

# Biddulph Town Council



## SOCIAL MEDIA, PRESS AND PUBLIC COMMUNICATION POLICY

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### PURPOSE OF THE POLICY

1.1 This policy is designed to support the Town Council to engage with the public in a positive and meaningful way whether through online communication or press media, whilst avoiding damage to the reputation of the Town Council, its Employees and the Councillors. The policy also aims to ensure that the Town Council is represented in a professional, objective manner and is seen to be consistent and clear in its communication.

1.2 To this end, the policy covers the responsibilities of Councillors and staff when communicating with the public, avoiding some of the pitfalls associated with social media use and provides a clear format for official council posts and communication with press.

1.3 This policy runs in conjunction with other council policies, codes of conducts and relevant legislation.

## LEGISLATION AND GUIDANCE

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

2.2 While much of the legislation below is not exclusive to public communication or social media use, these are some of the most common breaches of the law through written and online media.

- Harassment - it is a criminal offence to repeatedly pursue a campaign against someone where this is likely to cause alarm, harassment nuisance or distress.
- Data Protection - it is illegal to publish personal data about individuals unless they have given you their permission. Councillors are controllers in their own right and therefore personally responsible for what they publish.
- Incitement - it is a criminal offence to incite any criminal act.
- Discrimination and Racially Aggravated Offences (or any other protected Characteristic) - it is a criminal offence to make a discriminatory remark about anyone based on a "Protected Characteristic" as defined in The Equality Act (such as their race, religion, sexual orientation etc).
- Malicious and Obscene Communications - it is a criminal offence to send malicious or obscene communications.
- Defamation - it is against the law to make a false statement about someone which damages their personal or professional reputation. Crucially, even if a person simply retweets or passes on information originally posted by others, they may still be held equally as responsible as the original commentator. This can also apply to publishing images.
- Copyright - the legal ownership of the contents of documents, photos, videos and music belong to the person who created them. A person could be in breach of copyright if they reproduce such material without the owner's permission. Always ask for written consent before you use someone else's material.
- Political Comment and Electioneering - remember that although it is acceptable for Councillors to make political points or canvass votes via their own social media accounts, this is not permissible when using Council supplied computer equipment, certainly in the run-up to elections.

## LEGISLATION REGARDING LOCAL AUTHORITY OFFICIAL COMMUNICATION

3.1 With regard to official Town Council communication, the law governing communications in local authorities can be found in the Local Government Acts 1986 and 1988. The Council must also have regard to the Government's Code of Recommended Practice on Local Authority Publicity. Aspects of the Code are relevant to this policy:

- “Any publicity describing the Council's policies and aims [and the provision of services] should be as objective as possible, concentrating on facts or explanation or both.”
- “Publicity touching on issues that are controversial, or on which there are arguments for and against the views or policies of the Council should be handled with particular care. Issues must be presented clearly, fairly and as simply as possible, although councils should not oversimplify facts, issues or arguments.”
- “Publicity should not attack, nor appear to undermine, generally accepted moral standards.”
- “Any publicity describing the council's policies and aims should be as objective as possible, concentrating on the facts or explanation or both. Local authorities should not use public funds to mount publicity campaigns whose primary purpose is to persuade the public to hold a particular view on a question of policy.”

## LEGISLATION REGARDING COMMUNICATIONS AT ELECTION TIME OR 'PURDAH'

4.1 The Code of Recommended Practice on Local Authority Publicity contains guidance for providing publicity for Members and for publicity around elections. The code makes it clear that Council resources should not be used on publicising individual Members unless it is relevant to the particular position they hold in the Council. These extracts from the Code illustrate the main points:

- ‘Publicity about individual Councillors may include the contact details, the positions they hold in the council (for example, Chairperson of a committee), and their responsibilities. Publicity may also include information about individual Councillors' proposals, decisions and recommendations only where this is relevant to their position and responsibilities within the Council. All such publicity should be objective

and explanatory, and personalisation of issues or personal images should be avoided.'

