

TOWN AND PARISH COUNCILS' STANDARDS SUB-COMMITTEE

12 FEBRUARY 2026

REPORT OF THE MONITORING OFFICER

A.1 RECOMMENDATIONS TO PARISH & TOWN COUNCILS: IMPROVING STANDARDS OR ACTIONS

PART 1 – KEY INFORMATION

PURPOSE OF THE REPORT

In accordance with the terms of reference of the Town and Parish Councils' Standards Sub-Committee to advise and assist Town and Parish Councils and Councillors to maintain high standards of conduct and to make recommendations to Parish and Town Councils on improving standards or actions.

A recent investigation and generic research has revealed that Town and Parish Councils may benefit from raising awareness and guidance to their Councillors on the use of social media whilst being holders of public office, subject to their Code of Conduct and the Seven Principles of Public Life.

EXECUTIVE SUMMARY

A complaint was received in November 2024, regarding the alleged behaviour of a Councillor ("the Subject Member"), under the local council's Members' Code of Conduct.

The Complaint referred to the behaviours of the Subject Member in relation to social media posts that as a result were alleged to have contravened the Members' Code of Conduct.

Complaints received relating to the Code of Conduct must be dealt with in accordance with the Council's formally adopted Complaints Procedure, as set out in Part 6 of the Council's Constitution (Part 6.19 to 6.34), which was adopted by the District Council on 26 November 2013 and recently updated in August 2025.

The Monitoring Officer decided that it was reasonable and appropriate that the Complaint merited further investigation. The parties were informed of this decision and that an internal investigator would be appointed. The Council's Complaints Procedure sets out how an investigation is conducted and that the Investigation Report must contain a conclusion as to whether the evidence supports a finding of failure to comply with the Code of Conduct.

Following a thorough investigation, it was concluded that there was sufficient evidence to show that the Subject Member, based on a balance of probabilities and the evidence available, through the use of social media had breached Paragraphs 1.1 (respect), 5.1 (disrepute) and 6.1 (use of position) of the Members' Code of Conduct. The investigation also concluded that Paragraph 2.2 had not been breached.

All parties had the opportunity to comment on the Investigation Report and the findings contained therein. The report was finalised on 06 October 2025.

If an investigation concludes that there is evidence of a failure to comply with the Code of Conduct, the Council's Complaints Procedure at Section 7.1 provides the Monitoring Officer with the authority to obtain an informal resolution, in consultation with the Independent Person, where it can reasonably be resolved without the need for a hearing by the Town and Parish Councils' Standards Sub-Committee ("the Standards Sub-Committee").

Although the procedure does not require consultation with the Independent Person if the Monitoring Officer considered informal resolution was not an appropriate course of action, and that the matter should be referred for a hearing before the Town and Parish Councils' Standards Sub-Committee, it was considered that seeking their view was beneficial prior to making the decision.

In accordance with paragraph 7.1.2 of the Council's Complaints Procedure the Investigator's Report is kept confidential until the day of the hearing in order to protect the parties. The Standards' Sub-Committee had been scheduled to hold a hearing on 12 February 2026.

The Monitoring Officer was recently made aware the Subject Member had resigned from their position as a Councillor, therefore consequently, they are no longer bound by the Members' Code of Conduct, and consequently, a hearing is no longer necessary. It is important to note that by resigning prior to the hearing, there is no determination that the Subject Member has failed to comply with the Code of Conduct. Only the Standards Sub-Committee can make this decision and this is not the purpose of this report.

USE OF SOCIAL MEDIA & GUIDANCE:

This case related to the use of social media, the Subject Member in response to the Complaint did not dispute their use, however believed their actions were correct and that guidance on the use of social media by councillors is outdated. The Local Government Association (LGA) – Guide to the role of Councillors on social media, is contained later within this report.

Social media raises difficult issues and there are differences of opinion on its use. On the one hand there are concerns that certain comments go against the grain of promoting civility in public life and amount to no more than 'mere abuse' or personal attacks. On the other hand, the right to freedom of expression as enshrined in Article 10 of the European Convention on Human Rights is rightly seen as vital and the Code of Conduct should not be used to police unpopular opinions.

