

Councillor Use of Social Media Policy

CD18870

Document control

Record Number	CD18870
Date Created	20 November 2024
Next review date	20 November 2026
Business Unit	Communications
Responsible Officer	Shawn Neilsen
Date of Approval	3 March 2025

1. Purpose

- 1.1. This policy provides guidance and specific provisions that apply to social media use by councillors.
- 1.2. The policy applies to elected and currently serving councillors using social media in a professional capacity in their role as councillors and;
- 1.3. In their personal capacity, where that use relates to or might otherwise impact on Council, its reputation and or its effectiveness.

2. Introduction

- 2.1. The use of social media and professional networking media (such as LinkedIn, Facebook, Instagram, X and YouTube) offer opportunities for people to collaborate in online forums and communities that share common interests and share or consume content.
- 2.2. Councillors, as potential social media users, need to understand that information provided by them or their representatives on social media can be seen by the public.
- 2.3. When engaging in social media, councillors need to be clear about who they are representing, taking responsibility for ensuring that any references to Council are factually correct and accurate, do not breach confidentiality requirements, and show respect for the individuals and communities with which they interact.
- 2.4. **The Model Councillor Code of Conduct**, affirmed by all Banyule councillors prescribes standards of conduct that apply to all councillor interactions, including in the use of social media platforms.

3. Definitions

In this policy:

- 3.1. **Social media** - the term social media refers to a range of digital platforms and social networking tools and forums including (but not limited to) Facebook, X, Instagram and YouTube.
- 3.2. **Council** – Banyule City Council
- 3.3. **Council officer** – Any individual acting for or on behalf of Council, including employees, volunteers and contractors
- 3.4. **Councillors** – an elected and currently serving Banyule City Council Councillor
- 3.5. **Communications Team** – the team of Council responsibility for managing Council's corporate social media activities
- 3.6. **Model Councillor Code of Conduct** has the same meaning as at section 3 of the Local Government Act 2020 (Vic)
- 3.7. **Personal information** has the same meaning as at section 3 of the Privacy and Data Protection Act 2014 (Vic)

4. Councillor use of social media

- 4.1. Councillors are under no obligation to use social media but may wish to do so of their own volition.
- 4.2. Councillors acknowledge that they are required to adhere to the **Model Councillor Code of Conduct** in conducting online activities.
- 4.3. Councillors choosing to use social media are also required to comply with the terms of service of any platform used and take responsibility for administration and moderation of social media accounts. A breach of the terms of service of a social media platform is not in and of itself a breach of the Model Councillor Code of Conduct.
- 4.4. If choosing to use social media, a councillor has the right to express an independent view consistent with the Charter of Human Rights and Responsibilities Act 2006;
- 4.5. Councillors must ensure that any other person operating social media on a councillor's behalf also comply with the provisions of this policy.

5. Council resources and support

- 5.1. Councillors can use Council provided hardware for professional use of social media.
- 5.2. Councillors will receive training in complying with this policy as part of the mandatory Councillor induction and ongoing professional development programs.
- 5.3. Council's Communications Team will make available generic collateral (such as graphics, images and suggested copy) that promotes Council programs for councillors to use on social media.
- 5.4. Councillors have access to Council's employee assistance program - a voluntary and confidential service designed to assist councillors with personal concerns that affect their personal wellbeing and/or performance as a councillor that may arise using social media.
- 5.5. Councillors will not be provided with (*unless explicitly approved by the Chief Executive Officer and is in line with the endorsed Councillor Expense Policy*):
 - technical or other support for the use of social media platforms
 - social media monitoring or reporting services; or
 - legal advice regarding social media content.
- 5.6. Councillors will be provided with:
 - updates and general advice on social media platforms that are unsafe, present security issues or are deemed obsolete to protect professional integrity.

6. Spokesperson and official channels

- 6.1. The Communications Team is responsible for maintaining Council's Corporate social media channels and will curate content on behalf of the Council.
- 6.2. Councillors may be requested to participate in creating content for social media to assist in the promotion of Council services, events and activities.
- 6.3. The Mayor is the principal spokesperson of Council and is given first opportunity to be spokesperson in relation to Council positions, policies and decisions and issues pertaining to municipal wide decisions, initiatives and advocacy.
- 6.4. If the Mayor is absent to comment, the Deputy Mayor is the principal spokesperson for Council.
- 6.5. The Mayor or the CEO may nominate another councillor to speak on specific issues if the Mayor is unavailable.
- 6.6. If a councillor is contacted via social media by the media for comment on a Council position, program, decision or service they are encouraged to refer the matter to the Communications Team who will provide support and guidance.

