



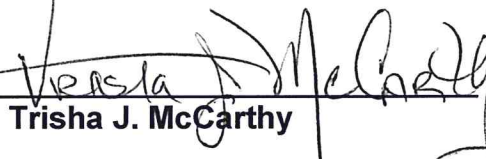
TOWN OF NEWTON, NH
OFFICE OF THE SELECTMEN



SOCIAL MEDIA POLICY

Adopted by the Board of Selectmen on September 13, 2011


Lawrence B. Foote, Chairman


Trisha J. McCarthy


Raymond D. Thayer
BOARD OF SELECTMEN

Recorded with the Newton Town Clerk on 9-21-2011


Mary Jo McCullough, Town Clerk

Town of Newton

SOCIAL MEDIA POLICY

1.0 PURPOSE

The Town of Newton endorses the secure use of social media to enhance communication and information exchange; streamline processes; and foster productivity with its employees. This policy establishes the Town's position on the use and management of social media and provides guidelines on the management, administration, and oversight of social media. This policy is not meant to address one particular form of social media but to apply to all forms of social media, including emerging technologies.

2.0 SCOPE

This policy shall apply to all Town Personnel: Employees / Commissioners / Committee Members / Volunteers of the Town of Newton.

3.0 PHILOSOPHY

Social media provides a valuable means of assisting the Town and its personnel in providing community education, community information and other related organizational and community objectives. This policy identifies possible uses that the Town may evaluate and utilize as it deems necessary. The Town also recognizes the role that social media tools may play in the personal lives of its personnel however, town personnel must be aware that their use of social media even in their personal lives can have an effect on the performance of their duties and negatively impact the Town. This policy provides guidance of a precautionary nature as well as restrictions and prohibitions on the use of social media by town personnel in both their personal and professional lives.

4.0 DEFINITIONS

- 1) *Blog:* A self-published diary or commentary on a particular topic that may allow visitors to post responses, reactions, or comments.
- 2) *Post:* Content an individual shares on a social media site or the act of publishing content on a site.
- 3) *Profile:* Information that a user provides about himself or herself on a social networking site.
- 4) *Social Media:* A category of Internet-based resources that enable the user to generate content and encourage other user participation. This includes, but is not limited to, social networking sites: Facebook, MySpace, Twitter, YouTube, Wikipedia, blogs, and other sites.

(There are thousands of these types of sites and this is only a short list.)

- 5) *Social Networks*: Platforms where users can create profiles, share information, and socialize with others using a range of technologies.
- 6) *Speech*: Expression or communication of thoughts or opinions in spoken words, in writing, by expressive conduct, symbolism, photographs, videotape, or related forms of communication.

5.0 POLICY

At no time will any employee engage in any internet based social media activity either for the Town of Newton or for personal use while on duty unless authorized by the Board of Selectmen.

1. Establishment of Town Social Media

- a) Determine strategy
 - i. Each social media page shall include an introductory statement that clearly specifies the purpose and scope of the Town's presence on the website.
 - ii. Social media page(s) shall be designed for the target audience(s) such as the community, civic leadership, town personnel or potential recruits.
- b) Procedures
 - i. All department social media sites or pages shall be approved by the Board of Selectmen and shall be administered by a person designated by the Board of Selectmen.
 - ii. Social media pages shall clearly indicate they are maintained by the official department and shall have the department logo and contact information prominently displayed.
 - iii. Social media content shall adhere to applicable laws, regulations, and policies, including all information technology and records management policies of the Town and department.
 - iv. Social media content is subject to the Right-To-Know Law.
 - i. Relevant records retention schedules apply to social media content.
 - ii. Content must be managed, stored, and retrieved to comply with the Right-To-Know Law and any e-discovery laws and policies.

- v. Personal social media pages should state that the opinions expressed by visitors to the page(s) do not reflect the opinions of the Town/department.
- vi. Social media pages shall clearly indicate that posted comments will be monitored and that the Town reserves the right to remove obscenities, off-topic comments, personal attacks, offensive comments that target or disparage any ethnic, racial, religious or other protected group, comments that advocate illegal activity, infringe on copyrights or trademarks, or violate any Town Policy.
- vii. Social media pages shall clearly indicate that any content posted or submitted for posting is subject to public disclosure under the Right-To-Know Law.

