



A handwritten signature in blue ink, appearing to read "Ryan Heston", written over the "Approved:" line.

**SUBJECT: Social Media Policy ("Policy")**

I. PURPOSE: To prevent inappropriate use of the City of Indio ("City") social media, including but not limited to Facebook, Instagram, TikTok, and Twitter ("City Social Media") that may expose the City to risks and viral attacks, compromise of network systems and services, and legal issues.

The City of Indio supports the use of social media networks to enhance communication efforts, collaboration, and the exchange of information to meet business missions and goals. The City has an interest in determining what messages are delivered and what information is exchanged regarding the City's Social Media. This Policy establishes guidelines for the establishment and use City Social Media as a means of conveying information about the City and its events and activities to the public.

II. DEFINITIONS: For the purposes of this Policy, these terms are defined as follows:

A. City Business: Information relating to the conduct of the public's business or communications concerning matters within the subject matter of the City's jurisdiction. Resolution of the question of what information or communication constitutes "city business" will involve an examination of several factors, including: (a) the content itself; (b) the context in, or purpose for which the communication was written; (c) the audience to whom it was directed; (d) the purpose of the communication; and (e) whether a writing was prepared by a City official acting or purporting to act within the scope of his or her City employment.

B. Covered Individual: All current employees, councilmembers, commissioners (if applicable), contractors, interns, and volunteers.

C. California Public Records Act ("PRA"): State law found in California Government Code, Section 6250 et seq., concerning the disclosure of Public Records. Under the PRA, records maintained by the City are subject to inspection by the public upon request unless specifically exempt from disclosure under the law.

D. Internet: A world-wide collection of publicly accessible networks linked together for the exchange of information and services.

E. Public Record: As defined by California Government Code section 6252(e), any writing containing information relating to the conduct of the public's business prepared, owned, used, or retained by the City regardless of physical form or characteristics.

F. Social Media: As defined by California Labor Code section 980, means an electronic service or account, or electronic content including but not limited to videos, still photographs, blogs, video blogs, podcasts, instant and text messages, email, online services or accounts, or Internet web site profiles or locations. Social media means and includes Internet technologies that facilitate and promote interactive communication, participation and collaboration. Examples of social media include, but are not limited to the websites and applications, such as Facebook, Twitter, Instagram, LinkedIn, YouTube, TikTok, Snapchat and the interactive tools and functions they provide to users.

G. Social Media Content: Includes any materials, documents, photographs, graphics, and other information that is created, posted, distributed, or transmitted using social media Internet sites or social media networks.

H. Social Media Administrator: A City employee that has been identified by a City department to develop, curate and post Social Media Content.

I. Social Media Contractor: A contractor or third-party Social Media Content creator who is contracted with the City to provide marketing services, including creating, and posting Social Media Content on behalf of the City.

J. Social Media Bot: A software program that simulates human behavior in automated interactions on social media networks.

K. Social Media Site: Website dedicated to the social interaction of people, examples include but is not limited to Facebook, Twitter, Instagram, LinkedIn, YouTube, TikTok, or Snapchat.

III. SCOPE: This Policy applies to Covered Individuals who are provided access to the City's technology, equipment and resources.

IV. Amendment: The City Manager may amend this Policy as required.

V. GENERAL POLICY: The City's intended purpose of using Social Media is to disseminate information about the City to its residents and stakeholders in a relatable and contemporary manner. Departmental use of Social Media networks shall conform

## SOCIAL MEDIA POLICY

the protocols and procedures contained, or referenced in this Policy. Nothing in this Policy shall be applied to prohibit or infringe upon any speech or expression that is protected or privileged under law.

