



Social media and public officials

Social media refers to online and mobile technologies that are used to share information, promote discussion and build relationships, including:

- social networking sites such as Facebook, MySpace, Windows Live and Linked In
- mass communication platforms such as Twitter, Skype and Tumblr
- video and image sharing platforms such as Youtube and Flickr
- messaging technologies such as SMS, email and smart-phone applications.

Public officials need to consider the following misconduct prevention issues related to use of social media for official and personal use.

Official use

Agencies are increasingly using social media for public communication. Technologies such as Facebook, Twitter and SMS offer up-to-the-minute sharing of information with the public, as demonstrated by the Queensland Police Services and Department of Emergency Services during the 2011 Queensland floods. They are also using social media within their organisations for professional communication, sharing ideas and networking with stakeholders.

While these technologies benefit both agencies and the public, it is important to recognise that an agency's Facebook site or Twitter account is as public and official as a media release or report. Easier communication does not mean that less rigour should be applied in communication processes and approvals.

For official use of social media, agencies should refer to the Queensland Government *Official use of social media policy*, and ensure that they have conducted suitable risk assessments and developed adequate policies and procedures governing all official use.

Personal use

In all matters relating to personal use of social media, agencies have a responsibility to educate employees about the policies and legal constraints that apply.

Personal use of official facilities or devices

To reduce the risk of misuse, some agencies block access to social media technologies. Others have a policy that permits limited, reasonable personal use based on the Queensland Government's Information Standard 38 – Use of ICT facilities and devices. In this case, the onus is on supervisors to ensure that the policy is complied with.

Codes of conduct provide standards of conduct that are consistent with the *Public Sector Ethics Act 1994* (the Act). Under section 24 of the Act, if you breach your code of conduct any disciplinary action is dealt with under the legislation by which you are employed.

Section 1.3 of the Code of Conduct for Queensland Public Servants provides a basis for disciplinary action against employees who make inappropriate or damaging public comment about the business of the agency. The 'public comment' provisions of the Code of Conduct are also applicable to inappropriate comments on work matters that are made by staff using official facilities in non-work time, for example lunch time or any other time out of work hours.

Section 4.3 of the code provides a basis for disciplinary action against employees who make inappropriate use of agency ICT facilities.

Personal use of personal facilities or devices

Most misconduct incidents in this area stem from employees believing that what they post on social media from their own

facilities or in their own time is a private conversation. The reality, both in law and in practice, is that anything posted on social media has effectively been published for anyone to read, and can thus be widely distributed without the consent or knowledge of the person who posted it.

The *Public Service Act 2008* (s.187.4) specifies that any 'inappropriate or improper conduct in a private capacity that reflects seriously and adversely on the public service' is a disciplinary offence.

No anonymity

Following a series of landmark legal cases, Twitter, Google, Facebook, Microsoft, Yahoo and other providers have accepted that they can be compelled to reveal the identities of people who post under pseudonyms or avatars. Many of these providers no longer oppose applications to reveal the identity of users.

Genuine complaints

If staff have a legitimate complaint to make about an agency, they should follow accepted processes such as those set out in the *Public Interest Disclosures Act 2010*.

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