

MODEL SOCIAL MEDIA POLICY

Consultation Draft

2021



MODEL SOCIAL MEDIA POLICY

2020

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Introduction

Social media – opportunities and challenges

Social media is at the heart of modern communication. Since its inception, social media has grown in popularity and influence and is now fundamental to not just how people interact with one another, but also to how we work, play and consume information and ideas.

Social media can be broadly defined as *online platforms and applications - such as social networking sites, wikis, blogs, microblogs, video and audio sharing sites, and message boards - that allow people to easily publish, share and discuss content*¹. Significantly, one of social media's key features is its unprecedented reach and accessibility, in that anyone with a computer or hand-held device can use social media to generate content which has the potential to be viewed and shared by hundreds of millions of people worldwide.

Despite its obvious benefits, social media also presents a variety of challenges and risks. These include:

- the emergence of new, harmful forms of behaviour, such as cyber-bullying and trolling;
- maintaining the accuracy, reliability and integrity of information disseminated from multiple sources;
- organisations can be held liable for content uploaded onto their social media platforms by third parties;
- content uploaded in a person's private capacity can adversely affect their employment and cause significant reputational damage to colleagues and employers; and
- rapid innovation can make it difficult to keep pace with emerging technologies and trends.

Social media and local government in NSW

As in the federal and state jurisdictions, social media has become an important tool in government and political discourse at the local level. In the context of NSW local government, social media has two primary functions:

- a) it is used by councils to interact and share information with their communities in an accessible and often more informal format.
- b) it enables councillors to promote their achievements and address their constituents directly about community issues and events in ways that either complement or bypass traditional news and print media.

In addition, many councils use social media as the platform through which they webcast their meetings. This increases transparency by providing visibility of council decision making in real time.

However, councils and councillors are not immune from the challenges associated with social media, which can pose a significant risk both in a legal sense and in terms of a council's ability to operate in a unified and coordinated way. It is therefore vital that councils have the right policy settings in place so that both councils and councillors can realise the full benefits of social media whilst mitigating risk.

The development and intent of this policy

The Model Social Media Policy has been developed by the Office of Local Government (OLG) in consultation with councils. It is applicable to councils, county councils and joint organisations.

The Model Social Media Policy sets out an exemplar approach by incorporating examples of best practice from the social media policies of a diverse range of NSW councils, as well as from Commonwealth and State Government agencies.

¹ NSW Department of Education. Social media policy: Implementation procedures – November 2018

The Model Social Media Policy provides councils, county councils and joint organisations with a robust framework for the administration and management of their social media platforms. It also sets standards of conduct for all council officials who use social media in their official capacity. It has been developed to be fit-for-purpose in a digital age where innovation and emerging trends are the norm.

The Model Social Media Policy recognises that councils use social media differently depending on factors such as a council's size and resources, the demographics of a local government area, and council's willingness to engage with their community in this way. For these reasons, the Model Social Media Policy ensures a degree of flexibility by including optional and adjustable provisions which enables each council to tailor the policy to suit its own unique circumstances.

Content of the Model Social Media Policy

At the heart of the Model Social Media Policy are the four 'Principles' of social media engagement. These are:

- Openness
- Relevance
- Accuracy
- Respect

These principles, which are expanded upon in Part 1, should underpin every aspect of a council's social media activity and all councils and council officials should commit to upholding them.

Except for Part 8, this policy applies to council social media pages and councillor social media pages that are linked to the council's website.

The Model Social Media Policy is structured as follows:

- Part 1** Sets out the principles of social media engagement for councils
- Part 2** Contains two administrative models that councils can adopt in relation to

the management of their social media platforms

Part 3 Details the administrative framework for councillors' social media platforms

Part 4 Prescribes the standards of conduct expected of council officials when engaging on social media in an official capacity or in connection with their role as a council official

Part 5 Provides a framework by which councils can remove content from their social media platforms, and block or ban third parties

Part 6 Prescribes how councils' social media platforms should be used during emergencies

Part 7 Contains information about records management and privacy requirements relating to social media

Part 8 Relates to personal use of social media by council officials

Part 9 Definitions

Adoption

While not mandatory, the Model Social Media Policy reflects best practice and all councils, county councils and joint organisations are encouraged to adopt it. In doing so, they are free to adapt the policy to suit their local circumstances and operating environments or to supplement it with their own provisions.

