

Councillor Social Media Guidelines for Elected Members

Social media enables the Council and elected members to communicate information quickly and cheaply to a wide audience and can provide valuable feedback. It can however mean that discussions can sometimes escalate beyond the control of the original post and result in a negative impact for individual Councillors and the council.

These guidelines are intended to support elected members in their use of social media. They have been compiled to provide guidance to councillors on issues they should be aware of before posting on social media platforms. These guidelines have been produced based on guidance issued by the Local Government Association and in consultation with other local councils in Shropshire.

Code of Conduct Implications

The code of conduct for members 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 should never publish information which you have privileged access to in your role as a councillor.

Responsibilities for councillors when posting on Social Media

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

Social media is always on, so consider setting personal limits and establishing your own routine. You have no obligation to respond to posts and comments at any speed, but it is often helpful to explicitly indicate that to users.

You can make use of stringent privacy settings if you do not want your social media to be accessed by the press or public. It is advisable to read the terms of service of any social media site accessed and make sure you understand their confidentiality / privacy settings.

It is important to remember that not everybody is on social media and so opinions expressed may not be representative especially as those expressing opinions may not live in the area.

Consider the content of your communications carefully and apply this test –

If you would be reluctant to say it face-to-face or in an email, then it is probably inappropriate to say online.

Other important issues to consider

There are also considerations apart from the Code that you should take into account when using online media. The following is a brief guide to some of the legal pitfalls in establishing personal social media sites such as blogs. **These can be avoided if your online content is objective, balanced, informative and accurate.**

In the main, you have the same legal duties online as anyone else, but failures to comply with the law may have more serious consequences.

- **Libel:** If you publish an untrue statement about a person which is damaging to their reputation, they may bring proceedings for libel against you. This will also apply if you allow someone to publish something libellous on your website or social media page and do not take prompt action to remove it.
- **Repetition:** It is important to note that you cannot avoid liability by saying you are repeating what others have said. Anyone who repeats a libellous statement is liable for it. This is particularly important if you 'like' something on Facebook or re-tweet something. Think carefully before re-tweeting or 'liking' a post. If in doubt, please don't. Liking, sharing, or retweeting content from others can appear as agreement or recommendation.
- **Get your facts straight before giving an opinion** – avoid knee jerk reactions to issues raised on social media as the response you give could have serious implications. If you are made aware of an incident via social media that may result in an insurance claim any opinion you give could impact the claim regardless of whether the council was at fault or not. In these circumstances it is better to be non-comittal and refer the matter onto the officer in charge until you are fully aware of the facts
- **Bias and Predetermination:** You should avoid publishing anything that might suggest you have already made up your mind about a matter that you may be involved in determining. Otherwise, the decision runs the risk of being invalidated.
- **Copyright:** Placing images or text on a site from a copyrighted source (e.g. extracts from publications, photos etc.) without permission is likely to breach copyright legislation. You should avoid publishing anything you are unsure about. Breach of copyright may result in prosecution or an award of damages. This risk may be avoided by providing a link to the material.
- **Data Protection:** Never publish the personal data of individuals in your capacity of member. You should not publish/upload any photographs of others unless you have expressly sought permission from them to take the picture and to post it to your social media. You should avoid taking pictures of children or vulnerable people altogether. You should be careful to ensure that the way photographs are presented on social media is not misleading.
- **Obscene Material:** Never publish anything that people might consider obscene. Publication of obscene materials is a criminal offence.
- **Emergency Situations:** Social media is a useful way to get information to the community during the response to an emergency. However, the uncontrolled flow of unconfirmed information can disrupt the activities of the emergency services. As a councillor, any messages you post will be given greater weight than postings by members of the public. It is therefore strongly recommended that in such situations you consult those in charge of the emergency response before posting information. This will ensure that you do not inadvertently mislead the public or hamper the response to an incident.
- While we are keen to promote Oswestry's local economy on-line, be careful not to recommend or show bias towards a particular business or product as this may be in conflict with UK bribery rules.

Dealing with potentially harmful rumours and misinformation

It is difficult not to engage when you are the subject of rumours, misinformation and smear campaigns. While it is always tempting to respond and clarify every rumour and falsehood circulated about you, it is also useful to think about the emotional, economic and time costs of engaging as in many cases. Outlined below are some strategies you may want to consider before responding

- **Calmly try to understand who is behind the attack.** Most of the time, they are people with a clear agenda trying to gain control or to manipulate.
- **Correct the facts.** This can be done with a formal statement or if you can identify the source, then do it publicly by correcting their posts with facts and evidence.
- **Remember that rumours and misinformation are fed by repetition.** It is good to defend your reputation, but the most efficient way is to do it once and then stop engaging.
- **Leave the environment the rumour is being spread.** A smear campaign tries to manipulate and gain control, but no control can be gained if you do not participate. You may wish to advise your followers that you will be logging out of social media for a period of time, which gives the rumour time to calm down while protecting your own emotional and mental wellbeing.
- **Rumours and smear campaigns can be very stressful and at times, they can feel very isolating.** Keep your self-confidence by talking to family, friends and others in your support network. Some may also feel able to counteract rumours with factual information.
- **If you can identify the source of the rumours and smear campaigns, you should document it and keep a record.** This may be useful if further disciplinary or legal action is required.

What we won't accept on Oswestry Town Council social media

Oswestry Town Council social media pages are for posting information, events, and comments. Commercial companies are welcome to participate but not for the purpose of direct marketing. The council operates a zero-tolerance policy to aggressive language and threats and reserve the right to block and report any offender, in line with the relevant social media platform's terms and conditions of use (where available).

While it is important to keep discussions as open as possible and we won't exclude critical opinions if they're constructive, the council reserves the right to delete any comments / posts / tweets that:

- Are malicious or offensive in nature
- Constitute a personal attack on a person or their character Incite hatred based on race, religion, gender, nationality or sexuality or another personal characteristic.
- Reveal personal details, such as private addresses, phone numbers, email addresses or other online contact details
- Break the law - this includes libel, condoning illegal activity, and breaking copyright
- Are written in foreign languages
- Are marketing, spam, or have no relevance to the page/post
- Contain misinformation about Coronavirus (Covid-19)
- Contain political electioneering

Requests for additional information

Councillors should encourage social media users to follow and comment on Oswestry Town Council social media pages (rather than third party sites) and submit any requests for information by email or in writing to our address at Guildhall.

Councillors should encourage the use of the council's website, where further information can be found and direct members of the public to raise concerns by contacting their local councillor in the first instance, who will raise any issues at the appropriate council meeting.