

**Manchester City Council
Report for Resolution**

Report to: Standards Committee – 16 March 2017
Subject: Revision of Social Media Guidance for Members
Report of: City Solicitor

Purpose of the Report

To ask the Standards Committee to approve the proposed revisions to the Social Media Guidance for Members and for their views on the method of providing social media training for councillors.

Recommendations

1. That the Standards Committee considers the revised Social Media Guidance for Members and approves, with or without modifications, the revised Guidance set out in Appendix 1.
 2. The views of the Standards Committee are sought regarding the best mode of delivery in relation to training for current members and whether this should be facilitated by external trainer.
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Wards Affected: All

Financial Consequences for Revenue Budget

None directly.

Financial Consequences for the Capital Budget

None directly.

Implications for:

Antipoverty	Equal Opportunities	Environment	Employment
No	No	No	No

Contact Officers:

Name: Liz Treacy
Position: City Solicitor
Telephone: 0161 234 3087
E-mail: l.treacy@manchester.gov.uk

Name: Poornima Karkera
Position: Democratic Services (Legal) Group Manager
Telephone: 0161 234 3719
E-mail: p.karkera@manchester.gov.uk

Background documents (available for public inspection):

Annual Report and Minutes for Standards Committee held on 3 November 2016.
Consultation responses from the Council’s Independent Persons and Independent Members and from the Council’s Head of Strategic Communications.

1.0 Background

1.1 At its meeting on 3 November 2016 the Committee considered a report which set out a summary of the key matters that had been within the remit of the Committee in the previous year. As well as setting out the Committee’s role, and the responsibilities of the Monitoring Officer, the report looked at the operation of the members’ Code of Conduct which highlighted that the majority of complaints made against Councillors in that year, related to postings on social media by councillors.

2.2 The Committee discussed how best to address the need for members to have training in social media use and its potential hazards. It was agreed that as well training on the Social Media Guidance becoming part of the new-councillor induction, social media training should be offered for current members of the Council. In preparation for this training, the City Solicitor was asked to review the guidance provided to members on the use of social media.

2.3 As part of this review views have been sought of the Council’s Independent Persons and the Independent members of the Standards Committee as well as the Council’s Head of Strategic Communications on what improvements could be made to the current Social Media Guidance for Members. The feedback received regarding the guidance itself was positive and but number of suggestions were made as set out in the table below which have been incorporated in the draft revised guidance.

Comment	Change
Suggest the content should be reordered to highlight the risks relating to ‘blurred identities’ earlier in the guidance.	The paragraphs relating to this issue have been moved and reference made to the member code of code of conduct
Suggest adding something to the Guidance regarding Social Media postings prior to Councillors taking office	Wording has been added at paragraph 3.2 to cover this
Suggest adding a reference to ‘tagging’ issues (i.e. linking issues)	Wording to cover this point has been added at paragraph 3.2
A suggestion was made that short guidance is added regarding behaviour in other people’s pages or groups	Changes incorporated to cover this at paragraphs 3.2 and 3.3
Minor changes suggested primarily for clarity	Para 2 and 4

2.4 A copy of the revised Guidance highlighting the revisions in bold is attached . The views of the Committee are sought regarding the revisions and generally .

2.5 Induction training is provided to new members by the City Solicitor's Department and this will be revised to incorporate training on the Social Media Guidance for Members. The Committee's views are sought regarding the best mode of delivery in relation to training for current members and whether this should be facilitated by external trainer.

3.0 Recommendations

The recommendations are set out at the start of this report.

Social media guidance for Members

1. Purpose

This guidance is provided to assist Members when using social media. **Members are bound by the Council's Code of Conduct for Members when using social media to conduct council business or to represent the Council and should be aware that they may be open to allegations that their actions have breached the code if giving the impression when using social media that they are acting in an official capacity.** Where Members are using any "council resources" in order to access social media, they must also comply with the Use of Council Resources Guidance for Members which can be found in the Council's Constitution. This guidance assumes that most use of social media by Members will not involve the use of "council resources".