#### A. Guidelines

1. No Covered Individual may establish any Social Media account in the name of or on behalf of the City or any City agency unless: (1) the department head or designee has approved the account; (2) the City Manager's Office has approved and (3) all information to be posted on the account is approved in accordance with this Policy. This requirement applies regardless of whether the account is established, accessed, or used by means of City information systems or by means of the employee's or others' information systems, and regardless of whether the account is established, accessed, or used from City or non-City premises. When deciding whether to launch a Social Media account, departments should consider the purpose of the messaging, department's mission and goals, audience, content development, page maintenance, legal risks, technical capabilities, and potential benefits.
2. City Manager, or designee, is responsible for determining who is authorized to use Social Media on behalf of the City, and for designating appropriate access levels. City Manager's Office is required to maintain all log-in information (usernames and passwords).
3. Access to Social Media networks from within the City's technology infrastructure or using a personal device for City business is limited to individuals performing official City business and to departments with sufficient information and technology security controls.
4. Covered Individuals shall only utilize City approved Social Media networks for hosting official City Social Media networks.
5. Social Media networks shall be created and maintained in accordance with the City's Style Guide and with identifiable characteristics of an official City site.
6. City Manager's Office, or designees, are responsible for establishing and maintaining content posted to their Social Media networks and shall have measures in place to prevent inappropriate or technically harmful information and links.

7. City Manager's Office, or designees, are responsible for maintaining oversight of their Social Media activity and Policy compliance, including strategies, activities and content developed by a Social Media Contractor. All content strategies, activities and content developed by a Social Media Contractor must be approved by a Social Media Administrator or departmental designee.

8. Use of Social Media shall be documented and maintained in an easily-accessible format that tracks account information and preserves items that may be considered a record subject to disclosure under the PRA, or required to be retained pursuant to City policy and applicable laws.

9. City Social Media sites shall be monitored regularly, and prompt corrective action shall be taken when an issue arises that places or has potential to place the City at risk.

10. Use of Social Media networks shall comply with all applicable federal and state laws, regulations, and policies including, but not limited to, copyright, records retention, the PRA, First Amendment, privacy, employment-related laws, and established City Information Technology Department policies.

#### B. Social Media Content

1. City Social Media networks should clearly convey they are maintained by the City and that they follow the guidelines of this Policy.

2. Wherever possible, City Social Media networks should link back to the official City website for forms, documents, online services, and other information necessary to conduct business with the City.

3. Social Media Administrators will monitor content on City Social Media networks to ensure adherence to both the City's Policy and that the interest and goals of the City are met.

4. The City reserves the right to restrict or remove any content posted by the public that is deemed in violation of this Policy, the City Social Media Terms of Service or any applicable law. If a Social Media Administrator comes across inappropriate or threatening content, as set forth in Section V.E.9 on any City Social Media network, the Social Media Administrator must contact their supervisor and the City Manager's Office, or designee, to get permission to remove, hide or block the content.

5. Any content removed based on the City's Terms of Service as set forth in Section V.E.9, must be retained by the Social Media Administrator pursuant

#### SOCIAL MEDIA POLICY

to the City's record retention schedule, including the time, date, and identity of the individual or group who posted the content, when available. These Terms of Service must be displayed to the public on the page on the social media network or made available on the City's website: [www.indio.org](http://www.indio.org)

6. The City will implement Social Media tools as consistently as possible Citywide, coordinated by the City Manager's Office.

7. The City's website at <https://www.indio.org> will remain the City's primary and predominant source of information, except for the Indio Police Department, its primary and predominant source of information is <https://www.indiopd.org>

#### C. Social Media Administrators

Social Media Administrators who utilize Social Media shall:

1. Have a strong understanding of the risks associated with using Social Media in order to make an effective business decision.
2. Engage the City Manager's Office, or designees, to assess potential issues of utilizing a specific City approved social media site in comparison with the business opportunities expected.
3. Establish a well thought out Social Media strategy and consult with the City Manager's Office prior to implementation.
4. Reference to the City's "Terms of Service" disclosures should be posted on the respective social networking sites.
5. Have security controls in place to protect City information and technology assets.
6. Maintain responsibility for overseeing the department's Social Media activity and Policy compliance.
7. Require any authorized staff to be knowledgeable and familiar with the use of Social Media networks.

#### D. Personal Social Media Accounts Pertaining to City Business

1. Covered Individuals who maintain a personal social media account should understand and follow this Policy if posting content related to City business.

## SOCIAL MEDIA POLICY

2. One of the primary purposes of an employee's personal social media account should not be to communicate City business. The only Social Media accounts that have a primary purpose of communicating City business on behalf of the City should be authorized City Social Media accounts.

3. Covered Individuals who post on their personal social media accounts content related to City business occasionally, and not as a primary purpose, to communicate to their private or public followers, should do so in a way that aligns with City standards of appropriateness, style, and decorum.

