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### SOCIAL MEDIA

Strategic Outcome:	Good government
Policy type	Strategic
Date of Adoption:	17 May 2023 <span style="float: right;">Minute Number: 098/23</span>
Date for Review:	18 May 2027
Responsible Officer:	Deputy Chief Executive Office
Document Control:	Replaces and revokes the Social Media Policy adopted 19 October 2022
Delivery Program Link:	2.1.3.5 Provide information technology and associated support for Council operations  4.2.1.5 Provide a broad range of Visitor Services including an accredited Visitor Information Centre, a destination website and social media

#### 1. POLICY STATEMENT

Council recognises the benefits of using social media as a means for engaging our communities, marketing, promotion and disseminating time-sensitive information to the widest possible audience.

It is acknowledged that certain risks are associated with social media tools and that these risks are not limited to reputation and the legitimate interests of Council. Moreover, it is based on the notion that under law, online content is permanent and should never be considered private.

Therefore, this policy has been developed to assist staff use social media in a productive and responsible manner.

This policy should be read in conjunction with Council's Code of Conduct.



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### 2. PURPOSE

The purpose of this policy is to:

- ensure communications through social media meet legal requirements;
- increase community engagement and connect with residents;
- ensure the communication team has a record of all existing accounts and their activity;
- offer responsive communication to the community;
- improve and encourage community engagement;
- guide and support Council officials responsible and productive use of social media;
- extend the reach of Council messages online by strengthening its relationships with relevant audiences;
- seek feedback and suggestions from engaged residents, ratepayers, business and visitors;
- monitor social media activity as it relates to Berrigan Shire Council; and
- assist employees to understand their responsibilities when posting social media content, including where private postings become a matter of concern to Council

### 3. SCOPE

This policy applies to the use of all social media by any employees, temporary contractors, volunteers or agency staff at Berrigan Shire Council.

This policy covers:

- the establishment and content management of Berrigan Shire Council social media accounts;
- the use of social media by Council officials on matters concerning the Council or likely to be viewed as concerning Council; and
- describes appropriate use of social media by Council Officials in a private or work capacity.

### 4. OBJECTIVE

This policy is developed to assist the Council with the Delivery Program Objective:

*2.1.3 Council operations and financial management support ethical, transparent, and accountable corporate governance*

*4.2.1 Implement the Berrigan Shire Tourism Strategy*



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### 5. DEFINITIONS

**Social Media** – Software tools that allow groups to generate content and engage in peer-to-peer conversations and exchange of content.

Examples include:

- Social networking sites – for example. Facebook, Instagram, LinkedIn
- Video and photo sharing websites – for example. YouTube
- Micro-blogging sites – for example. Twitter
- Weblogs, including corporate blogs, personal blogs or blogs hosted by traditional media publications
- Forums and discussion boards such as Microsoft Teams
- Online encyclopedias such as Wikipedia
- Any other web sites that allow individual users or companies to use simple publishing tools.

**Bring Your Own Device (BYOD)** – an arrangement allowing a person to use their personal device for Council purposes

**Council Official** – as defined in the Council Code of Conduct. It includes Councillors, Council employees and Council volunteers.

**Council Social Media Accounts:** – are only those social media accounts created with the express permission of the Chief Executive Officer

**Defamation** – is a communication from one person to at least one other that harms the reputation of an identifiable third person, where the communicator (the publisher) has no legal defence. The law of defamation aims to balance the right of free speech with protecting a person's reputation against harm.

**Post** – broadcast information in a public forum.



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### 6. POLICY IMPLEMENTATION

#### 6.1 Principles

The Berrigan Shire Council is committed to upholding and promoting the following principles of social media engagement:

- **Openness** – our social profiles are a place where anyone can share and discuss issues that are relevant to our Council and the community we represent and service
- **Relevance** – we will ensure our social media platforms are kept up to date with informative content about our Council and Community
- **Accuracy** – the content we upload onto our social media platforms will be a source of truth and we will prioritise the need to correct inaccuracies if/when they occur
- **Respect** – our social profiles are safe spaces, and inappropriate behaviour or comments will not be tolerated.

