

EMPLOYMENT COMMITTEE	AGENDA ITEM No. 8
3 FEBRUARY 2014	PUBLIC REPORT

Cabinet Member(s) responsible:	Cllr Walsh Cabinet Member for Community Cohesion, Safety and Public Health	
Contact Officer(s):	Lyn Neely - Acting Head of Human Resources	Tel. (01733) 384500

CHANGES TO EMPLOYEE POLICIES AND PROCEDURES – PROBATION POLICY AND SOCIAL MEDIA POLICY

RECOMMENDATIONS	
FROM : Trade Union Representatives	Deadline date : N.A.
<p>It is recommended that Employment Committee agrees to implement the following employment policy and procedures:</p> <ul style="list-style-type: none"> i) Revision to the Probation Policy (Appendix 1); and ii) Revision to the Social Media Policy (Appendix 2) 	

1. ORIGIN OF REPORT

1.1 This report is submitted to the Employment Committee following a referral from the Joint Consultative Forum held on 11 July 2013 and 12 December 2013.

2. PURPOSE AND REASON FOR REPORT

2.1 The purpose of this report is to ensure that the Council maintains up to date and legal employment policies.

2.2 This report is for the Committee to consider under its Terms of Reference No. 2.3.1.2 ‘to determine employee procedures, including dismissal procedures’ and 2.3.1.4 ‘to determine local terms and conditions of employment for employees’.

3. TIMESCALE

Is this a Major Policy Item/Statutory Plan?	NO	If Yes, date for relevant Cabinet Meeting	N/A
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4. BACKGROUND

4.1 Change to Probation Policy

4.1.1 To ensure that it is completely clear, the Probationary Policy has been amended to state that all staff in their probationary period will be given one months notice if their contract is terminated. This applies to all staff including those who are entitled to a three month notice period outside of the probationary period.

4.2 Change to Social Media Policy

- 4.2.1. Following an Ofsted inspection at Clare Lodge a request was made to ensure the Social Media policy was more robust regarding the use of social media and the children's personal information. Additional information now expressly states the position regarding personal use of social media and contact with children who have left the care of the council.

5. CONSULTATION

- 5.1 The joint trade unions were consulted on the Probationary Policy on 11 July 2013. The joint trade unions were consulted on the Social Media Policy on 12 December 2013.

6. ANTICIPATED OUTCOMES

- 6.1 The proposed change to the Probationary Policy will ensure that the Council is making best use of its resources whilst treating employees fairly.
- 6.2 The proposed change to the Social Media Policy will expressly state what is expected of employees regarding their use of social media in respect of children in our care or those that have left the care of the council.

7. REASONS FOR RECOMMENDATIONS

- 7.1 These proposed changes are to ensure the Council operates within frameworks that are lawful, best practice, transparent and consistent.

8. ALTERNATIVE OPTIONS CONSIDERED

- 8.1 The policies were considered against:
- (a) those published by some other local government employers; and
 - (b) existing policies, to ensure a sensible, fair approach which took account of current legislation.

9. BACKGROUND DOCUMENTS

- 9.1 None

10. APPENDICES

Appendix 1 – Probationary Policy
Appendix 2 – Social Media Policy

PROBATION POLICY

1. Purpose

The purpose of this Policy and the [Probation Procedure](#) is to provide a basis for the effective management of probationary assessment and where appropriate unsatisfactory performance during the probationary period.

This policy does not form part of any employee's contract of employment. It may be amended from time to time.

2. Key Principles

- All newly appointed employees will be subject to a probation period.
- Appointments 'subject to a probation period' are made with a view to permanency.
- The probation period provides an important opportunity for the newly appointed employee to familiarise themselves with the requirements of their role and to objectively assess with their line manager whether they can be adequately satisfied.
- Line managers will meet with newly appointed employees as soon as possible after the commencement of their employment in order to confirm the standards of performance expected and the way in which this will be evaluated during the probation period.
- Line managers will continue to provide appropriate support throughout the probation or extended probation period to assist the newly appointed employee in achieving the required standards of their role.
- A maximum one month's notice will apply for both employee and employer during the probation period (unless the statutory notice period is longer).
- Matters of attendance, capability and conduct will be dealt with under this Policy and the [Probation Procedure](#). No other Policy or Procedure will apply.

3. Further information

This Policy should be read in conjunction with the [Probation Procedure](#).



SOCIAL MEDIA POLICY

1. Introduction

Peterborough City Council (“the council”) recognises that social media provides an effective platform for discussion and information sharing amongst employees and service users. Nevertheless, the council also recognises that the use of social media can pose risks to its reputation and compliance with legal obligations.

The purpose of this policy is to minimise risk, avoid loss of productivity and to ensure that the council’s ICT resources and communications are used appropriately.

