



Ararat Rural City

Draft Review **Social Media Policy**

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Stakeholder Engagement:

Chief Executive Officer

Media and Communications Officer

Media Team

INTENT

Ararat Rural City Council (Council) recognises that social media provides opportunities for dynamic and interactive two-way communications with the community which can complement existing communication and further improve information, access and delivery of key services.

The Council also recognises the value of social media in supporting the Organisational Vision.

The intent of this policy is to outline the appropriate use of social media platforms and tools by Councillors, Council employees, volunteers, contractors and for the purpose of conducting Council business.

POLICY

This policy applies to all Councillors, employees, contractors, agents and volunteers of Council who purport to use social media on behalf of Council. This policy will also apply to agencies and individuals who provide services to Council and will be included in all relevant external supplier contracts. The policy outlines requirements for compliance with confidentiality, governance, legal, privacy and regulatory parameters when using social media to conduct Council business.

It aims to:

- Inform appropriate use of social media tools for Council;
- Promote effective and productive community engagement through social media;
- Minimise miscommunication or mischievous communications;
- Help Council manage the inherent challenges of speed and immediacy.

The policy applies to those digital spaces where people may comment, contribute, create, forward, post, upload and share content, including but not limited to:

- Social networking sites (e.g. Facebook, Twitter, Instagram, SnapChat, MySpace, Google+, Bebo, Friendster, LinkedIn);
- Video and photo sharing sites (e.g. Flickr, YouTube);
- Blogs;
- Bulletin boards;
- Citizen journalism and news sites which facilitate public comment;
- Forums and discussion boards;
- Instant messaging facilities;
- Online encyclopaedias (e.g. Wikipedia);
- Podcasts;
- Video podcasts;
- Wikis;
- Any other websites that allow individuals to use simple publishing tools or new technologies emerging from the digital environment.

As it is not possible to expressly refer to or list the specific sites or kinds of social media outlets, the absence of a reference to a particular site or kind of social media activity **does not limit the application of this policy**.

This policy is not intended to cover personal use of social media where:

- the author publishes information in their personal capacity and not on behalf of, or in association with Council; and
- no reference is made to Council, its Councillors, staff, policies and services, suppliers or other stakeholders or Council related issues.

Personal use of social media during work hours is prohibited unless authorised by a manager.

Legislative and policy framework

Councillors and staff of Council are expected to demonstrate standards of conduct and behaviour that are consistent with relevant legislation, regulations and policies.

Council policies and guideline provisions which must be adhered to in relation to the use of social media include the following:

- Council Councillor Code of Conduct;
- Council Staff Code of Conduct;
- Council employment contracts;
- Council Information Technology Policy
- Council Information Technology Usage Policy and Procedure;
- Council Media and Communications Procedure; and
- Privacy and Data Protection and Health Records Policy.

When using social media in relation to Council matters on either a private account or a Council Page Councillors, Council employees, volunteers and Contractors are expected to:

- Adhere to Council codes of conduct, policies and procedures;
- Behave with caution, courtesy, honesty and respect;
- Comply with relevant laws and regulations;
- Reinforce the integrity, reputation and values of Council.

The following content is not permitted under any circumstances by Councillors, Council employees, volunteers and Contractors:

- Abusive, profane or sexual language;
- Content which is false or misleading;
- Confidential information about Council or third parties;
- Copyright or Trade mark protected materials;
- Discriminatory material in relation to a person or group based on age, colour, creed, disability, family status, gender, nationality, marital status, parental status, political opinion/affiliation, pregnancy or potential pregnancy, race or social origin, religious beliefs/activity, responsibilities, sex or sexual orientation;
- Illegal material or materials designed to encourage law breaking;
- Sexually explicit letters, emails or SMS text messages.
- Materials that could compromise Council, employee or system safety;
- Materials which would breach applicable laws (defamation, privacy, trade practices, financial rules and regulations, fair use, trademarks);
- Material which would bring the Council into disrepute;
- Personal details or references to Councillors, Council employees or third parties, which may be inconsistent with Council Privacy Policy;
- Spam, meaning the distribution of unsolicited bulk electronic messages;
- Statements which may be considered to be bullying or harassment.

Council's Media Team, when posting on social media, will do so in collaboration with the relevant department.

