Appleby-in-Westmorland Town Council

Social Media for Councillors Policy

Appleby-in-Westmorland Town Council encourages the use of social media to help interact with and inform the Town's residents. It is not, however, a requirement that Councillors have a social media account, or are active on social media. The guidance outlined in this policy can help Councillors to use social media in connection with their work as a councillor, and to avoid any issues that might arise, as well as ensuring the use is effective, lawful and not compromising Council business or information.

Social media must be used sensibly and responsibly. The use of social media must not adversely affect the Council or its business, damage the Council's reputation or credibility, or violate any Council policies.

Inappropriate use of social media can lead to Councillors and the Council having a damaged reputation. Although some residents ask well-meaning questions, it is vital you recognise negative comments, and those who might just want to argue. Avoid accounts like these and do not enter into any conversations with them. It is important to remember that although Councillors should always be willing to help residents, social media is not always the right outlet for this.

Legal Considerations

Three of the important Nolan Principles applying to those in public life are "Openness", "Accountability" and "Leadership". That means Councillors should be as open as possible about the actions and decisions they take, submit to an appropriate level of public scrutiny, and lead by example.

In the same way as anyone else who publishes material, Councillors must be aware of the laws that apply to published material on social media platforms. Some of the main ones are:

- **Defamation**: posting untrue statements about individuals that could damage their reputation could lead to legal action and paying damages.
- **Copyright**: posting information or documents that do not belong to you could lead to copyright claims, if proper permission is not acquired to publish them.
- **Harassment**: it is an offence to repeatedly pursue a campaign against a person that is likely to cause alarm, harassment, or distress.
- **Data protection**: the personal data of other people, including photographs, should not be published without their express permission.
- **Incitement**: it is an offence to incite any criminal act.
- **Discrimination and 'protected characteristics'**: it is an offence to discriminate against anyone based on protected characteristics (as defined in the Equality Act 2010).
- **Malicious communications**: it is an offence to send any malicious or obscene communications.

Councillors are subject to a level of public scrutiny and therefore should lead by example in the way they post online. Social media sites are in the public domain, so you must be confident that anything published will not be misread, or misinterpreted, by other users. Once a comment has been published, it then becomes out of your control and impossible to retract. Making unfair or inaccurate criticisms of your authority or higher authorities might be regarded as bringing your authorities into disrepute.

Inappropriate and offensive material should not be published. This includes:

- revealing confidential or commercially sensitive information belonging to the Council;
- revealing personal or confidential information about an individual;
- publishing something that could reasonably be considered insulting or threatening;
- publishing something that promotes illegal activity or is intended to deceive.

Anyone receiving threats, abuse, or harassment via their social media must report it directly to the police, informing the Town Clerk of their actions. Any inappropriate content can be reported to the social media site directly, asking for action to be taken and the content to be removed. In some circumstances, a screenshot may be taken for reference.

Councillors Responsibilities

Councillors should familiarise themselves with the guidance available. www.local.gov.uk/our-support/communications-and-community-engagement/social-media-guidance-councillors

Training sessions are available, and these should be requested through the Town Clerk.

The Town Council crest must not be used on any personal accounts. The crest is only appropriate on the official council website and social media sites. If Councillors have a public page or group these must be strictly monitored, and where appropriate, contributions that are detrimental to the Council must be censored or removed. Allowing defamatory comments on social media can then become the Councillor's own legal problem, as permitting these comments to remain could then be interpreted by others as condoning or endorsing them. In a similar way, liking or sharing posts could be seen as endorsement of them, and therefore the Code of Conduct and legal considerations must continue to be abided by.

Councillors should make use of stringent privacy settings and read the terms of service of any social media site accessed and make sure you understand the confidentiality/privacy settings. Councillors should ensure the security of their devices to prevent unauthorised access by third parties, who make inappropriate use of the device.

