

16th August 2023 – Graham Ellis with 21.8 addendum

Notes and concerns on communications policy proposals and on current communications activities in the absence of such a policy. This is a working document looking at the proposed new policy which is clearly of sufficient priority for our staff to have invested time in working on it in spite of the reported overload of work on them.

Background - the text below in black here appears to be **based** on a template (boiler plate) from the Society of Local Council Clerks in their members only area and used by many councils – a Google search finds much similar text and it does not appear (below) to reflect recent changes in this fast moving field. The text has been modified by two members of Melksham Town Council Staff and came to my notice as a Town Councillor when included within an agenda pack dated 10th July 2023 to “Review and Adopt” at the meeting of 17th July. I am not aware of any prior review by any councillors or specialists at a prior date, nor of any further work or review since.

The text in red is my initial notes and queries – areas of question and concern. Some are undoubtedly pedantic, but this is a document and policy we should get right, and in doing so we can help our council and community in complete and proper information sharing and exchanges of views in an efficient and polite way whilst maintaining privacy and confidential data as such when appropriate. Should we get it wrong, we are in danger of enacting a system with fuzzy rules that leaves itself open to misuse, restricting information that’s available and giving censorship powers to a very few who might be tempted to abuse those powers.

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You are welcome to share this document unaltered including my contact details and indeed I would encourage you to feed back to me. Views expressed are my personal ones and should not be taken as being an official view in any sense.

SOCIAL MEDIA AND ELECTRONIC COMMUNICATION POLICY

Why “electronic” – not applicable to items in the MIN or letters, or notices on notice boards?

Who wrote this? Contact name for this policy, version number, etc.

Who is it addressed to / does it apply to? Seems a mix of council staff, staff + councillors, staff + councillors + public?

**** Presumption of freedom to share by councillors and to facilitate access to information by all ****

1. Introduction

The use of digital and social media and electronic communications **in addition to more traditional communication methods** enables Melksham Town Council to interact in a way that improves communication within the Council and between the Council and the community, businesses, and partners it works with and serves.

2.

The Council maintains communication via a website (www.melksham-tc.gov.uk), Facebook, Twitter, Instagram and email.

Twitter or “X”?

3.

The Council will always try to use the most effective channel for its communications. Over time the Council may add to the channels of communication that it uses as it seeks to improve and expand the services it delivers. When these changes occur, this Policy will be updated to reflect the new arrangements.

Should it be “channels” rather than “channel” in the first sentence; there are times that the most effective way is to use multiple channels to get a message out

4.

The Facebook page is available to provide information and updates regarding activities and opportunities within the town and promote our community positively. The site is not monitored 24 hours a day. We will endeavour to ensure that any emerging themes or helpful suggestions are passed to the relevant people or authorities. Please do not include personal/private information in your social media posts to us.

Sending a message or posting via Facebook will not be considered as contacting the Council for official purposes and we will not be obliged to monitor or respond to requests for information through these channels. Please make direct contact with officers and/or members of the council by sending an email (towncouncil@melksham-tc.gov.uk) or letter. email accounts are monitored mainly during office hours, and we will reply to all questions sent as soon as possible. An ‘out of office’ message is used when appropriate.

“as soon as possible” is woolly. We should promise acknowledgement (at least) within 96 hours, from generic email addresses.

Is that “towncouncil” or “townhall”@ - we seem to be inconsistent.

“out of office” good for individual accounts – we should have a standard format for these to include alternative contact if urgent and date of return.

Communications from the Council will meet the following criteria:

- be civil, tasteful and relevant
- not contain content that is knowingly unlawful, libellous, harassing, defamatory, abusive, threatening, harmful, obscene, profane, sexually oriented or racially offensive

Should this not include “factually incorrect” – we appear to be allowed to publish fake news

With “threatening” listed, does this mean that our officers cannot threaten to call the police if (for example) members of the public keep engaging in antisocial behaviour in KGV?

Should we also ensure that we provide information to completely address questions – rather than being economic with the truth to the extent of being misleading?

- not contain content knowingly copied from elsewhere, for which we do not own the copyright

So things like the police report cannot be included in the agenda pack any more, because it is copied from elsewhere (an email from the police) and because it will contain imaged which, whilst we are allowed to copy, we don't own the copyright on – just have permission to use.

- not contain any personal information

Phone numbers of councillors to be removed from the Council web site then?

