

Notice of Meeting

Personnel Committee

Monday, 20th February, 2012 at 9.30 am
in Meeting Room S4 - Council Offices

Date of despatch of Agenda: Friday, 10 February 2012

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact Moira Fraser / Denise Anns on (01635) 519045 / 519486

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Further information and Minutes are also available on the Council's website at www.westberks.gov.uk



To: Councillors Tony Linden, Mollie Lock (Vice-Chairman), Andrew Rowles and Quentin Webb (Chairman)
Substitutes: Councillors David Allen, Peter Argyle, Jeff Beck and Jeff Brooks

Agenda

Part I

Page No.

1. **Apologies for Absence**
To receive apologies for inability to attend the meeting (if any).
2. **Minutes** 1 - 4
To approve as a correct record the Minutes of the meeting of the Committee held on 14 December 2011.
3. **Declarations of Interest**
To receive any declarations of interest from Members.
4. **Statutory Pay Policy Statement (C2400)** 5 - 24
Purpose: To recommend a draft pay policy statement to be published from 1st April 2012.

Items for Information

5. **Social Media Guidance** 25 - 32
6. **Date of Next Meeting**
Next meeting 19 March 2012, 9.00am in Room F3 second floor Market Street.

Andy Day
Head of Policy and Communication

West Berkshire Council is committed to equality of opportunity. We will treat everyone with respect, regardless of race, disability, gender, age, religion or sexual orientation.

If you require this information in a different format, such as audio tape, or in another language, please ask an English speaker to contact Moira Fraser on telephone (01635) 519045, who will be able to help.

Note: These Minutes will remain DRAFT until approved at the next meeting of the Committee

PERSONNEL COMMITTEE

**MINUTES OF THE MEETING HELD ON
WEDNESDAY, 14 DECEMBER 2011**

Councillors Present: Adrian Edwards, Tony Linden, Mollie Lock (Vice-Chairman) and Quentin Webb (Chairman)

Also Present: Robert O'Reilly, Jane Milone and Spencer Scott.

Apologies for inability to attend the meeting: Councillor Andrew Rowles

PART I

12. Minutes

The Minutes of the meeting held on 20 September 2011 were approved as a true and correct record and signed by the Chairman.

13. Declarations of Interest

There were no declarations of interest received.

14. Draft Pay Policy Statement

The Committee considered a verbal report (Agenda Item 4) concerning Draft Pay Policy Statement.

Jane Milone explained to those present that the implementation of the Localism Act required all Local Authorities to produce a pay policy statement and set up a 'remuneration committee'. She went on to give the Committee further detail regarding this regulation and explained that the Committee was not set up at the moment and that details would go to full Council for the March 2012 meeting for Members to agree.

Councillor Quentin Webb queried what the purpose of the Committee would be and Jane Milone answered that it would determine the pay of 'top staff' and oversee the pay policy of the Council.

Councillor Quentin Webb responded to say that financial matters were not currently within the remit of the Personnel Committee and if this was to be added to its terms of reference it would be a major change in its role. Councillor Adrian Edwards commented that if the Personnel Committee had to support this role, the membership would have to increase to include a finance representative.

Robert O'Reilly advised that as yet Officers were not aware as to what other authorities were doing. He went on to say that the last efficiency retirement decision was made two years ago and that a similar process (of Executive approving a potential payment first and leaving the Personnel Committee to make the actual decision) could be used for pay policy decisions by the 'remuneration committee'.

Councillor Tony Linden advised that on the general pay policy the Council had the right to set the annual pay award but that West Berkshire tended to follow what was happening to pay nationally in local government. Currently there was a 0% increase predicted for next year.

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Robert O'Reilly concluded that the Council needed to get Legal advice on the correct place for the new remuneration committee role and see what other councils were doing. The pay policy statement had to be produced by April 2012.

The Personnel Committee therefore concluded to take no action until the item was brought back to the 19th March 2012 meeting.

