



CONSTITUTION AND ETHICS COMMITTEE – 13th JULY 2026

REPORT OF THE CHIEF LEGAL OFFICER AND MONITORING OFFICER

SOCIAL MEDIA GUIDANCE FOR MEMBERS – REVIEW AND SUPPLEMENTARY GUIDANCE ON MONETISED ACCOUNTS

Purpose of the Report

1. The purpose of this report is to:
 - (a) present the outcome of a review of the Council's existing Social Media Guidance for Members against recent Local Government Association (LGA) model guidance; and
 - (b) seek approval for a new supplementary advice note relating to monetised social media activity by Members; and
 - (c) advise of arrangements for the circulation of guidance to all Members of the County Council.

Background

2. The Council has in place guidance to support Members in the appropriate use of social media. Social media is an important communication tool for Members, enabling engagement with residents, the sharing of information and participation in local democratic activity.
3. The Council's current guidance for Members is attached to this report marked 'Appendix A'. This is made available on the Elected Members Portal and it provides advice on:
 - the effective and responsible use of social media;
 - legal and regulatory considerations; and
 - managing risks associated with online activity.
4. The Local Government Association (LGA) has recently published model guidance for councils on elected members' use of social media and this is intended to support the safe and appropriate use of social media by all elected members.

5. The LGA model guidance emphasises that social media presents both opportunities and risks for Members, particularly as online activity is subject to public scrutiny and permanence. Members are personally responsible for their social media use and failure to follow this guidance may, depending on the circumstances, result in a breach of the Members' Code of Conduct.

Review of existing Social Media Guidance

6. A review has been undertaken comparing the Council's existing guidance with that produced by the LGA. This has confirmed that the Council's guidance remains fit for purpose and aligns with the key principles set out in the LGA model guidance. This includes:
 - the need to maximise the benefits of social media engagement whilst also managing associated risks;
 - the application of legal standards to online activity;
 - the need to maintain public confidence in the Council and its Members and to protect their reputation; and
 - the application of the Members' Code of Conduct to social media use.
7. Whilst providing an overview of the benefits of social media as a communication tool, the Council's current guidance sets out advice for Members on:
 - a. How to manage reputational and personal safety risks, including the potential for issues to escalate rapidly;
 - b. Legal considerations such as defamation, copyright, data protection and harassment which can be inadvertently engaged when posting on social media;
 - c. How the Members' Code of Conduct applies to social media messaging, including circumstances in which a Member may be regarded as acting, claiming to act, or giving the impression of acting in their capacity as a Member.
8. It is considered, therefore, that the Council's existing Social Media Guidance for Members remains fit for purpose and no amendments are required at this time.

Supplementary Guidance – Monetised Social Media

9. The use of social media to generate income or financial benefit has become more prevalent. However, monetised social media accounts may have particular implications for elected Members who are required to maintain a Register of Interests and declare certain financial interests. A supplementary advice note regarding Monetised Social Media Posts, has therefore been prepared. This is attached as Appendix B to this report.

10. The supplementary advice note draws particular attention to the position where Members derive, or may derive, income or other financial benefit from their social media activity. This includes, but is not limited to, advertising revenue, paid partnerships, sponsorship, subscriptions or donations connected to online content, whether received directly or indirectly through a platform or third party. In such circumstances, Members are advised that these activities are capable of constituting a financial interest for the purposes of the Members' Code of Conduct.
11. In particular, where social media activity amounts to an activity carried on for "profit or gain", or where there is any form of sponsorship or financial benefit connected to a Member's role, this may fall within one or more categories of registrable interest and may require registration and disclosure at meetings in accordance with the Members' Code of Conduct..
12. Members should be aware that certain financial interests will constitute a Disclosable Pecuniary Interest (DPI) under the relevant legislation. Whether a monetised social media activity gives rise to a DPI will depend on the individual circumstances and nature of the income received. Where a Member has such an interest, there is a legal requirement to register that interest and to comply with the statutory provisions relating to its disclosure and participation in decision-making. Failure to properly register or disclose such an interest or participating in decision-making where such an interest exists without a, may constitute a criminal offence. It is therefore essential that Members give careful consideration to any income or financial benefit arising from their social media activity and seek advice where there is any uncertainty. Members should also note the requirement to register relevant interests within the prescribed timescales and to keep their Register of Interests up to date where new interests arise or existing interests change.
13. The advice note reinforces the importance of transparency and maintaining public confidence by ensuring that any financial interests arising from social media activity are properly recorded and managed in accordance with the Code. It is proposed that once approved, copies of the guidance are circulated to all Members and that they are strongly encouraged to review their Register of Interests with this in mind.
14. The supplementary advice note is therefore intended to ensure that Members understand that monetised online activity is not simply a communications issue but may also engage the registration, disclosure and participation requirements in Appendix B to the Members' Code of Conduct.

Recommendation

15. That Committee is recommended to:

- (a) Note that the Council's existing Social Media Guidance for Members remains fit for purpose and requires no amendment;
- (b) approve the supplementary advice note for Members – Monetised Social Media Posts; and
- (c) agree that, following approval, the existing Social Media Guidance and the supplementary advice note be circulated to all Members, published on the Council's Elected Member Portal, and that Members be asked to review their Register of Interests in light of the advice now provided.

Equality Implications

16. There are no equalities implications arising from this report.

Human Rights Implications

17. There are no human rights implications arising from this report.

Background Papers

LGA Model Guidance - <https://www.local.gov.uk/our-support/communications-and-community-engagement/model-guidance-councils-elected-members-use>

Circulation under Local Issues Alert Procedure

None.

Officers to Contact

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Appendices

Appendix A - Current Social Media Guidance

Appendix B - Supplementary Advice Note for Members – Monetised Social Media Posts