TITLE: COUNCIL MEMBERS' MEDIA AND ELECTRONIC COMMUNICATIONS POLICY

1. PURPOSE

The purpose of this Policy is two-fold:
- to provide Council Members with guidance for appropriate use of the Council's internal Electronic Communication systems in the conduct of Council business; and
- to outline the agreed protocols and legal considerations when engaging with the community through Social media and traditional forms of Media.

This Policy applies to Council Members in carrying out their functions as public officers. It does not and is not intended to curtail (nor be construed as curtailing) an individual's right to free speech and/or the use of traditional Media or Social media to publish information or to express opinions in their personal capacity.

2. SCOPE

This Policy applies to all Council Members in the conduct of Council Business through:
- Council's corporate email system
- interactions with Social media and other forms of Electronic Communication;
- podcasts, audio or video blogs
- print, radio and television media.

3. DEFINITIONS

Electronic Communication includes but is not limited to:
- Email
- Mobile phone texts, messaging and other communications
- Internet sites and pages
- Podcasts
- Electronic journals and texts
- Social media
- Websites

Social media means all current and future Social media channels, digital platforms, online forums or messaging apps where people can comment, view, contribute, create, forward, post, upload and share content.

Media means for the purpose of this Policy, the more traditional forms of media such as television, radio and print media

Council business means the provision of services, delivery of programs, development of policies, engaging with constituents, making of decisions, performance of Council functions and any other, similar, transactions in the performance of public office functions.

Council Members means the elected or appointed representatives of the community, comprising the Mayor and Councillors.

Official record means a record made or received by the Council in the conduct of its business as defined by the *State Records Act 1997*. This includes records made or received by a Council Member in the conduct of the business of their office but does not include records that are personal or private in nature.

Defamation means to publish material, including written material, pictures, or spoken statements, which is or is likely to cause an ordinary, reasonable member of the community to think less of the targeted person or to injure that person in their trade, credit, or reputation.

Material means data, information, text, graphics, animations, speech, videos and music or other sound, accessible electronically, including any combination or selection of any of these.

4. POLICY PRINCIPLES

4.1 Council recognises that all forms of media are an important source of information for and communication with the community and can assist the Council in its leadership and advocacy roles regarding its programs, projects and issues of public interest. Council recognises that Media and Social media provide opportunities for the Council to proactively communicate and engage with its community and stakeholders and, where properly utilised, in a professional, timely and positive manner.

4.2 It is the policy of the Council to communicate openly and honestly with and through all media channels to maintain its commitment as an open, transparent and accountable organisation.

5. POLICY STATEMENT - OUR COMMITTMENT

5.1 Council requires a professional approach when liaising with the media and the community, whether it is through traditional mechanisms or online. Media and Social media are used as a coordinated medium for strategic external communications, with the aim to:
  a. inform, communicate and initiate community involvement and discussion
  b. extend the reach of or communications and direct the community to Council information
  c. provide a convenient, accessible and flexible form of service delivery; and
  d. build and enhance relationships with the community and stakeholders.

5.2   Most Council decisions, except those which are confidential, are public documents which are accessed on the Council website www.mountbarker.sa.gov.au

5.3   Whenever possible, Media and Social media responses should refer enquiries to publicly available information on the Council website.

6.   ROLES AND RESPONSIBILITIES

6.1   Conduct when utilising Media and Social media

All interactions through the Media and Social media must ensure that the content of any engagement:
   a.   is accurate and is factually correct e.g. factual information about a particular council matter or service
   b.   complies with Council's policies and the *Behavioural Standards for Council Members*
   c.   does not disclose sensitive or confidential Council information
   d.   does not communicate inappropriate personal, offensive or defamatory information or commentary (including about but not limited to, Council, employees or Council Members)
   e.   does not damage Council's reputation
   f.   does not make an official announcement unless authorised to do so
   g.   does not defame any person
   h.   ensures that personal comment on Council decisions and other matters, clearly indicate that it is a private or personal view
   i.   does not use intellectual property or copyrighted materials unless created by the person using it or otherwise reproduce material in a manner that gives rise to breach of copyright or infringes on moral rights
   j.   provides information which generates community trust and confidence in the Council
   k.   deals with information received in the capacity of Council Member, in a responsible manner.

6.2   Administration of Council's corporate Media statements and Social media accounts

6.2.1   All proactive and responsive requests for media engagement regarding the Council by print, television and radio, formal corporate media releases and administration of the Council's corporate Social media presence (e.g. Council's official Facebook page) will be administered by a member of the Council's administration, under delegation of the CEO.

6.2.2   Where the sensitivity, or complexity of a topic requires, the CEO or an authorised delegate may provide Council Members with information to assist with media and/or community contact (for example the annual budget, annual business plan, strategic planning and rates processes).

6.2.3   Posts to Council's corporate Social media accounts will be supervised and managed. The Council retains the right to review and, as necessary, to remove content that does not adhere to this Policy, other relevant Council policies, and/or

relevant legal considerations. Any post or associated comment which are considered by the CEO or a delegate to be:

a. racist, sexist or discriminatory in any form
b. harassing, threatening, abusive or bullying in nature
c. inciting or encouraging unlawful conduct
d. using profanities or other forms of abusive language
e. conveying personal, confidential, or copyrighted material
f. defamatory or potentially defamatory material
g. spam, junk or advertising non-Council related business and/or
h. political or election related lobbying

will not be responded to and will be removed by Council staff.

