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# Social Media Participation Policy

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## 1 Definitions

- **Town** – is used to refer the Town of Southborough
- **Social Media** – Online forums in which individuals participate in the exchange of ideas, messages, and content, including but not limited to, blogs, microblogs, and social networking sites (e.g., Facebook, LinkedIn, Twitter).
- **Employees** – All persons employed by the Town regardless of position.
- **Official** – An individual who holds office in the Town, whether elected or appointed.
- **Users** – Employees and/or Officials

## 2 Purpose

To address the increasing importance of the Internet and the changes it brings to the way residents communicate and obtain information online, Town of Southborough departments, boards & committees may consider using social media tools to reach a broader audience. The town embraces the use of social media when it furthers the goals of the town and the mission of its departments.

Department Heads and boards/committees should carefully consider the commitment in time and resources that maintaining such a site will entail before embarking on it. Who will create it and add content? Will there be interaction with the public, and how will that be managed and moderated? Do the people involved have enough time available to properly oversee and maintain the site?

The town of Southborough has an overriding interest in deciding what is published on behalf of the town on social media sites. Therefore, this policy establishes guidelines for the use of social media.

The purpose of this policy is to provide notice to appointed and elected board and committee members that their use of social media must conform to the law and this policy. This policy is designed to promote and govern the professional and personal use of social media in a responsible manner and to avoid uses that can: (1) breach confidentiality by revealing protected information about the Town, its citizens, or its employees; (2) expose the Town to liability for behavior that may be harassing, offensive, or maliciously false; or (3) interfere with productivity and/or ability to perform the duties and responsibilities as Employees and Officials of the Town.

This policy shall be reviewed by the Municipal Technology Committee annually. Any changes to this policy shall be presented to the Board of Selectmen for approval.

## 3 General Provisions

While Employees and Officials may maintain and use personal web pages and websites, blogs, microblogs, social networking sites and other forms of social media while off-duty, their status as representatives of the Town requires that the content of any postings on those social media sites or other web pages not be in violation of existing Town by-laws, policies, directives, rules or regulations.

The Town's image as a professional organization comprised of professionals is critical to maintaining the respect of its constituents. Although the Town recognizes that Employees and Officials may choose to express themselves by posting personal information upon electronic media sites through personal websites, social networking sites, blogs, microblogs, chat rooms, or other electronic means or by making comments upon electronic sites hosted by other persons, groups or organizations, this right of

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expression should not interfere with the operation of the Town. That is, although the Town acknowledges its Employees and Officials have the First Amendment right to free speech, the right is not absolute and extends only to matters of public concern. Therefore, Employees and Officials should exercise caution with respect to comments they post, particularly those concerning the Town and the business of the Town.

## 4 Status of Sites

### 4.1 Official Sites

An official Town of Southborough social media or social networking site is one that is pre-approved by the governing board (i.e. Board of Selectmen, Library Board of Trustees, etc), or their designee, and then created and operated in full compliance with this Policy. Such a site shall describe itself as official (e.g. "The Official Site/Facebook Page/Twitter Account of the Southborough Technology Department").

Official sites shall attempt to feature the Town logo or seal and other relevant style elements. Department Heads and boards/committee chairs shall designate which employees/members are authorized to publish content and moderate official Town sites. Only those employees who have been so authorized shall be permitted to publish content and moderate official Town sites. Town staff who choose to comment on Official Town sites in their individual capacity shall state that they are not acting or speaking in an official capacity on behalf of the Town of Southborough and that their views do not necessarily reflect those of the Town.

All official social media sites shall be archived in accordance with applicable Town Bylaws and State & Federal regulations.

### 4.2 Unofficial Sites

Any site that fails to satisfy the requirements of an Official Town site shall be considered an "unofficial" site. Such sites shall not be maintained by Town employees during work hours. This includes sites maintained for personal purposes. Such unofficial sites shall not suggest, imply or intimate in any way that its content has been approved or sanctioned by the Town.

It is important to note that content posted on unofficial sites may be used during any investigation related to other applicable Town Policies (i.e. harassment, disability claims, etc.)

## 5 Creating Official Sites

- All official Town social media sites created by departments, boards, or committees will be subject to approval by the governing board (i.e. Board of Selectmen, Library Board of Trustees, etc), or their designee.
- The Town Clerk, in conjunction with the Technology Manager, shall maintain a list of all official social media sites.
- The Technology Department shall be provided an administrator-level username and password for each official social media site.
- The Technology Department shall maintain an archive of each official social media site.

## 6 Managing Social Media Accounts

### 6.1 Content / Online Conduct

Official Town Social media sites will contain communications sent to or received by Town employees or officials, and are thus considered Public Records under Massachusetts law. Department Heads shall retain a copy of all social media content in accordance with Public Records Retention Schedules.

