***WALGA Note:*** *WALGA provides this template policy as a* ***guide*** *for Local Governments to consider when developing or amending Policy relevant to official communications and the use of Social Media.*

*Policy content that is based upon obligations embedded in legislation has been specifically identified.*

*This template policy provides suggested wording only and Local Governments should review this policy content and consider, develop and implement policy suitable to their operational requirements.*

***Remember:*** *Policy implementation is given effect through appropriate induction, ongoing training and operational procedures that evidence Council Members and Employees have been made aware of and are accountable for their obligations and responsibilities.*

**Policy Objective**

This policy details legislative obligations and establishes protocols applicable to the <<Shire/ Town / City of XXX>>’s official communications with our community, to ensure the <<Shire/ Town / City of XXX>> is professionally and accurately represented and to maximise a positive public perception of the <<Shire/ Town / City>>.

**Policy Scope**

This policy applies to:

1. Communications initiated or responded to by the <<Shire/ Town / City of XXX>> with our community; and
2. Council Members when making comment in either their <<Shire/ Town / City of XXX>> role or in a personal capacity about matters relevant to the ≪Shire/Town/ City of XXX≫.

**Policy Statement**

# Official Communications

The purposes of the <<Shire/ Town / City>>’s official communications include:

* Sharing information required by law to be publicly available.
* Sharing information that is of interest and benefit to the Community.
* Promoting <<Shire/ Town / City of XXX>> events and services.
* Promoting Public Notices and community consultation / engagement opportunities.
* Answering questions and responding to requests for information relevant to the role of the <<Shire/ Town / City>>.
* Receiving and responding to community feedback, ideas, comments, compliments and complaints.

The <<Shire/ Town / City>>’s official communications will be consistent with relevant legislation, policies, standards and the positions adopted by the Council. Our communications will always be respectful and professional.

The <<Shire/ Town / City>> will use a combination of different communication modes to suit the type of information to be communicated and the requirements of the community or specific audience, including:

* Website;
* Advertising and promotional materials;
* Media releases prepared for the <<Shire President / Mayor>>, to promote specific <<Shire/ Town / City of XXX>> positions;
* Social media; and
* Community newsletters, letter drops and other modes of communications undertaken by the <<Shire/ Town / City>>’s Administration at the discretion of the CEO.

# Speaking on behalf of the [Shire/ Town / City of XXX]

The <<Shire President / Mayor>> is the official spokesperson for the <<Shire/ Town / City of XXX>>, representing the Local Government in official communications, including; speeches, comment, print, electronic and social media*. [ s.2.8(1)(d) of the Local Government Act 1995]*

Where the Shire President / Mayor is unavailable, the Deputy <<Shire President / Mayor>> may act as the spokesperson. [*s.2.9 and s.5.34 of the Local Government Act 1995]*

The CEO may speak on behalf of the <<Shire/ Town / City of XXX>>, where authorised to do so by the <<Shire President / Mayor>>. *[s.5.41(f) of the Local Government Act 1995]*

The provisions of the *Local Government Act 1995* essentially direct that only the <<Shire President / Mayor>>, or the CEO if authorised, may speak on behalf of the Local Government. It is respectful and courteous to the office of <<Shire President / Mayor>> to refrain from commenting publicly, particularly on recent decisions or contemporary issues, until such time as the <<Shire President / Mayor>> has had opportunity to speak on behalf of the <<Shire/ Town / City of XXX>>.

Communications by Council Members and employees, whether undertaken in an authorised official capacity or as a personal communication, must not:

* bring the <<Shire/ Town / City of XXX>> into disrepute, *[Rules of Conduct Reg.3(d)];*
* compromise the person’s effectiveness in their role with the <<Shire/ Town / City>>, *[≪insert relevant clause from your Local Government’s Code of conduct≫];*
* imply the <<Shire/ Town / City>>’s endorsement of personal views *[ s.2.8(1)(d) of the Local Government Act 1995]*,
* imply the Council Member or employee is speaking on behalf of the <<Shire/ Town / City>>, unless authorised to do so *[ s.2.8(1)(d) of the Local Government Act 1995];* or
* disclose, without authorisation, confidential information *[s.5.93 of the Local Government Act 1995]*.

