

Town of Epping SOCIAL MEDIA POLICY



*Effective as of
April 15, 2024*

PREFACE

The purpose of this policy is to:

- **Educate** town employees and the community
- **Empower** social media advocacy among residents
- **Encourage** employee use of social media to share accurate information

The Town of Epping supports the use of social media technology to enhance communication, collaboration, and information exchange to meet the town's business mission and goals. This policy assists employees in making responsible decisions about their use of social media while acting in their official town capacity or on behalf of the town.

Employees and volunteers representing the town or acting in their official town capacity through social media outlets, or participating in social media features on town websites must maintain a high level of ethical conduct and professional decorum. Failure to do so is grounds for revoking the privilege to participate on official town social media sites and could be subject to disciplinary action if in violation of the town's personnel policy.

Consistent with RSA 98-E, this policy shall not be interpreted or applied in any manner that prevents any town employee or volunteer from acting in their personal capacity discussing or commenting on any matter concerning a governmental entity or its policies.

This policy applies to all Town employees, volunteers, Town officers, and members of municipal boards, committees, or commissions when acting in their capacity as a member of such entities or as a representative of the Town that create or contribute to blogs, wikis, social networks, virtual worlds, or any other kind of social media on behalf of or as a representative of the Town.

The adoption of this policy by the Select Board supersedes all previous social media policies. These policies are subject to regular review and amendment by the Select Board. Notwithstanding anything herein to the contrary, temporary policies adopted by the Select Board in response to an emergency, including any declared pandemic or epidemic, shall continue in place in accordance with their terms and until such time that they expire or are terminated by the Select Board.

Administrative Responsibility:

By majority vote, the Select Board is the sole authority for amending this Manual or Town policies. No Supervisor, Administrator, or representative of the Town has the authority to make any promises, commitments, or changes which supersede the policies in this document unless agreed to by the employee and approved by the Select Board or appropriate commission.

Nothing in this Manual is intended to supersede explicit provisions of the N.H. Revised Statutes Annotated.

CHAPTER 1

USES

Social media, as used herein, is defined as a network, website, application, platform, or some combination thereof that facilitates user participation, networking, and collaboration through the submission of content by an individual user. Examples of social media include but are not limited to blogs, wikis, microblogging sites (Twitter), social networking sites (Facebook - META), photo sharing sites (Flickr, Instagram), journal or diary, personal websites, chat rooms and video sharing sites (YouTube, TikTok, Snapchat). The term “social media” should be read to include all means of communicating or posting information or content of any sort on the internet, whether or not associated or affiliated with the Town of Epping, as well as any other form of electronic communication.

PROFESSIONAL USE:

All official town-related communication through social media outlets must be professional in nature and must always be conducted in accordance with this policy, other town Policies, and all applicable laws, rules, and regulations as best practice expectations.

- All Town social media accounts need to state clearly and visibly that they are operated by the Town of Epping or on behalf of the Town of Epping;
- All Town social media accounts must have an appropriate and relevant username or handle and include a link to the Town website where applicable;
- Town social media accounts should be “verified” accounts to ensure that the public knows that they are authentic;
- The content of any page, home screen, homepage, or account page associated with any Town social media account should only pertain to Town-sponsored or Town-endorsed programs, services, and events. This content may include, but is not limited to, information, photographs, videos, and approved hyperlinks. It shall be the responsibility of the particular Town Social Media Account user to obtain all necessary releases and permission before posting any materials that may require either permission or a release;
- All employees shall refrain from using social media while on work time or on Town of Epping equipment unless it is work-related as authorized by your manager;
- Employees must not use official town social media sites for political purposes, to conduct private commercial transactions, to engage in private business activities, or for any other private, non-Town related uses;
- Town employees must be mindful that inappropriate usage of official Town social media sites can be grounds for disciplinary action as defined in the town’s personnel policy in addition to any other consequences under the law;

- Official Town social media accounts, as well as the entire Town website is intended to be used only to express the official views of the Town of Epping and are subject to all laws, rules, regulations, policies, best practices guidelines, and standards. An employee shall not use an official Town social media account to express their personal views or values;

