

10.3. Social Media Policy

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ATTACHMENTS	1. DRAFT Social Media Policy [10.3.1 - 15 pages]
CSP LINK	5. Our Civic Leadership 5.3 Community is engaged in what Council does

PURPOSE:

The purpose of this report is for Council to consider a proposed *Social Media Policy* for the purpose of public exhibition.

EXECUTIVE SUMMARY:

- Council does not currently have a social media policy applicable to staff and Councillors.
- Council is committed to engaging with its community on official social media profiles in a way that optimises engagement but manages risk.
- Council's proposed *Social Media Policy* articulates the framework under which Council engages on social media and has been developed to address the challenges and risks associated with its use.
- The proposed policy is based upon the Model Social Media Policy from the Office of Local Government (OLG).
- The proposed *Social Media Policy* seeks to support Council in adhering to industry-best practice standards and ensuring social media engagement by Officers and Councillors encourages participation, is timely, accurate, inclusive, accessible, respectful, and transparent.

RECOMMENDATION:

- 1. THAT** Council endorse the attached draft *Social Media Policy* for the purpose of public exhibition for a period of 28 days.
- 2. THAT** a further report be provided to Council following the conclusion of the public exhibition period, for the purpose of considering any submissions received and adopting a *Social Media Policy*.

Background

Council uses social media to inform and engage with the community. We do not currently have a policy on the use of social media, applicable to staff and Councillors.

Council strives to communicate with its community in an open and accountable manner and recognises that social media plays an important role as a communication channel. Effective communication increases the community's understanding of Council's purpose and goals, improves transparency, and builds trust.

Report

Social media is at the heart of modern communication. Since its inception, social media has rapidly grown in popularity and influence and is now fundamental to not just how people interact with one another, but also to how we work, play, and consume information and ideas.

Social media can be broadly defined as online platforms and applications (e.g., social networking sites, wikis, blogs, microblogs, video and audio-sharing sites, and message boards) that allow people to easily publish, share and discuss content.

One of social media's key features is its unprecedented reach and accessibility, in that anyone with a computer or mobile device can use social media to generate content which has the potential to be viewed and shared by hundreds of millions of people worldwide.

Despite its benefits, social media also presents a variety challenges and risks. These include:

- the emergence of new, harmful forms of behaviour, such as cyber-bullying and trolling;
- maintaining the accuracy, reliability and integrity of information disseminated from multiple sources;
- liability for content uploaded onto social media platforms, including defamation claims;
- reputational damage to colleagues and employers; and
- rapid innovation making it difficult to keep pace with emerging technologies and trends.

For Councils, social media has two primary functions:

- a) it is used by Councils to interact and share information with their communities in an accessible and often more informal format.
- b) it enables Councillors to promote their achievements and address their constituents directly about community issues and events in ways that either complement or bypass traditional news and print media.

Council also uses social media as the platform through which we webcast our meetings. Webcasts increase transparency by providing visibility of Council decision-making in real time.

To address the risks and challenges associated with the use of social media, it is important we have a comprehensive policy detailing its recommended use.

The Model Social Media Policy was developed by the Office of Local Government (OLG) in 2022. It sets out an exemplary approach by incorporating examples of best practice from the social media policies of a range of Councils, as well as from Commonwealth and State Government agencies.

The Model Social Media Policy provides Council with a robust framework for the administration and management of our social media platforms. It also sets standards of conduct for all Council officials who use social media in their official capacity. It has been developed to be fit-for-purpose in a digital age where innovation and emerging trends are the norm.

Consultation requirements

Community engagement will be undertaken in accordance with Council's Community Engagement Protocol.

Financial/Resource Implications

There are no financial or resource implications of this report.

