

## 2.23 COUNCIL MEMBER COMMUNICATIONS AND USE OF SOCIAL MEDIA

<b>Responsible Directorate</b>	Corporate Services
<b>Responsible Service Area</b>	Governance
<b>Resolution</b>	September 2024 C5.09.24
<b>Local Law Ref</b>	<i>Meeting Procedures Local Law 2015</i>
<b>Policy Ref</b>	Statements to the Media CEO Policy (4.26) Use of Social Media CEO Policy (4.27)
<b>Procedure Ref</b>	N/A

### 1. PURPOSE

To detail legislative obligations on the use of Shire of Mundaring's (the Shire's) official communications with our community, to ensure council members communications and use of social media is professionally and accurately represented and to maximise a positive public perception of the Shire.

### 2. SCOPE

This policy applies to council members when making comment in either their official Shire of Mundaring (Shire) role or in a personal capacity about matters relevant to the Shire.

### 3. DEFINITIONS

<b>Code of Conduct</b>	the Shire's adopted "Code of Conduct for Council Members, Committee Members and Candidates" (1.1) as required by the <i>Local Government (Model Code of Conduct) Regulations 2021</i> .
<b>council members</b>	a person elected under the <i>Local Government Act 1995</i> (the Act) as a member of Council. The Shire's council members include the Shire President, Deputy Shire President and Councillors (as defined by the Act).
<b>official communications</b>	communication that has been prepared to share information via broad official communication channels which may include the official Shire website, social media or newsletters and includes media releases, speeches, official comment, advertising or public notices.
<b>social media</b>	a social networking channel that enables users to create and share information.

## 4. POLICY

### 4.1. Official Communications

Consistent with the provisions of the Act, the Shire President is the official spokesperson for the Shire, representing the Shire in official communications. Where the Shire President is unavailable, the Deputy Shire President may act as the spokesperson.

The Chief Executive Officer (CEO) may speak on behalf of the Shire, where authorised to do so by the Shire President.

Official communications relating to an incident or emergency are subject to consultation with the relevant agency responsible for managing the incident.

### 4.2. Council Member Statements on Shire Matters

A council member may choose to make a personal statement publicly on a matter related to the business of the Shire.

Consistent with the provisions of clause 8 of the Code of Conduct “*a council member must ensure that use of social media and other forms of communication complies with the Code; and must only publish material that is factually correct*”.

Any public statement made by a council member, whether made in a personal capacity or in their local government representative capacity, must:

- Expressly state that the comment or content is a personal view only, which does not necessarily represent the views or opinions of Shire of Mundaring or the Council
- Be made with reasonable care and diligence
- Be lawful, including avoiding contravention of; copyright, defamation, discrimination or harassment laws
- Ensure that all content published is factually correct, not misleading and complies with all relevant Shire policies and legislative requirements
- Not disclose confidential information
- Avoid damage to the reputation of the local government.
- Not reflect adversely on a decision of the Council [c. 6.17 *Meeting Procedures Local Law 2015*]
- Not reflect adversely on any council member, external members (e.g., committee, advisory or working group members) or employees
- Adhere to the guidelines of the relevant social media platform/website, as well as any applicable law related to copyright, privacy, defamation, contempt of court, discrimination and/or harassment.

Comments which become public and which breach this policy, the Code of Conduct or the *Local Government (Model Code of Conduct) Regulations 2021*, may constitute a breach and may be referred for investigation.

It is respectful and courteous to the Shire President for council members to refrain from commenting publicly, particularly on recent decisions or contemporary issues, until such time as the Shire President has had opportunity to speak on behalf of the Shire.

“Media Protocols for Council Members – Media Enquiries, Releases and Social Media” (Appendix 1) outlines the obligations of council members and the protocols to follow when responding to media enquiries.

#### **4.3. Social Media**

The Shire uses social media to facilitate interactive information sharing and to provide responsive feedback to our community. Social media will not however, be used by the Shire to communicate or respond to matters that are complex or relate to a person’s or entity’s private affairs.

The Shire maintains the following social media accounts:

- social networks: Facebook and LinkedIn
- media sharing networks: Instagram and YouTube

The Shire may also post and contribute to social media hosted by others, so as to ensure that the Shire’s strategic objectives are appropriately represented and promoted.

The Shire actively seeks ideas, questions and feedback from our community however, we expect participants to behave in a respectful manner. The Shire will moderate its social media accounts to address and where necessary delete content deemed to be:

- offensive, abusive, defamatory, objectionable, inaccurate, false or misleading
- promotional, soliciting or commercial in nature
- unlawful or incites others to break the law
- information which may compromise individual or community safety or security
- repetitive material copied and pasted or duplicated
- content that promotes or opposes any person campaigning for election to the Council, appointment to official office, or any ballot
- content that violates intellectual property rights or the legal ownership of interests or another party
- any other inappropriate content or comments at the discretion of the Shire.

“Media Protocols for Council Members – Media Enquiries, Releases and Social Media” (Appendix 1) outlines the obligations of council members and the protocols to follow when using social media.

Where a third party contributor to a Shire’s social media account is identified as posting content which is deleted in accordance with the above, the Shire may at its complete discretion block that contributor for a specific period of time or permanently.

#### 4.3.1. Council Member Official Social Media Accounts

The Shire supports council members in creating social media accounts to assist in fulfilling their roles. The content should take into consideration the Code of Conduct and must not be used for personal communications (refer to item 4.6).

#### 4.4. Communication between Council Members and Employees

All communication between council members and employees is to be consistent with the “Council Member Communication Guidelines” (Appendix 2) which provides scenarios and the appropriate means of communication with employees.

#### 4.5. Record Keeping and Freedom of Information

Official communications undertaken on behalf of the Shire, including on the Shire’s social media accounts and third party social media accounts must be created and retained as local government records in accordance with the Shire’s Record Keeping Plan and the *State Records Act 2000*. These records are also subject to the *Freedom of Information Act 1992*.

Council member communications that relate to their role as a council member are subject to the requirements of the Shire’s Record Keeping Plan and the *State Records Act 2000*. Council members are responsible for transferring these records to the Shire’s administration. Council member records are also subject to the *Freedom of Information Act 1992*.