Optional and adjustable provisions are marked in red.

Note: In adopting the Model Social Media Policy, Joint Organisations should adapt it to substitute the terms "board" for "council", "chairperson" for "mayor", "voting representative" for "councillor" and "executive officer" for "general manager".

Note: In adopting the Model Social Media Policy, county councils should adapt it to substitute the term "chairperson" for "mayor" and "member" for "councillor".

Enforcement

Clause 3.1(b) of the *Model Code of Conduct for Local Councils in NSW* provides that council

officials must not conduct themselves in a manner that is contrary to a council's policies. If adopted by a council, a breach of the policy will be a breach of the council's code of conduct.

Concerns or complaints about the administration of a council's social media platforms should be made to the council official responsible for social media management in the first instance.

Acknowledgements

The Office of Local Government wishes to thank Local Government NSW and the councils involved in drafting this Policy for their invaluable assistance.

Model Social Media Policy

Part 1 – Principles

1.1 We, the councillors, staff and other officials of (insert name of Council), are committed to upholding and promoting the following principles of social media engagement:

Openness Our social media platforms are places where anyone can share and discuss issues that are relevant to our Council and the community we represent and serve.

Relevance We will ensure our social media platforms are kept up to date with informative content about our Council and community.

Accuracy The content we upload onto our social media platforms and any other social media platform will be a source of truth for our Council and community and we will prioritise the need to correct inaccuracies when they occur.

Respect Our social media platforms are safe spaces. We will uphold and promote the behavioural standards contained in this policy and our Council's code of conduct when using our social media platforms and any other social media platform.

Part 2 – Administrative framework for council's social media platforms

Note: this Part contains two different models for who appoints authorised users. These models are:

- **Option 1 – the General Manager model**
- **Option 2 – the Social Media Coordinator model**

Platforms

2.1 Council will maintain a presence on the following social media platforms:

- Facebook
- Twitter
- YouTube
- LinkedIn
- Instagram

2.2 Council's social media platforms must specify or provide a clearly accessible link to the 'House Rules' for engaging on the platform.

Establishment and deletion of Council social media platforms

2.3 A new council social media platform, or a social media platform proposed by a council related entity (for example, a council committee), can only be established or deleted with the written approval of the General Manager or their delegate.

2.4 Where a council social media platform is established or deleted in accordance with clause 2.3, the General Manager or their delegate may amend clause 2.1 of this

policy without the need for endorsement by the Council's governing body.

Option 1 – the 'General Manager' model

The role of the General Manager

2.5 The role of the General Manager is to

- a) approve and revoke a staff member's status as an authorised user
- b) develop and/or approve the training and/or induction to be provided to authorised users
- c) maintain a register of authorised users
- d) maintain effective oversight of authorised users
- e) ensure the Council adheres to the rules of the social media platform(s)
- f) coordinate with the Council's (Insert name of Council department or team) to ensure the Council's social media platforms are set up and maintained in a way that maximises user friendliness and any technical problems are resolved promptly.

2.6 The General Manager is an authorised user for the purposes of this policy.

Option 2 – the 'Social Media Coordinator' model

Appointment and role of the Social Media Coordinator

2.7 The General Manager will appoint a member of council staff to be the council's social media coordinator (SMC). The SMC should be a senior and suitably qualified member of staff.

