

**PROTOCOL
GUIDE**



**East Lothian
Council**

Social Media Use

PROTOCOL 2023

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The Council reserves the right to review and alter this protocol in light of experience and any changing circumstances.

Head of Corporate Support / September 2023

Social media platforms enable us to share information, ideas and comment through online or web-based networks. With the launch on new applications and features and easy access via mobile phones, computers and other devices, many of these platforms have experienced significant growth in users over recent years.

Social media can help individuals and organisations build online communities and make connections. It can help bring people together, both locally and across boundaries, and how we choose to engage with social media continues to evolve.

For organisations such as local authorities, social media presents opportunities but it can also, as with other forms of communication, involve risk. Social media has become part of the public face of the Council and therefore content posted on our channels represents the organisation in the same way as any other publication.

Protocol purpose

This protocol is a framework which sets out how social media should be used by employees, to support the achievement of Council priorities and articulate our vision, as set out in the Council Plan.

The protocol also covers the use of social media by employees and outlines considerations for disciplinary or conduct purposes, both at work and outside of work.

It recognises that social media may be used by some employees, either in a professional or personal capacity, and seeks to provide a clear statement of the Council's expectations in terms of an employee's responsibilities and obligations where this might impact on the Council and its reputation.

A key point is that employees must not disclose confidential information, take and share images or videos or make any derogatory, untrue or discriminatory comments about the Council, its employees, clients or elected members.

Employees must act with due consideration for others. Employees must not – whether using social media in a professional or personal capacity – bring the Council into disrepute. Employees should act in accordance with their professional codes of conduct where applicable.

This protocol links with other Council employee related policies including Disciplinary Procedures and codes, Employee Code of Conduct, Performance Management, IT Acceptable Use Policy, Data Protection, and Equal Employment Opportunities all of which outline employee responsibilities, employee breaches of which could lead to disciplinary action or dismissal.

How we use social media

Our social media content should reflect the priorities of the current East Lothian Council Plan and its strategic objectives. This is in line with our Communication Strategy which sets out the approach we take to engage with local communities and help people to be informed about the work of the Council.

Social media should be used in a way that enhances the Council's reputation. If it helps employees, our co-workers, our citizens or our partners to perform well and solve problems; if it enhances the Council's services, processes and policies; if it creates a sense of community; or if it helps to promote the Council's aims and values, then it is adding value.

Examples of appropriate social media content are:

- **News stories about Council decisions, initiatives, consultations and events**
- **Promotional material in relation to council campaigns or activities**
- **Information from partners**

The main corporate social media platforms we currently use are Facebook, Twitter, Instagram and LinkedIn.

Use of alternative or new social media platforms must only take place with the prior agreement of both the Communications Team and relevant Head of Service.

The main corporate social media channels will not normally be used for answering general enquiries. The Council promotes a number of ways in which customers can contact the Council – such as contacting us digitally and reporting issues via the **myEASTLOTHIAN** portal.

The Council reserves the right to block any third party user who uses abusive, threatening or discriminatory language or images via social media.

Appendix A provides best practice guidelines for employees using social media channels.

Responsibilities of employees

All information shared on social media, ***including in private spaces***, is subject to Copyright, the Data Protection Act, the Safeguarding of Vulnerable Groups Act 2006, the Computer Misuse Act, the Public Records (Scotland) Act and any other relevant legislation. Information posted via the Council's social media channels is a public record subject to associated safeguards and controls. **All council employees have a personal responsibility to adhere to these when using social media.**

Employees must also operate in line with the Council's Equal Opportunities in Employment Policy. For the Council's protection as well as employees, it is critical that employees stay within the legal framework in their use of social media within and outwith work. Failure to do so may lead to their conduct becoming subject to investigation under the relevant Disciplinary Procedure.

Under common law, employees should be aware that there is an implied duty of trust and confidence between an employer and employee. It is possible therefore that any inappropriate use of social media outside the workplace, for example by making negative or defamatory comments about the Council, its clients, or employees, could result in disciplinary action if it brings the Council's reputation into disrepute, or exposes the Council to potential liabilities.

Videos or photos must not be taken in the workplace and shared on social media platforms, unless it is on an approved East Lothian Council social media account for business purposes. No photos or

videos should be taken in the workplace of colleagues, clients or service users and shared on social media, unless consent has been given and it is on an approved East Lothian Council social media account for business purposes.

Using social media at work

The Communications Team is responsible for the management and co-ordination of East Lothian Council's main corporate social media accounts.

It is recognised that there will be situations where it may be appropriate for a service or employee to operate a standalone social media account to engage more directly with a particular audience, raise awareness of a service or initiative, and add value to their experience of interacting with us.