Employees who are authorised administrators of Council social media sites are discouraged from updating their personal blogs and social media sites while using council-owned technology including computers, mobile phones and tablets.

Councillors, employees, volunteers and contractors must not say or do anything to potentially damage the operations or reputation of the Council whilst using their personal social media accounts during either working or non-working periods. Accordingly, they must be sensitive to separate their personal opinions from professional ones.

Councillors, employees, volunteers and contractors should exercise caution when referring to Council matters on a personal, or a third party, social media site. If the content discusses work or work-related topics, employees should avoid:

- Disclosing confidential documents or details;
- Discussing internal discussions or decisions; and
- Publishing content in exchange for reward of any kind.

Employees found to be discussing this information will be subject to the conditions as outlined within the Council's Performance Management Disciplinary Policy and Procedure.

If you have any doubt about applying the provisions of this policy, seek clarification from a member of the Media Team before using social media to communicate. Depending upon the nature of the issue and potential risk, it may also be appropriate to consider seeking legal advice.

Consequences of Policy Breach

Council's Media Team reserves the right to ban any user and remove content from its Social Media sites, if this policy or any associated policies have been violated.

For Council employees, volunteers and Contractors, breaching this policy may result in a code of conduct complaint, performance management and/or review. Serious breaches may result in suspension or termination of employment or association.

For the Councillors, breaching this policy may result in a code of conduct complaint.

Roles and Responsibilities for using Social Media

| Role | Responsibilities |
|---------------------------|--|
| Mayor/CEO | <p>The Mayor will provide official comment to the media on behalf of Council where the matter is of a political, controversial or sensitive nature. This includes:</p> <ul style="list-style-type: none"> • State-wide political issues affecting Local Government; • Contentious local issues that impact the community that do not relate directly to the business of Council but to the representation of the community; • Issues pertaining to policy and Council decisions; • Issues relating to the strategic direction of the Council; and • The Mayor may nominate another Councillor or the Chief Executive Officer to make official comment on behalf of the Council, where appropriate. <p>The Chief Executive Officer is the official spokesperson for all operational matters pertaining to the Council as an organisation</p> |
| Councillors | <p>Seek advice and authorisation from the Chief Executive Officer on using social media. Seek approval for Council branding of social media. Register social media account/tools/site with Council's Media Team Understand and comply with the provisions in this policy. Seek training and development for using social media. Seek advice from Council's Media Team if unsure about applying the provisions of this policy. Individual Councillors are entitled to express independent views through the media, however they will make it clear that any unofficial comment is a personal view and does not necessarily represent the position of the Council as a whole. No council employees will assist with the implementation or management of personal social media sites of or for Councillors.</p> |
| Employees and contractors | <p>Seek approval from relevant manager for business strategy incorporating social media. Seek advice and authorisation from the Council's Media Team, Chief Executive Officer on using social media on behalf of Council and developing a communications plan to support business strategy. Seek approval for Council branding of social media from either the Council's Media Team or the Chief Executive Officer. Seek training and development for using social media. Understand and comply with the provisions in this policy. Maintain records of email addresses, comments, 'friends', followers and printed copies or electronic 'screen grabs' when using externally hosted sites to the extent practicable Seek advice from a manager or the Chief Executive Officer if unsure about applying the provisions of this policy. Ensure contractors are provided with a copy of this policy. Familiarise with the End User Licence Agreements of any external social media tools being used.</p> |
| Managers | <p>Approve business strategy incorporating use of social media. If establishing a new Council-run page, ensure employees consult and obtain authorisation from the Chief Executive Officer or Council's Media Team on their planned use of social media. Ensure contractors are provided with a copy of the social media policy. Ensure training for employees using social media is completed prior to the site going live. Advise Information Technology (IT) of approval to access social media for business purposes.</p> |
| Information | Facilitate secure access to support delivery of Council business via social media |

| | |
|-----------------------|---|
| Technology Department | <p>Regularly back up and archive internally hosted social media sites</p> <p>Maintain a register of social media being used for conducting Council business including records of the business case for using social media, its strategic imperative, the intended administrator, URL, login, password and audience</p> |
| Media Team | <p>Authorise use of social media tools for conducting Council business</p> <p>Provide advice and assist with the development of communication plans using social media</p> <p>Educate Councillors, employees, volunteers and contractors about this policy and their responsibilities when using social media</p> <p>Provide social media training when requested</p> <p>Advise appropriate precautions e.g. disclaimers</p> <p>Monitor social media accounts/tools/sites registered for conducting Council business</p> <p>Monitor social media for references to the Council</p> <p>Seek legal advice as appropriate where an issue is likely to be contentious or may create legal risk for Council</p> <p>Ensure Social Media Policy is being followed accordingly by Councillors, Council employees and Contractors to the best of abilities and resources available</p> <p>If Social Media Policy is breached, follow through with relevant disciplinary action</p> |