6.3 Use of Electronic Communication – Email

6.3.1 Council email addresses are provided to all Council Members for the purpose of carrying out Council related business. Each Council Member must use their corporate email address for Council business only. All Council emails must be drafted in a professional and courteous manner, taking care with the content and language utilised within them.

6.3.2 Emails must:
a. contain a clear, succinct and relevant subject line
b. be drafted in a professional and courteous manner
c. avoid the use of capital letters and emojis
d. be sent to appropriate recipients only; and
e. not breach any applicable Council policies or confidentiality.

6.4 Use of Electronic Communication - Social media

6.4.1 Council Member engagement through Social media is a resource to enhance communication between the Council's elected representatives and its residents and stakeholders.

6.4.2 If a Council Member wishes to manage their own personal or Councillor social media presence, it is recommended that they include a disclaimer at the top of the site/page that states the views expressed on and contained within the site/page are their own or those of a third party and do not represent a formal position of the Council. A disclaimer must be evident on each post made by the Council Member.

6.4.3 Council Members may wish to create a separate 'Councillor' page to use for Council business in their official capacity. This page should be clearly designated as a Councillor page, distinct from any other, private Social media accounts that Council Members may have. It is recommended that the management of these two profiles is kept separate at all times and that any commentary on the Councillor Social media presence is through that account solely.

6.5 Security and access

6.5.1 Council Members are required to ensure that all passwords, accounts, software and data are protected.

6.5.2 Council Members must not:
   a. share their Council related passwords with any other person (other than with or as required by Council's ICT staff, including where a help desk action is being undertaken)
   b. allow another person to access any Council network
   c. breach or attempt to breach any computer or network security measures
   d. allow another person to log into their Social media or Council network account; and/or
   e. write down their Council network password in a manner that can be discovered by any other person.

6.5.3 Council Members must ensure that their Council network and Social media presence is adequately locked or logged out when not in active use.

6.5.4 Council Members must report any suspicious emails or Social media messages and must take care not to click links within or respond to spam or scam emails and messages sent to them and must report them to Council ICT staff. Some signs that an email or message is a spam or scam include:
   a. sender email addresses may be unusual, contain spelling errors or be slightly different from the correct address – for instance mtbarker.com instead of mountbarker.sa.gov.au
   b. poor grammar and spelling
   c. creating a sense of urgency
   d. links to click. Hovering your mouse over a link will allow you to see the website it leads to which could be fake
   e. the sender may appear to be someone you know. Hovering your mouse over the sender name in the header to an email will reveal the email address used to send the email which could be fake
   f. unexpected attachments and QR codes.

6.5.5 Compulsory password changes are built into the Council's ICT system and Council Members are responsible for the security and ensuring regular changing of their password(s).

6.6 Unlawful activities

6.6.1 Council Members must not access, like, share or send material that is prohibited or potentially prohibited, provocative, offensive, abusive, sexist, racist or pornographic. This includes not forwarding to others any material/content of this nature that is received by the Council Member, other than as evidence as part of a formal report as part of a complaint process.

6.6.2 It is unacceptable to create, share, endorse, send or forward content material or comments that:
a. contain threats of violence or other unwelcome or harassing behaviour
b. contains personal opinions that may be considered defamatory or derogatory about any other person
c. may breach the *Behavioural Standards for Council Members*
d. breaches (or has the potential to breach) any legislation or any Council policy
e. promotes illegal activities.

6.6.3 Council Members are personally and legally responsible for:
a. the content (posts, messages and comments) that they publish or allow to be published on any Social media platform that they control or manage; and
b. the content (including commentary and information) provided to print, television and radio media outlets.

6.7 Confidential and/or private and/or personal information

6.7.1 Care must be taken by Council Members when using Electronic Communication because messages may be intercepted, forwarded or otherwise transmitted to someone other than the intended recipient.

6.7.2 Accordingly, Council Members are advised to be cautious about transmitting private, sensitive or confidential information by electronic means.

6.7.3 Council Members must be aware that the content of all Electronic Communications, even where expressed to be confidential and/or private and/or personal and sent with an expectation that the author's intent will be respected, may, at the discretion of the recipient, be distributed, forwarded or otherwise transmitted to others whether or not with an interest in the matter if the recipient believes the information may be of interest to or use by all other Council Members. When expressing an email to be confidential, and/or private and/ or personal, the author must clearly indicate the reasons for the communication to be treated as confidential, personal or private so that the recipient can make an informed assessment and judgement having regard to all of the circumstances.

6.7.4 Council Members should, in making their informed assessment and judgement with regard to all of the circumstances, be able to demonstrate, if requested, they have acted responsibly and with respect as per the *Behavioural Standards for Council Members* and this Policy.

6.8 Access and disclosure

6.8.1 Council Members should be aware that Electronic Communications, even if expressed to be confidential or personal, may be required to be disclosed in court proceedings, Freedom of Information requests, or investigations by the Minister, or the Ombudsman. It may be necessary for authorised staff to access and/or disclose electronic information and communications in order to comply with a

legislative obligation, a court order or upon appropriate formal request (e.g. in a Behavioural Standards investigation).

