Your Social Media and You

A guide for elected council members in Queensland
This is a best-practice guide to assist councillors to manage their social media pages, particularly Facebook. It contains practical advice and suggestions to help councillors so they do not breach the Councillor Code of Conduct or other legislation while using social media.

It is not formal policy or a new set of rules. Your council will have its own social media policies.

Using social media to inform and seek feedback from your communities is valuable. But, if not managed correctly it is an environment that can lend itself to conduct which results in unnecessary complaints.

This guide includes advice on when the Code of Conduct for Queensland Councillors applies, social media posts as public records, how to moderate comments and how to deal with social media pages set up to inappropriately attack a councillor.

It also includes the management of a councillor’s election campaign social media in the lead up to the March 2020 local government elections. While this is a guide for elected councillors, this section also applies to any candidate.

To assist councillors to appropriately moderate comments on their social media pages all councillors are urged to adopt and publish or link to the Queensland Councillor Social Media Community Guideline on their official social media platforms.

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Councillor social media platforms

This advice relates to the following types of social media platforms:

1. **A councillor’s official Facebook or other social media pages:**
   You are identified as a councillor on this page and the page is predominantly about your work as a councillor.

2. **A councillor’s election campaign Facebook or other social media page:**
   You are identified as a councillor and your activity on this page is predominantly about campaigning for re-election.

   It is noted that a councillor may use one social media site for the purposes of 1. and 2.

3. **A councillor’s personal or family Facebook or other social media page**
   Used solely or predominantly for private purposes.

4. **Facebook or other social media pages that are used or associated with the councillor but which are in false names.**

Note: Most councils have corporate Facebook or other social media platforms which are managed by council staff. Most councils also have existing policy documents addressing the operation and management of these accounts. A council’s corporate social media pages are **not** the subject of this advice.
Application of the Code of Conduct to councillor social media pages

The Code of Conduct for Queensland Councillors applies to your online conduct in relation to 1 and 2 above and may also apply to your online conduct in 3 and 4 above if that online activity can be identified as you and reflects adversely on your role as a councillor and as a leader in your community.

Online conduct that breaches the Code of Conduct is inappropriate conduct. This includes behaving in a way which contradicts the local government principles and values outlined in the Code of Conduct, such as transparency, meaningful community engagement, social inclusion and ethical and legal behaviour. This could include replying to comments in a way which doesn't show respect or misrepresents council or your actions or activity.

You should also be aware of the standard of behaviour 1.3 which requires a councillor to use official council electronic communications (e.g. email accounts) when conducting council business.

Online conduct may also be misconduct if you already have a disciplinary history related to social media activity and/or your social media conduct is serious. In these circumstances inappropriate social media commentary will be dealt with as a Breach of Trust placed in the councillor.
Solution

To protect yourself from complaints in relation to your official councillor use of social media it is recommended:

a) That you ensure that your comments do not reflect adversely on the reputation of council and/or local government more generally.

b) That you maintain confidentiality of local government information you have access to that is not publicly available.

c) That you do not directly and unnecessarily criticise other councillors or council employees in order to undermine their position.

d) That you do not attempt to unduly influence other councillors, council staff or contractors or undermine public confidence in the processes of council.

e) That you are alert to the possibility that personal comments about public issues may compromise your capacity to perform your duties in an independent and unbiased manner.

f) That you ensure your comments do not indicate that you have come to a conclusive view on a matter coming before council, prior to fully considering the proposal and related issues.
Solution

To protect yourself from complaints in relation to your private use of social media it is recommended:

- g) That you maintain a clear distinction between personal and council related social media use.
- h) That you do not identify yourself as a councillor on your personal social media site.
- i) That you consider using increased privacy settings for personal accounts.
- j) That in relation to any social media activity you consider the appropriateness of your comments or activity, and any comments made by your related parties, and how they may be perceived by people who have access to your social media platforms.

Managing your official Facebook or other social media platforms

Councillors are predominantly responsible for the management of their own official social media platforms. It is important councillors are across the following key areas:

- Moderating comments on your Facebook or other social media platforms as a councillor
- Dealing with complaints lodged via your Facebook or other social media platforms
- Understanding what constitutes a ‘public record’ on your Facebook or other social media platforms and how these need to be managed
- The actions you can take when faced with inappropriate attack pages
- Specific requirements for using social media during an election period
- Avoiding misleading voters during an election.
Issue

Moderating comments on your social media platforms

The principles, values and behavioural standards outlined in the Code of Conduct should guide your engagement on official social media platforms.

In particular, all councillors are required to show respect for all persons and accept and value differences of opinion when engaging with the community.

Councillors are held to a higher standard of conduct than general members of the public. This reflects the choice that a councillor makes when deciding to run for public office, and if successful, in accepting the position and obligations that are inherent in being an elected representative.

Councillors are encouraged to publish on their official social media platforms a link to the guideline which is consistent with the Code of Conduct.

This guideline is like your ‘house rules’ and will outline how you use the page to engage with constituents as well as moderate comments from members of the public.

This will be particularly important in the lead up to the local government elections in 2020.
Solution

The Office of the Independent Assessor and the Local Government Association of Queensland have jointly developed a model **Queensland Councillor Social Media Community Guideline** for councillors to adopt and publish on their official social media pages.

**It is recommended you:**

- Adhere to and display the official Queensland Councillor Social Media Community Guideline on your page in the ‘About section’, with the following suggested text:


The guideline has been written to ensure constituents can comment and engage with you – making comments which may be positive, neutral or negative.

It also outlines to the public what acceptable social media engagement looks like, in what circumstances you will hide or delete comments, and in what circumstances you will block constituents from the page.

