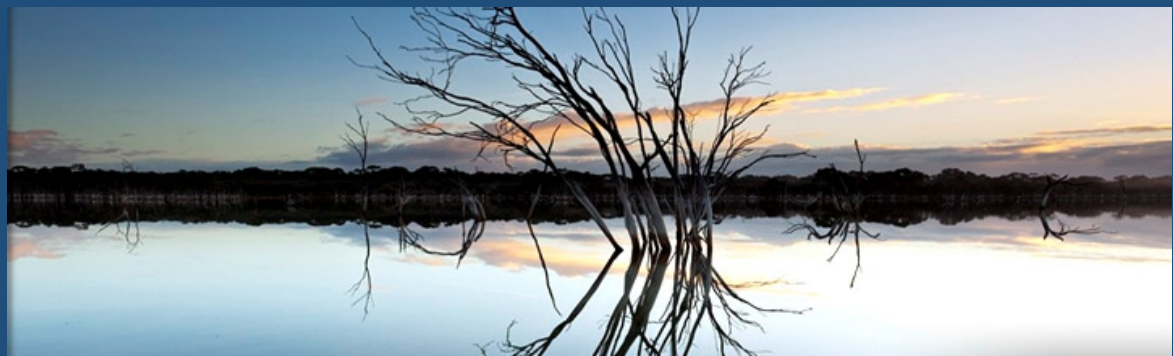




LOWER EYRE
COUNCIL

Policy – Media



“Working with our Rural & Coastal Communities”

Responsible Department	Corporate Services
Policy Adopted	15/03/2023
Minutes reference:	18.1 – OCM/23/015
Related Policies/Procedures/Codes:	Code of Conduct – Elected Members Code of Conduct – Employees CR-POL-02 – Public Consultation CR-POL-03 – Community Engagement Strategy GOV-POL-01 – Gifts, Benefits & Hospitality CR-PRO-01-01 Facebook Administration Guidelines
Review Frequency:	24 months

1. PURPOSE

The Lower Eyre Council recognises that traditional media such as print (newspapers, magazines other publications), television and radio, together with social media channels such as Facebook, Twitter, Linked In, YouTube, provide opportunities for Council to communicate and engage with its community and stakeholders.

This policy provides guidelines and direction for the appropriate engagement with media outlets as well as outlining the requirements for compliance with confidentiality, governance, legal, privacy and regulatory parameters when using social media to conduct Council business.

2. PRINCIPLES

The Lower Eyre Council recognises the effective use of media is essential in engaging with its community.

Traditional media and social media are key communication tools to allow the council to inform the community and stakeholders about relevant issues.

All media contact should be coordinated to maintain a correct and consistent message and professional image.

Elected members, employees and committee members of the Lower Eyre Council are expected to demonstrate standards of conduct and behaviour that are consistent with relevant legislation and regulations, and adhere to council policies and procedures.

Version No:	2.3
Issued:	March 2023
Next Review:	February 2025

3. SCOPE

This policy applies to all Elected Members, employees, contractors, agents and volunteers, including committee members, of the Lower Eyre Council who propose to engage with traditional media outlets or use social media on behalf of the council. The policy will also apply to agencies and individuals who provide services to the council and will be included in all relevant external supplier contracts.

The policy applies to those digital spaces where people may comment, contribute, create, forward, post, upload and share content, including:

- Blogs;
- Bulletin Boards;
- Citizen journalism and news sites which facilitate public comment;
- Forums and discussion boards;
- Instant message facilities;
- Microblogging sites such as Twitter;
- Podcasts;
- Social networking sites such as Facebook, MySpace, Google+, LinkedIn;
- Video and photo sharing sites such as YouTube, Flickr;
- Video live stream conferences;
- Collaborative community databases such as Wikipedia; and,
- Any other websites that allow individuals to use simple publishing tools or new technologies emerging from the digital environment to provide commentary.

The absence of a reference to a particular site or type of social media activity does not limit the application of the policy.

The policy is not intended to cover personal use of social media where no reference is made to the Lower Eyre Council, its elected members, employees, policies and services, or Council related issues, as well as suppliers and other stakeholders and their relationship with Council.

It does however, cover employees who nominate their employer as the Lower Eyre Council on their social networking sites such as Facebook as those comments (even if personal) reflect upon Council.

