

Agenda Item 16 – Parish Councillor Communications

Guidance from the National Association of Local Councils (NALC), the Society of Local Council Clerks (SLCC), the Information Commissioner's Office (ICO), and the Local Government Association (LGA) shares the following information with regards to the use of WhatsApp and other Social Media platforms.

- **This document should be read and adopted as an extension of the parish councils overarching Social Media Policy**

Wroughton & Wichelstowe Parish Council WhatsApp and Social Media Communications Protocol Purpose

This protocol sets out how Parish Councillors and officers may use WhatsApp and similar messaging or social media platforms when conducting Parish Council business.

The purpose is to encourage effective communication while ensuring compliance with local government legislation, transparency requirements and data protection legislation.

Scope

This protocol applies to:

- WhatsApp
- Signal
- Telegram
- Facebook Messenger
- SMS text messaging
- Facebook Groups
- Microsoft Teams chat
- Any similar electronic messaging platform used for Parish Council business.

Appropriate Use

These platforms may be used for:

- meeting reminders;
- reminders of council events;
- sharing publicly available information;
- reporting defects, incidents or maintenance issues;
- sharing photographs relating to council assets or activities;
- notifying councillors of emergency situations;
- administrative communications from the Clerk;
- arranging attendance at meetings or events.

Prohibited Use

Messaging platforms must **not** be used to:

- debate matters that may come before the Council;
- seek or indicate agreement on Council decisions;
- build a consensus outside a properly convened meeting;
- conduct committee business;
- make decisions on behalf of the Council unless expressly authorised under delegated powers;

- share confidential or exempt information;
- circulate inappropriate, offensive or political material using Council groups.

Councillors should avoid "reply all" discussions where opinions on Council business are expressed.

Where discussion begins to develop, the Clerk or Chair should remind members that the matter must be considered at a formal Council meeting.

Decision Making

The Council makes decisions only:

- at properly convened meetings;
- through legally delegated authority;
- in accordance with the Local Government Act 1972 and the Council's Standing Orders.

Electronic messaging does not constitute a Council meeting and must not be used to make decisions or reach a collective view.

Freedom of Information and Records

Communications relating to Council business may constitute Council records.

Councillors should be aware that messages relating to Council business may be subject to:

- the Freedom of Information Act 2000;
- the Environmental Information Regulations 2004;
- the UK General Data Protection Regulation;
- the Data Protection Act 2018.

Members should therefore assume that messages may need to be disclosed if requested, subject to any applicable statutory exemptions.

Councillors should not delete Council-related communications where a request for information has been received or where litigation is anticipated.

Where appropriate, significant decisions or information should be passed to the Clerk for retention within the Council's official records.

Data Protection

Personal information should only be shared where there is a lawful basis.

Care should be taken before sharing:

- names;
- addresses;
- telephone numbers;
- email addresses;
- photographs identifying individuals;
- sensitive personal information.

Members should ensure devices used for Council business are protected by passwords or biometric security.

Role of the Clerk

The Clerk remains the Council's Proper Officer and is responsible for:

- issuing agendas;
- maintaining official records;
- providing formal advice;
- retaining Council documents.

WhatsApp groups do not replace official correspondence from the Clerk.

Social Media

Where councillors use social media:

- opinions should be clearly identified as personal unless authorised to speak on behalf of the Council;
- confidential information must never be disclosed;
- councillors should comply with the Council's Code of Conduct;
- respectful and professional behaviour is expected at all times.

Breaches

Failure to comply with this protocol may result in:

- referral under the Council's Code of Conduct;
- investigation under the Council's complaints procedures;
- possible breaches of data protection legislation or other legal obligations.

Review

This protocol will be reviewed every three years or sooner if legislation or guidance changes.

Councillors should treat any communication concerning Council business sent or received via WhatsApp, email, text message or other electronic messaging service as potentially disclosable under the Freedom of Information Act 2000 or Environmental Information Regulations 2004. Members should therefore write messages on the assumption that they may become public unless a statutory exemption applies.