

Nicola Hesketh  
Project and Information Co Ordinator

**Our Ref: FOI/NH4109/02**  
**Please ask for: Nicola Hesketh**  
**Direct dial: 01827 709 587**  
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[name redacted]  
What do they know

22<sup>nd</sup> September 2016

Dear [name redacted]

### **Freedom of Information – Request for Information**

With regards to your recent enquiry for information held by the Authority under the provisions of the Freedom of Information Act. Please find the information you requested below with reference in the box to your original enquiry for clarity where multiple answers are required.

#### **Details of Your Request**

1. *Please provide me with a copy of your authority's Social Media Policy (for employees) or equivalent and the date it was adopted*
2. *Please provide me with a list of the Social Media accounts managed by your authority*
3. *Please detail training offered to staff on the use of social media*
4. *Please state how many people in your organisation have been disciplined as a result of social media policy breaches during calendar years 2011-2015.*
5. *Please provide the approximate number of people employed by your corporate organisation.*

#### **The response to your request as follows:**

1. **Please see PDF attached**
2. **Glassdoor (currently in development stage) Twitter and Facebook**
3. **Mandatory Data protection and Freedom of Information**  
**Any specific training for staff on the use of social media for their role would be identified via their Personal Development Review**
4. **None as a result of the Social Media Policy**
5. **Current FTE is 317.52 (463 headcount)**

#### **IMPORTANT NOTICE ABOUT USE OF INFORMATION PROVIDED UNDER THE FREEDOM OF INFORMATION ACT (FoIA)**

Most of the information that we provide in response to Freedom of Information Act 2000 requests will be subject to copyright protection. In most cases the copyright will be owned by Tamworth Borough Council. The copyright in other information may be owned by another person or organisation, as indicated on the information itself.

You are free to use any information supplied for your own non-commercial research or private study purposes. The information may also be used for any other purpose allowed by a limitation or exception in copyright law, such as news reporting.

However, any other type of re-use, for example by publishing the information in analogue or digital form, including on the internet, will require the permission of the copyright owner. For information where the copyright is owned by Tamworth Borough Council details of the conditions on re-use can be provided on application to the contact below.

For information where the copyright is owned by another person or organisation you must apply to the copyright owner to obtain their permission.

This council also believes in transparency of information, this includes requests made under the Freedom of Information Act and the Environmental Information Regulations and we reserve the right to publish these requests in our Disclosure Log along with the response, the requestors name and/or company where the information is requested on a regular basis. Care shall be taken not to publish your email address or physical address where it is considered personal information as defined under the Data Protection Act 1998.

Project and Information Coordinator,  
Tamworth Borough Council,  
Marmion House,  
Lichfield Street,  
Tamworth,  
B79 7BZ

Details of Tamworth Borough Council's internal review and complaints procedure are attached, in accordance with the provisions of the Act.

Yours Sincerely

Nicola Hesketh  
Project and Information Coordinator

# Tamworth Borough Council

## social media guidance

### Social media guidelines for staff and members

Staff and members are not discouraged to use social media. However as a Tamworth Borough Council employee or elected member, there are considerations to take into account:

- If your personal profile discloses you work for Tamworth Borough Council, you and your views could be seen as being representative of TBC
- When using a personal account which states you work for TBC, even though you are acting in your own personal capacity, you are on show to your friends and anyone else who sees what you write, as a representative of TBC.
- You are entitled to say that you work for TBC, but if you choose to disclose you work for TBC, you should make clear that the views expressed are personal, and not those of the council
- Even though social media is considered informal, don't criticise your colleagues or reveal confidential TBC information. For example, if you want to start a social media account where you feel conflicts of interests are possible, you should discuss it first with your line manager; he or she won't unreasonably stop you, but will want to discuss potential risks
- If you have your own personal profile on a social media website, you should make sure that others cannot access any content, media or information from that profile that (a) you are not happy for them to have access to; and (b) which would undermine your position as a professional, trusted and responsible person
- As a basic rule, if you are not happy for others you work with to see particular comments, media or information simply do not post it in a public forum online

### When using social media sites, employees and members should consider the following:

- Changing the privacy settings on your profile so that only people you have accepted as friends can see your content
- Reviewing who is on your 'friends list' on your personal profile. In most situations employees should **not** accept friend requests on your personal profile from 'clients' you work with (This includes young people, parents, organisations etc)
- It is recommended that employees do not become friends with elected members from this authority or neighbouring authorities
- Ensuring personal blogs have clear disclaimers that the views expressed are yours and do not represent the views of the organisation. Make it clear that you are speaking for yourself and not on behalf of Tamworth Borough Council. You should note that when posing messages on-line the freedom of expression attaches only to lawful conduct

- Ensuring information published on the internet complies with Tamworth Borough Council's confidentiality and data protection policies. Breach of confidentiality could result in disciplinary action and ultimately could result in termination of your contract
- Ensuring you are always respectful towards employees, customers, suppliers etc
- Employees should be aware that any disrespectful comments - including bullying and harassment – could be seen as libellous and could result in disciplinary action or termination of your contract
- Logos and trademarks may not be used without written consent.
- At all times - in or out of working hours - you are an ambassador for the borough council. Be aware that your actions captured via images, posts or comments online can reflect on the organisation.

## Guidelines for elected members

Most of the above also applies to elected members, despite them not being employed by the authority. However there are some additional guidelines for elected members to take into account.

- **The judgment of whether you are perceived to be acting as a Tamworth Borough Council councillor will be taken by someone else (ie the public), it's safest to assume that any online activity can be linked to your official role**
- Once you have said something, it is written down and permanent.
- The same legal implications apply as any other written/printed form, caution for people involved in planning committees
- 'Blurred identities' - a social media account where you comment both as a councillor and as an individual. For example posting about a great night out (personal) and another time explained the council position on repair (councillor).
- It may be clear in your mind when you are posting in a private capacity or as a councillor but it could be less clear to others. Such blurred identities might for example have implications where your views are taken as those of your organisation or political party, rather than your personal opinion.
- If councillors have an account which displays as Councillor John Smith, activity should be related to talking about council business, similar in tone to how they would talk to a constituent. Some variation is acceptable but caution should also be displayed. Would you say what you are posting? Councillors will be seen as accountable for their comments and cannot hide behind their online persona.
- This may be less than clear if you have a private blog/twitter/Facebook profile. However it is not unreasonable for members of the public to view your personal account as being that of a councillor, especially the more high profile a councillor is perceived to be.

## **Social media and the law**

Libel and copyright laws exist on social networks in exactly the same way they do in traditional print media. There are a number of potential legal issues arising from the growing popularity of social media.

Due to the sharing nature of social networks, defamatory messages can reach large audiences very quickly and, once posted, can be shared by others, making the message hard to ever remove from the site entirely.

**The Communications Act 2003 (section 127)** states:

*“It is illegal to send messages that are “grossly offensive or of an indecent, obscene or menacing character” or “for the purpose of causing annoyance, inconvenience or needless anxiety to another, persistently makes use of a public electronic communications network”.*

**An individual found guilty of an offence under this section could face a fine or prison sentence of up to six months.** There have been cases of elected members being reported to the police for breaching this section.

Members could also be seen as breaching the Code of Conduct if social network comments are deemed offensive.