Version No:	2.3
Issued:	March 2023
Next Review:	February 2025

4. POLICY STATEMENT

When using media platforms Elected Members, Council Employees and Committee members are expected to:

- Adhere to the Council’s codes of conduct, policies and procedures;
- Comply with relevant laws and regulations;
- Behave with caution, courtesy, honesty and respect;
- Reinforce the integrity, reputation and values of the Lower Eyre Council ; and,
- Not use social media for personal reasons during office hours (excluding staff authorised to post, monitor and review Council’s social media pages).

The following is not permitted under any circumstances:

- Abusive, profane and sexual language;
- Content not relating to the subject matter of that blog, board, forum or site;
- Content which is false or misleading;
- Confidential information about council or third parties;
- Copyright or trademark protected materials;
- Discriminatory material in relation to a person or group based on age, colour, creed, disability, family status, gender, nationality, marital status, parental status, political opinion/affiliation, pregnancy or potential pregnancy, race or social origin, religious beliefs/activity, responsibilities, sex or sexual orientation;
- Illegal material or materials designed to encourage law breaking;
- Materials that could compromise Council, employee or system safety;
- Materials which would breach applicable laws (defamation, privacy, trade practices, financial rules and regulations, fair use, trademarks);
- Material that would offend contemporary standards of taste and decency;
- Material which would bring the Council into disrepute;
- Personal details or references to Elected Members, Council employees, Committee members or third parties, which may be inconsistent with Council’s Elected Member or Employee Code of Conduct;
- Spam, meaning the distribution of unsolicited bulk electronic messages; and,
- Statements which may be considered to be bullying or harassment.

Persons having any doubt about applying the provisions of this policy in relation to the use of social media should confer with the Director of Corporate Services and Community. Depending upon the nature of the issue and potential risk, it may also be appropriate to consider seeking legal advice.

Version No:	2.3
Issued:	March 2023
Next Review:	February 2025

4. POLICY STATEMENT cont'd:

The following general rules must be followed by all employees, Elected Members and authorised officers of Council:

Authorisation

Ensure appropriate authorisation has been obtained before acting as a spokesperson on behalf of Council in any media platform. The official spokespeople for the Lower Eyre Council are the Mayor and the Chief Executive Officer, unless authority is delegated.

Media

Do not speak to, issue statements or make announcements through media platforms unless authorised. Do not respond directly if approached by media for comment. Refer the enquiry to the Mayor or Chief Executive Officer and/or another authorised officer, who will determine the most appropriate response and delegate accordingly.

Expertise

Do not comment outside your area of expertise. Do not commit Council to actions or undertakings.

Disclosure

Only discuss publicly available information. Do not disclose confidential information, internal discussions or decisions of Council, employees or third parties. This includes publishing confidential, personal or private information where there is sufficient detail for potential identification of any Elected Member, Council employees, Committee members or third parties.

Accuracy

Be accurate, constructive, helpful and informative. Correct any errors as soon as practicable. Do not publish information or make statements which you know to be false or may reasonably be taken to be misleading or deceptive.

Identity

Be clear about professional identity, or any vested interests. Do not use fictitious names or identities that deliberately intend to deceive, mislead or lie. Do not participate anonymously or covertly via a third party or agency.

Privacy

Be sensitive to the privacy of others. Seek permission from anyone who appears in any photographs, video or other footage before sharing these via any form of media. If asked to remove materials, do so as soon as practicable.

Seek permission of parents/legal guardians of children if photographs or names are to be used in any media including social media.

Version No:	2.3
Issued:	March 2023
Next Review:	February 2025

4. POLICY STATEMENT cont'd:

Opinion

Council employees should not express or publish a personal opinion on Council generally or about Council business.

Elected Members

Elected Members must recognise and act in accordance with their responsibilities as stated in Council's Code of Conduct when discussing or commenting on Council matters.

Elected Members should not express personal opinions on Council decisions or Council business nor be critical of the Council. If it is not possible to separate official Council positions from personal opinions, Elected Members should consider using a formal disclaimer to state that such views are personal and not made on behalf of, nor are they the opinion of, Council.

Further to the above, Elected Members **should**:

- Maintain confidentiality of local government information the Elected Member has access to that is not publicly available;
- Remain alert to the possibility that personal comments about public issues may be misconstrued or misreported and therefore may compromise their capacity to perform their duties in an independent and unbiased manner (thereby requiring a declaration of a conflict of interest in a matter);
- Ensure that any comment(s) they express do not indicate that they have come to a conclusive view on a matter coming before council, prior to fully considering the proposal and related issues;
- Maintain a clear distinction between the Elected Member's personal and council related social media use;
- Consider using increased privacy settings for personal accounts;
- In relation to any social media activity, the Elected Member considers the appropriateness of their comments or activity, and any comments made by the Elected Member's related parties, and how they may be perceived by people who have access to the Elected Member's social media platforms; and
- Ensure that Elected Members understand that they are personally responsible for the comments they make on their social media platform and any allegation of defamation will be required to be defended and paid by the Elected Member personally.