PERSONAL USE:

The Town shall not infringe on an employee's right to have personal social media accounts. These accounts remain personal in nature and are to be used to share personal opinions and content at the sole discretion of the individual user. Employees should exercise caution when commenting or acting on any social media platform and make clear when they are commenting or acting in their personal capacity as opposed to commenting or acting in their official capacity and be familiar with the following guidelines:

- Avoid referencing the employee's position, role, or employment with the Town when commenting or acting in a personal capacity on a social media platform;
- If posting or acting in their personal capacity on a social media platform is permitted under R.S.A. 98-E, an employee of the Town should avoid wearing any uniform, badge, official insignia, or clothing that would cause a reasonable person to conclude that the employee is acting or commenting in their official capacity, or as a spokesperson for the Town of Epping;
- An employee who is concerned that their individual social media accounts or posts could be construed as Official Town social media should have a disclaimer in a prominent position on the personal account platform homepage such that all visitors to the page are put on reasonable notice. If the employee is concerned that an individual post or comment on a social media platform may be viewed as a statement in their official capacity or as a spokesperson for the Town, then the employee may want to consider adding a disclaimer to the individual post. An example of disclaimers is as follows:

Account Disclaimer: "This account is a personal account of the named individuals. All content of this account, including any comments, activities, or postings, is the responsibility of the platform and the individual users. The views expressed herein are the views of the individual and are not the views of their employer or the individual in their employment capacity."

Post Disclaimer: "This post or comment is being made in my individual and personal capacity and does not reflect the views of my employer or my views in my employment capacity."

- In some cases, a personal account must be used to publish content to an Official Town Social Media Account. (Ex. Facebook - META requires a personal account to post to Town pages).
- Employees should recognize and understand that the content and messages they post on social media websites may be public depending on a number of variables, and that if disclosed or discovered, may subject the individual employee to scrutiny;

- Individual employees are not authorized to speak on behalf of the Town, department or division on personal accounts;
- Social media may not be used to circumvent other Town website policies or Town Ordinances;
- Town employees must never use their Town e-mail account or password in conjunction with a personal social media account;
- Absent approval by a Department Head, no employee shall use their personal social media account to post or comment on behalf of the Town, a department of the Town, a division of the Town, or in their official capacity. Approval shall only be granted when dictated by necessity.

Employees are hereby advised and reminded that actions, comments, and postings on their personal accounts could violate Town policy and may subject the employee to disciplinary action up to and including termination. Employees are hereby advised and reminded that all social media use must comply with all applicable laws, rules, and regulations.

CHAPTER 2 **GUIDELINES**

RETALIATION:

The Town of Epping prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from or violation of this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

GOVERNMENT SOCIAL MEDIA AND THE CONSTITUTION AND APPLICABLE LAW:

As a government user of social media, the Town is mindful of its obligations and the safeguards in place under both the Federal and New Hampshire Constitutions and state law, including RSA 98-E. For example, the Town acknowledges and agrees that government agencies must uphold an individual right to freedom of speech as set forth in both the Federal and New Hampshire Constitutions. Consistent with its obligations under both the Federal and New Hampshire Constitutions, posts, comments, messages, or any interaction on these platforms may not be deleted, hidden, or blocked by the Town.

RIGHT TO KNOW LAW (RSA 91-A):

Official town social media accounts are subject to the applicable laws regarding public records. Any content maintained on an official social media account related to Town business, including communication posted by the Town and communications and/or comments received from any other user, is a public record and, as such, may be subject to disclosure under the law. The Department maintaining the official Town social media account is responsible for responding completely and accurately to any public records request pertaining to said social media account.

APPROVAL, REGISTRATION, AND SETUP:

To avoid confusing the public, the Town requires a consistent approach to the setup of all official Town social media accounts by all Town departments. There are also many security issues that need to be appropriately addressed to ensure both the public and the Town are protected.

The security settings implemented will be selected based on the social media platform intended to be used, and taking into account the interest of protecting the Town and the public. Social media platforms include, but are not limited to, X, Facebook, Instagram, Google, and YouTube.

