

Policy on Communications Protocol/Social Media Guidance

Adopted: 1st December, 2015

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1. INTRODUCTION

This Protocol has been drawn up in accordance with the “Governance Toolkit for Parish and Town Councils” prepared as a partner publication by Association of Council Secretaries and Solicitors, Society of Local Council Clerks, Standards for England, the National Association of Local Councils and the Local Government Association. It also takes into account the principles in the National Code for Recommended Practice on Local Authority Publicity 2001.

The Code of Practice aims to help local government communicate effectively and impartially so that legitimate political debate is not stifled. It states “The main purpose of local authority publicity is to increase public awareness of the services provided by the authority and the functions it performs; to explain to electors and ratepayers the reasons for particular policies and priorities; and in general to improve local accountability”.

The Protocol has been updated to take into account the growing use of what is collectively called “social media” which can be found at pages 4 - 6 below.

2. GENERAL PRINCIPLES (COMMUNICATIONS WITH THE MEDIA AND THE PUBLIC)

The Council's communications will be open and honest in dealing with the media.

In accordance with Standing Order No. 21, all requests from the press or other media, for an oral or written statement, or comment from the Council shall be processed in accordance with the Council's policy in respect of dealing with the press and/or other media.

- The purpose of press releases is to increase public awareness of the Parish Council's activities. All press releases must be written by the Clerk, who will, if appropriate, consult parish councillors individually, or the Parish Council as the corporate body.
- Proactive media releases will be issued to promote a decision or work of the Parish Council.
- Reactive press releases will be prepared and issued in response to a specific question or as a rebuttal to an article already published. Such statements should be dealt with in a timely manner.
- Information bulletins (which are posted on the website and notice-boards) will be used when it is necessary to provide vital information to the public very quickly; for example, the outcome of a specific planning application.

- Other press releases will report the decisions and outcomes of the Council's activities, and explain the reasons for them.
- The Clerk will be responsible for clearing all press reports, or comments to the media, in consultation with the Chairman of the Council or the Chairman of the relevant committee/sub-committee.
- The media will on occasions attempt to by-pass the Clerk; however, it is essential that all communications are co-ordinated and managed through the Clerk. Where parish councillors are contacted direct by the media, they should refer them to the Clerk.
- The Parish Council occasionally works with partners, mostly from the public sector, and in these circumstances, their contribution should be acknowledged.
- Press reports from the Parish Council, its committees or working groups shall, in general, be sent from the Clerk or via the reporter's own attendance at a meeting.
- In addition to the Clerk, the Chairman, or in his/her absence, the Vice-Chairman (if a Vice Chairman has been elected at the Annual Meeting), shall be authorised to speak to representatives of the media in respect of Parish Council matters, where specifically authorised so to do.
- Unless a Parish Councillor has been authorised by the Council to speak to the media on a particular issue, Parish Councillors who are asked for comment by the press should make it clear that any views they express are personal and request that this be clearly reported as their personal view.
- Unless a Parish Councillor is absolutely certain that he/she is reporting the view of the Council, they must make it clear to members of the public that they are expressing a personal view. [The only clear way of being aware of the Council's view is if the matter has been discussed at a Parish Council meeting, and a decision made on that item.]
- It should also be noted that on occasions, the most effective strategy is not to respond to the media.
- Press releases will not be used to comment on national political debates unless of specific relevance to this Parish Council.
- All media releases issued by the Council will include a quotation from the Chairman (or, in his/her absence, the Vice-Chairman, if there is one); if it is not possible to contact the Chairman or Vice-Chairman a quotation will be attributed to the Chairman
- The Clerk will be the first point of contact for the media; however, where it is appropriate for an elected Member to represent the Parish Council, the Chairman or Vice-Chairman shall be authorised as the official spokesperson for the Council.
- Individual Members will not be permitted to issue media releases on behalf of the Parish Council.
- In the restricted period before an election, commonly known as "purdah" media releases will not include quotes from Members who are due for re-election; this is mainly of relevance to Mendip District Council, but it is helpful for parish councillors to be mindful of the provision.