In recent 'Debate Not Hate Surveys', over a quarter of all comments mentioned social media, making it the most frequently mentioned factor in levels of abuse. Respondents explained that Councillors are easily accessible by social media and that the anonymity of social media platforms enables users to abuse councillors or spread disinformation without consequences. Some respondents reported that they had come off or reduced their use of social media and this had naturally led to a decrease of abuse online.

Each case will be dependant upon its merits and individual circumstances, but Councillors should take note of their Council's own guidance and protocols which should raise awareness of a number of tools available to assist Councillors in their use of social media.

The case highlighted that not all Town and Parish Councils are reviewing their own guidance or raising awareness on the use of social media by Councillors but relying solely on the District Council's previous Social Media Guidance. Although, the principles still align with the

guidance published by the LGA, the latter is more recent and directly applies to the model Code of Conduct adopted by the vast majority of Town and Parish Councils. The Sub-Committee are being requested to give consideration as to whether any recommendations to Town and Parish Councils should be made in this regard.

RECOMMENDATION(S)

That the Town and Parish Councils' Standards Sub-Committee, following consideration of the report and following its debate, decide whether it wishes to make any recommendations on the use of social media to advise and assist Town and Parish Councils and Councillors to maintain high standards of conduct.

REASON(S) FOR THE RECOMMENDATION(S)

A recent investigation and generic research has revealed that Town and Parish Councils may benefit from raising awareness and guidance to their Councillors on the use of social media whilst being holders of public office, subject to their Code of Conduct and the Seven Principles of Public Life.

The case highlighted that not all Town and Parish Councils are reviewing their own guidance or raising awareness on the use of social media by Councillors but relying solely on the District Council's previous Social Media Guidance. Although, the principles of the District Council's document still align with the guidance published by the Local Government Association, the latter is more recent and directly applies to the model Code of Conduct adopted by the District Council and the vast majority of Town and Parish Councils. Town and Parish Councils are relevant authorities in their own right and must ensure they are fulfilling their duties with regards to promoting and maintaining high standards of public life by Members and co-opted Members of the authority.

The Sub-Committee are being requested to consider whether any recommendations to Town and Parish Councils should be made in this regard.

ALTERNATIVE OPTIONS CONSIDERED

The alternative action on discovering the Councillor ("Subject Member") had resigned would have been to let the matter cease without further action. Although, the Standards Sub-Committee are not determining the outcome of an investigation, it is important that the District Council and Town and Parish Councils fulfil their statutory duties to promote and maintain high standards of conduct by Members and co-opted Members of the authority.

PART 2 – IMPLICATIONS OF THE DECISION

DELIVERING PRIORITIES

One of the themes of the Corporate Plan for 2024-28 adopted at full Council in November 2023 is **FINANCIAL SUSTAINABILITY AND OPENNESS** – tough decisions will not be shied away from, but will be taken transparently, be well-informed and based upon engagement with our residents.

The Council's Annual Governance Statement (a statutory document which sits alongside the Statement of Accounts, which is inspected by external Audit and which follows the CIPFA format) covers the seven principles of Local Code of Governance (for Local Government) and expects adherence with **Principle A** – Behaving with integrity, demonstrating strong commitment to ethical values and respecting the rule of law.

The Council has adopted a number of documents which collectively form the Council's arrangements under the Localism Act 2011 to fulfil its statutory duty to promote and maintain high standards of conduct, some of which are contained within the Council's Constitution.

Reference to the Members' Code of Conduct, procedures and protocols are referred to throughout the body of the Report, explaining their relevance to the context of the report.

MEMBERS' CODE OF CONDUCT

Full Council, at its meeting in November 2022, decided (Minute No.51) to adopt the Local Government Association's Model Members' Code of Conduct, for the purposes of Sections 27 & 28 of the Act commencing from the Annual Council Meeting in May 2023

In doing that it adopted the Local Government Association Model Code of Conduct which had been drafted in 2020 (version 3). Many Town and Parish Councils within the District and nationally, also adopted this Code of Conduct. This is set out as **Appendix A** to this report.

The Code is intended to be consistent with the Seven Principles of Public Life – the Nolan Principles. These are referred to in the preamble to the Code, under the heading "General Principles of Councillor Conduct" and are attached as Appendix A of the Code.