6.8.2 The Council Member and the Chief Executive Officer will be notified if records are to be accessed by staff for any of the above purposes unless there is a duty of confidentiality (e.g. Minister or Ombudsman investigation or Public Interest Disclosure Act matter).

6.8.3 To avoid any confusion, it is to be noted that all official records, whether paper or electronic, belong to the Council not the Council Member. For clarity, this includes all forms of Electronic Communications.

6.9 Defamation

6.9.1 Defamation can arise under the Defamation Act 2005 where material has been 'published'.

6.9.2 The concept of 'publication' is very broad and includes any means that Council Members use to communicate with each other, including Social media and email.

6.9.3 A statement made electronically is, a publication. A statement is also published if it is, simply, received electronically and/or forwarded electronically. The Council is at risk of liability for any defamatory material stored, reproduced or transmitted by or through any of its facilities. Likewise, Council Members may also be liable in a personal capacity as a consequence of any defamatory material published by email or on their Social media channels. Council Members should also be aware that, in accordance with recent court decisions, they may be held to have published defamatory material in circumstances where they permit a defamatory publication to be made and remain, on their Social media pages.

6.10 Copyright and moral rights

6.10.1 Copyright is an element of intellectual property law where the owner of copyright is given the exclusive ability to determine how, when and on what terms their work can be used. In Australia, copyright exists under the Copyright Act 1968 (Cth) and applies to hard copy and electronic written works, photographs, drawings and other images, videos, music and audio recordings, plans and other documents.

6.10.2 In addition to copyright, some images, photographs and other similar works may be subject to moral rights considerations which mean that their creator has the ability to limit when and how and in what context their works are displayed.

6.10.3 Sharing images, photographs, videos and other works online may infringe copyright and/or moral rights. Whilst Council does have a licence with the Copyright Agency which allows the reproduction of some material from newspapers, magazines and websites, this licence is not unlimited and certainly

does not provide a permission for all forms of publication of the works of third parties.

6.10.4 Council Members should seek advice from Council administration before sharing images, photographs, videos and other information from or belonging to third parties on their Social media pages. This will ensure that copyright infringements and moral rights infringements do not occur.

6.11   Records management

6.11.1 All Electronic Communications that concern Council matters and Council Business are or are to be regarded as official Council records and must be retained under the State Records Act 1997 and General Disposal Schedule 40. This means that Council is required to capture and preserve Social media activity from Council Members acting in their official capacity (but not personal Social media accounts) as well as activity from the Council's own Social media accounts.

6.11.2 To ensure that Social media activity is dealt with in accordance with legal requirements, Council Members must provide Council administration with written confirmation of all Social media sites that they use in an official capacity. This includes Social media accounts which may not be in use but which exist and can be publicly accessed.

6.11.3 Council administration will advise Council Members as to how Social media activity must be captured and provided to Council so it can be stored in Council's Records Management system or, as relevant, how an inactive Social media account can be deleted.

7.   AUTHORISED SPOKESPERSONS FOR THE COUNCIL

7.1   The Mayor and the Chief Executive Officer are exclusively authorised to speak publicly on behalf of Council. The Mayor may authorise and the CEO may delegate, from time to time, that these responsibilities are undertaken by others and will communicate that authorisation/delegation and any limitations to it.

7.2   Enquiries relating to corporate or operational matters will be responded to by the CEO or an appointed CEO delegate, depending on the issue.

7.3   Enquiries relating to a Council decision or policy or matter before the Council on which a decision is pending, are usually responded to by the Mayor, depending on the issue.

7.4   Certain issues may require a response from both the administration and the Mayor. The CEO, in consultation with the Mayor, will determine if this is necessary.

7.5   The Mayor may formally authorise a Council Member to speak on behalf of the Council on matters where there has been a significant and ongoing involvement by the Council Member on that matter. The Mayor will do so in writing to the Council Member and will set out the authorisation and any limitations of the authority.

7.6 Council Members may make public comment that are their own point of view but, as above, must clearly state that this is the case in doing so.

7.7 If a Council Member intends to speak or write to the Media or to speak publicly, it is requested that they:
   a. advise the Mayor and the CEO of their intention to make comments to the Media, or as soon as practical after the Media contact (if it was not possible before making comment), to ensure that the organisation is informed of the information provided to the Media
   b. ensure they make it clear that they are expressing their own/personal point of view and not speaking in any official capacity on behalf of the Council (unless expressly requested to do so and authorised by the Mayor or by authorisation of the Council through resolution)
   c. ensure that their comments do not breach the *Behavioural Standards for Council Members*
   d. ensure that their comments are not vexatious or defamatory
   e. ensure that the comments are reasonable, just, respectful, balanced and non-discriminatory to others
   f. ensures that the information they intend to provide promotes trust and confidence in the Council and its decision-making processes
   g. ensure that the information they are providing is informed and factual
   h. do not provide confidential information to the Media, community or any other unauthorised person; and/or
   i. demonstrates that they will remain open-minded on any matter that is coming to a Council meeting for decision.

7.8 These provisions do not and are not intended to curtail or restrict in any way the personal rights and private lives of Council Members where they wish to express personal views in public, provided that care is taken not to convey the impression that such views are made on behalf or with the support of the Council.

8. TRAINING AND EDUCATION

Council Members will be provided with training on this Policy at the commencement of their elected term as an inclusion in the Council Members' induction and education program and at least once during each term of office.