15. **Recognising Continuous Service for Employees Transferring from Academies (PC2385)**

Robert O'Reilly introduced the report by explaining that local authorities had discretion over whether to recognise service with academies for occupational benefits. This covered sick pay entitlement, annual leave entitlement and occupational maternity leave and pay. He went on to say that no other authorities were recognising academy service for occupational benefits and that although there were no issues at the moment, as time passed the Council would need to be clear on what advice was given to schools.

Jane Milone went on to explain that if an employee at, for example, Park House School (Academy) wanted to move to a West Berkshire School they would have to work up their sick and (for support staff) annual leave entitlements again. Councillor Mollie Lock said that Academies could set their own salaries and queried whether West Berkshire Council would have to take that into account if they transferred? Robert O'Reilly explained that the Council would not have to.

Councillor Quentin Webb asked if a teacher currently working in an Academy could stay on the Local Authority terms and conditions of employment? Robert O'Reilly responded that they did not have an option and had to TUPE transfer to the academy. They would however, transfer on their existing terms and conditions.

Councillor Tony Linden asked if Legal had checked this and commented that the Council needed to be flexible? Robert O'Reilly advised that Legal had been consulted via Corporate Board. In his view there was no possibility of a legal challenge. This was not a legal issue, more of a moral one.

Councillor Quentin Webb asked if an Academy had to be transparent in the wage structure they applied? Robert O'Reilly responded that the Governing Body in the school should monitor the wage structure in an academy.

Councillor Tony Linden commented that the Council needed to treat people fairly and queried whether the Council should alert staff as to the consequences of these changes? Robert O'Reilly advised that an article would be placed in the next school newsletter and on the Council website. The teaching trade unions had also been informed. Councillor Mollie Lock felt that as it was on the Council website it was in the public domain and therefore accessible by everyone.

RESOLVED that:

- Robert O'Reilly to keep the teaching unions informed, to put an article in the next schools newsletter and put on the information on the Council website.
- The policy should be adopted.

16. **Employing Apprentices in the Council (PC2362)**

Councillor Quentin Webb asked for clarification regarding the term 'apprentice' and specifically whether the meaning in the report differed from the traditional meaning? Jane Milone explained that in government terminology it meant:

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'a person who is employed but for part of that time is employed in a government structured one (1) year programme'. She went on to say that promoting apprentice numbers would support the Council's targets and would take advantage of the Government's fully funded training offer. This report was specifically for 16 – 18 year olds and for Looked After Children (LAC).

Councillor Quentin Webb asked what the end result for the person would be?

Jane Milone explained that they would leave with one (1) years work experience and a recognised qualification. Councillor Quentin Webb asked if a level for failure had been set? Jane Milone advised that the person could fail and that they were trying to set the pass level at a GCSE pass level.

Councillor Mollie Lock drew attention to paragraph 2.3 (1) where the phraseology could be interpreted as using the person as a cheap stop gap and went on to say that this was not right. Jane Milone advised that this was a sensitive issue with the trade unions and explained the funding source for the posts. The vacancy was a source of money not that the apprentice would cover the work of the vacant post.

Councillor Tony Linden commented on the minimum target of ten (10) posts per Head of Service. Robert O'Reilly explained that it was not ten (10) per service area, but ten (10) across all service areas. Councillor Quentin Webb said that as it mentioned 'at least ten (10) per year' did the Council not need to set a maximum number as well? Robert O'Reilly said that there was no benefit in setting a maximum number and therefore no maximum number had been set.

Councillor Mollie Lock asked if the age group of 16 – 18 years of age was the age group that the Council would be adhering to in the future? Robert O'Reilly advised that this would be continuously reviewed.

Councillor Mollie Lock asked if priority would be given to Looked after Children and Officers confirmed that it would be. Councillor Quentin Webb asked if there was going to be a formal training scheme? Jane Milone explained that the Council would be working with a training organisation and formal training would be provided.

