

**Askham Bryan Parish Council
Website and Social Media Policy**

January 2023

Introduction

The aim of this Policy is to set out a Code of Practice providing guidance to Askham Bryan Parish Councillors in the use of online communications, collectively referred to as social media. Social media is a collective term used to describe methods of publishing on the Internet. The policy covers all forms of social media and social networking sites which include (but are not limited to):

- Parish Council Website
- Parish Council Emails
- Facebook, Myspace and other social networking sites
- Twitter and other micro blogging sites
- You Tube and other video clips and podcast sites
- LinkedIn
- Blogs and discussion forums

The principles of the Policy apply to Parish Councillors and The Clerk to the Council. It is also intended for guidance for members of the public communicating with the Parish Council. This Policy sits alongside other relevant existing policies which need to be taken into consideration.

No direct costs will be incurred by implementing it. It will require a volunteer to update and monitor the social media sites.

The use of social media is not intended to replace existing forms of communication and The Parish Council Newsletter will remain the main medium for the purpose of communicating information. The website and other forms of social media will be used to enhance communication. Therefore existing means of communication should continue with social media being an additional option.

Aspects of the Members' Code of Conduct apply to online activity in the same way it does to other written or oral communication. Online content should be objective, balanced, informative and accurate. What you write on the web is permanent.

In the main, councillors have the same legal duties online as anyone else, but failures to comply with the law may have more serious consequences. There are some additional duties around using their websites for electoral campaigning and extra care needs to be taken when writing on planning matters, see further notes below.

The Parish Council will also protect personal data in compliance with the General Data Protection Legislation 2018 and any subsequent legislation.

Askham Bryan Parish Council Social Media Policy

1. The Council will appoint a nominated Councillor or Councillors as moderator(s). They will be responsible for posting and monitoring the content ensuring it complies with the Social Media Policy. The moderator will have authority to remove any posts made by third parties from our social media pages which are deemed to be of a defamatory nature. Such post will also be reported to the Hosts (i.e. Facebook) and also the Clerk.
2. The Council will appoint a nominated "Webmaster" to maintain and update the Parish Council Website
3. Links to websites that serve the community with impartial information or news will be considered by request and at the discretion of the Parish Council.
4. Individual Parish councillors are responsible for what they post. Councillors are personally responsible for any online activity conducted via their published e-mail addresses which is used for council business. Councillors are expected to have separate council and personal email addresses and to comply with the Code of Practice.

The social media may be used to

- Post minutes, agenda's and dates of PC meetings;
- Advertise events and activities, good news stories;
- Parish Council vacancies;
- Retweet or 'share' information from community partners i.e. police, library, schools and health authorities etc;
- Announce new information relevant to the Parish;
- Post or share information from other Parish related community groups/clubs/associations/bodies e.g. schools, sports clubs and community groups;
- Refer resident queries to the clerk.

Facebook will be used to support the Parish Council website information as above. Emails will be used to distribute information of council business.

Code of Practice

Guidance when using social media including emails.

- 1) All social media sites in use should be checked and updated on a regular basis and ensure that the security settings are in place.
- 2) All social media use will comply with the General Data Protection Regulations 2018.
- 3) When participating in any online communication;
 - a. Be responsible and respectful; be direct, informative, brief and transparent;
 - b. Always disclose your identity and affiliation to the Parish Council;
 - c. Never knowingly make false or misleading statements;
 - d. Parish Councillors should not present themselves in a way that might cause embarrassment. All Parish Councillors need to be mindful of the information they post on sites and make sure personal opinions are not published as being that of the Council or bring the Council into disrepute or is contrary to the Council's Code of Conduct or any other Policies;

- e. Keep the tone of any comments respectful and informative, never condescending or “loud.” Always use sentence case format, do not use capital letters, or write in red to emphasis points;
 - f. Spell and grammar check everything;
 - g. Correct any errors promptly;
 - h. Refrain from posting controversial or potentially inflammatory remarks. Language that may be deemed as offensive relating in particular to race, sexuality, disability, gender, age or religion or belief should **not** be published on any social media site by Parish Councillors or residents;
 - i. Avoid personal attacks, online fights and hostile communications;
 - j. Do not make comments about individual’s by name unless you have their permission to do so;
 - k. Permission to publish photographs or videos on social media sites should be sought both from the Parish Council and persons or organisations in the video or photograph before being uploaded;
 - l. Permission to retain personal data, publish and share email addresses needs to comply with the General Data Protection Legislation 2018;
 - m. Respect the privacy of other councillors and residents.
- 4) Do not post any information or conduct any online activity that may violate laws or regulations, see below libel and copyright.
 - 5) Residents and Councillors should note that **not** all communication requires a response.
 - a. There may not be immediate response to communications as it may be necessary to discuss the issue with the Parish Council and a response may have to be agreed by the Parish Council. When appropriate a reply will be sent and copied to all Parish Councillors.
 - b. The Parish Clerk and the moderators will be responsible for all final published responses on the PC website.
 - c. If a matter needs further consideration it may be raised at either the open forum or as a full agenda item for consideration by a quorum of Councillors. Again the ‘poster’ shall be informed via the page or direct message that this is the case.
 - d. If the moderator feels unable to answer a post for example of a contentious nature this shall be referred to the Parish Clerk. The ‘poster’ will be informed by way of a response to this fact and also be invited to correspond with the Parish Clerk directly.
 - e. Some communication from residents and other third parties may be required to be discussed at a Parish Council meeting. When this is necessary the item will be placed on the next available agenda, the persons will then be advised of this fact and told of the date and time of meeting so he/she can attend if they wish. Any response will then be included in the minutes of the meeting.
 5. The nominated moderator or moderators **shall remove any** negative posts which may contain personal and inflammatory remarks, libelist or defamatory information without further comment or notification.
 6. Councillors or parishioners who have any concerns regarding content placed on social media sites should report them to the Clerk of the Council or the nominated moderator.
 7. Misuse of such sites in a manner that is contrary to this and other policies could result in action being taken.

