

The Corporation of the Municipality of Brockton



By-Law 2023-081

Being a By-Law to Adopt a Social Media Policy for the Municipality of Brockton

Whereas The Council for The Corporation of the Municipality of Brockton deems it expedient to establish policies;

And Whereas the *Municipal Act 2001, S.O. 2001, c 25, Section 5(3)*, as amended provides that a municipal power, including a municipality's capacity rights, powers and privileges under section 9, shall be exercised by by-law;

And Whereas the Corporation of the Municipality of Brockton adopted a Social Media Policy for employees of the Municipality of Brockton on October 11, 2016 as per By-Law 2016-073, and the Municipality of Brockton now wishes to update the Social Media Policy;

Now Therefore the Council of The Corporation of the Municipality of Brockton enacts as follows:

- 1.0 That the Corporation of the Municipality of Brockton Council hereby adopts a Social Media Policy as contained in the attached Schedule "A" to this By-Law.
- 2.0 That By-Law 2016-073 and Policy H00-0620-16 be hereby rescinded and replaced by this By-Law.
- 3.0 This By-Law shall come into full force and effect upon final passage.
- 4.0 This By-Law may be cited as the "Adopt Social Media Policy By-Law".

Read, Enacted, Signed and Sealed this 29th day of August, 2023.

Mayor – Chris Peabody

Director of Legislative and Legal Services (Clerk) –
Fiona Hamilton

Department:	All Departments	Policy Number:	M10-0900-23
Section:	Media/Public Relations	Effective Date:	August 29, 2023
Subject:	Social Media	Revised Date:	
Authority:	By-Law 2023-081		

1. Purpose

The purpose of this policy is to set guidelines and standards to ensure the appropriate use and management of the Corporation of the Municipality of Brockton's social media accounts.

This policy also applies to all employees, and elected official's conduct when participating in any social media, either in the course of their employment, or on their personal time. While the Municipality of Brockton recognizes the popularity of social networking, certain behaviours must be observed to protect employees, Council, and the Municipality of Brockton's reputation.

This policy also applies to members of the public who interact with the Municipality's social media, and how Municipal employees will respond to inquiries and comments posted by the public on the Municipality's social media accounts.

2. Objectives

- 2.1 To protect the Municipality of Brockton's reputation and ensure consistency and professionalism with how the Municipality and its employees communicate with the public via social media sites.
- 2.2 To outline the responsibility of the Municipality's employees who have access to manage social media sites on behalf of the Municipality, and providing guidelines and acceptable use of the Municipality's social media accounts.
- 2.3 To provide employees and elected officials with guidelines on acceptable and unacceptable participation on social media as they are representatives of the Municipality of Brockton.

3. Definitions

- 3.1 **"Accessible"** means the content created and published on social media will strive to be compliant with the Accessibility for Ontarians with Disabilities Act in formats that may include colour contrasting, font choice and size, alternate text, and descriptions to accompany the images.

- 3.2 **“Corporate account”** means the Municipality of Brockton’s social media accounts that provide communication for all Municipal departments and functions, and is managed, maintained, and populated by designated Municipal employees.
- 3.3 **“Elected Official”** means members of the Council of the Municipality of Brockton.
- 3.4 **“Employee”** means any person that is employed by the Municipality of Brockton. This includes all classifications of employees (e.g., Permanent Full Time, Permanent Part Time, Seasonal, Temporary Casual, Student, Contract).
- 3.5 **“Member”** means a member of the Municipality of Brockton’s Committee of Council or Local Board.
- 3.6 **“Public posts”** are content made by staff of the Municipality of Brockton on Municipal social media sites.
- 3.7 **“Social media”** means the various online, accessible communication channels or technologies that enable individuals to participate in online communities for the purpose of publicly sharing information, ideas, messages, pictures, etc. These channels can include but are not limited to: Facebook, Instagram, Twitter, YouTube, LinkedIn, as well as mobile applications, websites, blogs, photo boards, discussion boards, or any other online location where commentary is publicly shared and attributed to the Corporation of the Municipality of Brockton, an employee, or an elected official.
- 3.8 **“Workplace”** means the employee’s association with the Municipality of Brockton, co-workers, supervisors, Council members, clients, or persons for whom one provides service, confidential details or information about any of the aforementioned, as well as the reputation or good standing of any of the aforementioned.

