

Report of	Meeting	Date
Monitoring Officer	Standards Committee	Thursday, 21 December 2023

## Social Media Protocol

Is this report confidential?	No
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Is this decision key?	Not applicable
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### Purpose of the Report

- Following the review of the Code of Conduct for Members it is appropriate to consider the Social Media Protocol which provides guidance on the application of the Code.

### Recommendations

- Members are asked to consider the questions at paragraphs 14-16 below.

### Reasons for recommendations

- The Social Media Protocol should be reviewed regularly to ensure it reflects current technology trends but with changing obligations under the code of conduct.

### Other options considered and rejected

- As this is a review other options will be considered and discounted depending on the objectives and outcomes members prioritise.

### Corporate priorities

- The report relates to the following corporate priorities:

<b>An exemplary council</b>	Healthy and happy communities
Opportunities for everyone	Green and clean neighbourhood

### Background to the report

- The use of social media is an area which can cause difficulties for members, particularly in relation to the application of the code of conduct. Following the review of the Code this year it is appropriate to review the Social Media Protocol to ensure it remains fit for purpose. The Protocol should be clear and easy to use, ensuring that members

understand how social media can be used in a way that complies with the Code but is not so prescriptive that Members are discouraged from using a valuable communication channel.

### **Existing Protocol**

7. The existing protocol is attached at appendix 1. It is a short document which is easy to read and provides a useful guide for members. In particular it sets out some of the greater risk legal areas and provides a helpful list of do's and don'ts.
8. Whilst the advice contained in the Protocol is still largely applicable it hasn't kept up with some changes to the Code of Conduct and this could lead to some confusion for Members. Also, it can be overly directive in its approach, with the Protocol often making statements on applicability of the Code of Conduct rather than providing a framework for members to consider the application of the Code themselves. This is important as if a scenario is not specifically referenced in the Protocol, Members may not be able to decide for themselves whether a course of behaviour would fall foul of the Code.
9. This is not to say that do's and don'ts are not valid, but these should not be seen as a definitive list of behaviours.
10. Some of the suggested obligations in the Protocol may be too onerous for members, for example in relation to the posts of third parties and responsibility for them, (although Members should recognise their responsibility for comments published on their pages).
11. As noted in paragraph 8 above the Protocol as adopted currently draws a distinction between private and councillor social media use. Members will recall that this distinction has been reduced somewhat by the adoption of the new code which introduced the rebuttable presumption that the councillor was acting in that capacity at the time of the behaviour complained of, unless they can demonstrate otherwise. The existing protocol needs careful consideration of this to enable clear guidance for members.

### **Other Resources**

12. Members may also want to consider the guidance for members on the use of Social Media – link here [Social media | Local Government Association](#). Whilst this does not address the Code of Conduct specifically, the format of this guidance enables members to use social media constructively. Whilst it will always be important to consider the content of posts against the requirements of the code, this guide when followed should steer members towards compliant posts rather than away from breaches of the code.
13. Also attached at appendix 2 is the Lancashire County Council guide for social media use which has been shared by their Monitoring Officer. This is very similar in form to SRBC's code and has similar content. The main difference is that it is less directive in some of its language.

### **Considerations for Members**

14. Do members like the format of the Protocol?
15. Should the approach of the Protocol be to provide a framework for the application of the requirements of the code of conduct; or should it provide detailed explanations and examples of compliance and breaches?
16. Should members of the committee have a working group to review the Protocol or would they prefer an amended Protocol to be presented for consideration with the scoping of any changes being based on the decisions to the questions above?

### **Climate change and air quality**

17. The work noted in this report does not impact the climate change and sustainability targets of the Councils Green Agenda and all environmental considerations are in place.

### **Equality and diversity**

18. An Equality Impact Assessment has not been completed. However any proposed changes to the Protocol will be tested for compliance and an update will be provided to members in this regard when the amended Protocol is considered further.

### **Risk**

19. There is limited risk here. The Protocol is to assist councillors in complying with their duties The Protocol, if used correctly, actually serves to manage risk.

### **Comments of the Statutory Finance Officer**

20. There are no direct financial implications of this report.

### **Comments of the Monitoring Officer**

21. There are no legal observations at this stage, it is appropriate to review the Protocol for the reasons provided in the report.

### **Background documents**

### **Appendices**

Appendix 1 – Social Media Protocol

Appendix 2 – LCC Social Media Protocol.

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