The Code applies whenever a person is acting in their capacity as a Member or Co-opted Member of the Council. In the preamble, under the heading "Application of the Code of Conduct", the Code says it applies: *"when you are acting in your capacity as a councillor which may include when you misuse your position as a councillor and when your actions would give the impression to a reasonable member of the public with knowledge of all the facts that you are acting as a councillor"*.

The Code of Conduct specifically states it applies to all forms of communication and interaction, including (amongst others) *"in electronic and social media communication, posts, statements and comments"*. In their Code of Conduct guidance, the LGA refers to online communications such as social media and their separately published 'social media guidance for councillors'.

The LGA's published Social Media Guidance for Councillors is intended to be an introduction for councillors on the use of social media. It includes an overview of how and why councillors should use it, their responsibilities, ways to stay safe and approaches to handling negativity.

When considering the use of social media, the main sections of the Code to consider are the following paragraphs (from the Code of Conduct with the guidance text inserted):

General Conduct

1 Respect

As a Councillor:

1.1 I treat other councillors and member of the public with respect.

Respect means politeness and courtesy in behaviour, speech and in the written word. Debate and having different views are all part of a healthy democracy. As a councillor, you can express, challenge, criticise and disagree with views, ideas, opinions and policies in a robust but civil manner. You should not, however, subject individuals, groups of people or organisations to personal attack.

In your contact with the public, you should treat them politely and courteously. Rude and offensive behaviour lowers the public's expectations and confidence in councillors.

In return, you have a right to expect respectful behaviour from the public. If members of the public are being abusive, intimidatory or threatening you are entitled to stop any conversation or interaction in person or online and report them to the local authority, the relevant social media provider or the police. This also applies to fellow councillors, where action could then be taken under the Councillor Code of Conduct, and local authority employees, where concerns should be raised in line with the local authority's councillor-officer protocol.

- *You should always treat others with respect – do not use social media to make personal attacks or indulge in rude, disrespectful or offensive comments or to defame anyone*

2 Bullying, harassment and discrimination

As a Councillor:

2.2 I do not harass any person.

The Advisory, Conciliation and Arbitration Service (ACAS) characterises bullying as offensive, intimidating, malicious or insulting behaviour, an abuse or misuse of power through means that undermine, humiliate, denigrate or injure the recipient. Bullying might be a regular pattern of behaviour or a one-off incident, happen face-to-face, on social media, in emails or phone calls, happen in the workplace or at work social events and may not always be obvious or noticed by others.

The Protection from Harassment Act 1997 defines harassment as conduct that causes alarm or distress or puts people in fear of violence and must involve such conduct on at least two occasions. It can include repeated attempts to impose unwanted communications and contact upon a person in a manner that could be expected to cause distress or fear in any reasonable person.

Unlawful discrimination is where someone is treated unfairly because of a protected characteristic. Protected characteristics are specific aspects of a person's identity defined by the Equality Act 2010. They are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The Equality Act 2010 places specific duties on local authorities. Councillors have a central role to play in ensuring that equality issues are integral to the local authority's performance and strategic aims, and that there is a strong vision and public commitment to equality across public services.

- *You must not bully or intimidate anyone – do not say anything that might be construed as bullying or intimidation whether the comments relate to a council employee, a fellow Councillor or anyone else*

- *You must comply with equality laws*

5 Disrepute

As a Councillor:

5.1 I do not bring my role or local authority into disrepute.

As a Councillor, you are trusted to make decisions on behalf of your community and your actions and behaviour are subject to greater scrutiny than that of ordinary members of the public. You should be aware that your actions might have an adverse impact on you, other councillors and/or your local authority and may lower the public's confidence in you or your local authority's ability to discharge your/its functions. For example, behaviour that is considered dishonest and/or deceitful can bring your local authority into disrepute.

You are able to hold the local authority and fellow councillors to account and are able to constructively challenge and express concern about decisions and processes undertaken by the council whilst continuing to adhere to other aspects of this Code of Conduct.

6 Use of Position

As a Councillor:

6.1 I do not use my position improperly to the advantage or disadvantage of myself or anyone else.

Your position as a member of the local authority provides you with certain opportunities, responsibilities and privileges, and you make choices all the time that will impact others. However, you should not take advantage of these opportunities to further your own or others' private interests or disadvantage anyone unfairly.

