



Skipton Town Council

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1. Introduction

Skipton Town Council (“the Council”) is committed to the provision of accurate information about its governance, decisions and activities. Where this information is not available via the Council’s publication scheme, please contact the Council’s clerk or, in their absence, the deputy Clerk.

The Council shall, where possible, co-operate with those whose work involves gathering material for publication in any form including use of the internet (“the media”).

This policy explains how the Council may work with the media to meet the above objectives in accordance with the legal requirements and restrictions that apply.

This policy also provides guidance to employees and Councillors on the use of social media, both for business and personal purposes and sets clear expectations of conduct. This is to ensure that employees are able to use social media effectively for both business and personal purposes without inadvertently placing themselves in a situation where the appropriateness of their conduct is called into question.

The social media policy may be amended, withdrawn, suspended or departed from at the discretion of the council at anytime.

All staff and Councillors must ensure that they are familiar with, comply with the contents of, and support the council’s policies, procedures and guidance.

Purpose

Social media is an increasingly popular means of communication that allows people greater freedom in how they express themselves both socially and for business purposes. For many it is now their preferred way of finding out what is going on or contacting organisations like the county council.

Engaging with people through social media can give us, as a council, connection and dialogue with residents we may not reach through other channels. Conversations are

already happening out there relating to council services – and we have an opportunity to get involved, help people to find the right information and correct misconceptions.

This policy outlines the standards we expect when you engage in social media, in both a business and personal capacity.

The law of defamation applies to social media in the way as written or spoken or spoken word. You can be sued for damages if a person or business considers their reputation has been or may be harmed as a result of your actions.

The scope

For the purposes of this policy, social media is any type of online media that allows discussion and interaction as opposed to broadcast only.

There are several types of social media we, as a council, use now or may use in the future and this policy covers all types, for example:

- Social networking (Facebook, LinkedIn, Google+).
- Microblogging (Twitter, Tumblr).
- Photo sharing (Instagram, Snapchat, Pinterest).
- Video sharing (YouTube, Facebook Live, Periscope, Vimeo)

This policy also covers private messages sent over online channels such as direct messaging via Facebook, Twitter and WhatsApp.

This policy applies to all employees of Skipton Town Council including;

- agency workers
- casual workers
- consultants
- interims engaged from time to time by the council.

Legal requirements and restrictions

This policy is subject to the Council's obligations which are set out in the Public Bodies (Admission to Meetings) Act 1960, the Local Government Act 1972, the Local Government Act 1986, the Freedom of Information Act 2000, the Data Protection Act 1998, other legislation which may apply and the Council's standing orders and financial regulations. The Council's financial regulations and relevant standing orders referenced in this policy are available via the Council's publication scheme.

The Council cannot disclose confidential information or information the disclosure of which is prohibited by law. The Council cannot disclose information if this is prohibited under the terms of a court order, by legislation, the Council's standing orders, under contract or by common law.

Councillors are subject to additional restrictions about the disclosure of confidential information which arise from the code of conduct adopted by the Council, a copy of which is available via the Council's publication scheme

Responsibility for implementation of the policy

Employees are responsible for their own compliance with this policy and for ensuring that it is consistently applied to protect the privacy, confidentiality, reputation and interests of the council.

Meetings

A meeting of the Council and its committees is open to the public unless the meeting resolves to exclude them because their presence at the meeting is prejudicial to the public interest due to the confidential nature of the business or other special reason(s) stated in the resolution. In accordance with the Council's standing orders, persons may be required to leave a meeting of the Council and its committees, if their disorderly behaviour obstructs the business of the meeting.

Where a meeting of the Council and its committees include an opportunity for public participation, the media may speak and ask questions. Public participation is regulated by the Council's standing orders.

The photographing, recording, filming or other reporting of a meeting of the Council and its committees (which includes e.g. using a mobile phone or tablet, recording for a TV/radio broadcast, providing commentary on blogs, web forums, or social networking sites such as Twitter, Facebook and YouTube) which enable a person not at the meeting to see, hear or be given commentary about the meeting is permitted unless (i) the meeting has resolved to hold all or part of the meeting without the public present or (ii) such activities disrupt the proceedings or (iii) paragraphs 9 and 10 below apply.

The photographing, recording, filming or other reporting of a child or vulnerable adult at a Council or committee meeting is not permitted unless an adult responsible for them has given permission.

Oral reporting or commentary about a Council or committee meeting by a person who is present at the meeting is not permitted.

The Council shall, as far as it is practicable, provide reasonable facilities for anyone taking a report of a Council or committee meeting and for telephoning their report at their own expense.

The Council's standing orders will confirm if attendance by the public, their participation, photographing, recording, filming or other reporting is permitted at a meeting of a sub-committee

Use of social media

Generally, the use of social media in a business context is to:

- promote and publicise activities that will enhance the reputation of the council, the services it provides and commissions, and the wider community of organisations with which it works in partnership
- respond to specific questions from the public, businesses and partners
- clarify or correct any unclear or incorrect statements or views
- provide information, advice and guidance (particularly in emergency situations)
- Initiate and participate in dialogue with the public relating to council services
- Promote the image of a human and approachable council

There must be sufficient resources to manage their social media accounts so they can respond to questions and feedback within the council's recommended response time of 72hrs.

All information and responses you post as an employee are public statements and count as a council record and are evidence of the council's work. They may be used as reference at any time in the future and you are responsible for anything that you say online. Even if you delete a statement, blog or tweet, it will probably already have been read, indexed or duplicated.