If there is a need to delete or hide social media comments or block a user from your page (e.g. if the post is offensive), the offending post and the reason for its deletion/hiding should be captured in the council's official systems. The council's approved social media policy should provide guidance on this issue.

Your council should include these records in their official record keeping systems.
How to deal with official complaints lodged via your social media pages

Sometimes comments made by members of the public on social media may cross into territory where the individual may be appearing to be making a complaint about either you, another councillor or the council.

Example Comments

Jane Dug: I have a real problem with the way you have dealt with my issues around the proposed development on Sunshine Terrace. As a resident, you work for ME – it is unacceptable the way I have been treated by you throughout this process!

John Plan: Connect Council has been an absolute nightmare to deal with during what should be a simple process – paying for a parking ticket. I’ve been in and out of council no less than three times trying to clear this ticket!
Solution

• If you think a comment or post looks like it's a complaint against your council, it is suggested that you respond with the below text:

Hi [name], sorry you feel that way. If you want to lodge this feedback, our official council complaint and feedback channels are the correct place to direct your issue. You can find out how to do this here – [insert your council web address]

• If you think a comment or post looks like it's a complaint against you in your role as a councillor or another councillor, it is suggested that you respond with the below text:

Hi [name], there's an official way to lodge a complaint against an elected member in Queensland. More information here.
Issue
Specific requirements for using social media during an election period

Posts on social media containing election material must comply with the *Local Government Electoral Act 2011* if they are posted during an election period. This is the case regardless of whether you are posting on your personal or official social media account.

Election material includes anything able to, or intended to, influence an elector about voting at an election, or affect the result of an election.

Solution
If you use social media to campaign for an election, your account must state the name and address (other than a post office box) of the person who authorised the account. If you post any videos, images, or other material that can be downloaded and distributed separately from your account as a distinct piece of election material, it is recommended that those videos, images or materials include the same authorisations.

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How to avoid misleading voters during an election period

Your posts on social media (both your official and personal accounts) must not:

• Mislead or intend to mislead an elector about the ways of voting at the election;
• Contain a false statement of fact about the personal character or conduct of the candidate, if you knew it was false when you made the post;
• Purport to be a representation of a ballot paper for use in the election, if it is likely to induce an elector to cast an informal vote.

Solution

Ensure your social media posts contain information which is factually accurate.
What's a public record in a social media environment?

Posts on your official social media page may constitute a public record under the *Public Records Act 2002*. Your council’s CEO is responsible for maintaining and managing councils’ official records.

It is your responsibility, however, to ensure all public records created in your role as councillor are provided to your council for capture and management in official council systems.

Posts by councillors related to council administration or business are public records and includes such posts on a councillor’s personal social media platforms.

Posts by councillors related to purely personal activities, including political activities and election campaigning are not public records.

While the *Public Records Act 2002* does not restrict the use of private email and social media accounts or messaging apps, any public records about council business created or received using these channels needs to be kept.

The Code of Conduct behavioural standard 1.3 provides that you must use only official council electronic communications accounts, for example email accounts, when conducting council business. If you receive a communication on your private email account that is a public record, forward that email to your official councillor email account and keep the record there.

Use of Facebook messenger, private email accounts, WhatsApp or other messaging apps to undertake council business without capturing public records in official council systems, will be a breach of the *Public Records Act 2002* and will be misconduct.
It was a privilege to attend the ANZAC Day March today on behalf of Pineapple Council. Proud as ever of our local community, and the work council has done on the main street. Lest we forget.

Beautiful day riding the new cable car.
#PineappleAnyDay
Solution

If in doubt, ask yourself:

a) Does this post provide evidence of the council's administration or business?
b) Was this post made to be used by council, or for a purpose of the council, or is it connected to the council's statutory, administrative or other public responsibilities?

If the answer is yes, then it is likely to be a public record and needs to comply with the Public Records Act 2009 requirements for record keeping.

How should you keep the record?

Your council should have an approved process in place for keeping public records from social media accounts. Contact your council CEO to find out what that process is.

The quickest and easiest way to keep a record of the post is to screenshot the entire post, including the date and timestamp and provide it to council for capture in their official systems.

Capture screenshot
Include date 26/03/19
Time 2:15pm posted

Record keeping example

It was a privilege to attend the ANZAC Day March today on behalf of Pineapple Council. Proud as ever of our local community, and the work council has done on the main street. Lest we forget.
How to deal with social media pages or groups that attack you as a councillor

While councillors must be open to differing views and feedback from the communities they represent, they should not be required to tolerate social media pages or groups that are set up to inappropriately target or discredit or share false information.

These types of pages are often set up anonymously and may try to elicit a response from you.
Don’t engage. Know the options available to you.

Facebook allows you to report both pages and groups that you feel are offensive and aren’t complying with it’s Community Standards, which you can read [here](#).

Pages and groups aren’t allowed to harass individuals, contain hate speech or attacks against an individual or promote violence or harmful behaviour.

However, keep in mind that Facebook is also governed by principles of free speech.

Engaging with these pages and participating in the debate using your Facebook page is discouraged.

Even if you know the allegations to be false, responding to people making negative comments directly will add fuel to the fire.

Screenshot such comments if the person is identifiable and you have a reasonable concern that they are, or may become, a vexatious complainant. Note however that the OIA will not view a complainant as vexatious if the conduct complained about is factual.

Inform yourself about what constitutes defamation online. The LGAQ can assist.

It should also be noted that if these pages are found to be set up and/or informed by a councillor to attack another councillor, this will be investigated as misconduct.