4. **Scope and Applicability**

- 4.1 This policy applies to designated Municipality of Brockton employees who have access to manage the Municipal social media accounts, creating public posts and responding to public inquiries and comments on Municipal content. These designated Municipal employees include, but are not limited to: Clerk, Deputy Clerk, Chief Administrative Officer, Municipal Executive Coordinator, Community Development Coordinator, Recreation Programmer, and Recreation Administrative Assistant.
- 4.2 This policy also applies to all Municipality of Brockton employees who make public posts on social media discussing, sharing, or commenting on Municipal content.
- 4.3 This policy also applies to Municipality of Brockton elected officials who make public posts on social media discussing, sharing, or commenting on Municipal content.
- 4.4 This policy also applies to Municipality of Brockton Committee and/or Local Board members who make public posts on social media discussing, sharing, or commenting on Municipal content.

- 4.5 This policy also applies to members of the public who use, comment, or post on Municipal social media sites.
- 4.6 The Walkerton and Elmwood Fire Departments have separate social media accounts managed by firefighters designated to manage the account by the Fire Chief; however, the Municipality may share content from these social media accounts. These employees are still expected to adhere to this policy.

5. Corporate Social Media Account Creation

- 5.1 Before creating a corporate account, including the addition of a new social media account, discussion should occur between the CAO, Clerk, the IT Administrator, the relevant Department Head(s), any other applicable staff members who would be involved in the social media account in order to discuss the need for the new account and benefit it would provide the Municipality.
- 5.2 Before creating a corporate account or adding a new social media account, there must be adequate resources available to justify the account's creation, such as staffing personnel and time required to create and manage the content, Information Technology security protocols involved with the new account, and financial implications, including budgeted expenses.
- 5.3 Any corporate or separate social media account established by the Municipality of Brockton prior to the adoption of this policy will be reviewed by the Clerk, or designate, to ensure compliance with this policy. Any significant recommendations occurring from this review should be forwarded to the CAO, Clerk, and IT Administrator for their review and decision.

6. Expectations and Guidelines for Employees Managing Municipal Social Media Accounts

- 6.1 The Clerk or designate will determine which Municipal employees are to be designated with the ability to have access to Municipality's social media accounts. The Municipal employee's access to the Corporate accounts may be determined based on the nature of their position, and approval processes may need to be initiated for certain Municipal employees (such as part-time employees) who create content to be published on Municipal social media sites. These accounts belong to the Corporation of the Municipality of Brockton, and not individual Municipal employees.
- 6.2 The designated Municipal employees responsible for accessing the Municipality's social media sites will create departmental, service and/or program-based information to be shared with the public.
- 6.3 Access to Municipal social media accounts will be established by the Clerk or designate, and the IT Administrator including the management of employee passwords.
- 6.4 Once an employee no longer requires access to the Municipality's social media, the employee will be removed from accessing the social media site as soon as possible, and the passwords to all accounts will be changed by the Clerk or designate and the IT Administrator will be notified of the updated passwords.

