

To: Members of the Special Sub-Group

Councillors Hayfield, Phillips, Smith, M Stanley and Sweet

For the information of the other Members of the Council

SPECIAL SUB-GROUP

24 JUNE 2013

The Special Sub-Group will meet in the Committee Room, The Council House, South Street, Atherstone, Warwickshire on Monday 24 June 2013 at 4.00pm.

AGENDA

PART I - PUBLIC BUSINESS

- 1 Evacuation Procedure.**
- 2 Apologies for Absence / Members away on official Council business.**
- 3 Disclosable Pecuniary and Non-Pecuniary Interests**
- 4 Public Participation**

Up to twenty minutes will be set aside for members of the public to ask questions or to put their views to elected Members. Participants are restricted to five minutes each. If you wish to speak at the meeting please contact David Harris on 01827 719222 or email democraticservices@northwarks.gov.uk.

PART A – ITEMS FOR DISCUSSION AND DECISION (WHITE PAPERS)

- 5 **Social Media at Work Policy** – Report of the Assistant Director (Finance and Human Resources)

Summary

This report advises members of the background to the new policy on Social Media at Work and recommends the adoption of the policy for the Council. The policy has been consulted on by senior managers and the trade unions.

The Contact Officer for this report is Janis McCulloch (01827 719236).

PART C – EXEMPT INFORMATION (GOLD PAPERS)

- 6 **Exclusion of the Public and Press**

Recommendation:

That under Section 100A(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the following item of business, on the grounds that it involves the likely disclosure of exempt information as defined by Schedule 12A to the Act.

- 7 **Accommodation Project** – Report of the Assistant Director (Streetscape) – REPORT TO FOLLOW

The Contact Officer for this report is Richard Dobbs (719440).

JERRY HUTCHINSON
Chief Executive

For general enquiries please contact David Harris, Democratic Services Manager, on 01827 719222 or via e-mail – davidharris@northwarks.gov.uk. For enquiries about specific reports please contact the officer named in the report.

Agenda Item No 5

Special Sub Group

24 June 2013

**Report of the Assistant Director
(Finance and Human Resources)**

Social Media at Work Policy

1 Summary

- 3.1 This report advises members of the background to the new policy on Social Media at Work and recommends the adoption of the policy for the Council. The policy has been consulted on by senior managers and the trade unions.

Recommendation to Special Sub Group

To adopt the new policy.

2 Introduction

- 2.1 There have been a number of recent cases in the news, where the use of social media by employees has resulted in negative publicity for the organisation involved and raised issues amongst the staff they employ, which can be costly and time consuming to deal with.
- 2.2 Many employees of North Warwickshire Borough Council make use of social media in a personal capacity. While they are not acting on behalf of the Council, they could damage the Council if they make an inappropriate posting, and are recognised as being one of our employees.

3 Benefits of a Social Media Policy

- 3.1 It is therefore sensible to have a policy that would outline the responsibilities of employees, when they are using the internet to access social networking websites. The proposed policy is attached at Appendix A. This policy is in addition to the Council's existing policy on email and internet use.
- 3.2 The policy outlines what is unacceptable use of social media as guidance to ensure that personal comments do not affect relationships at work, to the extent that the employee is in breach of the code of conduct and the Member/Officer Protocol.

3.3 Although we do not have many issues relating to the use of Social Media, there have been a few postings on social networking sites that could have damaged the reputation of the Council and caused offence to some of our employees. The policy would ensure that if we have any issues in the future there is a consistent approach to dealing with these.

3 Report Implications

3.1 Human Resources Implications

3.1.1 As detailed in the report.

3.2 Risk Management Implications

3.2.1 Attached as Appendix B.

3.3 Equalities Implications

3.3.1 As attached at Appendix C.

3.4 Links to Council's Priorities

3.4.1 The use of this policy will reduce the risk of inconsistencies. Proper management of employee issues through policies contributes to the Council's priority relating to the effective use of resources.

The Contact Officer for this report is Janis McCulloch (01827 719236).

Background Papers

Local Government Act 1972 Section 100D, as substituted by the Local Government Act, 2000 Section 97

Background Paper No	Author	Nature of Background Paper	Date

Appendix A



North Warwickshire Borough Council

Social Media at Work Policy

JUNE 2013

Introduction

As employees are aware, the internet was initially provided at work primarily for business use. The Council recognises that many employees now use the internet for personal purposes and that many employees participate in social networking on websites such as Facebook, Twitter, MySpace, Bebo and Friendster.

The purpose of this policy is to outline the responsibilities of employees, when they are using the internet to access social networking websites. The policy is in addition to the Council's existing policy on email and internet use.

Employees should at all times adhere to the Employee Code of Conduct and the Protocol for Member/Officer Relations. Employees must control their social media activity to ensure that they do not prejudice member/officer relations. Any complaint that an officer has breached either the Code of Conduct and/or the protocol for Member/Officer Relations shall be referred to the Chief Executive for appropriate action under the Council's employment procedures.

Definition of social media

For the purposes of this policy, social media is a type of interactive online media that allows parties to communicate instantly with each other or to share data in a public forum. This includes online social forums such as Twitter, Facebook and LinkedIn. Social media also covers blogs and video- and image-sharing websites such as YouTube and Flickr.

Employees should be aware that there are many more examples of social media than can be listed here and that it is a constantly changing area. Employees should follow these guidelines in relation to any social media that they use.

Use of social media at work

Employees are allowed to make reasonable and appropriate use of social media websites from the Council's computers or devices, provided that this does not interfere with their duties. They must limit their personal use of social media to their official rest breaks, such as their lunch break.

If employees need to use social media in the course of their duties (eg. for investigation purposes or for authorised communication of the Council's business) they may do so during normal working hours.