3. PARISH COUNCIL CORRESPONDENCE

- The first point of contact for the Parish Council is the Clerk and it is to the Clerk that all correspondence for the Parish Council should be addressed.
- The Clerk should deal with all correspondence following a meeting.
- No individual Parish Councillor should communicate direct with companies/individuals with which the Parish Council has a contractual relationship. All enquiries should be through the Clerk.
- No individual Parish Councillor should be the sole custodian of any correspondence or information in the name of the Parish Council (or its committees/sub-committees). [In particular, Parish Councillors do not have a right to obtain confidential information/ documentation unless they can demonstrate a “need to know”.]
- All official correspondence should be sent by the Clerk in the name of the Parish Council, using Council letter-headed paper.
- Where correspondence from the Clerk to a Councillor is copied to another person, the addressee should be made aware that a copy is being forwarded to that other person.
- Correspondence sent on behalf of the Parish Council to the County Council shall also be copied to the two Ward Councillors.

4. PARISH COUNCILLOR CORRESPONDENCE WITH EXTERNAL PARTIES

The Clerk sends out the Council’s correspondence to other bodies, and correspondence from individual Parish Councillors should be avoided; however, there may be exceptional situations when it is appropriate for a Parish Councillor to issue correspondence in his/her own name. Such correspondence must be authorised by the Parish Council and the correspondence must make it clear that it has been written in an official capacity and has been authorised.

5. AGENDAS FOR PARISH COUNCIL MEETINGS

- In accordance with Paragraph 1 (4) (a) of the Public Bodies (Admission to Meetings) Act 1960, agendas will be published no later than 3 clear days before a meeting. Current best practice is distribution 5 or 7 days before the meeting and excludes weekends and bank holidays.
- Where the Clerk or a Parish Councillor wishes fellow councillors to receive matters “for information only” in respect of items on the agenda, this will be circulated via the Clerk. Note: This applies to items on the agenda only. Parish Councillors are entitled to share any other information they wish, with their colleagues. In these circumstances, it can be helpful for the Clerk to be copied in.

GUIDANCE ON USE OF SOCIAL MEDIA POLICY

The use of what is collectively called “social media” is an increasingly popular communication tool and is used to describe methods of publishing on the Internet. The Parish Council has already established a web site (www.holcombepc.org.uk) that provides a platform for electronic communication (email), between the Clerk, Councillors and the public. The Parish Council has indicated that it is minded to introduce further means of interaction with the public in the not-too-distant future and at that time will need to ensure that a policy and protocol is in place. In the meantime, it is hoped that the guidance below will provide sufficient information to enable Councillors to be prepared for the “pitfalls” of using social media, which are well-publicised.

Social media includes, but is not limited to, the following:

- Facebook
- Twitter
- YouTube
- Blogs and various discussion forums
- Linkedin
- E-mail

A FEW LEGAL MATTERS FIRST!

Defamation:

This term covers libel (written) and slander (spoken) and relates to the publication of any untrue statement about a person which is damaging to their reputation. This also applies if someone is allowed to publish something libellous on the Parish Council’s website. If the Parish Council is aware of it and doesn’t take prompt action to remove it, a successful libel claim against the Parish Council will result in an award of damages against the Council.

Data Protection

Avoid publishing the personal data of individuals unless their written permission has been obtained.

Bias and Pre-determination

The Localism Act 2011 sought to remove the concept of pre-determination but it still exists. Although the Parish Council is only a consultee on planning applications, rather than the determining body, it is wise to avoid publishing anything which might suggest that Members do not have an open mind on these matters. The much-quoted example of pre-determination is “over my dead body!”

Copyright

Placing images or text on the website, from a copy-righted source without permission is likely to breach copyright. Avoid publishing anything unless permission has been granted. Breach of copyright may result in an award of damages against the Parish Council.