2. What is social media?

The term 'social media' is used to describe websites and applications for social networking, where people create, share and exchange content and ideas in virtual networks and communities. The content shared may include (but is not limited to) personal information, opinions, research, commentary, video, pictures, or business information.

For the purposes of this guidance, the term applies, but is not limited to: blogs, Facebook, Twitter, Flickr, LinkedIn, YouTube, Vimeo, **Snapchat**, **Instagram**, discussion forums, special interest forums, user communities and any other personal web space where content is created, manipulated and shared. There are many more examples of social media and this guidance is relevant in relation to any social media a Member may use.

Social media is an incredibly useful tool for Members; it can increase engagement reaching a wider audience; enabling active and potentially instantaneous conversations with your communities. It can also support increased participation, stimulating debate about services, campaigns and local issues and often at a fraction of the cost of many traditional means of communication.

This guidance is intended to assist Members on how to use social media **responsibly** and effectively. It also indicates how risks and pitfalls may be minimised and managed.

3. Guidelines for using social media

3.1 The Members Code of Conduct and "Blurred identities"

It is important for Members to be aware of the fact that they may have "blurred identities" online. This means that you may have a social media account where you comment both as a Member and as an individual. For example, a Facebook account where you post about a

great night out (personal) and another time explain the Council's position on recycling (Member). While it may be clear to you when you are posting in your private capacity or as a Member, this may be less clear to others. Such "blurred identities" may have implications where your views are taken as those of the Council or your political party, rather than your own personal opinion. It is therefore important for you to make sure that your social media accounts and profiles are as clear as possible as to whether you are speaking in your private capacity, as a Member of the Council, or as a member of your political party.

How you use your online identity will also determine how online content will be treated in respect of the Council's Code of Conduct for Members. **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 Member of the Council.**

This may be less than clear if you have a private blog or a Facebook profile and it is generally safest to assume that any online activity can be linked to your official role. (Unless you have gone to significant effort to keep an online persona completely separate from your Member identity, you are unlikely to be able to claim that you were acting in a completely private capacity).

Where you have a private blog or Facebook account that identifies you as a Member of the Council, you should state that the views expressed are your own and may not represent the views of the Council. Do not use the Council's logo, or any other council-related emblems on a personal account or website.

Where you are held to be acting as a Member of the Council, the Council's Code of Conduct for Members will apply to your online activity in the same way it does to other written or verbal communication you undertake. Members should therefore comply with the general principles of the Code of Conduct in what they publish and in what they allow others to publish.

You will need to be particularly aware of the following sections of the Council's Code of Conduct for Members:

- *You must not:*
 - (a) *do anything which may knowingly cause the Council to breach the Equality Act 2010;*
 - (b) *bully or be abusive to any person;*

- *You must not:*
 - (a) *disclose information given to you in confidence by anyone, or information acquired by you which you believe, or ought reasonably to be aware, is of a confidential nature*

You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or the Council into disrepute.

3.2 Think before you publish

Social media sites are in the public domain and it is important to ensure you are confident of the nature of the information you publish. Once published, content is almost impossible to control and may be manipulated without your consent, used in different contexts, or further distributed. Be aware of your own safety when placing information on the internet and do not publish information which could leave you **or others** vulnerable. **This is in all social media posts or groups that you may be a member of, not just those in your own accounts.**

Be aware that historical social media posts made prior to taking office, or being ‘tagged’ into certain posts/content may potentially give rise to complaints. Where possible, you should take steps to review such posts and remove/‘un-tag’ controversial content from your social media page.