The following key points apply:

- Any Service or employee who wishes to operate a standalone social media account to support East Lothian Council business activity must obtain the appropriate authorisation. Access will only be granted after submission of a suitable business case to both IT and Communications for consideration/approval. This restriction does not apply to use by school employees on the school network for teaching and learning purposes, such as sharing learning activities on school and class blogs
- Departmental social media accounts must be operated in alignment with Council priorities and the Communication Strategy
- The Council expects employees to exercise personal responsibility whenever they participate in social networking. This includes not breaching the trust of those with whom they are engaging. Employees should be sure that they are presenting accurate information and ensuring citizens are not misled
- Employees must obtain the permission of the individuals involved before posting personal information about individuals, including contact details, videos or pictures. Employees must not disclose confidential information relating to Council business, to elected members, to their employment or the employment of others by East Lothian Council. Employees must not disclose personal data about our citizens and must always act in accordance with the Data Protection Act
- Any employee using social media in an official capacity as part of their role should do so in accordance with the Council's IT Acceptable Use Policy
- If an employee is in any doubt about something they are about to post, then do not do it. What is posted/uploaded will be around for a long time
- Employees must not publish any content which may result in actions for defamation, discrimination, breaches of copyright, or other claims for damages. This includes, but is not limited to, material of an illegal, sexual, discriminatory or offensive nature which may bring the Council into disrepute and may impact on your conduct as an employee and become subject to investigation under disciplinary procedures
- If someone from the media or press contacts an employee about posts they have made using social media, they should talk to their manager and our Communications Team before

responding

- Monitoring online activity or social media for work purposes may require authorisation under the Council's RIPSAs Policy for covert surveillance. Employees should seek further guidance from the Council's RIPSAs Gatekeeper at dpo@eastlothian.gov.uk before undertaking any such activities.

Preparing a business case to use social media for work purposes

Employees proposing to use social media as part of their role should submit a written request to their manager and then consult with the Communications Team who can provide guidance on writing a proposal to be submitted to the IT and Communications Service Managers.

The business case should include details of:

- What you wish to communicate, your aims, target audience and how the social media account will be used in support of achieving or informing the public about Council Plan priorities/the Council vision
- How will the information differ from that already available on existing Council channels and how will having a standalone account benefit the intended audience
- What social media platform(s) you intend to use
- What other channels of communication you will use to support your use of social media
- How often you intend to use the social media platform
- Which other employees will be authors or administrators of the social media account when you are unable to update it due to sickness/annual leave
- If appropriate, how you intend to keep records of the data that you post
- Your commitment to updating the social network to clearly state when you no longer work for the authority or handing over the site to the person who takes over your role
- Your commitment to reviewing the social network and providing your manager and the Communications Team with data to ensure the social network is being used effectively.

Using social media outside work

Use of social media has become a significant part of life for many people. It can provide a positive means of expressing thoughts and engaging with friends, professional networks and other groups. Personal use of social media can also help to develop digital and other skills which can be applied elsewhere.

The same broad principles apply to any employee using social media on a personal basis in order to manage the risks that may arise from this use.

The following key points apply:

- Do not use your Council email address to sign up to social media sites for personal use.
- When using social media for personal purposes, you must not state or imply that you are speaking on behalf of the Council. Employees should identify themselves as employees of East Lothian Council only when appropriate. For example, if the account is used on a personal basis but in a way in which information is being shared which may be linked to the individual's employment, the employee must use a disclaimer that protects the Council e.g. 'these are my personal views and not those of my employer'. In doing so, the employee should ensure that the comments being made or information being shared as a citizen on a personal profile, does not bring the Council into disrepute
- An individual is free to talk about the Council. However, instances where the Council may be brought into disrepute as a result may constitute misconduct or gross misconduct and disciplinary action will be applied
- Employees must not disclose any confidential or sensitive information relating to the business of East Lothian Council, to their employment at East Lothian Council, to the employment of colleagues or relating to elected members
- Employees must comply with all Council policies when using social media including confidentiality as outlined within the employee's employment contracts and Statement of Particulars
- Social media must not be used to abuse other employees, service users or elected members. Privacy and feelings of others should be respected at all times. Anything which is published online is in effect a permanent public record and could be seen and used by an employer or prospective employer. Care should be taken to avoid using offensive or discriminatory language or language which could be deemed as offensive to others
- Employees must not disclose information regarding other individuals if they came to know that information through their work for the Council or other professional roles
- Employees must consider carefully whether it would be appropriate to befriend someone when using social media for personal purposes where there is a professional/client and/or where this could create a potential conflict of interest. Employees in a position of authority or seniority should be particularly mindful of the need to avoid creating any perceptions of impropriety
- Employees of the Council who undertake work with children and young people e.g. teachers, Instructors, Support Assistants in schools, Social Workers, Youth Workers etc. must not have inappropriate contact or relationships, maintaining appropriate professional boundaries at all times. This also applies to use of social media. It is inappropriate to hold children and young people's mobile phone numbers and/or e-mail addresses on work devices where there is no professional or business need, and no inappropriate direct contact outwith work, school or group time should be made.
- Employees who intend to make adverse or critical comments about the Council and/or its services using social media or other public forum, must ensure that the views they are presenting are as a citizen and that there is no connection to their professional capacity as an employee. The Council will, however, still have the right to consider whether critical comments made by any employee and posted publicly using social media should be investigated under the relevant Disciplinary Procedure, should it be considered that they

bring the Council into disrepute

- Viewing and updating sites, blogs or other regular web presences used for purely personal purposes should not take place during working time (excluding recognised breaks)
- If approached by the media contact about content relating to East Lothian Council, employees should immediately contact the Communications Team for advice
- Misuse of social networking sites by an employee which negatively impact the reputation of the Council may be regarded as a disciplinary offence. This includes race or gender based hate, prejudicial language, sharing content or making comments which could be perceived as online bullying or harassment.