#### 4.6. Personal Communications

Personal communications and statements made privately; in conversation, written, recorded emailed, texted or posted in personal social media, have the potential to be made public, whether intended or not.

On the basis that personal or private communications may be shared or become public at some point in the future, council members should ensure that their personal or private communications do not breach the requirements of this policy, the Code of Conduct and the *Local Government (Model Code of Conduct) Regulations 2021*.

### 5. APPENDICES

**Appendix 1** Media Protocols for Council Members – Media Enquiries, Releases and Social Media

**Appendix 2** Council Member Communication Guidelines

### 6. RELATED LEGISLATION

*Local Government (Model Code of Conduct) Regulations 2021*

*State Records Act 2000*

*Freedom of Information Act 1992*

## **7. RELATED DOCUMENTS**

Recordkeeping Plan

Governance Framework 2023-2028

Code of Conduct for Council Members, Committee Members and Candidates  
(1.1)

Code of Conduct for Employees (4.15)

## **APPENDIX 1 – COUNCIL MEMBER COMMUNICATIONS AND USE OF SOCIAL MEDIA**

### **Media Protocols for Council Members - Media Enquiries, Releases and Social Media**

This document should be read in conjunction with the Shire’s “Code of Conduct for Council Members, Committee Members and Candidates” (1.1) (the Code of Conduct) and the “Governance Framework 2023-2028”, Principle 2 – Roles and Relationship and the “Council Member Communications and Use of Social Media Policy” (2.23).

#### **OBJECTIVE**

To outline your obligations as a council member and the protocols to follow when responding to media enquiries or using social media.

#### **ABOUT THESE PROTOCOLS**

These protocols apply to all your communications and social media accounts, regardless of whether you state that you are a council member or not.

On the basis that personal or private communications may be shared or become public at some point in the future, you must ensure that your communications and use of social media comply with the Code of Conduct and the “Council Member Communications and Use of Social Media Policy” (2.23).

Comments which become public and which breach the “Council Member Communications and Use of Social Media Policy” (2.23), the Code of Conduct or the *Local Government (Model Code of Conduct) Regulations 2021* may constitute a breach and may be referred for investigation.

Should you have a specific question regarding media or social media please submit your query through the Councillor Portal.

#### **Media Management and Liaising with the Shire’s Communications Team**

The role of the Shire’s Communications Team is to coordinate the preparation and release of official communications which represents the Shire of Mundaring as a whole and reflect the Shire’s values.

Any media enquiries are to be treated efficiently, courteously and in a timely manner, acknowledging that media representatives work to stringent deadlines which require prompt responses.

If you receive any media enquiries, you should direct them to the Shire’s Communications Team through the Councillor Portal.

The Shire President, as official spokesperson for the Shire, may be required to respond to the media more urgently. Pending the priority of the request, the Shire

President may contact with the Communications Team via telephone, email or Councillor Portal. If, due to the urgency of the request, the Shire President provides a response to a media enquiry prior to notifying the Communications Team, the media enquiry and response is to be provided to the Communications Team as soon as practicable.

Please note: the Communications Team will not respond to enquiries if these relate to your private interests.

## **Media Statements and Media Releases**

Consistent with the provisions of the *Local Government Act 1995*, the Shire President is the official spokesperson and is the only person to provide comment to members of the media on behalf of Council and the Shire of Mundaring. Where the Shire President is unavailable, the Deputy Shire President may act as the spokesperson. The Chief Executive Officer (CEO) may speak on behalf of the Shire, where authorised to do so by the Shire President.

All media releases and responses to the media must be approved by the Shire President or CEO. Generally, the Shire President will respond or speak to matters concerning Council; the CEO will respond or speak to operational and routine matters.

Media releases will be made available to all council members via the Councillor Portal at the same time they are sent to the media contact database. They will also be published on the Shire's official website on the day of release.

A council member (other than the Shire President) who receives a media enquiry about a Council matter should decline the opportunity to comment and advise the Shire President and advise the Communications Coordinator via the Councillor Portal.

While remaining considerate of your responsibilities in accordance with the Code of Conduct, you should refrain from making personal statements to the media without clearly prefacing such remarks as your personal views and not those of the Council.

Media statements and press releases shall not contain any adverse reflection on any council member, external members, employees or a Council/Committee decision.

Media statements and press releases must not include information which may be purported to be for electioneering or personal promotional purposes.

## **Social Media**

When using personal social media, you must:

- Expressly state on all social media platforms that the views stated are your personal ones and do not necessarily reflect the views or opinions of the Shire of Mundaring or the Council. As an example:

*'As a Shire of Mundaring elected council member, the views expressed here are my personal views only'.*

Should you wish to publish a Shire council decision or formal announcement, you should wait for the Shire to formally announce or communicate Council

decisions on the official Shire media and social channels before publishing or announcing them on your own social media accounts. You may then 'share' the announcement to on your social media platform.

- Ensure that all content published is accurate, not misleading and complies with all relevant Shire policies and legislative requirements.
- Not disclose confidential information.
- Not adversely reflect on any council member, external members (e.g. committee, advisory or working group members) or employees or a Council/Committee decision.
- Adhere to the guidelines of the relevant social media platform/website, as well as any applicable law related to copyright, privacy, defamation, contempt of court, discrimination and/or harassment.

If you have an active social media account you can request to be tagged in relevant posts so you can share posts from the official Shire of Mundaring account if you so wish.

