



# Council Policy Manual

## WEST WIMMERA SHIRE COUNCIL

COUNCIL POLICY		
COUNCILLOR SOCIAL MEDIA POLICY	Policy No:	
	Adopted:	19 March 2025
	Next review date:	November 2025
Executive Director:	Director Corporate & Community Services	
Responsible Officer:	Governance Manager	
Functional Area:	Corporate & Community Services	
Introduction & Background	<p>Social media is a powerful tool to maintain connections between Councillors and members of the public. The use of social media can foster an environment of open communication between Councillors and the municipal community.</p> <p>Used well, social media can be used by Councillors to:</p> <ul style="list-style-type: none"><li>• strengthen community engagement;</li><li>• foster transparency and trust;</li><li>• provide a trusted voice in the social media environment;</li><li>• distinguish the role of the individual Councillor from that of the Council;</li><li>• provide another avenue to contact the Councillor directly; and</li><li>• enable Councillors to hear from members of the community that may otherwise be difficult to reach.</li></ul> <p>Councillor social media use also presents risks for Councillors, including:</p> <ul style="list-style-type: none"><li>• the exposure to trolling, cyberbullying and other abusive behaviour;</li><li>• the creation of a platform for the dissemination of misinformation;</li><li>• the creation of an expectation about the 24/7 availability of a Councillor;</li><li>• a significant administrative workload associated with managing a platform;</li><li>• the risk of inadvertently disclosing confidential information; and</li><li>• an exposure to legal liability.</li></ul>	
Purpose & Objectives	<p>To outline the benefits and risks of social media use by Councillors and provide guidance on its appropriate use and specific provisions which must be observed.</p>	



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Definitions	<p>In this policy:</p> <p><b>confidential information</b> has the same meaning as at section 3 of the Local Government Act 2020 (Vic)</p> <p><b>health information</b> has the same meaning as at section 3 of the Health Records Act 2001 (Vic)</p> <p><b>social media</b> means online interactive technologies through which individuals, communities and organisations can share, co-create, discuss, and modify user-generated content or pre-made content posted online. Social media may include but is not limited to:</p> <ul style="list-style-type: none"><li>• social networking websites (eg Facebook, LinkedIn, Yammer, Threads)</li><li>• video and photo sharing websites (eg Flickr, Instagram, Snapchat, TikTok, Vimeo, YouTube)</li><li>• blogs, including corporate blogs and personal blogs</li><li>• blogs hosted by media outlets (eg 'comments' on news articles)</li><li>• micro-blogging (eg Mastadon, Truth Social, X)</li><li>• wikis and other online community generated forums (eg Wikipedia)</li><li>• forums, discussion boards and groups (eg Google groups)</li><li>• vodcasting and podcasting</li><li>• group messaging technologies/apps (e.g. WhatsApp, SMS)</li><li>• streaming platforms (e.g. Twitch, Mixer)</li><li>• geospatial tagging (eg Foursquare, Facebook checkin);</li><li>• any other tool or emerging technology that allows individuals to publish or communicate in a digital environment (excluding website content)</li></ul> <p><b>Model Councillor Code of Conduct</b> has the same meaning as at section 3 of the Local Government Act 2020 (Vic)</p> <p><b>personal information</b> has the same meaning as at section 3 of the Privacy and Data Protection Act 2014 (Vic)</p>
Response to the Overarching Governance Principles of the Local Government Act 2020	<p>Section 9 of the <i>Local Government Act 2020</i> states that a Council must in the performance of its role give effect to the overarching governance principles.</p> <p>This policy is in response to the following overarching governance principle/s of the <i>Local Government Act 2020</i>:</p> <ul style="list-style-type: none"><li>(a) the community engagement principles (section 56)</li><li>(b) the public transparency principles (section 58)</li></ul>