Elected members **should not**:

- Express comments (whether verbally or written) that reflect adversely on the reputation of the Council and / or local government more generally.
- Directly and unnecessarily criticising other Elected Members or Council employees in order to undermine their position.
- Unduly influence other Elected Members, Council employees or contractors or undermine public confidence in the processes and decisions of the Council.
- Identify themselves as an Elected Member on their personal social media account.

4. POLICY STATEMENT cont'd:

General duty under the Local Government Act 1999

Elected Members and staff must be aware of their respective duties under sections 62 and 109 of the Local Government Act 1999 at all times and ensure that their use of social media is not contrary to these requirements.

Intellectual Property

Seek permission from the creator or copyright owner to use or reproduce copyright material including applications, sound recordings (speeches, songs), footage (video), graphics (graphs, charts and logos), images, artwork, photographs, publications or music.

Seek permission before publishing or uploading material in which the intellectual property rights, such as trademarks, are owned by a third party e.g. company logos.

Seek permission from the website's owner wherever possible before linking to another site (including a social media application).

Defamation

Do not comment, contribute, create, forward, post, upload or share content that is malicious or defamatory. This includes statements which may negatively impact the reputation of another.

Reward

Do not publish content in exchange for reward of any kind.

Do not seek to buy or recompense favourable media commentary. Encourage online publishers to be open and transparent in how they engage with, or review Council personnel, services or wares.

Political Bias

Do not endorse any political affinity or allegiance.

Respect

Always be courteous, patient and respectful of others' opinions, including detractors.

Discrimination

Be mindful of anti-discrimination laws and do not publish statements or information which may be discriminatory.

Language

Be mindful of language and expression.

State of Mind

Do not use media platforms when intoxicated, irritated, upset or tired.

Version No:	2.3
Issued:	March 2023
Next Review:	February 2025

4. POLICY STATEMENT cont'd:

Be safe

Protect your personal privacy and guard against identity theft.

Modification and moderation

Ensure that any social media sites created or contributed to can be readily edited, improved or removed and appropriately moderated.

When including articles on a social media site, wherever possible, refer by link back to the Council website to avoid creating additional versions of an article / post.

Access

Be mindful of the requisite government web standards for accessibility. Information made available via non-compliant platforms should be made accessible in another form where practical.

Response

Caution should be exercised in responding to community feedback via social media, with this medium designed to promote and inform the public as opposed to engaging in debate.

5. MONITORING

Council reserves the right, for legal compliance purposes, to monitor social media usage on its systems without advance notice and consistent with any applicable state, federal or international laws.

The Council may be legally required to produce logs, diaries and archives of social media use to judicial, law enforcement and regulatory agencies and will comply with any relevant requests.

6. ROLES AND RESPONSIBILITIES

6.1 Elected Members

- Seek advice/authorisation from the Chief Executive Officer or Director Corporate Services and Community on the use of social media;
- Seek approval for Council branding of social media;
- Register social media account/tools/site with the Council;
- Understand and comply with the provisions in this policy;
- Seek training and development for using social media; and,
- Seek advice from the Chief Executive Officer or Director Corporate Services and Community if unsure about applying the provisions of this policy.

(continued):

Version No:	2.3
Issued:	March 2023
Next Review:	February 2025

6. ROLES AND RESPONSIBILITIES cont'd:

6.2 Employees, volunteers, committee members, contractors and agencies

- Understand and comply with the provisions of this policy;
- Seek advice from the Chief Executive Officer or Director Corporate Services and Community if unsure about applying the provisions of this policy;
- Register social media accounts/tools/sites with the council;
- Seek training and development for using social media (where roles require the use of social media);
- Maintain records of email addresses, comments, friends, followers, and printed or electronic copies of screen grabs when using externally hosted sites to the extent practicable;
- Ensure contractors are advised of the policy during induction; and,
- Familiarise self with the End User Licence Agreements of any external social media tools being used.