Requirements for use of Social Media by Councillors, employees, volunteers and contractors

Authorisation to create a new Council page, site or account

Appropriate written authorisation should be obtained by the CEO in the case of a Councillor or Media team in the case of an employee, volunteer or contractor to create a new Social Media account on behalf of Council. Approval will not be given for the new Social Media Account until appropriate discussions have been undertaken by the manager and officers of the account with Council's Media Team. Once approved, this process will be facilitated by Council's Media Team, but ownership of the account remains with the manager of the respective department. Council's Media Team role includes working with the associated managers of the social media sites to uploading content and monitor tone of communication.

Administration of Accounts

Council's Media Team must have administration rights of all social media accounts that are Council managed. This is to allow adequate monitoring and consistency in application of tone, content and the banning of any person from the site where required.

Requests from the Media

No Councillor, employee or contractor is to issue a statement or make an announcement about Council matters or on behalf of Council through social media channels unless authorised.. Do not respond directly if approached by media for comment through social media. Refer any media inquiries to the Media Team as per Council's Media and Communications Procedure.

Expertise

An officer is not to comment outside their area of expertise or commit Council to actions/undertakings. Posts must only reflect the area of Council the social media account has been set up for. Officers should not comment or react to "out of scope" posts.

Disclosure

Councillors, employees, volunteers or contractors should only discuss publicly available information. Do not disclose confidential information, internal discussions or decisions of council, employees or third parties. This includes publishing confidential, personal or private information where there is sufficient detail for potential identification of councillors, council employees or third parties.

Accuracy

All Councillors, employees or contractors are encouraged to be accurate, constructive, helpful and informative. Any errors should be corrected as soon as practicable. Councillors, employees or contractors must not publish information or make statements which are known to be false or may reasonably be taken to be misleading or deceptive.

Identity

Councillors, employees or contractors should be clear about professional identity, or any vested interests. Do not use fictitious names or identities that deliberately intend to deceive, mislead or lie. Do not participate anonymously or covertly via a third party or agency. This activity constitutes gross misconduct under Councils Discipline Policy and will be dealt with accordingly.

Opinion

Council employees should not express or publish a personal opinion on Council generally or about Council business via social media.

Councillors should be mindful of the Councillor Code of Conduct when discussing or commenting on Council matters. Generally, Councillors should not express personal opinions on Council decisions or Council business nor be critical of the Council. If it is not possible to separate official Council positions from personal opinions, Councillors should consider using a formal disclaimer to separate interests.

Direct Family Members of Councillors, Council employees and Contractors

Direct family members of Councillors, Council employees, volunteers and contractors should avoid expressing personal opinions towards Council or Council business due to association.

Privacy

All Councillors, employees, volunteers or contractors should be sensitive to the privacy of others. Permission from anyone who appears in any photographs, video or other footage should be given before sharing these via any form of social media. If asked to remove materials, social media administrators should do so as soon as practicable.

Any material posted on social media – including comments, email, followers, friends, posts and subscriber lists – will be public records if the communication is created or received as part of the employee's duties as a council employee, and will therefore be subject to Ararat Rural City Council's Privacy Statement (www.ararat.vic.gov.au/privacy-policy)

Intellectual Property

Permission from the creator or copyright owner should be sought to use or reproduce copyright material including applications, sound recordings (speeches, songs), footage (video), graphics (graphs, charts and logos), images, artwork, photographs, publications or music. Councillors, employees or contractors should also seek permission before publishing or uploading material in which the intellectual property rights, such as Trademarks, are owned by a third party e.g. company logos. Permission from the website's owner should also be given wherever possible before linking to another site (including a social media application).