- if it is official Council business, it will be moderated by the Town Clerk to the Council

What if the Town Clerk is not available – should this include “or authorised deputy”? I would have thought that day to day moderation should be delegated rather than being yet another task centralised to our town clerk

- not be used for the dissemination of any political advertising.

Who do I report things to if I have a problem with what's posted?

Should we also specify that posts and messages should be in English?

In order to ensure that all discussions on the Council Facebook page are productive, respectful and consistent with the Council's aims and objectives, we ask you to follow these guidelines:

Can we clarify who “you” is addressed to – council staff, staff and councillors, or all of those plus the general public? If the latter, how do we plan to tell them?

- ☐ be considerate and respectful of others - vulgarity, threats or abuse of language will not be tolerated

Err “Guidelines” but then “will not be tolerated” – you say guidelines but then you make them rules.

- ☐ differing opinions and discussion of diverse ideas are encouraged, but personal attacks on anyone, including the Council members or staff, will not be permitted

Err “Guidelines” but then ...

- ☐ share freely and be generous with official Council posts, but be aware of copyright laws; be accurate and give credit where credit is due

Councillors should be aware of this and be giving staff and other councillors credit which sometimes seems to be overlooked.

- ☐ stay on topic

Where a post / conversation goes usefully into new areas, it should be split off or start a new topic

- ☐ refrain from using the Council’s Facebook page for commercial purposes or to advertise market or sell products.

So this is excluding (for example) the promotion of commercial bus services such as the one to Bath, but allows promotion of the local government supported service to Corsham? Where we work a scheme such as we did with “Solar Skys” we cannot post that on the Facebook page? But this is a Facebook restriction and it’s OK on X, Instagram, and on the Council’s web page

6.

We retain the right to remove comments or content that **we consider** includes:

- ☐ obscene or racist content;
- ☐ personal attacks, insults, or threatening language;
- ☐ potentially libellous or defamatory statements;
- ☐ plagiarised material; any material in violation of any laws, including copyright;
- ☐ private, personal information published without consent;
- ☐ information or links unrelated to the content of the forum;
- ☐ commercial promotions or spam;

again – no pointing people at the 271/2/3 buses to Bath because they are commercial, but x76

promotion is OK because it's Wiltshire council supported and not commercial

- □ allegations of a breach of a Council's policy or the law;

is it, then, valid to ask how something the council does fits in a policy or why it is legal?

Repeated violation of this policy will result in the user being blocked.

Missing – who to contact to report abuse and a statement of time taken to fix

Interesting that there is no note about removal of other information such as opinions posted which differ from those of the council, or bring some other issue to the forefront.

7.

Individual Councillors are at liberty to communicate directly with people in relation to their own personal views, if appropriate, copy to the Clerk. Any emails sent to the Clerk or Councillors in their official capacity will be subject to The Freedom of Information Act 2018 and The Data Protection Act 2018. For this reason, councillors are encouraged to use their melksham-tc.gov email addresses to protect their own privacy.

These procedures will ensure that a complete and proper record of all correspondence is kept.

Good to clarify that “in my view” welcome, and that such comment should be clearly made in such a way that it does not indicate council policy

8. Do not forward personal information on to other people or groups outside of the Council, this includes names, addresses, email, IP addresses and cookie identifiers.

Seems to even include forwarding where permission has been given!!

So this means that I cannot forward the name and phone number of (say) the operator of the Community Larder to an enquiring voter? Or is this a rule for staff rather than councillors? Does it apply to my personal correspondence too?

Councillors are expected to abide by the Code of Conduct and the Data Protection Act in all their work on behalf of the Council and uphold the Civility and Respect Pledge of 10th October 2022.

9.

As more information becomes available at the press of a button, it is vital that all information is treated sensitively and securely. Councillors are expected to maintain an awareness of the confidentiality of information that they have access to and not to share confidential information with anyone. Failure to properly observe confidentiality may be seen as a breach of the Council’s Code of Conduct and will

be dealt with through its prescribed procedures (at the extreme it may also involve a criminal investigation).

We need to be minded, however, of a potential legal requirement to share information in exceptional circumstances (e.g. police warrant) – as written the policy tells us to break this law.

10.

Members should also be careful only to cc essential recipients on emails i.e. to avoid use of the ‘Reply to All’ option if at all possible, but of course copying in all who need to know and ensuring that email trails have been removed.

Why “of course”.

Why remove all email trails – they may be necessary where a new person is involved in a discussion which has expanded from its original direction.

11.