Councillor Quentin Webb asked who would manage and monitor the scheme? Jane Milone advised that the training organisation would manage the scheme with the relevant Head of Service providing the monitoring. Councillor Quentin Webb asked if the apprentices would work across the service areas therefore covering a wide range of jobs. Robert O'Reilly said that this had not been thought about, but that Human Resources could arrange to get the apprentices together on a regular basis (quarterly) and discuss progress and any issues they might have.

Councillor Tony Linden raised the issue of confidentiality and shared services and this would be covered. Robert O'Reilly said that the induction process would cover this just as it covered any new employee.

Councillor Adrian Edwards commented on the small amounts of money that the apprentices could earn and the distances they might have to travel to take up these apprenticeships. He therefore queried whether services could look at providing travel costs? Robert O'Reilly advised that services could pay an additional hourly rate if necessary but the Council did not pay home to work expenses because of the tax implications.

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Councillor Tony Linden asked if CRB checks would have to be done on employees working with the apprentices because the apprentices would be under 18? Jane Milone advised that she would check to see if they were needed.

The Personnel Committee supported the recommendation with the following provisos:

- Human Resources to organise quarterly meetings with all apprentices together to discuss progress and deal with any issues.
- A progress report on how things are going to be brought back to the Personnel Committee in six months by Human Resources.

17. H&S Audit Procedure

Spencer Scott introduced the item by explaining that although the process they followed had not changed, it had not been formally captured in a document.

As the document had not been circulated either prior to this meeting or at the meeting it was agreed that this item be brought back to the next Personnel Committee meeting in March 2012.

The Chairman of the Personnel Committee requested that Spencer Scott emailed a copy of the document to all Members and that Member's respond to him by the 16 January 2012. If issues were raised by Members then the document would be brought back to the March 2012 meeting. In the event of no issues being raised or responses not received the Chairman of the Personnel Committee would make a decision and notify everyone accordingly.

18. Date of Next Meeting

The Committee agreed to hold the next meeting on Monday 19th March 9.00am in Room F3, 1st Floor, Market Street, Newbury.

(The meeting commenced at 9.00 am and closed at 10.15 am)

CHAIRMAN

Date of Signature

Agenda Item 4.

Title of Report:	Statutory Pay Policy Statement
Report to be considered by:	Council
Date of Meeting:	01 March 2012
Forward Plan Ref:	C2400

Purpose of Report:	To recommend a draft pay policy statement to be published from 1st April 2012
Recommended Action:	To recommend that Council approves the Pay Policy Statement attached at Appendix B
Reason for decision to be taken:	To comply with the requirements of s38 of the Localism Act 2011 To comply with the Code of Practice for Local Authorities on Data Transparency in relation to senior salary publication
Other options considered:	To produce and publish separate information for each of the statutory requirements above. However, as they are intricately linked it makes sense to publish both together so that the public can see all the information in one place.
Key background documentation:	The Code of Recommended Practice for Local Authorities on Data Transparency Sept 11(CLG) The Localism Act Nov 11, s38-43 (legislation.gov.uk) Openness and accountability in local pay: Draft guidance under section 40 of the Localism Act Nov 11(CLG) Localism Act: Pay Policy Statement Guidance for Local Authority Chief Executives Nov 11 (JNC for Chief Officers)

The proposals will also help achieve the following Council Plan Theme:

CPT13 - Value for Money

The proposals contained in this report will help to achieve the above Council Plan Theme by: ensuring that we comply with legislation

Portfolio Member Details	
Name & Telephone No.:	Councillor Anthony Stansfeld - Tel (01488) 658238
E-mail Address:	astansfeld@westberks.gov.uk
Date Portfolio Member agreed report:	01 February 2012
Contact Officer Details	
Name:	Jane Milone
Job Title:	HR Manager
Tel. No.:	01635 519238
E-mail Address:	jmilone@westberks.gov.uk

Implications

Policy:	The Council is required to publish a statement of its pay policy. The proposed statement does not involve a change of policy on senior salaries.
Financial:	None
Personnel:	None
Legal/Procurement:	This statement will ensure that the Council complies with the Localism Act 2011
Property:	None
Risk Management:	None
Equalities Impact Assessment:	completed - no impact
Corporate Board's Recommendation:	Continue to Management Board

NOTE: The section below does not need to be completed if your report will not progress beyond Corporate or Management Board.