2.8 The General Manager may appoint more than one SMC.

2.9 The SMC's role is to:

- a) approve and revoke a staff member's status as an authorised user

- b) develop and/or approve the training and/or induction to be provided to authorised users
- c) maintain a register of authorised users
- d) maintain effective oversight of authorised users
- e) moderate the Council's social media platforms in accordance with Part 5 of this policy
- f) ensure the Council complies with its record keeping obligations under the *State Records Act 1998* in relation to social media
- g) ensure the Council adheres to the rules of the social media platform(s)
- h) coordinate with the Council's (Insert name of Council department or team) to ensure the Council's social media platforms are set up and maintained in a way that maximises user friendliness and any technical problems are resolved promptly.

2.10 The SMC may delegate their functions under paragraphs (e) and (f) of clause 2.7 to authorised users.

2.11 The SMC is an authorised user for the purposes of this policy.

Authorised users

2.12 Authorised users are members of council staff who are authorised by the **General Manager/SMC** to upload content and engage on the Council's social media platforms on the Council's behalf.

2.13 Authorised users should be members of council staff that are responsible for managing, or have expertise in, the events, initiatives, programs or policies that are the subject of the social media content.

2.14 The General Manager/SMC will appoint **(Insert a number)** member(s) of Council staff from each division of the Council to be the authorised users for social media

content relating to the work of that division.

OR

The General Manager/SMC will appoint authorised users when required.

2.15 An authorised user must receive a copy of this policy and induction training on social media use and Council's obligations before uploading content on Council's behalf.

2.16 The role of an authorised user is to:

- a) ensure, to the best of their ability, that the content they upload onto the Council's social media platforms is accurate
- b) correct inaccuracies in Council generated content
- c) engage in discussions and answer questions about the substantive content on the Council's social media platform
- d) keep the Council's social media platforms up to date
- e) moderate the Council's social media platforms in accordance with Part 5 of this policy
- f) ensure the Council complies with its record keeping obligations under the *State Records Act 1998* in relation to social media

Note: Paragraphs (e) and (f) are applicable if the council adopts option 1.

- g) where authorised to do so by the SMC:
 - i) moderate the Council's social media platforms in accordance with Part 5 of this policy
 - ii) ensure the Council complies with its record keeping obligations under the *State Records Act 1998* in relation to social media

Note: Paragraph(g) is applicable if the council adopts option 2.

2.17 When uploading content, an authorised user must identify themselves as a member of Council staff but they are not obliged to disclose their name or position within the Council.

2.18 Authorised users must not use Council's social media platforms for personal reasons.

Administrative tone

2.19 Authorised users upload content and engage on social media on the Council's behalf. Authorised users must use language consistent with that function and avoid expressing or appearing to express their personal views when undertaking their role.

2.20 Authorised users may use more personal, informal language when engaging on the Council's social media platforms, for example when replying to comments. Abbreviations (for example: 'CU L8r', 'How RU', 'lol') are not to be used.

Register of authorised users

2.21 The SMC/General Manager will maintain a register of authorised users. This register is to be reviewed (Council to specify frequency) to ensure it is fit-for-purpose.

Ceasing to be an authorised user

2.22 The General Manager / SMC may revoke a staff member's status as an authorised user, if:

- a) the staff member makes such a request
- b) the staff member has not uploaded content onto any of the Council's social media platforms in the last (council to specify time period).
- c) the staff member has failed to comply with this policy

- d) the **General Manager/SMC** is of the reasonable opinion that the staff member is no longer suitable to be an authorised user.

Part 3 – Administrative framework for councillors’ social media platforms

- 3.1 For the purposes of this policy, councillor social platforms are not council social media platforms. Part 2 of this policy does not apply to councillors’ social media platforms.
- 3.2 Councillors are responsible for the administration and moderation of their own social media platforms (in accordance with Parts 3 and 5 of this policy) and ensuring they comply with the record keeping obligations under the *State Records Act 1998* in relation to social media.
- 3.3 Clause 3.2 also applies to councillors in circumstances where another person administers, moderates, or uploads content onto their social media platform.
- 3.4 Councillors must comply with the rules of the platform when engaging on social media.
- 3.5 The **General Manager/SMC** must ensure a link to councillors’ social media platforms is included on the councillor profile page on Council’s website.

