



Use of Official Information, Digital Services (Social Media) and Public Comment Policy

1. Purpose

The purpose of the *Use of Official Information, Digital Services (Social Media) and Public Comment Policy* (Policy) is to provide a consistent approach across the WA health system by outlining the minimum requirements and responsibilities of the Department of Health and Health Service Providers (WA health system entities). The Policy also sets out the responsibilities of Staff Members when using Official Information, Digital Services (Social Media), or making Public Comment.

This Policy recognises that Staff Members may wish to use Digital Services (Social Media) in their personal life, and does not intend to discourage or unduly limit personal expression or online activities.

This Policy is a mandatory requirement for Health Service Providers under the *Communications Policy Framework* pursuant to section 26(2)(f) and (k) of the *Health Services Act 2016*.

This Policy is also a mandatory requirement for the Department of Health pursuant to section 29 of the *Public Sector Management Act 1994*.

This Policy supersedes Operational Directives 0327/11 *Policy on Use of Official Information and Public Comment* and OD 0656/16 *Staff Use of Social Media Policy*.

2. Applicability

This Policy is applicable to all WA health system entities, as defined in this Policy.

3. Policy requirements

WA health system entities are responsible for ensuring that they have policies in place which direct Staff Members, Contracted Health Entities, volunteers and students on the use of Official Information, Digital Services (Social Media) and Public Comment consistent with the specifications below. WA health system entities must ensure that any local Digital Services (Social Media) policy requirements align with this Policy and the *Whole of Government Digital Services Policy Framework: Social Media Guidelines*.

3.1 Official Information

Staff Members are not permitted to speak about, or otherwise disclose, confidential or other information about the activities of the organisation, or to publish such information on Digital Media Platforms (including Social Media), unless expressly authorised by the relevant Department or Health Service Provider Chief Executive and/or their approved delegate(s). Staff Members must not communicate confidential or other information about the activities of the organisation to a Political Office Holder, unless expressly authorised by the relevant Department or Health Service Provider Chief Executive and/or their approved delegate(s).

Staff Members must not:

- make use of any information gained in the course of their employment or engagement for their personal benefit or gain
- reveal confidential, proprietary, non-released information concerning WA health system entities
- make any statements on official WA health system entities letterheads or on the internet, via either official correspondence or personal email, unless it is part of their official role, or as indicated in the relevant instrument of authorisation.

3.2 Digital Services (Social Media)

Staff Members should recognise the potential for damage to be caused (either directly or indirectly) to WA health system entities through their use of online communication via social media. The Policy is applicable whether online communication is made during work hours on a work computer or personal electronic device, or outside work hours on a personal computer or electronic device; or when a Social Media post is made anonymously, through the issue of an 'alias' or a pseudonym.

Prohibited online communication via Digital Media Platforms (Social Media) includes, but is not limited to communication which:

- disparages, discriminates, bullies, harasses and/or defames WA health system entities or their colleagues
- reveals confidential, proprietary, non-released company information concerning WA health system entities business operations
- reveals private confidential personal information about a Staff Member or patient which may be construed as discriminatory or bullying
- criticises WA health system entities, patients and/or its Staff Members, offends others or breaches employment obligations in a public way
- is defamatory
- is rude, offensive or threatening towards WA health system entities, patients and/or its Staff Members
- publicises or comments on workplace disputes
- implies they are authorised to speak as a representative of WA health system entities or the State Government, or gives the impression that the views expressed are those of WA health system entities or the State Government
- uses their work email address or any WA health system entities logos or insignia that may give the impression of official support or endorsement of their personal comment
- has the potential to adversely impact the professional reputation and/or the productivity of WA health system entities
- uses WA health system entities names in connection with any of the prohibited forms of communication outlined in this Policy.

3.3 Public comment

Staff Members are not permitted to use information (confidential or otherwise) obtained through the course of their employment or engagement, both during and outside of work hours, to provide Public Comment. Further, staff members are prohibited from communicating such information, either in writing or online, unless it is part of their official role or without authorisation under the relevant instrument of authorisation.

