



## **Social Media Protocol for Members**

### **Purpose**

Social media is an incredibly useful and powerful tool which allows you to share information, create new conversations, understand and respond swiftly to local concerns, coordinate campaigns, assist with casework and let constituents know what you are doing as a local Councillor. Social media can be free or low cost compared to more traditional forms of communication.

However, there can also be pitfalls and to help minimise any risk this Protocol sets out some of the points you should keep in mind whenever you use social media in your official role as a Chorley Councillor

### **What is Social Media?**

Social media is a way to describe websites and applications that enable users to create and share content or to participate in social networking. Popular social media platforms include Facebook, X (formally known as Twitter), Instagram, LinkedIn, YouTube, Flickr and blogs. On social media sites users share information, discuss opinions and build online communities and networks.

You may already use social media in a private capacity. Consider if you want to create a separate account for any "Councillor" related use. This Protocol and the Code of Conduct for Members both only apply when you are acting in your official capacity as an Elected Member. However, you need to be aware that it may not always be apparent to a member of the public in which capacity you are commenting. This "blurred identity" may have implications if comments made in a private capacity are taken to be those of the Council itself or your political party.

The impression you give online of yourself as a Councillor, and the council, is just as important as the impression you give when face to face, during a council meeting or quoted in the media for example. Consider carefully how you may appear to someone who doesn't know you personally – Is your online profile reflective of who you are and what you represent?

### **Social Media and the Code of Conduct for Members**

Certain sections of the Code of Conduct for Members will apply to your online activity in just the same way as they do to any other written or verbal communication. The key to whether the Code applies is whether you are (or even just appear to be) acting in your capacity as a Councillor rather than as a private individual.

In all your dealings on social media you should take particular care not to publish anything which might bring your role as a Councillor, or Chorley Council itself, into disrepute.

The main sections of the Code to consider are:

- You should always treat others with respect – do not use social media to make personal attacks or indulge in rude, disrespectful or offensive comments.
- You must comply with equality laws.
- You must not bully or intimidate anyone – do not say anything that might be construed as bullying or intimidation whether the comments relate to a council employee, a fellow Councillor or anyone else.
- You must not disclose confidential information – refrain from publishing anything you have received in confidence.

Any complaints made against you under the Code of Conduct will be considered by the Monitoring Officer in conjunction with one of the Independent Persons. This may result in a formal investigation followed by a committee hearing. This could result in the imposition of various sanctions against you. Your reputation may suffer adversely as a consequence.

### **General legal considerations**

There are no new or additional legal burdens when using social media but you are publishing to the web – it's written down and it's permanent so you need to bear the following in mind:

**Libel:** If you publish an untrue statement about a person which is damaging to their reputation then they may take a libel action against you. This may also happen if someone else publishes something libellous on your social media page/profile/account which you know about and don't take prompt action to remove. A successful libel action can result in an award of damages against you.

**Copyright:** Publishing images or text on your social media page/profile/account from a copyrighted source (eg photos or extracts from publications) without obtaining permission first is likely to breach copyright laws. Breaching copyright laws can result in damages being awarded against you.

**Data Protection:** Take care not to publish the personal data of individuals unless you have their specific permission.

**Bias and Pre- determination:** Whenever you are involved in making planning, licensing or other quasi-judicial decisions do not say anything on social media which suggests that you have already made up your mind before hearing all the evidence and arguments. Otherwise the decision may be at risk of being challenged and declared invalid.

**Equality Act:** The Equality Act 2010 legally protects people from discrimination in the workplace and in wider society. In this context do not publish anything that might be seen as racist, sexist, ageist, homophobic, anti-faith or offensive to any of the groups with protected characteristics as defined in that Act.

**Obscene material:** You should avoid publishing anything on social media which anyone might consider obscene. Publication of obscene material is a criminal offence.

**Harassment:** it is a criminal offence to repeatedly pursue a campaign against someone where this is likely to cause alarm, harassment, nuisance or distress.