- 6.5 At times, the Municipality of Brockton may share content from other social media accounts who post content about the Municipality, or relevant to the Municipality such as the Bruce County Public Library, County of Bruce, Grey Bruce Public Health, Ontario Provincial Police, South Bruce Grey Health Centre, and local service clubs or organizations based within in Brockton. The Municipality is not responsible for the content of the original post being shared by Municipal employees, and may restrict or ignore comments on shared public posts at staff's discretion.
- 6.6 Municipal employees should be cautious when linking to other websites, as redirecting users to sites not managed by the Municipality may be interpreted as an endorsement of its content.
- 6.7 Municipal employees should not publish or report on conversations or information that is confidential, pre-decisional or speculative.
- 6.8 Municipal employees may choose to share information about community events on the Municipality's social media sites. The Municipality reserves the right to refuse or remove any event related information at any time, without notice. Those events must meet at least one of the following criteria:
- Organized or funded by another order of government.
 - Organized by a government-funded agency or board.
 - Organized by a Municipality of Brockton affiliated group.
 - Organized by an organization identified as eligible for, or having received a donation from Brockton.
 - Funded in full, or in part, by the Municipality of Brockton.
 - Sponsored by the Municipality of Brockton.
 - Organized by a charitable organization with a registered charitable number and operating within the Municipality of Brockton.
 - Organized by a service club operating within the Municipality of Brockton performing work that benefits Brockton residents.
 - Located in a facility owned or leased by the Municipality of Brockton.
 - Organized by an association or organization that has achieved national or international distinction or made a significant contribution to the community, or has helped to enhance the Municipality of Brockton in a positive manner.
- 6.9 Municipal employees using Municipal social media accounts shall conduct themselves in a professional and ethical manner, including:
- Posting accurate, credible, and consistent information that align with the Municipality's brand identity, messaging and policies.
 - Publicly correcting any information in a timely manner that has been communicated and found to be in error.
 - Posting content in a manner that is discreet, does not disclose confidential information or release personal or corporate information, without prior consent. Social media content must take the Municipal Freedom of Information and Protection of Privacy Act into consideration, acknowledging that the content may be subject to Freedom of Information Requests.
 - Must not engage in offensive language, responding in a confrontational manner, or post content that is not professional or that contravenes Municipal policies.

- Must not use corporate accounts to express personal opinions or further personal agendas.
- Ensuring proper protocols and permissions are obtained for posting any copyrighted material (including documents, websites, logos, images). As often as possible, posted images should be owned by the Municipality of Brockton in order to help prevent copyright concerns.
- Ensuring security of social media accounts is maintained, including password and login information.

6.10 Municipal employees will not use Municipality of Brockton logos or any other Municipal images or iconography to promote a product, cause, or political party or candidate.

6.11 Municipal employees should not publish or report on conversations or information that is confidential, pre-decisional, or speculative.

7. Employees Personal Use of Social Media

7.1 Employees are welcomed and encouraged to participate in social media through their own personal accounts, and are encouraged to follow the Municipality of Brockton's social media accounts and share our content.

7.2 Employees are expected to conduct yourself in accordance with the Employee Code of Conduct, applicable Municipal policies, as well as the relevant legislation.

7.3 Employees participation in any social media must not conflict with your role at the Municipality of Brockton and must in no way harm the Municipality's reputation.

7.4 Employees are permitted to list the Municipality of Brockton as their employer on social media sites. Within 48 hours after an employee is no longer employed with the Municipality of Brockton, you must update your profile to reflect this change.

7.5 Employees are encouraged not to discuss details of their workplace on social media. Should an employee wish to do so, it is expected that any comments or conduct will be respectful and positive and not damaging to the reputation of the Municipality.

7.6 Employee comments or conduct on social media must not include any information which the Municipality of Brockton deems confidential or sensitive, including personal information concerning employees, and/or the persons the Municipality of Brockton serves, as well as information governed by applicable Acts.

7.7 Employees will be held accountable for what they write or post on social media. Inflammatory comments, unprofessional remarks or disparaging remarks made about the Municipality of Brockton, including its employees, and Council members, may result in disciplinary action, up to and including termination. Further, any content posted on social media threatening the Municipality of Brockton's reputation or business, even indirectly, may result in disciplinary action.

