

MODEL SOCIAL MEDIA POLICY

2022



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Introduction

Social media – opportunities and challenges

Social media is at the heart of modern communication. Since its inception, social media has grown in popularity and influence and is now fundamental to not just how people interact with one another, but also to how we work, play and consume information and ideas.

Social media can be broadly defined as *online platforms and applications - such as social networking sites, wikis, blogs, microblogs, video and audio sharing sites, and message boards - that allow people to easily publish, share and discuss content*¹. Significantly, one of social media's key features is its unprecedented reach and accessibility, in that anyone with a computer or mobile device can use social media to generate content which has the potential to be viewed and shared by hundreds of millions of people worldwide.

Despite its obvious benefits, social media also presents a variety of challenges and risks. These include:

- the emergence of new, harmful forms of behaviour, such as cyber-bullying and trolling;
- maintaining the accuracy, reliability and integrity of information disseminated from multiple sources;
- organisations can be held liable for content uploaded onto their social media platforms by third parties²;
- content uploaded in a person's private capacity can adversely affect their employment and cause significant reputational damage to colleagues and employers; and
- rapid innovation can make it difficult to keep pace with emerging technologies and trends.

In addition, potential corruption risks may arise due to social media use. These include:

- customers, development proponents / objectors, tenderers, or other stakeholders grooming public officials by behaviours such as 'liking' specific posts, reposting content, or sending personal or private messages;
- public officials disclosing confidential or sensitive information;
- using social media for sponsorship opportunities, which may unfairly advantage one sponsor over another and lack transparency; and
- public agencies or officials promoting certain businesses by behaviours such as 'following' them, 'liking' content, or making comments, which may result in those businesses being favoured over others.

Social media and local government in NSW

As in the federal and state jurisdictions, social media has become an important tool in government and political discourse at the local level. In the context of NSW local government, social media has two primary functions:

- a) it is used by councils to interact and share information with their communities in an accessible and often more informal format.
- b) it enables councillors to promote their achievements and address their constituents directly about community issues and events in ways that either complement or bypass traditional news and print media.

In addition, many councils use social media as the platform through which they webcast their meetings. This increases transparency by providing visibility of council decision making in real time.

¹ NSW Department of Education. Social media policy: Implementation procedures – November 2018

² As confirmed by the High Court of Australia in *Fairfax Media Publications Pty Ltd v. Voller, Nationwide News Pty*

Limited v. Voller, and Australian News Channel Pty Ltd v. Voller, 8 September 2021.

However, councils and councillors are not immune from the challenges associated with social media, which can pose a significant risk both in a legal sense, and in terms of a council's ability to operate in a unified and coordinated way. It is therefore vital that councils have the right policy settings in place so that both councils and councillors can realise the full benefits of social media whilst mitigating risk.

Content of the Model Social Media Policy

At the heart of the Model Social Media Policy are the four 'Principles' of social media engagement. These are:

- Openness
- Relevance
- Accuracy
- Respect

These principles, which are expanded upon in Part 1, should underpin every aspect of a council's social media activity and all councils and council officials should commit to upholding them.

Except for Part 8, this policy applies to council social media pages and councillor social media pages.

The Model Social Media Policy is structured as follows:

- Part 1** Sets out the principles of social media engagement for council
- Part 2** Contains Council's administrative models in relation to the management of its social media platforms
- Part 3** Details the administrative framework for councillors' social media platforms
- Part 4** Prescribes the standards of conduct expected of council officials when engaging on social media in an official capacity or in connection with their role as a council official
- Part 5** Provides a framework by which council can remove or 'hide' content from their social media

platforms, and block or ban third parties

- Part 6** Prescribes how councils' social media platforms should be used during emergencies
- Part 7** Contains information about records management and privacy requirements relating to social media
- Part 8** Relates to personal use of social media by council officials
- Part 9** Provides information about where concerns or complaints about councils' or council officials' social media platform(s), or the conduct of council officials on social media, can be directed.
- Part 10** Definitions

Adoption

The Model Social Media Policy was adopted at the Council meeting held on 26 September 2022 (Min. No. 22 -192).

