



TOWN OF WINTHROP

Social Media/Networking Policy & Use Guidelines

1. INTRODUCTION

This policy sets forth the general guidelines that must be adhered to with respect to utilization of social media sites for official Town of Winthrop purposes. Questions regarding this policy should be directed to the Town Manager's Office. This policy and these guidelines may be supplemented or amended as the methods of which we communicate using social media evolve.

2. PURPOSE

This policy is meant to establish an expectation of the methods of communication and the information conveyed by departments, employees, Boards and Commissions of the Town of Winthrop. The Town of Winthrop uses social media/networking to maintain a higher level of transparency of the ongoing operations of the town and to disseminate information to residents and interested parties in an effort to reach a broader audience.

3. APPLICABILITY

All Town employees as well as committee/board members are subject to the provisions of this policy.

4. DEFINITIONS

Social Media and Social Networking: Social media/Social Networking sites refer to websites and online communities of people or organizations that facilitate user participation, networking and collaboration through the submission of user generated content. Examples of sites include, but are not limited to include Facebook, Twitter, LinkedIn, Instagram, Vine, YouTube and Flickr.

Blog: (an abridgement of the term web log) is a Town of Winthrop website with regular entries of commentary, description of events, or other material such as graphics or video.

Town of Winthrop Author: An authorized Town of Winthrop official that creates and is responsible for posted articles and information on social media/networking sites (see “Article” below).

Article: An original posting of content to a Town of Winthrop social media/networking site by a Town of Winthrop author.

Commenter: A Town of Winthrop official or member of the public who submits a comment for posting in response to the content of a particular Town of Winthrop article or social media/networking content.

Comment: A response to a Town of Winthrop article or social media/networking content submitted by a commenter.

Moderator: An authorized Town of Winthrop official, who reviews, authorizes and allows content submitted by Town of Winthrop authors and public commenters to be posted to a Town of Winthrop social media/networking sites.

5. POLICY

- 5.1 All Town of Winthrop social media/networking sites shall be (1) approved by the Town Manager or his/her designee and the requesting department manager; (2) published using approved Town social media/networking platform and tools; and (3) administered by the Town Manager or designees(s).
- 5.2 The Town may utilize social media/networking and social media/network sites to further enhance communications with various stakeholder organizations in support of Town goals and objectives. Town officials and Town organizations have the ability to publish articles, facilitate discussions and communicate information through various media venues related to conducting Town business. Social media/networking facilitates further discussion of Town issues, operations and services by providing members of the public the opportunity to participate in many ways using the various venues.
- 5.3 All Town of Winthrop social media/networking sites shall adhere to applicable state, federal and local laws, regulations and policies including all Record Retention laws and other applicable State regulations and Town policies. Records required to be maintained pursuant to a relevant records retention

schedule shall be maintained for the required period in a format that preserves the integrity of the original record and is easily accessible using the approved Town platforms and tools.

- 5.4** Freedom of Information Act and e-discovery laws and policies apply to social media/networking content and therefore content must be able to be managed, stored and retrieved to comply with these laws.
- 5.5** All social network sites and entries shall clearly indicate that any articles and any other content posted or submitted for posting are subject to public disclosure.
- 5.6** The Town reserves the right to restrict or remove any content that is deemed in violation of this policy or any applicable law.
- 5.7** Each Town of Winthrop social media/networking site shall include an introductory statement which clearly specifies the official town purpose and topical scope of the social media/network site. Where possible, social media/networking sites should link back to the official Town of Winthrop Internet site for forms, documents and other information.
- 5.8** Town of Winthrop social media/networking content and comments containing any of the following forms of content shall not be allowed for posting:
 - 5.8.1** Comments not topically related to the particular site or blog article being commented upon;
 - 5.8.2** Profane language or content;
 - 5.8.3** Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance or the military, national origin, physical or mental disability or sexual orientation;
 - 5.8.4** Sexual content or links to sexual content;
 - 5.8.5** Solicitations of commerce;
 - 5.8.6** Conduct or encouragement of illegal activity;
 - 5.8.7** Information that may tend to compromise the safety or security of the public or public systems; or
 - 5.8.8** Content that violates a legal ownership interest of any other party
- 5.9** All Town social media/networking moderators shall fully understand the terms of this Town of Winthrop policy, including their responsibilities to review content submitted for posting to ensure compliance with the policy. Only Town social

media/networking moderators can respond to public postings and/or correct public postings for misinformation.

- 5.10** All social media/networking sites shall clearly indicate they are maintained by the Town of Winthrop and shall have Town of Winthrop contact information prominently displayed. They shall also clearly indicate to users that the site is subject to a third party host's Terms and Policies.
- 5.11** Officials (elected or appointed) and employees representing the Town of Winthrop via social media sites must conduct themselves at all times as representatives of the Town of Winthrop and in accordance with all applicable rules, regulations, and policies (including personnel policies) of the Town of Winthrop. See Section 6, Employee Guidelines For Use of Social Media/Networking Sites.
- 5.12** No Town of Winthrop social media site shall endorse or otherwise cite (either with approval or disapproval) vendors, suppliers, clients, co-workers, or other non-Town sanctioned organizations or stakeholders, without the express consent of the moderator for each individual site.
- 5.13** Employees found in violation of this policy may be subject to disciplinary action, up to and including termination of employment.

