Last updated: 8 December 2008

Circular 2008/8: Interim protocols for online media participation

Please note: This document is for reference purposes only and is no longer considered by the APS Commission to be current. It may contain good practice advice and/or advice on the transitional arrangements between the 1922 and 1999 Public Service Acts.

The purpose of this circular is to provide a set of interim protocols to agencies that are using or planning to use online media, including blogs, as a means of communication with clients and stakeholders. These protocols focus on the application of the APS Values and the APS Code of Conduct in online communication.

2. There is increasing interest at agency and whole of Australian Public Service level in the use of online communication as a means of both consultation with the community about the development of policies and programmes and for the dissemination of information and advice on how agreed Government policies and programmes will operate. In June 2008, the Department of Finance and Deregulation Australian Government Information Management Office (AGIMO) released Consulting with Government—online, available at http://www.finance.gov.au/publications/consulting-with-government-online/index.html. This paper reports on the results of a public consultation process that indicates overwhelming support for an Australian Government consultation blog and discussion forum. It recommends an initial trial period to further evaluate citizen and government participation in and usage of online communication.

3. These trials are about to commence and will involve communication and consultation projects in the Attorney-General's Department (on human rights) and the Department of Broadband, Communications and the Digital Economy (on the future of the digital economy). The purpose of the attached Interim Protocols for Online Media Participation is to:

provide guidance on the application of the APS Values and the APS Code of Conduct to assist in these trials of online communication and consultation, and
to provide interim guidance to individual agencies that are operating or planning to establish an online communication capability.
4. As the Protocols point out, final guidelines will be developed on completion of the trials. These will take into account feedback from participating agencies and we will also be seeking the views of agencies generally about their experiences in operating with the interim protocols. It is expected that the final guidelines will be available later in 2009.

5. Agencies' corporate areas can obtain further information on the matters raised in this and other circulars from the Commission's Employment Policy Adviceline—by phone on (02) 6202 3859 or e-mail employmentadvice@apsc.gov.au. It may be appropriate for more complex or sensitive queries to be dealt with in writing. Individual APS employees should contact the HR area in their own agency in the first instance.

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Attachment: Interim protocols for online participation

Introduction

Online communication is becoming an increasingly important communication tool for the Australian Public Service (APS), both as a means of consultation with the community about the development of policies and programmes, and for the dissemination of information and advice on how agreed Government policies and programmes will operate.

In June 2008 the Australian Government Information Management Office (AGIMO) released Consulting with Government—online, available at http://www.finance.gov.au/publications/consulting-with-government-online/index.html. This paper reports on the results of a public consultation process that indicates overwhelming support for an Australian Government consultation blog and discussion forum. In response to this, trials of government blogs and forums will be undertaken to explore the issues raised in the consultation. It is proposed to commence the first of these trials in late 2008.

In light of the trials, these guidelines are being distributed on an interim basis. Their aim is to provide ethical guidance to APS agencies currently involved in online communication activities and they will also be tested under the trial programme. On completion, final guidelines will be issued, taking into account lessons from the trial.

Types of online communication

There are several types of online communication platforms:

- Blogs and discussion forums are websites that post information or opinion on various issues that are open for comments. Some blogs and forums are maintained by media organisations (including Fairfax, News Ltd and the ABC) while others are established by organisations, private individuals or community/non-profit bodies and Government. These also include idea generation forums, where the public is invited to submit ideas or suggestions to government, either on specific topics or on any topic
- Video sharing websites (i.e. YouTube) allow organisations and individuals to distribute, share and stream video and other audio visual material online
- Wikis are online repositories of information to which individuals and organisations can contribute or edit information, a popular example is Wikipedia (an online encyclopaedia)
- Social Networking websites are online directories that connect people through social and other networks. Social networking websites often include a range of communication mechanisms, like blogs, discussion boards, pin boards and instant messaging.
- Official use of online communication

This falls into two basic types:

agencies utilising existing external communication platforms to canvass stakeholders and to disseminate information, including clarifying misinformation, on specific or ongoing policies and programmes
agencies setting up their own discussion forums or other online communication platforms for the same purposes. These may be ongoing or they may be established for a specific time limited proposal or initiative. They may be open to the public or access may be confined to a particular group of stakeholders.
The official use of online media comes under the same general policies and guidelines that apply to the use of other media and forums to explain and provide information on Government policies and programmes. These include:

- Australian Public Service Commission publication APS Values and Code of Conduct in Practice, Chapter 3: Managing Official Information
- Guidelines on campaign advertising by Australian Government departments and agencies issued by the Department of Finance and Deregulation, June 2008
- Australian Public Service Commission Circular No 2007/5: Involvement of public servants in public information and awareness initiatives, December 2007 now in Chapter 5 of APS Values and Code of Conduct in practice.