9. FURTHER INFORMATION

Title: Civic Governance Officer
Address: PO Box 54, Mount Barker
            South Australia SA 5251
Telephone: 8391 7200
Email: governance@mountbarker.sa.gov.au

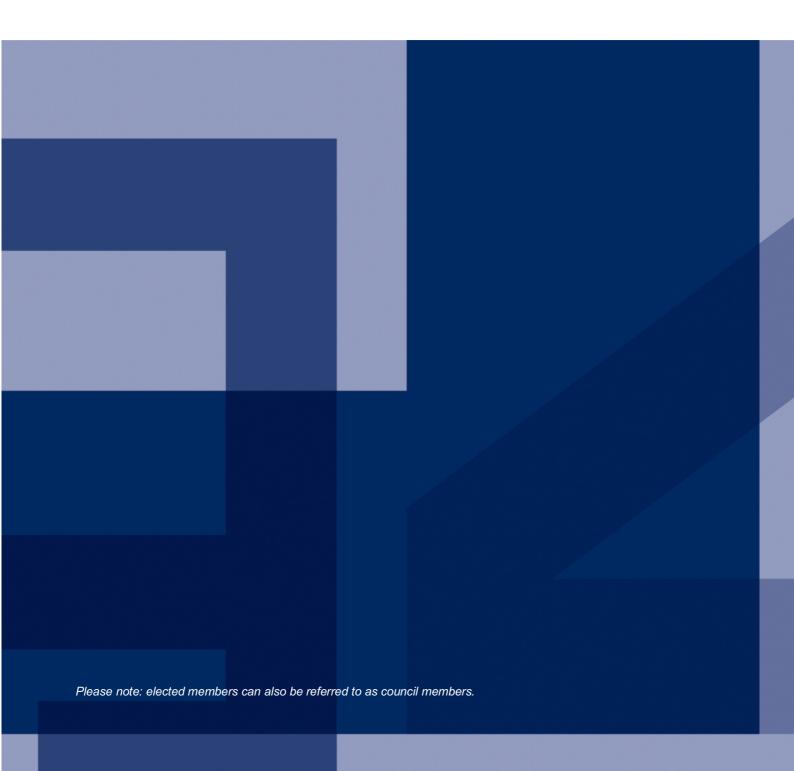## 10. APPENDIX 1   Social Media Guide for Elected Members (DOC/21/182447)
Local Government Association February 2019

REFERENCE NUMBER	DOC/24/2096		
PREVIOUS DOCUMENT NUMBER:	DOC/21/173493		
INTERNAL GOVERNANCE:			
Author	Rebecca Jeisman	Civic Governance Officer	4 January 2024
Responsible General Manager:	Alison Hancock	Executive Manager	24 January 2024
Reviewed by CEO	Andrew Stuart		30 January 2024
REVIEWED BY CGG			30 January 2024
APPROVED BY (DOCUMENT OWNER):	Council		
	OM20240205.09		5 February 2024
APPLICABLE LEGISLATION AND RELATED DOCUMENTS:	Local Government Act 1999 State Records Act 1997 Elected Member Allowances and Benefits Behavioural Standards for Council Members Code of Practice – Proceedings at Meetings Caretaker Policy and Guidelines Council Members Access to Information Policy and Procedure Council Members Behavioural Management Policy Council Publications Policy Council Members' Induction Policy Records and Information Management Policy		
MOUNT BARKER 2035 – DISTRICT STRATEGIC PLAN REFERENCE:	CW 6.2 Strengthen opportunities for residents to participate in learning and engagement opportunities including through the use of digital technology and social media GL 1.3 Provide opportunities for the community to access and participate in decision-making processes GL 1.4 Use digital technology and social media as engagement tools GL 2.4 Adopt digital services and social media to support improved service delivery and accessibility for residents		
REVIEW CYCLE	Review within 12 months of new Council term. It is recognised that from time to time circumstances my change leading to the need for minor administrative changes to this document. Where an update does not materially alter this document, such a change may be made administratively. Examples include a change to the name of a Council department, a change to the name or a State or Federal Department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this document must be by resolution of Council (if statutory) or the Chief Executive Officer (if administrative).		
NEXT REVIEW DATE	February 2027		

DOCUMENT HISTORY:	

DOCUMENT VERSION	DATE	AUTHOR (PERSON TO WHOM CHANGES ARE TO BE RECOMMENDED)	NATURE OF CHANGE
VERSION 1.0	August 2015		Media Policy
VERSION 2.0	3 December 2018	Ian Hildebrand	Media Policy
VERSION 3.0	1 November 2021	Sue Miller	New Policy for Council Members to include electronic communications - document amended in line with updates to case law
VERSION 4.0	5 February 2024	Rebecca Jeisman	Amended Version 3.0 to include: 6.5.4 concerning suspicious emails and messages; refine 6.9 term publication; and updates pertaining to linked policy titles.
DOCUMENT LOCATION:	Council website published 8 February 2024 Available for inspection, downloading or printing from our website www.mountbarker.sa.gov.au		
	This Policy is available for inspection, during business hours at: Mount Barker District Council, Level 1, 6 Dutton Road, Mount Barker		

Social Media Guide
for Elected Members

Contents

This *Social Media Guide for Elected Members* has been prepared by the Local Government Association of SA (LGA) for the guidance of (and use by) member councils.