- *You must not disclose confidential information – refrain from publishing anything you have received in confidence*

MEMBERS' CODE OF CONDUCT TRAINING

Full Council, at its meeting in November 2022, in addition to adopting the Model Code of Conduct, decided all duly elected Tendring District Council members attend mandatory training sessions on the new Code of Conduct. Tendring District Council promoted the Code of Conduct to Town & Parish Councils in the area for them to adopt, should they wish to do so. Training has also been delivered by the Monitoring Officer on several occasions to those Town and Parish Councillors who attended.

This guidance is referred to within the Code of Conduct training presented by the Monitoring Officer.

LEGAL REQUIREMENTS (including legislation & constitutional powers)

LEGISLATION

LOCALISM ACT 2011

Under section 27(1) of the Localism Act 2011 ("the Act") a 'relevant authority' (which includes a local council) is placed under a statutory duty to 'promote and maintain high standards of conduct by members and co-opted members of the authority'.

Under section 27(2) of the Act, a relevant authority 'must in particular, adopt a code dealing with the conduct that is expected of members and co-opted members of the authority when they are acting in capacity'.

Under section 28(1) of the Act a relevant authority must secure that a code adopted by it is, when viewed as a whole, consistent with the prescribed Principles of Standards in Public Life – the so-called 'Nolan Principles'.

The intention of the legislation is to ensure that the conduct of public life in local government does not fall below a minimum level, which endangers public confidence in democracy.

Under Section 28 of the Act, local authorities (other than parish and town councils) must have in place 'arrangements' under which allegations that an elected or co-opted councillor of the authority or of a town or parish council within the principal authority's area has failed to comply with the authority's Code of Conduct can be considered and decisions made on such allegations. It is for the principal authority to decide the details of those arrangements, but they must appoint at least one Independent Person whose views are to be taken into account before making a decision on a complaint that they have decided to investigate.

Section 28(11) of the Act provides that if a member or co-opted member of the authority has failed to comply with its code of conduct it may have regard to the failure in deciding – a) whether to take action in relation to the member or co-opted member and (b) what action to take.

HUMAN RIGHTS ACT 1998

Section 6 of the 1998 Act states it is unlawful for a public authority to act in a way which is incompatible with a Convention right.

Article 10(1) of the European Convention on Human Rights gives a right to freedom of expression which includes the right to hold opinions and to receive and impart information and ideas without interference by a public authority, subject in Article 10(2) to qualification in respect of such specified public interest such as 'formalities, conditions, restrictions or penalties as are prescribed by law'. The judgement of Hickinbottom J in *Heesom v Public Services Ombudsman for Wales* [2014] EWHC 1504 (Admin) considered the scope of, and legitimate restrictions to, a politician's right of freedom of expression under Article 10 of the European Convention on Human Rights ("the ECHR") and at common law.

CONSTITUTION

TOWN AND PARISH COUNCILS' STANDARDS SUB-COMMITTEE TERMS OF REFERENCE & COMPOSITION

Part 2, Article 9 – Standards Committee (Part 2.27):

9.05

(1) Terms of Reference:

To advise and assist Town and Parish Councils and Councillors to maintain high standards of conduct and to make recommendations to Parish and Town Councils on improving standards or actions following a finding of a failure by a Parish Councillor to

comply with its Code of Conduct.

(2) Composition:

- Three Members of the Standards Committee and three non-voting co-opted Town and Parish Council members to be nominated by the Tendring District Association of Local Councils;
- The nominated Town and Parish Council members will be of independent standing and will not have served as District or County Councillors for a period of four years prior to their nomination;
- Tendring District Council would also prefer that the nominated Town and Parish Council members represented different parish/town councils; and
- A member (or non-voting co-opted member) of the Town and Parish Councils' Standards Sub-Committee will not be permitted to sit in that capacity for a hearing if that Member is the subject of the complaint or the complainant. A substitute will be permitted, if they have undertaken specific Standards Committee training.

FINANCE AND OTHER RESOURCE IMPLICATIONS

Under Section 5(1)(b) of the Local Government and Housing Act 1989, local authorities must provide a Monitoring Officer with sufficient resources to perform their duties. Resources can include the cost of outsourcing an investigation to another organisation or individual. This can be particularly helpful if it is a complex investigation which may absorb an individual's time or where it is politically high-profile or contentious or where there are possible conflicts of interest and it is therefore helpful to have somebody independent from the authority carrying out the investigation. For this case, a decision was made to internally resource the investigation, as it was felt the aforementioned reasons were not applicable in this case. Both parties were informed of the reasons for the investigation within the Monitoring Officer's decision of 20 January 2025.