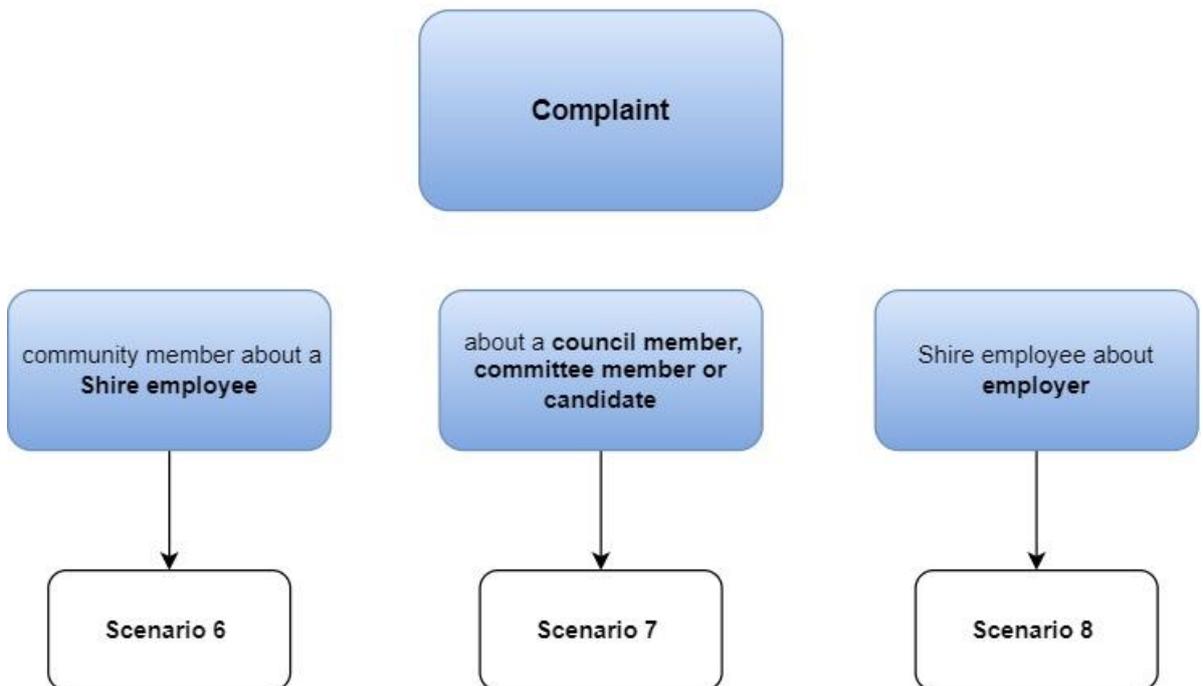
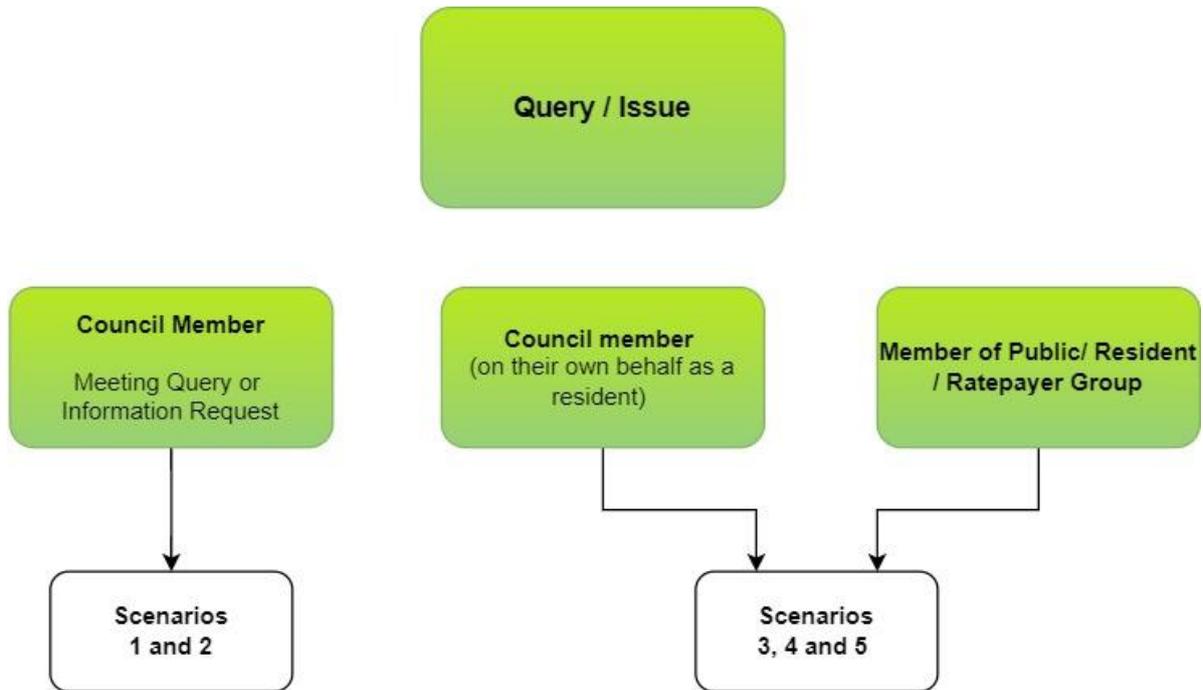
### **Communications Received from Community Members**

You may be contacted directly from community members in person or via phone, email or social media as part of your council member role seeking information or wanting assistance with queries, issues or complaints. Your role is only to receive the communication and ensure it is directed to the Shire Administration for action consistent with the "Council Member Communications Guidelines".