The LGA is the statutory peak body for local government in South Australia, representing all 68 councils in the state.

Enquiries may be directed to the LGA on 08 8224 2000.

Last updated February 2019

Preface

This guide has been developed by the Local Government Association of South Australia (LGA) to support elected members' use of social media in their role, so that these tools can be leveraged to improve communication and engagement with their communities. When using this guide, elected members should be aware of other policies and procedures that may also apply, such as the Code of Conduct for Council Members and their council's own Social Media Policy. A more detailed list of associated documents is included at the end of this guide.

Please note: elected members can also be referred to as council members.

Other social media resources

This guide specifically draws out social media considerations for elected members. However, the LGA also has a range of resources available for those looking to deepen their general social media skills and knowledge. These include:

- **Social media platforms** – beginner-level *'How-to' User Guides* have been developed for Facebook, Twitter, Instagram, LinkedIn and SnapChat. These will help guide the set-up of these channels and basic navigation and features
- **Social media and emergency management** – a specific *Managing Social Media in Emergencies Guide* is available that draws on the experiences of recent emergency situations across Australia
- **Social media policy** – a *Social Media Policy Template* is available that can be used and adapted to support the introduction of social media

All these resources are available through the LGA's Members only website social media resources webpage or by calling the LGA's Marketing & Communications team on 8224 2082.

- **Training programs** – the LGA's Training Solutions Team has a suite of social media training including in-house workshops, webinars and 1:1 support options – email training@lga.sa.gov.au for more details, and if you are interested in attending please check with your council CEO to ascertain your eligibility.

Social media for elected members

Should you use social media?

Every day, 87% of South Australians access the internet, and 59% of those use social networking sites most days. *Yellow Social Media Report, June 2018.*

The community now expects to be able to connect with government via social media, and with so many South Australians using social media to share interests, discuss issues and interact, it is a vital tool for councils and elected members to consider.

Using social media can be an effective way to hear from the community you represent as well as inform them about your council's projects, strategies and activities. However, before diving in there are some important factors to consider, particularly relevant to your public role as an elected member.

Benefits:
- Increase transparency of your activities as an elected member, demonstrate accountability and integrity, and build trust with your community
- Enhance communication and community awareness of council activities
- Help you gather feedback and input from your community
- Listen and detect emerging community issues
- Allow you to be easily accessible to the community (particularly if you represent a large geographical area) and responsive to community questions

Risks and considerations:
- Dealing with negative feedback
- Attracting increased public scrutiny (everything you post, and have ever posted, is public)
- Confusion among the community about comments by individual elected members and council

Using social media well requires:
- A good understanding of the functionality and how to use your chosen social media platforms
- Dedicated and consistent time and effort to create and publish thoughtful content, and respond to feedback and questions
- An openness to receive and respond to negative feedback or complex issues (i.e. not just responding to positive content)
- A clear understanding of your role and responsibilities as an elected member and how they apply to social media

Social media is the same as the media

Social media is no different to any other media: the same considerations and policies apply. Traditional media and social media feed each other, and everything you post on social media is public (unless you have your accounts very tightly locked down) and can be found and referred to at a later date.

As an elected member, you will naturally be in the public eye and your actions will be more closely scrutinised and this includes past and future social media posts. Even social media accounts that are clearly personal are not free from scrutiny, which is why it is advisable to consider making personal accounts completely private.

Your official Spokesperson's Policy applies

Most councils have a Media/Communications or Spokesperson's Policy that nominates who is authorised to be the 'official' spokesperson for council. Typically, the authorised spokesperson is the Mayor and/or the CEO for organisation matters. Sometimes individual elected members are sub-delegated authority to be the spokesperson for an issue or particular ward and for a limited period of time.

This policy also applies to what you post on social media, not just traditional media, especially given that both feed off each other. This does not mean that you cannot share important council information or express your individual views, but you must make it clear that when doing so you are not representing the official position of council.

This is covered in the Code of Conduct for Council Members:

> *"2.5 Ensure that personal comments to the media or other public comments, on Council decisions and other matters, clearly indicate that it is a private view, and not that of the Council."*

Similarly, it is also best practice to ensure that you accurately disclose who you are online. If you are commenting on another person's social media account, post or replying to a tweet in relation to your role as a council member, you should make it clear that you are a council member (this could be as simple as signing it off with Cr. XXX).

Make yourself familiar with your council's Social Media Policy

Every council should have a social media policy that articulates the organisation's approach to approval processes, responsibilities, and sets out the 'rules of engagement' to provide clarity and confidence to staff using social media on behalf of the organisation. Some may also include guidance for elected members or this may be included in the general Media/Spokesperson Policy.

Think about your role and how you want to use social media

Essentially there are three different ways you may wish to use social media:

1. Personal only: as a private individual not associated with your role as an elected member
2. Personal and professional: a mix of personal/individual use and professional/elected member use
3. Professional only: solely in your role as an elected member representing your ward

It's important to be clear about how you intend to use social media, as each approach has its own considerations that can impact on your personal and professional reputation.

Applying the Code of Conduct for Council Members

As elected members, your Code of Conduct applies to everything you do. This section explains some of the relevant elements and how they should be considered in a social media context.

Building community trust and confidence in council

Often the community does not differentiate between council, council's organisation and individual elected members. This means that what you say on social media contributes to the community's overall perception of council, even if you have a clear disclaimer statement on your account. While it is important for you to express your individual views, it should be done in a way that does not undermine the community's trust and confidence in council.