Is this item subject to call-in?	Yes: <input type="checkbox"/>	No: <input checked="" type="checkbox"/>
If not subject to call-in please put a cross in the appropriate box:		
The item is due to be referred to Council for final approval		<input checked="" type="checkbox"/>
Delays in implementation could have serious financial implications for the Council		<input type="checkbox"/>
Delays in implementation could compromise the Council's position		<input type="checkbox"/>
Considered or reviewed by Overview and Scrutiny Management Commission or associated Task Groups within preceding six months		<input type="checkbox"/>
Item is Urgent Key Decision		<input type="checkbox"/>
Report is to note only		<input type="checkbox"/>

Executive Summary

1. Introduction

- 1.1 This report proposes a draft pay policy statement for publication with effect from 1st April 2012, and annually thereafter.
- 1.2 In September 2011 the Department for Communities and Local Government published its Code of Recommended Practice for Local Authorities on Data Transparency ('the Code'). This includes a requirement to publish a set of data relating to the remuneration and responsibilities of senior officers.
- 1.3 In November 2011 the Localism Act ('the Act') came into effect after receiving Royal assent. Section 38 of the Act requires local authorities to publish an annual pay policy statement, starting with 2012/13. The first statement must be published by 31st March 2012. The Joint National Council for Chief Officers has published guidance to help local authorities in drafting the pay policy statement required under the Act.
- 1.4 Although the information required for each is not identical, it is complementary and one helps to understand the other. Publishing the information required under the Code as part of the pay policy statement would enable the public to have all the relevant information in one place.

2. Proposals

- 2.1 It is proposed that a single statement is produced for publication, within the timescales required under the Act, to meet the requirements of both the Code and the Act. This would require the Council to approve a pay policy statement before 1st April 2012, and annually thereafter.
- 2.2 It is proposed that the Personnel Committee recommends the Pay Policy Statement to full Council for approval. This fits within its terms of reference which are to consider matters of personnel policy. Approval for the statement cannot be delegated to a committee.
- 2.3 A draft Pay Policy Statement is appended for consideration.

3. Conclusion

- 3.1 Publication will enable the Council to comply with s38 of the Localism Act and with the Code of Recommended Practice for Local Authorities on Data Transparency.

Executive Report

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- 1.4 Although the information required for each is not identical, it is complementary and one helps to understand the other. Publishing the information required under the Code as part of the pay policy statement would enable the public to have all the relevant information in one place.

2. Localism Act Requirements

- 2.1 S38 of the Act draws on Will Hutton's 2011 Review of Fair Pay in the Public Sector. It made several recommendations for promoting pay fairness in the public sector by tackling disparities between the lowest and the highest paid in public sector organisations.
- 2.2 Interestingly, the review noted that the public overestimates how much public sector executives are paid, and that chief executive officers of companies with a turnover of between £101 million and £300 million earn more than twice their public sector counterparts. The review also found that the sharp increase in executive pay over the last decade, and the wider trend of growing income inequality, has been largely a private sector phenomenon, and that pay multiples were much wider in the private than public sector. (Executive Summary - Hutton Review of Fair Pay in the public sector: Final Report - March 2011)
- 2.3 S38 of the Act requires the local authority to prepare and publish a pay policy statement for the financial year 2012/13 and each subsequent year. The method of publication is at the discretion of the authority, but it is expected to comply with the principles set out in the Code for data transparency. The statement must be approved by the full Council.
- 2.4 The statement should set out the policies in relation to;
 - (1) Remuneration of its chief officers
 - (2) The remuneration of its lowest paid employees (and our definition and reasons for defining it)
 - (3) The relationship between the remuneration of its chief officers and those who are not chief officers