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Policy Details	
1.	Scope
	<p><b>Councillor Social Media</b></p> <p><i>This part makes clear that a Councillor is not required to have a social media presence but that they have a right to do so. For those Councillors that decide to be active on social media, it sets out their rights and responsibilities relating to their activity.</i></p> <p>1.1 Councillors are under no obligation to maintain a social media presence.</p> <p>1.2 Councillors who choose to maintain a social media presence:</p> <ul style="list-style-type: none"> <li>• do so of their own volition;</li> <li>• have a right to express an independent view consistent with the Charter of Human Rights and Responsibilities Act 2006; and</li> <li>• acknowledge that they are required to adhere to the Model Councillor Code of Conduct.</li> </ul> <p>1.3 Councillors who choose to maintain a social media presence are responsible for:</p> <ul style="list-style-type: none"> <li>• compliance with this policy;</li> <li>• administration of the social media platform;</li> <li>• moderation of community content;</li> <li>• compliance with the terms of service of the social media platform in use.</li> </ul> <p>1.4 The provisions applicable to Councillor social media also apply to a social media presence operated by another person who, with the Councillor's authorisation, administers, moderates, or uploads content on the Councillor's behalf.</p>
2.	Council Resources and Support
	<p><i>This part outlines the support available from the organisation to Councillors who choose to maintain a social media presence. It also explains the prohibition on the use of Council resources for certain social media activity.</i></p> <p>2.1 Councillors who choose to maintain a social media presence will be provided with:</p> <ul style="list-style-type: none"> <li>• technical support for Council provided hardware;</li> <li>• access to Council's employee assistance program - a voluntary and confidential service designed to assist Councillors with personal concerns that affect their personal wellbeing and/or performance as a Councillor.</li> </ul> <p>2.2 Councillors will not be provided with:</p> <ul style="list-style-type: none"> <li>• technical or other support for the use of social media platforms;</li> <li>• social media monitoring or reporting services; or</li> <li>• legal advice regarding social media content.</li> </ul>



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	<p>2.3 Councillors must not use Council resources, including Council facilities, computer equipment, smartphones and internet connections for social media activity:</p> <ul style="list-style-type: none"> <li>• to gain or attempt to gain, directly or indirectly, an advantage for themselves or for any other person;</li> <li>• to cause, or attempt to cause, detriment to the Council or another person;</li> <li>• in a way that is intended to, or is likely to, affect the result of an election under the Local Government Act 2020 (Vic);</li> <li>• in a way that is intended to, or is likely to, affect the result of an election for a state or federal parliament; or</li> <li>• in the furtherance of private business or commercial activity.</li> </ul>
3.	Good Faith Behaviour
	<p><i>This part sets out a requirement for Councillors to act in good faith on social media, and to uphold their obligation to ensure that their behaviour does not bring discredit upon the Council.</i></p> <p>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. For Councillors who maintain a social media presence this means:</p> <ul style="list-style-type: none"> <li>• not posting content which could be perceived to be an official comment on behalf of the Council;</li> <li>• not creating a social media presence purporting to represent a Council auspiced entity, such as an advisory committee, reference group, steering committee or similar;</li> <li>• not posting anonymously, or by using a fake or intentionally misleading identity;</li> <li>• not engaging in trolling, harassment, personal attacks or similar behaviour;</li> <li>• not intentionally publishing misinformation, falsehoods or misleading material;</li> <li>• not engaging in doxing;</li> <li>• not engaging in cyberbullying; and</li> <li>• not publishing defamatory material.</li> </ul>
4.	Freedom of Expression
	<p><i>This part sets out the lawful restrictions reasonably necessary to ensure Councillor expression is consistent with the Model Councillor Code of Conduct and with various laws applicable to social media content. It makes clear that the right of Councillors to freely express their views is not otherwise limited.</i></p> <p>4.1 Councillors enjoy the human right to freedom of expression which includes the freedom to seek, receive and impart information and ideas of all kinds, subject to any lawful restrictions reasonably necessary.</p>