6.3 Corporate Services

- Support use of social media tools for conducting Council business in line with community engagement policies and practices of Council;
- Provide advice and assist with the development of communication plans using social media;
- Educate Elected Members, employees about the Policy and their responsibilities when using social media;
- Advise appropriate precautions e.g. disclaimers;
- Maintain a register of social media being used for conducting Council business, including records of the business case for using social media, its strategic imperative, the intended audience, the intended administrators, the intended content creators, URL, login and password;
- Assist employees to retain records of social media use, including explaining the context or purpose of social media and a sample of posts where it is impractical to retain large volumes of screen grabs;
- Monitor social media accounts/tools/sites registered for conducting Council business;
- Monitor social media for references to the Lower Eyre Council ; and,
- Seek legal advice as appropriate where an issue is likely to be contentious or may create unacceptable legal or public perception risk for Council.

(continued):

Version No:	2.3
Issued:	March 2023
Next Review:	February 2025

6. ROLES AND RESPONSIBILITIES cont'd:

6.4 Managers/Supervisors

- Maximise use of all media platforms to promote the business of Council in a proactive and innovative manner
- Ensure staff obtain authorisation on their planned use of social media
- Ensure relevant contractors and volunteers are provided with a copy of the social media policy
- Offer training for staff who will be required to use social media

7. ENFORCEMENT

All content published or communicated by or on behalf of the Lower Eyre Council using a media platform must be recorded (including the author’s name, date, time and media site location) and kept on record where the platform does not do so as part of its audit logs.

The Council will monitor social media for relevant contributions that impact on the Council, its operations and reputation. Council will be able to find – and act upon – contributions made by Elected Members, employees and Committee members if deemed necessary.

This policy will be published and promoted to Elected Members, employees, contractors, volunteers and Committee members.

A breach of this policy by employees may result in a code of conduct complaint, disciplinary action, performance management and/or review. Serious breaches may result in suspension or termination of employment or association.

A breach of this policy by Elected Members may result in a code of conduct complaint.

The Council reserves the right to remove, where possible, content that violates this policy or any associated policies.

Version No:	2.3
Issued:	March 2023
Next Review:	February 2025

8. DELEGATED OFFICERS

Delegated officers in relation to social media are employees who have access to official social media accounts and who are permitted to post information in relation to Council or the community.

The Lower Eyre Council delegated officers for social media accounts are:

- Chief Executive Officer;
- Director of Corporate Services and Community;

The Lower Eyre Council delegated officers for media comment are the:

- Chief Executive Officer; and,
- Mayor.

The Director of Corporate Services and Community may appoint other staff to assist with managing Council’s social media accounts.

9. DEFINITIONS

For the purpose of this policy:

“Employee” is any person who is employed by Council, but also includes any contractors, volunteers, including committee members, trainees, work experience students and consultants undertaking work for, or on behalf of Council, whether they are working in a full-time, part-time or casual capacity.

“Social Media” are various online technologies that enable people to communicate easily via the internet to share information and resources. Internet based social networking tools as outlined above.

“Media” are traditional print, radio and television media.

Version No:	2.3
Issued:	March 2023
Next Review:	February 2025

10. LEGISLATIVE & CORPORATE REQUIREMENTS

Elected members and employees of the Lower Eyre Council are expected to demonstrate standards of conduct and behaviour that are consistent with relevant legislation, regulations and policies.

A list of relevant legislation, which may be used as a guide:

- Copyright Act 1968 (Commonwealth)
- Criminal Law Consolidation Act 1935 (SA)
- Defamation Act 2005 (SA)
- Fair Trading Act 1987 (SA)
- Fair Work Act 1994 (SA)
- Freedom of Information Act 1991 (SA)
- Local Government Act 1999 (SA)
- Local Government (Elections) Act 1999 (SA)
- Equal Opportunity Act 1984 (SA)
- Spam Act 2003 (Commonwealth)
- Privacy Act 1998 (Commonwealth)
- State Records Act 1997 (SA)
- Civil Liability Act 1936 (SA)

11. REVIEW

The Policy will be reviewed in line with Council’s Corporate Governance Framework.

12. ACCESS TO THE POLICY

The policy is available for public inspection on Council’s website at www.lowereyrepeninsula.sa.gov.au and from council’s office at 32 Railway Terrace, Cummins, SA 5631.

Any grievances in relation to this policy or its application should be forwarded in writing addressed to the Chief Executive Officer of Council.

DOCUMENT HISTORY		
Version:	Issue Date:	Description of Change:
2.2	18/04/2019	Adopted by Council (following Council Election)
2.3	18/06/2021	Insertion of ‘dos’ and ‘don’t’ guidelines for members.
2.4	15/03/2023	Adopted by Council (following Council Election)