

Title: Social Media Policy		Section: M
Effective Date: August 19, 2019		Approved By: Laurie A. Murray, City Manager
Supersedes: N/A		Page Numbers 1 of 8

10.00 Purpose

The City of La Palma (“City”) has an overriding interest in protecting the integrity of the information posted on its social media sites and the content that is attributed to the City or its officials while, at the same time, mitigating and/or eliminating associated risks from the use of such technology. This document (“Policy”) establishes citywide guidelines, protocols, and procedures of third-party platforms commonly known as social media sites.

20.00 Background

The City regards social media and any official online and Internet presence as a means of augmenting and enhancing traditional communication methods and to engage, convey information to, and communicate with members of the public in order to meet the City’s missions and goals. The City intends for its use of any social media site to relate solely to matters of agency business and does not, in any way, intend to nor actually create general public forums.

Social media sites are platforms used by individuals to create publicly viewable content using accessible, expandable, and upgradable publishing technologies through and on the Internet. Examples of social media sites include, but are not limited to: Facebook, Twitter, Instagram, and LinkedIn.

30.00 Scope

This policy applies to all City employees as well as all other persons, such as employees of independent contractors, consultants, elected officials, appointed officials, authorized volunteers, and special committee members acting in an official capacity and when communicating with the public on behalf of the agency.

40.00 General Policy

The City’s website (www.cityoflapalma.org) shall be the City’s primary and predominant internet presence. Use of social media websites shall only serve as an enhancement to the City’s official website. Therefore, information and communications should be organized in a manner that avoids the posting of duplicate or conflicting information.

To the extent possible, the City’s social media sites shall be consistently branded and contain visual elements/graphics clearly identifying such sites as official agency sites, and distinguishing them from non-professional or

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personal use. Such identification of official agency social media sites shall include the use of the agency logo, contact information including an official agency email address, link to the official agency website, and links to other agency social media sites, as applicable.

The City Manager or their designee is responsible for the administration of the City's social media sites, enforcement of this policy, and securing protection of information and technology assets against potential destructive technical incidents in the context of social media use.

Administration of the City's social media sites shall include, but is not limited to, regular monitoring of each site, as well as reviewing and approving all content for the social media sites. The City reserves the right to refrain from posting or to remove any content that is not consistent with this and other agency policies or that it is in violation of applicable law(s). Such administration shall also include ensuring compliance by City and authorized posters on City's behalf with all applicable federal, state, county, and local laws, regulations, and policies.

If it is determined that any social media communication needs to be corrected, amended, or clarified, the City Manager or their designee will determine what modification or supplement to the earlier social media communication is needed. Employees seeking a correction should raise any concern with the City Manager or their designee.

The City Manager or their designee shall maintain a list of all City social media sites that are approved and operating. Login information, including user identification information and passwords, must be provided to the City Manager or their designee.

Any usage of social media sites by any Department shall be approved, in advance, by the City Manager or designee prior to posting any information or material. Consideration will be given to the overall nature and theme of the site and its suitability for City use.

All social media accounts must be set up with a City email account and must be identified as belonging to the City of La Palma.

Only employees who are authorized by the City Manager or their designee may post on social media sites on behalf of the City. Employees representing the City on social media sites shall conduct themselves at all times as a professional representative of the City and shall comply with all City policies and codes of conduct.

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City social media sites shall clearly state that such sites are officially maintained by the City and provide a hyperlink directing a user to this policy.

The City Manager or designee reserves the right to terminate official City social media sites at any time without notice. The use of social media by this City is not intended to create any contract with anyone at any time or in any way nor is any use of social media by this City intended to create any expectation of action to be taken by the City. The public is warned that there is no reasonable expectation that the City nor any emergency services of the City will respond to any social media posting. The City's use of social media is not intended to, nor do they create nor may they be relied upon to create, any rights enforceable by law by any party in a civil or criminal action, nor do they create any obligation or duty of care.

Technology, social media capabilities and scope, and online behaviors are changing constantly. Because of this constant adjustment and adaptation, the City reserves the right to change, modify, or otherwise amend all or part of this Policy at any time.

Use of City social media sites by employees shall be managed consistent with the Brown Act. Members of the City Council, Commissions, and/or Boards shall take extreme caution in responding to any published posting, including "liking" a social media post, or using the City's social media sites or any other form of electronic communication to respond to, blog, or otherwise discuss, deliberate, or express opinions on any issue within the subject matter jurisdiction of the City Council/Commission/Board because such response may create a meeting in violation of the Brown Act.

The City's social media sites are subject to the California Public Records Act. Any content maintained on an official City social media format that is related to agency business, including a list of subscribers, posted communications, and communications submitted for posting, may be considered a public record and subject to public disclosure. California Public Records Act requests for the production of social media site content shall be referred to the City Clerk and City Attorney for review and further handling.

50.00 Personal Use of Social Media by City Employees and Contractors

The City recognizes that employees and contractors have the right to express their personal views through social media activity. However, agency principles, guidelines, and standards of conduct that apply to employees and contractors acting in their official capacities and carrying out

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their official duties for the agency may also apply to an employee's and contractor's participation in social media. For example, employees and contractors are bound by the agency's Behavior Standards and similar agency policies. Further, employees and contractors must understand that non-public information (e.g., personal privacy information, proprietary information, confidential information, information pertaining to pending or threatened litigation, personnel matters, attorney-client and attorney work product information, or information subject to government privileges, among others) may not be conveyed through social media unless and until the release of such information becomes lawful and has been authorized by agency management in accordance with the law.

