Councillor Social Media Policy

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Adopted by	Council
Review due	September 2028
Responsible officer	Manager Communications and Manager Governance
Records reference	9197635

1. Purpose

The purpose of the Councillor Social Media Policy is to provide guidance for Councillors on the appropriate use of social media, to enhance how Councillors communicate with our residents and stakeholders, and to support their representative role. This policy outlines the roles and responsibilities of Councillors when using social media, supports compliance with the Model Councillor Code of Conduct, recognises the Mayor as Council's official spokesperson, and reinforces Council's role as the primary source of official information.

2. Application And Scope

This policy applies to all Councillors when using social media:

a. in their role as a Councillor;

b. when discussing Council business, Council decisions, Council services or Council related matters; or

c. when personal social media activity may reasonably be connected to their role as a Councillor, when using social media in a personal capacity, Councillors must make it clear that any opinions or views expressed are their own and do not represent the views, decisions or official position of Council.

This policy does not seek to limit robust public debate or a Councillor's right to express personal opinion, provided it is done consistently with the Model Councillor Code of Conduct and applicable legislation.

3. General Provisions

3.1. Principles

Councillors play an important role in communicating with and engaging the community through social media. When using social media, Councillors are expected to:

a. act respectfully, professionally, and in good faith

b. support transparency and accountability in public communication;

c. maintain public confidence in Council and local government;

d. comply with applicable legislation, Council policies and the Model Councillor Code of Conduct;

e. exercise sound judgement when participating in online discussions;

f. amplify and support Council's opportunities, events, and initiatives that may benefit the community;

g. take reasonable steps to ensure that any information shared about Council is accurate, current and consistent with official Council information before publishing; and

h. adopt a 'Council First' approach by ensuring official Council information is communicated through Council's authorised channels in the first instance, and that any subsequent sharing or commentary aligns with Council's Communications Strategy and approved messaging.

3.2. Council communications

Council's corporate communication channels are the primary source of official Council information and announcements relating to Council decisions, services, projects, events, opportunities, programs, operational matters and emergency communications.

Official Council information and announcements must, in all circumstances, be communicated through Council's authorised corporate communication channels in the first instance to ensure communications are released at the appropriate time and in accordance with Council's planned communications approach.

Councillors are encouraged to share, repost and amplify information published through Council's corporate communication channels and may provide additional context or commentary to support community understanding.

3.3. Community enquiries and operational matters

Council officers are responsible for responding on behalf of the organisation regarding operational matters, service requests, customer enquiries, complaints, regulatory matters and emergency management information.

Councillors who receive operational enquiries through social media should refer community members to the appropriate corporate communication channels.

Councillors are encouraged not to solicit customer enquiries or otherwise encourage members of the public to bypass Council's corporate communication channels.

Councillors must not communicate on behalf of Council regarding operational matters, as responsibility for operational decisions and communications rests with the Chief Executive Officer and authorised Council officers.

3.4. Social media activity

Councillors are under no obligation to maintain a social media presence.

Councillors who choose to maintain a social media presence must clearly distinguish between any personal social media activity and content shared or published in their capacity as a Councillor.

Where Councillors elect to have a social media presence, Councillors should be mindful that public comments may reasonably be associated with their role as an elected representative and the Model Councillor Code of Conduct applies at all times.

3.5. Confidential information

Councillors must not disclose confidential information (as defined in section 3 of the *Local Government Act 2020*), or information that should be treated as confidential as a matter of good governance, such as information that is not publicly available and has been obtained through a Councillor's role, including confidential Council reports, Councillor briefings, Councillor eNews, workshop materials and other restricted Council communications, unless authorised for release.

Where Councillors wish to publicly share Council information that has not already been communicated through Council's authorised corporate communication channels, they should first seek advice and approval from the Communications team to ensure the information is appropriate for release and aligns with Council's communications approach and timing.

The disclosure of confidential information by a Councillor can be deemed as a misuse of position in accordance with the *Local Government Act 2020*.

