

Office of the Integrity Commissioner

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POTENTIAL SOCIAL MEDIA POLICY OR GUIDELINES FOR CITY COUNCIL FOR THE CITY OF EDMONTON

Date: January 21, 2021
To: Code of Conduct Committee, City Council for The City of Edmonton
From: Jamie Pytel, Integrity Commissioner for the City of Edmonton

Council has requested information regarding a possible policy or set of guidelines for Council Members related to Social Media.

Purpose of a Social Media Policy or Guidelines

A policy or guidelines would provide principals and standards around conduct on Social Media to:

- Support communications on Social Media by Council Members, while minimizing or preventing harassment or abuse of Council Members;
- Ensure the public can communicate with and participate in public forums with Council Members on matters of public interest; and
- Assist Council Members with compliance with the *Council Code of Conduct Bylaw 18483* (the “Code”).

Democracies can only work if people have access to information and Council Members can engage the public. My office has received a number of complaints from the public that Council Members were blocking them on Social Media. Some see this as disrespectful, undemocratic, targeting individuals, preventing the public from communicating with and receiving communications from Council Members, limiting their freedom of expression on issues of public interest, etc.

However, Council Members are sometimes harassed, trolled, etc. on Social Media. This interferes with their ability to communicate on these forums and can be personally distressing. While Council Members' communications on Social Media are governed by the Code, they currently are not given much guidance as to what they can do about conduct towards them on their Social Media accounts.

By virtue of being an elected official, Council Members will be subject to criticism and contrary views that may at times feel like a personal attack. However, just as Council Members wish to engage in vigorous debates, constituents should also be able to do so, even in what may come across as caustic and disrespectful. When managing their official Social Media accounts, Council Members should err on the side of freedom of expression and allowing constituents to engage in this public forum. There should, however, be limits on these communications if they are extremely abusive or shut down the ability of the Council Member and users to communicate on these platforms.

Below, for discussion, are possible principles to be incorporated into a policy or guidelines.

Application of the Policy or Guidelines

A Social Media Policy or guidelines would apply to communications involving Council Members about their Council role and City business, including issues of general interest. It would not cover private activities and interests.

Definitions

Blocking means stopping a particular user from directly viewing, responding to or making comments on the Social Media page.

Bots are programs that artificially behave, interact with other programs or generate content as if by a person or user.

Muting means hiding the contributor's shared content from a person's timeline without otherwise restricting that contributor's access, whether for a temporary length of time or permanently.

Trolls or Disrupters intentionally initiate on-line conflict or havoc, and are often intent on disrupting conversation. Activity may include flaming or repeatedly insulting or attacking users, posting off-topic or provocative content, that does not contribute to the discussion.

Social Media is on-line profiles, pages, communications and activity, including social networking, professional networking, video and photo sharing, blogs, micro-blogs, message boards, webcasting, etc.

Spam means bulk unwanted or unsolicited, electronic communications that is often sent out automatically; it can be used as a way to artificially generate credibility, support or

dissent for a point of view, often involving posting excessive links or images to a person's timelines.

Guiding Principles

1. Council Members must ensure that their conduct on Social Media complies with the requirements of the Code and related policies.
2. Users should not be blocked from Council Member's Social Media pages simply because they disagree with a Council Member on a topic or are critical of a Council Member. Blocking should be done very sparingly and only with justification. Muting is preferable where appropriate and justified.
3. The response to a user should be proportionate to the conduct (i.e. it is almost never appropriate to block a user forever). Warning before blocking, or temporarily blocking or muting may be more appropriate. Documenting why the user has been blocked and letting them know why this has happened is recommended.
4. It is reasonable for Council Members to block or mute those accessing their Social Media pages or profiles:
 - a. if the users are trolls, disrupters, spam, or bots;
 - b. if the users' activity indicates or encourages discrimination against a person or class of persons, or is likely to expose a person or a class of persons to hatred or contempt, based on:
 - race, religious beliefs, color, gender, gender identity, gender expression, physical disability, mental disability, age, ancestry, place of origin, marital status, source of income, family status, or sexual orientation.
 - c. when content is:
 - obscene, profane, pornographic, hate speech or illegal
 - threatening physical harm or violence, intimidating, or significant abuse
 - demeaning or degrading personal verbal attacks on a Council Member, their staff or family members

Other possible restrictions could include [for discussion]:

- limiting comments to only those that are public in nature (i.e. not just personal to the contributor)
 - putting reasonable limits on the number of comments a single user may make regarding each post by the Council Member
5. Council Members' activity on Social Media remains their responsibility whether they are assisted by staff or others with their Social Media accounts.
 6. Council members must ensure there is a distinction between their personal and official Council Member or City accounts. If they use their personal accounts to comment on Council activities or City business, their comments will be governed by the Code and any applicable policies.
 7. A Council Member cannot avoid the Code or applicable policies by changing the name or identifier on their Social Media account. [What matters is not where the comment is made, but what the comment is about].
 8. A Council Member following another Social Media account does not imply endorsement of the content on the other account by the Council Member.
 9. A Council Member sharing or distributing content (i.e. re-tweeting, re-posting, re-blogging, etc.) can be found off-side the Code and applicable policies if the act of sharing or the shared content violates the Code or applicable policies [eg. disseminating false information about Council decisions].
 10. Council Members should be diligent when inviting guest speakers on their Social Media platforms, as they may be seen as representing the Council Members' thoughts and beliefs, or the Council Member may be seen as endorsing the guest speaker's stated opinions or beliefs.
 11. Council Members must not use their official Council accounts to solicit funds, donations or volunteers for their own or another political candidate's campaign. [Note, if Council wants the ability to convert an official account for use during a campaign, guidelines can be provided for that purpose].
 12. Council Members must not accept a gift, fee or personal benefit in exchange for Social Media activity, interaction or promotion on their official Council accounts. [Note: this ties into not being seen in a conflict of interest with respect to decision-making].

13. Council Members may post content that is voluntary and otherwise in accordance with the Code, to raise awareness of local events local businesses and activities, government programs, a Council Member’s attendance at an event, and a Council Member’s activities related to their role as Council Members.

14. Council Members are encouraged to publish on their Social Media pages a statement around what conduct will / will not be permitted. For instance,

“This page is managed in accordance with the Council approved Social Media Policy or guidelines [insert link to Policy or guidelines]”

or set out the guidelines being followed.

15. Council Members should use best efforts to consistently apply these principles to avoid being accused of discriminating against or singling out an individual or group.