

Question 20 Department of the Senate – Senator Ryan

- (a) **Has there been any changes to department and agency social media or protocols about staff access and usage of Youtube; online social media, such as Facebook, MySpace and Twitter; and access to online discussions forums and blogs since publication of the Australian Public Service Commission's Circular 2012/1: Revisions to the Commission's guidance on making public comment and participating online? If yes, please explain and provide copies of any advice that has been issued. If no, please explain why not.**

The department is not part of the Australian Public Service but uses the Australian Public Service Commission's circulars and advices as guidance materials when appropriate.

The department has had a Policy on Making Public Comment since November 2003. In December 2010, the policy was updated to include information about online communication including the use of social media for work purposes and highlights the risks associated with employees making comments online in a personal capacity on public issues.

Use of online communication tools on the Parliamentary Computer Network (PCN) is also described by the department's Policy of the Use of Departmental Resources.

The policy on making Public Comment is attached – **Attachment One**.

DEPARTMENT OF THE SENATE

POLICY

PUBLIC COMMENT BY EMPLOYEES

December 2010

1. Introduction

This policy provides guidance to employees who:

- are authorised to make public comment in relation to the Senate, its committees and on departmental matters; or
- make comments as citizens in a private capacity away from the workplace, which, directly or indirectly, identifies the Department of the Senate (the department) as their employer.

2. Definition

A 'public comment' is broadly defined to include, but is not limited to, public speaking engagements, press interviews, comments on radio and television, letters to the media, books or articles or material posted online. It is generally an opinion or expression purporting to reflect a departmental position.

Relaying general or factual information about the Senate and its committees, or the department is not considered to be public comment and is authorised to the necessary extent of employees' duties. Examples of this would include answering inquiries about the work of the Senate or a committee, or making seminar presentations.

3. Legislative framework

When making public comment the requirements of the Parliamentary Service Values and the Parliamentary Service Code of Conduct, as set out in the *Parliamentary Service Act 1999* (the Act) apply. The Code of Conduct requires all employees to:

- behave honestly and with integrity;
- act with care and diligence;
- behave with respect and courtesy and without harassment;
- comply with all applicable Australian laws;
- protect confidentiality;
- make proper use of Commonwealth resources;
- not provide false or misleading information;
- not make improper use of information or one's position, power or authority; and
- uphold the Parliamentary Service Values and the integrity and good reputation of the Parliamentary Service.

4. Policy

Only authorised employees can make public comment in relation to the Senate and its committees and on departmental matters. Generally, this will be done by the Clerk, the Deputy Clerk or the Usher of the Black Rod.

Employees who are authorised to make public comment must:

- express accurate, clear and timely information;
- be impartial on public policy issues, or not identify with one political party or another;
- comment on matters only within their expertise;

- disclose their positions and status and the fact that they are authorised to communicate an official viewpoint;
- communicate in a professional, courteous and constructive manner;
- ensure that communication is consistent with information and advice being provided by the department through other media and forums; and
- ensure Parliamentary Privilege, intellectual property, copyright and privacy issues have been taken into account.

5. Unauthorised or inappropriate public comment

As citizens, an employee is entitled to comment in a personal capacity on public issues, including through contributing to online discussions and debates. You should remember, however that:

- Commonwealth resources must be used in a proper manner. You must not use the department's internet or email system for purposes other than those outlined in the department's Policy on Use of Departmental Resources;
- you must avoid making any comment that might be interpreted as an official statement on behalf of the department; or
- you should avoid making any comment that might compromise perceptions of your ability to do your job (or other employees' abilities to do their jobs) in an impartial and professional manner.

You should also be careful about posting comments or material (including audio and images) that might bring the Parliamentary Service into disrepute or that could cause damage to the integrity and good reputation of the department, its employees, or clients or to senators' opinions of the department.

Unauthorised or inappropriate public comments made by employees may be dealt with in accordance with the Procedures for Determining Suspected Breaches of the Parliamentary Service Code of Conduct.

In producing or publishing multimedia materials, employees must also comply with the Guidelines for filming and photography and general media rules in Parliament House and its precincts which places restrictions on the taking of photographs and filming in certain areas within Parliament House and its precincts.

6. Recordkeeping

Making public comment may create a Commonwealth record that you may need to manage in accordance with the *Archives Act 1983* and the department's Policy on Records Management.

7. Further information

For further information, contact the Deputy Clerk on extension 3360, Usher of the Black Rod on extension 3398 or the Director, Human Resource Management on extension 5757.