This policy covers all individuals working at all levels and grades including senior managers, officers, directors, volunteers, homeworkers, part-time and fixed-term employees, casual and agency staff (“users”). This policy also applies to third parties with access to our electronic communication systems and equipment.

This policy does not form part of an employee’s contract of employment and it may be amended from time to time.

This policy should be read in conjunction with the council’s [Information, Communications and Telecoms \(ICT\) Policy](#), [Equality and Diversity Policy](#), [Employee Code of Conduct](#) and [Disciplinary Policy \(including Disciplinary Rules\)](#).

2. Scope

This policy deals with the use of every form of social media including:

- Social Networking sites (e.g. Facebook)
- Micro-blogging services (e.g. Twitter)
- Video sharing services (e.g. Instagram)
- Photo sharing services (e.g. Flickr)
- Online gaming and virtual reality (e.g. World of Warcraft)

It applies to the use of social media for both business and personal purposes whether or not during office hours or otherwise. The policy also applies regardless of whether or not the social media is accessed using the council’s ICT facilities and equipment or that of the users. Privacy and Safety tools should be enabled to restrict who employees interact with.

Breach of this policy may result in disciplinary action being taken in accordance with the council’s [Disciplinary Policy](#) and [Disciplinary Procedure](#) and for external service providers, a review of contractual arrangements. Users may also be required to remove internet postings which are deemed to constitute a breach of this policy.

3. Key Principles

The following sections of the policy provide users with common-sense guidelines and recommendations for using social media responsibly and safely.

Protecting Peterborough City Council's business reputation:

Users must not post disparaging or defamatory statements about Peterborough City Council and/or its:

- Service users;
- The Services provided by the council;
- Employees
- Visitors to the council
- Suppliers; or
- Other affiliates and stakeholders.

Users are personally responsible for what they communicate in social media and should remember that what they publish may be available to a wide audience over a lengthy period of time.

Users should not post comments which could be construed as sensitive, objectionable or inflammatory to include political opinion.

Respecting intellectual property and confidential information:

Users must not identify young people within residential settings by name, photo, bedroom number, unit, physical description, or any events or actions which concern that child/young person.

Users should not do anything to jeopardise the council's obligations under the Freedom of Information and Data Protection Acts and should therefore refrain from disclosing any information which could be construed as personal, confidential and/or exempt from public disclosure.

Users should not misappropriate or infringe the intellectual property of other companies and individuals which could create liability for Peterborough City Council as well as themselves.

Users should not use Peterborough City Council's logos, brand names, slogans or other trademarks without permission.

On professional accounts, the council's logo and other branding elements should be used where appropriate to indicate the council's support. However, permission must be sought from the Communications Team first. The logo should not be used on social networking applications which are unrelated to or are not representative of the council's official position.

Users should keep their business and personal social media accounts totally separate and should avoid accepting friend requests to business accounts from personal friends and vice versa. Upon leaving the council, the user/ user's manager is required to inform the E-Communications Officer of their leaving date via the Marketing Team email address and that person will be deleted from the account. The user is responsible for finding an alternative person to take their place in maintaining the accounts.

In any circumstance where a user is uncertain as to the appropriateness of any statement or posting they should refrain from making the communication until it has been discussed with the Communications Team.

Where social networking applications are being managed by council representatives, appropriate feedback and complaints information must be published in a prominent place which is easily accessible.

4. Personal Use

Occasional use of social media for personal activities at the office is permitted provided it does not involve unprofessional or inappropriate content and does not interfere with an employee's primary job responsibilities and/or productivity. Employees who are unclear on the definition of occasional use should clarify this with their line manager.

The council does not encourage users to write about their work in any way and would prefer them not to do so. Nevertheless, if users choose to, they should do so in accordance with the key principles (refer to section 3) and the following additional considerations:

- Users who identify themselves as connected with Peterborough City Council, should ensure that their profile and any related content are consistent with how they would wish to present themselves to colleagues and customers.
- Any personal blogs or other personal posts must contain a disclaimer that makes it clear that "the opinions expressed are solely those of the author and do not represent the views of Peterborough City Council." Users must write in the first person and use a personal e-mail address when communicating via social media.
- When using social media, users should respect their audience and refrain from making any detrimental comments about colleagues and/or Peterborough City Council and its partners.
- Some social sites provide for members to write recommendations or referrals for friends/associates. If a user does this as a representative of the council, it may give the appearance that the council endorses the individual being recommended which can create a liability. For this reason the council prohibits users from making such recommendations or referrals.
- Users who may not directly identify their association with Peterborough City Council when using social media for personal purposes at work or at home, should be aware that content they post on social media websites could still be construed as relevant to this.
- Users should not write or report on conversations, meetings or matters that are meant to be private or internal to Peterborough City Council.
- Users should be aware that they may be held personally liable for any unauthorised, inappropriate or illegal use of social networking sites.
- All users need to be aware that applications may be closed for a defined period before local and national elections in order to comply with legislation which affects local authorities.
- The only contact with children and young people who have left the care of the council should be through telephone calls at work – preferably witnessed by other staff, or by letter that is checked by the manager. Those who work with children and young people should have no further personal contact with the child or young person via any method when they have left the care of the council or the employee has left. This statement also applies to children who are no longer in receipt of any services from the council

5. Applying this Policy and Gaining Relevant Approvals

Users whose duties require them to speak on behalf of the council in a social media environment, must seek approval from the Director of Communications or Head of Communications and may be required to undergo training and have certain requirements and restrictions imposed with regard to their activities.