Before a new platform can be considered, it must be reviewed by the Town Administrator to determine whether the proposed platform is largely in compliance with all relevant policies and concerns of the Town. Any submission to the Town Administrator for review and consideration must establish the following:

1. Use of the particular social media has been approved by the department head of the department seeking to establish an official town social media account for the platform. The department head of the owning department is responsible for the content posted to the site.
2. A preliminary plan that includes a statement of purpose for the platform-specific account must be provided prior to approval, implementation, and setup. Implementation of an official Town social media account is dependent on a satisfactory review of the statement of purpose by the Town Administrator.
3. All email contacts used to set up and maintain the official Town social media account will be valid Town .gov email addresses associated with an employee or group of employees currently employed. The Town Administrator will maintain a list of all official Town social media accounts, with the corresponding Town emails and passwords that are associated with them. This ensures the Town will have access and control of the official Town social media account when the employee who updates the site leaves the employment of the Town or changes roles.
4. Social media platforms are considered a supplementary information distribution channel and are not the only distribution channel of Town information. Social media platforms change in popularity, features, and cost more frequently than traditional communication channels. The department must have alternate or backup plans to disseminate critical information that is used regularly in the event the social media platform is no longer a viable option. The Town website will always have critical information posted.

5. The initial setup for all Town social media accounts will involve the Town Administrator and the requesting department. This will ensure that all official Town social media accounts have:
 - a.) A government organization setup;
 - b.) A standard naming convention;
 - c.) A consistent look and feel;
 - d.) Appropriate security settings, including dual authentication when available;
 - e.) A link to the Town website; and
 - f.) User logins, pass codes and passwords shall be centrally maintained by the Town Administrator. Any changes shall be reported to the Town Administrator. All pass codes and passwords are the property of the Town. Pass codes and passwords should not be divulged to unauthorized persons.
6. If the social media platform allows comments to be posted, the owning department must develop its own policy on whether or not comments are allowed. If comments are allowed, they must not be deleted, edited, or blocked, no matter the content.
7. Any employee who is using an official Town social media account must ask for permission before posting someone's image, information, or intellectual property on the respective platform. Any employee who is using an official Town social media account shall not post information about employees, citizens, vendors, patients, or clients being served by the Town without first obtaining their written consent.

CHAPTER 3

STANDARDS AND RETENTION

STANDARDS:

Employees using an official Town social media account to post on a social media platform shall use the following standards:

- Good grammar, spelling, brevity, clarity, and accuracy are essential for every social media post.
- When referencing "Official" Town business, be sure to include a link to the information on the Town website.
- Public figure pages should follow all other town accounts.
- Avoid jargon, obscure terminology, slang, and acronyms.
- Do not post any images that are copyrighted without written permission.

- Town Social Media Accounts may not be used to violate any federal, state, or local laws or regulations. Use of any Town resources for illegal activity is grounds for immediate termination of employment, and we reserve the right to report the matter to law enforcement authorities. We will cooperate with any resulting law enforcement investigation.
- Using Town social media accounts to create or transmit any communications in violation of Town's discrimination and harassment policies, or any other Town policy, is prohibited.
- Please ensure that your postings are consistent with Town policies and state/federal law. Postings that include discriminatory remarks, harassment, and threats of violence or which are otherwise inappropriate or unlawful, such as a post that releases confidential resident information, will not be tolerated and may subject you to disciplinary action up to and including termination.
- Town employees may not publish content on Town social media sites that includes but is not limited to information deemed confidential by the Town or otherwise privileged. In addition postings may not include; Copyrighted material without written permission from the owner; profane, racist, sexist, sexual, or otherwise unlawfully discriminatory, defamatory, or derogatory content or comments; political views; any private views or opinions of a Town employee; SPAM; Commercial, private, or political endorsements; misinformation other otherwise violates the law.