3.3 Choose appropriate privacy settings

Make use of stringent privacy settings if you don’t want your social media to be accessed by the press or public. Read the terms of service of any social media site accessed and make sure you understand their confidentiality/privacy settings. Be careful about accepting **people** as ‘friends’ on social media sites, **as this allows greater access to your personal social media content/information.**

3,4 Make your commenting policy clear

You will need to take note of the comments that other people make on your site, as if you allow offensive comments to stand on your site it can upset members of your community and may constitute a breach of the Code of Conduct for Members. For blogs the easiest way to handle this is to moderate comments and to state clearly on your site that you are doing so and reasons why comments may be rejected. For Facebook or other social media networks, including multi-media sites like YouTube and Flickr where people can post public or semi-public messages to your profile, you will need to regularly check on your messages.

4. Principles for using social media

The following five “guiding principles” offer assistance on how to approach any social media activities:

Be respectful

Set the tone for online conversations by being polite, open and respectful. Use familiar language and be honest and professional at all times. Make sure that you respect other people’s confidentiality – do not disclose non-public information or the personal information of others.

Be credible and consistent

Be accurate, fair and transparent. Encourage constructive criticism and debate. Make sure that what you say online is consistent with your other communications.

Be honest about who you are

It’s important that any accounts or profiles that you set up are clear about your own personal role (see the advice on “blurred identities” above).

Be responsive

Respond to questions and comments in an appropriate **timely** manner.

Be confident

Don’t be scared of participating. Seek further guidance from the Council’s Members’ Services or the Council’s Central Communications Team if you need it. If you are about to publish something that makes you even the slightest bit uncomfortable, pause to think about it. Feel confident in what you say before you say it – and say it as clearly as you can.

5. Responsibilities of Members

In general, Members have the same legal duties online as anyone else. There are some additional duties around Members’ use of their websites for electoral campaigning and extra care needs to be taken if Members are writing on planning matters.

5.1 Libel

Members are personally responsible for the content they publish on any form of social media. Publishing, or allowing to be published an untrue statement about a person which is damaging to their reputation may incur a libel action. A successful libel claim against you **may** result in an award of damages against you.

5.2 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.

5.3 Data Protection

Avoid publishing the personal data of individuals unless you have their express written permission.

5.4 Confidential Information

Do not publish or report on meetings which are private or internal (where no members of the public are present or the meeting is of a confidential nature). Do not publish or report on "Part 2 reports" (which contain confidential information or exempt information as defined in the Council's Access to Information Procedure Rules at Part 4, Section B of the Council's Constitution).

5.5 Bias and pre-determination

If you are involved in determining planning or licensing applications or other quasi-judicial decisions, avoid publishing anything on your blog 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.

5.6 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 standards for materials which can be downloaded from a website. Full guidance for candidates is published on the Electoral Commission's website.

6. Malware and online crime prevention

Social media can be used by the online criminal community to deliver malware and carry out schemes designed to damage property or steal confidential information. To minimise risk related to such threats, adhere to the following guidelines. While these guidelines help to reduce risk, they do not cover all possible threats and are not a substitute for good judgment.

- Do not use the same passwords for social media that you use to access Council computing resources.
- Do not follow links or download software on social media pages posted by individuals or organisations that you do not know.
- If any content you find on any social media web page looks suspicious in any way, close your browser and do not return to that page.
- Configure social media accounts to encrypt sessions whenever possible. Facebook, Twitter and others support encryption as an

option. This is extremely important for roaming users who connect via public Wi-Fi networks.

7. Use of social media and smart devices during meetings and events

Increasingly hand held devices, such as smartphones or tablet devices like ipads are used to access social media during internal and external Council meetings and events to share information, views or comment.

Devices need to be used with care and in line with the above guidance for social media accounts. Alongside this, Members are asked to ensure that devices are silent during meetings and are used without disturbing others.

8. Compliance

The guidance in this document is in addition to the Council's Code of Conduct for Members, and Use of Council Resources Guidance for Members (adopted as Part 6, Section A and Section C of the Council's Constitution), the Council's 'Email Policy' and the Council's 'Internet/Intranet Policy'.