This policy was adopted at a meeting on 17th July 2023 and will be reviewed in two years or sooner should legislation dictate.

No it wasn’t ...

The above comments cut in are areas of concern at the immediate text, but there are huge areas not addressed which I am listing on following pages

MISSING ... should the policy also consider ...

Equalities Act

Web sites and official documents should comply with accessibility standards – for example images should have “alt” tags on them to describe the image. Further advice needed in this area

Applicable to paper comms too?

I’m not understanding why the policies don’t apply to all communications – it appears that they do not apply to articles in the local press, letters sent out by post or hand delivered, publicity leaflets and consultation boards produced by the council, etc.

Recording of meetings policy.

Meetings are live streamed at present and it has been custom for them to be kept online via Facebook. In order to provide a continuity of confirmed information, where a public meeting is recorded that should be kept on line and available until it can be replaced by approved minutes after a subsequent meeting.

Publication of data in findable way policy.

As things stand, there is a great deal of information available on the Town Council’s web site, but it is hard to navigate and search through if you even know where to look.

1. There should be a fit for purpose search engine (purpose being able to practically find old documents in the online archive)

2. Current and future public information including, but not limited to, the status of opening and closing of town council meetings and facilities and links to their “FAQ”s, and of the current status of projects and who and how to contact people should be easily found taking the “could your mother / brother find this” test for ease of use.

Alteration of past data and retention policy.

Past data should not be altered, or deleted save for limitations on large files such as meeting recordings (see above) which may be deleted once the ratified minutes are available in public. Where a document requires to be updated, a new version may be additionally uploaded with a clear archive link, or an update comment (or note “this is out of date”) added to the original document to the original remains available.

There may be consideration of NOT going for an “in perpetuity” data retention, so I could be minded to accept deletions from 2 councils ago. We have a great deal to learn from our predecessors (2017 to 2021) and there is an argument for us retaining 2013 to 2017 too until 2025. Much useful work was done by the SCOB, now 12 years ago, and it’s my regret that it’s now available – as far as I can see – for current Blue Pool considerations.

Guidelines on writing to the council policy.

A suggestion for the public to tell them what email address to write to or where to post a letter and what to include such as your (real) name and street address. Sounds obvious

once written down. Perhaps also worth adding response target / policy and a note of what we can help with?

Privacy of councillor's email statement

Town Councillor's emails to / from our official email addresses are subject to being accessed where a Freedom of Information request is being made, where the police are involved with the council on IT matters (I understand this may have happened of late), when we cease being councillors, etc. The person looking after the email system also has access or has had within the life of this council – in the early days the deputy clerk was able to tell me information that I felt should have been confidential about my use of my email account. A policy / statement of the privacy or otherwise of councillor's email would be appreciated.

Web site cookie policy

There is a policy on our website – does it need a look? It states “Please note that we have no control of websites outside of the <https://melkshamtown.co.uk/> domain.” and yet the web site it's on is <https://www.melksham-tc.gov.uk>. It refers to a “data protection policy” without link but there is a separate “privacy policy” there – is that the same thing?

Pseudonym profile policy.

It's not uncommon online for people to have and post with pseudonyms with reasons including remaining private. You'll find lots of interesting “handles” on social media. What is our policy in addressing people who are posting / asking

questions from a pseudonym or anonymous account, if we can even tell?

Mailing list policies.

We have mailing lists for organisations, for Assembly Hall users and perhaps for others. What are our policies for the use of those routes of electronic communication, and how do they fit with this general policy?

FAQ policy

Not so much a policy – more of a way of working. Should we have an FAQ or similar to direct people to common questions and answers so that at the very least our team can efficiently direct enquirers to information?

Statement of access by councillors to Teams to be able to pass on updates.

At present, I find it necessary to ask questions on the progress of projects which is time consuming for our officers. I understood that the Microsoft Teams system was set up to allow staff and councillors to be able to be kept in the picture without constants tos and fros but this system seems to have gone by the board – at least I can't make it work. Should there be a policy of keeping this system up to date to allow us to make more efficient use of our staff time?

On 2 Aug 2023, at 07:58, Graham Ellis <graham.ellis@melksham-tc.gov.uk> wrote:

Dear Linda,

Following our chat last night, please find below the correspondence relating to the “Social Media and Electronic Communications Policy” proposal which I first became aware of in the agenda pack published on 10th July 2023 for us to “Review and Adopt” on 17th July 2023. You will note that the policy didn’t have an author / version / date of writing on it (though it did presume to say “Adopted 17th July”) and in answer to my enquiry, our committee clerk declares his authorship, with amendment by yourself. It appears to have been based prior to amendment on a mature SLCC template that many other councils use.