Social media is a public forum and Council officials will act accordingly. Posting on social media is the equivalent of a letter in the newspaper or a public address. Council officials are bound by the Berrigan Shire Council Code of Conduct and this policy applies to postings and use of Council social media accounts. This policy also applies to postings made by Council Officials on non-Council social media on matters concerning the Council or likely to be viewed as concerning Council.

When using Council social media, Councillors and Council employees will:

- act in accordance with the Council's Code of Conduct and not bring the Council into disrepute;
- take responsibility for their online activity;
- only use these services in accordance with this policy and Council's Communication Devices and the Internet Policy;
- not share or re-post publicly available information that may foreseeably harm or damage the reputation of Council, other entities or persons; and
- not post or cause the posting on social media Confidential and Personal information held by the Council.

#### 6.2 Personal use of social media and making public comment online

Under Council's Code of Conduct, employees must behave at all times in a way that upholds Council's values and must not behave in a way that calls into questions Council's capacity to act apolitically and impartially.



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Personal social media comment should ensure the poster notes the opinions are their personal opinion and not a reflection of Council's own policies or procedures. Personal criticism or attacks of Council staff, Councillors or comments that are seen to bring Council into disrepute, even on an employee's personal social media pages will not be tolerated and may result in disciplinary action.

### 6.2.1 General Principles

All Council officials are bound by the Berrigan Shire Council Code of Conduct. This includes their interactions on personal social media services.

When using personal social media accounts, Council officials will:

- take responsibility for their online activity. Social media is a public forum and Council staff must act accordingly. Council staff are bound by the Berrigan Shire Council Code of Conduct and this policy applies to postings to and uses of social media accounts;
- only use these services in accordance with this policy and Council's Communication Devices and the Internet Policy. Use of social media from Council devices and/or Council internet connections is not considered private;
- not use a personal social media account for Council purposes without the express permission of the Chief Executive Officer;
- not share or re-post publicly available information that may foreseeably harm or damage the reputation of Council, other entities or persons;
- not create or establish fictitious names or identities with the intent to avoid compliance with this policy or Council's Code of Conduct;
- ensure their postings on social media are clearly separated from their role as a Council employee;
- not present personal views in a manner to suggest that those views are endorsed or supported by the Council; and
- council employees must not use corporate email addresses, for example. "<name>@berriganshire.nsw.gov.au" to create personal accounts in sites unrelated to the Council.

### 6.2.2 Councillors

As members of the community, Councillors are entitled to use social media services to enter into public debate in their private capacity and make comment on Council affairs provided they clearly state that such public comment reflects their personal opinion and not that of the Council as a whole or a committee of Council.

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Comments by Councillors cannot contravene or negate a decision made by the Elected Body as a whole.

Comments made by Councillors must adhere to the Code of Conduct and the intent of this policy.

### 6.2.3 Employees

Employees will ensure their personal use of social media services does not undermine their productiveness and effectiveness at work. Employees will give their attention to the business of Council when on duty.

Employees must not use social media to communicate with other employees about Council business without express permission.

Use of personal social media accounts by employees during workplace incidents such as evacuations or accidents may cause distress to others. Posting to social media regarding such incidents may contravene privacy laws and / or Code of Conduct and may give rise to disciplinary action.

Inappropriate use of social media may lead to disciplinary action in line with the Local Government (State) Award.

### 6.3 **Establishment and Posting on Council Accounts**

In general, Council's activity on social media services will be via social media accounts established specifically for this purpose. Council social media accounts will only be established with the express permission of the Chief Executive Officer.

Only Council officials expressly authorised by the Chief Executive Officer will be permitted to add content to, and/or moderate a Council social media account and/or site. The principles expressed in this policy and that of the Council's Media Policy apply to all use of Council's social media accounts. All content posted online must therefore be appropriately authorised.

### 6.4 **Accessibility**

The Council is committed to social inclusion and provides support for people living with disability.

Where possible, content on official departmental social media accounts should also be made available in an alternative accessible format. This alternative may be represented on the Council's internet site, however given the online interaction inherent in social media, it may also be appropriate to refer individuals to telephone or face-to-face channels.



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### 6.5 Hours of Operation

Berrigan Shire Council's social media profiles are monitored between 8.30am and 5.00pm during Council business hours on weekdays only (except for emergencies).

