DISTRICT COUNCIL OF Streaky Bay
29 Alfred Terrace, Streaky Bay SA 5680
T: (08) 8626 1001 E: dcstreaky@streakybay.sa.gov.au

# MEDIA POLICY

| Policy No:<br>**DCSB-TC-19.01** | Approved on:<br>**12 October 2021** | Administered by:<br>**Manager, Community and Economic Development** |
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| Classification:<br>**Technology and Communication** | | |

**Strategic Plan link:**
**Strategic Management Plan 2016-2026**
**1.** Governance
1.1 Improve Council's communication, consultative processes, representation and advocacy**.**

**References and related Policies, Procedures and Forms:**
*Local Government Act 1999*
Local Government (Elections) Act 1999
DCSB-G-09.01 Code of Conduct for Elected Members
DCSB-HR-12.02 Code of Conduct for Council Employees
Social Media Delegation Schedule
Media Authorisation Schedule

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## 1. Purpose

All forms of media allows all types of communities (including online communities) with common interests to connect, share and consume information, thoughts and ideas.

The District Council of Streaky Bay understands that all media plays a significant role in managing Council's reputation.

The District Council of Streaky Bay (the Council) recognises the opportunities that all media (including Social Media) provides to engage in meaningful, two-way communication with the broader community. This can complement and enhance existing communication, customer service and consultation methods, and further improve access to, and delivery of, key services.

The Council also recognises the value of social media and other media to the organisation provided through networking, recruitment, professional development, employee engagement, collaboration and innovation.

The intent of this policy is to provide clear guidance on the appropriate use of social media platforms and tools, and other media, in order to enable and encourage its use by staff, Elected Members and Contractors for the purpose of conducting Council business.

The policy aims to:

- Promote effective and productive community engagement through all media
- Provide guidance about the appropriate use of social media tools at the District Council of Streaky Bay
- Reduce the likelihood of miscommunication or inappropriate communications
- Help the District Council of Streaky Bay manage new challenges associated with social media such as speed and immediacy, record keeping, privacy and security
- Provide clarity about roles and responsibilities in relation to use, approval and monitoring of social media
- Provide clarity on the role Elected Members, employees and contractors have with media
- Provide guidance on the authorisation that is required to speak on behalf of the District Council of Streaky Bay

## 2. Scope

This policy applies to all Elected Members, employees, contractors, agents and volunteers of the District Council of Streaky Bay who purport to use social media or apply/provide official responses to any media on behalf of the District Council of Streaky Bay. This policy will also apply to agencies and individuals who provide services to the District Council of Streaky Bay, and will be included in all relevant external supplier contracts.

The policy applies to all current and future social media tools and channels. That is, digital spaces where people comment, view, contribute, create, forward, post, upload and share content, such as:

- Blogs, forums, discussion and bulletin boards, and citizen journalism and news sites which facilitate public comment
- Social networking sites (Facebook, LinkedIn, Twitter, Instagram, Snapchat, Pinterest)
- Podcasts, video podcasts and video sharing sites (Flickr, YouTube, Vimeo)
- Instant messaging tools (Facebook Messenger, WhatsApp)
- Online encyclopaedias (e.g. Wikipedia)
- Online and internal collaboration platforms (e.g. Yammer, Wiki, Slack)
- Any other websites that allow individuals to use simple publishing tools or new technologies emerging from the digital environment

As it is not possible to expressly refer to or list all specific sites or kinds of social media activity, the absence of a reference does not limit the application of this policy.

This policy applies only to the use of social media for:

- the purpose of conducting Council business and where representing Council
- personal use where reference is made to Elected Members, staff, policies and services, suppliers or other stakeholders or Council related issues.

# 3. Social Media

## 3.1 Legislative and Policy Framework (Social Media)

Elected members and staff of the District Council of Streaky Bay 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 is included in Attachment A.