Enforcement

Clause 3.1(b) of the *Model Code of Conduct for Local Councils in NSW* provides that council officials must not conduct themselves in a manner that is contrary to a council's policies. If adopted by a council, a breach of the policy will be a breach of the council's code of conduct.

Concerns or complaints

Concerns or complaints about the administration of a council's social media platforms should be made to the council's general manager or social media coordinator in the first instance. Refer to Part 9 of this model policy for details on how to make a complaint.

Acknowledgements

The Office of Local Government wishes to thank Local Government NSW, councils, the Independent Commission Against Corruption, the Information and Privacy Commission of NSW, the NSW Ombudsman, Resilience NSW, and the State Archives and Records Authority

of NSW for their invaluable assistance in drafting this model policy.

Model Social Media Policy

Part 1 – Principles

1.1 We, the councillors, staff and other officials of Lithgow City Council, are committed to upholding and promoting the following principles of social media engagement:

Openness	Our social media platforms are places where anyone can share and discuss issues that are relevant to our Council and the community we represent and serve.
Relevance	We will ensure our social media platforms are kept up to date with informative content about our Council and community.
Accuracy	The content we upload onto our social media platforms and any other social media platform will be a source of truth for our Council and community and we will prioritise the need to correct inaccuracies when they occur.
Respect	Our social media platforms are safe spaces. We will uphold and promote the behavioural standards contained in this policy and our Council's code of conduct when using our social media platforms and any other social media platform.

Part 2 – Administrative framework for council's social media platforms

Platforms

2.1 Council will maintain a presence on the following social media platforms:

- Facebook:
 - Lithgow City Council,
 - Lithgow City Council Libraries,
 - Lithgow Youth Council,
 - Lithgow Animal Shelter,
 - JM Robson Aquatic Centre
 - Eskbank House Museum.
 - Seven Valleys Tourism & Events
- Instagram
 - Lithgow Council
 - Seven Valleys Tourism & Events
- Youtube
 - Lithgow City Council
- Twitter
 - Lithgow City Council

2.2 Council's social media platforms must specify or provide a clearly accessible link to the 'House Rules' for engaging on the platform.

Establishment and deletion of Council social media platforms

- 2.3 A new council social media platform, or a social media platform proposed by a council related entity (for example, a council committee), can only be established or deleted with the written approval of the General Manager or their delegate.
- 2.4 Where a council social media platform is established or deleted in accordance with clause 2.3, the General Manager or their delegate may amend clause 2.1 of this policy without the need for endorsement by the Council's governing body.

Appointment and role of the Social Media Coordinator

- 2.5 The General Manager will appoint a member of council staff to be the council's social media coordinator (SMC). The SMC should be a senior and suitably qualified member of staff.
- 2.6 The General Manager may appoint more than one SMC.
- 2.7 The SMC's role is to:
- approve and revoke a staff member's status as an authorised user
 - develop and/or approve the training and/or induction to be provided to authorised users
 - maintain a register of authorised users
 - maintain effective oversight of authorised users
 - moderate the Council's social media platforms in accordance with Part 5 of this policy
 - ensure the Council complies with its record keeping obligations under the *State Records Act 1998* in relation to social media (see clauses 7.1 to 7.4 of this policy)

- ensure the Council adheres to the rules of the social media platform(s)
- coordinate with the Council's **Corporate Communications Team** to ensure the Council's social media platforms are set up and maintained in a way that maximises user friendliness and any technical problems are resolved promptly.

2.8 The SMC may delegate their functions under paragraphs (e) and (f) of clause 2.9 to authorised users.

2.9 The SMC is an authorised user for the purposes of this policy.

Authorised users

2.10 Authorised users are members of council staff who are authorised by the SMC to upload content and engage on social media on the Council's behalf.

2.11 Authorised users should be members of council staff that are responsible for managing, or have expertise in, the events, initiatives, programs or policies that are the subject of the social media content.

2.12 The SMC will appoint authorised users when required.

2.13 An authorised user must receive a copy of this policy and induction training on social media use and Council's obligations before uploading content on Council's behalf.

