

DERBYSHIRE COUNTY COUNCIL

CABINET MEETING

26 March 2013

Report of the Director of HR and the Director of Communications

ACCEPTABLE USE OF SOCIAL MEDIA – NEW PROCEDURE (Finance and Management)

1. Purpose of the Report

To seek Cabinet approval of the Acceptable Use of Social Media Policy and to inform Cabinet of the Council's processes for managing the business use of social media.

2. Information and Analysis

There are two distinct areas for consideration in terms of the use of social media at the Council: business use and personal use.

Business use of social media

Social media is integral to the Council's communications. Public Relations manages a core set of corporate social media accounts and approves all departmental requests for a social media presence in line with the Council's media policy (attached at Appendix 1).

It is proposed that the Social Media Guidance for Civil Servants is adopted by the Council. This guidance covers how to use social media to communicate and engage effectively. Appropriate permission to use this guidance has been obtained from within the Civil Service.

Personal use of social media

The Council recognises that the use of social media is part of everyday life and that, in line with national trends; many employees have social media accounts. Inappropriate comments made by individual employees through social media, whether in an official or private capacity, may adversely impact on the Council or other employees, or may affect an individual's ability to discharge their role. Therefore, this policy seeks to ensure that employees use social media responsibly, and details the use of social

media which the Council would consider acceptable, together with the measures which the Council will take should there be unacceptable use. *The policy is attached at Appendix 2.* An employee guide to the acceptable use of Social Media is being developed.

The procedure has been developed to complement the existing Internet and Email Acceptable Use Policy, and Employee Code of Conduct Procedures.

The policy be publicised, following implementation, to raise awareness both with employees and managers. Consultation with the recognised trade unions is ongoing.

3. Legal Considerations

This policy has been drafted to support existing employee policies and to enable the Council to take disciplinary action, where appropriate, against employees who, through social media, make inappropriate comments which adversely affect other employees, the Council or the employee's ability to discharge their duties.

The contract of employment requires employees to adhere to the Council's policies and allows for new policies to be introduced without the contract of employment having to be varied; failure to do so could result in disciplinary action being taken.

4. Equality Considerations

The Council has a duty, in accordance with Section 149 of the Equality Act 2010, to pay due regard to the elimination of discrimination and protection of equality of opportunity to those with a "protected characteristic" eg, it is not considered that there would be any undue adverse impact arising from the implementation of this policy.

Consideration has been given to ACAS (Advisory, Conciliation and Arbitration Service) guidance regarding good practice.

5. Other Considerations

In preparing this report the relevance of the following factors has been considered: financial, legal, prevention of crime and disorder, equality and diversity, human resources, environmental, health, property and transport considerations.

6. Key Decision

No

7. Call-in

Is it required that call-in be waived in respect of the decisions proposed in the report? No

8. Background Papers

Social Media Guidance for Civil Servants is available from Wendy Eyre, Public Relations, ext 38206 or via the internet at <http://www.cabinetoffice.gov.uk/resource-library/social-media-guidance>

9. OFFICERS' RECOMMENDATION

That Cabinet;

- (1) Approves and adopts the policies attached at Appendix 1 and 2.

**TONI COMPAI
DIRECTOR OF HR**

**ROD COOK
DIRECTOR OF COMMUNICATIONS**



Media Policy

Rod Cook
Director of Communications
February 2013

Version 2.0

Version History			
Version	Date	Detail	Author
1.0	1982		
2.0	16/04/2012	Updated to include social media	Jenny Tozer

SECTION ONE: MEDIA CONTACT

Derbyshire's Elected Members – Cabinet and Council - set and agree Derbyshire County Council policies. They are accountable for them and can make public their views on them. County Council officers deliver Council policy and cannot use their position to promote their own views on those policies.

- All media enquiries - made to officers in their professional capacity - should be referred to Derbyshire County Council's public relations division. Officers should not speak to the media on behalf of Derbyshire County Council unless they have prior approval. The only exception is when the answer to a question is contained in factual, published information which would normally be available to the media and the public.
- Requests for media interviews should always be referred to the public relations division. All media interview opportunities will be discussed with elected members to agree the most appropriate response and/or interviewee. Officers may - on occasion - be asked to deliver an interview when detailed technical knowledge is required.
- Comments, news releases and statements are usually drafted by the public relations team and will normally be agreed with senior or chief officers and the appropriate Cabinet member or Council Leader.
- Officers of the authority should not agree to speak as a representative of Derbyshire County Council at public meetings or the media without the approval of their line manager. The exception to this rule applies to officers who - as members of professional bodies - are asked to speak at meetings or conferences on technical issues associated with their profession.

