

Wiltshire Council Human Resources

Personal use of social media

This policy can be made available in other languages and formats such as large print and audio on [request](#).

What is it?

Social media includes the various online technology tools that enable people to communicate easily via the internet to share information and resources.

See [examples](#) of social media sites.

This policy provides guidance to employees who use social media sites in their personal time (either at home or during work time in line with the [acceptable usage policy](#)), with the aim of protecting both employees and the council from disrepute.

Who does it apply to?

This policy applies to all Wiltshire Council employees (with the exception of teaching and non-teaching staff employed in locally managed schools).

When does it apply?

This policy applies at all times when employees are making use of social media sites in a personal capacity.

It applies whether the employee is at home or at work and whether they are using a council laptop/smartphone or their own device.

When does it not apply?

This policy does not cover the use of social media sites by employees within their role and on behalf of Wiltshire Council.

For guidance on the use of social media on behalf of the council you should refer to the information security [Social media and blogging policy](#).

What are the main points?

Protecting yourself

1. Many employees make use of social media in a personal capacity and this policy is not intended to limit your use or enjoyment of social media.
2. However you should remember that, even when not acting on the council's behalf, you can be held accountable for content which you post on social media sites which could be potentially damaging to the council.
3. Damaging content includes any communication made in a personal capacity through social media which:

Brings the organisation into disrepute	E.g. criticising the council, service users or colleagues in an inappropriate manner, posting images that are inappropriate or links to inappropriate content.
Breaches confidentiality	E.g. revealing information owned by the organisation; giving away confidential information about an individual (such as a colleague or service user) or discussing the organisation's internal workings (such as council spending or business plans that have not been communicated to the public);
Is discriminatory against, or bullying or harassment of, any group or individual	E.g. making offensive or derogatory comments relating to sex, gender reassignment, race (including ethnicity), disability, sexual orientation, religion or belief or age; using social media to bully another individual; or posting images that are discriminatory or offensive, or links to such content.
Breaches copyright	E.g. by using someone else's images or written content without permission

4. Consider who can read what you are posting, being aware that some sites are open to all and other sites allow you to control who can see what you post.

5. Ensure that you have reviewed any privacy settings so that only those you would wish to read your content are able to do so.
6. Consider carefully whether you wish to include your workplace and/or job title on your profile – being aware that this may make it easier for service users and members of the public to contact you in your personal time.
7. If you choose to comment in a personal capacity on any issues relating to the council or your work you should make it clear that you are not representing the council and that the views expressed are personal and do not necessarily reflect the views of the council.
8. You should not comment on behalf of the council on a social media site unless you have been authorised to do so – you should refer to the [Social media and blogging policy](#) or seek advice from the communications team.

Accessing social media in work time

9. In line with the council's [Acceptable Usage policy](#) you may make occasional and reasonable personal use of the internet (for example during lunch breaks), as long as this does not interfere with the performance of your duties or the work of other staff.
10. Accessing social media for personal use on your own equipment (e.g. mobile phone, smartphone etc.) is only acceptable during official breaks.

How the council protects itself

11. We monitor social media websites in the same way as we monitor other media channels (e.g. local press etc.) for relevant content about Wiltshire Council.
12. We do not routinely monitor the webpages that you access from your council laptop, however full logs are retained and can be accessed as part of a genuine investigation.
13. We do not monitor your personal social media pages without reason. However, as with any allegation of misconduct, we will investigate where breaches of this policy are brought to our attention by any means (e.g. via members of the public, employees, partners or service users).

Investigations which involve social media content

14. Any investigation which involves social media content will take into consideration:
 - the intent of the content;
 - the “moral intensity” of the content – what damage has been done;
 - the implications – including the level of risk it places the council at (including reputation, data etc.) and management time;
 - the impact – on service delivery, service users, work colleagues, morale etc.;
 - the individual’s right to freedom of expression (provided it is not discriminatory, damaging, malicious or libellous).
15. Inappropriate content posted on social media sites either during, or outside of work time may lead to either informal or formal disciplinary action.
16. Serious breaches of this policy, for example incidents of bullying of colleagues, discriminatory behaviour or social media activity causing serious damage to the organisation, may constitute gross misconduct and lead to summary dismissal.
17. Social media content which proves that employees have breached other council policies may be used in disciplinary investigations relating to these matters.

Roles and responsibilities

Employee responsibilities

18. To carefully consider, before posting content on social media sites, whether this will bring the council into disrepute, breach confidentiality or copyright or be considered offensive, defamatory, discriminatory, bullying or harassment.
19. If you are unsure of whether it is appropriate to post certain content on a social media site advice can be sought from the communications team by contacting socialmedia@wiltshire.gov.uk.

Line manager responsibilities

20. You are not expected to monitor personal use of social media by your team. However if a matter, relating to inappropriate use of social media, is brought to your attention you are responsible for looking into the

matter in line with the relevant council policy, taking into consideration the factors outlined in point 14 above.