Safeguarding issues are paramount because social media sites are often misused by offenders. Safeguarding is everyone's business – if Councillors have any concerns about other site users, they have a responsibility to report them.

Councillors may use social media in both an official and a personal capacity. It is vital to remember that you may be perceived as acting in an official Council capacity when that is not the intention. The Appleby Town Council Code of Conduct must be abided by when using any social media that could be linked with the Council.

Engaging in debate on social media can sometimes cause greater issues; trying to answer everyone's questions or misinterpretations is almost impossible and can cause more stress to yourself. There is no need to respond to every comment; unhelpful online arguments

should be avoided as it can cause unnecessary tension within the community. Councillors should always act professionally, respectfully, and politely when corresponding, even (or especially) with those who do not return the courtesy.

It is important to think carefully when posting on social media. Guidance and training is available for Councillors.

Additional Considerations

Members sitting on committees should be aware that they are allowed to have a view, but must not have gone so far as to have predetermined their position on a matter, or show any bias viewpoints. Any views aired on social media could be used as evidence of making a decision in advance of hearing all relevant information. The Council's decision is then open to challenge and could be invalidated, and the 'disrepute' provisions of the Code of Conduct for Members could be engaged.

Councillors should not report or publish any information or reports about meetings which are private or internal, i.e., where no members of the public are present, or the discussion is that of a confidential nature. The content of Council documents must not be altered or rewritten, unless authorised by the Clerk.

The Council is a public authority required to comply with the Equalities Act 2010. As noted above it is an offence to discriminate against anyone based on their protected characteristics. The Council must also have 'due regard' to the Public Sector Equality Duty (which consists of eliminating unlawful discrimination, advancing equality of opportunity, and fostering good relations) and that applies to Councillors when appearing to act in their official capacity. Councillors must ensure they are also abiding by Appleby Town Council's Equality and Diversity policy.

Code of Conduct

Whenever you post something on social media, it becomes a publication; you have effectively made a broadcast. As it is now in the public domain, it is subject to both the Code of Conduct and to various Laws.

These guidelines do not form part of the Code of Conduct for Members but there may be instances where councillors' use of social media amounts to a breach of that Code, and the Monitoring Officer may take these guidelines into account when considering whether such a breach has taken place.

The Code of Conduct applies to you whenever you are "conducting the business of your authority, acting, claiming to act, or give the impression you are acting in your official capacity as a member or representative of your authority."

The Code applies if you "conduct yourself in a manner which could reasonably be regarded as bringing your office or your authority into disrepute". If you can be identified as a Councillor when you are using social media, either by your account name or how you describe yourself, or by what you comment upon and how you comment, the requirements of the Code of Conduct apply. If you say something that could be regarded as bringing your office or authority into disrepute the Code applies, even if you are not apparently acting in your official capacity or do not identify yourself as a member.

Be advised that making unfair or inaccurate criticism of your authority in a public arena might well be regarded as bringing your authority into disrepute. Councillors should not actively

seek to undermine majority decisions of the Council through social media, as this could then bring them into conflict with officers who have been charged with promoting and implementing the council's collectively determined course of action.

In the same way that you are required to act in council meetings or in communities you should:

- Show respect for others - do not use social media to be rude or disrespectful.
- Not disclose confidential information about people or the Council.
- Not bully or intimidate others - repeated negative comments about or to individuals could be interpreted as bullying or intimidation.
- Not try to secure a benefit for yourself or a disadvantage for others.
- Abide by the laws of equality – do not publish anything that might be seen as racist, sexist, ageist, homophobic or anti faith, even as a 'joke'.

Policy Review

This Policy will be reviewed bi-annually by Appleby-in-Westmorland Town Council at a Full Council Meeting.

This policy has been agreed and approved by Appleby-in-Westmorland Town Council.

Cllr Pamela Davidson

Cllr Pamela Davidson
Chair of Appleby-in-Westmorland Town Council

Adopted by Appleby-in Westmorland Council on 17th September 2025
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