> *Code of Conduct for Council Members:*
> *"2.2 Act in a way that generates community trust and confidence in the Council."*

This includes making sure the content you post is accurate. If sharing or commenting on someone else's content on social media you should also be confident that it too is accurate. Anything you publish as an elected member, even if it is content from a third party, may be perceived by the community as being endorsed or verified by you.

> *Code of Conduct for Council Members:*
> *"2.8 Endeavour to provide accurate information to the Council and to the public at all times."*

If responding to a comment or participating in a discussion by a community member, be sure to check the accuracy of their post. If you are unsure, try to take it offline and encourage them to call you to discuss the matter to enable you to clarify the facts without inflaming the situation online.

Maintaining confidentiality, privacy and copyright

It's fairly self-evident that, as elected members, you should not share any confidential council information via social media. However, this also means making sure you don't publish any important council announcements or information before it has been released by an official spokesperson or formal council communications channel (such as a media release, council website, newsletter etc).

> *Code of Conduct for Council Members:*
> *"3.3 Not release or divulge information that the Council has ordered be kept confidential, or that the Council member should reasonably know is information that is confidential, including information that is considered by Council in confidence."*

As well as the Code of Conduct for Council Members, elected members have general duties under section 62 of the *Local Government Act 1999* including:

> *"62(4a) A member or former member of a council must not disclose information or a document in relation to which there is an order of a council or council committee in effect under section 90 requiring the information or document to be treated confidentially."*

In addition, it's also important to make sure you respect the privacy and confidentiality of community members and the information they share with you. It is good practice to clarify if people are happy for you to publish information they have given you, identify them in your posts (either by name, or image/video) or tag their social media accounts. Similarly, if you are publishing someone else's photos/videos on social media, copyright laws apply so seek their permission and acknowledge them in the post. Generally speaking, sharing third party content that has already been published on social media is acceptable as long as the original source is identified.

> *Code of Conduct for Council Members:*
> *"2.7 Deal with information received in their capacity as Council members in a responsible manner."*

Respectful and appropriate behaviour

Qualified privilege enjoyed by elected members does not extend beyond the discussion of council matters in meetings. While it's important for you to be able to engage in respectful debate, care should be taken not to engage in personal attacks on other elected members, council staff or constituents via social media.

> *Code of Conduct for Council Members:*
> *"2.9 Endeavour to establish and maintain a respectful relationship with all Council members, regardless of differences of views and opinions."*
> *"2.10 Not bully or harass other Council members."*
> *"2.11 Not bully or harass Council staff."*

The challenge with social media is to not inadvertently be drawn into debates, discussions or share third party information that becomes disrespectful, discriminatory, targets staff or other elected members, or includes misleading information. Defamation laws are actionable regardless of the medium.

Even if you are not the creator of the defamatory material, defamation laws are actionable if you: share the material, contribute comments towards the material, or even simply like the post (as this means it will be visible to your friends and is considered publishing).

Again, it is essential to be very confident in the accuracy and intent of third party information before sharing it yourself. Think carefully about what you share or like on social media as it will be seen by the community as an endorsement.

> *Code of Conduct for Council Members:*
> *"2.3 Act in a reasonable, just, respectful and non-discriminatory way when dealing with people."*
> *"2.4 Show respect for others if making comments publicly."*

Importantly, never respond to comments or post on social media when you are tired, angry, upset, under the influence of alcohol or not in a calm and clear mind frame.

Decision making and conflict of interest

One challenge faced by elected members is being responsive to community requests and demonstrating action, while also being careful not to commit to actions outside your individual authority. This is particularly the case if there is a heated issue and campaign on social media. It's important to think carefully about setting fair and realistic expectations for the community. Making commitments and having to backtrack is damaging for your reputation, and that of council.

> *Code of Conduct for Council Members:*
>
> *"3.4 Not exercise or perform, or purport to exercise or perform, a power, duty or function that he or she is not authorised to exercise or perform."*

Managing conflicts of interest and perceived conflicts of interest is integral to the accountability, transparency and effectiveness of local government. For any conflict you would declare at a council meeting, whether real or perceived, you should also consider whether it is appropriate for you to promote, comment or engage in any way about that matter on your social media channels.

> *Code of Conduct for Council Members:*
>
> *"3.6 Ensure that relationships with external parties cannot amount to interference by improper influence, affecting judgement, decisions and/or actions."*

Refer to the LGA's Conflict of Interest Guidelines for a more detailed explanation, available at http://www.lga.sa.gov.au/Members/GovernancePolicies

In addition, as an elected member you have general duties under section 62 of the *Local Government Act 1999,* including:

> *"62(4) A member of council must not, whether within or outside the State, make improper use of his or her position as a member of the council to gain directly or indirectly an advantage for himself or herself or for another person or to cause detriment to the council."*

Elections and the Caretaker Period

Caretaker provisions

Caretaker provisions apply to the use of social media just as they do to any council communications. It's important to familiarise yourself with your council's caretaker policy and the LGA Caretaker guidelines.

During the caretaker period, extra precautions should be taken to ensure that council resources are not used to create or distribute electoral material, or to advantage or disadvantage a candidate. This includes the use of council logos.