USE OF RESOURCES AND VALUE FOR MONEY

The following are submitted in respect of the indicated use of resources and value for money indicators:

A) Financial sustainability: how the body plans and manages its resources to ensure it can continue to deliver its services;	These considerations are covered elsewhere within the report.
B) Governance: how the body ensures that it makes informed decisions and properly manages its risks, including; and	
C) Improving economy, efficiency and effectiveness: how the body uses information about its costs and performance to improve the way it manages and delivers its services.	

ASSOCIATED RISKS AND MITIGATION

It is vital that the public has confidence in the high standards of local government and that there is transparency about the conduct of councillors and the mechanisms for dealing with alleged breaches of Code of Conduct. Equally, it is vital that councillors themselves have

confidence in these mechanisms, and that investigations into such complaints abide by the principles of natural justice.

The case of R (Harvey) v Ledbury Town Council 2018 (R Taylor v Honiton TC) made clear that allegations of a failure to follow an authority's Code of Conduct can only be considered in accordance with the principal authority's standards arrangements.

When a matter is referred for investigation or other action, it does not mean that a decision has been made about the validity of the allegation. It simply means that the authority believes the alleged conduct, if proven, may amount to a failure to comply with the Code of Conduct and that some action should be taken in response to the complaint.

The process for dealing with Code of Conduct complaints must be fair and be seen to be fair.

There is a risk that the contents of the Investigation Report could be requested for disclosure under the Freedom of Information Act 2000. In considering such request, the Council would be obliged to consider the legal framework and balance the Subject Members' personal data and the public interest in the disclosure of a former councillor when performing their public duties. This exercise does not form part of this report.

OUTCOME OF CONSULTATION AND ENGAGEMENT

There are no direct implications associated with this report.

EQUALITIES

There are no direct implications associated with this report.

SOCIAL VALUE CONSIDERATIONS

There are no direct implications associated with this report.

IMPLICATIONS RELATED TO DEVOLUTION AND/OR LOCAL GOVERNMENT REORGANISATION

There are no direct implications associated with this report.

IMPLICATIONS FOR THE COUNCIL'S AIM TO BE NET ZERO BY 2050

There are no direct implications associated within this report.

OTHER RELEVANT IMPLICATIONS

Consideration has been given to the implications of the proposed decision in respect of the following and any significant issues are set out below:

Crime and Disorder	Not applicable
Health Inequalities	Not applicable
Subsidy Control (the requirements of the Subsidy Control Act 2022 and the related Statutory Guidance)	Not applicable
Area or Ward affected	All Wards could be affected

ANY OTHER RELEVANT INFORMATION

None

PART 3 – SUPPORTING INFORMATION

BACKGROUND & GUIDANCE

SUMMARY OF COMPLAINT

A complaint was received regarding the alleged behaviour of a Councillor (“the Subject Member”) under the Members’ Code of Conduct, which referred to the alleged behaviours of social media posts made by the Subject Member in contravention of the Members’ Code of Conduct and in particular Paragraphs 1.1, 2.2, 5.1 and 6.1.

In referring the matter for investigation, the Monitoring Officer wrote:

Both parties’ comments have been sought in accordance with the Members’ Code of Conduct Complaints Procedure before considering whether this case merits further investigation.

...

The investigation will need to consider whether Councillor X was acting in their official capacity when posts on social media and in what remit. Councillors acting within their official capacity are bound by the xxx Council’s Members’ Code of Conduct, which sets the Standards of Councillor Conduct. The Code includes obligations, which are the minimum standards of conduct required of councillors. Should a councillor’s conduct fall short of these standards, a complaint may be made against them, which may result in action being taken. Guidance is included within the Code to help explain the reasons for the obligations and how they should be followed.

SOCIAL MEDIA GUIDANCE FOR COUNCILLORS

The Local Government Association (LGA) has produced guidance for the use of social media by Councillors ([Social media guidance for councillors | Local Government Association](#)) through a series of online written and video guides to support councillors. The guide explores the role Councillors can play on social media, how to engage in healthy debate and what to consider when publishing or sharing.