2.14 The role of an authorised user is to:

- ensure, to the best of their ability, that the content they upload onto social media platforms is accurate
- correct inaccuracies in Council generated content
- engage in discussions and answer questions on Council's behalf on social media platforms

- d) keep the Council's social media platforms up to date
- e) moderate the Council's social media platforms in accordance with Part 5 of this policy
- f) ensure the Council complies with its record keeping obligations under the *State Records Act 1998* in relation to social media (see clauses 7.1 to 7.4 of this policy)

- a) the staff member makes such a request
- b) the staff member has not uploaded content onto any of the Council's social media platforms in the last three months.
- c) the staff member has failed to comply with this policy
- d) the SMC is of the reasonable opinion that the staff member is no longer suitable to be an authorised user.

2.15 When engaging on social media on Council's behalf (such as, but not limited to, on a community social media page), an authorised user must identify themselves as a member of Council staff but they are not obliged to disclose their name or position within the Council.

2.16 Authorised users must not use Council's social media platforms for personal reasons.

Administrative tone

2.17 Authorised users upload content and engage on social media on the Council's behalf. Authorised users must use language consistent with that function and avoid expressing or appearing to express their personal views when undertaking their role.

2.18 Authorised users may use more personal, informal language when engaging on Council's social media platforms, for example when replying to comments.

Register of authorised users

2.19 The SMC will maintain a register of authorised users. This register is to be reviewed annually to ensure it is fit-for-purpose.

Ceasing to be an authorised user

2.20 The SMC may revoke a staff member's status as an authorised user, if:

Part 3 – Administrative framework for councillors’ social media platforms

- 3.1 For the purposes of this policy, councillor social platforms are not council social media platforms. Part 2 of this policy does not apply to councillors’ social media platforms.
- 3.2 Councillors are responsible for the administration and moderation of their own social media platforms (in accordance with Parts 3 and 5 of this policy), and ensuring they comply with the record keeping obligations under the *State Records Act 1998* (see clauses 7.1 to 7.4 of this policy) and council’s records management policy in relation to social media.
- 3.3 Clause 3.2 also applies to councillors in circumstances where another person administers, moderates, or uploads content onto their social media platform.
- 3.4 Councillors must comply with the rules of the platform when engaging on social media.

Induction and training

- 3.5 Councillors who engage, or intend to engage, on social media must receive induction training on social media use. Induction training can be undertaken either as part of the councillor’s induction program or as part of their ongoing professional development program.

Identifying as a councillor

- 3.6 Councillors must identify themselves on their social media platforms in the following format:

Councillor “First Name and Last Name”.
- 3.7 A councillor’s social media platform must include a profile photo which is a clearly identifiable image of the councillor.
- 3.8 If a councillor becomes or ceases to be the mayor, deputy mayor, or the holder of another position (for example, chairperson of a committee), this must be clearly stated on the councillor’s social media platforms and updated within 10 business days of a change in circumstances.

Other general requirements for councillors’ social media platforms

- 3.9 Councillor social media platforms must specify or provide a clearly accessible link to the ‘House Rules’ for engaging on the platform.
- 3.10 A councillor’s social media platform must include a disclaimer to the following effect:

“The views expressed and comments made on this social media platform are my own and not that of the Council”.
- 3.11 Despite clause 3.10, mayoral or councillor media releases and other content that has been authorised according to the Council’s media and communications protocols may be uploaded onto a councillor’s social media platform.
- 3.12 Councillors may upload publicly available Council information onto their social media platforms.
- 3.13 Councillors may use more personal, informal language when engaging on their social media platforms.

Councillor queries relating to social media platforms

3.14 Questions from councillors relating to their obligations under this policy, technical queries relating to the operation of their social media platforms, or managing records on social media may be directed to the General Manager in the first instance, in accordance with Council's councillor requests protocols

Other social media platforms administered by councillors

3.15 A councillor must advise the General Manager/SMC of any social media platforms they administer on which content relating to the Council or council officials is, or is expected to be, uploaded. The councillor must do so within:

- a) 10 business days of becoming a councillor, or
- b) 10 business days of becoming the administrator.

