

Adopted by the Board of Supervisors on 9-13-11
Reso 2011-108

NAPA COUNTY SOCIAL MEDIA USE POLICY

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I. SUMMARY/PURPOSE

The purpose of this policy is to establish consistent standards for and ensure appropriate use of Napa County-sponsored Social Media sites for use by Napa County departments in reaching out to the public with the intended purpose of sharing and gathering information about the County.

For the purpose of this policy “Social Media” (and Social Networking) refers to technologies that allow County departments to share pertinent and important information over the Internet with the public.

This policy applies to all County-sponsored Social Media sites (“County Social Media sites”) and to all Napa County employees and approved volunteers, consultants, service providers and contractors performing business on behalf of a County agency/department. This policy is not intended to regulate the personal (non-work-related) activities of County employees, volunteers or contractors.

II. POLICY

A. Application of Related County Policies

All official Napa County presences on Social Media sites are subject to all related administrative policies, including, but not limited to, confidentiality, conflict of interest, general conduct and sexual harassment. Please refer to specific County and departmental policies that cover privacy and security of County technology assets (including data and information) and the Policy for Maintaining a Harassment and Discrimination Free Work Environment.

B. Front Page Requirements - Identification & Maintenance as a Napa County Site

To help distinguish County Social Media sites from non-professional (or personal) uses of these tools, County sites must state that they are maintained by Napa County and that they are subject to this Social Media Policy. Each site must have the standard County Privacy and Disclaimer Notice posted on its front page. [Refer to the County Privacy and Disclaimer Notice.]

C. Napa County’s Official Website

Napa County’s official Website at www.countyofnapa.org will remain the County’s primary and predominant Internet presence.

D. Link back to Official County or Department Official Website

Content on County Social Media sites shall *not* be offered in lieu of official information on the County’s official Website or a department’s official Web pages. A County Social Media site shall contain a link back to the sponsoring department’s official Website, where

the announcement, press release, form(s), document(s), online services and/or other information relevant to the matter shall be posted.

E. Records Retention

County Social Media site posts that are prepared, owned, used or retained by the County (including its departments), will be archived and managed in accordance with the applicable County and Department records retention schedule.

Exception: Comments posted back to a County Social Media site are generally transitory in nature and are not considered to be records that are required under law to be kept, or necessary or convenient to the discharge of a public officer's duties, or made for the purpose of preserving its informational content for future reference. Comments are retained only until they have been removed and destroyed unless otherwise required by law to be retained (such as where the content is subject to litigation or potential litigation or pending Public Records Act requests). [For more information refer to the County Records Management Policy.]

F. Public Records Act Requests for Production

Posts on County Social Media sites that are prepared, owned, used or retained by the County, or its departments, may be considered public records subject to disclosure under the California Public Records Act ("PRA" - Government Code §§ 6250 et. seq.). Any PRA requests for the production of posts on a County Social media site shall be referred to the County Counsel's Office for review and response.

Preparedness to Comply with PRA Requests: The posting Department must be prepared to respond to PRA requests and e-Discovery requests.

G. Comments Posted Back on Social Media Sites

- 1) A primary purpose of Social Media sites is to welcome public comment on posted topics. Wherever appropriate and possible, the County encourages the solicitation of comments on Social Media sites. Where comments are not desirable or practical, the department should carefully consider both appropriate social media and other media tools. While the County welcomes public comment by email, letter, and phone, the receipt of public comments on a County Social Media site invites certain legal risks and administrative challenges.
- 2) The following requirements should be adhered to in using and managing a County Social Media site:
 - a. Posting of County Privacy and Disclaimer Notice: The standard County Privacy and Disclaimer Notice must be posted on the site's front page, detailing how posts and public comments may be subject to the Public Records Act or to discovery under pending litigation.

- b. Daily Monitoring of Comments: The posting Department must dedicate sufficient resources and time on a daily basis to monitor for disallowed public comments as set forth in Section II. G.2) d. , “Disallowed Content” or to respond to requests or questions.
- c. Disabling of Public Comments: There may be occasions where disabling of public comments on a Social Media site is desirable. In these instances, comments may be invited via email to a designated County department email address that is regularly monitored. Refer to the County’s Social Media Best Practices for further guidance.
- d. Disallowed Content: Users and visitors to County Social Media sites shall be notified that the intended purpose of the site(s) is to serve as a mechanism for communication between County departments and members of the public. A site that allows public comment shall inform visitors of the intended purpose of the site. The site must provide a clear statement of the discussion topic introduced for public comment so that the public is aware of the limited nature of the discussion and that inappropriate posts are subject to removal.