21. Where relevant you should gather evidence (e.g. screen-shots, print outs, copies of complaints) in the same way as within any investigation into alleged misconduct. See Guidance for managers on carrying out investigations for further information.
22. You may need to call on the expertise of other teams within the council (e.g. information assurance, communications) as part of this evidence gathering exercise.
23. If the content has the potential to damage the reputation of the council you should immediately liaise with HR and the communications team so that steps can be taken to minimise the impact of the damage.

HR responsibilities

24. To advise managers investigating cases which are based on or include social media content.
25. To liaise with teams across the council where appropriate to minimise the impact of any damage.

Communications team responsibilities

26. To offer employees advice about whether content is appropriate to post on a social media site.
27. To work closely with managers, information security and HR to remove or respond to inappropriate content on social media sites in a timely and effective manner to minimise damage to the council.

Information Assurance responsibilities

28. To provide support and expertise in gathering information and evidence which is required for investigations in relation to social media content.
29. In conjunction with other teams across the council to take action to remove material from social media sites which could cause damage to the council.

Frequently asked questions

30. Why do we need a policy on personal use of social media?

This policy has been produced in response to requests from both managers and employees for guidance on the implications using social media in a personal capacity can have on them at work.

We have also taken [ACAS advice](#) which recommends having a policy in order to:

- help protect the council and employees
- give clear guidelines for employees on what they can and cannot say;
- help line managers to manage performance effectively;
- help employees draw a line between their private and professional lives;
- comply with the law on discrimination, data protection and protecting the health of employees;
- be clear about sensitive issues like monitoring and explain how disciplinary rules and sanctions will be applied.

31. Can something I post on my own Facebook page, in my personal time, be used as evidence in a disciplinary case at work?

Yes, provided that the evidence is obtained by lawful means. For example, hacking into an employee's Facebook account to monitor their activity would be unlawful. However if the information is accessed legitimately by the council, or brought to the council's attention by another employee who has accessed it legitimately, for example from their own account, it can be used.

32. Could I be disciplined for something that a friend has posted on my social media site (e.g. a comment about the council left on my facebook page)?

No, you are not held responsible for the opinions or comments of third parties. However we would hope that you would post an appropriate response or ask your friend to delete the post.

33. What if I post a comment using a different name or alias?

If the council is made aware of any content which reflects negatively on the council then an investigation may be undertaken. If an employee is found to be the source of the content then action (either informal or formal) may be taken, even if the employee did not use their real name, or state that they worked for Wiltshire Council.

Each case will be considered on an individual basis, with reference to those points outlined in paragraph 14 of the policy.

34. What if someone shares with me on facebook a joke or comment or video which does not comply with equalities legislation?

This policy is not designed to limit your use of social media sites. The council would only become involved if made aware of content which could reflect negatively on the council.

You need to regularly check your privacy settings to ensure that only those you would want to be able to see content on your personal sites are able to do so. Any investigation would consider each case on an individual basis.

35. What if an ex-employee posts inappropriate comments on a social media site?

This would be dealt with in the same way as any member of the public making comments about the council. The communications team would assess the comment and decide whether to post a reply, contact the member of public or ask for its removal. If the comment is defamatory then the individual(s) concerned may choose to pursue private action.

36. What is defamation?

Defamation is defined as posting damaging or libellous comments or content about an organisation, their products and services or an individual which are not based on facts or evidence and which serve to undermine their reputation.

37. I just posted something on a social media site and am now concerned that I may have breached this policy. What should I do?

If you have posted something in error you should remove the content immediately where it is possible to do so, and contact the communications team as soon as possible for advice.

38. In the past I may have posted something on a social media site which may have breached this policy. Could the council look back at old posts (e.g. via timeline on facebook) and take action based on things I did years ago?

The council would only become involved if made aware of content which could reflect negatively on the council. If the content was not current then the decision about whether to undertake any investigation would need to be based on the factors in point 14.

Whilst not a policy at Wiltshire Council you should be aware that some employers may review the personal social media sites of applicants as a tool during recruitment.

Employees can protect themselves by ensuring their privacy settings are regularly reviewed and updated.

39. Can I use the council network to access the internet on my personal mobile phone or smartphone?

No. If using your own device to access social media websites for personal use during breaks you must use your own network, you cannot use the council's network.

40. What should I do if a colleague has posted offensive remarks about me on either my own or another social media site?

If comments have been made about you by a colleague you should raise this with your line manager in accordance with the **dignity at work policy and procedure**.

41. What should I do if a service user or member of the public makes unwanted contact or posts offensive remarks about me on a social media site?

Wherever possible you should protect yourself from unwanted contact by ensuring that privacy settings are regularly reviewed. You can also make it harder for people to find you by removing searchable criteria (such as employer and job title) from your profile.

