

POLICY DOCUMENT

2.56.1

Policy Name	SOCIAL MEDIA
Policy No.	2.56.1
Version:	2
Strategic Reference:	3.5 Implement Business Excellence and continuous improvement, including service reviews for relevance, efficiency and effectiveness
Responsible Department:	Corporate & Community
Policy Adopted:	20 September 2021
Last revised date:	07 August 2017
Minute reference:	CO 21/171
Next review date:	This policy shall be reviewed by the City of Port Lincoln every four years, or on significant change to legislation or aspects included within this policy.
Applicable Legislation:	Local Government Act 1999 Civil Liability Act 1936 Copyright Act 1968 Criminal Law Consolidation Act 1935 Defamation Act 2005 Equal Opportunity Act 1984 Fair Trading Act 2005 Fair Work Act 1994 Freedom of Information Act 1991 Local Government (Elections) Act 1999 Privacy Act 1988 Spam Act 2003 State Records Act 1997
Related Policies:	
Related Documents:	SA LGA Social Media Guide for Elected Member 2019

1. PURPOSE

The City of Port Lincoln recognises that social media provides valuable opportunities to inform citizens and stakeholders about Council's objectives, plans and activities and to build strong and positive relationships between the City of Port Lincoln and its community and stakeholders. Council will use social media as a tool to engage with the community and improve and complement existing communications, access to information and delivery of key messages and services.

The City of Port Lincoln website will be Council's primary source of information and engagement opportunities, complemented by social media which will be used to engage and encourage information sharing with the community.

The Council also recognises the value of social media for networking and innovation.

This policy defines the expectations of 'Council representatives' when engaging in social media officially on behalf of the Council and who comment/post on their personal social media platforms on matters relating to Council business or any 'Council representative'.

2. **SCOPE**

This policy applies to all Council representatives who use social media as part of their role and who engage in personal use of social media relating to their employment.

This policy outlines the requirements for compliance with behavioural, confidentiality, governance, legal, privacy and regulatory parameters when using social media to conduct Council business. It aims to inform the appropriate use of social media tools, promote effective and productive community engagement through social media and minimise miscommunication or mischievous communications in the context of the inherent challenges of the speed and immediacy of social media.

This policy applies to those digital platforms or forums where people may comment, contribute, create, forward, post, upload and share content, such as, but not exclusively:

- Social networking sites e.g.: Facebook, LinkedIn, Google+, Instagram
- Microblogging Sites e.g.: Twitter, Tumblr
- 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 and photo sharing sites e.g.: Flickr, YouTube, Vimeo
- Video podcasts
- Wiki Sites
- 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 relating to their own personal business, interests, hobbies or family life; or
- where no reference is made to the City of Port Lincoln, its Elected Members, employees, policies and services, suppliers or other stakeholders or Council-related issues.

This policy should be read in conjunction with other relevant policies and procedures of the City of Port Lincoln, including the Codes of Conduct for Council Employees and Council Members.

All 'Council representatives' will receive a copy of the Social Media Policy and the supporting guidelines upon commencement of employment.

3. **DEFINITIONS**

"Social Media" is a collective term of online communication channels that are used to gain community-based input, interaction, sharing content and collaboration. It is where people may comment, contribute, create, forward, post, upload and share content.

"Chief Executive Officer" means the Chief Executive Officer or the Acting Chief Executive Officer of the City of Port Lincoln.

"Council representatives" means Elected Members, Committee members (including Section 41 of the Local Government Act 1999 Committee members), employees, volunteers, contractors and suppliers (or any individual or agency who is engaged to perform duties/tasks on behalf of the City of Port Lincoln).

"Offensive Material" includes but is not limited to material which is racist, sexist, discriminatory, vilifies staff, Elected Members or members of the community, is harmful or misleading which may result in harm or violence, is inappropriate or illegal.

4. **LEGISLATIVE AND POLICY FRAMEWORK**

Elected Members and employees of the City of Port Lincoln must demonstrate standards of conduct and behaviour that are consistent with the mandated Code of Conduct for Council Members and Code of Conduct for Council Employees and relevant legislation, regulations and Council policies. A list of applicable legislation which may be used as a guide is included –on Page 1.

