

Broadmayne Parish Council Social Media and Email Policy

Introduction

The aim of this policy is to set out a Code of Practice to provide guidance to parish councillors, council staff and others who engage with the council using online communications, collectively referred to as social media. The Council will ensure that any necessary training is provided for members, officers and the nominated webmaster in connection with this policy.

Social media is a collective term used to describe methods of publishing on the internet.

This policy covers all forms of social media and social networking sites which include (but are not limited to):

- The Broadmayne Community website (www.broadmayne.org) which is funded by the Parish Council
- Facebook, Myspace and other social networking sites
- Twitter and other micro blogging sites
- YouTube and other video clips and podcast sites
- LinkedIn
- Blogs and discussion forums
- Email

The use of social media does not replace existing forms of communication.

The principles of this policy apply to parish councillors and council staff and also applies to others communicating with the Parish Council.

It should be noted that the Freedom of Information (FOI) Act 2000 applies to official information held in private email accounts when held on behalf of the public authority. Such information may be exempt and will not necessarily have to be disclosed. It may be necessary to request relevant individuals to search private e-mail accounts in particular cases. The occasions when this will be necessary are expected to be rare. Adherence to good records management practice should assist in managing risks associated with the use of private email accounts for public authority business purposes. See Appendix 1 for the procedure for dealing with FOI requests which may include information held in councillors' private email accounts.

It should also be noted that that 'information' in the context of FOI extends to information recorded in any form and so extends to text messages, etc. on mobile phones and other devices.

The policy sits alongside relevant existing policies which need to be taken into consideration.

The current Code of Conduct applies to online activity in the same way it does to other written or verbal communication.

Individual parish councillors and council staff are responsible for what they post in a council and personal capacity.

In the main, councillors and council staff have the same legal duties online as anyone else, but failure to comply with the law may have more serious consequences.

Social media may be used to:

- Distribute agendas, post minutes and dates of meetings
- Advertise events and activities
- Provide good news stories linked to website or press pages
- Advertise vacancies
- Re-tweet or share information from partner agencies such as Principal Authorities, Police, Library, Health etc.
- Announce new information
- Post or Share information from other parish related community groups such as schools, sports clubs, community groups and charities
- Refer resident queries to the clerk and all other councillors

Code of Practice

When using social media (including email) parish councillors and council staff must be mindful of the information they post in both a personal and council capacity and keep the tone of any comments respectful and informative.

Online content should be accurate, objective, balanced and informative.

Parish councillors and council staff must not:

- hide their identity using false names or pseudonyms
- present personal opinions as that of the council
- present themselves in a way that might cause embarrassment to the council
- post content that is contrary to the democratic decisions of the council
- post controversial or potentially inflammatory remarks
- engage in personal attacks, online fights and hostile communications
- use an individual's name unless given written permission to do so
- publish photographs or videos of minors without parental permission
- post any information that infringes copyright of others
- post any information that may be deemed libel
- post online activity that constitutes bullying or harassment
- bring the council into disrepute, including through content posted in a personal capacity
- post offensive language relating to race, sexuality, disability, gender, age, religion or belief
- conduct any online activity that violates laws, regulations or that constitutes a criminal offence

Publishing untrue statements about a person which is damaging to their reputation is libel and can result in a court action and fine for damages.

This also applies if someone else publishes something libellous on your social media site. A successful libel claim will result in an award of damages against you.

Posting copyright images or text on social media sites is an offence. Breach of copyright will result in an award of damages against you.

Publishing personal data of individuals without permission is a breach of Data Protection legislation is an offence.

Publication of obscene material is a criminal offence and is subject to a custodial sentence.

Councillors views posted in any capacity in advance of matters to be debated by the council at a council or committee meeting may constitute pre-disposition, pre-determination or bias and may require the individual to declare an interest at council meetings

Anyone with concerns regarding content placed on social media sites that denigrate parish councillors, council staff or residents should report them to the Clerk of the Council.

Misuse of social media content that is contrary to this and other policies could result in action being taken.

The Council will appoint a webmaster to be responsible for posting and monitoring content on the community website (www.broadmayne.org) to ensure it complies with the Social Media Policy.

This policy will be reviewed annually.

Date approved: 4 January 2021

Appendix 1

Procedure for dealing with FOI requests which may include information held in Councillors' private email accounts

The following factors will be taken into account in deciding whether it is necessary to ask someone to search their private email account for information which might fall within the scope of an FOI request which the Parish Council has received:

- the focus of the request, indicated by the words used by the requester;
- the subject matter of the information which falls within the scope of the request;
- how the issues to which the request relates have been handled within the Parish Council
- by whom and to whom the information was sent and in what capacity.

If the Parish Council concludes that a relevant individual's personal email account may include information which falls within the scope of the request and which is not held elsewhere on the Parish Council's computer, it will need to ask that individual to search their account for relevant information.

Enquiries will be directed towards deciding whether any information which is so held was generated in the course of deciding the business of the council. If it was, then it is likely to be within the scope of the request.

Where an individual had been asked to search private email accounts for requested information, then a record will be kept of the action taken so that it can be demonstrated to the Information Commissioner that appropriate searches have been made.