Monitoring use of social media during work time

The Council reserves the right to monitor employees' internet usage where appropriate, but will inform an affected employee when this is to happen and the reasons for it. The Council recognises that significant intrusion into private lives will not normally be justified unless there is a risk of damage to

the business. The Council considers that valid reasons for checking an employee's internet usage include suspicions that the employee has:

- been using social media websites when he/she should be working; or
- acted in a way that is in breach of the rules set out in this policy.

Social media in your personal life

The Council recognises that many employees make use of social media in a personal capacity. While they are not acting on behalf of the Council, employees must be aware that they can damage the Council if they are recognised as being one of our employees.

Employees are allowed to say that they work for the Council. However, the employee's online profile (for example, the name of a blog or a Twitter name) must not contain the Council's name.

It is necessary to ensure that employees understand the risks connected with use of social media sites. Whilst the Council respects the employee's right to a private life and to freedom of personal expression they must ensure that confidentiality, the rights of others and the reputation of the Council are protected at all times.

Employees need to be aware that any information that they share on social networking sites could potentially end up in the worldwide public domain and be seen or used by someone they did not intend, even if it appears to be "private" or is on a closed profile group.

Employees should be careful to ensure that their personal comments do not affect relationships at work, to the extent that the Code of Conduct and the Member/Officer Protocol are not breached.

Any communications that employees make through social media must not:

1. Breach confidentiality, for example by inappropriately:
 - revealing information owned by the Council;
 - giving away confidential information about an individual, a colleague, a Member, a customer, or organisation; or
 - discussing the Council's internal workings or its future business plans that have not been communicated to the public.
2. Bring the Council into disrepute, for example by:
 - presenting personal views about the Council, its processes, decisions or people, including Elected Members;
 - criticising or arguing with customers, colleagues, other local authorities or partners.
 - making defamatory comments about individuals or other organisations or groups; or

- using offensive language or
 - posting images that are inappropriate or links to inappropriate content.
3. Do anything that could be considered discriminatory against, or bullying or harassment of, any individual, for example by:
- making offensive or derogatory comments relating to sex, gender reassignment, race (including nationality), disability, sexual orientation, religion or belief or age;
 - using social media to bully another individual (such as an employee of the Council); or
 - posting images that are discriminatory or offensive [or links to such content].

For the avoidance of doubt:

The employer will take a balanced approach when considering the interests of the Council and an employees rights to individual expression.

An employee will not be held responsible for content that a third party may post on their social media account or may post about them without their authority provided this is not subsequently endorsed or circulated.

Disciplinary action over social media use

All employees are required to adhere to this policy. Employees should note that any breaches of this policy may lead to disciplinary action. Serious breaches of this policy, for example incidents of bullying of colleagues or social media activity causing serious damage to the Council, may constitute gross misconduct and lead to summary dismissal.

Law relating to this document

Leading statutory authority

Equality Act 2010

Defamation Act 1996

Data Protection Act 1998

Human Rights Act 1998

Regulation of Investigatory Powers Act 2000

Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000 (SI 2000/2699)

Employment Practices Data Protection Code (PDF format, 5.5MB) (on Information Commissioner's Office website)

Acas guidance on social networking (on the Acas website)

The Regulation of Investigatory Powers Act 2000 and Telecommunications (Lawful Business Practice) (Interception of Communications) Regulations 2000 allow employers to investigate or detect the unauthorised use of their telecommunication system, including internet use.

Equality Impact Assessment Summary Sheet

Please complete the following table summarised from the equality impact assessment form. This should be completed and attached to relevant Board reports.

Name of Policy Procedure/Service	Social Media at Work Policy
Officer Responsible for assessment	Janis McCulloch

Does this policy /procedure /service have any differential impact on the following equality groups /people

- (a) Is there a positive impact on any of the equality target groups or contribute to promoting equal opportunities and improve relations or:
- (b) could there be a negative impact on any of the equality target groups i.e. disadvantage them in any way

Equality Group	Positive impact	Negative impact	Reasons/Comments
Racial	Yes	No	The social media at work policy will have a positive impact on all groups
Gender	Yes	No	
Disabled people	Yes	No	
Gay, Lesbian and Bisexual people	Yes	No	
Older/Younger people	Yes	No	
Religion and Beliefs	Yes	No	
People having dependents caring responsibilities	Yes	No	
People having an offending past	Yes	No	
Transgender people	Yes	No	

If you have answered **No** to any of the above please give your reasons below

The policies will apply to all employees.

Please indicate if you believe that this document

Should proceed to further Impact assessment **No**

Needs no further action **No**

Risk Management Form

**NORTH WARWICKSHIRE
BOROUGH COUNCIL**

Division

Cost Centre or Service

Risk Ref	Risk: Title/Description	Consequence	Likelihood (5 = high, 1 = low)	Impact (5 = high, 1 = low)	Gross Risk Rating	Responsible Officer	Existing Control Procedures	Likelihood (5 = high, 1 = low)	Impact (5 = high, 1 = low)	Net Risk Rating
	There is inappropriate use of social media by employees	<p>The reputation of the Council is damaged</p> <p>There is conflict between employees, which is costly and time consuming to resolve</p> <p>Individual managers may deal with issues differently, leading to inequality of treatment</p>	3	3	9	Janis McCulloch	<p>The employee code of conduct and the Member/Officer Protocol.</p> <p>The implementation of the new Social Media Policy</p>	1	3	3
Risk Ref	Options for additional / replacement control procedure						Cost Resources	Likelihood (5 = high, 1 = low)	Impact (5 = high, 1 = low)	Net Risk Rating

Completed By: Janis McCulloch

Date: 12 June 2013