8. Council, Committee, Board Members Personal Use of Social Media

- 8.1 Elected Officials (Members of Council) and Committee/Board members are welcomed and encouraged to participate in social media through their own personal accounts, while respecting the Council Code of Conduct and applicable Municipal policies. Elected Officials and Committee/Board members are encouraged to follow the official Municipality of Brockton's social media sites and share our content.
- 8.2 As a representative of the Municipality of Brockton, either in your role as an Elected Official, or a member of a Committee/Board, it is expected that you will maintain professionalism on your personal social media accounts and conduct yourself in accordance with the Council Code of Conduct, as well as relevant legislation and applicable Municipal policies.
- 8.3 Elected Officials and Committee/Board members do not have access to post on the Municipality of Brockton's social media accounts.
- 8.4 The Municipality of Brockton's social media accounts will not post, or share content posted about members of Council unless the content depicts a member actioning their role as a member of Council/on behalf of Council. When possible, the Municipality will publish the relevant content through the Municipal social media accounts rather than sharing an individual Elected Official and/or Committee/Board member's post.

9. Public Conduct on Municipal Social Media

- 9.1 Users and visitors to the Municipality's social media accounts should be notified that the intended purpose of the site is to serve as a communication platform and information-sharing tool between the Municipality and the public.
- 9.2 The Municipality of Brockton invites members of the public to post, share, discuss and debate while treating each other with respect. The Municipality will not tolerate public posts or comments that include, but are not limited to:
- Profane or inappropriate language or content
 - Personal attacks on individuals or specific groups
 - Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, colour, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation
 - Content considered to be defamatory, disrespectful or insulting to Municipal staff, Council, or other Municipal representatives
 - Content of a sexual nature
 - Conduct or encouragement of illegal activity
 - Content related to non-Municipal related industries
 - Content for the purposes of promoting or opposing a candidate for municipal, provincial, or federal election
 - Information about any identifiable individual (including photographs of, or information about that individual, as well as views or opinions about that individual), unless the identifiable individual provided specific, written consent to the Municipality of Brockton in advance
 - Information that could potentially compromise the safety or security of the public,

- or public systems
- Content that violates a legal ownership interest of any other party
- Content that is believed to be inappropriate in the opinion of the Municipality of Brockton

9.3 The Municipality of Brockton may ask users to refrain from posting inappropriate comments for violating these social media commenting guidelines. Public posts that include profane and disrespectful language directed at Municipal employees are not appropriate and will not be tolerated and the Municipality will:

- Hide or delete the post, if possible
- Ask the poster to delete the post and refrain from further disrespectful and inappropriate comments
- Mute, block, or ban users for violating the social media commenting guidelines if further behaviour occurs

10. Response to Public Comments and/or Inquiries

- 10.1 Municipal employees will respond directly to comments and inquiries made by the public as a result on Municipally generated content at their discretion.
- 10.2 This means that some comments and/or inquiries may go unanswered for reasons determined by Municipal employees on a case by case basis, judged by the content of each comment and/or inquiry.
- 10.3 In accordance with the Municipality's Hours of Work Policy, Municipal employees are not expected to interact with comments and/or inquiries outside of their normal working hours. The Municipality of Brockton's hours of operation are advertised on our Municipal social media accounts, and a disclaimer has currently been established to automatically reply to direct messages sent by members of the public outside of regular hours of operation. The disclaimer informs the individual that their message has been received and will be reviewed by Municipal employees for response during regular hours of operation.
- 10.4 From time to time, Municipal employees may wish to engage with comments and/or inquiries that arrive outside of the regular hours of operation, depending on the content of the messages, or in particular circumstances (such as an emergency), although it is not an expectation of Municipal employees to respond to comments and/or inquiries outside of the Municipality's hours of operation.

11. Accessibility

- 11.1 The Municipality of Brockton is committed to providing content in an accessible format in order to comply with communications and information provisions in the Accessibility for Ontarians with Disabilities Act (AODA).
- 11.2 To the best of our ability, the Municipality will facilitate the delivery of Municipal content through social media in an accessible format. Alternate formats of social media content will be provided upon request.