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	<p>4.2 Subject to this part, Councillors are free to express an independent view on social media, provided it is made clear to the audience that it is their personal view and does not represent the Council. This includes, but is not limited to:</p> <ul style="list-style-type: none"><li>• expressing a personal view that differs from that of the Council;</li><li>• stating a desire for change to a Council policy or position;</li><li>• expressing an opinion on a matter that is to come before the Council (without expressing a pre-determined decision);</li><li>• encouraging members of the public to participate in the decision-making process;</li><li>• expressing disappointment or dissatisfaction or stating that they do not support a Council position or decision;</li><li>• explaining why they voted on a matter in the way that they did in a meeting that was open to the public; or</li><li>• otherwise engaging in robust public debate.</li></ul> <p>4.3 Councillors must not post content on their social media that, if posted, would be contrary to the Model Councillor Code of Conduct in that it:</p> <ul style="list-style-type: none"><li>• could reasonably be perceived to be an official comment on behalf of the Council where the Councillor has not been authorised by the mayor to make such a comment;</li><li>• is demeaning, abusive, obscene, threatening or of a sexual nature;</li><li>• intentionally causes or perpetuates stigma, stereotyping, prejudice or aggression against a person or class of persons;</li><li>• constitutes discrimination or vilification</li><li>• undermines the council when applying the council's community engagement policy to develop respectful relationships and partnerships with traditional owners, Aboriginal community controlled organisations, and the Aboriginal community;</li><li>• undermines the council in fulfilling its obligation under the Act or any other Act (including the Gender Equality Act 2020) to achieve and promote gender equality;</li><li>• are 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;</li><li>• adversely affect the health and safety of other persons;</li><li>• would bring discredit upon the council;</li><li>• would deliberately mislead the council or the public about any matter related to the performance of the councillor's public duties;</li><li>• makes council information publicly available where public availability of the information would be contrary to the public interest;</li><li>• expressly or impliedly requests preferential treatment for themselves or a related person or entity; or</li></ul>
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	<ul style="list-style-type: none"> <li>• is otherwise contrary to the Model Councillor Code of Conduct.</li> </ul> <p>4.4 Councillors must not post content on their social media where publication would be contrary to law including, but not limited to:</p> <ul style="list-style-type: none"> <li>• the Local Government Act 2020 (Vic), insofar as it relates to misuse of position, including the disclosure of confidential information;</li> <li>• the Privacy and Data Protection Act (Vic) 2014, insofar as it relates to the disclosure of personal information;</li> <li>• the Health Records Act 2001 (Vic), insofar as it relates to the disclosure of health information;</li> <li>• the Defamation Act 2005 (Vic), in a manner that constitutes defamation;</li> <li>• the Copyright Act 1968 (Cth), in a manner that constitutes an infringement of copyright;</li> <li>• the Summary Offences Act 1966 (Vic), in a manner that is obscene, indecent or uses threatening language and behaviour etc;</li> <li>• the Crimes Act 1958 (Vic), in a manner that constitutes stalking; and</li> <li>• the Criminal Code Act 1995 (Cth), in relation to the use of a carriage service to menace or harass.</li> </ul> <p>4.5 Councillors shall not post content that creates a reasonable apprehension of bias in relation to matters to subject to, or potentially subject to, Council decisions.</p>
5.	Customer Requests
	<p><i>This part sets out the process for dealing with customer requests and other inquiries sent to Councillors that are intended for the Council. This part recognises that Council's privacy obligations do not ordinarily enable it to collect personal information via a third party.</i></p> <p>5.1 From time to time, Councillors may receive service requests, complaints, feedback or other correspondence intended for the Council (customer requests) from members of the public via social media channels.</p> <p>5.2 The receipt and handling of customer requests is an operational function of the Council. Councillors in receipt of customer requests:</p> <ul style="list-style-type: none"> <li>• may pass on customer requests to Council's centralised customer request handling process;</li> <li>• may provide the customer with details of the Council's official communication channels;</li> <li>• may refer a customer to Council's website which sets out the official communication channels; or</li> <li>• may determine to take no action.</li> </ul> <p>5.3 Councillors shall not solicit customer requests or otherwise encourage members of the public to bypass the Council's official communication channels.</p>