2. Department-Sanctioned Use

- a) Personnel representing Town departments via social media outlets shall:
 - i. Use department computers to access social media only with express written permission by the Board of Selectmen or their designee.
 - ii. Conduct themselves at all times as representatives of the Town Department and shall adhere to all Town Department standards of conduct and policies, and observe conventionally accepted protocols and proper decorum.
 - iii. Identify themselves as a town personnel with reference to their department.
 - iv. Not post, transmit, or otherwise disseminate confidential information, including photographs or videos, related to department training, activities, or work-related assignments without express written permission by the Board of Selectmen or their designee.
 - v. Not conduct political activities or private business.
 - vi. Not use personally owned devices to manage the department's social media activities or in the course of official duties without express written permission by the Board of Selectmen or their designee.
 - vii. Shall observe and abide by all copyright, trademark, and service mark restrictions.
 - viii. Be professional in all social media outlets especially when responding to criticism or negative posts.

3. Potential Town Uses of Social Media

- a) Social media is a valuable tool to provide information about:
 - i. Road closures,
 - ii. Special events,
 - iii. Weather emergencies, and
 - iv. Major ongoing events that affect the entire community.
- b) Employment Opportunities - Persons seeking employment and volunteer positions use the Internet to search for opportunities.
- c) Background Checks - The Town may include Internet-based content when conducting background investigations of job candidates. Authorized Town Personnel may conduct a background check on potential employees / commissioners / committee members / volunteers in accordance with the following:
 - i. Candidates applying for employment or a volunteer position with the Town must sign a release document enabling an assigned employee to conduct a background check using any resource including social media.
 - ii. Searches should be conducted only for the purposes of providing possible background material on an employee candidate.
 - iii. Information pertaining to protected class status or other matters that cannot be considered in the hiring process shall be filtered out prior to sharing any information found online with hiring decision makers.
 - iv. Persons authorized by the Board of Selectmen to search Internet-based content should be deemed as holding a sensitive position.
 - v. Search methods shall not involve techniques that are a violation of the law or Town Policies.
 - vi. Inspection techniques using social media as one of many resources to provide valid and up to date information shall be applied uniformly to all candidates.
 - vii. Every effort must be made to validate Internet-based information considered during the hiring process.
 - viii. Internet-based background checks shall not be the only mechanism to obtain background information on a possible candidate.

4. Personal Use

- a) Precautions and Prohibitions
 - 1. Town Personnel are free to express themselves as private citizens on social media sites to the degree that their speech does not impair or

impede the performance of duties, impair discipline and harmony among coworkers, or negatively affect the public perception of the department.

2. Town personnel are cautioned that their speech either on or off duty, and in the course of their official duties on matters of public concern may not necessarily be protected speech under the First Amendment.
 - a. This speech may form the basis for discipline if deemed detrimental to the Town or Department.
 - b. Employees should assume that their speech and related activity on social media sites will reflect upon their position within the Town.
3. Town personnel shall not post, transmit, or otherwise disseminate any information to which they have access as a result of their employment without written permission from the Board of Selectmen or designee.
4. Town personnel are cautioned not to do the following:
 - a. Display department logos, uniforms, or similar identifying items on personal web pages without prior written permission by the Board of Selectmen or their designee.
 - b. Post personal photographs or provide similar means of personal recognition that may cause the employee to be identified as a firefighter, police officer, fire officer or employee of departments of the Town of Newton without prior written permission.
 - c. When using social media, employees should be mindful that their speech becomes public and part of the World Wide Web.
5. Adherence to the Town's and department's code of conduct is required in the personal use of social media. In particular, employees are prohibited from the following:
 - a. Speech containing obscene or sexually explicit language, images, or acts and statements or other forms of speech that ridicule, malign, disparage, or otherwise express bias against any race, any religion, ethnic group, or any protected class of individuals.
 - b. Town personnel may not divulge information gained by reason of their authority; make any statements, speeches, appearances, and endorsements; or publish materials that could reasonably be considered to represent the views or positions of the Town without express authorization by the Board of Selectmen.