SECTION TWO: SOCIAL MEDIA

- Derbyshire County Council social media accounts should be used to promote Council policies, events and services. They should not be used to promote the views, opinions or experiences of individual officers.
- Creation of all Derbyshire County Council social media accounts need to be approved by the Director of Communications. Individual officers cannot have County Council social media accounts in their own name.
- Departmental, service or project social media accounts need approval and can be set up by the public relations division. A brief business case should be prepared for each new social media profile. It should cover:
 - why it is needed?
 - who it is aimed at?
 - what are the key objectives and key messages?
 - who will manage it and post content?

- how often it will be used and reviewed against its objectives?
 - what is the exit strategy for closing it if it doesn't meet objectives?
- Cabinet Member social media accounts can be set up and managed by the public relations division. These should promote Derbyshire County Council policies and decisions and the Cabinet member's views on them. They should not be used for party political purposes.
- Individual elected member social media accounts can be set up by elected members but will be hosted externally. Links to them can be included on the member's page on the Derbyshire County Council website.
- Social media accounts held by individual officers in their private capacity should avoid commenting on Derbyshire County Council policies and any other issues relating to their position with the Council

FURTHER INFORMATION

Contact Public Relations on ext 38205.

Acceptable Use of Social Media Policy



Toni Compai
Director of HR
February 2013

DERBYSHIRE COUNTY COUNCIL

ACCEPTABLE USE OF SOCIAL MEDIA POLICY

1. Introduction

Derbyshire County Council recognises that the Internet provides a unique opportunity to participate in interactive discussions and share information using a wide variety of social media, such as Facebook, Twitter, and Blogs. Employees are likely to use social media in a private capacity outside of work and they may also be required to use it in a business capacity as part of their role at the Council.

However, an employee's use of social media in both a personal and business capacity can present risks to our confidential information and reputation, and could jeopardise our compliance with legal obligations. To minimise these risks, and to ensure that our IT resources and communications systems are used appropriately, we expect employees to adhere to this policy.

The purpose of this policy is to assist employees by providing clear guidance about acceptable behaviour on social media both at work and out of work. It is consistent with the regulations and conditions of service employees should already be aware of in their work for the Council.

2. Scope

This policy applies to all employees of the Council and is recommended to those schools where the Governing Body performs the function of the employer.

The policy also applies to contractors, agency workers, volunteers and those on apprenticeships and student/work experience placements, working on behalf of the Council.

This policy applies to the use of social media for both business and personal purposes, whether during office hours or otherwise. It also applies whether the social media is accessed using Council IT facilities, or equipment belonging to members of staff.

This policy should be read in conjunction with the Employee Code of Conduct, Harassment and Bullying Procedure, and Internet and Email Acceptable Use Procedure.

3. Exclusions

The social media policy will not apply where there are other separate, specific Council procedures to address an issue, e.g. *the Confidential Reporting Code*.

4. Definitions

Social media is a type of interactive online media that allows parties to communicate instantly with each other, or to share data in a public forum. This includes online social forums such as Twitter, Facebook, Linked-In, internet newsgroups, and chat rooms. Social media also covers blogs and video- and image-sharing websites such as YouTube and Flickr.

There are many more examples of social media as this is a constantly changing area. This policy refers not only to the examples listed, but also to any new social media which is developed in the future.

5. Personal Safety and Privacy

Employees need to be aware that the information they post on their personal social media profile can make them identifiable to service users, as well as people they know in a private capacity.

Employees should therefore consider this when setting-up their online profile, particularly in relation to use of a photograph, providing details of their occupation, employer, and work location.

Employees should ensure that clients known to them through their work, where there could be a conflict of interest, are not linked to them through social media. The Council considers it inappropriate to have service users as 'friends' through social media, especially where these people are vulnerable as there may be safeguarding issues.

For example, it would be inappropriate for Social Workers to have service users and their families as 'friends' on Facebook.

Online sites such as Facebook are in the public domain, and personal profile details can be seen by anyone, even if users have their privacy settings on the highest level. Also if a user's profile is linked to other sites, any changes to their profile will be updated there too. Employees who have set their privacy level to the maximum can have their privacy compromised by 'friends' who may not have set their security to the same standard.

6. Key Principles

6.1 Personal accountability and responsibility

All employees are expected to behave appropriately and responsibly, and should be aware that they may be accountable to the Council for their actions outside of work.