Legislation

Local Government Act 1993 NSW

Independent Commission Against Corruption Act 1988 NSW

The Government Information (Public Access) Act 2009 NSW

Anti-Discrimination Act 1977 NSW

Privacy and Personal Information Protection Act 1998 NSW

Work Health and Safety Act 2011 NSW

Model Code of Conduct for Local Councils in NSW 2015

Defamation Act 2005 NSW

Copyright Act 1968 Cth

Copyright Amendment (Digital Agenda) Act 2000 Cth



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[REF]

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Policy Owner: DIRECTOR CORPORATE SERVICES

Category: Operational

Direction: 5. Our Civic Leadership

1. STATEMENT OF INTENT

1.1 We, the councillors, staff and other officials of North Sydney Council are committed to upholding and promoting the following principles of social media engagement:

Openness

Our social media platforms are places where anyone can share and discuss issues that are relevant to our Council and the community we represent and serve

Relevance

We will ensure our social media platforms are kept up to date with informative content about our Council and community.

Accuracy

The content we upload onto our social media platforms and any other social media platform will be a source of truth for our Council and community and we will prioritise the need to correct inaccuracies when they occur.

Respect

Our social media platforms are safe spaces. We will uphold and promote the behavioural standards contained in this policy and our Council's code of conduct when using our social media platforms and any other social media platform.

2. ELIGIBILITY

Platforms

2.1 Council will maintain a presence on the following social media platforms:

- Facebook
- Instagram

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- LinkedIn
- YouTube

- 2.2 Council's social media platforms must specify or provide a clearly accessible link to the 'House Rules' for engaging on the platform

Establishment and deletion of Council social media platforms

- 2.3 A new council social media platform, or a social media platform proposed by a council related entity (for example, a council committee), can only be established or deleted with the written approval of the Chief Executive Officer or their delegate.
- 2.4 Where a council social media platform is established or deleted in accordance with clause 2.3, the Chief Executive Officer or their delegate may amend clause 2.1 of this policy without the need for endorsement by the Council's governing body.

Appointment and role of the Social Media Coordinator

- 2.5 The Chief Executive Officer will appoint a member of council staff to be the council's social media coordinator (SMC). The SMC should be a senior and suitably qualified member of staff.
- 2.6 The Chief Executive Officer may appoint more than one SMC.
- 2.7 The SMC's role is to:
- a) approve and revoke a staff member's status as an authorised user
 - b) develop and/or approve the training and/or induction to be provided to authorised users
 - c) maintain a register of authorised users
 - d) maintain effective oversight of authorised users
 - e) moderate the Council's social media platforms in accordance with Part 5 of this policy
 - f) ensure the Council complies with its record keeping obligations under the *State Records Act 1998* in relation to social media (see clauses 7.1 to 7.4 of this policy)
 - g) ensure the Council adheres to the rules of the social media platform(s)

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- h) coordinate with the Council's (Insert name of Council department or team) to ensure the Council's social media platforms are set up and maintained in a way that maximises user friendliness and any technical problems are resolved promptly
- 2.8 The SMC may delegate their functions under paragraphs (e) and (f) of clause 2.9 to authorised users.
- 2.9 The SMC is an authorised user for the purposes of this policy.

Authorised users

- 2.10 Authorised users are members of council staff who are authorised by the Chief Executive Officer/SMC to upload content and engage on social media on the Council's behalf.
- 2.11 Authorised users should be members of council staff that are responsible for managing, or have expertise in, the events, initiatives, programs or policies that are the subject of the social media content.
- 2.12 The Chief Executive Officer/SMC will appoint authorised users when required.
- 2.13 An authorised user must receive a copy of this policy and induction training on social media use and Council's obligations before uploading content on Council's behalf.
- 2.14 The role of an authorised user is to:
- a) ensure, to the best of their ability, that the content they upload onto social media platforms is accurate
 - b) correct inaccuracies in Council generated content
 - c) engage in discussions and answer questions on Council's behalf on social media platforms
 - d) keep the Council's social media platforms up to date
 - e) where authorised to do so by the SMC:
 - i) moderate the Council's social media platforms in accordance with Part 5 of this policy
 - ii) ensure the Council complies with its record keeping obligations under the *State Records Act 1998* in relation to social media (see clauses 7.1 to 7.4 of this policy)

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- 2.15 When engaging on social media on Council's behalf (such as, but not limited to, on a community social media page), an authorised user must identify themselves as a member of Council staff but they are not obliged to disclose their name or position within the Council.
- 2.16 Authorised users must not use Council's social media platforms for personal reasons.