This policy should be read in conjunction with other relevant policies and procedures of the District Council of Streaky Bay. Policies and guideline provisions which must be adhered to in relation to the use of social media include the following:

- the District Council of Streaky Bay's acceptable use policies for email, internet, digital equipment, electronic communications
- the District Council of Streaky Bay's Code of Conduct for Council Members – Policy
- the District Council of Streaky Bay's Code of Conduct for Council Employees – Policy
- the District Council of Streaky Bay's employment contracts
- the District Council of Streaky Bay's external contractual arrangements
- the District Council of Streaky Bay's Email and Internet Policy
- the District Council of Streaky Bay's Records Policy
- the District Council of Streaky Bay's Public Consultation Policy
- the District Council of Streaky Bay's Emergency Management Policy and Procedures
- the District Council of Streaky Bay's Caretaker Policy

## 3.2 Policy Statement (Social Media)

The District Council of Streaky Bay encourages the appropriate and professional use of social media to aid the efficient and effective conduct of Council business.

Social media is recognised as an important channel, used in conjunction with traditional methods, to communicate, listen to, engage and collaborate with the community and enhance the delivery of services.

At all times, use of social media by Elected Members and staff should be done in a professional manner, in accordance with relevant policies and legislation, and consistent with the values of the District Council of Streaky Bay.

### 3.2.1 Social Media Usage

**Speak how you would like to be spoken to**

- Be courteous, patient and respectful of others' opinions, including detractors
- Use your own voice, but be mindful of language and expression
- Don't make statements or forward, share or upload content that could be perceived as being offensive, malicious, defamatory or may negatively impact the reputation of another

- Don’t make statements or forward, share or upload content that may encourage third parties to make comments which could be perceived as being offensive malicious, defamatory or may negatively impact the reputation of another
- Be mindful of anti-discrimination laws and do not publish statements or information which may be discriminatory

**Stick to the facts**

- Only comment about matters within your area of expertise
- Be accurate, constructive, helpful and informative, and correct any errors as soon as practicable
- Only publish content and statements that you know are true, clear and not likely to mislead or deceive
- If you make an error, be up front and correct it quickly

**Keep your opinion, beliefs and political views separate from Council business**

- Only publish content on Council’s social media channels that is apolitical, in line with official Council positions and the District Council of Streaky Bay’s values, and free from personal opinions, beliefs and political views
- Council staff using private social media channels outside of work hours to comment about Council related matters should clearly identify their comments as their own personal opinions, be accurate and factual and not disparage Council, Elected Members, employees or contractors etc.
- Elected Members should use social media in accordance with the Code of Conduct for Council Members. All Council member social media accounts should have a prominent statement that clearly identifies they are not speaking on behalf of Council. In expressing individual views, Elected members must do so in a way that does not undermine the community’s trust or confidence in Council and maintains respectful relationship with fellow Elected members and staff. Refer to Attachment B for additional guidelines in relation to Council member social media use.

**Stay within your level of authorisation**

- Only use social media channels in the manner for which you have been authorised and do not commit Council to actions or undertakings
- Leave formal statements and announcements to the official spokespeople and if you are unsure, check with your supervisor

  Refer any media enquiries via social media or posts about potentially sensitive/political issues to the Chief Executive Officer for a response or direction in line with Council’s Media Guidelines (refer to Clause 4 of this Policy)

**Be fair and transparent**

- Be clear about your professional identity and any vested interests and refrain from covert, anonymous or deceitful representation including via a third party
- Encourage open, honest and transparent engagement and feedback by the online community
- Refrain from any behaviour which could be seen as biased, showing undue favour or in response to real or perceived compensation or reward

**Maintain confidentiality and respect the privacy and property of others**

- Only discuss publicly available information and maintain the confidentiality of internal discussions, confidential decisions of Council, and personal or private information about Elected Members, employees or third parties

- Seek permission from anyone who appears in any photographs, video or other footage before sharing via any form of social media and if asked to remove materials do so as soon as practicable
- Only use or reproduce copyright material, or the intellectual property of others, including applications, sound recordings (speeches, songs), footage (video), graphics (graphs, charts and logos), images, artwork, photographs, publications or music if you have permission from the creator or owner and ensure they are acknowledged.