3.6. Standards of conduct

The Model Councillor Code of Conduct requires that Councillors act with integrity, exercise reasonable care and diligence and take reasonable steps to avoid any action which may diminish the public's trust and confidence in the integrity of local government.

This means if Councillors use social media, they must:

a. not post content which could be perceived to be an official comment on behalf of Council (noting that Councillors are free to link or re-post social media content that has been published by Council, including the addition of their own perspective or commentary);

b. not create a social media presence purporting to represent a Council auspiced entity, such as an advisory committee, steering committee or similar;

c. not use Melton City Council branding, including the Council logo, in personal social media posts unless authorised by Council.

d. not post anonymously, or by using a fake or intentionally misleading identity;

e. not engage in trolling, harassment, personal attacks or similar behaviour;

f. not intentionally publish misinformation, falsehoods or misleading material;

g. not engage in doxing;

h. not engage in bullying, harassment, discrimination, vilification or intimidation;

i. not publish any defamatory comments or material;

j. respect privacy, confidentiality and copyright obligations;

k. not solicit any gifts, benefits or financial gain;

l. not engage any social media platform tools or applications that are designed to solicit any benefits or financial gain from followers, subscribers or the like; and

m. not publish any content whatsoever, that may reasonably bring Council into disrepute.

Councillors must not post content on any social media account held by a Councillor or in response to a post on an account owned by someone else that, if posted, would be contrary to the Model Councillor Code of Conduct in that it:

a. could reasonably be perceived to be an official comment on behalf of Council where the Councillor has not been authorised by the mayor to make such a comment;

b. is demeaning, abusive, obscene, threatening or of a sexual nature;

c. intentionally causes or perpetuates stigma, stereotyping, prejudice or aggression against a person or class of persons;

d. constitutes discrimination or vilification;

e. undermines Council when applying Council's community engagement policy to develop respectful relationships and partnerships with traditional owners, Aboriginal community-controlled organisations, and the Aboriginal community;

f. undermines Council in fulfilling its obligation under the *Local Government Act 2020* or any other Act (including the *Gender Equality Act 2020*) to achieve and promote gender equality;

g. is not in line with the council's policies and procedures as a child safe organisation and obligations under the *Child Wellbeing and Safety Act 2005* to the extent that they apply to Councillors;

h. adversely affects the health and safety of other persons;

i. would bring discredit upon Council;

j. would deliberately mislead Council or the public about any matter related to the performance of the Councillor's public duties;

k. makes Council information publicly available, where public availability of the information would be contrary to the public interest or where the information should be treated as confidential as a matter of good governance (for example, working papers or drafts of final reports);

l. expressly or impliedly requests preferential treatment for themselves or a related person or entity;

m. is otherwise contrary to the Model Councillor Code of Conduct or Council's Social Media Terms of Use.

3.7. Risk management

Risks for Councillors in relation to Councillor social media use include:

a. exposure to trolling, cyberbullying and other abusive behaviour;

b. the creation of a platform for the dissemination of misinformation;

c. the creation of an expectation of constant availability of a Councillor;

d. inadvertently disclosing confidential information;

e. an exposure to legal liability;

f. the application of the Model Councillor Code of Conduct to Councillor social media activities; and

g. the perception that Councillor comments on social media demonstrate a preconceived bias in relation to a forthcoming Council decision.

Risks for Council in relation to Councillor social media use include:

a. reputational risk arising from inappropriate social media posts and activity of Councillors;

b. community uncertainty as to what is an official Council policy or position, and whether statements made on social media by a Councillor are made on behalf of Council or not;

c. misleading communication to the community if inaccurate statements are posted or published by a Councillor on social media; and

d. Councillors not dealing appropriately with service requests and similar received from community members via Councillor social media accounts.

3.8. Breaches

Alleged breaches of this policy may be managed through the processes outlined in the Model Councillor Code of Conduct, Governance Rules and relevant provisions of the *Local Government Act 2020*.