Part 4 – Standards of conduct on social media

- 4.1 This policy only applies to council officials' use of social media in an official capacity or in connection with their role as a council official. The policy does not apply to personal use of social media that is not connected with a person's role as a council official.
- 4.2 Council officials must comply with the Council's code of conduct when using social media in an official capacity or in connection with their role as a council official.
- 4.3 Council officials must not use social media to post or share comments, photos, videos, electronic recordings or other information that:
 - a) is defamatory, offensive, humiliating, threatening or intimidating to other council officials or members of the public
 - b) contains profane language or is sexual in nature
 - c) constitutes harassment and/or bullying within the meaning of the *Model Code of Conduct for Local Councils in NSW*, or is unlawfully discriminatory
 - d) is contrary to their duties under the *Work Health and Safety Act 2011* and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety
 - e) contains content about the Council, council officials or members of the public that is misleading or deceptive
 - f) divulges confidential Council information

- g) breaches the privacy of other council officials or members of the public
- h) contains allegations of suspected breaches of the Council's code of conduct or information about the consideration of a matter under the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*
- i) could be perceived to be an official comment on behalf of the Council where they have not been authorised to make such comment
- j) commits the Council to any action
- k) violates an order made by a court
- l) breaches copyright
- m) advertises, endorses or solicits commercial products or business
- n) constitutes spam
- o) is in breach of the rules of the social media platform.

4.4 Council officials must:

- a) attribute work to the original author, creator or source when uploading or linking to content produced by a third party
- b) obtain written permission from a minor's parent or legal guardian before uploading content in which the minor can be identified.

4.5 Council officials must exercise caution when sharing, liking, retweeting content as this can be regarded as an endorsement and/or publication of the content.

4.6 Council officials must not incite or encourage other persons to act in a way that is contrary to the requirements of this Part.

4.7 Councillors must uphold and accurately represent the policies and decisions of the Council's governing body but may explain why they voted on a matter in the way that they did. (see section 232(1)(f) of the *Local Government Act 1993*).

Part 5 – Moderation of social media platforms

Note: Councils and council officials should be aware that they may be considered a ‘publisher’ of any content uploaded onto a social media platform they administer, including content that:

- **is uploaded by a third party; and/or**
- **appears on their social media platform because they have ‘liked’, ‘shared’, or ‘retweeted’ the content, or similar.**

5.1 Council officials who are responsible for the moderation of the Council’s or councillors’ social media platforms may remove content and ‘block’ or ban a person from those platforms. Such actions must be undertaken in accordance with this Part.

5.2 For the purposes of this Part, ‘social media platform’ and ‘platform’ means both the Council’s and councillors’ social media platforms.

House Rules

5.3 Social media platforms must state or provide an accessible link to the ‘House Rules’ for engaging on the platform.

5.4 At a minimum, the House Rules should specify:

- a) the principles of social media engagement referred to in clause 1.1 of this policy
- b) the type of behaviour or content that will result in that content being removed or ‘hidden’, or a person being blocked or banned from the platform
- c) the process by which a person can be blocked or banned from the platform and rights of review

d) a statement relating to privacy and personal information (see clause 7.4 of this policy)

e) Council’s social media platforms are monitored during Council’s business hours.

f) Council’s social media platform is not to be used for making complaints about the Council or council officials. Should a person wish to make a complaint they may do so – See [Policy 4.6 – Customer Service and Unreasonable Complainants Policy](#)

5.5 For the purposes of clause 5.4(b), third parties engaging on social media platforms must not post or share comments, photos, videos, electronic recordings or other information that:

a) is defamatory, offensive, humiliating, threatening or intimidating to council officials or members of the public,

b) contains profane language or is sexual in nature

c) constitutes harassment and/or bullying within the meaning of the [Model Code of Conduct for Local Councils in NSW](#), or is unlawfully discriminatory

d) contains content about the Council, council officials or members of the public that is misleading or deceptive

e) breaches the privacy of council officials or members of the public

f) contains allegations of suspected breaches of the Council’s code of conduct or information about the consideration of a matter under the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*,

g) violates an order made by a court

h) breaches copyright

- i) advertises, endorses or solicits commercial products or business,
- j) constitutes spam
- k) would be in breach of the rules of the social media platform.

