

## Elected Members Social Media Policy

<b>Policy Type: Council Policy</b> <b>Policy Owner: Director Corporate Services</b>	<b>Policy No. CP- 106</b> <b>Last Review Date: 20 February 2018</b>
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### Policy Objectives

The Council is committed to engaging with the community who live, work and spend time in the City, and enhancing existing communication and information circulation.

Social media is increasingly becoming a part of daily life and an accepted method of instant communication. The use of social media by the City and the Elected Members can improve communication, engagement and collaboration with our community, and share the positive and professional identity of our organisation.

### Policy Scope

The purpose of this policy is to provide guidance and direction for the use of social media by Elected Members to meet the expectations of the community and their professional requirements, particularly when commenting or engaging with the community in both a private and public capacity.

### Policy Statement

Social Media, in all of its various forms, now plays a huge role in the public forum and offers a public means for discussion around sensitive, council and community issues, particularly in the lead-up to decision making around high profile topical issues and Local Government Elections.

Social media can help remove barriers in engaging wide sectors of the community and enhance existing communications and information circulation. There are no new rules for social media, the existing expectations around professional conduct should apply, and it is important to remember that the use of social media is not without risk and the speed and reach of publishing online means content is available immediately to a wide audience. Anything posted can be difficult to delete and may be replicated endlessly. It may be sent to, or seen by people the author never intended or expected would see it.

A person takes significant public obligations upon themselves when they become a member of the Council and make the required declaration of office in accordance with s2.29 of the *Local Government Act 1995* that they will duly, faithfully, honestly, and with integrity, fulfil the duties of the office for the people in the local government's district according to the best of their judgment and ability. These obligations cannot be separated from the position and this means Elected Members cannot divest themselves of the character of an Elected Member.<sup>1</sup>

<sup>1</sup> (Treby and Local Government Standards Panel [2010] WASAT 81 (Treby) at paragraphs [26]-[33])

Elected Members must not make ‘improper use of office’ to cause detriment to the City or another. Standards for Elected Members include the requirement to avoid damage to the reputation of the City and the legal fidelity to the Council. It is important to ensure the language and approach used online is consistent with what the community would expect from an Elected Member and meets the requirements of the Elected Members Code of Conduct:

The local community and the public in general are entitled to expect that the following general principles will be used to guide Elected Members in their behaviours –

“3.(1)

- a) act with reasonable care and diligence; and
- b) act with honesty and integrity; and
- c) act lawfully; and
- d) avoid damage to the reputation of the local government; and
- e) be open and accountable to the public; and
- f) base decisions on relevant and factually correct information; and
- g) treat others with respect and fairness; and
- h) not be impaired by mind affecting substances

(regulation 3(1)(a)-(h) of the *Local Government (Rules of Conduct) Regulations 2007*.)”

It is important that when an Elected Member is posting, commenting or liking posts/comments on social media that they think about the language and tone. When commenting it is essential for Elected Members to communicate that their comment/s are their **own personal opinion**, not those of the Council.

### **Private Profiles and Private Groups**

Nothing that is posted on-line is truly ‘private’. Private profile settings and private groups are no guarantee information is only seen by the target audience. Posts may have been screenshot and distributed to individuals, groups and organisations that were never intended to see the content, even after the original post has been deleted.

Privacy settings are not enough to stop someone who disagrees with what has been posted from screen shotting and using it. Comments by Elected Members of the Council, have the capacity to affect the City’s reputation.

### **Guidelines**

Social media can help remove barriers in engaging wide sectors of the community and enhance existing communications and information circulation. There are no new rules for social media, the existing expectations around professional conduct should apply.

The following information is provided to guide Elected Members in the preparation of social media content and responses. Elected Members should:

- remember the Mayor and the CEO are the official spokespersons for the City of Melville; any statements on behalf of the Council should only be made with specific authority;
- clearly label content and responses as personal views and not those of the City or the Council;
- ensure content is accurate, relevant and complies with current policies, if in doubt check;

- avoid offensive, defamatory, intimidating and provocative language, and avoid commenting on or liking posts that contain this type of language;
- avoid making personal comments about other Elected Members, staff or members of the community;
- maintain a positive and respectful tone;
- adhere to copyright, privacy, defamation, discrimination, harassment and other applicable laws;
- observe confidentiality;
- remember Council decision making is by majority, and whilst there may be decisions that are disagreed with, alternative points of view should be made respectfully and constructively;
- where requests for service or official feedback has been posted, comments should encourage direct contact with the City to enable the matter to be dealt with;
- where misinformation or factually incorrect information is posted, encourage the original poster to make contact with the City for clarification i.e. – Contact the City’s Customer Service;
- liking, sharing or reacting to a post on Social Media is generally taken to be an endorsement of that material, as if you had created it yourself, and may be seen by a wider audience than intended
- not to make public statements expressing their opinion on matters before the Council that would indicate a predetermined voting position.

The intent of this policy is not to stifle the use of social media, but rather to ensure that comments, likes, posts and the use of all forms of online and social media by Elected Members aligns with the adopted policies of the Council and are thoughtful, well-reasoned and responsible communications suited to their professional position and standing in the community.

The City’s staff monitor relevant social media posts and retain them in the City’s document management system for record keeping purposes.

## Definitions

**social media** means any form of online technology through which individuals and organisations can engage in social media activity.

**social media activity** means the communication or sharing of information through social media and includes but is not limited to the posting, uploading, reviewing, downloading and/or forwarding of text, audio recordings, video recordings, photographs/images, symbols or hyperlinks.

**Other References Applicable to this Policy**

Legislative

- Local Government Act 1995*
- Local Government (Elections) Regulations 1996*
- Local Government (Rules of Conduct) Regulations 2007*
- State Record Act 2000*
- Defamation Act 2005*
- Freedom of Information Act 1992*

City of Melville Policies:

- Council Policy 003 – Public Relations Policy
- Council Policy 105 – Election Caretaker Period
- Elected Members Code of Conduct

Delegated Authority No:

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**ORIGIN/AUTHORITY**

**ITEM NO.**

**REVIEWS**

Ordinary Meeting of the Council

20 February 2018

M18/5594

## Examples

Issue	<i>Good</i>	<i>Problematic</i>
Council makes a decision that you disagree with	Council made an interesting decision last night (link to minutes). It would be good to hear what people think.	I've no idea how Council can be so short-sighted. It is just one idiotic decision after another.
A fellow Councillor makes a statement you find offensive	Don't make comment, angry face or share. Speak with them privately.	As usual, Cr XYZ has no idea what he's talking about. Disliking comment or sharing comment.
Council adjourns a decision	Council has asked for more information on XYZ matter. I am hoping we will be able to make a decision next time. This is an important matter to the community.	Another timewasting non-decision at Council. This mob couldn't organise a chook raffle in a pub.
Misinformation being spread across Social Media.	I don't think that information is entirely correct. Perhaps contact the City's Customer Service team on 9364 0666 or <a href="mailto:melinfo@melville.wa.gov.au">melinfo@melville.wa.gov.au</a> for further clarification.	You guys are keyboard warriors, why would Council make a decision if we didn't know the outcome? We're not like other groups ran by idiots and troublemakers.
Expressing a personal opinion	As an Elected Member of the City of Melville, the views expressed here are my personal views and are not representative of the decisions or agreed positions of the Council of the City of Melville or any of its employees.	The City needs more in-fill development, the aim is to get rid of the old style big blocks across the City and create lots of in-fill opportunities.