**Be responsible, accessible and responsive**

- Appropriately monitor any social media sites created and ensure they can be easily edited, improved or removed. Ensure that inappropriate content is removed in a timely manner. Disable comments, if being utilised by third parties in making inappropriate content.
- Specify the type of comments and feedback that will receive a response and clearly communicate a target response time.
- Make it easy for audiences to reach Council via other methods by publishing Council's phone number, generic email, address and other social media contact methods
- Ensure information on social media meets government web standards for accessibility and/or is available in another form where practical
- Do not use social media when inebriated, irritated, upset or tired
- Protect your personal privacy and guard against identity theft

**Uphold acceptable content standards**

Under no circumstances is the following content permitted on Council social media channels, and if found, formally report, record and then delete it immediately:

- Abusive, profane or sexual language
- Discriminatory material in relation to a person or group based on age, colour, creed, disability, family status, gender identity, 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, copyright, financial rules and regulations, fair use, trademarks)
- Confidential information about Council or third parties
- Material that would offend contemporary standards of taste and decency
- Material which would bring the Council into disrepute
- Personal details or references to Council members, Council staff or third parties, which may be inconsistent with Council's Privacy Policy
- Spam, meaning the distribution of unsolicited bulk electronic messages
- Statements which may be considered to be bullying or harassment
- If necessary, disable comments to prevent the above from occurring.

If you have any doubt about applying the provisions of this policy, check with the Chief Executive Officer before using social media to communicate. Depending upon the nature of the issue and potential risk, it may also be appropriate to consider seeking legal advice.

## Approval

The establishment of new social media sites must be approved by the Chief Executive Officer. Approval of new social media sites should consider the identified business objective, audience, proposed use in line with this policy, resourcing requirements and ensure alignment with Council's branding and style guidelines.

## Security

To protect from unauthorised use of Council's social media channels, login information should be kept secure and changed at regular intervals:

- Choose passwords that combine upper and lower case letters and numbers
- Store login information in a secure location and the Community and Economic Development Department will maintain a centralised list of all the District Council of Streaky Bay's social media with appropriate access restrictions
- Change passwords every six months and when an employee with access to a Council social media channel leaves the organisation

## Monitoring & Moderating

Council's social media channels should be regularly monitored and maintained to ensure appropriate use. Where necessary keep formal records of social media activity in line with Council's Information Records Policy.

In the judgment in Fairfax Media Publications Pty Ltd v Voller [2021] HCA 27, the High Court upheld the lower decision that the administrators of social media pages can be held liable for defamatory comments posted on those pages by third parties.

This decision emphasises the need for Council to carefully moderate their social media pages if they wish to avoid liability in defamation.

Acknowledging the advantages of social media as an engagement tool for Council, the ability to maintain a two conversation via social media is still encouraged. However, the following monitoring rules should be followed:

- Switch off comments on any post which has been up seven or days longer, so it no longer has to be moderated
- Automatically switch off comments on an issue which may be controversial or draw offensive third-party comments before posting
- Hide or delete any third-party comments made which may be perceived as being offensive, malicious, defamatory or may negatively impact the reputation of another
- Use "filters" to block posts using particular words or offensive language
- If resources aren't in place to monitor & moderate social media content, switch off comments

Council and non-Council social media channels should be monitored for information, research and insight into issues circulating in the community and/or matters that impact on the municipality, its operations or reputation.

## Evaluation and continuous improvement

Use of Council's social media channels should be reviewed at regular intervals to ensure they are achieving business objectives and to seek opportunities for further improvement. This includes review of qualitative (feedback, comments) and quantitative data (likes, reach, audience make-up, number of comments, click throughs to Council websites etc).

