

Blogging and Social Networking Guidance Note for Councillors



1.0 Blogging and Social Media/Networking

1.1 Blogging and social media/networking are effective methods for Councillors to interact with constituents and support local democracy. Used effectively, they can engage those who would not normally have access to local Councillors.

1.2 Social media/networking can be used:

- to support Councillors' community leadership role
- to create or take part in conversations
- to keep in touch with local views and opinions
- campaigning on local issues

1.3 Types of Social media/networking:

- Blogging and micro blogging eg. Twitter
- Social networking sites eg. Facebook
- Video and photo publishing – sharing videos and photos worldwide

2.0 When the Code of Conduct (the Code) may apply

2.1 Bear in mind the Council's [Code of Conduct for Members](#) when you blog or use social networking sites. You should pay particular attention to the following paragraphs of the Code:

- **Treating others with respect**
- **Disclosing confidential information**
- **Disrepute**
- **Use of resources**

2.2 To make sure you comply with the Code of Conduct (the Code), you need to think about whether you are acting as a Councillor, or giving the impression that you are representing the Council. To ensure appropriate use of online media we suggest the following general hints:

Do

- keep your personal and Councillor profile on social networking sites separate
- set appropriate privacy settings for your blog or networking site – especially if you have a private, non-political blog
- keep an eye out for defamatory or obscene posts from others on your blog or page and remove them as soon as possible to avoid the perception that you condone such views
- be aware that the higher your profile as a Councillor, the more likely it is you will be seen as acting in your official capacity when you blog or network

- ensure you use council facilities appropriately (Related Policies at the end of this document.)
- be aware that by publishing information that you could not have accessed without your position as a Councillor you are likely to be seen as acting in your official capacity
- be careful when making political points and about being too specific or personal if referring to individuals. An attack on individuals may be seen as disrespectful, whereas general comments about another party or genuine political expression is less likely to be viewed as disrespect.
- Think about what you say and how you say it, in just the same way as you would when making statements in person or in writing.

Don't

- blog in haste, publishing on the web means that once you've said it, it's visible to all. Social media is vulnerable to your message "misfiring" or being misunderstood.
- post comments that you would not be prepared to make in writing or face to face
- request or accept a West Lancashire Borough Council employee as a "friend" on a social networking site (note: there are circumstances where this may be acceptable when using social media in a personal capacity, e.g. where a "friend" is a family member or a close friend from before you become a Councillor)
- harass or discriminate against others

2.3 The Code applies to your blog when you are acting in your "**official capacity**". Official capacity is defined as conducting the business of the authority or acting, claiming to act or giving the impression that you are acting as a councillor. Ethical use of online social media is not limited to what is covered in the Code. While your conduct may not be a breach of the Code it may still be viewed as less than exemplary and attract adverse publicity for your office and authority.

2.4 The decision as to whether you are acting in your official capacity will depend on the particular facts of each case and the circumstances surrounding your blog. There are a number of factors that will be taken into account when assessing this. These include:

- **How well known or high profile you are as a Councillor.** The more high profile you are, the more likely it is that you will be seen as acting in your official capacity when you blog or use a social networking site.
- **The profile on your blog or social networking site.** You should set out clearly in your profile if this is a political or personal blog. Identifying this will enable readers to better understand if you are seeking to act in your official capacity or not. Nevertheless it may be possible in a personal blog to give the

impression that you are acting as a Councillor even though you have stated otherwise. Also, you cannot discuss council business on a personal blog and/or make gratuitously offensive remarks about others who are linked to the Council and then claim to be doing so in a private capacity.

2.5 You should also consider other online activities where the Code may apply:

- **Forum posts.** If you go on to a forum and identify yourself as a Councillor then it is likely that the Code will apply when you post entries. If you put content on the site which you could only have obtained as a Councillor it is possible to argue that you have given the impression that you were acting as a Councillor even if you did not identify yourself as such when you made the posting.
- **“Friends” on social networking sites.** You should be aware that anyone you include as a friend on social networking sites could be regarded as a “person with whom you have a close association” within the meaning of paragraph 8 of the code – personal interests. Simply including someone on a site as a friend does not establish a close association but it is one factor that would be taken into account in deciding whether such an association exists.

3.0 Other issues to consider

3.1 There are also considerations apart from the Code that should be taken into account when using online media. The following is a brief guide to some of the legal pitfalls in establishing personal blogs. Almost all of these can be avoided if your online content is objective, balanced, informative and accurate.

3.2 In the main, you have the same legal duties online as anyone else, but it is possible that failures to comply with the law may have more serious consequences.

- **Libel**

If you publish an untrue statement about a person which is damaging to their reputation they may take a libel action against you. This will also apply if you allow someone else to publish something libellous on your website if you know about it and do not take prompt action to remove it. A successful libel claim may result in an award of damages against you.

- **Bias and Predetermination**

You should avoid publishing anything on your blog that might suggest you have already made up your mind about a matter you may be involved in determining, eg. if you are involved in determining planning or licensing applications, if you do so the decision runs the risk of being invalidated.

- **Copyright, Commercially Sensitive information or Confidential material**

Placing images or text on your site from a copyrighted or confidential source (e.g. extracts from publications, photos etc) without permission is likely to breach copyright or the law relating to confidentiality. Avoid publishing anything you are unsure about or seek permission in advance. Breach of copyright or confidence may result in an award for damages against you.

- **Data Protection**

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

- **Obscene Material**

It goes without saying that you should avoid publishing anything in your blog that people would consider obscene. Publication of obscene material is a criminal offence.

Related Policies:

- ICT & Data Security Policy
- Data Protection Policy
- Members' Code of Conduct
- Protocol on Publicity Arrangements (purdah guidance)
- Protocol on the Use of ICT by Members