- 'Publicity should not be, or liable to misrepresentation as being, party political. Whilst it may be appropriate to describe policies put forward by an individual councillor which are relevant to their position and responsibilities within the council, and to put forward their justification in defence of them, this should not be done in party political terms, using political slogans, expressly advocating policies of those of a particular party or directly attacking policies and opinions of other parties, groups or individuals.'
- 'The period between the notice of an election and the election itself should preclude proactive publicity in all its forms of candidates and other politicians involved directly in the election.'

## APPLICATION OF PURDAH RESTRICTIONS

5.1 In line with practice elsewhere in the country, the Council will not quote any Councillor in a news release or involve them in proactive publicity events during the election period, regardless of whether or not they are standing for election. The only exception to this (as laid down in the Code of Recommended Practice on Local Authority Publicity) is during an emergency or where there is a genuine need for a member level response to an important event outside the control of the Council. In this situation, Members holding key civic positions should be able to comment.

## SOCIAL MEDIA – WHAT IS SOCIAL MEDIA?

6.1 Social media is a collection of applications (often known as apps) and websites which focus on users sharing content to virtual communities.

'Social media' is the term commonly given to websites and online tools which allow users to interact with each other in some way by sharing information, opinions, knowledge and interests.

This interaction may be through computers, mobile phones and technology such as iPads.

Examples of social media websites include:

Social networking – (eg. [www.facebook.com](http://www.facebook.com))

Video sharing – (eg. [www.youtube.com](http://www.youtube.com))

Blogs (eg. london2012.com/blog)

Micro-blogging (eg. www.twitter.com)

Message boards (eg. www.bbc.co.uk/dna/mbsn/home)

Wikis (eg. www.wikipedia.org)

Social bookmarking (eg. [www.delicious.com](http://www.delicious.com))

## OFFICIAL BIDDULPH TOWN COUNCIL SOCIAL MEDIA ACCOUNTS

7.1 The Town Council holds the following social media accounts:

- Facebook: Biddulph Town Council
- Twitter: @BiddulphTC
- Website: [www.biddulph.co.uk](http://www.biddulph.co.uk) (for the purposes of this policy the website will be considered a social media channel)

## SOCIAL MEDIA IN BIDDULPH

8.1 There are a number of Facebook, Twitter and Instagram accounts relating to Biddulph. As these can change often, they are not listed in this policy but can be found by searching for 'Biddulph' in the relevant social media websites or applications.

## THE BENEFITS OF USING SOCIAL MEDIA

9.1 The benefits of social media can include:

- The use of social media promotes transparency.
- It allows the Council to engage with individuals and groups who have not traditionally used the formal channels of public engagement, such as the Town Council meetings.
- It allows the Council to identify some of the most pressing topics among the local community.
- Social media can be an excellent tool for campaigning, promoting achievements and giving up to date information on the work that is being carried out.
- Information can be shared to a wide audience, very quickly.
- Social media provides the opportunity to provide real-time updates about situations and concerns raised.

## POTENTIAL DOWNSIDES OF SOCIAL MEDIA USAGE

10.1 These are the potential downsides of social media use:

- Any information shared is usually in the public domain and often can be viewed from all over the world without registering.
- Any post should be considered permanent. Even if a post is quickly deleted, it may have been shared already, or a screenshot taken and reposted, and where wording is changed, often a version history can be obtained. It has happened that these have resurfaced years later.
- Internet conversations often take quite a different form than they do face to face and conversations can tend to escalate quickly in to significant arguments and misunderstandings. Often trying to resolve this can inflame a situation further. Additionally, a large amount of negative feedback or rude comments can have a significant impact on any individuals mental wellbeing.
- It can be easy to post in haste comments that are later thought better of, or are later noted to have disclosed confidential information.
- Social media accounts may not be the account of the person who they say they are. Fraudulent accounts or 'social engineering' attacks may manipulate a person in to disclosing confidential material or carrying out certain actions.
- Virus and Malware can be spread though sites or through private messages on Facebook, for example, and these can cause messages to be sent to all contacts in the social medial user's own account that they don't necessarily know about.
- There are many people who don't use social media, and groups that are less likely to be able to access social media easily, or may be excluded from some of the social media groups. While the ease of communication with large numbers of people makes social media a good form of communication, it should not be relied as the only way to communicate messages
- Misinformation can easily be spread quickly and look authentic. Sharing this or responding to this can later backfire.
- Groups can be set up and have posts edited by the group admins or owner to meet their interests or limit which voices are heard.
- A comment may be posted with the original post later edited, potentially leaving the comment out of context and misrepresenting the view the commenter was expressing.