All use of social media must conform to the following regulations:

- All users are expected and required to conduct themselves in a manner consistent with the Town's policies and standards of conduct.
- Images must meet the same standards of appropriateness, and additionally must not be intrusive or show individuals without their consent (unless taken at public events). Use of any photo of a person under 18 years of age requires written parental consent.
- Users are prohibited from posting protected personal information (e.g., information that is not public record under the Public Records Law, G.L. c. 66, §10 and G.L. c. 4, §7(26), or whose dissemination is restricted under applicable Federal or State privacy laws or regulations). Users shall seek permission from his/her Department Head prior to publishing any conversations that occur within the Town. Users are further restricted from posting information about policies or plans that have not been finalized and approved, unless express permission has been received. Users must be particularly careful to protect against the inadvertent disclosure of confidential information.
- Users must not harass any other Employees in contravention of the Town's Computers and Communications Policy, Sexual Harassment Policy, and Harassment of Individuals in Protected Classes Policy, regardless of the time, place, form, or manner in which the information is posted or transmitted. Comments may be deemed to violate this Policy even if the Town's name or the names of any of its Employees are not posted in the comment.
- Users must ensure that they are always honest and accurate when posting information or news, and if they make a mistake must correct it quickly. Users may not post any information or rumors they know to be false about the Town, fellow employees, constituents, suppliers, vendors, contractors or any other entities or individuals.
  - Upon an authorized user's posting of content on an official Town site, the content may not be deleted, removed or altered in any way. Only spelling and grammatical corrections may be made without expressly informing users that content changes have been made. If it becomes necessary to modify an earlier post, content may only be altered or removed if users are clearly informed that such a change has been made. This may be accomplished in the following ways:
    - Strike through the error and provide the corrected information; or
    - Create a new post containing the corrected information, providing a link to the new post from the outdated post.

Either method is acceptable as long as it is evident to users that a change in content has been made to the site.

- Users may express only their personal opinions and should never represent themselves as a spokesperson for the Town unless specifically designated by the Town. If the Town is a subject

of the content created by an employee, the employee should be clear and open about the fact that he/she is an employee of the Town and should make it clear that his/her views do not represent those of the Town, fellow employees, suppliers, vendors, or any other agent of the Town. Users who publish blogs or other online posts related to the work they do or subjects associated with the Town must make clear that they are not speaking on behalf of the Town. further, an employee's decision to express their personal opinions does not alleviate their responsibility as an employee to take appropriate action under the circumstances, which may include, but not be limited to, taking action themselves or reporting an issue to a supervisor.

- Users are expressly prohibited from using social media to engage any activity or conduct that violates federal, state, or local law (e.g., software or data piracy, child pornography, etc.).
- Access to and use of social media must not interfere with a User's productivity and/or a User's ability to perform the duties and responsibilities of Employment with the Town.
- Users are prohibited from using social media to engage in any activity that constitutes a conflict of interest for the Town or any of its Employees.
- Department heads and supervisors are expressly prohibited from using any review or recommendation feature or system on a social media site (e.g., LinkedIn) to post reviews or other comments about subordinate employees.

#### 6.2 Applicable Law

Town of Southborough social media sites are subject to Commonwealth of Massachusetts public record laws, record retention laws, and open meeting laws. In effect, every posting is a press release. It is the responsibility of the Department Head or board/committee chair sponsoring the site to make sure that the operation of the site complies with those laws.

#### 6.3 Content Review

The governing body and/or its designee may conduct periodic reviews of each official social media site to assess the currency, timeliness, and appropriateness of the information it contains. Review records will be submitted to the Technology Manager and kept on file. If sites are found to be frequently out of date, or if they have become vehicles for discussions which do not fall within their intended purpose, they may be closed down.

Additionally, if the Board/Committee which created the social media account is dissolved, the account shall either be transferred to another Board/Committee/Department or be closed down.

#### 6.4 Moderator Function

On sites where interaction with non-employees is allowed, the Department/Board/Committee operating the site must perform 'moderator' functions to ensure that postings meet the standards expected. If supported by the site, new postings shall be held for moderation before appearing. Users and visitors shall be notified of the policy regarding moderation of content (by a hyperlink to <http://southbororoughtown.com/smmod>). Department Heads, Board/Committee Chairs and designated department staff shall periodically review these standards.

#### 6.5 First Amendment Protected Speech

Although the Town of Southborough reserves the right to moderate its official social media sites that allow outside users to post comments, as a means of restricting speech that is obscene, threatening,

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discriminatory, harassing, or off-topic (i.e. spam), Town employees may not restrict, modify or delete speech with which the Town merely disagrees (subject matter restrictions). Outside users maintain some First Amendment rights when posting content to public social media sites hosted by municipalities. Moderators must respect those rights by permitting all comments that are not obscene, threatening, harassing, off-topic or otherwise violate applicable standards of conduct.

### 6.1 Interactions with Other Sites

On sites that support “following” or “liking” so that another account’s postings appear on your main feed, only follow or like other official Town accounts or other official government sites. Failure to observe this allows other parties to place uncontrolled content on your pages.

### 6.2 Copyright Law

Employees must abide by all laws governing copyright and fair use of copyrighted material owned by others when posting conduct on official social media sites. Employees shall not reprint or publish entire articles or publications without first receiving written permission from the publication’s owner.

Employees shall not quote an excerpt of someone else’s work without acknowledging the source, and, where possible, providing a link to the original.

## 7 Violations

Employees who fail to comply with the provisions of this Policy may be prohibited from moderating, creating, managing, or posting content on official social media sites.

Additionally, Any User who violates this Policy shall be subject to appropriate discipline, up to and including termination of employment.’ The Town intends to follow each provision of this Policy but reserves the right to change any provision at any time if circumstances warrant or require. A failure to enforce this Policy does not constitute a subsequent waiver of any violation of this Policy. This Policy shall be read and interpreted in conjunction with all other Town policies and procedures.

## 8 Acknowledgement

I have read the Town of Southborough Information Technology Social Media Participation Policy and understand its terms and conditions.

I have been given a copy of this policy and I agree to abide by this policy. I understand that my failure to abide by the policy may result in disciplinary action, up to and including termination of my employment and or fines to recoup losses incurred by my abuse of this policy.

Print Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

To be included in employee's personnel file.