3.9. Legislative and Policy Compliance

Councillors are responsible for ensuring their use of social media is consistent with:

a. the *Local Government Act 2020*;

b. the Model Councillor Code of Conduct;

c. this Policy; and

d. any other relevant Council policies and procedures.

4. Definitions

Term	Definition
Corporate Communication Channels	Official communication channels owned and managed by Melton City Council, including Council's website, social media channels and other authorised communication platforms.
Councillor Social Media Activity	The creation, publication, sharing, commenting on, moderation of, or interaction with, content by a Councillor on a social media platform in connection with their role as an elected representative.
Official Council Information	Information that has been authorised for public release through Council's approved communication channels.
Personal Content	Content published by a Councillor that is unrelated to Council business, Council services, Council decisions, Council activities, or their role as an elected representative.
Social Media	Online platforms and applications that enable users to create, publish, share, comment on, or interact with content and communities.
Cyberbullying	The use of digital technologies to harass, intimidate, threaten, humiliate or repeatedly target another person or group.
Doxing	Publishing or sharing another person's private or identifying information online without their consent, where it may expose them to harm, harassment or intimidation.
Harassment	Repeated or unreasonable behaviour directed towards another person that intimidates, threatens, humiliates or causes distress.
Hate Speech	Content that attacks, promotes hatred towards or encourages discrimination against a person or group based on protected attributes, including race, religion, ethnicity, disability, gender, sexual orientation or other characteristics protected by law.
Misinformation	False or misleading information shared with intent to deceive.

Term	Definition
Disinformation	False or misleading information deliberately created or shared to deceive or influence others.
Trolling	Deliberately provoking, antagonising or disrupting users and organisations by posting inflammatory, offensive or intentionally provocative or excessive content online, including @tagging of accounts on private or public forums.
Council First	Official Council information, decisions, announcements and operational updates are communicated through Council's authorised channels before being shared through Councillors' social media channels.

5. Related Documents

Name	Location
Copyright Act 1968 (Cth)	Copyright Act 1968 - Federal Register of Legislation
Crimes Act 1958 (Vic)	Crimes Act 1958 | legislation.vic.gov.au
Defamation Act 2005 (Vic)	Defamation Act 2005 | legislation.vic.gov.au
Disability Discrimination Act 1992 (Cth)	Disability Discrimination Act 1992 - Federal Register of Legislation
Equal Opportunity Act 2010 (Vic)	Equal Opportunity Act 2010 | legislation.vic.gov.au
Electronic Transactions (Victoria) Act 2000	Electronic Transactions (Victoria) Act 2000 | legislation.vic.gov.au
Evidence Act 2008 (Vic)	Evidence Act 2008 | legislation.vic.gov.au
Australian Consumer Law and Fair Trading Act 2012 (Vic)	Australian Consumer Law and Fair Trading Act 2012 | legislation.vic.gov.au
Fair Work Act 2009 (Cth)	Fair Work Act 2009 - Federal Register of Legislation
Freedom of Information Act 1982 (Vic)	Freedom of Information Act 1982 | legislation.vic.gov.au
Australian Human Rights Commission Act 1986 (Cth)	Australian Human Rights Commission Act 1986 - Federal Register of Legislation
Local Government Act 2020	Local Government Act 2020 | legislation.vic.gov.au
Local Government (Governance and Integrity) Regulations 2020	Local Government (Governance and Integrity) Regulations 2020 | legislation.vic.gov.au
Privacy and Data Protection Act 2014 (Vic)	Privacy and Data Protection Act 2014 | legislation.vic.gov.au
Model Councillor Code of Conduct	Website: Model Councillor Code of Conduct

Name	Location
Governance Rules	Website: Governance Rules
Media Policy	Documents | Reports | Strategies Melton City Council
Social Media Terms of Use	Social Media Melton City Council
Privacy Policy	Documents | Reports | Strategies Melton City Council
Lew v Blacher [2024] VSCA 304	Supreme Court judgments

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