50.10 General Provisions for Personal Use of Social Media

Neither employees nor contractors need to obtain permission from the City to participate in social media sites in their personal capacity. Employees and contractors are cautioned, however, that there may be restrictions on the receipt of compensation, disclosure of nonpublic information, and improper use of an agency title or official authority that may apply to social media activity – even when an employee or contractor thinks they are acting in a personal capacity. Employees and contractors are encouraged to check with their Department Director if there are any questions.

When an employee or contractor uses social media in a personal capacity, they are doing so for themselves and they are not speaking nor communicating on behalf of the City. Employees and contractors should make certain that it does not appear they are speaking for the City unless authorized to do so.

Employees and contractors should not use official City email addresses when establishing, setting up, or using social media sites for personal or non-City/non-official activities.

Employees and contractors should not use their position, title, or authority to endorse any product, service, company, non-profit organization, or any other enterprise, unless such endorsement is authorized.

60.00 Content

City social media sites should be used to communicate agency missions and messages where there is a legitimate business purpose to do so. Those authorized to post social media content on behalf of City should carefully weigh options and risk management concerns when deciding whether to

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use social media at all. Announcements and other City-generated content should be objective and descriptive; use a polite and professional tone; contain only information that is freely available to the public (do not post any content that is not considered public information) and that is not made confidential by any policy of the agency, or by local, state or federal law; and such content should comply with all local, state and federal rules, regulations and policies.

60.10 Interactive Posting Procedures

Allowing interactive, responsive posting from the public can be a great benefit to the City in that it can provide a channel for persons to ask questions of City staff as well as express their opinions. By engaging in an interactive process, however, consideration must be given to the fact that the City is opening a limited public forum to the public which is protected by the First Amendment. The key to maximizing the benefits of interactivity, while recognizing every person's free speech rights, is to provide useful guidance to persons wishing to post responses. Therefore, any webpages that permit responsive posts shall only be allowed if the City Manager or their designee has approved the webpage and authorized public comments.

City social media content, including comments, pictures, or other material, containing content that is determined to be detrimental to the purpose of the City's social media sites, shall not be allowed and is subject to removal and/or restriction. The City reserves the right to moderate, monitor, remove, prohibit, restrict, block, suspend, terminate, delete, discontinue or reject comments and access to comments if they are:

- Profane, obscene, pornographic, abusive, threatening, racist, defamatory, offensive or contain violent language
- Trolling (posts that are deliberately offensive, provocative, or disruptive and intended to hijack content, deflect information off-track, upset someone or create angry responses from employees or other visitors)
- Messages that are a violation of existing law or regulation
- Violations of the intellectual property rights of others
- Spam (unsolicited messages that are usually intended as advertising or messages that are repeatedly posted on the same site)
- Attacks or calls-to-action for attacks on specific groups

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- Intended to harass, threaten or abuse an individual or are defamatory, derogatory, or are personal attacks on any City official, employee, resident, or business person
- Hateful or discriminatory comments regarding or comments that promote, foster, or perpetuate discrimination or harassment on the basis of race, ethnicity, religion, gender, disability, sexual orientation, political beliefs, or a protected class under local, state, or federal law
- Links or comments containing sexually explicit content material
- Links to malicious software or sites
- Messages that relate to confidential, private, or proprietary information
- Solicitation of funds
- Unsolicited business proposals and inquiries
- Encouragement of illegal or unlawful activity
- In violation of any term, condition, or policy of the social media site

70.00

Disclaimer

The following disclaimer shall be posted on the City social media sites' primary page or by a hyperlink directing a user to the same wherever possible:

“This account is intended to be a limited forum for communication and discussion between the City of La Palma and members of the public about specific topics. The City of La Palma reserves the right to remove inappropriate comments including those comments that are not topically related, comments that include profane or obscene language, sexual content, threats, defamatory statements, the encouragement of illegal activity, violations of the legal ownership interests of another party, solicitations of commerce, statements in support or opposition to political candidates or ballot propositions, content that promotes, fosters, or perpetuates discrimination, or information that may compromise the safety or security of the public or public systems. Any content posted may be subject to public disclosure upon request. Activity on this account is subject to all applicable federal, state, and local laws regulations and policies.”

80.00

Privacy

All users of the City's social media sites are subject to the site's own privacy policy. The City has no control over a third party's privacy policy or their

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modifications to it. To protect your own privacy and the privacy of others, do not include personal information, such as your Social Security Number, phone number, or email address in your comment.

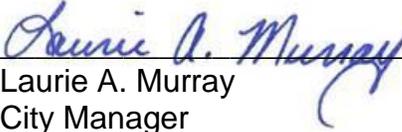
90.00 Retention

Social Media shall be treated as correspondence for purposes of record retention and all records shall be maintained for the current calendar year plus two years. The policies and procedures of the City's Records Management Policy and corresponding Records Retention Schedule shall be followed when destroying printed or electronic records related to Social Media.

100.00 Responsibility

It is the responsibility of the Department Head to ensure all authorized users of social media websites on behalf of the City follow the guidelines established. This Policy shall be complied with in all respects. Revisions to this Policy may occur, and every attempt will be made to provide prior notice of any such change. However, when deemed necessary in order to fully protect the City's interests, the interests of the public, and to more fully protect the safety of the public, including employees governed by this Policy, then this Policy may be changed without notice. Prior to posting on any social media website, each employee shall sign an acknowledgement of receipt of this Policy indicating that he or she has read and understands all of its provisions, and agrees to be bound by same.

Approved by:


 Laurie A. Murray
 City Manager

Date:

August 19, 2019