**Electoral Periods:** There are some additional duties around campaigning during elections. Full guidance can be downloaded from the Electoral Commission website.

To conclude it must be understood that in a number of the instances listed above serious legal consequences (whether in the civil or the criminal field) can ensue. There is further guidance available from the LGA – please see the end of the document for the link.

## **Use of Social Media During Council Meetings**

Use mobile devices sparingly, discreetly and with common sense at meetings. Take care to avoid extended periods of use which may give the impression that insufficient attention is being paid to the business of the meeting.

Do not use social media during quasi-judicial meetings or during confidential or exempt items of business.

Always ensure that devices are switched to silent during meetings and their use is not disturbing others.

## **Some Do's and Don'ts to ensure a positive social media experience**

Social media is a really useful tool which can be used in a positive way to share information and generate healthy debates, however, there can be pitfalls, which can be avoided if you keep your online content objective, balanced, informative and accurate. As a Chorley Councillor, I commit to the following:

### **Some Do's**

- To set appropriate privacy settings for my social media page/profile/account (especially if I have a private non-political account)
- To consider keeping my personal and elected member profile on social networking sites separate and maintain appropriate professional boundaries
- To be vigilant in looking out for defamatory or obscene or otherwise inappropriate posts from others on my social media page/profile/account and remove them as soon as possible to avoid any impression that I condone such comments – I shall accept responsibility for maintaining my social media page/profile/account
- To be careful about any connection with service users who are vulnerable adults or children as this could be regarded as a safeguarding issue
- To ensure that I seek permission to post information from a copyrighted source or any personal data
- To take care not to give the impression that I have already made up my mind before hearing all the evidence and arguments if I am involved in any planning, licensing or other quasi-judicial decision
- To keep posts positive as evidence suggests these are more popular and likely to generate more support for my cause than negative or critical messages
- To set an example by engaging in healthy & respectful debate which will encourage others to adopt similar online behaviours
- If the issue is a particularly sensitive one I shall carefully consider whether it is appropriate to discuss on social media
- In my role as a community leader I shall try to represent all communities and shall seek to avoid dividing communities

### **Some Don'ts**

- I shall not post in haste, particularly if my judgement might be impaired (for example if I have consumed alcohol)
- Post comments that I would not be prepared to make face to face
- Use Council facilities for personal or political blogs
- Use social media to attack, insult, abuse, defame or make negative or discriminatory comments about anyone (including council staff, service users, fellow Councillors or the Council itself)
- Publish confidential information which I have gained access to as a Chorley Councillor

- Represent my personal views, or those of any political party or specialist interest group I belong to, as being those of the Council
- Distribute any material which could be considered inappropriate, offensive, illegal or discriminatory
- Robust political debate with other politicians is fine from time to time but I will not let it degenerate into personal attacks – my criticisms of my political opponents will be centred on policy differences, not personal issues
- Forget to consider my wider audience, online posts may be read by family who could be distressed at messages which had been intended for their parents or close relatives
- Make excessive use of social media technology during Council or Committee meetings as this may give the impression I am not engaged in the business of the meeting
- Use a false profile on social media for inappropriate reasons

### **Staying safe and dealing with Trolls**

There is a section within the documents referenced below on this issue which members may find useful.

### **Local Government Association**

The Local Government association has published guidance for Councillors. This can be accessed via their website here: <https://www.local.gov.uk/councillors-guide-handling-harassment-abuse-and-intimidation>.

Appended to this document is a short guidance document that the LGA in Wales has produced. Members may well find that document useful.

Further information can be found on their website here: [Social media guidance for councillors | WLGA Councillors Website Guide \(wlgacouncillorsguide.wales\)](#)

### **Finally...**

Although you need to be aware of the potential risks most Councillors using social media engage with the public in an entirely constructive way without ever running foul of either the Code of Conduct or the Law. Use your common sense, relax and enjoy.