To comply with caretaker provisions, it is advised you:

- Ensure you do not use council's logo on your social media channels or posts (as this may imply endorsement from council of what you publish)
- Have a prominent statement that clearly identifies that you are not speaking on behalf of council. If you are an existing elected member and are using your personal social media for any election purposes, you should also make it clear that your views expressed are your own as an individual candidate
- Refrain from commenting or posting on any of councils official social media channels (this could be interpreted as utilising council resources/media channels to your advantage)

Candidate use of social media

If you are campaigning for re-election, ensure your social media complies with any rules regarding election advertising, and refer to the Electoral Commission candidate handbook for specific advice.

For example, the Electoral Commission South Australia (ECSA) has provided clear guidelines for candidate use of social media for local government elections. These guidelines state that:

- "All Social Media profiles, pages or groups used to campaign must be authorised in the 'about' page.
- Any posts, photos or videos published or shared on Social Media must also contain an authorisation statement within the post, photo or video.
- If a link to electoral material you have authored is shared, this material as well as the post must each contain an authorisation statement.
- Comments and replies including those on a post authored by a third party must also be authorised."

For more information, refer to the ECSA council candidate resources (available at https://ecsa.sa.gov.au/elections/council-elections-home?view=article&id=1014:2018-council-candidates-resources) or the LGA's 'Make a difference Nominate for Council' candidate information booklet (available at https://www.lga.sa.gov.au/councilelections).

Setting up your accounts

The way you set up and manage your accounts will depend on how you intend to use social media. The table below outlines the key considerations, according to the three potential types of uses identified earlier in this guide:

1. Personal only: as a private individual not associated with your role as an elected member
2. Personal and professional: a mix of personal/individual use and professional/elected member use
3. Professional only: solely in your role as an elected member representing your ward or area.

Please note that this table is a guide only; it is recommended that you speak with your council CEO or Communications Team if you are unsure.

Personal only	Personal/professional	Professional only
Branding: helps build credibility and trust with your audience by providing a consistent and recognisable impression. High quality, correctly sized images are important as well as an account name that is clear and easy to remember.		
It is not appropriate to use any council branding or identify yourself as an elected member in your account name or profile. This helps make it clear that nothing you publish relates to your role as an elected member or council.	It is appropriate to identify yourself as an elected member in your profile, but not appropriate to use any council branding. Individual posts may feature council branding **only** if they have been shared/re-tweeted directly from Council's official social media accounts	It is appropriate to identify yourself as an elected member in your profile, but not appropriate to use any council branding. This includes choosing an account handle (@name) that identifies yourself as an elected member. Individual posts may feature council branding **only** if they have been shared/re-tweeted directly from Council's official social media accounts For Facebook it is recommended this is set up as a 'public figure' page rather than a separate profile or private account page.
Disclaimer statements: in all cases it is critical that your social media accounts include a statement that clearly identifies you are not speaking on behalf of council. This helps the community to understand the origin and authority of your content. The statement should be in the 'bio' or 'about' section of your account and will vary depending on how you use your account.		
Despite this being a personal account with no branding to indicate otherwise, community members (and journalists) will still know you are an elected member.	It is essential that a statement like the below is included: *'The views expressed are my individual comments and opinions, not the official position of council.'*	It is essential that a statement like the below is included: *'The views expressed are my comments and opinions as a representative of the XXX ward, not the official position of council.'*

Personal only	Personal/professional	Professional only
It is sensible to have a statement such as *'these are my personal, individual views.'*		

Privacy and security: most sites have privacy settings that allow you to adjust to control who can access your profile and the information you post. The default setting is usually set to full open access. Keep passwords secure and change them regularly to help prevent hacking.

Personal only	Personal/professional	Professional only
Despite this being a personal account with no branding to indicate otherwise, community members (and journalists) will still know you are an elected member. You may want to consider making your accounts completely private so that no-one can view them without you first accepting them as a 'friend' or 'follower'. N.B This is possible on Facebook, Instagram and LinkedIn, but not on Twitter.	Consider the limitations of restricted access if you are trying to reach new people and expand your network.	Maintain full open access to your account to help you expand your reach in the community

Interaction with your accounts: some social media channels (Facebook, Instagram and Twitter) allow you to choose whether photos other people take of you and tag you in appear on your profile, and who else can see them. Similarly, some allow you to allow/disallow comments on your posts or block specific people from commenting on your posts. All channels also have profanity filters that can be applied. Using these features carefully can help you manage your public image.

Personal only	Personal/professional	Professional only
It is your choice how you wish to apply the tagging, commenting and profanity features. If you decide not to make your personal accounts completely private (see above), it is highly recommended that you follow the advice provided for those with a 'professional/personal' account.	It is recommended that you allow people to tag you in photos, but you authorise them before they are published on your profile. Provided you can be responsive, if you intend to use your social media to interact with the community, it is recommended that you allow people to comment on your posts. It is highly recommended that you utilise all profanity filters.	It is recommended that you allow people to tag you in photos, but you authorise them before they are published on your profile. By using social media purely in your role as an elected member the community will expect to be able to interact with you. It is highly recommended that you allow people to comment on your posts. It is essential that you utilise all profanity filters.

Record keeping: social media is a form of interaction that is recognised as valid by law, just like letters and emails. Under section 99 of the Local Government Act 1999, the CEO has a legal responsibility to ensure that records are appropriately kept and maintained. This includes all elected member communication relating to council business. Seek a copy of your Council's Information Records Policy for further information.