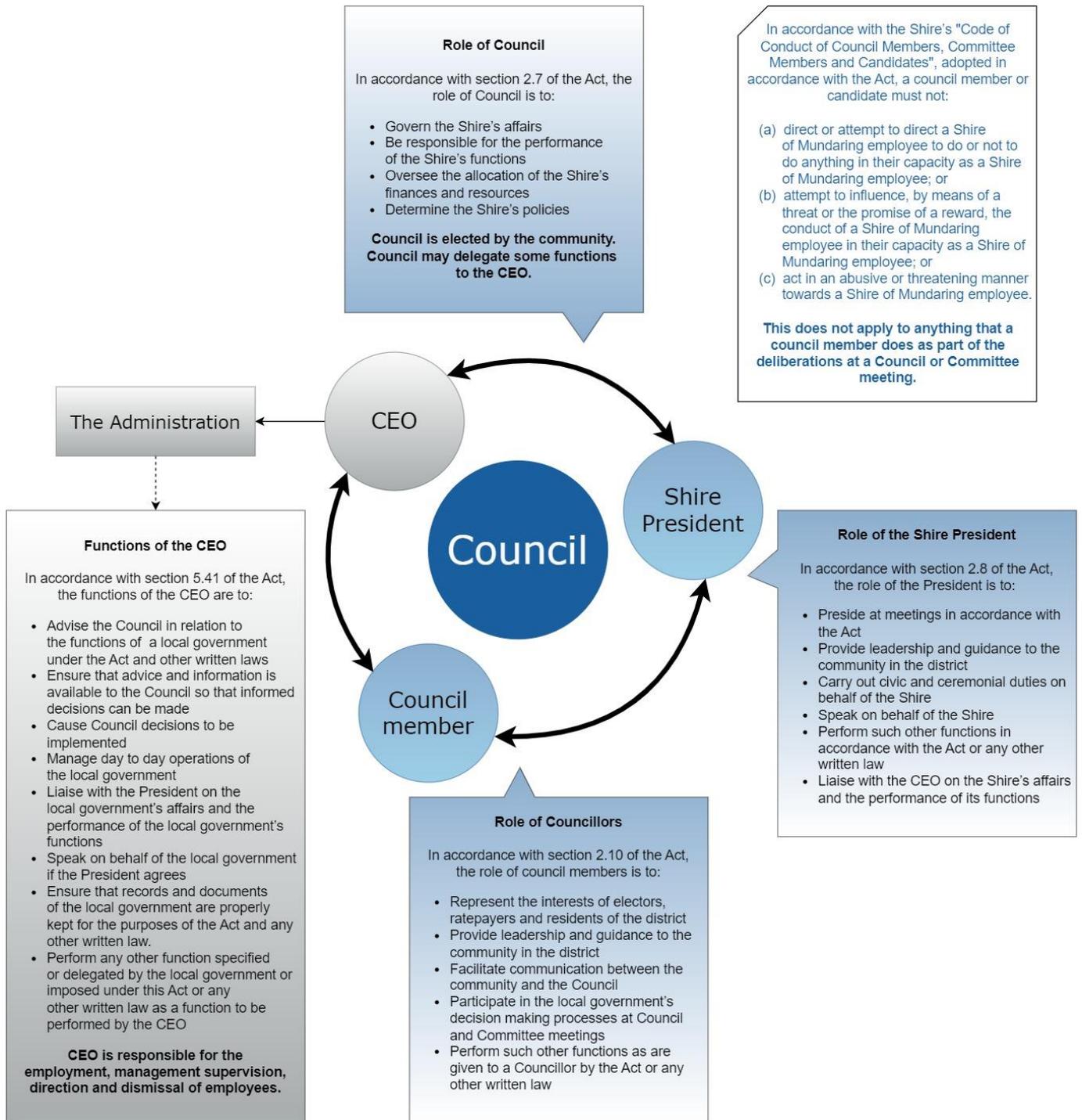
## APPENDIX 2 – COUNCIL MEMBER COMMUNICATIONS AND USE OF SOCIAL MEDIA

### Council Member Communication Guidelines

What is the communication about?