Removal or 'hiding' of content

5.6 Where a person uploads content onto a social media platform that, in the reasonable opinion of the moderator, is of a kind specified under clause 5.5, the moderator may remove or 'hide' that content.

5.7 Prior to removing or 'hiding' the content, the moderator must make a record of it (for example, a screenshot).

5.8 If the moderator removes or 'hides' the content under clause 5.6, they must, where practicable, notify the person who uploaded the content that it has been removed and the reason(s) for its removal and their rights of review.

5.9 A person may request a review of a decision by a moderator to remove or 'hide' content under clause 5.6. The request must be made in writing to the General Manager and state the grounds on which the request is being made.

5.10 Where a review request is made under clause 5.9, the review is to be undertaken by the SMC or a member of staff nominated by the General Manager who is suitably qualified and who was not involved in the decision to remove or 'hide' the content.

Blocking or banning

5.11 If a person uploads content that is removed or 'hidden' under clause 5.6 of this policy on 3 occasions, that person may be blocked or banned from the social media platform.

5.12 A person may only be blocked or banned from a Council social media platform with the approval of the SMC. This clause does not apply to blocking or banning a person from a councillor's social media platform.

5.13 Prior to blocking or banning a person from a social media platform, the person must, where practicable, be advised of the intention to block or ban them from the platform and be given a chance to respond. Any submission made by the person must be considered prior to a determination being made to block or ban them.

5.14 The duration of the block or ban is to be determined by the SMC, or in the case of a councillor's social media platform, the councillor.

5.15 Where a determination is made to block or ban a person from a social media platform, the person must, where practicable, be notified in writing of the decision and the reasons for it. The written notice must also advise the person which social media platforms they are blocked or banned from and the duration of the block or ban and inform them of their rights of review.

5.16 Despite clauses 5.11 to 5.15, where a person uploads content of a kind referred to under clause 5.5, and the moderator is reasonably satisfied that the person's further engagement on the social media platform poses a risk to health and safety or another substantive risk (such as the uploading of defamatory content), an interim block or ban from the platform may be imposed on the person immediately for a period no longer than 6 months.

5.17 A person who is blocked or banned from the platform under clause 5.16 must, where practicable, be given a chance to respond to the interim block or ban being

imposed. Any submission made by the person must be considered when determining whether the interim block or ban is to be removed or retained under clauses 5.11 to 5.15.

- 5.18 A person may request a review of a decision to block or ban then from a social media platform. The request must be made in writing to the General Manager and state the grounds on which the request is being made.
- 5.19 Where a review request is made under clause 5.18, the review is to be undertaken by the General Manager or a member of staff nominated by the General Manager who is suitably qualified and who was not involved in the decision to block or ban the person. Where the decision to block or ban the person was made by the General Manager, the review must be undertaken by another senior and suitably qualified member of staff who was not involved in the decision.
- 5.20 Where a person that is the subject of a block or ban continues to engage on a social media platform(s) using an alternative social media account, profile, avatar, etc., a moderator may block or ban the person from the platform(s) immediately. In these circumstances, clauses 5.11 to 5.19 do not apply.

Part 6 – Use of social media during emergencies

- 6.1 During emergencies, such as natural disasters or public health incidents, the Corporate Communications, Information Technology and Water & Waste Water Teams will be responsible for the management of content on the Council's social media platforms.
- 6.2 To ensure consistent messaging both during and after an emergency, authorised users and council officials must not upload content onto the Council's or their own social media platforms which contradicts advice issued by the agency coordinating the emergency response, or agencies supporting recovery efforts.
- 6.3 Training on social media use during emergencies should be included in training and/or induction provided to authorised users and councillors.