- 2.5 The definition of chief officers includes the Chief Executive, the Monitoring Officer, the Section 151 Officer, Corporate Directors, as well as those who report directly to any of these post holders. Thus, in West Berkshire Council, this definition would include all Heads of Service.
- 2.6 Chief officer remuneration includes salary, bonuses, performance-related pay, fees or allowances (including as returning officer), benefits in kind, etc. The policy should also state how chief officer salary will be determined on appointment and any arrangements for payments upon leaving office.
- 2.7 Hutton had a remit to explore whether a pay cap based on a 20:1 top to bottom pay multiple should be implemented. His report found that this level of cap would affect as few as 70 senior managers across public services, and any single limit on pay dispersion would unfairly hit some organisations more than others, could create perverse incentives and even become a target for those executives earning less. Rather than complying with a cap, he felt that organisations should track, publish and explain their pay multiples over time, and that the most appropriate metric is top to median earnings. In WBC the ratios are as follows; Highest:lowest = 10.8:1; Highest:median = 5.8:1.
- 2.8 West Berkshire Council has a fairly simple approach to pay, in that our WBC terms and conditions of service apply to all employees, including our chief officers as defined above. It follows that publishing our policy in respect of both chief officers and other employees will be relatively simple. All our terms and conditions, and pay rates, are published already on the website through the HR pages.
- 2.9 Although the JNC guidance suggests that this is a good opportunity for local authorities to review their pay policies, it is not proposed that WBC carry out a wholesale review at this stage. Within the past year the Transformation and Efficiency Board has considered a report on reducing the costs of staffing (and some changes have been made to terms and conditions as a result) and last year it rejected a proposal to review the pay and grading structure within the Council on the grounds of its potential high costs. In the circumstances, a simple statement of existing policy should suffice.

3. Transparency Code Requirements

- 3.1 The Code of Recommended Practice for Local Authorities on Data Transparency was published by the Department for Communities and Local Government in September 2011. Alongside the requirement to publish data on aspects of the Council such as spending and financial indicators, procurement, Councillor allowances and assets, the Council is required to publish details of senior salaries and responsibilities, pay multiples and organisational structure.
- 3.2 Specifically, we must publish;
- (1) Senior employee salaries, names (with the option for individuals to refuse to consent for their name to be published), job descriptions, responsibilities, budgets and numbers of staff.
 - (2) An organisational chart of the staff structure of the local authority including salary bands and details of currently vacant posts.
 - (3) The 'pay multiple' – the ratio between the highest paid salary and the median average salary of the whole of the authority's workforce.

- 3.3 'Senior employee salaries' is defined as all salaries which are above £58,200 and above (irrespective of post), which is the Senior Civil Service minimum pay band. Budgets should include the overall salary cost of staff reporting to each senior employee.
- 3.4 The information listed above is intended to be a minimum data set. It is open to the authority to publish such additional information as they see fit regarding remuneration.
- 3.5 The Council published senior salary information in January 2011, on the basis of a draft of the Code. A decision was taken by Corporate Board at the time to restrict the published information to the minimum required in the draft code.

4. Recommendations

- 4.1 The Code requires us to publish information on actual salaries and responsibilities, whilst s38 of the Act requires a statement of policy on pay and benefits. The CLG draft guidance on the Act states; "pay policy statements offer an opportunity to put [data required to be published under the Code] firmly within the context of the Council's agreed policies..."
- 4.2 It is proposed that a single statement is produced for publication, within the timescales required under the Act, to meet the requirements of both the Code and the Act. This would require the Council to approve a pay policy statement before 1st April 2012, and annually thereafter.
- 4.3 The statement should be clear in its scope and intent and only contain information that is not otherwise available on the website. The statement should contain links to the other sources of information on the website. Where necessary, numerical data should be made available as recommended under the Code (which recommends that data be published in a machine-readable format and under a licence that allows open re-use).
- 4.4 It is proposed that the Personnel Committee recommends the Pay Policy Statement to full Council for approval. This fits within its terms of reference which are to consider matters of personnel policy. Approval for the statement cannot be delegated to a committee.
- 4.5 A draft Pay Policy Statement is appended for consideration.