7. Model Councillor Code of Conduct

- 7.1. The Model Councillor Code of Conduct, affirmed by all Banyule councillors prescribes standards of conduct that apply to all councillor interactions, including in the use of social media.
- 7.2. The Model code outlines the required behaviours that uphold integrity, trust and good governance.
- 7.3. Failure by a Councillor to comply with the Model Councillor Code of Conduct constitutes misconduct under the Local Government Act 2020 which may be addressed through the Council's adopted Councillor Internal Dispute Resolution Procedure and/or through the Internal Arbitration process under section 141 of the Local Government Act 2020.

8. Personal expression

- 8.1. As outlined in the *Victorian Charter of Human Rights and Responsibilities Act 2006* Councillors enjoy the human right to freedom of expression which includes the freedom to seek, receive and impart information and ideas of all kinds, subject to any lawful restrictions reasonably necessary.

- 8.2. When engaging in social media, councillors need to be clear about who they are representing, taking responsibility for ensuring references to Council are factually correct and accurate, do not breach confidentiality requirements, and show respect for the individuals and communities with which they interact.
- 8.3. Councillors must make it clear that views expressed on their social media platforms that are used in their roles as Councillors are personal and not an official platform of Council. An example statement placed on the social media account could include:

"This page/account/profile is hosted by me in my capacity as an individual councillor and reflects my personal views. This is not an official page of Banyule Council and should not be used for making service or maintenance requests or otherwise contacting Council. Council can be contacted at banyule.vic.gov.au"
- 8.4. Sharing of content posted on corporate communications channels is appropriate, however councillors must ensure that any additional commentary added as part of sharing complies with the requirements of this policy.
- 8.5. Councillors may express a personal view that differs from Council's decision or endorsed position, provided it complies with the standards contained in the Model Councillor Code of Conduct and the provisions of this policy.

9. Privacy and confidentiality

- 9.1. Councillors have a responsibility to maintain confidentiality of local government information that is not publicly available.
- 9.2. Activity on social media must only discuss publicly available information.
- 9.3. Councillors are required to comply with relevant Commonwealth and State legislation and laws in their use of social media.
- 9.4. The use of Council logos, branding and design on personally created content is strictly prohibited.

10. Customer requests

- 10.1. From time to time, Councillors may receive service requests, complaints, feedback or other correspondence intended for the Council (customer requests) from members of the public via social media channels.
- 10.2. Councillors are encouraged to direct any customer service requests to be submitted via the official customer service channels available.
- 10.3. Councillors are encouraged to pass on any complaints received via social media to Council so they may be responded in accordance with Council's Complaint Handling Policy.

11. Moderation of community content

- 11.1. Councillors maintain an absolute right to moderate community content on their social media platforms, including comments, reactions and other contributions.
- 11.2. Councillors must remove community content that, if published by the Councillor, would be contrary to the Model Councillor Code of Conduct.
- 11.3. Councillors maintain an absolute right to block or ban persons from their social media platform at their sole discretion.
- 11.4. Council officers are available to provide general advice about content moderation.

12. Related Documents and Legislation

- Model Councillor Code of Conduct 2024
- Banyule Customer Complaint Management Policy
- Election Period Policy

- Councillor Expenses Policy
- Banyule Privacy Policy
- Media Policy and Guidelines (under review)
- Copyright Act 1968 (Cth)
- Criminal Code Act 1995 (Cth)
- Crimes Act 1958 (Vic)
- Defamation Act 2005 (Vic)
- Equal Opportunity Act 2000 (Vic)
- Freedom of Information Act 1982 (Vic)
- Health Records Act 2001 (Vic)
- Local Government (Governance and Integrity) Regulations 2020 (Vic)
- Local Government Act 2020 (Vic)
- Privacy and Data Protection Act 2014 (Vic)
- Summary Offences Act 1966 (Vic)