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6.	Moderation of community content
	<p>Councillor social media pages are not official communication channels of the Council and are privately hosted by individual Councillors. This part sets out the rights and obligations of Councillor to moderate content and limit participation on their social media platform.</p> <ul style="list-style-type: none"> <li>• Councillors have an absolute right to moderate community content on their social media platforms, including comments, reactions and other contributions.</li> <li>• Councillors must remove community content that, if published by the Councillor, would be contrary to the Model Councillor Code of Conduct.</li> <li>• Councillors have an absolute right to block or ban persons from their social media platform at their sole discretion.</li> </ul>
7.	Record Keeping
	<p><i>Councillors are not employed by a public office and are therefore not public officers as defined by the Public Records Act 1973 (Vic). This part clarifies that a Councillor does not have any record keeping obligations in respect of social media content.</i></p> <ul style="list-style-type: none"> <li>• Documents made or received by councillors are not public records (regardless of the content) unless they are then received by an employee of the Council.</li> <li>• Councillors are not required to maintain records of social media content for record-keeping purposes.</li> </ul>
8.	Clarification Statements
	<p><i>This part provides a series of clarification statements for inclusion on a Councillor's social media platform (in the 'about me', 'biography', 'impressum' or similar place). The statements required will depend on the content hosted by the councillor, and the inclusion of multiple or all of the statements may be required.</i></p> <p>8.1 Councillors who maintain a social media presence must ensure their profile clarifies that their social media presence is not an official platform of the Council. For example:</p> <p><i>"This page is hosted by me in my capacity as an individual. This is not an official page of [Council name] and should not be used for making service or maintenance requests or otherwise contacting Council. Council can be contacted at [link to Council's website]."</i></p> <p>8.2 Councillors who use their social media presence to comment on Council matters must ensure their profile makes it clear that they are speaking in an individual capacity, and not on behalf of the Council. For example:</p> <p><i>"The views expressed made on this social media platform are my own and not that of the Council."</i></p>





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	<p>8.3 Councillors who enable community content on their social media presence should include a statement asserting the Councillor's right to control access to the page and to moderate third-party content. For example:</p> <p><i>"As the host of this page, I endeavour to maintain a safe, positive space for the discussion of Council issues and I reserve the right to hide or delete content and to block or ban users."</i></p> <p>8.4 Councillors who use their social media presence to publish electoral material must include an authorisation statement in accordance with the Local Government Act 2020 (Vic), noting that this obligation applies at all times, not just during a formal election period. Councillors may not use a Council address for this purpose. For example:</p> <p><i>"Authorised by J Citizen, 123 Main Street SUBURB VIC 9999."</i></p>
9.	Related Documents
	<p>Council Policy</p> <ul style="list-style-type: none"> <li>• Information Privacy Policy</li> <li>• Legislation</li> <li>• Copyright Act 1968 (Cth)</li> <li>• Criminal Code Act 1995 (Cth)</li> <li>• Crimes Act 1958 (Vic)</li> <li>• Defamation Act 2005 (Vic)</li> <li>• Equal Opportunity Act 2000 (Vic)</li> <li>• Freedom of Information Act 1982 (Vic)</li> <li>• Health Records Act 2001 (Vic)</li> <li>• Local Government (Governance and Integrity) Regulations 2020 (Vic)</li> <li>• Local Government Act 2020 (Vic)</li> <li>• Privacy and Data Protection Act 2014 (Vic)</li> <li>• Summary Offences Act 1966 (Vic)</li> </ul>

<b>Policy Adopted:</b>	Council Meeting 19/03/2025	Minute Book Page	SRV Governance-Policies, Procedures, Plans Strategies
<b>Policy Reviewed:</b>			