Administrative tone

- 2.17 Authorised users upload content and engage on social media on the Council's behalf. Authorised users must use language consistent with that function and avoid expressing or appearing to express their personal views when undertaking their role.
- 2.18 Authorised users may use more personal, informal language when engaging on Council's social media platforms, for example when replying to comments.

Register of authorised users

- 2.19 The SMC will maintain a register of authorised users. This register is to be reviewed annually to ensure it is fit-for-purpose.

Ceasing to be an authorised user

- 2.20 The SMC may revoke a staff member's status as an authorised user, if:
- a) the staff member makes such a request
 - b) the staff member has not uploaded content onto any of the Council's social media platforms in the last year.
 - c) the staff member has failed to comply with this policy
 - d) the SMC is of the reasonable opinion that the staff member is no longer suitable to be an authorised user.

3. ADMINISTRATIVE FRAMEWORK FOR COUNCILLORS – SOCIAL MEDIA PLATFORMS

- 3.1 For the purposes of this policy, councillor social platforms are not council social media platforms. Part 2 of this policy does not apply to councillors' social media platforms

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- 3.2 Councillors are responsible for the administration and moderation of their own social media platforms (in accordance with Parts 3 and 5 of this policy), and ensuring they comply with the record keeping obligations under the *State Records Act 1998* (see clauses 7.1 to 7.4 of this policy) and council's records management policy in relation to social media.
- 3.3 Clause 3.2 also applies to councillors in circumstances where another person administers, moderates, or uploads content onto their social media platform.

Induction and training

- 3.4 Councillors must comply with the rules of the platform when engaging on social media.
- 3.5 Councillors who engage, or intend to engage, on social media must receive induction training on social media use. Induction training can be undertaken either as part of the councillor's induction program or as part of their ongoing professional development program.

Identifying as a councillor

- 3.6 Councillors must identify themselves on their social media platforms in the following format:

Councillor "First Name and Last Name".

- 3.7 A councillor's social media platform must include a profile photo which is a clearly identifiable image of the councillor.
- 3.8 If a councillor becomes or ceases to be the mayor, deputy mayor, or the holder of another position (for example, chairperson of a committee), this must be clearly stated on the councillor's social media platforms and updated within 7 days of a change in circumstances.

Other general requirements for councillors' social media platforms

- 3.9 Councillor social media platforms must specify or provide a clearly accessible link to the 'House Rules' for engaging on the platform.
- 3.10 A councillor's social media platform must include a disclaimer to the following effect:

"The views expressed and comments made on this social media platform are my own and not that of the Council".

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- 3.11 Despite clause 3.10, mayoral or councillor media releases and other content that has been authorised according to the Council's media and communications protocols may be uploaded onto a councillor's social media platform.
- 3.12 Councillors may upload publicly available Council information onto their social media platforms.
- 3.13 Councillors may use more personal, informal language when engaging on their social media platforms.

Councillor queries relating to social media platforms

- 3.14 Questions from councillors relating to their obligations under this policy, technical queries relating to the operation of their social media platforms, or managing records on social media may be directed to the Chief Executive SMC in the first instance.

Other social media platforms administered by councillors

- 3.15 A councillor must advise the Chief Executive Officer/SMC of any social media platforms they administer on which content relating to the Council or council officials is, or is expected to be, uploaded. The councillor must do so within:
- a) 7 days of becoming a councillor, or
 - b) 7 days of becoming the administrator
- 3.16 A councillor who administers a social media platform agrees to actively ensure that no content is posted that is in breach of the Code of Conduct or council's Media Liaison Policy and that a councillor will be held responsible for any content that is in breach of the Code of Conduct or the Media Liaison Policy.