4. If the City receives a Public Records Act request for content that is posted on a private page regarding content that is potentially related to City business, the City may ask the Covered Individual to provide the content. It is the Covered Individual's responsibility to provide the content if available. With that in mind, Covered Individuals posting content related to City business on personal accounts, should archive said content, in according to the City's retention schedule before considering deleting from their account for any reason.

#### E. Comment Terms and Conditions

1. A posting or any other submission to the City's Social Media pages constitutes acceptance of these terms.

2. The posts and comments expressed on Social Media the City's Social Media networks by the members of the public do not reflect the opinions or endorsements of the City, its officers, or employees. The City does not claim or assert any ownership interest in any of the material posted by the public, but by posting or submission of any materials City Social Media, the public is granting the City a royalty free, non-exclusive and perpetual license to display it on City Social Media at the City's sole discretion.

3. "Liking," or other connections between the City and another person/organization, does not imply endorsement of that person/organization or that person/organization's actions or comments.

4. The content on a City Social Media network is not entirely controlled by the City, and day-to-day Social Media content is not retained on the City's servers. All Social Media networks that the City participates with are owned and operated by third-party entities not affiliated with the City. The City does not endorse any link or advertisements placed on a Social Media network by the Social Media network or its vendors or partners.

5. The City reserves the right to remove and hide comments and/or block anyone who posts inappropriate or offensive material meeting the

standards set forth in Section V.E.9, and as determined by a City Social Media Administrator.

6. The City always has the right to disclose any information to satisfy any applicable law, regulation, legal process or governmental request; and to edit, refuse to post or to remove or to store any information or materials posted here.

7. Any content maintained in Social Media format that is related to City business, including a list of subscribers, posted communication, and communication submitted for posting, may be a Public Record subject to public disclosure.

8. The City does not accept any statutory notice required to be given to the City or by any law, regulation, or contract on social media websites. All such notices shall be provided and delivered to the City in the manner described by applicable law, regulation, or contract.

9. Social media users should ensure Social Media Content posted serves the public in a civil and unbiased manner.

10. The City reserves the right to remove without notice any comments or submissions that meet the standards set forth below including, but not limited to, comments or submissions that:

a) Defame, abuse, harass, stalk, threaten, or violate the legal rights of others.

b) Include sexual content, profanity, vulgarity, obscenity, racism, hatred, slander, threats, and/or violence.

c) Include personal attacks, defamatory attacks, or comments disparaging an individual or group based on ethnicity, race, gender, religion, age, disability, sexual orientation or other protected basis under federal or State statutes, or City Policy.

d) Promote or endorse commercial entities, commercial causes, or commercial products.

e) Promote or endorse political campaigns, candidates, or organizations.

f) Contain spam or advertisements.

g) Contain personal information about another person or that violate a person's privacy.

h) Include material having intellectual property rights, including

## SOCIAL MEDIA POLICY

copyrights, trademarks, or any other propriety property that belongs to another person or organization.

i) Contain links to websites or links that do not directly relate to City services, issues, news, and events.

j) Promote illegal activity.

k) Compromise public safety or operations or contravene law.

11. All content posted to Social Media networks are bound by their respective platform Terms of Service and the City reserves the right to report any violation of a platform's Terms of Service.

12. The City reserves the right to report any account that it determines may be operated by a Social Media Bot to the Social Media site.

13. A comment posted by a member of the public on any City Social Media network is the opinion of the commenter or poster only, and publication of a comment does not imply endorsement of, or agreement by, the City, nor do such comments necessarily reflect the opinions or policies of the City.

14. The City reserves the right to deny access, remove or hide comments from City Social Media networks for any individual, who violates these terms of use, at any time and without prior notice.

#### F. Reporting and Removal of Unauthorized Comments

1. The City requires that Social Media Administrators immediately notify their supervisor and the City Manager's Office if there is any posted material that violates this Policy. The City Manager's Office will investigate and respond to all reports of potential violations of this Policy. Depending on the level of threat that the post and/or comment raises, the City Manager's Office may report it to the City's Police Department.

2. Any content removed or hidden based on these guidelines must be retained by the City Manager's Office, or designees, pursuant to the City's record retention schedule, including the time, date, and identity of the poster, when available. Upon removal of content, the Social Media Administrator shall make reasonable attempt to notify the commenter that their response has been deemed inappropriate and removed due to inconsistency with the City's Policy.