Induction and training

- 3.6 Councillors who engage or intend to engage on social media must receive induction training on social media use. Induction training can be undertaken either as part of the councillor’s induction program or as part of their ongoing professional development program.

Identifying as a councillor

- 3.7 Councillors must identify themselves on their social media platforms in the following format:

Councillor "First Name and Last Name".

- 3.8 A councillor's social media platform must include a profile photo which is a clearly identifiable image of the councillor.
- 3.9 If a councillor becomes or ceases to be the mayor, deputy mayor, or the holder of another position (for example, chairperson of a committee), this must be clearly stated on the councillor's social media platforms and updated within (Council to specify timeframe) of a change in circumstances.

Other general requirements for councillors' social media platforms

- 3.10 Councillor social media platforms must specify or provide a clearly accessible link to the 'House Rules' for engaging on the platform.
- 3.11 A councillor's social media platform must include a disclaimer to the following effect:
- "The views expressed and comments made on this social media platform are my own and not that of the Council".*
- 3.12 Despite clause 3.11, mayoral or councillor media releases and other content that has been authorised according to the Council's media and communications protocols may be uploaded onto a councillor's social media platform.
- 3.13 Councillors may, in consultation with the General Manager, upload publicly available Council information onto their social media platforms.

- 3.14 Councillors may use more personal, informal language when engaging on their social media platforms.

Councillor queries relating to social media platforms

- 3.15 Questions from councillors relating to their obligations under this policy or technical queries relating to the operation of their social media platforms may be directed to the General Manager/SMC in the first instance.

Other social media platforms administered by councillors

- 3.16 A councillor must advise the General Manager/SMC of any social media platforms they administer on which content relating to the Council or council officials is, or is expected to be, uploaded. The councillor must do so within:
- (Council to specify timeframe) of becoming a councillor, or
 - (Council to specify timeframe) of becoming the administrator.

Part 4 – Standards of conduct on social media

4.1 This policy only applies to council officials' use of social media in an official capacity or in connection with their role as a council official. The policy does not apply to personal use of social media that is not connected with a person's role as a council official.

4.2 Council officials must comply with the Council's code of conduct when using social media in an official capacity or in connection with their role as a council official.

4.3 Council officials must not use social media to post or share comments, photos, videos, electronic recordings or other information that:

- a) is defamatory, offensive, humiliating, threatening or intimidating to other council officials or members of the public
- b) contains profane language or is sexual in nature
- c) constitutes harassment and/or bullying within the meaning of clauses 3.7 and 3.9 of the *Model Code of Conduct for Local Councils in NSW*, or is unlawfully discriminatory
- d) is contrary to their duties under the *Work Health and Safety Act 2011* and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety
- e) contains content about the Council, council officials or members of the public that is misleading or deceptive
- f) divulges confidential Council information

- g) breaches the privacy of other council officials or members of the public
- h) contains allegations of suspected breaches of the Council's code of conduct or information about the consideration of a matter under the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*,
- i) could be perceived to be an official comment on behalf of the Council where they have not been authorised to make such comment,
- j) commits the Council to any action
- k) violates an order made by a court
- l) breaches copyright
- m) advertises, endorses or solicits commercial products or business
- n) constitutes spam
- o) is in breach of the rules of the social media platform.

4.4 Council officials must:

- a) attribute work to the original author, creator or source when uploading or linking to content produced by a third party
- b) obtain written permission from a minor's parent or legal guardian before uploading content in which the minor can be identified.

4.5 Council officials must exercise caution when sharing, liking, or retweeting content as this can be regarded as an endorsement.

4.6 Council officials must not incite or encourage other persons to act in a way that is contrary to the requirements of this Part.

