



INTEGRITY IN PUBLIC LIFE

ADVICE ON THE USE OF SOCIAL MEDIA FOR COUNCILLORS

1. Introduction

1.1 Section 3 of the Councillors' Code of Conduct (Code) concerns the general conduct expected in situations where an individual is acting as a councillor, has referred to themselves as a councillor, or could objectively be considered to be acting as a councillor.

1.2 In particular, paragraph 3.1 of the Code states:

I will treat everyone with courtesy and respect. This includes in person, in writing, at meetings, when I am online and when I am using social media.

1.3 This Advice Note is intended to assist councillors in complying with the provisions of the Code when using social media. Several of the provisions within Section 3 of the Code can apply when a councillor is using social media. These include ones concerning:

- respect;
- bullying and harassment;
- confidentiality;
- relations with officers; and
- the use of the Council's facilities.

1.4 Social media continues to evolve and, as such, this Advice Note is not intended to be exhaustive or definitive. It is intended to be a guide to help councillors understand how issues arising from the use of social media can have an impact in terms of compliance with the Code.

2. General Advice

2.1 It is important to note that the rules of good conduct outlined in Section 3 of the Code must be observed in all situations where you are acting as a councillor or have identified yourself as acting as such. This includes when attending meetings of your Council and when representing it on official business. The Code also applies when you could objectively be considered to be acting as a councillor. You should be mindful that *your* perception of when you are carrying out official business and when you are acting privately may be different to that of a member of the public.

2.2 In considering whether you are acting as a councillor, or could objectively be considered to be acting as a councillor, factors to consider include whether:

- You are representing or speaking on behalf of your Council.
- You are using IT equipment and / or an email account supplied by your Council.
- Your conduct could reasonably be regarded as bringing your position as a councillor, or your Council, into disrepute.
- You are engaged in political activity or commenting on political matters; and whether these fall within or outwith the scope of the Council's functions.
- You are readily identifiable as a councillor in the situation / circumstances (for example, if your social media page contains a biography that refers to your status as a councillor).
- You mention your Council or its work or functions on any social media page or in any other social media posting.

2.3 Due to the public nature of social and print media, and your profile as a local authority member, you may wish to consider whether members of the public might automatically assume you are commenting in your capacity as an elected politician in anything you post, publish or share in either forum.

2.4 In considering whether your social media account could reasonably and objectively be described as 'private', you should think about the number of followers you have and why they are following you. If, for example, you do not know some of these individuals personally (or indeed some of the followers are organisations, such as your political party), it may be that they are following you because you are a councillor.

2.5 You should note the Code may still apply if you have amended the name of any social media account for campaigning purposes (for example, by changing it from '@CllrX', to 'XforYTown'), particularly if you have retained the content and the same followers.

2.6 You should always try to think ahead. If you have any concerns about a potential problem or conflict of interest, you should speak to your Council's Monitoring Officer so that advice can be sought and / or action can be taken before a situation becomes a serious problem or before a complaint is made about you.

3. Conduct on Social Media

3.1 The rules of good conduct may apply when you are engaging in media activity including the use of social media. As you will be aware, social media is a term used to describe online technologies, applications and practices that are used to share information, knowledge and opinions. The most well-known platforms include Facebook, X, Instagram, YouTube, TikTok and LinkedIn. The term social media can include, but is not limited to, social networking sites, blogs, wikis, content sharing sites, photo sharing sites, video sharing sites and customer feedback sites.

3.2 The conduct expected of you in a digital medium is no different to the conduct you should employ in other methods of communication, such as face to face meetings and letters. Before commenting or posting, you should consider very carefully whether:

- You understand the immediate and permanent nature of any comment or post you are about to make, and that you will have no control over the extent to which it is shared, and by whom.
- You would make that comment or post in-person, face to face.
- You have such conviction in what you are about to share that you would be prepared to justify it if challenged at a later date.
- You fully understand that even if you delete your post, it may have been captured by way of a screenshot or otherwise retained in some way (including being automatically cached

online), and that fully deleting content once it has been shared online is almost impossible to achieve.

3.3 Other important factors to consider when using social media include whether:

- You are identifiable as a councillor by directly referring to yourself as such or indirectly by referring to the Council, committees, decision-making processes or other functions of your role as a councillor, or through any information or images posted.
- The account you are using is “private” and whether you have set your privacy controls accordingly. You should bear in mind that anyone who is able to view your social media content will be able to screenshot and publicly share it, if they choose to do so.
- The number of ‘followers’ you have any and whether these individuals are following your account because you are a councillor.
- You have complied with any Social Media, Use of Information Technology or Communications policies your Council has produced.
- Information you are posting is confidential and you only have access to it because you are a councillor.
- You are demonstrating bias or pre-determination – you should avoid expressing an opinion on a matter your Council is yet to determine.
- You are using your Council’s equipment or your own when accessing or posting on social media platforms.
- You have complied with the law including defamation, copyright, data protection, employment and equalities or harassment provisions.
- If you are employed by an MP or MSP, you have made the capacity in which you are posting explicit.

3.4 Even if you consider that you are using social media in a private capacity, you should be aware that anything you post or put on your profile is a representation of you. Therefore, you should not put anything online that you do not want to represent you. You should be mindful that the separation of public and private comments may be unclear to someone reading them, and where information about your status as an elected member may be readily available online or from different sources (including your council’s website).

3.5 You may also wish to think about whether:

- You are treating others with respect and consideration.
- ‘Liking’, ‘reacting’, tagging, re-posting and sharing comments or posts, or publishing links to other sites could be reasonably regarded in the circumstances as endorsing the original opinion, comment or information, including information on other sites. This means, for example, that you could be found to be in breach of the Code if you share or like content that is disrespectful, critical of any identifiable individual council employee or could amount to bullying or harassment.
- You have read fully and understood properly any content that you are commenting on, ‘liking’, or re-posting, including considering whether you could be promoting ‘fake news’.
- To allow disagreement on your social media pages.
- The fact that tone can be harder to convey online so consideration should be given to whether humour, irony and sarcasm will be perceived as such.
- Anything you post could be considered obscene.

3.6 You should be mindful that the Code requires you to refrain from undermining any individual Council officer or group of officers, or from raising concerns about their performance, conduct or capability in public. You should not use social media to encourage your followers or anyone else to do so or to be disrespectful, in any other way, to others.

3.7 You should always consider whether you have to respond to a comment made about you or posted on your page and / or if it is appropriate or helpful to do so. Sometimes people will say nasty things and people in public life can be singled out for abuse. If people criticising you have the wrong information, by all means talk to them. But if they are being sarcastic or downright abusive you should consider whether there is any value in engaging.

3.8 It is almost impossible to entirely delete anything posted online. Even if you decided to delete something you have posted straightaway, there is always the possibility that someone has viewed or has taken a screenshot of the post in the meantime. What you post online will stay there and may potentially be shared with lots of other people, for both good and bad reasons.

4. Other Resources

4.1 Other guidance that may be of interest or assistance includes:

- The Improvement Service’s Guide to Social Media for Elected Members:
<https://www.improvementservice.org.uk/about-us/support-for-elected-members>;
- The Local Government Association’s Guidance on Social Media:
<https://www.local.gov.uk/our-support/communications-and-community-engagement/social-media-guidance-councillors/introductions>;
- The Scottish Government’s Policy on social media:
www.gov.scot/About/Information/Social-Media-Policies;
- The UK Government’s Guidance for civil servants:
www.gov.uk/government/publications/social-media-guidance-for-civil-servants/social-media-guidance-for-civil-servants