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

- Public Consultation and Community Engagement Policy 2.63.1
- Social Media Guidelines PROC398
- City of Port Lincoln Community Advertising Policy 2.63.3
- Crest & Logo Policy 18.63.3
- City of Port Lincoln Records Management Policy 13.63.3
- Code of Conduct for Council Employees 12.63.12
- Procedure for Code of Conduct for Council Employees PROC379
- Code of Conduct for Council Members 9.63.3

5. **PRINCIPLES**

5.1. ***Posting/Commenting on social media platforms***

The use of social media should encourage the community to become more informed and involved in what is happening within the community. Social media should not be used to encourage or direct the community towards particular points of view or responses.

5.1.1. ***Council representatives – Personal Use***

All Council representatives are personally responsible for the content they publish on any social media platform.

The City of Port Lincoln recognises that individuals are entitled to use social media in their personal lives. This policy does not intend to discourage nor unduly limit the personal expression or online activities of individuals.

Where individual comments or profile can identify someone as a Council representative, they must:

- only disclose and discuss publicly available information and ensure that all content published is accurate and not misleading and complies with all relevant Council policies;
- expressly state on all postings that “stated views are their own and are not those of the Council”; and
- be honest and respectful in all interactions on social media.

Council representatives’ personal social media platforms such as Facebook should not be used as an avenue by the public for customer enquiries, requests, complaints or responses. Any customer enquiry, request or complaint should be addressed and responded to through the appropriate channels during business hours or through Council’s website.

5.1..2. Council Employees

Council employees must understand their responsibility under the Code of Conduct for Council Employees and recognise the potential for damage to be caused (either directly or indirectly) to the Council in certain circumstances via personal use of social media, when they can be identified as a City of Port Lincoln employee. Accordingly, individuals must comply with this policy to ensure that the risk of such damage is minimised.

5.1..3. Elected Members

Elected Members must act in accordance with their responsibilities as stated in the Code of Conduct for Council Members 9.63.3 when presenting or commenting on Council matters. If Elected Members need to express personal opinions and positions on Council matters, the formal position of Council on a matter should be made clear, then a clear disclaimer used to distinguish between the formal Council position and any individual personal views e.g. **“These views are personal and not made on behalf of, nor are they opinion of, the Council”**. This will not, however, remove the obligation to comply with other relevant provisions of the Code of Conduct for Council Members.

Elected Members are not permitted to use Council’s official social media platforms for electioneering.

5.2. Council Representatives – Council Business

The City of Port Lincoln recognises that effective use of social media is essential in informing and engaging with the community. Council social media platforms shall be maintained with an accurate and consistent message and professional image, at the direction of the Chief Executive Officer.

When using social media all Council representatives are expected to:

- With the exception of the Mayor and Chief Executive Officer, who are Council’s authorised spokespersons, seek prior authorisation from the Chief Executive Officer (or

from Manager People, Governance & Communication, who is appointed to authorise communication).

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

The following content is not permitted under any circumstances:

- Abusive, profane or sexually explicit language;
- Content not relating to the subject matter of that blog, board, forum or site;
- Confidential information relating to Council business or third parties;
- Content which is false or misleading;
- Copyright or trade protected materials;
- Discriminatory material in relation to a person or group based on sex, race, disability, age or various other grounds (refer Equal Opportunity Act 1984 (SA));
- Illegal material or materials designed to encourage law breaking;
- Material that would offend contemporary standards of taste and decency;
- Material which would bring the Council into disrepute;
- 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);
- Personal details or references to Elected Members, Council employees, Committee members, volunteers or third parties which may be contrary to Council's Privacy Policy;
- Spam, meaning the distribution of unsolicited bulk electronic messages; or
- Statements which may be considered to be bullying or harassing in nature.

If there is any doubt about applying the provisions of this policy, the Manager People, Governance & Communication and/–Corporate Communications Officer should be consulted 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.