6. EMPLOYEE GUIDELINES FOR USE OF SOCIAL MEDIA SITES

- 6.1 First Amendment Protected Speech.** Although the Town of Winthrop can moderate the social media/networking sites that accept comments from the public (such as blogs and Facebook) to restrict speech that is obscene, threatening, discriminatory, harassing, or off topic, employees cannot use the moderation function to restrict speech with which the Town of Winthrop merely disagrees (i.e. subject matter restrictions). Users have some First Amendment rights in posting content to public social media sites hosted by municipalities. Moderators must respect those rights by posting all comments other than those excluded for specific legitimate reasons, as referenced above.
- 6.2 Copyright Law.** Employees must abide by laws governing copyright and fair use copyrighted material owned by others. Articles or publications must never be reprinted without first receiving written permission from the publication owner. Quotes or short excerpts of someone else's work must include links to the original work whenever possible.
- 6.3 Protect Confidential Information.** Legally protected personal information obtained from the Town of Winthrop (e.g. information that is not public record under the Public Records Law, G.L. c. 66, §10 and G.L. c., §7(26), or whose

dissemination is restricted under applicable Federal or State privacy laws or regulations) must never be posted. Permission must be obtained to publish or report on conversations that occur within the Town of Winthrop. Information about policies or plans that have not been finalized by the Town of Winthrop, unless explicit permission has been received from the Department Head to post draft policies or plans on the department's social media sites for public comment, must never be posted.

- 6.4 Consider Content.** Although social media/networking sites are meant to be informal, if they are on a government domain or have a government identity, they are official government communications. Social media sites will be sought out by mainstream media, so significant thought needs to go into how social media/networking will be used in a way that benefits both the Town of Winthrop and the public. Employees must not comment about rumors, political disputes, or personal issues, for example.
- 6.5 Handling Negative Comments.** Because the purpose of many social media/networking sites, particularly department blogs, is to get feedback from the public, it should be expected that some of the feedback received will be negative. Some effective ways to respond to negative comments include:
 - 6.5.1** Providing accurate information in the spirit of being helpful;
 - 6.5.2** Respectfully disagreeing; and
 - 6.5.3** Acknowledging that it is possible to hold different points of view.
- 6.6 Respect the Audience and Coworkers.** Use of ethnic slurs, personal insults, obscenity, or engaging in any conduct that would not be acceptable under Town or personnel policies and departmental standards of conduct is prohibited. All comments must be respectful. This includes not only the previously stated, but also proper consideration of privacy and of topics that may be considered objectionable or inflammatory, such as party politics and religion. Town departments' social media/networking presence must not be used to communicate or air differences with fellow Town of Winthrop employees.
- 6.7 Use of Social Media Site or Identity Only to Contribute to the Departments' Mission.** Contributing to a Town department's social media/networking site or identity provides worthwhile information and perspective that contributes to the departments' mission of serving the public. What is published will reflect on the Town of Winthrop. Social media/networking sites and identities should be used in a way that contributes to the Town of Winthrop's mission by:
 - 6.7.1** Helping the employee and co-workers perform their jobs better;

- 6.7.2 Informing citizens about government services and how to access them;
 - 6.7.3 Making the operations of the department transparent and accessible to the public;
 - 6.7.4 Creating a forum for the receipt of candid comments from residents about how government can be improved; and
 - 6.7.5 Encouraging civic engagement.
 - 6.7.6 When possible, disseminating emergency information to residents
 - 6.7.7 **Mistakes.** This Policy requires that once something is posted, it should stay posted. Only spelling errors or grammar fixes should be made without making the change substantive or evident to users. If an earlier post must be modified, it must be made clear that it has been done. Incorrect content must not be removed or deleted. In order for social media/networking identity or site to achieve transparency, Town of Winthrop users cannot change content that has already been published without making the changes clearly evident to users. Rather, correct information must be added with an explanation. One way to accomplish is to create a new post with the correct information, and link to it from the post you need to correct or clarify.
- 6.8 **Media Inquiries.** Town of Winthrop department social media/networking identities or sites may lead to increased inquiries from the media. If contacted directly by a reporter, media questions should be referred to the Town Manager or his/her designee.
- 6.9 **Personal Comments.** Town of Winthrop employees or officials must make it clear when they are speaking for themselves as residents or stakeholders, and not on behalf of the Town of Winthrop. If a Town employee or official's published content on any subjects associated with The Town of Winthrop, a disclaimer such as "the postings on this site are my own and don't necessarily represent the Town of Winthrop's positions or opinions" must be used.
- 6.10 **Employee or Official Profile.** If a Town of Winthrop employee or official identifies themselves as such, they must ensure their profile and related content is consistent with how they wish to present themselves in their official capacity to colleagues, residents and other stakeholders.
- 6.11 **Defamation.** Employees acting in their individual capacity, not on behalf of the Town of Winthrop, are not immune from defamation claims. Under Massachusetts law, defamation is established by showing that the defendant published a false, non-privileged statement about the plaintiff to a third party that either caused the plaintiff economic loss or was the type that is actionable

without proof of economic loss. Some statements, like imputation of a crime, are defamatory per se. Any statements that may be interpreted as defamatory, must be avoided.

- 6.12 Open Meeting Law.** Be aware of the Open Meeting Law and possible violations for improper deliberations outside of a posted meeting. A series of individual postings on a social media site cumulatively may convey the position of a quorum of a governmental or public body regarding a subject within its jurisdiction, and may constitute improper deliberation among the members of a board or committee.

Town of Winthrop
Social Media/Networking Policy

This acknowledges that I have received and reviewed the Social Media/Networking Policy & Use guidelines, with attachments, of the Town of Winthrop (“Policy”) By signing this form, I agree to abide by the policy and any Guidelines promulgated thereunder, and I agree to review periodically any changes or modifications. I recognize that the law and associated policy regarding use of social media/networking are continually evolving. Therefore, I understand that my regular review of this Policy, as it may be amended or supplemented, is required.

Print Name: _____

Signature: _____

Date: _____

To be included in employee’s personnel file