If users are contacted for comments about the organisation for publication anywhere, including any social media outlet, the approval of the Director of Communications or Head of Communications is required.

- To access social media sites line managers must firstly contact the Marketing Team to discuss why the use of social media is required.
- Consideration must be given to what, how and who will be able to provide regular content to the group, page or feed and respond to feedback. Unused social media streams that are not updated can be damaging to the council's reputation. The council already has an established presence on Facebook and Twitter and consideration should be made as to whether officers can achieve their aims through these social media channels first.
- After initial discussion this must be followed up with a written request briefly explaining the business reasons for needing access to social media. This should be forwarded to marketing@peterborough.gov.uk. Where approval is given the request will be forwarded to ICT asking them to supply the user with access to the correct media. Where access to social media is given and an account set up for 'business use only' the username and password will be registered with Marketing. Please note ICT will not give access to any social media site without marketing approval.
- As part of the setting up process, the E-Communications Officer must be made an administrator of the group and any groups or pages set up should also be linked to the E-Communications Officers accounts.

6. Professional Use

If social media is used in a professional capacity at work as part of their job role, users should do so in accordance with the key principles (refer to section 3) and the following additional considerations:

Users must:

- Not use any social media tool for council business unless they have received appropriate training and are registered on the approved business social media user list held by the Communications Team;
- Not use any social media tool for party political purposes or specific campaigning purposes as the council is not permitted to publish material which 'in whole or part appears to affect public support for a political party' (Local Government Act 1986) or use the sites for the promotion of personal financial interests, commercial ventures or personal campaigns.
- Read and comply with the Terms of Service document when they sign up to become a user of a social networking site.
- Identify themselves – this means disclosing their name and role – when discussing Peterborough City Council or council related matters;
- Not post any confidential or proprietary information without prior written permission from their head of service.
- Not post anything related to colleagues, customers, clients, business partners, suppliers, vendors or other stakeholders without their written permission.
- Ensure that their profile and any content they post are consistent with the professional image they present to clients and colleagues.
- Be mindful that what they publish will be public for a long time and might be available to read by the masses and can't be retracted once published;
- Not write or report on conversations, meetings or matters that are meant to be private or internal to the council;

- Not cite or reference customers, partners or suppliers without their written approval. Where users do make a reference, where possible link back to the source and if users are unsure whether a particular post or upload might violate anyone's copyright or trademark, ask the Communications Team before making the post/upload;
- Not provide reference for individuals on social or professional networking sites as this creates a legal liability for both the author and the council;
- Make sure that professional use of social media adds value to the environment in which they are participating and to the council's delivery of services to Peterborough residents;
- Provide worthwhile information and perspective;
- Be aware that content on such social media websites may be subject to Freedom of Information requests.
- Not post comments about sensitive business-related topics, such as the council's performance as these comments can damage the council's reputation. Reputation is built on three things: what people say about you; what you say about yourself and how your actions and behaviours reflect what you stand for. Peterborough City Council's reputation is heavily influenced by its people and what is published will reflect on our reputation.
- Ensure that anything posted respects copyright and is consistent with the relevant legislation and rules including Data Protection Act 1998, Privacy and Electronic Communications Regulations 2003, Advertising Standards Authority Committee of Advertising Practice (ASA CAP) code and the Code of Recommended Practice on Local Authority Publicity. It is the responsibility of the employee to make sure that they are familiar with how these apply to professional use of social media. If in doubt in the first instance employees should consult with the Communications Team;

7. Monitoring and review of this policy

The council will monitor the use of social networking sites to ensure that any internet use by employees complies with its ICT policy. Therefore, employees should have no expectation of privacy in any social media post conversation or message, or any other kind of information or communications received or transmitted. Employees consent to such monitoring by their use of social media resources and systems.

8. Further Information

Enquiries or requests for information from social media, including requests from bloggers, should be forwarded to the media team for a response at media@peterborough.gov.uk. Officers must not respond directly to such enquiries without express permission from the media team.

Employees who are uncertain or concerned about the appropriateness of any statement or posting or wishing to report any misuse of social media or content that disparages or reflects poorly on the council should contact their Line Manager or HR Business Partner in the first instance.