ENDORSEMENTS AND ANNOUNCEMENTS:

In some cases, The Town of Epping may acknowledge businesses, non-profits, individuals, or public figures if it pertains to official town business. Under no circumstances should the Town endorse any non-town companies, non-profits, individuals, or public figures. If you are unsure if your post is an endorsement, please consult the Town Administrator's office.

RECORDS RETENTION:

Social media sites contain communications sent to or received by the Town and its employees. Such communications may be considered public records and, therefore, are subject to the Freedom of Information Act and RSA 91-A, also known as "The Right to Know Law."

The following retention requirements apply to all social media posts, comments, and messages, regardless of the form of the record (for example, digital text, photos, audio, and video). The Town shall preserve records pursuant to a relevant records retention schedule for the required retention period in a format that preserves the integrity of the original record and is easily accessible. Furthermore, retention of social media records shall fulfill the following requirements:

- Social media records are captured in a continuous, automated fashion throughout the day to minimize a potential loss of data due to deletion and/or changes on the social media site;
- Social media records are maintained in an authentic, unaltered format along with their complete metadata;

- Social media records are archived in a system that preserves the context of communications, including conversation threads and rich media, to ensure completeness and availability of relevant information when records are accessed;
- Social media records are indexed based on specific criteria such as date, content type, and keywords to ensure that records can be quickly located and produced in an appropriate format for distribution (e.g. PDF);
- Each Town employee who administers one or more social media networking sites on behalf of the Town has self-service, read-only access to search and produce relevant social media records to fulfill public information and legal discovery requests as needed;
- The Town utilizes an automated archiving solution to comply with applicable public records law and fulfill the above record retention requirements.

It is the Town's policy NOT to DELETE any post, comment, or message on social media. In the rare occasion that a post, comment, or message is deleted because it violates the Terms of Use of the applicable social media site, the post, comment, or message should be documented prior to deletion. This can be done by taking a screenshot of the comment and post in its entirety, including the name or username of the poster, and properly saving it. This should also include the name of the person who deleted the information and the name of the person who authorized/requested the removal of content. Before removing any content, please consult with the Town Administrator's Office.

Content may not be deleted solely because it is negative toward or critical of the Town or because it expresses a certain viewpoint with which the Town or an employee thereof disagrees.

Those who manage Town social media accounts must be aware of First Amendment concerns and abide by all laws protecting the freedom of expression. Town accounts may draw negative or critical comments including from employees or volunteers posting in their individual capacities. When a person posts negative or critical comments to a Town social media account on a social media platform, rather than remove the comment or post, those managing the social media site should either ignore the comment or respond respectfully and, if appropriate, provide relevant information.

PUBLIC FIGURE ACCOUNTS:

Public figure accounts are accounts associated with limited public figures. These accounts are maintained by the Town and archived separately for each individual who posts to the accounts. Public figure accounts must abide by the same rules as departments and divisions. Examples include the following:

- The Select Board Chair
- The Chief of Police
- The Police Canine
- The Fire Chief
- The Town Administrator


In addition to these public figure accounts, there may be instances where a Town employee (for example, an individual Fire or Police officer) may want to set up an official account. This must be approved through the Town Administrator's office.

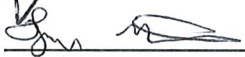
SOCIAL MEDIA FOR BOARDS AND COMMISSIONS:

Boards and Commissions should not have official social media accounts. If they have information to share with the public, it should first be posted to the Town website. Then, it can be posted through department social media channels with a link to official information. Board and Commission members should refrain from discussing town business on social media.

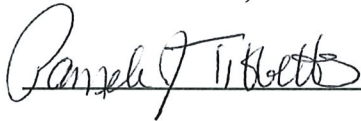
COMPROMISED ACCOUNTS:

If you are authorized to post to an official Town social media account(s) and your account gets hacked or otherwise compromised in any fashion, you shall immediately inform the Town Administrator by phone or email so that your account can be removed from Town pages and passwords and/or access can be reset and restored.



Joe Trombley, Chairman


Tom Gauthier, Vice-Chairman



Pamela Tibbetts, Selectman

Cliff Cray, Selectman

Bob Jordan, Selectman