If your accounts are not used in any way for communication about important council business, formal record keeping is not required.	While it is not necessary to preserve all online conversations, it is important to keep a record of anything that references council business including any posts/comments/replies that may be considered to infer an influence to council policies, relates to council decisions, or where there may have been breaches of policies or laws (i.e. inappropriate comments that you delete). Records can be kept on a case by case basis, or there are automatic programs that can help with this – speak to your CEO if you need assistance.	Given the account is solely used for council communication it is highly recommended that it is regularly backed up, sent for council to record. There are automatic programs that can help with this – speak to your CEO if you need assistance.

Resourcing and support from council staff: developing and contributing to social media sites takes resources, time and expertise. Each account you create will need to be updated and monitored regularly. A poorly managed channel can do more damage than no presence at all. Depending how you use your social media channels, it may be appropriate to request advice and some assistance.

It is not appropriate to seek assistance from council staff for anything related to personal social media accounts.	Please notify your CEO/Communications Team of your accounts. It may be appropriate to seek advice from council staff relating to setting up your accounts. It is not appropriate to seek assistance from council staff to post, monitor, comment or administer your accounts. LGA training resources and channel user guides are available through LGA's Members only website social media resources webpage.	Please notify your council CEO/Communications Team of your accounts. It is appropriate to seek advice from council staff relating to appropriately setting up your accounts. It is not appropriate to seek assistance from council staff to post, monitor, comment or administer your accounts. It may also be appropriate for your social media channel to be promoted with your contact details through the standard council processes. LGA training resources and channel user guides are available through LGA's Members only website social media resources webpage.

Tips for managing your accounts

This section presents key tips for creating great content and managing feedback on your accounts. Refer to the LGA's *Social Media 101 Guide for Councils* and *Social Media 2.0 Guide for Councils* for more comprehensive guidance and information.

Only speak of what you know

Remain in your area of expertise and role as a council member, and only post content that you know is accurate. It's ok to say that you don't have the answer and find the relevant expert to get that information, or refer the person to the relevant expert or alternative council channel. Commenting on matters that you are not fully across, or guessing at answers, will attract criticism and mistrust from your community.

Monitoring and responding

Monitoring and responding to comments and questions quickly will make your community feel welcome and listened to.

To decide how and when to respond to comments on your social media channels, the following advice applies:

- Respond to both positive and negative posts, not just the good ones, otherwise your audience will not feel that there is genuine engagement
- Do not delete – no matter how negative a post may be – unless it violates acceptable conduct (i.e. inappropriate language, defamation etc). Often the best remedy is a polite, calm and factual response. Remember, what you post is seen by many more than just the author of the specific post you are responding to
- Set an expected response timeframe (for example 24 hours on business days) and do your best to follow it – even if it means just placing a 'holding' response while you gather the information to respond fully
- Any operational inquiries or service requests received directly by community members should be referred to the appropriate formal council channel (e.g. the My Local Services app) so they can be logged and monitored in line with standard council procedures.

Tone and language

Social media is social so language shouldn't be overly formal. It can be fun and interesting, similar to how you would speak to someone in person. Try to use strong, vivid language and active verbs to encourage more engagement.

Be aware that on social media even neutral language comes across negative, so try and use positive language as much as appropriate.

Use multimedia

Visual posts get more engagement than text-only posts. Social media is increasingly moving towards visual engagement as a primary source of online interaction. Photos and infographics allow users to comprehend your message at a glance, even if they are quickly scrolling through their news feed they can still get the gist of your message from an image with a few words placed on it.

Better still, video and live streaming helps the community get a real insight into your activities and can be a great way to explain or share complex information. They don't have to be perfect: using your phone to film is fine.

Be mindful of ideal dimensions for images and videos. Some social media platforms may scale your images/videos or cut them in half if they are not the correct size, which could reduce the effectiveness of your message.

Share

You don't always need to say something original. When you see something interesting posted by another person or organisation, you can show this to your followers by using the 'share' or 'retweet' function. This is an easy way to ensure you maintain a regular presence on social media without needing to develop your own posts, as well as show your support and interest in local community activities, events and organisations.

Be mindful of whose posts you share. Make sure the content is suitable, that you trust the source and that you feel it is appropriate for your reputation to be seen to 'endorse' their content by sharing it.

Have fun but remain professional

By its very definition, social media is social. So where appropriate have fun, be personable, entertaining and professional.

Important associated policies and guidelines

Below is a list of related policies and guidelines that you may wish to refer to for a more in-depth understanding of how they apply to social media.

Your council policies and guidelines:

- Media/Communications or Spokesperson's Policy
- Social Media Policy
- Information Records Policy

LGA policies and guidelines: *click here to download from the LGA Members only website*

- Caretaker Guidelines
- Caretaker Model Policy
- Code of Conduct for Council Members
- Complaints Handling Policy – Model Policy
- Complaints Handling Procedure under Council Members' Code of Conduct
- Complaints Handling Procedures
- Confidentiality Guidelines
- Conflict of Interest Guidelines
- Council Committees & Committee Members – Guidelines
- Council Meeting Procedures Handbook
- Council Members & Chief Executive Officers in Local Government – Information Paper on Roles
- Council Members Guide
- Training & Development Policy & Plan for Council Members