

<b>TITLE</b>	<b>Social Media Guidance</b>
<b>FOR CONSIDERATION BY</b>	Standards Committee on 8 March 2021
<b>WARD</b>	(All Wards);
<b>LEAD OFFICER</b>	Monitoring Officer - Andrew Moulton

## **OUTCOME / BENEFITS TO THE COMMUNITY**

The Council is bound to maintain a Councillor Code of Conduct and to publish arrangements to advise residents how complaints can be made under the Code.

## **RECOMMENDATION**

Standards Committee is asked:-

1. That the Social Media Guidance be approved.
2. That it be recommended that Full Council adopt the Guidance alongside the Code of Conduct for Members.

## **SUMMARY OF REPORT**

Through the Monitoring Officer's regular update reports on complaint, the Standards Committee has previously noted the incidence of complaints against Councillors relating to their use of social guidance

In order to support Members a proposed Protocol has been produced. The Draft Social Media Guidance for Councillors of Wokingham Borough Council ('the Guidance'), attached at Annex A to the report, aims to encourage and support Councillors when using, social media in either a professional or personal capacity.

## BACKGROUND

1. In recent years, there has been an increase in code of conduct complaints against Councillors in respect of their social media use.
2. Many local authorities have sought to limit the amount of complaints by introducing guidance on social media and policies. At present, the Council does not have any specific guidance on social media use for its councillors, nor is social media mentioned in the current Wokingham Borough Council Code of Conduct.
3. The Local Government Association Model Code of Conduct ( the Model Code) which was published on 23 December 2020 and is the subject of another report on the Committee's agenda, specifically states that the Code extends to '*all forms of communication and interaction, including ... in electronic and social media communication, posts, statements and comments*'. However, the Model Code does not go further than this and does not provide any guidance to Councillors on how to use social media.
4. Whilst the Model Code explicitly states that it extends to social media use by Councillors it is considered helpful for councillors to have guidance on how to use social media responsibly as a councillor, when they are likely to be considered to acting in their capacity as a Councillor' and which specific behaviours which may constitute a breach of the Code of Conduct.

## ANALYSIS OF ISSUES

### LGA Feedback on the Model Code Consultation

5. The LGA has published an analysis of its consultation leading to the publication of the Model Code. Headlines from the consultation included:-

#### **Is there sufficient reference to the use of Social Media?**

Respondents were evenly split about whether there was sufficient reference to the use of social media in the code, however, a slightly higher proportion of respondents (43 per cent) said no.

Just over two-thirds of respondents (69 per cent) felt that guidance in relation to social media should be integrated into the code while just over a quarter (27 per cent) said that it should be covered in a separate code. The remaining four per cent did not know or preferred not to answer the question.

6. The LGA Consultation Analysis advises that they received comments and emails requesting “guidance and clarity around when the code applies to social media, and issues around online abuse. Some examples of the comments received are shown here:-

*“It may be useful to have a “best practice” code for use of social media to ensure that any council considering or using any form of social media is fully aware of the requirement to uphold to similar standards to the media/press in terms of libel and slander, in addition to how best to respond and operate different social media platforms.”*

**Community / Neighbourhood / Parish / Town Council**

*“It would be useful to put in guidance of dos and don'ts to assist councillors and emphasize the need for them to separate their personal social media accounts from their councillor ones and not use their personal accounts in a way that gives the impression they are acting in their councillor role.”*

**District / Borough Council**

*“Guidance as to the differentiation of social media platforms for personal and professional use. How to make the difference clear and protect privacy. Guidance on dealing with harassment from the public and protection available issued to elected members, officers and political parties on how to support or protect elected representatives.”*

**Metropolitan/Unitary/London Borough Councillor**

*“There is an increasing need for clearer guidance for Councillors about appropriate conduct on social media both to ensure a high standard of conduct by Councillors, to enable Councillors to challenge the inappropriate behaviour of others on social media and to provide protection to Councillors from social media ‘trolling’. This needs to be integrated in the code, but the level of detail required would more appropriately be provided in a supplement to the code – not a separate social media code.”*

Despite the overwhelming support for the incorporation of social media guidance into the Model Code, this has not happened. Therefore, we have developed our own Social Media Guidance to assist Councillors of Wokingham Borough.

**OPTIONS**

There are a number of choices open to the Committee:-

- (a) agree to consult with groups before recommendation to Full Council;
- (b) not to adopt the Social Media Guidance; or
- (c) adopt subject to any amendments.

## TIMETABLE

If agreed, it is intended that the Guidance will be annexed to the Model Code of Conduct and so be taken to the same Full Council as the Model Code.

## FINANCIAL IMPLICATIONS OF THE RECOMMENDATION

***The Council faces severe funding pressures, particularly in the face of the COVID-19 crisis. It is therefore imperative that Council resources are focused on the vulnerable and on its highest priorities.***

	How much will it Cost/ (Save)	Is there sufficient funding – if not quantify the Shortfall	Revenue or Capital?
Current Financial Year (Year 1)	£0	Yes	N/A
Next Financial Year (Year 2)	£0	Yes	N/A
Following Financial Year (Year 3)	£0	Yes	N/A

### Other financial information relevant to the Recommendation/Decision

None

### Cross-Council Implications (how does this decision impact on other Council services, including properties and priorities?)

Not applicable

### Public Sector Equality Duty

Under the Equality Act 2010, Section 149, a public authority must, in the exercise of its functions, have due regard to the need to—

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

An Equality Impact Assessment (EIA) is not relevant to this report.

### Reasons for considering the report in Part 2

Not applicable

### List of Background Papers

LGA Model Member Code of Conduct: Consultation response analysis, November 2020

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