Part 7 – Records management and privacy requirements

Records management

- 7.1 Social media content created, sent and received by council officials (including councillors) acting in their official capacity is a council record and may constitute open access information or be subject to an information access application made under the *Government Information (Public Access) Act 2009*. These records must be managed in accordance with the requirements of the *State Records Act 1998* and the Council's approved records management policies and practices.
- 7.2 You must not destroy, alter, or remove social media content unless authorised to do so. If you need to alter or remove social media content, you must do so in accordance with this policy, and consult with the Council's records manager and comply with the requirements of the *State Records Act 1998*.
- 7.3 When/if a councillor's term of office concludes, the councillor must contact the Council's records manager and SMC to manage/transfer records of social media content created during their term of office and comply with the requirements of the *State Records Act 1998*.
- 7.4 In fulfilling their obligations under clauses 7.1 to 7.3, council officials should refer to any guidance issued by the State Archives and Records Authority of NSW relating to retention requirements for councils' and councillors' social media content³.

Privacy considerations and requirements

- 7.5 Social media communications are in the public domain. Council officials should exercise caution about what personal information, if any, they upload onto social media.
- 7.6 The *Privacy and Personal Information Protection Act 1998* applies to the use of social media platforms by the Council and councillors. To mitigate potential privacy risks, council officials will:
- advise people not to provide personal information on social media platforms
 - inform people if any personal information they may provide on social media platforms is to be used for official purposes
 - moderate comments to ensure they do not contain any personal information
 - advise people to contact the Council or councillors through alternative channels if they have personal information they do not want to disclose in a public forum.
- 7.7 Council officials must ensure they comply with the *Health Records and Information Privacy Act 2002* when engaging on and/or moderating social media platforms. In fulfilling their obligations, council officials should refer to any guidance issued by the Information and Privacy Commission of NSW, such as, but not limited to, the Health Privacy Principles.

³ See State Archives and Records Authority of NSW 'Government Recordkeeping / Advice and Resources / Local

Government' and 'Social media recordkeeping for councillors'

Part 8 – Private use of social media

Note: Activities on social media websites are public activities. Even though privacy settings are available, content can still be shared and accessed beyond the intended recipients.

The terms and conditions of most social media sites state that all content becomes the property of the site on which it is posted⁴.

What constitutes 'private' use?

- 8.1 For the purposes of this policy, a council official's social media engagement will be considered 'private use' when the content they upload:
- a) is not associated with, or does not refer to, the Council, any other council officials, contractors, related entities or any other person or organisation providing services to or on behalf of the Council in their official or professional capacities, and
 - b) is not related to or does not contain information acquired by virtue of their employment or role as a council official.
- 8.2 If a council official chooses to identify themselves as a council official, either directly or indirectly (such as in their user profile), then they will not be deemed to be acting in their private capacity for the purposes of this policy.

Use of social media during work hours

- 8.3 Council staff who access and engage on social media in their private capacity during work hours must ensure it does

not interfere with the performance of their official duties

Part 9 – Concerns or complaints

- 9.1 Concerns or complaints about the administration of council's social media platforms should be made to the council's SMC in the first instance.
- 9.2 Complaints about the conduct of council officials (including councillors) on social media platforms may be directed to the general manager.
- 9.3 Complaints about a general manager's conduct on social media platforms may be directed to the mayor.

⁴ Social Media: Guidance for Agencies and Staff (Government of South Australia) – page 9

Part 10 - Definitions

In this Model Social Media Policy, the following terms have the following meanings:

authorised user	members of council staff who are authorised by the General Manager or SMC to upload content and engage on the Council's social media platforms on the Council's behalf
council official	councillors, members of staff and delegates of the council (including members of committees that are delegates of the council);
minor	for the purposes of clause 4.4(b) of this policy, is a person under the age of 18 years
personal information	information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion
SMC	Council's social media coordinator appointed under clause 2.7 of this policy
social media	online platforms and applications - such as but not limited to social networking sites, wikis, blogs, microblogs, video and audio sharing sites, and message boards - that allow people to easily publish, share and discuss content. Examples of social media platforms include, but are not limited to Facebook, Twitter, Snapchat, LinkedIn, Yammer, YouTube, Instagram, Flickr and Wikipedia