### 3.2.3 Social Media Roles and responsibilities

| Role | Responsibilities |
|---|---|
| Chief Executive Officer | • Authorisation of new Social Media Accounts<br>• Delegate staff authorisations for use of social media<br>• Other authorisations and advice as per this Policy |
| Council members | • Seek authorisation from Chief Executive Officer on using social media<br>• Seek approval for Council branding of social media<br>• Register social media account/tools/site with the Community and Economic Development Department<br>• Understand and comply with the provisions in this policy<br>• Seek training and development for using social media<br>• Seek advice from the Legal or Community and Economic Development Department if unsure about applying the provisions of this policy |
| Staff and contractors | • Seek approval from your Manager for business strategy incorporating social media<br>• Seek authorisation from Chief Executive Officer on using social media and developing a communications plan to support business strategy. The Chief Executive Officer will authorise individual staff to use Council's Social Media accounts.<br>• Seek approval for Council branding of social media<br>• Register social media account/tools/site with the Community and Economic Development Department<br>• Seek training and development for using social media<br>• Understand and comply with the provisions in this policy<br>• Maintain records of email addresses, comments, 'friends', followers and printed copies or electronic 'screen grabs' when using externally hosted sites to the extent practicable<br>• Seek advice from the Chief Executive Officer or Department of Community and Economic Development if unsure about applying the provisions of this policy<br>• Ensure contractors are provided with a copy of this policy<br>• Familiarise yourself with the End User Licence Agreements of any external social media tools being used |
| Department Managers | • Approve business strategy incorporating use of social media<br>• Ensure staff obtain authorisation from the Chief Executive Officer on their planned use of social media<br>• Ensure contractors are provided with a copy of the social media policy<br>• Ensure the demands of moderating and responding to user comments can be adequately resourced<br>• Offer training for staff using social media<br>• Ensure regular review and evaluation of social media channels in line with business objectives and for the purpose of continuous improvement |
| IT Department | • Facilitate secure access to support delivery of Council business via social media<br>• Regularly back up and archive internally hosted social media sites |
| Community and Economic Development Department | • Seek delegation from the Chief Executive Officer to authorise the use of social media tools for conducting Council Business<br>• Provide advice and assist with the development of communication plans using social media<br>• Approve the design and branding of social media<br>• Educate Elected Members, staff and contractors about this policy and their responsibilities when using social media<br>• 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 administrator, URL, login, password and audience<br>• Assist staff to retain some record explaining the context or purpose of social media, and a sample of posts where it is impractical to retain large volumes of screen grabs<br>• Monitor social media accounts/tools/sites registered for conducting Council business<br>• Monitor social media for references to the District Council of Streaky Bay<br>• Regularly conduct qualitative and quantitative review and evaluation of social media channels and advise on best practice<br>• Seek legal advice as appropriate where an issue is likely to be contentious or may create legal risk for Council |

# 4. Media (General)

## 4.1 Legislative and policy framework (Media)

This policy has been developed in accordance with Section 58 of the *Local Government Act 1999 (the Act).* Section 59-8 of the Act state that: *the role of the principal member is (c ) to act as the principal spokesperson of the Council.*

## 4.2 Policy Statement (Media)

In setting this policy, Council has taken into consideration Section 58 of the local Government Act (1999).

This Policy summarises the:

a) Provisions of the Act in respect to the principal spokesperson of Council unless otherwise resolved by the Council (as reflected in Clause 4.3)
b) Actions to be undertaken in the event the principal spokesperson is not available or contactable
c) Rules surrounding media comment to traditional media such as television, radio and print

Section 62(3) of the Act establishes that Elected Members are not to make improper use of information acquired by virtue of their office as members of the Council.

Section 63 of the Act states that the Code of Conduct must be observed by all Council Members.

## 4.3 Roles and Responsibilities (Media)

| Role | Responsibilities |
|---|---|
| Mayor (Principal Member) | • Principal spokesperson of Council |
| Elected Members | • Report Media enquiries to the Principal spokesperson or Chief Executive Officer<br>• May speak with the Media within their area of expertise and with authorisation granted from the Principal spokesperson |
| Chief Executive Officer | • Act as the Senior Media Advisor who will liaise between staff, Elected Members and others to provide authorisations where required<br>• Act as the principal spokesperson of Council when the Principal is unavailable<br>• The CEO may make public comment in relation to their duties and within their area of expertise provided that comment is restricted to factual information and professional advice |

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|---|---|
| | • The CEO may make public comment in relation to projects/programs that have been approved by Council provided that comment is restricted to factual information and professional advice |
| Department Managers | • Report Media enquiries to the Chief Executive Officer who shall consult with the Principal spokesperson<br>• The Manager may make public comment in relation to their duties and within their area of expertise provided that comment is restricted to factual information and professional advice<br>• The Manager may make public comment in relation to projects/programs that have been approved by Council provided that comment is restricted to factual information and professional advice |
| Staff and Contractors | • Report Media enquiries to the Chief Executive Officer who shall consult with the Principal spokesperson<br>• Not permitted to speak to the media unless the Department has sought authorisation from the Chief Executive Officer and Principal Member |
| Manager, Community and Economic Development | • Act as the Senior Media Advisor in the absence of the Chief Executive Officer |
| All Roles | • If speaking to the media in a personal capacity must explicitly express that is their personal opinion/view or personal agenda and ensure that it is clearly identified that it is personal and not an undertaking on behalf of Council |

## 5. Adherence to policy

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

The District Council of Streaky Bay will actively monitor all media for relevant contributions that impact on the Council, its operations and reputation, and remove, where possible, content that violates this policy or any associated policies.