- c. Town Personnel should be aware that they may be subject to civil litigation for publishing or posting false information that harms the reputation of another person, group, or organization otherwise known as defamation to include:
 - i. Publishing or posting private facts and personal information about someone without their permission that has not been previously revealed to the public, is not of legitimate public concern, and would be offensive to a reasonable person;
 - ii. Using someone else's name, likeness, or other personal attributes without that person's permission for an exploitative purpose; or
 - iii. Publishing the creative work of another, trademarks, or certain confidential business information without the permission of the owner.
- 6. Town personnel should be aware that privacy settings and social media sites are constantly changing and they should never assume that personal information posted on such sites is protected.
- 7. Town personnel should expect that any information created, transmitted, downloaded, exchanged, or discussed in a public online forum may be accessed by the department at any time without prior notice.

6.0 VIOLATIONS

- 1) Reporting violations.
 - a. Any Town Personnel becoming aware of or having knowledge of a posting or of any website or webpage in violation of this policy shall notify his or her supervisor immediately for follow-up action.
- 2) Violation of this social media policy may result in disciplinary action up to and including suspension, termination or dismissal by the Board of Selectmen.

7.0 DISCIPLINARY ACTION - EMPLOYEE

Disciplinary action for employees who violate this policy will be consistent with the Town's Code of Ethics and Personnel Policies. In the absence of contrary disciplinary procedures, violations of the Social Media Policy are to be dealt with as set forth in this Section. The Board of Selectmen or their designee implementing these rules are not required to adhere strictly to the categorization or consequences listed for each category of the violation, but can impose the appropriate consequence given the totality of the circumstances:

- 1) Tampering with Town Issued Devices. Employees found using or tampering with video and audio recording devices will face the following:
 - a. Immediate supervisory counseling session.
 - b. Three (3) day suspension without pay.
- 2) Unauthorized Use of Town Video and Audio Recording Devices. Employees found using unauthorized video and audio recording devices will face the following:
 - a. Immediate supervisory counseling session.
 - b. Confiscation of unauthorized recording devices and content.
 - c. Three (3) day suspension without pay.
- 3) Unauthorized Posting of Town Content. Employees found posting and/or sharing unauthorized content will face the following:
 - a. Immediate supervisory counseling session.
 - b. Three (3) day suspension without pay.
 - c. Suspension from use of Town devices for six (6) months.
- 4) Inappropriate and/or Illegal Posting and/or Sharing of Offensive/Objectionable Material on Social Media/Networking Sites. Employees found posting and/or sharing inappropriate and/or illegal content will face the following:
 - a. Immediate supervisory counseling session.
 - b. Suspension from use of Town devices during term of employment.
 - c. Minimum thirty (30) day suspension without pay or possible termination of employment.
- 5) Repeat and/or Consecutive Violations.
 - a. Repeated or consecutive violations of one or more of the above regardless of order will result in employee's immediate termination and possible legal/criminal proceedings.

7.1 DISCIPLINARY ACTION – COMMISSIONER / COMMITTEE MEMBER & VOLUNTEER

Disciplinary action for commissioners / committee members / volunteers who violate this policy will be consistent with the Town's Code of Ethics and Personnel Policies. In the absence of contrary disciplinary procedures, violations of the Social Media Policy are to be dealt with as set forth in this Section.

- 1) Unauthorized Posting of Town Content. Town personnel found posting and/or sharing unauthorized content will face the following:
 - a. Immediate supervisory counseling session with Board of Selectmen - Verbal Warning.
 - b. Repeated Offense - Written Warning.
 - c. Repeated Offense after Verbal and Written Warning - Suspension of Appointed Authority for 30 days.
- 2) Inappropriate and/or Illegal Posting and/or Sharing of Offensive/Objectionable Material on Social Media/Networking Sites. Town personnel found posting and/or sharing inappropriate and/or illegal content will face the following:
 - a. Immediate supervisory counseling session with Board of Selectmen - Verbal Warning.
 - b. Repeated Offense - Written Warning.
 - c. Repeated Offense after Verbal and Written Warning - Suspension of Appointed Authority for 30 days.
- 3) Repeat and/or Consecutive Violations.
 - a. Repeated or consecutive violations of one or more of the above regardless of order will result in the Town Personnel's immediate termination and /or possible legal / criminal proceedings.

Town of Newton

Social Media Policy

I have received the Social Media Policy for the Town of Newton, New Hampshire and I agree to abide by the policy contained herein.

(This form must be signed and returned to the Human Resource Officer within seven (7) days.)
(Amended 09/13/11)

Full Signature

Print Full Name

Date

DATE RECEIVED:

OFFICE STAFF:
SIGNED AS RECEIVED:

TITLE