There are elements of the proposed amended policy that cause me serious concern. A lot of good stuff, but I wonder why some things are included and some things are left out; it’s my view that if we were to adopt it as it stands, and implement it in full as written, we would be severely limiting our officers and indeed our councillors in what they could say, while at the same time leaving some holes which could be abused should people be minded to do so.

Linda, your name (not just role) is reported to have been the one who signed this off - not just as a “cut and paste” formality on the base of an agenda. It had (and still has) me concerned that it was to come to council with just 7 days notice, deep within an agenda and without the originators present to at least explain the logic of some of the wording. Little point even in my writing up to ask because neither originator was available in the run up. I came to council on 17th July prepared to, if necessary, raise my major concerns at what seemed to be a key policy that would restrict the ability of staff and councillor to inform. I was also somewhat disappointed that with all the time constraints on yourself that we hear about you apparently had found the time resource to work on this restricting policy.

Bearing that in mind, and also (perhaps you have forgotten, but I have not)

my being called up to what felt like the headmistress's office in the early days of this council, being sent upstairs and kept waiting, and then being alerted to your concerns at aspects of my use of the internet, you will appreciate my somewhat concern (but it was understood) with your decision to delete my supportive comment, and much stronger concern (alarm!) at your statement that - in your words - "Facebook is not the platform for councillors to be discussing council business."

I am relieved (and thank you) for clarifying that you meant that we should not be using public pages for internal communications - yes, agreed. Can we, please, find a way to move forward with a set of guidelines that work for us all - helping us promote all the good work the town council does, and explain difficult issues as they arise, let councillors share views and the public express theirs, and avoid us having to spend lots of time and energy "moderating" content while helping bring "sore" topics to a logical conclusion rather than festering.

A number of councillors have an IT background - this was highlighted at Finance on Monday when we considered the Rialtis report - perhaps a possible way forward is to let some of the skills they have inform and suggest the social media policy, and indeed help you with the finance software, social media quality concerns, etc.? That's wider than between just the three of us in this email exchange so far; you are very welcome to share it and that would be an excellent idea to get wide views and a broadly informed outcome.

Graham

Melksham Town Council, South Ward

Blog at <http://grahamellis.uk/perm.html>

Facebook at <https://www.facebook.com/Graham4Melksham/>

I only visit other social media occasionally.

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Addendum 21.8.2023 - Other issues arisen from research (& spellchecked)

Privacy of pictures

Checking with people before sharing their images even in photos we take and are technically allowed. My thought that identification of people / should check with individuals; in a crowd harder to check and unless someone's at the forefront probably OK. Faces / featured can be fussed in some circumstances.

Special care / consideration to pictures of children and vulnerable people. Noting "no photography" sign at Splashpad which, however is not visible and separate from other signage. And public want to photo their own children.

Photographing of cars and other possessions in public places has also been raised. We should blur out ownership identifiers (e.g. car registrations) but realistically cannot find the owner of a passing cars or cars parked in public places.

Commercial share rules

Do we really need to think here – allowing the council to help town businesses and ourselves. The life and vibrancy of the town, Any events at our venues and open to the public – should we be able to share?

Web@

Do we need a shared email address to reach our moderators, separate to townhall@ ? Who is our "Data Controller"?

Quarantine

To the public – please report to "web@" and a statement to email if they are concerned at content on any council controlled feed. Statement that if a report shows a significant potential of being outside our guidelines we may remove it from public view while we take a more detailed look. Such a removal does not indicate any fault / issue with the message – just it needs looking at

Asking the team who have to administer this.

Statement is that policy can from Linda and Andrew. What are the views of our experts and practitioners - Gloria, Kevin, Bruce, Hugh – have they been asked?

From Privacy and Cookie policies

"In these circumstances, we may disclose your personal data to **the prospective buyer of our business**, subject to both parties entering into appropriate confidentiality undertakings" "We follow accepted industry standards to store and protect the personal data we collect, including the use of encryption if appropriate. All information you provide to us is stored on our secured servers **within the EEA.**"

How could Melksham Town Council be sold?

The UK withdrew from the EEA 3 years ago. Is the data in Europe?

melksham-tc.org.uk

We do not have domains such as this registered. Should we be protecting our name?