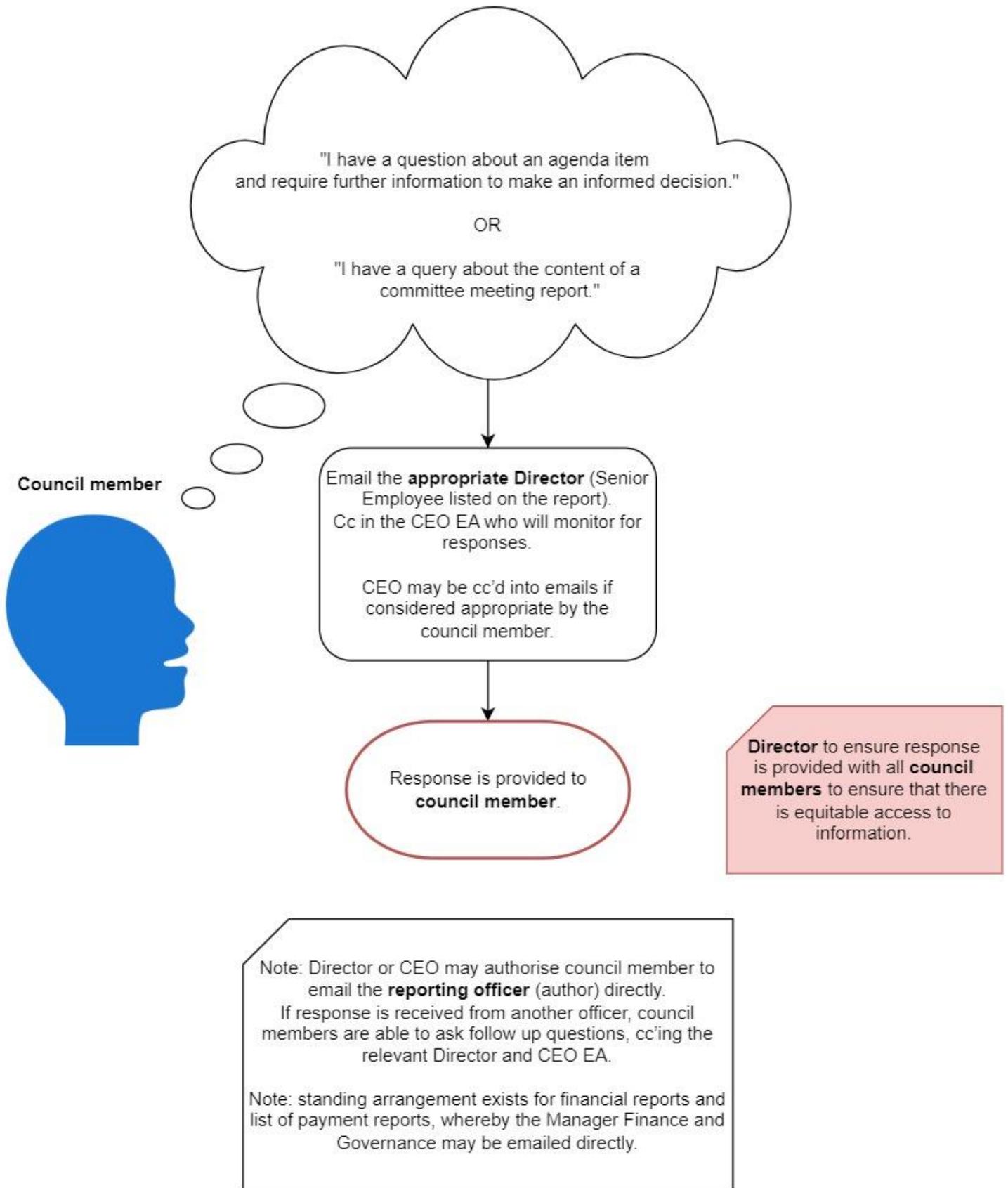


# Roles and Relationships

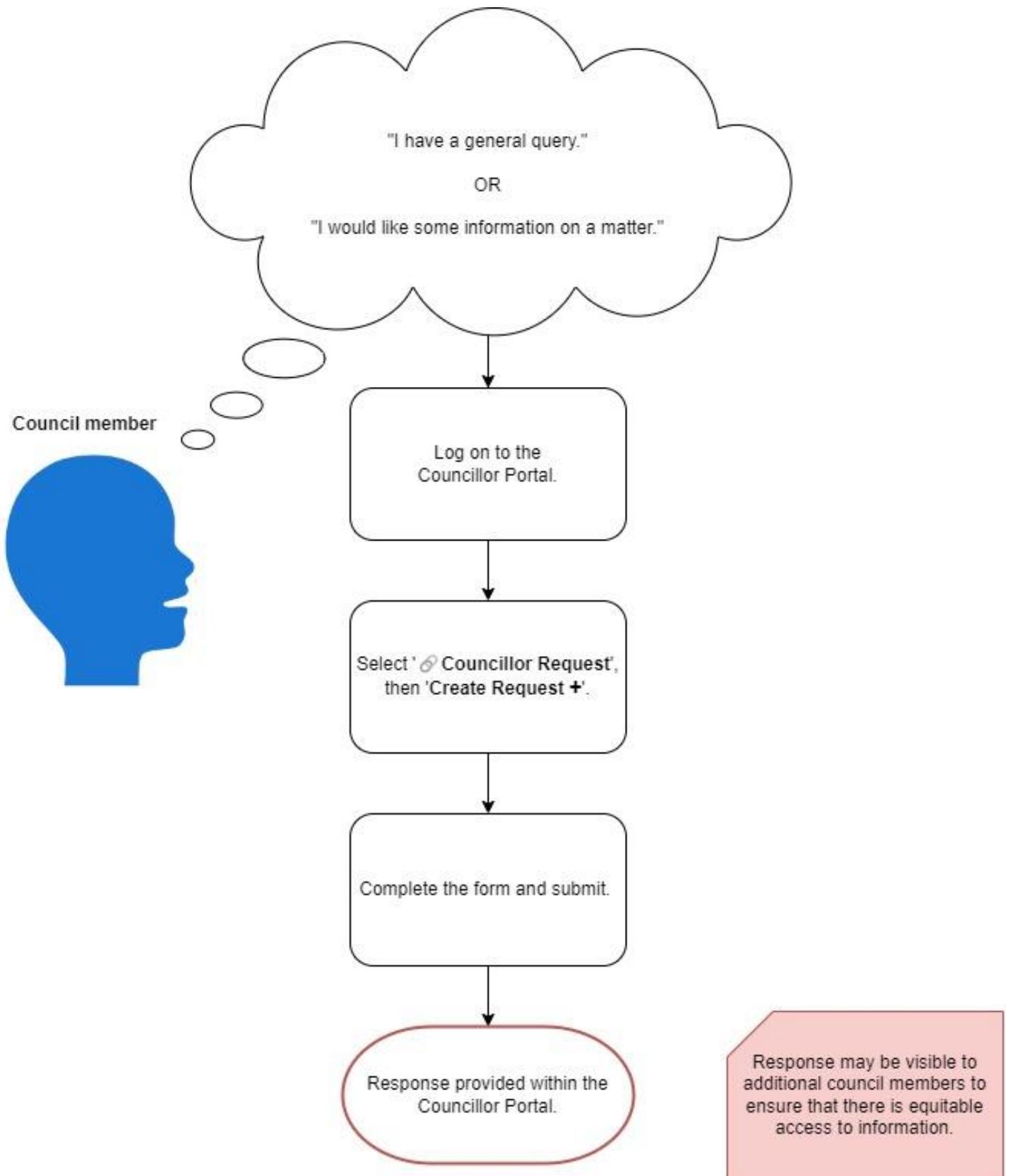


The Shire's "[Governance Framework 2023-2028](#)" provides further information on the governance principle of roles and relationships.