Napa County social media postings, articles and comments containing any of the following forms of content shall not be allowed:

- Profane language or content;
- Content that promotes, fosters, or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, status with regard to public assistance, national origin, physical or mental disability or sexual orientation;
- Sexual content or links to sexual content;
- Comments in support of or opposition to political campaigns or ballot measures;
- Solicitations of commerce;
- Conduct or encouragement of illegal activity;
- Information that may tend to compromise the safety or security of the public or public systems;
- Content that violates a legal ownership interest of any other party;
- Comments not topically related to the particular social medium article/posting being commented upon.
- **For site security, hypertext links in comments are prohibited.** Users may post only plain text links that they can copy and paste into a browser.

- 3) These guidelines on comments must be displayed to users (e.g. through the County Privacy and Disclaimer Notice) or made available by hyperlink. Any content removed must be retained and documented in accordance with the County’s Social Media Best Practices.

H. Content of Posts

- 1) **Posts Represent the County:** Employees, contractors, and other individuals authorized to use Social Media to communicate on behalf of a County department should be mindful that statements posted represent the County, including its elected officials. Therefore, employees, contractors and other authorized individuals should use discretion when posting.
- 2) **Purpose of Posts:** Posts should be designed to increase the public's knowledge, trust and use of County departments, programs or services.
- 3) **Posts for Official Business Only:** Posts should always relate to work-related matters within the subject matter jurisdiction of the posting Department and should be consistent with the County's public service mission. Only information authorized by this policy shall be posted. County staff authorized to use County Social Media sites must ensure that all information posted is professionally presented, accurate and appropriate for dissemination to the public.
- 4) **County Branding:** County Social Media sites must identify the department responsible for the information displayed, such as all descriptions, logos, and images, to name a few, representing the County services.
- 5) **Protection and Non-Disclosure of Confidential/Sensitive Information:** Confidential, sensitive, proprietary or non-public information must never be shared.

Information posted on County Social Media sites or links from those sites to County sites must not contain data or information that relates, or can be connected to, an individual or group of individuals containing specific health information (doctors, diagnoses, medication/prescriptions, etc), personally identifiable information (names with social security numbers, bank accounts) or information deemed to be sensitive in nature or protected by Federal, State, or County rules and regulations.

It is the responsibility of all County staff authorized to use County Social Media sites to ensure that information posted on these sites do not contain confidential, sensitive, proprietary or personal information.

- 6) **Copyright Laws:** Postings must respect copyright laws, and reference or cite sources appropriately. This includes, but is not limited to, quotes, images, documents, links, etc.
- 7) **No Political Advocacy or Private Commercial Activity:** Departments and their employees must not use County Social Media sites for advocacy of political purposes or to conduct private commercial activities.
- 8) **No Expectation of Privacy:** Users of County Social Media sites, including employees, are cautioned not to have any expectation of privacy as to any posting.

- 9) **Ongoing Monitoring and Updating of Sites:** Departments must monitor and maintain their sites, and delete or replace stale posted information in accordance with the County’s Social Media Best Practices.
- 10) **Right to Remove Content:** The County reserves the right to restrict or remove any content that is deemed in violation of this social media policy or any applicable law.
- 11) **Disclaimer of Liability:** Users shall be informed on County Social Media sites that the County disclaims any and all responsibility and liability for any materials that the County deems inappropriate for posting, which cannot be removed in an expeditious and otherwise timely manner.

I. Responsibilities of Departments and Information and Technology Services

- 1) **Napa County Department Heads** are ultimately responsible and accountable for the management of department site(s) in a manner consistent with this policy and related policies and procedures, including the County’s Social Media Best Practices. Department Heads must designate authorized Social Media administrators. Only authorized administrators may be permitted to respond, comment, or manage County Social Media sites. All such authorized administrators must sign and complete the Standard of Conduct Agreement. Employees who post to or respond to comments on a County Social Media site and who are not authorized as Social Media administrators may be subject to disciplinary action.
- 2) **Napa County Information Technology Services (“ITS”)** is responsible for:
 - Jointly working with the CEO and County Counsel to develop and administer usage standards, guidelines and procedures, and training for all approved “Social Media” tools.
 - Providing guidelines and standards for the security and protection of County information and technology from destructive cyber incidents.

J. Related Documents

- County Privacy and Disclaimer Notice
- Social Media Use Policy - Acknowledgement Form
- County’s Social Media Best Practices
- Records Management Policy

K. Enforcement

Violators of this policy may be subject to appropriate disciplinary action, up to and including employment termination, termination of agreements, denial of service, and/or legal penalties, both criminal and civil.