## MANAGEMENT OF THE RISKS OF SOCIAL MEDIA

11.1 Despite the potential pitfalls of social media, the benefits of effective social media use often far outweigh the risks. Biddulph Town Council supports responsible and corporate use of social media. This section of the policy, alongside HR policies (for officers) and the Code of Conduct (for Councillors), aims to facilitate safe use of social media and mitigate the risks associated with its usage.

## KEY CONSIDERATIONS

12.1 The following key considerations guide the policy on social media:

- Officers, Councillors and volunteers all represent the Town Council and must not bring the town council or other Councillors in to disrepute.
- It is perfectly reasonable for staff and Councillors to have their own personal social media accounts. However, in the public realm, people may struggle to identify where staff or Councillors are posting their own personal thoughts or whether officially acting as a representative of the Council. Even where it made clear that a post is personal and does not relate to Council, posts that are offensive, rude or libellous may not only damage personal reputation but be damaging to the Council by association also.
- 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, predetermination or bias and may require the individual to declare an interest at council meetings.
- Any personal expression on social media by a Town Council officer regarding a Town Council matter is likely to be considered bias and would be incompatible with the apolitical advisory role officers fulfil with local government.
- At Town Council level, it is not unusual for Councillors and Officers to have pre-existing friendships on social media and face to face, and the matter must be considered carefully to allow personal friendships to continue without the potential for actual or the appearance of bias.

12.2 For Officers - Officers are employed to provide professional services and hold politically restricted posts. Recommendations made by Officers must not be politically influenced or motivated by personal interest. For this reason, Officers should not comment on anything relating to Town Council matters on personal social media pages, and should refrain from making political comment or responding to others' political comments on social media.

Whilst in role, Officers should not add as a friend, or start following, a Biddulph Town Councillor or a district or county Councillor representing Biddulph. Pre-existing friendships or 'following' on a personal social media account (i.e. not a campaigning or a 'Councillor' account). However, the Officer should bear in mind that the public may conceive bias if there is a consistent liking or commenting on that Councillor's personal post, and should therefore refrain from doing so.

12.3 For Councillors - Using the terms 'Cllr' or 'Councillor' as part of the name on social media accounts can be useful to highlight the Councillors role. However, it can make it more difficult for a member of the public to be clear whether it is a personal opinion that is being expressed or an official Town Council standpoint.

Councillors may have personal opinions which differ from the decisions taken by the Town Council and while Councillors may find it important to share their concerns, this must be done in a way that does not undermine the Biddulph Town Council or other Councillors, nor in a way that is likely to reduce public confidence in the democratic processes.

## DO'S AND DON'T'S

13.1 Members and staff of the Council must adhere to the following regulations:

- Do not hide identity using false names or pseudonyms.
- Do ensure that content posted is accurate, objective, balanced and informative.
- Do ensure that all posts are in line with laws, regulations and good practice guidance.
- Do check all posts for potential copyright issues, especially where reposting retweeting.
- Do ensure all requests for confidential information are for legitimate purposes and is processed in accordance with the law, GDPR policies and IT policies.
- Do get permission before providing any individual's name, picture or personal details. Where a person is under the age of 18, parental permission will be required.
- Do not post offensive language relating to race, sexuality, disability, gender, age, religion or belief.
- Do not post online activity that constitutes bullying or harassment.