You must not use any information that you obtain in the course of your work for the council for personal gain or pass it on to others who may use it in such a way.

You must not disclose any politically sensitive information. Politically sensitive includes, but is not restricted to, matters that are being considered or debated, or are due to be considered or debated, by the council or cabinet or one or more of the council's committees (or are awaiting a decision as a result of such consideration/debate). It also includes subject matters which are known to be, or could reasonably be considered likely to be, politically controversial. If you are in any doubt you should seek advice from your line manager.

Never publish confidential information through social media that you may have learned or have access to as part of your job. This includes personal information about service users, their families or friends or others e.g. contractors, elected members, council employees as well as council related information.

This requirement continues after you have left employment.

You should keep in mind the relevant council policies and guidance when considering any social media activity, whether business or personal. The following documents relate to the Town Council.

- Code of Conduct
- Information Systems Policy
- Equal Opportunities Policy
- Data Protection and Freedom of Information Guidance

Personal use of social media

As the use and popularity of social media grows, the line between what is public and private, personal and professional can become blurred. It is important therefore that employees are aware that their personal digital activity could have an adverse impact on their professional role or the council's image and reputation.

Even if you do not expressly name the council as your employer on social media, this policy will still apply if a connection with your employment can be reasonably made.

You should refer to council policies for guidance on what the council considers to be unacceptable in any public comment you make about services delivered or commissioned by the council. Specifically, the council will not tolerate any of the following activity on social media if it can be connected to you as an employee of the council:

- abusive or threatening behaviour
- inappropriate comments or material that may be regarded as discriminatory

- false or misleading statements that could have a negative affect on the council's reputation
- inciting or supporting somebody to commit a crime or other unlawful acts

This could include content you share or like as this could suggest you approve of that content.

You must consider carefully whether you accept 'friend requests' from service users, their families, friends or others e.g. contractors, elected members. Accept them only if you are quite sure this will not put you, as a council employee, in the position of having a real or apparent conflict of interest.

As is the case for business use of social media you should never publish anything that is confidential to the council or use social media to comment on potentially sensitive matters, including – but not restricted to – the following:

- information about service users
- information that is politically or commercially sensitive
- any information intended for internal use only (including matters concerning council services, organisational change or related proposals)
- intellectual property.

Do not use council email addresses and other official contact details for setting up personal social media accounts or for communicating through such media.

Whilst we are encouraging more social media engagement from employees there is still a requirement not to use your personal social media during core work hours. Occasionally you may need to use your personal social media network for business purposes and this is allowed if authorised

For example:

- To manage a service specific Facebook page as these must be administered from a personal Facebook profile
- To post a STC or service specific message to a closed Facebook group you belong to.

Many council employees are also residents so in some circumstances it may be appropriate to use a personal account to participate in social media activity run by the council.

Do not use personal social media to raise or discuss a complaint or grievance about the council, your manager, colleagues etc. If you have a complaint, you should use the council's formal grievance procedures.

Councillors should be aware and recognise that there is a risk of damage being caused to the Council via their personal use of social media when they can be identified as an elected Councillor.

Councillors need to be clear at all times whether you are posting in a personal or professional capacity, as an elected Member.

Councillor profiles, websites and social media accounts should be clearly labelled as private or personal or in your capacity as Councillor. This is particularly important as mixing these can cause confusion to the electorate.

Councillors need to be aware that members of the public, other members and council officers may make a complaint about you if you contravene the Code Of Conduct.

The Council will not promote any Councillor social media accounts during the pre-election period.

This policy does not seek to regulate councillors in their private capacity.

The Council's communications with the media seek to represent the corporate position and views of the Council. If the views of councillors are different to the Council's corporate position and views, they will make this clear.

The Council's Clerk, or in their absence, the deputy Clerk may contact the media if the Council wants to provide information, a statement or other material about the Council.

Subject to the obligations on councillors not to disclose information referred to above and not to misrepresent the Council's position, councillors are free to communicate their position and views.

What happens if it goes wrong?

You should always show respect to others when using social media and ensure that your actions do not have a negative impact on the council's reputation.

If you post something you didn't mean to, or get a message or response wrong, tell your line manager immediately to agree remedial action and reputational damage.

Anyone who feels that they have been subject to cyber-bullying or offended by material posted or uploaded by a colleague through any digital communication network should inform the Chief Officer and investigate the matter as appropriate.

The council regards cyber-bullying as seriously as any other form of bullying or harassment. Cyberbullying will not be tolerated and will be regarded as misconduct that could lead to formal action, including dismissal in serious cases, under the council's Disciplinary Procedure.

If your online activities are considered to breach the council's social media policy, the council may require you to remove content that, in the reasonable opinion of the council, breaches the policy.

It should also be noted that, although there is not at present a legal definition of cyber bullying within UK law, there are a number of existing laws that can be applied to cases of cyber-bullying and on-line harassment, which could constitute a criminal offence, including:

- The Protection from Harassment Act 1997
- The Criminal Justice and Public Order Act 1994
- The Malicious Communications Act 1988
- The Communications Act 2003 (s.127)
- The Defamation Act 2013

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Breach of policy

Please note that breach of this social media policy may lead to formal action under the council's Disciplinary and Dismissal Procedure up to and including (in serious cases) dismissal.

Policy Review

This policy will be reviewed in 2 years