Online conduct is the employee's responsibility, and it is important that employees are aware that posting information on social networking sites in a personal capacity cannot be entirely isolated from their working life.

Any information published online can be accessed around the world within seconds and will be publicly available for all to see, and is very difficult to delete/withdraw once published.

The Council views any comment that is made on a social media site is made publicly, and that any inappropriate comment made, will be considered in the context of which it is made.

For example, disparaging comments against a colleague made to all friends on Facebook could be viewed as bullying/harassment, or could be considered as bringing the Council into disrepute.

Employees are advised to be mindful that all comments made through social media must meet the standards of the Data Protection Act, the Employee Code of Conduct and the Equality and Diversity Policy.

Employees may be accountable for actions outside of work, including making comments on social media sites, if that is contrary to any of Council's policies, impacts on or compromises the employee's ability to undertake their role, or undermines management decisions. Such behaviour could be investigated and may result in disciplinary action being taken, and ultimately could result in dismissal.

6.2 Access to social media for work purposes

Staff who use social media as part of their job must adhere to the Council's Social Media Policy. Employees must be aware that they are representing the Council when they are contributing to the Council's social media activities. Employees should use the same safeguards as they would with any other form of communication about the organisation which is in the public domain.

6.3 Access to social media at work, for personal use

Employees are not allowed to access social media websites for personal use from the Council's computers or devices during working time and they must not be left running 'in the background', whilst at work. These provisions also apply to personal computers and mobile devices.

Leaving Social Media sites 'running' constantly in work time is considered to be a breach of the acceptable use of the internet policy.

6.4 Any communications that employees make through social media must not:

- **Bring the organisation into disrepute, for example by:**
 - Criticising, disagreeing or arguing with customers, colleagues or managers;
 - Making defamatory comments about individuals or other organisations/groups;
 - Posting images that are inappropriate or links to inappropriate content;
- **Breach confidentiality, for example by:**
 - Referring to confidential information about an individual (such as a colleague or service user) or the Council
- **Do anything that could be considered discriminatory against, or bullying or harassment of, any individual or group of individuals, and in contravention of the Council's procedures, for example by:**
 - Making offensive or derogatory comments relating to sex, gender -reassignment, race (including nationality), disability, sexual orientation, religion or belief or age;
 - Using social media to bully another individual (such as an employee of the Council); or
 - Posting images that are discriminatory or offensive or links to such content.
- **Any other action that impacts on the employees ability to do their job, for example by:**
 - Online activity that is incompatible with the position they hold in the Council
 - Any breach occurring inside or outside the workplace that is likely to affect the employee doing his/her work.
- **Contravene the Council's policies, for example;**
 - The Employee Code of Conduct, the Harassment and Bullying Policy, or the Equality and Diversity Policy.

The above examples are not a definitive list of the misuse of social media, but are examples to illustrate what misuse may look like. Employees are encouraged to talk to their manager and seek advice if they are unclear.

7. Addressing allegations of misuse

All employees are required to adhere to this policy. Comments made through social media may constitute an act of misconduct or gross misconduct, which could lead to dismissal, if the comments contravene any of the Council's policies or if they lead to a breakdown in the relationship of mutual trust and confidence.

Managers should ensure that all complaints are dealt with consistently and fairly.

8. Roles and responsibilities

Employees have a responsibility to:

- Avoid behaviour that may cause an individual to feel the subject of harassment or bullying.
- Familiarise themselves with the Social Media policy and employee guidelines to using social media.
- Act responsibly when using online media for work and personal use.
- Report instances to their manager, if they are themselves subject to abuse

Managers have a responsibility to:

- Familiarise themselves with the Social Media Policy and employee guidelines to using social media.
- Take prompt action to stop any harassment or bullying they become aware of, whether a complaint has been raised or not
- Ensure staff are aware of the Social Media Policy and employee guidelines
- Support employees who are the subject of abuse through existing practices
- Ensure all complaints/allegations are dealt with fairly and consistently, and in accordance with other employment policies where appropriate.

HR staff have a responsibility to:

- Provide support and advice to managers and employees on the operation of the policy and guidelines, where necessary.

9. Further Guidance

An Employees' Guide to the use of social media.

This policy also works alongside other policies including the Internet and Email Acceptable Use Policy, Employee Code of Conduct, Disciplinary Procedure and the Harassment and Bullying Procedure, copies of which are available on DNET or from your manager.