



AGENDA ITEM: 8

NORTH WALES FIRE AND RESCUE AUTHORITY STANDARDS COMMITTEE

10 July 2013

SOCIAL MEDIA PROTOCOL

Report by Gareth Owens, Deputy Clerk to the Authority

Purpose of the Report

1. To inform members of the recently adopted Social Media Policy.

Background

2. Members may be aware that there has been much debate about the use of social media policy (Tweeting etc) during meetings. It was agreed that all authorities in North Wales should adopt a policy. Working from a common draft the 8 Authorities (six Councils, Park Authority and the Fire Authority) have each adopted their own local protocol which has been adapted to suit their own particular needs.
3. The Executive Panel of the Fire Authority considered a draft protocol and recommended it for adoption at the Fire Authority's AGM in June. That protocol was adopted and a copy is attached for information (Appendix 1).

Information

4. The protocol makes it clear that the act of using social media will not in itself amount to a breach of the Code of Conduct by members. However, it is of course possible for what members say to amount to a breach of the Code, subject to the case of Calver referred to in an earlier report. Hopefully, this simple guidance will forestall any complaints being made.

Recommendation

5. That members note the Social Media Protocol.

SOCIAL MEDIA PROTOCOL

This protocol applies to

- Councillors and co-opted members of the Fire Authority;
- Officers; and
- members of the press and public wishing to broadcast or transmit images, sound or messages from any meetings of the Fire Authority, its committees.

Openness and Transparency

The Fire Authority recognises that the public has the right to attend and, where not able to attend, to know and understand what has transpired at meetings of the Authority or its committees (hereinafter called meetings).

The Fire Authority wishes to support the use of social media at meetings. Therefore members, the press and public are able to use social media from any meeting that is open to the public provided that a fair and accurate account is given of the meeting.

The protocol applies to the use of social media, such as Twitter or Facebook, to comment from meetings on what is happening or has happened at that meeting.

Issues for Members of the Fire and Rescue Authority

For Councillors and co-opted members (“members”) this protocol forms an addendum to the Code of Conduct and failure to adhere to the protocol could be taken into account when considering whether a breach of the Code of Conduct has taken place.

Courtesy, Respect and Impartiality

Members must make decisions on the basis of all relevant evidence, which includes:

- comments made by the public exercising rights to speak at meetings;
- presentations by officers; and
- comments made during debate by fellow Members of the Fire Authority.

Using social media in meetings can be a distraction which can lead to Members missing vital evidence and can also give the impression that members are not listening or paying attention. It is therefore the responsibility of Members to make sure that they take onboard all relevant matters during a meeting, even if they are using social media and that they do not appear discourteous by failing to pay attention, which could be seen as failing to treat others with respect.

Fair, Accurate and Responsible Reporting

It is incumbent upon members using social media to give a fair and accurate account of what transpires. Whilst people are free to express comment (see below for further advice about defamation and Code of Conduct issues) it is important that if they report what is taking place during the debate that they also report the outcome.

If Members of the Fire Authority fail to abide by this protocol, they might find that they are in breach of the Code of Conduct for failing to treat others with respect.

Example

During a debate it is possible that a member might violently disagree with a motion that is moved and might thus transmit a note that is scornful of the proposal. However, if the motion were to be voted down in favour of another then it would create the wrong impression of the meeting not to also transmit the fact that a different resolution was reached.

Defamation and Code of Conduct Issues

Comments made by Members during debate may attract the defence of qualified privilege in respect of subsequent accusations of defamation. However, comments made in social media are unlikely to benefit from this defence.

Likewise, comments made during debate are less likely to be treated as a breach of the Code of Conduct. However, comments made in social media about other people which fail to treat them with respect could be a breach of the Members' Code.

Councillors are also under an obligation not to reveal confidential information. Therefore, the use of social media will not be permitted whilst a meeting is in closed session. Likewise, the outcome of items considered after the exclusion of the press and public is considered to be exempt information until such time as the minute is published.

Members of the Fire Authority are also reminded that they must not reveal any confidential or exempt information that is given to them by the Fire Authority and that they must comply with the Data Protection Act.

Issues for Officers

For officers the protocol is an addendum to their code of conduct and could form the basis for disciplinary proceedings.

Officers attend meetings in order to advise members. They shall not use social media whilst at meetings unless they are doing so specifically on behalf of the Fire Authority.

Issues for Members of the Press and Public

For members of the press and public the protocol is intended to lay down the procedures that the Fire Authority will follow should they wish use social media in meetings. It is important that the use of social media does not interfere with how the meeting is conducted, and any failure to abide by these requirements that leads to disruption of the meeting could result in members of the press and public being asked to stop and/or to leave the meeting at the discretion of the chairman.

The Fire Authority would not seek to control what the press or public say, but would ask that they give a fair and accurate account of the content of debate and the outcome.