- Do not engage in personal attacks, online fights and hostile communications.
- Do not post controversial or potentially inflammatory remarks.
- Do not post any information that may be deemed libel.
- Do make clear that any personal opinion expressed is not necessarily that of the Council.
- Do not present oneself in a way that might cause embarrassment to the Council nor bring the Council into disrepute, including through content posted in a personal capacity.
- Do not post personal opinions regarding matters that have yet to be discussed at Town Council / Committee meetings.
- Do not post information relating to events arranged by the Town Council until they have been announced by the official Town Council social media channels.
- Do not post content that is contrary to the democratic decisions of the Council.
- Do report concerns to the Council, website / account operators and / or police as appropriate.
- Do ensure that the Council's Code of Conducts is adhered to and be aware of any legal implications if comments are posted about individual Members or Council employees or sharing information about the Council.
- Do direct any Concerns regarding the Council's procedures to the Chief Officer in the first instance - social media should not be used as a platform to discuss Council policy.
- Do not name individual Officers, other than by role, nor tag Officers in a post or comment. Bear in mind that Officers often live locally.
- Do not request a friendship between a Councillor and an Officer.
- Do not use social media as a form of contact regarding Council matters between Biddulph Town Council, Officers and Councillors.

## MANAGEMENT OF OFFICIAL TOWN COUNCIL SOCIAL MEDIA CHANNELS – MAKING OFFICIAL POSTS

14.1 Town Council Officers have the ability to make official posts on the Town Council Facebook page, twitter and website.

Biddulph Town Council's social media pages are intended to positively promote the work of the Town Council, publicise events and provide information to support the people of Biddulph.

Posts to the official channels may only be made by Officers at the Town Council and only with the permission of the Chief Officer or other Officers delegated by the Chief Officer.

Biddulph Town Council will not react to, respond or follow any Councillor's social media account.

- Inappropriate language or anything that might contravene libel, defamation, copyright or data protection laws will be removed.

All posts on the Town Council's official social media accounts will include the tags #BiddulphTownCouncil and/or #GardenTownofStaffordshire.

During the period of election, the Town Council will adhere to the commitments under sections 2.4 and 2.5.

14.2. Removing comments - in order to ensure the social media pages remain positive spaces, comments on Biddulph Town Council's official social media page which are abusive, include swearing or are deemed 'unkind' will be removed.

- Only one Officer of the Town Council need to authorise posts which include a swear word or are abusive.
- Where a post may be considered unkind at least two Officers must agree to its removal.

## PRIVATE MESSAGING THE TOWN COUNCIL

15.1 The recommended way for people to contact Biddulph Town Council is through phone, email or the contact form on the website.

Individuals may use a private messaging function on social media, such as a Facebook messenger, to contact the Town Council. This form of messaging is not encouraged, due to the potential for this to be missed in some accounts and also that with other social media it must be linked with Officers personal accounts. However, responses will be made where messages are received.

## MONITORING OPINION ON SOCIAL MEDIA

16.1 During Council or committee meetings and at least once a day during the working week, a review of social media pages will be undertaken by Town

Council staff to note any particular concerns affecting the local population and to monitor any posts relating to the Town Council.

Where concerns about the accuracy of the information arise, the Chief Officer may contact the original poster in a private manner and ask that the information be corrected. Should this not help resolve the matter, the Chief Officer will consult with the Mayor on resolving the matter.

## PRESS

17.1 Biddulph Town Council welcomes enquiries from the Press and Media and recognises that its relationship with the press helps communication with residents. The Council seeks to be as transparent as possible, co-operating at all times with the Press and using the opportunities of the media to publicise events being organised.

## PRESS PRESENCE AT MEETINGS

18.1 The Press are permitted to attend all meetings of the Council and its committees, unless excluded under the Public Bodies Admission to Meetings Act 1960. They are not, however, invited to attend any working group meetings which are informal fact finding sessions only and are not official Council meetings.

## ENQUIRIES FROM THE PRESS

19.1 The Chief Officer as the Proper Officer of the Council is authorised to receive all communications from the Press and Media and to issue Press Statements on behalf of the Council.

All communications made by the Chief Officer will relate to the stated business and day-to-day management of the activities or adopted policy of the Council.

The Chief Officer is not expected or authorised to speculate on matters that have not been considered by the Council. Where such questions are put to the Chief Officer they should refer the enquirer to the appropriate committee for consideration.

No other Officer of the Council, unless authorised by the Chief Officer, is permitted to speak or communicate with the Press and Media on any matter affecting the Council or its business.