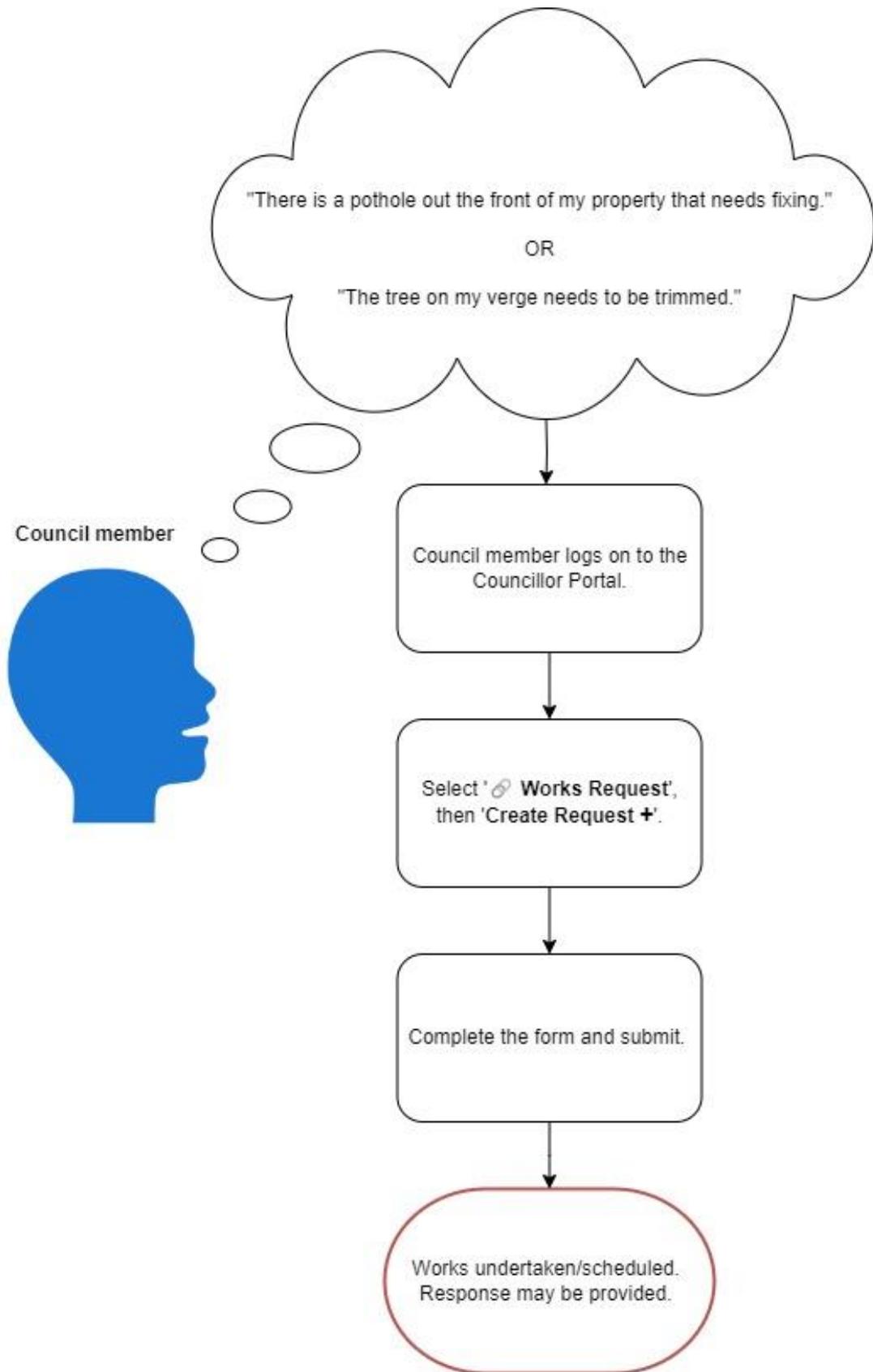
## Scenario 1 – Meeting Query



## Scenario 2 – Council Member Information Request



### Scenario 3 – Council Member Works Request (on their own behalf as a resident)



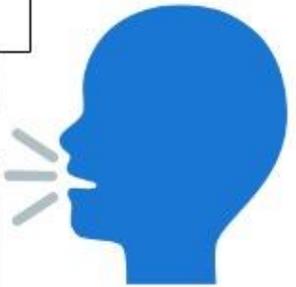
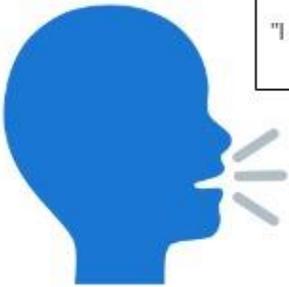
## Scenario 4 – Community Member Issue

Community member contacts a council member with an issue:

"There is a damaged sign that needs to be repaired."  
 OR  
 "The tree on my verge needs to be trimmed."  
 OR  
 "I am not sure who to contact to rectify an issue I have."

Council member responds:

"Thank you for raising this.  
 The best way to have this dealt with is to put in a request for works online, by email, over the phone or in person at the Shire's Administration Centre.  
 Once you have submitted the request, if you have any further concerns, please do not hesitate to contact me."



Information in the Shire's "Customer Service Charter" provides for how responses will be provided and time frames.  
 An acknowledgement to a community members written query will be provided in **three working days**.

Council member receives follow up from community member.

Council member logs on to the Councillor Portal.