4.7 Councillors must uphold and accurately represent the policies and decisions of the

Council's governing body but may explain why they voted on a matter in the way that they did. (see section 232(1)(f) of the *Local Government Act 1993*)

Part 5 – Moderation of social media platforms

- 5.1 Council officials who are responsible for the moderation of the Council's or councillors' social media platforms may remove content and 'block' or ban a person from those platforms. Such actions must be undertaken in accordance with this Part.
- 5.2 For the purposes of this Part, 'social media platform' and 'platform' means both the Council's and councillors' social media platforms.

House Rules

- 5.3 Social media platforms must state or provide an accessible link to the 'House Rules' for engaging on the platform.
- 5.4 At a minimum, the House Rules should specify:
 - a) the principles of social media engagement referred to in clause 1.1 of this policy
 - b) the type of behaviour or content that will result in that content being removed or a person being blocked or banned from the platform
 - c) the process by which a person can be blocked or banned from the platform
 - d) a statement relating to privacy and personal information (see clause 7.4 of this policy)
 - e) when the platform will be monitored (for example weekdays 9am – 5pm, during the Council's business hours)
 - f) that the social media platform is not to be used for making complaints about the Council or council officials.

Note: If the Council adopts clause 5.4(f), the House Rules should include

**information about, or a link to,
Council's complaints handling policy.**

- 5.5 For the purposes of clause 5.4(b), third parties engaging on social media platforms must not post or share comments, photos, videos, electronic recordings or other information that
- a) is defamatory, offensive, humiliating, threatening or intimidating to council officials or members of the public,
 - b) contains profane language or is sexual in nature
 - c) constitutes harassment and/or bullying within the meaning of clauses 3.7 and 3.9 of the *Model Code of Conduct for Local Councils in NSW*, or is unlawfully discriminatory
 - d) contains content about the Council, council officials or members of the public that is misleading or deceptive
 - e) breaches the privacy of council officials or members of the public
 - f) contains allegations of suspected breaches of the Council's code of conduct or information about the consideration of a matter under the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*,
 - g) violates an order made by a court
 - h) breaches copyright
 - i) advertises, endorses or solicits commercial products or business,
 - j) constitutes spam
 - k) would be in breach of the rules of the social media platform.

Removal of content

- 5.6 Where a person uploads content onto a social media platform that is of a kind specified under clause 5.5(a) – (k), the moderator may remove that content.
- 5.7 Prior to removing the content, the moderator must make a record of it (for example, a screenshot).
- 5.8 If the moderator removes content under clause 5.6, they must, where practicable, notify the person who uploaded the content that it has been removed and the reason(s) for its removal.

Blocking or banning

- 5.9 If a person uploads content that is removed under clause 5.6 of this policy on **(Council to specify a number)** occasions, that person may be blocked or banned from **the social media platform / all social media platforms**.
- 5.10 A person may only be blocked or banned from a Council social media platform with the approval of the General Manager/SMC. This clause does not apply to blocking or banning a person from a councillor's social media platform.**
- 5.11 Prior to blocking or banning a person from a social media platform, the person must, where practicable, be advised of the intention to block or ban them from the **platform/all platforms** and be given a chance to respond. Any submission made by the person must be considered prior to a determination being made to block or ban them.
- 5.12 The duration of the block or ban is to be determined by the **General Manager/SMC**, or in the case of a councillor's social media platform, the councillor.
- 5.13 Where a determination is made to block or ban a person from a **social media platform/all social media platforms**, the

person must, where practicable, be notified in writing of the decision and the reasons for it. The written notice must also advise the person which social media platforms they are blocked or banned from and the duration of the block or ban.

5.14 Where a person that is the subject of a block or ban continues to engage on a social media platform(s) using an alternative social media account, profile, avatar, etc, a moderator may block or ban the person from the platform(s) immediately. In these circumstances clauses 5.9 to 5.13 do not apply.