Appendices

Appendix A – Equality Impact Assessment – Stage 1

Appendix B - Draft Pay Policy Statement April 2012 – EXEMPT PART II AS ITEM HAS NOT YET BEEN APPROVED.

Consultees

Local Stakeholders:

Officers Consulted: Corporate Board

Trade Union: n/a

Equality Impact Assessment – Stage One

Name of item being assessed:	Draft Pay Policy Statement April 2012
Version and release date of item (if applicable):	
Owner of item being assessed:	Jane Milone
Name of assessor:	Jane Milone
Date of assessment:	23rd January 2012

1. What are the main aims of the item?
To publish pay policy information in line with S38 of the Localism Act and senior salary information in line with the code of Practice for Local Authorities on Data Transparency.

2. Note which groups may be affected by the item, consider how they may be affected and what sources of information have been used to determine this. (Please demonstrate consideration of all strands – age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; sexual orientation)

Group Affected	What might be the effect?	Information to support this.

Further comments relating to the item:
No policy changes are proposed, therefore there will be no impact, differential or otherwise, on any particular group.

3. Result (please tick by clicking on relevant box)
<input type="checkbox"/> High Relevance - This needs to undergo a Stage 2 Equality Impact Assessment
<input type="checkbox"/> Medium Relevance - This needs to undergo a Stage 2 Equality Impact Assessment
<input type="checkbox"/> Low Relevance - This needs to undergo a Stage 2 Equality Impact Assessment
<input checked="" type="checkbox"/> No Relevance - This does not need to undergo a Stage 2 Equality Impact Assessment

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Social Media Guidance

Reference: HRSM1
 Version No: D3
 Issue Date: December 2011

Document Control

Document Ref:	HRSM1	Date Created:	December 2011
Version:	D3	Date Modified:	
Revision due			
Author:	Katie Penlington	Sign & Date:	
Head of Service:	Robert O'Reilly	Sign & Date:	
Equality Impact Assessment: (EIA)	Date undertaken:		
	Issues (if any):		

Change History

Version	Date	Description	Change ID
D3	December 2011	Social Media Guidance	

Related Documents

Reference	Title	Tier
	ICT Policy	
	Code of Conduct	
	Disciplinary Procedure	

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DRAFT

1. Purpose

- 1.1. The purpose of this document is to provide guidance on the appropriate use of social media in order to:
 - 1.1.1. Ensure that the reputation or credibility of the Council is not adversely affected.
 - 1.1.2. Ensure that the Council is not subject to legal challenge as a result of material posted on social networking sites e.g. data protection, discrimination and other sensitive information.
 - 1.1.3. Safeguard the privacy of service users.

2. Applicability

- 2.1. This guidance applies to all employees working for the Council, including those working from home or at non-Council locations.
- 2.2. Other persons who should have regard to this guidance include elected members, consultants, agency staff, volunteers and contractors working for the Council, external organisations working with the Council, whilst engaged on Council business.
- 2.3. It is the responsibility of all those stated above to familiarise themselves with and adhere to this guidance.
- 2.4. This guidance/policy should be read in conjunction with the Council's ICT Policy, the Code of Conduct for Officers and Members and the Disciplinary Rules.
- 2.5. This guidance is primarily concerned with personal use of social media. Where social media sites are used as part of service delivery, any service specific rules that apply should also be followed.

3. Roles and Responsibilities

- 3.1. Those listed above are responsible for familiarising themselves with, and ensuring that they comply with this standard and ensuring that their use of social media, whether at work or in their own time work, **does not**:
 - Adversely affect the Council or its business
 - Damage the Council's reputation or credibility
 - Breach any Council policies
 - Put service users or colleagues at risk
- 3.2. Failure to follow this guidance, even where the use of social media has occurred outside work, may lead to action being taken against employees under the Council's disciplinary procedure. Relevant action will be taken against non-employees.