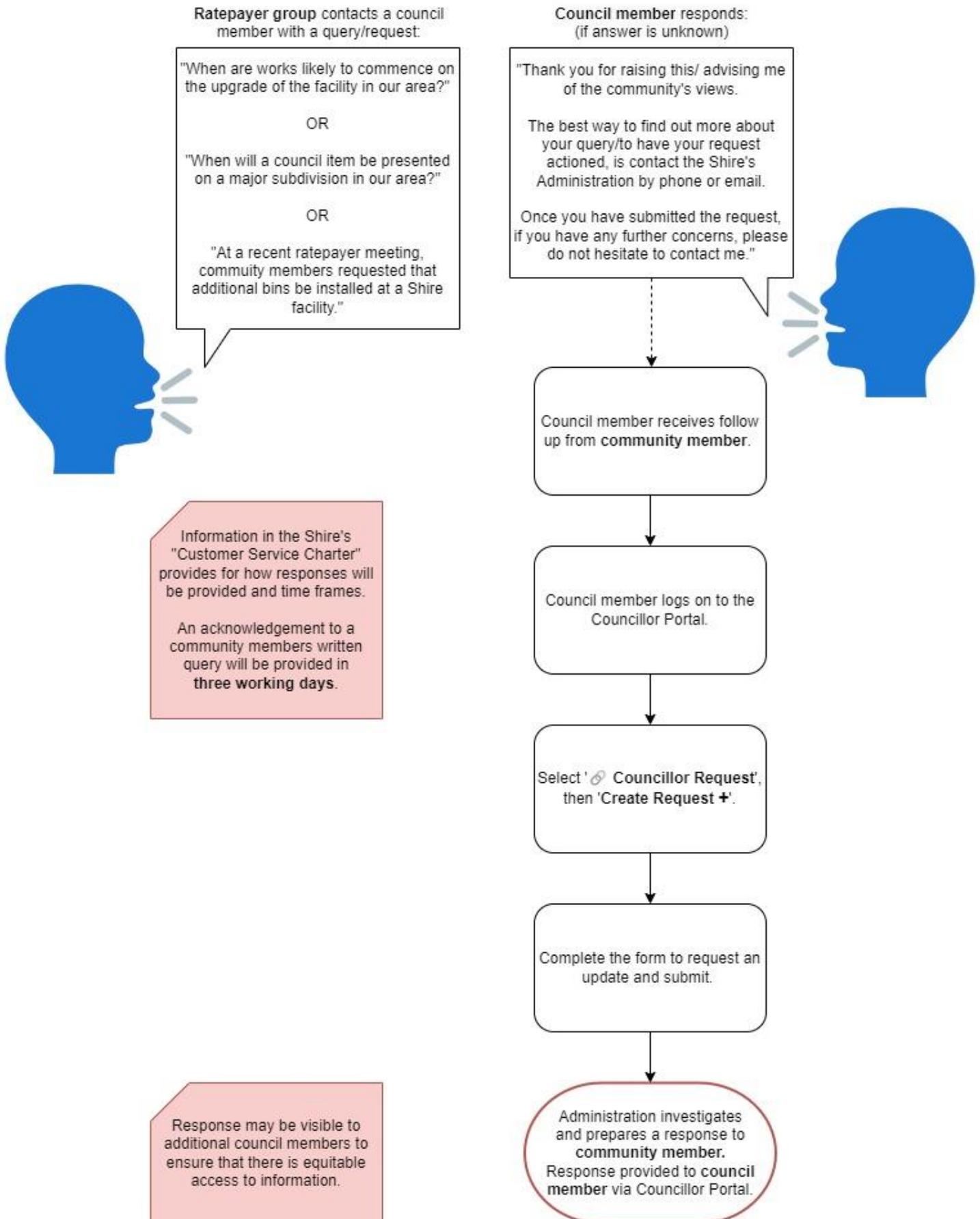
Select '🔗 Councillor Request', then 'Create Request +'.

Complete the form to request an update and submit.

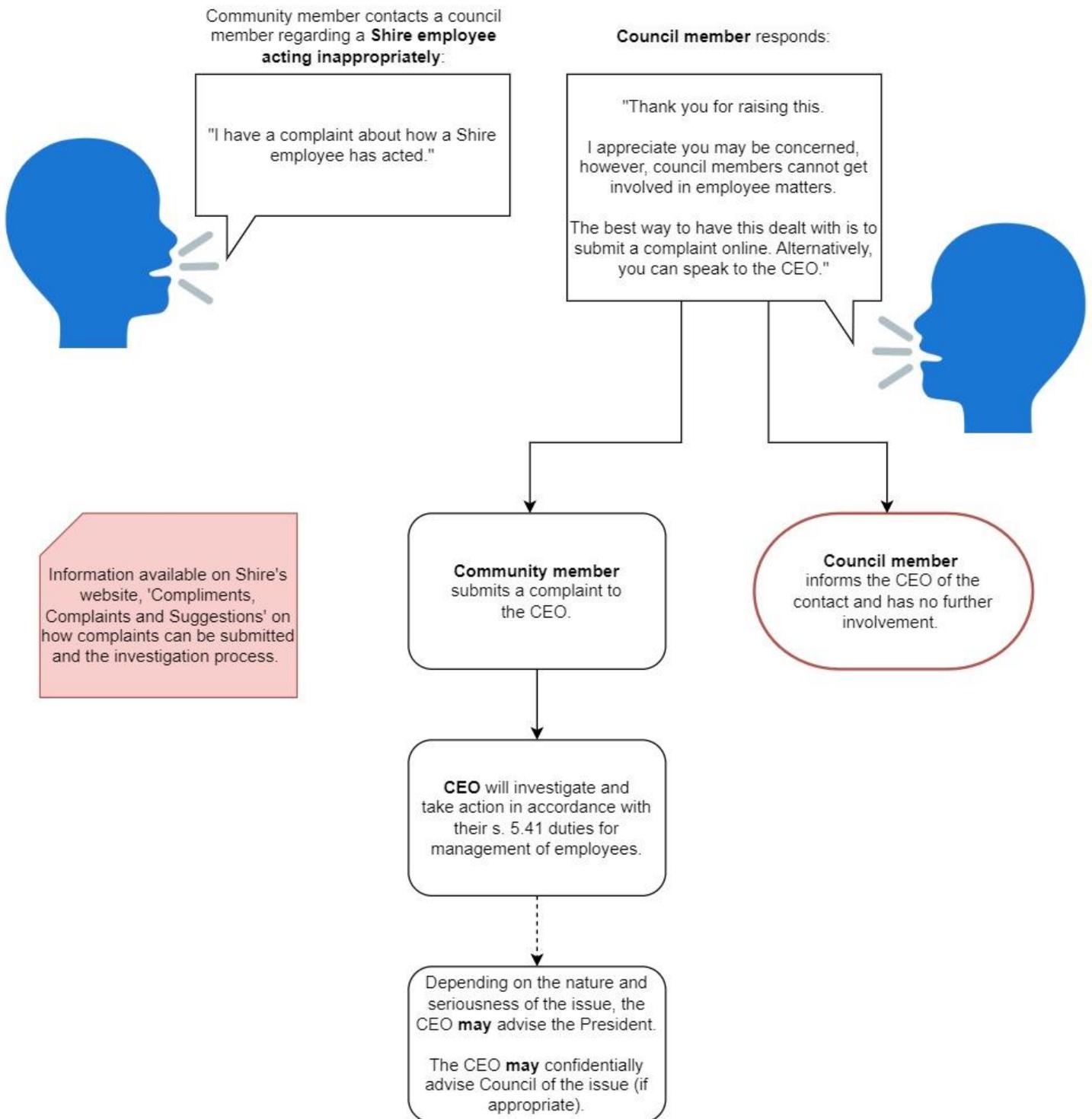
Administration investigates and prepares a response to **community member**.  
 Response provided to **council member** via Councillor Portal.

Response may be visible to additional council members to ensure that there is equitable access to information.