## OFFICIAL COUNCIL RELEASES

20.1 Official Council press releases and statements will be prepared by the Chief Officer in consultation with other Members as required. The Chief Officer will act as the Council's Press Officer. Any official contact with the media concerning the Council's policies, the decisions it makes and services it provides are to be initiated through the Chief Officer.

Members who identify a media opportunity should discuss this with the Chief Officer who will, in consultation with other Members as appropriate, decide how this will be followed up.

If a Member or an employee receives an approach or enquiry from the media about any matter relating to the Town Council, it should be referred to the Chief Officer.

The Chief Officer, in consultation with the Town Mayor, is authorised to publish press releases on any urgent matters where there is insufficient time for a council meeting.

## COUNCILLOR PRESS RELEASES

21.1 Individual Councillors can make their own statements relating to local issues and this policy is not designed to prevent any Member expressing a personal opinion through the media. However, any press release made by a Councillor must not be a statement made on behalf of the Town Council or be reasonably construed as such.

- Councillors and Officers not used to dealing with the press may be surprised when they see that statements made in all innocence look very different in print than they did when they were spoken. It is advantageous to write out a statement or position beforehand.
- Members must make it clear however, that any view expressed which differs from Council policy are their own personal views and should be recorded as such.
- A Councillor should act with integrity at all times when representing Biddulph Town Council.
- Councillors also have an obligation to respect Council policy once made and whilst it may be legitimate for a Councillor to make clear that he or she disagreed with a policy and voted against it (if this took place in an open session), they should not seek to undermine a decision through the press.

- Such releases may or may not be political, should bear no reference whatsoever to the Council or any Officer and must not use the Council logo. Neither the Council address, telephone number nor website should be included as a point of contact.
- When speaking or providing written material to the Press and Media, Members should make clear the capacity, in which they are providing the information.
- Where a journalist wishes to confirm what was said by an individual Councillor during a Council meeting, they will be referred to the Chief Officer.
- A Councillor must not disclose information that is of a confidential nature. This includes any discussion with the press on any matter which has been discussed under confidential items on Council or committee agendas or at any other private briefing.
- Be cautious when using the prefix 'Councillor' when writing to the press as an individual, and always state if it is your personal opinion. A copy of any written material sent to the press and media by a Member, as representing the Council, must be forwarded to the Chief Officer.

## EMAIL AND LETTER COMMUNICATION

22.1 Many of the same principles outlined in the above sections are applicable to email and letter communication, however there are a few additional points which relate specifically to this form of communication:

- Official correspondence regarding Town Council matters must be provided on either Town Council letterhead or a Town Council email address.
- Town council letterhead or emails must not be used for any communication which is not authorised by the Town Council.
- Emails and letters to the public, press or external companies which relate to Town Council matters but are not official Town Council communication, must make clear that the matter is a personal communication only.
- Emails or letters from Councillors or Officers must never be sent anonymously or under a pseudonym.
- For Town Council matters, Councillors must not use an Officer's personal email or postal address unless specifically directed otherwise (for instance in the event of a town hall closure or email outage, and only at

the Chief Officer's direction or as directed by the Emergency Plan / Business Continuity Plan)

- Any confidential information on emails or letters must be appropriately encrypted, refer to the GDPR policy regarding this matter.

## RESOURCES

23.1 The following resources have helped guide the creation of the policy and may be useful to Officers and Councillors.

- <https://www.whatdotheyknow.com/request/172495/response/429528/attach/2/Appx%20social%20networking%20connected%20Councillors%20guide.pdf>
- <https://khub.net/documents/6632368/0/Cheshire+East+Council+-+Social+Media+Handbook+for+Councillors.pdf/583fdd2a-2d9a-4100-babb-3036a8a9a873?version=1.0&download=true>
- <https://democracy.thanet.gov.uk/documents/s35555/Annex%201%20-%20Social%20Media%20Guidance%20for%20Councillors.pdf>
- Case Law: Recent high profile example of defamation via social media: "High Court: Sally Bercow's Lord McAlpine tweet was libel"  
<http://www.bbc.co.uk/news/world-22652083>