In addition, working with online media is subject to the same standards, set out in the APS Values and the APS Code of Conduct, that apply in a physical work environment. These include:

- behaving with respect and courtesy and without harassment

- complying with all applicable Australian laws
- protecting confidentiality
- making proper use of Commonwealth resources; and
- upholding the Values and the integrity and reputation of the APS.
- Information and views can be spread very quickly and very widely through online media and can easily be subject to distortion and misrepresentation. Importantly, once online material is in the public domain, there is little control or influence over how it might be used or modified.

For this reason agencies should have specific guidelines in place covering online participation. The detailed content of these guidelines will depend on agency business decisions about whether and how they wish to employ these technologies and agency organisational requirements that might include factors such as the security of their communication systems, the type of information they handle and the clients and stakeholders with whom they need to interact.

These Australian Public Service Commission interim guidelines provide a set of minimum APS-wide standards to help agencies ensure that the systems and processes they put in place are consistent with the APS Values and the Code of Conduct.

Agency guidelines should cover the following points:

- that all agency online communication must be authorised. How this is done will depend on the nature and purpose of the communication, and in some cases it will be necessary to give staff sufficient autonomy to enable them to represent their agency's views in an ongoing dialog or conversation with stakeholders;
- that staff making official use of online media should disclose their position and status and the fact that they are authorised to communicate an official viewpoint;
- that staff must be aware of and comply with laws and policies for the appropriate protection of official information;
- that while staff should be receptive to ideas and comments provided online by stakeholders, they themselves should avoid any statement that could be perceived as advocating or criticising Government policies;
- that information and views provided should be accurate, clear and expressed in such a way that it can not be misrepresented;
- that all communication should be professional, courteous and constructive;
- that systems should be in place to ensure that online communication is consistent with information and advice being provided by the agency through other media and forums; and
- that intellectual property, copyright and privacy issues need to be taken into account.

Attached at Annex A is a short statement reminding individual employees of their ethical responsibilities when using online communication. This should be included as an attachment to agency guidelines.

Contractors and Consultants

As well as covering ongoing and non-ongoing employees, agency guidelines should also apply to consultants and contractors who may be engaged under administrative contract to assist in the management or operation of agency online communications. Agencies should ensure that a requirement to comply with agency guidelines is included in contracts.

Agency established online communications mechanisms

Agencies that establish their own systems should also put in place public protocols setting out how the system will be managed. At a minimum these should include:

Terms and Conditions for participation that includes 'acceptable use' policies and prohibiting the posting of offensive material a clear statement on the levels of service to be provided, including service parameters protocols for online public consultation. These may vary from exercise to exercise but should cover:
- the purpose of the consultation
- the methodology, including an evaluation strategy
- the provision of all the information necessary for effective public comment;
- time frame for responses
- how the responses will be used, including privacy or confidentiality issues; and

- how the results of the consultation will be fed back to the public.

The role of the moderator

As indicated above, blogs and other forms of online communication can be used by agencies to consult with and canvass the views of the community and stakeholders as part of a policy development process. These processes will inevitably attract comments that are offensive, inappropriate or irrelevant and many will require some form of moderation.

Agencies that seek comments online should have an acceptable use policy that is displayed on the website and that makes clear:
- that contributions should be relevant, non-threatening, respectful of the views of other contributors and avoid insulting, obscene and defamatory comment; and
- that the site will remove any posts that do not comply with the acceptable use policy.

An example of an acceptable use policy is at Annex B.

Although software may be employed to filter out directly obscene and offensive language, it will also normally be necessary to use a moderator to review comments either pre or post publication and, where necessary, reject or remove contributions that do not comply with the acceptable use policy.

Agencies should have guidelines in place to cover the role of the online moderator, and these may vary in detail in individual exercises, depending on the aim of the consultation and the topics and issues under discussion. They should, however, cover the following principles to ensure consistency with the APS Values and the Code of Conduct:

- the moderation process must be objective and impartial and avoid any perception that posts are being censored for political reasons;
- the moderation process must be sensitive to the diversity of the Australian public and avoid any perception that it is being applied in a discriminatory manner; and
- the moderator must inform posters as to why a post has been rejected and give them an opportunity to resubmit an edited version.

Internal agency systems

Agencies may also wish to establish internal collaboration systems (blogs, wikis, and social networks) to facilitate workplace communication and consultation, including for such purposes as developing collective agreements. As well as having protocols governing the purpose and use of the internal systems, agencies will need to consider putting in place safeguards to ensure that internal agency discussion and debate remain in-house.

Private use of online media

In relation to the private use by APS employees of online communication, the fundamental principle is that it should not be done in the APS's time using APS resources. Private blogging or other online communication at work is a prima facie breach of s 13 (8) of the APS Code of Conduct: 'an APS employee must use Commonwealth resources in a proper manner'. Moreover, APS employees who blog from work can be identified easily by their email addresses.