Obscene Material

Obvious! This is a criminal offence.

The Council's legal position

The Parish Council is apolitical but it is worth noting that party-political material is a misuse of the Parish Council's website. There should be no material included which attempts to persuade the public to a particular view, promote the personal image of a particular councillor, promote an individual councillor's proposals or recommendations, or personalise issues. Nor should the Council assist in the publication of any material which does any of the above.

Code of Conduct Implications

Councillors can have blurred identities; they may have a social media account on which they comment as both an individual and a councillor. It must at all times be made clear whether councillors are posting as individuals or in their capacity as a councillor.

Aspects of the Members' Code of Conduct apply as much to on-line activity as they do to other written or oral communication. On-line content should be objective, balanced, informative and accurate. What is written on the Internet is permanent.

The key to whether on-line activity is subject to the Code of Conduct is whether the councillor is giving the impression that he/she is acting as a councillor. It is the perception which counts. If the perception is that a Councillor is acting as a councillor, the provisions of the Code of Conduct apply.

“Do's and Don'ts” in your capacity as a councillor:

- Comments should be respectful and informative, never condescending or “loud”. “Loud” is when capital letters are used. Use sentence-case format.
- Refrain from posting controversial or potentially inflammatory remarks. Language which could be deemed as offensive, especially in respect of race, sexuality disability etc. should not be published on any social media website.
- Avoid personal attack, on-line fights and hostile communications.
- Never use an individual's name unless you have written permission.
- Respect the privacy of other councillors and residents.
- Be aware not to publish anything which violates laws or regulations.

In the main, Councillors have the same legal duties on-line as anyone else, but failure to comply with the law may have more serious consequences. It is useful to remind Councillors that extra care needs to be taken for electoral campaigning and when writing on planning matters.

If a councillor owns a Twitter or Facebook account there are a few key points to note:

- Default on Twitter accounts is for everyone and anyone to follow you
- Facebook is slowly moving towards that approach
- Even if it is a personal account, you are still a councillor, any opinions shared could and would be associated with the Council
- It is immediate time communication.
- Consider what else is on your account as well as pictures, comments from friends and family

Publication and Mediation of the Website

The Parish Council will periodically elect a Councillor who will be responsible for maintaining the Council's website and publishing all information onto it. Councillors or parishioners who have any concerns regarding content placed on the website should report them to the Parish Clerk.

Future Policy

In due course, the Parish Council will consider what type of complimentary Social Media will be adopted and what items it would wish to share; for example –

- Dates of meetings only
- Dates of activities across the community
- Sharing information from other sources, perhaps the gritting routes for that particular evening
- Early notification of forthcoming agenda items which might be of particular interest; e.g. - large-scale proposed housing development

Any additional form of Social Media adopted by the Council in future will have guidelines which will be incorporated into this policy by revision and will sit alongside relevant existing policies which will need to be taken into consideration.

The use of social media should not replace existing forms of communication. The Parish Council website along with Parish Notice Boards and the 'On the Map' Newsletter will remain the main tools for the purposes of communicating information about the Parish Council's activities. However, the use of additional social media will be considered as an enhancement to the Parish Council's communications with its residents. It could be used to send such items as flood alerts; "check your neighbour" reminders; gather opinions on particular issues; engage with the local community, especially with those who might work away from the area but would be prepared to pick-up headlines from a tweet.

In terms of using Twitter, Facebook and similar, it is important to note that these still fall under the Parish Council's Standing Orders; for example, the Council must pass a resolution if it wants to set up and manage a Facebook page, or tweet on behalf of the Council.

Research Sources:

- *Governance Toolkit for Parish and Town Councils (published jointly by the Association of Council Secretaries and Solicitors, Society of Local Council Clerks, Standards for England, the National Association of Local Councils and the Local Government Association)*
- *National Code for Recommended Practice on Local Authority Publicity 2001.*
- *Connected Councillors – a guide to using social media to support local leadership, published by I&DeA*