5.3. *Media Announcements and Enquiries*

With the exception of the Mayor and Chief Executive Officer, media announcements or statements representing Council are not to be made through media platforms unless with the prior approval of the Chief Executive Officer. Approaches from the media should be directed through the appropriate channels as with all media enquiries, in line with other Council policies and procedures.

5.4. *Authorisation*

Council representatives must obtain appropriate authorisation before using social media including but not limited to uploading content and acting as a spokesperson on behalf of Council.

5.5. Expertise

Council representatives should not comment outside their area of expertise and should not commit Council to actions or undertakings unless doing so as part of their normal and authorised duties and responsibilities.

5.6. Privacy and Confidentiality

Council representatives should be aware and be sensitive to the privacy of others. They should seek permission from persons who appear in photographs, video, or other footage etc. before publishing and/or sharing on any social media platform, and if asked to remove materials, should do so as soon as practicable.

Council representatives should only disclose publically available information and are not to disclose confidential information, internal discussion or decision/s of Council, employees or third parties. This includes publishing confidential, personal or private information where there is sufficient detail for potential identification of Elected Members, Council employees or third parties.

5.7. Accuracy

Information is to be accurate, constructive, helpful and informative. Any errors identified are to be corrected as soon as practicable. Council representatives must not publish information or make statements which they know to be false or may reasonably be taken to be misleading or deceptive.

5.8. Identity

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.

Council representatives must at all times comply with the Terms and Conditions of the social media platform be used.

5.9. General Duty under the Local Government Act 1999

Elected Members and Council employees must be aware of and fulfil their respective duties under sections 62 and 109 of the Local Government Act 1999 at all times and ensure that the use of social media is not contrary to these requirements.

5.10. Intellectual Property

Permission must be sought and where appropriate referenced, from the creator or copyright owner to use or reproduce copyright material including applications, photographs, video footage, sound recordings (speeches, songs), music, computerised graphics, artwork and publications. Permission from the website's owner should be sought wherever possible prior to linking to another site (including a social media application).

Council representatives must 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.

5.11. Defamation

Council representatives must not comment, contribute, create, forward, post, upload or share content that is malicious or defamatory. This includes statements which may negatively impact the reputation of another.

5.12. Disclosure

Council representatives must disclose any financial or in-kind benefit on their social media to ensure that readers or users of the information are fully informed.

5.13. Political bias

Council representatives are not to endorse any political affinity or allegiance.

5.14. Transparency

Council representatives must not seek to buy or recompense favourable social media commentary. Encourage online publishers to be open and transparent in how they engage with, or review Council personnel, services or wares.

5.15. Be Responsive

Council representatives should specify the type of comments and feedback that will receive a response and clearly communicate a target response time. Make it easy for audiences to reach Council via other methods by publishing Council's phone number, generic email, Facebook, Twitter accounts etc.

6. MONITORING

Social media sites will be monitored for information, research and insight into issues circulating in the community and/or matters that impact on the municipality, its operations or reputation.

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.

Council will remove any offensive material posted on its digital platforms.

7. ENFORCEMENT

The City of Port Lincoln will monitor social media for relevant contributions that impact on Council, its operations and reputation. City of Port Lincoln will act upon contributions made by Council representatives and Elected Members if deemed appropriate and necessary.

7.1. Council Representatives

Breaching of this policy may result in a Code of Conduct complaint, disciplinary action, performance management and/or review. Serious breaches may result in suspension or termination of employment or association.

7.2. Elected Members

Breaching of this policy may result in a Code of Conduct complaint. The City of Port Lincoln reserves the right to remove, where possible, content that violates this policy or any associated policies.

8. RECORDS MANAGEMENT

Content published or communicated by or on behalf of the City of Port Lincoln on social media must be recorded (including the author's name, date, time and media site location) and kept on file wherever the communication is deemed an 'official record'.

Recording Social Media communication must comply with Council's Records Management System and Council's Records Management Policy 13.63.3.

9. RELEVANT DELEGATED POWERS AND DUTIES

Any actions or decisions made regarding this policy, will be enacted upon as per Council's current Delegations Register.