Part 6 – Use of social media during emergencies

6.1 During emergencies, such as natural disasters or public health incidents, the **General Manager/SMC** will be responsible for the management of content on the Council's social media platforms.

6.2 Authorised users and council officials must not upload content onto the Council's or their own social media platforms which contradicts advice issued by the agency coordinating the emergency response.

Part 7 – Records management and privacy requirements

Records management

- 7.1 Social media information is a 'record' for the purposes of the *State Records Act 1998*.
- 7.2 Social media information must be managed in accordance with the *State Records Act 1998* and the Council's approved records management policies and practices.

Privacy considerations and requirements

- 7.3 Social media communications are in the public domain. Council officials should exercise caution about what personal information, if any, they upload onto social media.
- 7.4 The *Privacy and Personal Information Protection Act 1998* applies to the use of social media platforms by the Council and councillors. To mitigate potential privacy risks, the Council and councillors will:
- advise people not to provide personal information on social media platforms
 - inform people if any personal information they may provide on social media platforms is to be used for official purposes
 - moderate comments to ensure they do not contain any personal information
 - advise people to contact the Council or councillors through alternative channels if they have personal information they do not want to disclose in a public forum.

Part 8 – Private use of social media

Note: Activities on social media websites are public activities. Even though privacy settings are available, content can still be shared and accessed beyond the intended recipients.

The terms and conditions of most social media sites state that all content becomes the property of the site on which it is posted².

- 8.1 Council officials who engage on social media in their private capacity should maintain a separate social media account(s) for that purpose.
- 8.2 Council officials should ensure that:
- they do not identify themselves as a council official on their private social media account(s)
 - they do not undertake any functions associated with their role as a council official on their private social media account(s)
 - appropriate privacy settings are enabled on their private social media account(s).

What constitutes 'private' use?

- 8.3 For the purposes of this policy, a council official's social media engagement will be considered 'private use' when the content they upload:
- is not associated with, or refers to, the Council, any other council officials, contractors, related entities or any other person or organisation providing services to or on behalf of the Council, and

² Social Media: Guidance for Agencies and Staff (Government of South Australia) – page 9

b) is not related to or does not contain information acquired by virtue of their employment or role as a council official.

8.4 If a council official chooses to identify themselves as a council official, either directly or indirectly (such as in their user profile), then they will not be deemed to be acting in their private capacity for the purposes of this policy.

Use of social media during work hours

8.5 Council staff may access and engage on social media in their private capacity during work hours for a period of time to be specified by their manager (OPTION 1).

OR

Council staff may only access and engage on social media in their private capacity while at work during breaks (OPTION 2).

OR

Council staff must not access or engage on social media in their private capacity during work hours (OPTION 3).

8.6 Council staff who do access and engage on social media in their private capacity during work hours must ensure it does not affect their required performance.

Note: Councils that adopt clause 8.5 (Option 3) should delete clause 8.6.

Part 9 - Definitions

In this Model Social Media Policy, the following terms have the following meanings:

authorised user members of council staff who are authorised by the General Manager or SMC to upload content and engage on the Council's social media platforms on the Council's behalf

council official in the case of a council - councillors, members of staff and delegates of the council (including members of committees that are delegates of the council);
in the case of a county council – members, members of staff and delegates of the council (including members of committees that are delegates of the council);
in the case of a joint organisation – voting representatives, members of staff and delegates of the joint organisation (including members of committees that are delegates of the joint organisation)

minor for the purposes of clause 4.3(b) of this policy, is a person under the age of 18 years

personal information information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion

SMC is a council's social media coordinator appointed under clause 2.7 of this policy

social media online platforms and applications - such as social networking sites, wikis, blogs, microblogs, video and audio sharing sites, and message boards - that allow people to easily publish, share and discuss content. Examples of social media platforms include, but are not limited to Facebook, Twitter, Snapchat, LinkedIn, Yammer, YouTube, Instagram, Flickr and Wikipedia



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