4. The reputation of the Council

4.1. Maintaining credibility with the public is very important to the Council. It is important that the reputation of the Council is not damaged by the actions of employees either at work, or through their actions outside of work.

4.2. The Council's Code of Conduct for Employees states;

'The public is entitled to expect the highest standards of integrity from local government employees and to know that decisions and actions taken are fair and impartial. Public confidence is shaken if there is the least suspicion, however ill founded, that there has been improper conduct or that decisions and/or actions have been influenced by improper motives or pressures. Councils are expected to provide clear guidance to their employees on what is acceptable conduct and what is not.'

4.3. The WBC Code of Conduct for Members states;

'You must not conduct yourself in a manner which could reasonably be regarded as bringing your office or authority into disrepute.'

4.4. The Disciplinary Rules give the following as examples of gross misconduct:

'Omission or conduct liable to lead to serious loss of confidence in the public service' and

'Criminal offences or other conduct outside employment which would prevent an employee from continuing to do his/her job or which affects his/her suitability to perform his/her work, makes him/her liable to be unacceptable to other employees or management, or is liable to damage the Authority's business'

4.5. The way in which employees and others associated with the Council, present and conduct themselves on social networking sites can have an impact on the public perception of the Council. Everything shared on a social networking site could potentially end up in the public domain. Even where privacy settings have been set up to allow 'friends' only access, opinions expressed, information given and photos or videos posted could be seen or used by someone not originally intended.

4.6. Employees should ensure that their use of social media, either as part of their work, or in their own time, does not damage the reputation of the Council.

5. Breach of policies and/or procedures

5.1. Employees should ensure that their use of social media does not breach any of the Council's policies and procedures, or result in the Council being subject to legal challenge.

5.2. The Officer Code of Conduct, Members' Code of Conduct, ICT Policy and Disciplinary Rules are particularly relevant to the use of social media. Relevant sections of these are referred to in the following sections.

5.3. Employees should ensure that they are familiar the above documents in their entirety and with any other policies and procedures relevant to their service area.

6. Use of social media - general

6.1. There are many different types of social media. A guide to some of the most popular can be found in appendix one.

6.2. The Council recognises that social media sites can be a useful way of promoting the Council's activities and of developing and maintaining social networks. Where social media is used as part of an employee's work, he/she should ensure it is used in accordance with service policies, procedures and guidance, and the Council's ICT policy,

6.3. The Council also recognises that many employees use social media to interact socially with colleagues and friends. It is not the Council's intention to suggest that employees should not use social media in their own time. However it expects certain standards of conduct to be observed to protect its credibility, reputation and to protect employees and service users from the dangers of inappropriate use.

6.4. Front line staff (e.g. social workers, planners and environmental health officers) may wish to consider carefully how publicly their profile information can be seen, and what information to include, when setting up a social media account. Including information about their employer or type of work may enable service users to identify them.

7. Accessing social media sites whilst at work (including working at home)¹:

7.1. Employees should not use the internet to access or update their own personal social networking sites (e.g. Facebook) or to access any other recreational sites during core working hours, as doing so means that they are wasting time for which they are being paid by the Council. Access to corporately provided Facebook pages e.g. Youth Services are exempt from this restriction.

7.2. Employees may use the Internet to access non-work related sites for personal reasons during their lunch break or before or after they have completed their working hours for the day. They should check before doing so that this is operationally convenient in their work area. They should always 'clock out' of the flexitime recording system (or the system that is in use in the work area) before using the Internet for non-work purposes.

7.3. These rules apply whether the internet is being accessed via the Council's ICT equipment, or employees' own devices e.g. smart phones.

7.4. It is important that access to the internet in WBC is used responsibly and legally. Users must not take any action which could bring the Council into disrepute, cause offence, interfere with the individual's or organisation's work or jeopardise the security of the Council's ICT systems, software or data.

¹ These rules about accessing social media sites using the internet can be found in the Council's ICT policy.

