but it **is not** a set of instructions or rules in and of itself, it is only guidance. It does not add additional rules to the Code of Conduct. It is advice and nothing more. Where considering how Social Media use might create an infraction of the Code of Conduct, the existing Code of Conduct rules are the ones which apply in the same way as they do when you are going about your day-to-day business.

A good rule of thumb is – don't say or do anything online that you wouldn't expect to say or do in person.

PRACTICES TO AVOID

The following is a non-exhaustive list of practices which you should avoid when using social media:

- Do not do anything to jeopardise the council's obligations under the Freedom of Information and Data Protection Acts such as citing or referencing residents, partners; or suppliers without their written approval. Be aware that content on such social media websites may be subject to Freedom of Information requests;
- Do not write or report on conversations which could be considered to be discriminatory or otherwise in breach of legislation and guidance designed to protect equal treatment;
- Do not misappropriate or infringe the intellectual property of other organisations and individuals which could create liability for Fenland District Council as well as themselves;
- In the unlikely event that you are using social media for investigatory purposes do not breach the Regulation of Investigatory Powers Act (RIPA) or the Council's related RIPA Policy;
- Do not write or report on conversations, meetings or matters that are meant to be confidential or internal to the council such as those held in exempt session or prior to the publication of reports;
- Where you are involved in making planning, licensing or other quasi-judicial decisions, do not say anything through social media that suggests you have made your mind up on an issue that is due to be formally decided. While your likely view on a particular application may be well known, you need to be able to show that you attended the committee or hearing prepared to take on board and weigh all the evidence, and were genuinely persuadable to a different view, otherwise the decision may be later challenged as invalid on grounds of predetermination or bias. If a person has suffered some sort of detriment as a result of such an invalid decision, they may have a claim against the Council for damages;
- Do not represent your personal views, or those of any political party or interest group you belong to, as being those of the Council on any social medium;
- Do not make any personal prejudicial comment in regards to alleged illegal behaviour of any individual who has not been found guilty in a court of law.; and
- Do not *in your role as a Councillor* use social media to promote personal financial interests. This includes the promotion of particular commercial activities that Council representatives may have an interest in.

GOOD PRACTICE

The following is a non-exhaustive list of practices that you **may** wish to consider when using social media:

- Do ensure your official use of social media is compliant with the Members' Code. Put simply – don't say or do anything online that would be a breach of the Code of Conduct offline.
- Be mindful that what you publish will be public for a long time and might be available to read by the general public and can't be retracted once published;

- Be aware that you could be seen as acting in your official capacity if you publish information that you could only have accessed by being an elected member.
- Do use social media to add value to the environment in which you are participating and to provide worthwhile information and perspective to residents;
- Do share Council Press Releases as widely as possible within your social media circles.
- Do use secure passwords and never share your password with anyone. If you are using shared IT equipment don't store your password on the computer;
- Do be aware of your own safety and ensure that anything you publish does not leave you vulnerable. Any Councillor receiving threats, abuse or harassment via their use of social media should report it to their political group leader, Member Services and /or the Police.
- Do be aware that what you say on social media will likely attract interest from the media and may well result in a news story, in the same way comments you make in the council chamber could do. Remember that the press may publish your comments out of context or in a way that is not in keeping with your original meaning or intent. Your comments may be misrepresented, misinterpreted or misused. Consider what you publish in the same way that you consider what you say in person and consider how an unscrupulous individual might be able to twist something innocent you may have said – and then you will be in a better position to judge if the comment should be published.
- Do double-check that information you are publishing on social media *with the suggestion that it is "fact"* is accurate before you publish it. Obviously, this does not apply to things you publish which are clearly personal opinion. If there is any ambiguity over whether you are publishing *fact* or *opinion*, make it clear which is which in the body of the text. In this way you will avoid accusations of "lying" if you are simply expressing a personal view.
- When publishing opinion, engaging in online debate or discussion, or really any sort of interaction on social media – do try to be polite and respectful. Clearly, some discussions have some cut and thrust or rough and tumble, and it's acceptable to adjust your tone to the style of the debate – but try to walk the higher road.
- Do try to avoid engaging the council's social media accounts in political conversations, as these accounts are managed by council officers for the benefit of residents and to inform them of services and news. Officers are not able to answer politically motivated questions directed at another member.
- Do try to avoid swearing when speaking in your official capacity as a Councillor on an open public forum.

Neither the Code of Conduct or this Social Media guide are intended to stifle free speech. It is important that elected members are afforded the same rights of free speech as everybody else and it is a vital part of democracy that Members are able to engage in robust debate and passionate discussion. Nor is this guide intended to try and instruct members in how to spend their free personal time or how to engage with other people. The public want elected Members to be honest in both their actions and their views. Therefore, this guide should be seen as simply helpful advice, to assist those less experienced in the positives and pitfalls of social media to get the most out of this important set of communication tools for the modern world.

If you have any doubt or concerns about your use of social media or you would like some further guidance generally or about a particular issue then you can contact **David Wright, Policy and Communications Manager**, dwright@fenland.gov.uk.

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