Social media accounts or unsecured website forums must not be used to transact meetings which relate to the official business of the <<Shire/ Town / City of XXX>>. *[State Records Act 2000 / Local Government Record Keeping Plan, s’s 5.23(2) and 5.93 of the Local Government Act 1995]*

Council member communications must comply with the Code of Conduct and the *Local Government (Rules of Conduct) Regulations 2007*.

# Responding to Media Enquiries

All enquiries from the Media for an official <<Shire/ Town / City of XXX>> comment, whether made to an individual Council Member or Employee, must be directed to the CEO or a person authorised by the CEO. Information will be coordinated to support the <<Shire President / Mayor>> or CEO (where authorised) to make an official response on behalf of the <<Shire/ Town / City of XXX>>.

Council Members may make comments to the media in a personal capacity – refer to clause 7.1 below.

# Website

The <<Shire/ Town / City of XXX>> will maintain an official website, as our community’s on-line resource to access to the <<Shire/ Town / City>>’s official communications.

# Social Media

The <<Shire/ Town / City of XXX>> uses Social Media to facilitate interactive information sharing and to provide responsive feedback to our community. Social Media will not however, be used by the <<Shire/ Town / City>> to communicate or respond to matters that are complex or relate to a person’s or entity’s private affairs.

The <<Shire/ Town / City of XXX>> maintains the following Social Media accounts (delete / add as relevant to each local government):

* Social networks, including - Facebook, Yammer, LinkedIn and Google+;
* Media Sharing networks, including – Snapchat, Instagram, Flickr, Soundcloud, YouTube and Podcasts;
* Blogging networks, including – Wordpress or newshub;
* Micro-blogging networks, including – Twitter and Tumblr
* Apps (applications), including – Localeye, Report It, iCouncil, Go2Guides, My Local Services, Snap Send Solve, NearStreets

The <<Shire/ Town / City of XXX>> may also post and contribute to Social Media hosted by others, so as to ensure that the <<Shire/ Town / City>>’s strategic objectives are appropriately represented and promoted.

The <<Shire/ Town / City>> actively seeks ideas, questions and feedback from our community however, we expect participants to behave in a respectful manner. The <<Shire/ Town / City of XXX>> will moderate its Social Media accounts to address and where necessary delete content deemed to be:

* Offensive, abusive, defamatory, objectionable, inaccurate, false or misleading;
* Promotional, soliciting or commercial in nature;
* Unlawful or incites others to break the law;
* Information which may compromise individual or community safety or security;
* Repetitive material copied and pasted or duplicated;
* Content that promotes or opposes any person campaigning for election to the Council, appointment to official office, or any ballot;
* Content that violates intellectual property rights or the legal ownership of interests or another party; and
* Any other inappropriate content or comments at the discretion of the <<Shire/ Town / City>>.

Where a third party contributor to a <<Shire/ Town / City of XXX>>’s social media account is identified as posting content which is deleted is accordance with the above, the <<Shire/ Town / City>> may at its complete discretion block that contributor for a specific period of time or permanently.

## Shire President / Mayoral Social Media Official Accounts

The <<Shire/ Town / City of XXX>> supports the <<Shire President / Mayor>> in using official social media account/s to assist the <<Shire President / Mayor>> in fulfilling their role under section 2.8 of the *Local Government Act*, to speak on behalf of the Local Government. The content will be administered and moderated in accordance with this policy.

These official <<Shire/ Town / City of XXX>> accounts must not be used by the <<Shire President / Mayor>> for personal communications.

## Use of Social Media in Emergency Management and Response

The <<Shire/ Town / City of XXX>> will use the following channels to communicate and advise our community regarding Emergency Management:

* [list as appropriate]

# Record Keeping and Freedom of Information

Official communications undertaken on behalf of the <<Shire/ Town / City of XXX>>, including on the <<Shire/ Town / City>>’s Social Media accounts and third party social media accounts must be created and retained as local government records in accordance with the <<Shire/ Town / City>>’s Record Keeping Plan and the *State Records Act 2000.* These records are also subject to the *Freedom of Information Act 1992*.