### SOCIAL MEDIA POLICY



### G. Reporting and Removal of Unauthorized Comments on Non-Authorized Social Media Networks

1. Cyber Bullying and Abuse, the use of technology to harass, threaten, embarrass, or target another person, is a serious issue that should not be taken lightly. Although, Social Media Administrators are not responsible for monitoring pages that are non-City pages, Social Media Administrators are responsible for reporting any inappropriate and potentially life-threatening comments to their supervisor and the City Manager's Office.

2. The City Manager's Office will investigate and respond to all reports of potential violations of this Policy. Depending on the level of threat that the post and/or comment raises, the City Manager's Office may report it to the City's Police Department.

3. It is important to also immediately report the comments deemed inappropriate to be removed on the social media platform where it was seen. Below are links to information regarding how to report inappropriate and/or dangerous comments/posts to some of the more widely used social media networks.

Facebook: <https://www.facebook.com/help/116326365118751>

Twitter: <https://help.twitter.com/en/safety-and-security/cyber-bullying-and-online-abuse>

Instagram: <https://help.instagram.com/489507671074566>

Snapchat: <https://support.snapchat.com/en-US/a/report-abuse-in-app>

YouTube: <https://support.google.com/youtube/answer/2802268?hl=en>

TikTok: <https://support.tiktok.com/en/safety-hc/report-a-problem>

VI. Violation of Policy: Covered Individuals who violate this Policy may have their computer and technology system usage and access, and related privileges, revoked or suspended, and may be subject to disciplinary action, up to and including termination. Violations of local, state, and federal laws carry additional penalties.

VII. Policy Acknowledgement:

A. All Covered Individuals shall acknowledge receipt of this Policy by signing a

### SOCIAL MEDIA POLICY

Condition of Employment/Service Acknowledgement form indicating they have received, read, understand, and will abide by its provisions. If a Covered Individual declines to sign, a witness shall make a notation that the individual has received the information.

B. The original form shall be placed in the personnel file and a copy shall be given to the Covered Employee.

#### VIII. Roles and Responsibilities:

A. Newly Covered Individuals shall be given this document during the orientation process.

B. Each City department head shall be responsible for enforcing compliance with this policy by its department Covered Individuals. Social Media Administrators shall monitor the department's Social Media networks for comments requesting responses from the City and for comments in violation of this Policy and report to the City Manager's Office. When a City Social Media Administrator responds to a comment or direct message, in his/her capacity as a City employee, the employee shall not share personal information about himself or herself, or other City employees. For cyber security reasons, all Covered Individuals are encouraged to use caution when communicating with the public and take necessary measures to ensure the City's systems are not compromised. If necessary, a general department email that is regularly checked could be shared but avoid sharing any personal work emails.

C. Covered Individuals are responsible for complying with this Policy. Department heads and supervisors are responsible for enforcing this Policy. The City Manager's Office is responsible for assisting and administering this Policy.

D. Covered Individuals who violate this Policy may be subject to disciplinary action up to and including termination, and if applicable, termination of a City contract for material breach of this Policy.

E. When a Social Media Administrator for the City departs his/her job it is the City Manager Office's, or designee, responsibility to remove the former Social Media Administrator from having any access to City Social Media.

#### IX. References:

A. A-9 Technology Acceptable Use Policy

B. California Public Records Act

C. Freedom of Information Act

### SOCIAL MEDIA POLICY

## **ACKNOWLEDGEMENT OF RECEIPT**

My signature on this document acknowledges that I have received and read the City of Indio's City Social Media Policy, A-40, and that I will abide by the policy as a condition of employment/service.

I understand that the City has an interest in determining what messages are delivered and what information is exchanged regarding the City through use of social media sites (including but not limited to Facebook, Instagram, TikTok, and Twitter). This policy establishes guidelines for the establishment and use of social media by the City as a means of conveying information about the City and its events and activities to the public.

I understand that any attempt to violate this policy may be subject me to disciplinary action, up to and including termination. Violations of local, state, and federal laws carry additional penalties.

Signed: \_\_\_\_\_

Printed Name: \_\_\_\_\_

Title: \_\_\_\_\_

Department: \_\_\_\_\_

Date: \_\_\_\_\_