12. Photo Release Form

- 12.1 The Municipality of Brockton photo release form must be obtained and signed for all images containing individuals that will be posted to Municipality of Brockton social media sites. If a child (under the age of 18) is featured in an image, the photo release form must be signed by the parent and/or guardian on the child's behalf.

13. Use of Collected Information

- 13.1 The Municipality of Brockton does not collect information for commercial or marketing purposes, nor does it sell, exchange, or otherwise distribute information collected through its use of social media sites for commercial or marketing purposes. The Municipality will not, under any circumstances, use any information provided by users for any purpose that is inconsistent with the purpose for which the information was provided.

14. Copyright, Branding, Logos

- 14.1 The use of the Municipality of Brockton's name, logo, official marks and other forms of intellectual property owned by the Municipality of Brockton on Municipal social media is prohibited, without permission from the Clerk or designate.
- 14.2 Employees, Elected Officials, and Committee/Board members are not permitted to use Municipal branding, including the logo or other imagery owned by the Municipality on their personal social media, or elsewhere.

15. Social Media Disclaimer

- 15.1 The Municipality's social media sites are provided on an "as is" and "as available" basis. The Municipality makes no representations or warranties of any kind, express or implied, as to the site's operation or the information, content, or materials included on these sites. The Municipality will not be liable for any damages of any kind arising from the use of or inability to use these sites. Users expressly agree to use these social media sites solely at their own risk.
- 15.2 A link between the Municipality of Brockton's social media sites and any other website does not imply an endorsement or sponsorship by the Municipality of that website, or the creator of that website.
- 15.3 The Municipality of Brockton is not responsible for comments made by members of the public related to its social media applications and reserves the right to remove any content that is deemed inappropriate for any reason and at any time. Third party social media sites are private businesses with their own terms of service and privacy policies. The Municipality does not accept responsibility for the operation of third party social media sites and is unable to guarantee the privacy of individuals who access content provided to such sites by the Municipality.

16. Records Management and Retention

- 16.1 Public posts deemed to be Official Records of the Municipality, in accordance with the Municipality of Brockton's Records Retention Policy, must be retained and purged according to the Records Retention Policy and comply with appropriate sections of the Municipal Freedom of Information and Protection of Privacy Act.
- 16.2 Public posts that are considered a Transitory Record of the Municipality, in accordance with the Municipality of Brockton's Records Retention Policy, are not required to be retained and may be purged from social media sites.

17. Breach of Policy

- 17.1 A breach of this policy by a Municipal employee may be subject to disciplinary actions, up to and including termination in accordance with the Municipality's Employee Discipline Policy.
- 17.2 Any violations of the Council Code of Conduct by Council, Committee, and/or Board members will be referred to the Clerk for further review.

18. Policy Review

- 18.1 The Social Media Policy will be reviewed on an as-needed basis by the Clerk or designate.

19. References and Related Documents

Relevant Municipal Policies/By-Laws:

- Accessible Information and Communications Policy
- Accessibility Standards for Customer Service
- Council Code of Conduct
- Cell Phone/Mobile Device Policy
- Council and Staff Relations Policy
- Employee Code of Conduct
- Employee Discipline Policy
- Hours of Work Policy
- Information Technology Acceptable Use Policy
- Respect in the Workplace Policy
- Records Retention Policy
- RZone Respect and Responsibility Policy
- Website Hyperlinks Policy
- Workplace Harassment Policy

Relevant Legislation:

- Accessibility for Ontarians with Disabilities Act, 2005, S.O. 2005, c. 11
- Copyright Act (R.S.C., 1985, c. C-42)
- Human Rights Code, R.S.O. 1990, c. H.19
- Municipal Act, 2001, S.O. 2001, c. 25
- Municipal Freedom of Information and Protection of Privacy Act, R.S.O. 1990, c. M.56