Council will respond to relevant questions posed on our social media sites as per our Customer Service Charter.

### 6.6 Appropriate Content

We expect our community members and all who engage with Council through our Social Media platforms to apply a common sense approach when:

- making comments or responding to posts;
- posting information to our wall, including photos;
- commenting underneath a Berrigan Shire Council post
- tagging Berrigan Shire Council in a post or tweet

Council staff will moderate Berrigan Shire Council social media pages and any comments, links, photos or videos etc, deemed inappropriate will be managed according to the harm they may cause readers and / or the Council.

Where necessary, Council staff will hide or delete inappropriate content.

### 6.7 What is Inappropriate Content?

Inappropriate content including information that is:

- inflammatory;
  - defamatory, offensive, humiliating or intimidating;
  - contains profanity;
  - commercial or promotional;
  - spam;
  - click bait;
  - overtly party political;
  - encouraging activities illegal in Australia;
  - considered bullying and harassment;
  - discriminatory
  - transgressing copyright or intellectual property laws; and / or
  - compromising a person's privacy or personal details (for example, a phone number).
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If Council's moderators deem content inappropriate we may remove that content, in which case we will keep a record of it and notify the person who posted the content, including information as to why it has been removed. If staff believe the person's content violates our social media policy we may ban or block that individual. Before a ban or block is actioned Council will aim to notify the person of the intention to take such action.

Whilst Council encourages debate on topical issues relating to its activities, the Council's social media platforms are a means to promote the Council's plans, activities and positions and is not a general platform for discussion. There are no general public right to access, nor posting of comments on Council's social media platforms.

### **6.8 Owner's Rights and Record Management**

The Council will respect the legal and moral rights of content owners when publishing third-party content on its social media accounts. Council will ensure it has consent to use the material and that appropriate credit is given to the creator in circumstances where Council utilises third party content.

Online Council statements will be held to the same legal standard as traditional media communications. The Council will ensure it meets its statutory and regulatory record keeping obligations when using its social media accounts.

Council officials responsible for maintaining social media accounts will ensure relevant procedures regarding copyright and consent and records management are followed.

### **6.9 Council Services and Committees**

Where appropriate, the Chief Executive Officer may authorise a service-specific social media platform; for example Library, Economic Development etc. This policy equally applies to these dedicated accounts.

Volunteer committees of the Council may establish dedicated social media accounts and/or sites. The committees must advise the Council of the existence of these accounts and ensure the Council is provided appropriate administrative access to that staff may monitor their content.

Accounts maintained and managed by volunteer and committees of Council remain bound by this policy and the volunteers responsible for the accounts remain bound by the Council's Code of Conduct.

Social media accounts operated by volunteer committees must include a disclaimer clearly stating the views expressed are not necessarily the views or the position of the Council. The deletion of





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inappropriate content is equally the responsibility of volunteer committee members as it is of Council staff, including managing the records associated with any deleted or hidden posts.

Posting on volunteer committee accounts does not fall under the banner of the Council's Media Policy and specific authorisation is not required for each individual item posted on those platforms. However, the Council reserves the right to direct a volunteer committee to remove inappropriate content or in the case of continual breach of this policy, require that it close and delete the account.

It is impractical for the Council to continually monitor activity on social media sites operated by its volunteer committees. When the Council is informed about inappropriate, offensive or otherwise objectionable material posted on these sites, it will take timely and appropriate action to rectify the issue. The primary responsibility for the active management of these sites therefore rests with the volunteer committee members.

### **6.10 Privacy**

When accessing Berrigan Shire Council social media pages, the community, staff and Councillors are expected to treat the site as they would any other external internet site. They are therefore bound by the privacy principles of that site.

Berrigan Shire Council will collect and use information provided on its social media sites as per the requirements its Privacy Policy.

### **6.11 Prohibited platforms**

Berrigan Shire Council will, on the advice of the NSW and Federal Governments, maintain a list of prohibited social medial platforms.

For social media platforms on this list:

- use by Council will not be permitted
- applications will not be permitted to be installed on devices issued by the Council.
- websites hosting this application may not be accessed on devices issued by the Council

Staff and Councillors must also ensure that installation and/or use of an application on this list on a personal device approved for use for Council purposes under a BYOD arrangement is compliant with the Council's BYOD Policy (to be adopted).