8. The Policy will be reviewed when appropriate.

Additional background information (IDeA) 2010

The Council's Legal Position

Material published by a local authority as an organisation is, for obvious reasons, restricted in terms of content. It must not contain party political material and, in relation to other material, should not persuade the public to a particular view, promote the personal image of a particular councillor, promote an individual councillor's proposals, decisions or recommendations, or personalise issues. Nor should the council assist in the publication of any material that does any of the above.

Data Protection

Avoid publishing the personal data of individuals unless you have their express written permission, see General Data Protection Legislation 2018 for details.

Libel

If you publish an untrue statement about a person which is damaging to their reputation they may take a libel action against you. This will also apply if you allow someone else to publish something libellous on your website if you know about it and don't take prompt action to remove it. A successful libel claim against you will result in an award of damages against you.

Copyright

Placing images or text on your site from a copyrighted source (for example extracts from publications or photos) without permission is likely to breach copyright. Avoid publishing anything you are unsure about, or seek permission in advance. Breach of copyright may result in an award of damages against you.

Bias and pre-determination

If you are involved in determining planning or licensing applications or other quasi-judicial decisions, avoid publishing anything that might suggest you don't have an open mind about a matter you may be involved in determining. If not, the decision runs the risk of being invalidated.

Obscene material

Publication of obscene material is a criminal offence.

Electoral periods

The Electoral Commission requires that candidates provide a return of expenditure on any form of advertising or campaign literature and that includes web advertising. And there are additional requirements, such as imprint standards for materials which can be downloaded from a website.

Full guidance for candidates can be found at www.electoralcommission.org.uk
www.electoralcommission.org.uk/guidance/those-we-regulate/candidates-and-agents

The Members' Code of Conduct

Councillors can have 'blurred identities', you may have a social media account where you comment both as a councillor and as an individual. Ensure it is clear when you are posting in a private capacity or as a councillor. Such blurred identities might for example have implications where your views are taken as those of your organisation or political party, rather than your personal opinion. There is the need to get social media accounts/ profiles clear, to be confident as to what you can and cannot say while you are representing the Parish Council.

How you use your online identity will also determine how online content will be treated in respect of the Members' Code of Conduct. Parish Councillors are **not** expected to communicate politically. There is a difference between communicating on behalf of the council, for example blogging as a councillor or as a private citizen and the former will be held to a higher standard than the latter. The key to whether your online activity is subject to the Code of Conduct is whether you are giving the impression that you are acting as a councillor; that stands whether you are in fact acting in an official capacity or simply giving the impression that you are doing so.

This may be less than clear if you have a private blog or a Facebook profile. There are a number of factors which will come into play which are more a question of judgment than a hard and fast line. For example, a Standards Committee may take into account how well known or high profile you are as a councillor, the privacy settings on your blog or social networking site, the content of the site itself and what you say on it. Most councillors are using their online profile to communicate with residents about representing their local area so engaging the code, if necessary, should be a relatively straightforward decision. Since the judgment of whether you are perceived to be acting as a councillor will be taken by someone else, it's safest to assume that any online activity can be linked to your official role.

Unless you've gone to significant effort to keep an online persona completely separate from your councillor identity, you are unlikely to be able to claim that you were acting in a completely private capacity.

Members should comply with the general principles of the Code in what they publish and what they allow others to publish.

Some of the terminology in social media, like 'following' or 'friending' can imply an intimacy that is not really there. Both terms just mean you have linked your account to someone else so you can share information. Knowledgeable Internet users are used to this, but some people can feel a sense of unease when their council, local police service or councillor begins following them on Twitter before establishing some sort of online relationship. Some councillors wait to be followed themselves first. Do make use of other communication functions that social media allows you. Twitter's 'list' function, for example, can help you to follow local people in a less direct way. Bloggers are almost invariably happy for you to link to them, so you don't need to ask first in this instance.

Social media is transparent.

The best bloggers admit mistakes rather than try to cover them up (which isn't possible online). Amending your text and acknowledging your mistake; perhaps by putting a line through the offending words and inserting a correction or providing an update section at the bottom of a blog post – shows you are not pretending it never happened, and is much better than just deleting it when dealing with online misfires.

Avoid the trolls.

Adapted from 'Civic-Surf's Legal Guidance for councillor blogs', included here under Creative Commons attribution, non-commercial license.

References

CivicSurf www.civicsurf.org.uk a blogging programme for local leaders.

'Connected Councillors – A guide to using social media to support local leadership' LGA

Connected Councillors Social Media Handbook, Cheshire East Council.

Guide to the General Data Protection Regulation (GDPR) 2018 <https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr>

Socitm Insight has produced *Social Media – Why ICT management should encourage leadership to embrace it* (January 2010) and *Twitter Gritters: Council use of digital channels in emergencies*. (February 2010).

The Improvement and Development Agency (IDeA) 2010. Connected councillors a guide to using social media to support local leadership. IDeA March 2010

Version 1 Approved June 2020

Reviewed at the Parish Council meeting of 19th January 2023, no changes needed, minute 9.3, page 111 refers.