4. STANDARDS OF CONDUCT ON SOCIAL MEDIA

- 4.1 This policy only applies to council officials' use of social media in an official capacity or in connection with their role as a council official. The policy does not apply to private use of social media that is not connected with a person's role as a council official.
- 4.2 Council officials must comply with the Council's code of conduct when using social media in an official capacity or in connection with their role as a council official.
- 4.3 Council officials must not use social media to post or share comments, photos, videos, electronic recordings or other information that:

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- a) is defamatory, offensive, humiliating, threatening, intimidating or discriminatory to other council officials or members of the public
 - b) contains profane language or is sexual in nature
 - c) contains inappropriate material relating to children and young people
 - d) constitutes harassment and/or bullying within the meaning of the *Model Code of Conduct for Local Councils in NSW*, or is unlawfully discriminatory
 - e) is contrary to their duties under the *Work Health and Safety Act 2011* and their responsibilities under any policies or procedures adopted by the Council to ensure workplace health and safety
 - f) contains content about the Council, council officials or members of the public that is misleading or deceptive
 - g) divulges confidential Council information
 - h) breaches the privacy of other council officials or members of the public
 - i) contains allegations of suspected breaches of the Council's code of conduct or information about the consideration of a matter under the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*
 - j) could be perceived to be an official comment on behalf of the Council where they have not been authorised to make such comment
 - k) commits the Council to any action
 - l) violates an order made by a court
 - m) breaches copyright
 - n) advertises, endorses or solicits commercial products or business
 - o) constitutes spam
 - p) is in breach of the rules of the social media platform.

4.4 Council officials must:

- a) attribute work to the original author, creator or source when uploading or linking to content produced by a third party
- b) obtain written permission from a minor's parent or legal guardian before uploading content in which the minor can be identified.

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- 4.5 Council officials must exercise caution when sharing, liking, retweeting content as this can be regarded as an endorsement and/or publication of the content.
 - 4.6 Council officials must not incite or encourage other persons to act in a way that is contrary to the requirements of this Part.
 - 4.7 Councillors must uphold and accurately represent the policies and decisions of the Council's governing body but may explain why they voted on a matter in the way that they did. (see section 232(1)(f) of the *Local Government Act 1993*).

5. MODERATION OF SOCIAL MEDIA PLATFORMS

- 5.1 Council officials who are responsible for the moderation of the Council's or councillors' social media platforms may remove content and 'block' or ban a person from those platforms. Such actions must be undertaken in accordance with this Part.
- 5.2 For the purposes of this Part, 'social media platform' and 'platform' means both the Council's and councillors' social media platforms.

House Rules

- 5.3 Social media platforms must state or provide an accessible link to the 'House Rules' for engaging on the platform.
- 5.4 At a minimum, the House Rules should specify:
 - a) the principles of social media engagement referred to in clause 1.1 of this policy
 - b) the type of behaviour or content that will result in that content being removed or 'hidden', or a person being blocked or banned from the platform
 - c) the process by which a person can be blocked or banned from the platform and rights of review
 - d) a statement relating to privacy and personal information (see clause 7.4 of this policy)
 - e) when the platform will be monitored (for example weekdays 9am – 5pm, during the Council's business hours)
 - f) that the social media platform is not to be used for making complaints about the Council or council officials

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- 5.5 For the purposes of clause 5.4(b), third parties engaging on social media platforms must not post or share comments, photos, videos, electronic recordings or other information that:
- a) is defamatory, offensive, humiliating, threatening, intimidating or discriminatory to other council officials or members of the public
 - b) contains profane language or is sexual in nature
 - c) contains inappropriate material relating to children and young people
 - d) constitutes harassment and/or bullying within the meaning of the *Model Code of Conduct for Local Councils in NSW*, or is unlawfully discriminatory
 - e) contains content about the Council, council officials or members of the public that is misleading or deceptive
 - f) breaches the privacy of council officials or members of the public
 - g) contains allegations of suspected breaches of the Council's code of conduct or information about the consideration of a matter under the *Procedures for the Administration of the Model Code of Conduct for Local Councils in NSW*,
 - h) violates an order made by a court
 - i) breaches copyright
 - j) advertises, endorses or solicits commercial products or business,
 - k) constitutes spam
 - l) would be in breach of the rules of the social media platform

Removal or 'hiding' of content

- 5.6 Where a person uploads content onto a social media platform that, in the reasonable opinion of the moderator, is of a kind specified under clause 5.5, the moderator may remove or 'hide' that content.
- 5.7 Prior to removing or 'hiding' the content, the moderator must make a record of it (for example, a screenshot).
- 5.8 If the moderator removes or 'hides' the content under clause 5.6, they must, where practicable, notify the person who uploaded the content that it has been removed and the reason(s) for its removal and their rights of review.