“Effective communication is vital for councillors. Social media can play a key role in achieving this, provided it is used in the right way.

Social media can enable councillors to:

- *promote the work they are doing to a variety of audiences*
- *engage with residents, businesses and community groups*
- *listen to conversations and issues going on in their local areas.*

These guides:

- *Explain how to use various social media platforms*
- *provide advice on creating good content*
- *give tips on accessibility and best practice*
- *show the best ways to engage in healthy debate and tackle online abuse.*

Relevant excerpts from the guidance are as follows:

Having a measured response to online opinions:

There is a risk that Councillors can overreact to views being expressed online. It's key to have a measured response and to remember that not all residents' views are represented online. Listening to opinions online is a helpful way to get a flavour of views in your local area, but it is important to consider the bigger overall picture too.

Engaging in healthy debate and tackling misinformation:

People in the public eye, including Councillors, play an important role within the community, and are regarded as influential in their local area. This is just as true online and on social media as it would be in person or in traditional media. The actions, tone, manner and language that Councillors use online has wide impact – not just personally, but for many other online.

Abide by the golden rule:

Follow the golden rule – do as you would be done by. It is never pleasant to be on the receiving end of negative posts or abusive comments. As a Councillor, you need to rise above such behaviour, make sure the way you respond to others is polite and positive, and encourage healthy debate on your own social media accounts and those of others.

Encouraging positive, polite and constructive debate:

There is a range of ways to encourage positive behaviour online by others. Your first step should be to add the LGA Digital citizenship 'rules of engagement' infographics (<https://www.local.gov.uk/our-support/guidance-and-resources/civility-public-life-resources-councillors/digital-citizenship>) to your accounts. These are downloadable infographics which are easy to add to your profile to make it clear to other social media users that you intend to use your account in a positive and constructive manner.

When you post to your own accounts, make sure you frame your requests for engagement from other users in a positive way. Ask people to keep their posts positive and polite, reminding them that this is possible even if they disagree with other people's views.

Finally, you can make sure that the way you respond to what other people share is also polite and positive, even if you disagree with it or if it is from your political opponents.

Remember – your behaviour influences others:

Your behaviour as a Councillor on social media will influence others. If members of the public see comments a Councillor has made which are not constructive or are negative, it is more likely to make them think that it's ok for them to use poor behaviour online as well. This

doesn't mean you can't disagree with what people say, but the tone in which you do so is important.

Remember – it is not defensible to complain that you are on the receiving end of negativity or abuse, if comments you've made yourself are not polite.

Use your voice to tackle misinformation and inaccuracy:

If you see information being shared that is inaccurate or false, say so. You can comment on the post saying that it isn't true. You could follow this up with a private or direct message to the person sharing the information telling them it's false and asking them to remove the post.

It is also very important for Councillors to verify the accuracy of what they are posting or sharing themselves. It is easy to quickly share content from elsewhere without checking only to find, later, that it is inaccurate.

You can report posts to social media companies, flagging them as being not true. Where relevant, you can report posts to council authorities, for example, to your council's media team if you feel there might be need for rebuttal, or to your council's monitoring officer.

Consider the Code of Conduct while being active on social media:

Councillors need to be aware that they are personally responsible for the content they publish on any form of social media. Publishing an untrue statement about a person which is damaging to their reputation may incur a defamation action for which you will be personally liable. The same applies if you pass on any similar untrue statements you receive.

Is information already in the public domain?

Also consider if information you are considering sharing is already in the public domain or not. If it isn't, is it information that is sensitive financially or politically? Think about what the ramifications might be for you personally if you share information on social media that has, up to that point, been confidential.

Be aware of what you share:

Social media sites are in the public domain and it is important to ensure you are confident of the nature of the information you publish. Once published, content is almost impossible to control and may be manipulated without your consent, used in different contexts, or further distributed.

It's highly recommended that Councillors should never post or share anything online or on social media that they would not be comfortable saying or sharing in a public meeting.

Using a Facebook Page for your Councillor activity on Facebook and a profile for your personal postings does allow separation. If you want to keep your social media activity

private, you can set very strict privacy settings on your accounts. Most social media platforms do have the ability to do this, but they have different actions to do this. So make sure you have got it set right.