This policy will be published and promoted to Elected Members, employees and Contractors of the District Council of Streaky Bay.

Any employees or contractors found breaching this policy may be subject to disciplinary action, performance management and/or review. Serious breaches may result in suspension or termination of employment or association in accordance with Council policies. Any content that breaches the policy guidelines will be recorded and kept on personnel records.

For Elected Members, breaching this policy may result in a code of conduct complaint.

If Council members or staff become aware of any comments that breach these guidelines they should report them to the Chief Executive Officer and include a link or reference to the offending material.

## 6. Review and Evaluation

In order to ensure Council continues to provide the best possible service responses to its customers, this Policy will be subject to periodic evaluation and review.

## 7. Delegations

Council delegates to the Chief Executive Officer the authorisation to approve, amend and review any procedures that shall be consistent with this Policy.

## 8. Further Information

This policy will be available for inspection at the Council offices listed below during ordinary business hours and available to be downloaded, free of charge, from Council's internet site: www.streakbay.sa.gov.au

District Council of Streaky Bay
29 Alfred Tce
Streaky Bay SA 5680

Copies will be provided to interested parties upon request. Email dcstreaky@streakybay.sa.gov.au

## Attachment A – Relevant Legislation

Council members and staff of the District Council of Streaky Bay are expected to demonstrate standards of conduct and behaviour that are consistent with relevant legislation, regulations and policies.

Relevant legislation includes, but is not limited to the following:

- Copyright Act 1968 (Cth)
- 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)
- Australian Human Rights Commission Act 1986 (Cth)
- Spam Act 2003 (Cth)
- Privacy Act 1988 (Cth)
- State Records Act 1997 (SA)
- Civil Liability Act 1936 (SA)

## Attachment B – Council Member Social Media

Council Member social media use should comply with the Code of Conduct for Council Members as well as media/communications/spokesperson policies. The following guidelines apply to Council member social media in addition to those outlined in this Social Media Policy.

**Accurate representation**

- To provide clarity for the community between 'individual' views and the 'official' view of Council, a disclaimer statement must be displayed in accordance with the intended use of the social media channel. For example:
    - Personal use only – *'these are my personal, individual views'*
    - Personal and professional use – '*the views expressed are my individual comments and opinions, not the official position of Council'*
    - Professional use only – *'the views expressed are my comments and opinions as a representative of the XXX ward, not the official position of Council'*

- Council branding, including the Council logo, should only be on social media channels that are used purely for professional Council member reasons. In branding a channel, care must be taken to keep it distinct from 'official' Council channels.

**Promotion and support**

- Development, hosting, maintenance and monitoring of individual Council member social media is the responsibility of the individual councillor, however officers can provide guidance and advice if used for professional Council purposes

- Individual Elected members can have social media channels included in their Council member contact details (for example, on Council website, newsletter, member stationery etc.) if these channels are only used for professional Council member purposes

**Record keeping**

- Under section 99 of the Local Government Act 1999, the CEO has a legal responsibility to ensure that records are appropriately kept and maintained. This includes all Council member communication relating to Council business on social media

- While it is not necessary to preserve all online conversations, anything significant that may influence Council policy, relates to Council decisions, or where there may have been breaches of policies or laws (i.e. inappropriate comments that you delete) must be appropriately recorded and stored in line with District Council of Streaky Bay's Information Records Policy.

**Caretaker provisions**

- Elected members must ensure that Council resources are not used to create or distribute electoral material, or to advantage or disadvantage a candidate during the caretaker period. This includes the use of Council logos on individual Council member social media channels and posts by candidates on Council-owned social media channels. Refer to District Council of Streaky Bay's Caretaker Policy.

< For further information and advice about social media best practice, refer to the Local Government Association of South Australia's Social Media for Elected Members Guide' >