8. Using social media outside work

- 8.1. Employees and others associated with the Council should be mindful that anything posted on social media sites, even where privacy settings have been used, could become publicly available. When posting comments, opinions photos and/or videos on social media sites they should take care that they do not do anything that breaches confidentiality, which could bring the Council into disrepute or which breaches Council policies. They should consider whether they would say or display what they are posting publicly, to an unknown audience.
- 8.2. It is recommended that Council employees do not identify that they work for the Council on social networking sites as this could directly link their behaviour outside work to the reputation of the Council.
- 8.3. Business networking sites (e.g. LinkedIn) require the user to give information about their employer and job role, and this profile information and comments posted can be seen by a wider range of people than those directly known by the user. Extra care should be taken when posting comments on these sites
- 8.4. The Council recognises that there are times when employees may feel the need to 'let off steam' about work. However doing so on a social networking site could damage the reputation of the Council and could be in breach of Council policies. Employees should use official ways of discussing work issues such as one-to-one or supervision meetings, appraisals and, where appropriate, the [Grievance Procedure](#) or [Confidential Reporting Code \(Whistle blowing Policy\)](#).
- 8.5. It is recommended that Council employees should not be 'friends' with service users who are vulnerable adults or children, as this could be regarded as a safeguarding issue
- 8.6. Unauthorised use or disclosure of confidential information gained through employment (or other association) with the Council or failure to protect such information will be treated as misconduct, unless the disclosure is protected by law.²

9. Examples of unacceptable use of private social media

- 9.1. The following list provides examples of behaviour which the Council would consider unacceptable and could lead to disciplinary action being taken against an employee. Please note this list is **not** exhaustive:
 - Posting things that bring the Council into disrepute or could result in legal challenge to the Council
 - Posting things that would breach council policy, the Code of Conduct, or disciplinary rules
 - Using the Council's logo or giving the impression that you are expressing the views of the Council
 - Posting personal details e.g. addresses and/or phone numbers, or photographs of service users or commenting about service users.
 - Posting contact details or photographs of colleagues without their permission.

² See the Code of Conduct for Officers (section 7) and Code of Conduct for Members (section 4)

- Divulging confidential information about, or belonging to the Council.
- Make offensive or discriminatory comments or posts about the Council, service users or colleagues. This may amount to cyber-bullying, harassment or defamation.
- Setting up or accepting vulnerable adults or children who are service users, as friends or associates.

9.2. If an employee is unsure whether it is acceptable to post something on a social media site he/she should check with his/her line manager before doing so.

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Appendix One – examples of popular web and social networking sites:

Facebook - a social networking service where users create personal profiles, add other users as friends and exchange messages, including automatic notifications when they update their profile. Additionally, users may join common-interest user groups, organised by common characteristics (e.g. workplace)

Twitter - a microblogging service* enabling its users to send and read publicly visible messages called 'tweets'. Tweets are text based posts of up to 140 characters displayed on the user's profile page. Users may subscribe to other users' tweets.

LinkedIn - a business related social networking site mainly used for professional networking. Users maintain a list of contact details of people with whom they have some level of relationship, called 'connections'. This list of connections can then be used to build up a contact network, follow different companies and find jobs, people and business opportunities.

MySpace - an online community of users' personal profiles. These typically include photographs, information about personal interests and blogs*. Users send one another messages and socialise within the Myspace 'community'.

YouTube - a video-sharing website on which users can upload, share and view videos. A wide variety of user-generated video content is displayed, including film and TV clips as well as amateur content such as video blogging*. Media corporations including the BBC also offer some of their material via the site. Most videos enable users to leave and exchange comments.

Wikipedia - a collaborative web-based encyclopaedia project; its 18 million articles have been written collaboratively by volunteers around the world, and almost all articles are freely editable by any visitor. A prominent web 2.0 site but not an example of a social networking site per se.

*A 'blog' is a type of website usually maintained by an individual with regular entries of commentary and descriptions of events (blogging). The content of a microblog is simply smaller in size.

Source: 'Social Networking' – a report by the Institute of Employment Studies.

Photo sharing websites - e.g. Flickr