Overall, though, it is extremely important to remember that there is still a risk that posts or activity on your personal profile will be seen and shared publicly – no matter how strict your privacy settings are. Saying it is private is no defence.

The Councillor Code of Conduct still applies:

The Councillor Code of Conduct and relevant legislation applies online and in social media. If you are referring online in any way to your role as a Councillor, you are deemed to be acting in your 'official capacity' and any conduct may fall within the Code.

Keeping your personal and family life private:

Make sure you maintain a divide between your personal and family life, and your public profile. On Facebook, we strongly recommend you use a Facebook 'Page' rather than a 'profile' for your Councillor role. This can help you maintain separation and balance. Other social media platforms, such as Instagram and Twitter, have similar options too. Make sure you also set up the privacy control settings offered on each platform.

Your responsibilities as a Councillor - the Golden Rule to follow:

There's a golden rule for using social media, which is: if you are unsure about posting something, stop and ask for advice first before doing anything else.

Social media works in the public domain. Once something is published it is 'out there' for everyone to see and very easily it can:

- *go viral*
- *be altered or changed without your consent*
- *be taken out of context*
- *be shared around the world*

How to deal with negativity and abuse online:

Unfortunately, on every social media platform, there can be other users who are negative and abusive. Such people are often referred to as 'trolls'. Trolls are not easy to deal with – the best way is 'not to feed them'. By this, we mean don't respond to what they post, which is designed to upset, elicit a response or to further their own goals. Your best response is to either ignore what they have posted, or (if it's on your own page or profile) to delete or hide

their comment, so your other followers don't see it either.

In 2024, the National Association of Local Councils published its most recent Good Councillors Guide and within the 'serving the community' chapter included a dedicated section on Communication and Social Media, which states as follows:

"For local councils, acting as a corporate body, the use of social media to communicate with the local community and raise the profile of the local council is to be encouraged. If used properly it is a powerful tool and can successfully reach a more time-poor, younger or housebound audience. However, it is also important for the council not to rely on it completely; it should be used only in addition to more traditional methods of communication so as not to exclude residents without online access.

Communications about council activity should be managed by the officers using the council's social media accounts. This is just the same as sending letters from the council "through the office". The council's formal social media accounts should not be used by councillors individually because they do not have any authority to act alone on behalf of the council. Posts should be controlled and monitored by an officer(s) to ensure they comply with the General Data Protection Act Regulation (GDPR) and the council's own communications policies.

It is advised that an officer (usually the clerk) be responsible for adding content to these corporate accounts. Please talk to the clerk for more information.

If an individual councillor chooses to use a personal social media account to communicate with the community, it is particularly important that they remember that the code of conduct and standards in public life rules still apply.

- They should not bring the council into disrepute and should act with honesty, integrity, etc.*
- Councillors cannot rely on the fact that they are using a personal social media account to divorce themselves from the responsibility that they have under the council's own Code of Conduct and civility and respect pledge.*
- Once a decision has been resolved by the council, councillors should stand by that decision, as a member of that council.*
- Councillors should not use social media to criticise the council's decision, even if they voted against it. This is because a councillor's own personal opinion is not paramount in the collective decision-making process of a local council.*
- They should not give the impression that they represent the views of their council, as only the council officers can do that, on the corporate account and once a resolution has been passed by the council.*

- *They should not give the impression that they can act as individuals to resolve any issues raised by the public, as only the council can resolve to take any action.*

If a councillor is using social media to campaign on an issue where a decision by the local council is yet to be made, it gets even trickier, because councillors must be careful to not give the impression that they will not keep an open mind for the council meeting at which that decision is to be taken. If not, the Council decision could be challenged based on predetermination. A good councillor attends a council meeting to listen to all arguments put forward before deciding which way to vote.

When communicating on a personal social media account about your council's activity, if you are in any doubt about whether it would breach the Code of Conduct, leave it out. Do not risk a challenge and/or a complaint being made against you.

For further guidance on councillors using social media visit www.local.gov.uk/our-support/communications-and-community-engagement/social-media-guidance-councillors.

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This guide has been produced and dedicated to local Town and Parish Councils,

APPENDICES

Appendix A – Members' Code of Conduct

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