If you are receiving unwanted contact you should make your manager aware and contact socialmedia@wiltshire.gov.uk to see if there is a way to block the individual.

Some teams will have their own policies and guidelines about appropriate interactions with service users.

42. What if content on a social media site was made in the public interest?

If a statement made on a social media site was made in pursuance of some legal, moral or social duty in the public interest (ie whistleblowing) the council's **whistleblowing policy** will apply. The council always seeks to protect whistleblowers from reprisals taken as a result of raising their concerns, provided that those concerns were raised in good faith and without malicious intent

43. What is the council's stance on cyber bullying

Cyber bullying is defined as bullying, harassment and victimisation conducted via social networking channels, including using blogs or social networking sites to post photographs or offensive or threatening comments about colleagues.

Any instances of cyber bullying by a colleague will be dealt with under the council's **dignity at work policy and procedure** in the first instance, except in severe circumstances where a decision may be made to suspend the employee pending investigation in line with the disciplinary policy and procedure and/or to contact the police.

Incidents involving members of the public would be referred to the police for investigation.

44. Would the council pass information regarding web pages accessed from my Wiltshire Council laptop to the police?

Yes. If approached by the Police to provide information to them in respect of a criminal investigation regarding the possible illegal activities of an employee using a Wiltshire Council laptop we would be obliged to provide such access to them under Section 29 of the Data Protection Act.

45. Can I make any comments on social media sites of a political nature whilst in a politically restricted post?

If your role is politically restricted, you are prohibited from publishing works or comments which could affect support for a particular political party. This would include posting comments on social media websites. You must refrain from making any comments from which others could conclude support or non-support for a particular political party. This would include, for example, making comments about a particular party's manifesto or an issue arising from their manifesto.

Equal Opportunities

This policy has been Equality Impact Assessed ([link to EIA for policy](#)) to identify opportunities to promote equality and mitigate any negative or adverse impacts on particular groups.

Legislation and guidance

- Human Rights Act 1998
- Data Protection Act 1988
- Equalities Act 2011
- [ACAS Factsheets “Social Networking”](#)

This policy has been reviewed by our legal department to ensure compliance with the above legislation and our statutory duties.

Advice and guidance

If you require help in accessing or understanding this policy you should contact your line manager or trade union representative if you are a member.

If, due to the nature of your query, it is not appropriate to contact your line manager you should contact your head of service who will nominate an appropriate manager or colleague to help you.

See [guidance for managers – giving advice on policies](#).

Further information

There are a number of related policies and procedures that you should be aware of including:

- Information Security Social media and blogging policy
- Acceptable usage policy
- Code of Conduct
- Dignity at work
- Disciplinary policy and procedure
- Grievance policy and procedure
- Behaviours Framework

For further information please speak to your supervisor, manager, service director or contact your [HR case adviser](#).

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Examples of social media sites

<p>Social networking sites (e.g. Facebook)</p>	<p>Users create personal profiles, add other users as friends and exchange messages, including automatic notifications when they update their own profile. Additionally, users may join common-interest user groups, organised by common characteristics.</p>
<p>Blogging and micro-blogging sites (e.g. Twitter)</p>	<p>A blog is a type of website or part of a website usually maintained by an individual with regular entries of commentary and descriptions of events (blogging). A micro-blog is simply smaller in size.</p>
<p>Professional networking sites (e.g. LinkedIn)</p>	<p>Business-related social networking sites mainly used for professional networking. Users maintain a list of contact details of people with whom they have some level of relationship, called connections. This list of connections can then be used to build up a contact network, follow different companies and find jobs, people and business opportunities.</p>
<p>Online communities (e.g. MySpace)</p>	<p>An online community of users' personal profiles. These typically include photographs, information about personal interests and blogs. Users send one another messages and socialise within the community.</p>
<p>Video sharing websites (e.g. YouTube)</p>	<p>A website on which users can upload, share, and view videos. A wide variety of user-generated video content is displayed, including film and TV clips as well as amateur content such as video blogging. Most videos enable users to leave and exchange comments.</p>
<p>Collaborative web projects (e.g. Wikipedia)</p>	<p>Web-based projects where articles are written collaboratively by volunteers around the world, and almost all articles are freely editable by any visitor.</p>

Definitions to add to glossary

Social media	Social media includes the various online technology tools that enable people to communicate easily via the internet to share information and resources. Social media sites include (but are not limited to) Facebook, twitter, Linkedin, Youtube and MySpace.
Cyber-bullying	Bullying, harassment and victimisation conducted via social networking channels, including using blogs or social networking sites to post photographs or offensive or threatening comments about colleagues.
Defamation	Making or posting damaging or libellous comments, statements or content about an organisation, their products and services or an individual which are not based on facts or evidence and which serve to undermine their reputation.