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- 5.9 A person may request a review of a decision by a moderator to remove or 'hide' content under clause 5.6. The request must be made in writing to the Chief Executive Officer and state the grounds on which the request is being made.
- 5.10 Where a review request is made under clause 5.9, the review is to be undertaken by the SMC or a member of staff nominated by the Chief Executive Officer who is suitably qualified and who was not involved in the decision to remove or 'hide' the content.

Blocking or banning

- 5.11 If a person uploads content that is removed or 'hidden' under clause 5.6 of this policy on 3 occasions, that person may be blocked or banned from all social media platforms.
- 5.12 A person may only be blocked or banned from a Council social media platform with the approval of the SMC. This clause does not apply to blocking or banning a person from a councillor's social media platform.
- 5.13 Prior to blocking or banning a person from a social media platform, the person must, where practicable, be advised of the intention to block or ban them from all platforms and be given a chance to respond. Any submission made by the person must be considered prior to a determination being made to block or ban them.
- 5.14 The duration of the block or ban is to be determined by the SMC, or in the case of a councillor's social media platform, the councillor.
- 5.15 Where a determination is made to block or ban a person from all social media platforms, the person must, where practicable, be notified in writing of the decision and the reasons for it. The written notice must also advise the person which social media platforms they are blocked or banned from and the duration of the block or ban and inform them of their rights of review.
- 5.16 Despite clauses 5.11 to 5.15, where a person uploads content of a kind referred to under clause 5.5, and the moderator is reasonably satisfied that the person's further engagement on the social media platform poses a risk to health and safety or another substantive risk (such as the uploading of defamatory content), an interim block or ban from all platforms may be imposed on the person immediately for a period no longer than 30 days.
- 5.17 A person who is blocked or banned from all platforms under clause 5.16 must, where practicable, be given a chance to respond to the interim block or ban being imposed. Any submission made by the person must be considered when determining whether the interim block or ban is to be removed or retained under clauses 5.11 to 5.15.

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- 5.18 A person may request a review of a decision to block or ban then from a social media platform. The request must be made in writing to the Chief Executive Officer and state the grounds on which the request is being made.
- 5.19 Where a review request is made under clause 5.18, the review is to be undertaken by the Chief Executive Officer or a member of staff nominated by the Chief Executive Officer who is suitably qualified and who was not involved in the decision to block or ban the person. Where the decision to block or ban the person was made by the Chief Executive Officer, the review must be undertaken by another senior and suitably qualified member of staff who was not involved in the decision.
- 5.20 Where a person that is the subject of a block or ban continues to engage on a social media platform(s) using an alternative social media account, profile, avatar, etc., a moderator may block or ban the person from the platform(s) immediately. In these circumstances, clauses 5.11 to 5.19 do not apply.

Training on social media use during emergencies should be included in training and/or induction provided to authorised users and councillors.

6. USE OF SOCIAL MEDIA DURING EMERGENCIES

- 6.1 During emergencies, such as natural disasters or public health incidents, the SMC will be responsible for the management of content on the Council's social media platforms
- 6.2 To ensure consistent messaging both during and after an emergency, authorised users and council officials must not upload content onto the Council's or their own social media platforms which contradicts advice issued by the agency coordinating the emergency response, or agencies supporting recovery efforts.
- 6.3 Training on social media use during emergencies should be included in training and/or induction provided to authorised users and councillors.

7. RECORDS MANAGEMENT AND PRIVACY REQUIREMENTS

Records management

Adopted by Council [inset date]

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- 7.1 Social media content created, sent and received by council officials (including councillors) acting in their official capacity is a council record and may constitute open access information or be subject to an information access application made under the *Government Information (Public Access) Act 2009*. These records must be managed in accordance with the requirements of the *State Records Act 1998* and the Council's approved records management policies and practices.
- 7.2 You must not destroy, alter, or remove social media content unless authorised to do so. If you need to alter or remove social media content, you must do so in accordance with this policy, and consult with the Council's records manager and comply with the requirements of the *State Records Act 1998*.
- 7.3 When/if a councillor's term of office concludes, the councillor must contact the Chief Executive Officer to manage/transfer records of social media content created during their term of office and comply with the requirements of the *State Records Act 1998*.
- 7.4 In fulfilling their obligations under clauses 6.1 to 6.3, council officials should refer to any guidance issued by the State Archives and Records Authority of NSW relating to retention requirements for councils' and councillors' social media content.