Council Member communications that relate to their role as a Council Member are subject to the requirements of the <<Shire/ Town / City>>’s Record Keeping Plan and the *State Records Act 2000.* Council Members are responsible for transferring these records to the <<Shire/ Town / City>>’s administration. Council Member records are also subject to the *Freedom of Information Act 1992*.

# Personal Communications

Personal communications and statements made privately; in conversation, written, recorded emailed, texted or posted in personal social media, have the potential to be made public, whether intended or not.

On the basis that personal or private communications may be shared or become public at some point in the future, Council Members should ensure that their personal or private communications do not breach the requirements of this policy, the Code of Conduct and the *Local Government (Rules of Conduct) Regulations 2007*.

## Council Member Statements on Shire / Town / City Matters

A Council Member may choose to make a personal statement publicly on a matter related to the business of the <<Shire/ Town / City of XXX>>.

Any public statement made by a Council Member, whether made in a personal capacity or in their Local Government representative capacity, must:

1. Clearly state that the comment or content is a personal view only, which does not necessarily represent the views of <<Shire/ Town / City of XXX>>.
2. Be made with reasonable care and diligence *[Rules of Conduct Reg.3(a)]*;
3. Be lawful, including avoiding contravention of; copyright, defamation, discrimination or harassment laws;
4. Be factually correct *[Rules of Conduct Reg.3(b) and (f)];*
5. Avoid damage to the reputation of the local government *[Rules of Conduct Reg.3(d)]*;
6. Not reflect adversely on a decision of the Council *[≪Insert relevant clause from your Local Government’s Meeting Procedures Local Law and Code of Conduct≫]*;
7. Not reflect adversely on the character or actions of another Council Member or Employee [*Rules of Conduct Reg.10(3), ≪Insert relevant clause from your Local Government’s Meeting Procedures Local Law and Code of Conduct≫]*;
8. Maintain a respectful and positive tone and not use offensive or objectionable expressions in reference to any Council Member, Employee or community member *[Rules of Conduct Regs. 3(g) and 10(3), ≪Insert relevant clause from your Local Government’s Code of Conduct≫]*.

A Council Member who is approached by the media for a personal statement may request the assistance of the CEO.

Comments which become public and which breach this policy, the Code of Conduct or the *Local Government (Rules of Conduct) Regulations 2007*, may constitute a minor breach of the *Local Government Act 1995* *[refer s.5.105]* and may be referred for investigation.

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| **Document Control Box** | | | | | | | | | | | |
| **Document Responsibilities:** | | | | | | | | | | | |
| **Owner:** | [insert Position Title] | | | | | **Owner Business Unit:** | | | [insert Unit Title] | | |
| **Reviewer:** | [insert Position Title] | | | | | **Decision Maker:** | | | Council | | |
| **Compliance Requirements:** | | | | | | | | | | | |
| **Legislation:** | | [Local Government (Rules of Conduct) Regulations 2007](https://www.slp.wa.gov.au/legislation/statutes.nsf/law_s34895.html)  State Records Act 2000 - [SRC Standard 8 – Managing Digital Information](http://www.sro.wa.gov.au/sites/default/files/src_standard_8_-_june_2016.pdf)  [Shire/ Town / City of XXX] Meeting Management / Standing Orders Local Law | | | | | | | | | |
| **Industry:** | | [State Records Office Guideline – Management of Digital Records](http://sro.wa.gov.au/sites/default/files/guideline_digital_records_v2.pdf) | | | | | | | | | |
| **Organisational:** | | [Shire/ Town / City of XXX] Code of Conduct | | | | | | | | | |
| **Document Management:** | | | | | | | | | | | |
| **Risk Rating**: | | **[low / med / high]** | **Review Frequency**: | | **[annaul / biennial / triennial]** | | **Next Due:** | **[20##]** | | **Records Ref:** | **[CP####]** |
| **Version #** | **Decision Reference:** | | | **Synopsis:** | | | | | | | |
|  | [decision date / TRIM Ref] | | | [brief description of the adoption / changes approved] | | | | | | | |
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