There may be cases where it is appropriate for APS employees working in scientific and research agencies to communicate online with their peers in the academic and private sectors on issues that may not be directly work related but are important to the maintenance of individual knowledge and capability. Agencies that believe that this is an appropriate private use of online communication resources should have guidelines in place to cover these situations.

APS employees who blog in their own time using their own resources are covered by the same broad principles as other APS employees who comment in a private capacity on public issues. APS employees are entitled as citizens to do so, but they must avoid comment that might be interpreted as an official statement on behalf of their agency or that compromises perceptions of the employee's ability to do his/her job in an unbiased or professional manner.

Further information on the rights and responsibilities of APS employees making political and other comment

in a private capacity is contained in Chapter 15 of APS Values and Code of Conduct in practice: APS Employees as Citizens, http://www.apsc.gov.au/values/conductguidelines17.htm

One issue that needs to be borne in mind with online communication forums, especially in relation to blogs and social network sites, is that they are often unmoderated and so the potential for offensive remarks and opinions is therefore greater than many other forms of public expression. APS employees must comply with s 13(11) of the APS Code of Conduct, "An APS employee must at all times behave in a way that upholds the good reputation of the APS".

A person who could be identified as an APS employee and who posted offensive, racist or obscene material, even in their own time and using their own resources, could be in breach of this section of the Code in much the same way as, say, a person could be in breach for shouting offensive, racist or obscene material in public while wearing an agency uniform or badge. The issue would need to be considered on a case by case basis and clearly the more senior the employee the greater the possible damage to the reputation of the APS.

Many people participate in online communication forums anonymously or use a nom-de-plume and in these cases it would be harder to make a case for a breach of Code if an APS employee could not be publicly identified as such. This is an issue that would need to be considered on a case by case basis, particularly as there may be freedom of expression implications. Of course, employees should not participate even anonymously using the APS's time and resources.

Australian Public Service Commission
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Annex A - Principles for participation online

The principles for online participation by APS employees are the same as those that apply to using other forms of communication, including print media, television, public meetings, conferences and seminars and in the workplace. These principles derive from the APS Values and the APS Code of Conduct and are explained in detail in the Australian Public Service Commission publication APS Values and Code of Conduct in Practice: a guide to official conduct for APS employees and agency heads.

Your agency will also have guidelines in place covering official and personal use of email and internet.

It is important to remember, however, that information and views can be spread very quickly and very widely though online media and can easily be subject to distortion and misrepresentation. This is why you need to take particular care when using online media.

Official use of online communication

When using online communication for official purposes:

- ensure that you are appropriately authorised to do so. Let people know who you are and what you want to achieve. You should disclose your position as a representative of your agency, unless there are exceptional circumstances such as a potential threat to personal security
- be accurate and informative in explaining Government policies and programmes and be responsive to public views and comment. You should, however, avoid any statements that might be interpreted as advocating government policies or criticising the policies of other political parties or groups
- be objective and impartial. Avoid any comment that could be interpreted as a personal political view
- be honest, cordial and professional at all times
- don't commit your department or agency or the Government to any action or initiative unless you have authority to do so
- don't disclose official information unless you are authorised to do so or unless it is already in the public domain. Be aware of laws covering libel, defamation, privacy and the protection of intellectual property
- avoid any statement or comment that might bring the APS into disrepute.

Private use of online communication

As a citizen, you are entitled to comment in a personal capacity on public issues, including through contributing to online discussion and debate. You should remember, however:

- that Commonwealth resources must be used in a proper manner. You should not use work internet or email for private blogging or other forms of online comment;
- that you should avoid any comment that might be interpreted as an official statement on behalf of your agency or that might compromise perceptions of your ability to do your job in an unbiased and professional manner. You should also be careful about posting comment or material that might bring the APS into disrepute.

Annex B: Acceptable Use Policy

The intent of the Acceptable Use Policy is to create a positive environment where people are able to publicly contribute their views to the consultation forum, in the spirit of improving government policy, without fear of abuse or harassment or exposure to offensive or otherwise inappropriate content and protecting the operators of the consultation forum from legal liability.

When contributing your views to this consultation forum, please ensure that you:

- do protect your personal privacy and that of others by not including personal information of either yourself or of others in your posts to the forum, (such as names, email addresses, private addresses or phone numbers);
- do post material to the forum that is relevant to the issues currently being consulted on;
- do represent your own views and not impersonate or falsely represent any other person;
- do not be abusive, harass or threaten others;
- do not make defamatory or libellous comments;
- do not use insulting, provocative or hateful language;
- do not use obscene or offensive language;
- do not post material to the forum that infringes the intellectual property rights of others;
- do not post multiple versions of the same view to the forum;
- do not promote commercial interests in your posts to the forum; and
- do not include internet addresses or links to websites, or any email addresses, in your contribution.