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### 7. RELATED LEGISLATION, POLICIES AND STRATEGIES

#### 7.1 Legislation

- [Local Government Act 1993](#)
- [State Records Act 1998](#)
- [Privacy and Personal Information Protection Act 1998](#)
- [Government Information \(Public Access\) Act 2009](#)
- [Defamation Act 2005](#)
- [Copyright Act 1968](#) (Cth)
- [Online Safety Act 2021](#) (Cth)
- [Local Government \(State\) Award](#)
- [NSW Government Social Media Guidelines](#)

#### 7.2 Council policies and guidelines

- [Code of Conduct](#)
- Customer Service Charter (under development)
- [Media Policy](#)
- [Communication Devices and the Internet Policy](#)
- [Public Internet Usage Policy](#)
- Records Management Policy (under development)
- [Community Strategic Plan](#)
- [Delivery Program](#)
- [Discrimination, Workplace Bullying and Harassment Policy](#)
- [Active Aging and Disability Inclusion Strategy and Action Plan](#)

### 8. RECORDS MANAGEMENT

The Berrigan Shire Council will record all information posted to its social media channels and use that information for administering those channels including:

- record keeping
- considering and / or addressing any comments made.

No attempt will be made to further identify social media subscribers except where requested or authorised by law.

Social media posts and responses will be recorded where they:

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1. are high risk, commercial or highly valuable to the Council;
2. communicate decisions, give advice or commit to an action or outcome;
3. are about sensitive or contentious issues;
4. generate great interest from the public or media;
5. contain information not communicated elsewhere; and / or
6. have a long-term retention period or are identified as State archives.

Social media posts and associated comments that fit any of the above criteria will remain open (available publicly) for 2 years after the date of publishing.

Records that will be kept using Council's social media management platform include:

- all posts
- all comments
- all direct messages
- analytics generated by the platform
- analytics, case notes and responses from social media management platforms.

The following records will be kept for the periods of time outlined below:

- Councillor social media activity (during the Councillor's term of office)
- Replies to comments that involved complex answers (retention periods vary according to the State Records Act)
- Any posts that have been deleted, the reason for them being deleted and a copy of the policies and / or procedures that support the comment / post deletion (retention periods vary according to the State Records Act)

Records will not be kept on the social media management platform include but are not limited to:

- Marketing and promotional posts
- Customer service interaction
- General inquiries from customers and any responses (these will be moved to the Customer Request database to ensure recording); and / or
- Community consultation where a report is generated summarising the results.

All Records must be kept in accordance with Council's Records Management Policy (currently under development) and destroyed as per the General Retention and Disposal Authority: Local Government Records (GA39).

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### 9. REVIEW AND EVALUATION

This policy (procedure) will be evaluated and reviewed at least once every four (4) years as per Council's Governance Policy (currently under development) or as required.

### 10. DOCUMENT AVAILABILITY

A number of legislative instruments require Councils to have the policy available for inspection at Council's principal office (i.e. Policies made under Part 3, of the Local Government Act 1993). Each document should therefore state the ways in which the policy is available including any relevant fees and charges for access to such policy. An example of the required statement is provided below:

This policy will be available for inspection at Council's principal office during ordinary business hours as per the requirements of section 18 (c) of the *Government Information (Public Access) Act 2009* and section 167 of the *Local Government Act 1993*.

Access to the policy in digital format is free and is available on Council's website <https://www.berriganshire.nsw.gov.au/>

Printed copies of the document are available at Council's principal office (address noted below) and are subject to Council's Fees and Charges.

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*Ph: 03 5888 5100*

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### 11. VERSION CONTROL

Version Number	Date	Summary	Responsible Officer
1.0	19/08/2015	New Policy	Matt Hansen
2.0		Minor Update	Matt Hansen
3.0	15/03/2017	Minor Updates	Matt Hansen
4.0	20/07/2022	Complete Review to include Voller Case Findings and to come in line with current legislation	Karina Ewer
4.1	19/10/2022	Removal of sentence at clause 6.5 requiring closing of comments out of hours	Karina Ewer
4.2	17/05/2023	Inclusion of clause 6.11 – prohibited platforms	Matt Hansen

### APPENDICES

Nil