Privacy considerations and requirements

- 7.5 Social media communications are in the public domain. Council officials should exercise caution about what personal information, if any, they upload onto social media.
- 7.6 The *Privacy and Personal Information Protection Act 1998* applies to the use of social media platforms by the Council and councillors. To mitigate potential privacy risks, council officials will:
- a) advise people not to provide personal information on social media platforms
 - b) inform people if any personal information they may provide on social media platforms is to be used for official purposes
 - c) moderate comments to ensure they do not contain any personal information
 - d) advise people to contact the Council or councillors through alternative channels if they have personal information they do not want to disclose in a public forum

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- 7.7 Council officials must ensure they comply with the *Health Records and Information Privacy Act 2002* when engaging on and/or moderating social media platforms. In fulfilling their obligations, council officials should refer to any guidance issued by the Information and Privacy Commission of NSW, such as, but not limited to, the Health Privacy Principles.

8. PRIVATE USE OF SOCIAL MEDIA

What constitutes 'private' use?

- 8.1 For the purposes of this policy, a council official's social media engagement will be considered 'private use' when the content they upload:
- a) is not associated with, or does not refer to, the Council, any other council officials, contractors, related entities or any other person or organisation providing services to or on behalf of the Council in their official or professional capacities, and
 - b) is not related to or does not contain information acquired by virtue of their employment or role as a council official
- 8.2 If a council official chooses to identify themselves as a council official, either directly or indirectly (such as in their user profile), then they will not be deemed to be acting in their private capacity for the purposes of this policy.

Use of social media during work hours

- 8.3 Council staff may only access and engage on social media in their private capacity while at work during breaks.
- 8.4 Council staff who access and engage on social media in their private capacity during work hours must ensure it does not interfere with the performance of their official duties.

9. CONCERNS OR COMPLAINTS

- 9.1 Concerns or complaints about the administration of a council's social media platforms should be made to the council's SMC in the first instance.
- 9.2 Complaints about the conduct of council officials (including councillors) on social media platforms may be directed to the Chief Executive Officer.
- 9.3 Complaints about a Chief Executive Officer's conduct on social media platforms may be directed to the mayor.

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10. DEFINITIONS

authorised user	members of council staff who are authorised by the Chief Executive Officer or SMC to upload content and engage on the Council's social media platforms on the Council's behalf
council official	in the case of a council - councillors, members of staff and delegates of the council (including members of committees that are delegates of the council); in the case of a county council – members, members of staff and delegates of the council (including members of committees that are delegates of the council); in the case of a joint organisation – voting representatives, members of staff and delegates of the joint organisation (including members of committees that are delegates of the joint organisation)
minor	for the purposes of clause 4.4(b) of this policy, is a person under the age of 18 years
personal information	information or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion
SMC	is a council's social media coordinator appointed under clause 2.7 of this policy
social media	online platforms and applications - such as but not limited to social networking sites, wikis, blogs, microblogs, video and audio sharing sites, and message boards - that allow people to easily publish, share and discuss content. Examples of social media platforms include, but are not limited to Facebook, Twitter, Snapchat, LinkedIn, Yammer, YouTube, Instagram, Flickr and Wikipedia

11. RELATED POLICIES/DOCUMENTS/LEGISLATION

The Policy should be read in conjunction with the following documents/legislation:

- Government Information (Public Access) Act 2009
- Local Government Act 1993
- Privacy and Personal Information Protection Act 1998
- State Records Act 1998
- Work Health and Safety Act 2011
- Code of Conduct Councillors and Staff Policy
- Collection and Recording of Information Policy
- Media Liaison Policy
- Web Access and Email Policy
- Disciplinary & Misconduct Policy
- Child Safe Policy

Adopted by Council [inset date]

SOCIAL MEDIA POLICY

Version	Date Approved	Approved by	Resolution No.	Review Date

DRAFT

Adopted by Council [inset date]