## Scenario 5 – Ratepayer Group Query or Request



## Scenario 6 – Complaint from Community Member about Employee



## Scenario 7 – Complaint from Community Member regarding another Council Member, Committee Member or Candidate

Community member contacts a council member regarding another **council member, committee member or election candidate acting inappropriately:**

"I have a complaint about how one of the council members behaved in a council meeting."

OR

"I have a complaint regarding a committee members post on social media."

OR

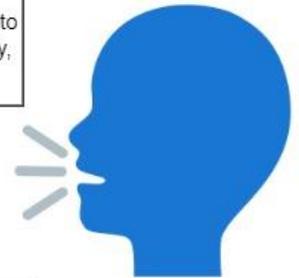
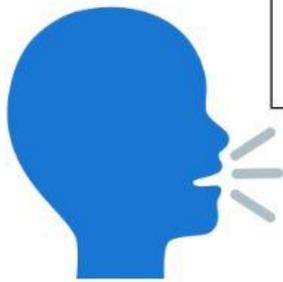
"I have a complaint regarding a candidate harassing me for my vote."

**Council member** responds:

"Thank you for raising this."

I appreciate you may be concerned, however, if you believe a council member, committee member or candidate has breached the Shire's "Code of Conduct for Council Members, Committee Members or Candidates Policy", it must be reported to the CEO as the Shire's Complaints Officer.

The best way to have this dealt with is to submit a complaint online. Alternatively, you can speak to the CEO."



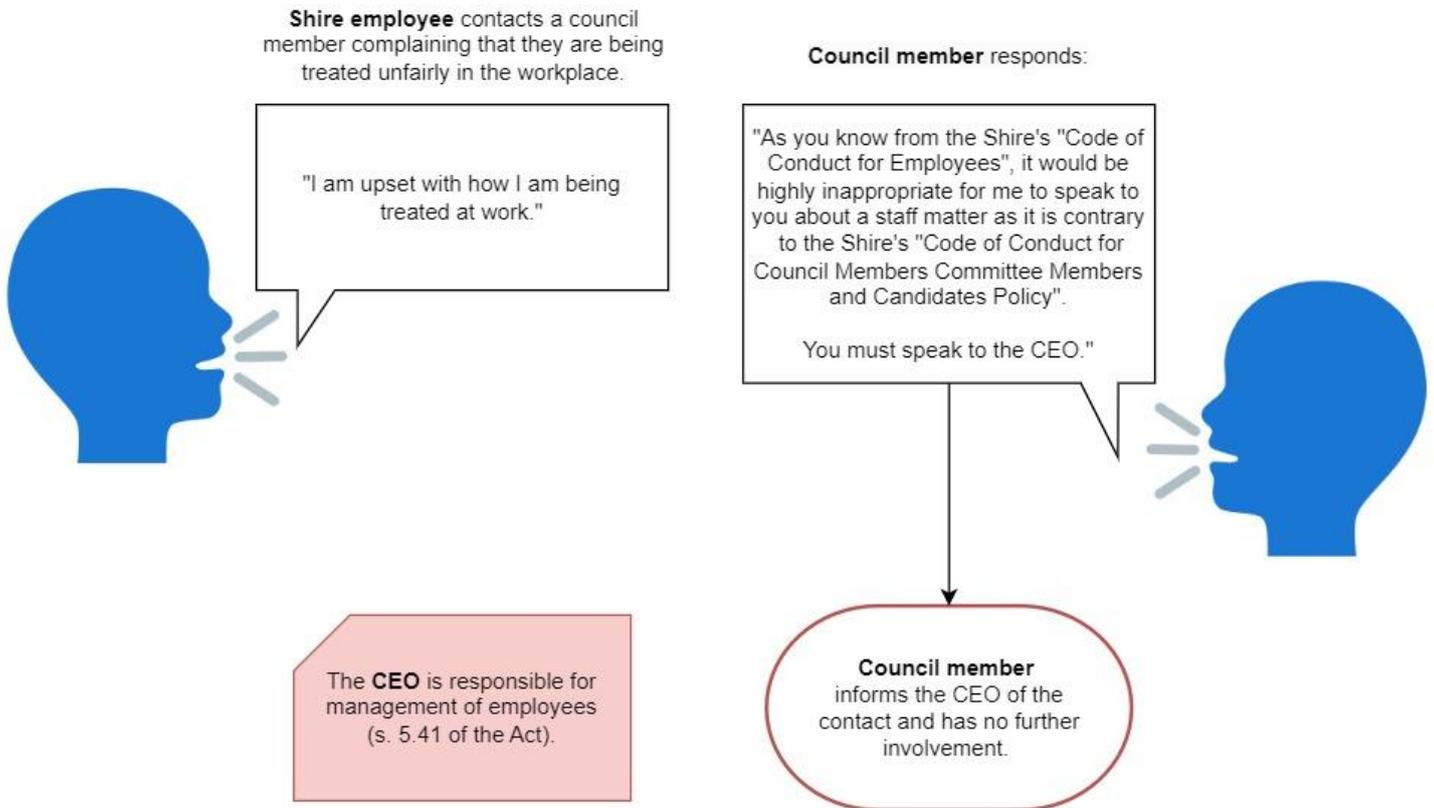
Information available on Shire's website, 'Compliments, Complaints and Suggestions' on how complaints can be submitted and the investigation process.

**Community member** submits a complaint to the CEO.

**Council member** informs the CEO of the contact and has no further involvement.

**The complaint** will be investigated in accordance with the Shire's "Code of Conduct Behaviour Complaints Policy".

## Scenario 8 – Complaint from Shire Employee to Council Member



### “Noses in, fingers out”

It is understandable that knowledge of an issue within your community can influence your personal motivation to find a solution to the problem. While members of the community may contact you directly, active involvement in the Administration of the Shire is not permitted by law.

Council members are to represent the electors’ of the district and that may mean submitting enquiries (‘noses in’) but care should always be taken to limit your involvement to seeking information about an issue (‘fingers out’).

Interfering in the operational side of the Shire may lead to an allegation that you have breached the *Local Government Act 1995* (the Act).