Defamation

Councillors, Council employees, volunteers and Contractors are not to comment, contribute, create, forward, post, upload or share content that is malicious or defamatory. This includes statements which may negatively impact the reputation of Council as an organisation.

Reward

Councillors, employees, volunteers or contractors will not publish content in exchange for reward of any kind.

Transparency

Councillors, employees or contractors will not seek to buy or recompense favourable social media commentary and encourage online publishers to be open and transparent in how they engage with, or review Council personnel, services or wares.

Political Bias

Councillors, employees, volunteers or contractors will not endorse any political affinity or allegiance.

Respect

Councillors, employees, volunteers or contractors should always be courteous, patient and respectful of others' opinions, including detractors.

Discrimination

Councillors, employees, volunteers or contractors should be mindful of anti-discrimination laws and not publish statements or information which may be discriminatory.

Prevention of Sexual Harassment

Sexual harassment can occur through electronic means (such as emails or text messages or by viewing pornographic websites) and through social media, regardless of whether the post was made during work hours or not. Where there is a link to Council, all Councillors, employees, volunteers and contractors are subject to the same rules about sexual harassment in the virtual world as they are in the real world. As such, they are required to use technology and social media responsibly.

Language

Councillors, employees, volunteers or contractors should be mindful of language and expression.

State of Mind

Councillors, employees, volunteers or contractors should not use social media when inebriated, irritated, upset or tired.

Be safe

Councillors, employees, volunteers or contractors should implement safe practices to protect personal privacy and guard against identity theft.

Modification and moderation

Councillors, employees, volunteers or contractors should ensure that any social media sites created or contributed to can be readily edited, improved or removed and appropriately moderated.

Be responsive

Councillors, employees, volunteers or contractors should specify the type of comments and feedback that will receive a response and clearly communicate a target response time. It should be easy for audiences to reach Council via other methods by publishing Council's phone number, generic email, Facebook, Skype and Twitter accounts.

Monitoring of Council Social media is the responsibility of Council's Media Team or the page/site's approved administrator/s. Appropriate actions of response shall be taken to the best of the administrator's abilities and resources including outside of office hours.

The Council reserves the right, for legal compliance purposes, to monitor social media usage on its systems without advance notice and consistent with any applicable state, federal or international laws.

The Council may be legally required to produce logs, diaries and archives of social media use to judicial, law enforcement and regulatory agencies and will comply with any relevant requests.

Enforcement of policy

All content published or communicated by or on behalf of Council using social media must be recorded.

Council actively monitors social media for relevant contributions that impact on the Council, its operations and reputation. Council will be able to find – and act upon – contributions made by Councillors and employees if deemed necessary.

This policy will be published and promoted to Councillors, employees, volunteers and contractors of Council.

ADMINISTRATIVE UPDATES

It is recognised that, from time to time, circumstances may change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Council department, a change to the name of a Federal or State department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be by resolution of Council.

REFERENCES

Councillor Code of Conduct
Privacy & Data Protection and Health Records Policy
Staff Code of Conduct
Community Engagement Policy
Election Period Policy
Workplace Anti-Discrimination and Harassment Policy
Information Technology Policy
Information Technology Usage Procedure
Performance Management Discipline Policy
Media and Communications procedure
Social Media Procedure
Performance Management Discipline procedure
Council Prevention of Sexual Harassment Policy
Prevention of Sexual Harassment in the Workplace Policy
Internal Media request procedure and templates
Individual employment contracts

Below is a list of legislation and areas that are relevant in the context of social media for Council.

- Australian Human Rights Commission Act 1986 (Cth)
- Age Discrimination Act 2004 (Cth)
- Copyright Act 1968
- Crimes Act 1958
- Defamation Act 2005
- Employment contracts
- Equal Opportunity Act 2010
- Fair Work Act 2009 (Commonwealth) – Human Resources policies
- Freedom of Information Act 1982
- Local Government Act 1989
- Local Government Act 2020
- Victorian Equal Opportunity Act 2010 (or Australian Human Rights Commission Act 1986)
- Spam Act 2003 (Cth)
- Privacy and Data Protection Act 2014
- Public Records Act 1973
- Sex Discrimination Act 1984 (Cth)
- Wrongs Act 1958

APPENDICES

Nil