A Staff Member may be called upon to explain or provide information or Public Comment in any forum, including those in which a fee is charged, but should only do so under guidance, and if authorised under the relevant instrument of authorisation. To this end, Staff Members must not:

- give their personal views on matters
- disclose Official Information without the authorisation of their Chief Executive or the Department CEO (Director General)
- engage in discussion or offer opinion in any political forum, unless it is part of their official role
- prolong discussion or debate on an issue once a decision has been made, or a policy adopted.

Staff Members should be mindful that there is a risk of reputational damage (either directly or indirectly) to the WA health system if they provide Public Comment without authorisation under the relevant instrument of authorisation.

Staff Members may deliver conference papers with approval, however Staff Members delivering their professional, scientific or technical findings must issue public disclaimers stating that the views are their own and not representative of WA health system entities. Staff members must also notify the relevant communication team within their employing WA health system entity of any presentations or conference papers which may be contentious or attract media attention.

3.4 Contact with the Media

Generally, Public Comment to the media is made through the Communication teams within their employing WA health system entity. The following requirements must be adhered to:

- Staff Members are not to comment or provide information to the media without proper prior authorisation as determined by the relevant WA health system entity.
- A Staff Member may be called upon by their local communications team to explain or provide information to the media or to the public on the policies and activities of WA health system entities but should only do so under guidance, and if authorised under the relevant instrument of authorisation.
- Staff Members may not consider this authorisation continuous or limitless.

3.5 Public Interest Disclosure

The use of Official Information, when the subject of the information is a public interest disclosure, is a separate issue to the content of this Policy and is covered by the *Public Interest Disclosure Act 2003*.

3.6 Freedom of Information

Information can be released where it is required when the provisions of the *Freedom of Information Act (1992)* apply. Staff Members should contact their relevant local

communication teams to determine what the correct Freedom of Information procedure is for their situation.

3.7 Other Policy Obligations

Failure to adhere to the requirements outlined in this Policy may also contravene one or more of the following:

- WA Public Sector *Code of Ethics*
- MP0031/16 *Code of Conduct*
- *Communications Policy Framework*
- MP0117/19 *Prevention of Workplace Bullying Policy*
- MP0010/16 *Patient Confidentiality Policy*
- Administrative Instruction 102: Official communications

3.8 Breaches

Any Staff Member who breaches the provisions of this Policy may be subject to the procedures outlined in MP0040/16 *Discipline Policy with Explanatory Notes and Templates Letters*, or to other actions or provisions relevant to the management of conduct.

4. Compliance monitoring

All WA health system entities are responsible for complying with this Policy.

The System Manager will monitor Health Service Provider compliance and performance with this Policy via audit and/or review. Such activities may include review of relevant governance committee/s records and local area policies.

Audits and/or reviews of Department compliance will be conducted as required.

5. Related documents

The following documents are mandatory pursuant to this Policy:

- N/A

6. Supporting information

The following information is not mandatory but informs and/or supports the implementation of this Policy:

- [WA Health Social Media Guidelines](#)

7. Definitions

The following definition(s) are relevant to this Policy.

| Term | Definition |
|-------------------|---|
| Department | As stated in the <i>Health Services Act 2016</i> , the Department means the department of the Public Service principally assisting the Minister in the administration of the <i>Act</i> . This is known as the Department of Health as established as an administrative division of the State of Western Australia pursuant to s35 of the <i>Public Sector Management Act</i> |

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|--|---|
| | 1994. |
| Digital Media Platform | Any online platform where thoughts, ideas, images or video content can be created or uploaded and published to an audience. |
| Digital Services (Social Media) | Any online platform (public or private Social Media account) where thoughts, ideas, images or video content can be created, uploaded or commented upon to public or private pages. |
| Disparaging communication | Disparaging communication refers to communication that is negative, adverse, inappropriate, offensive, indecent, unwanted, discriminatory, threatening, abusive and /or unlawful. |
| Health Service Provider | As stated in the <i>Health Services Act 2016</i> , a Health Service Provider is established by an order made under section 32(1)(b). |
| Official Information | Information obtained through the course of employment, either while working or out of work hours, that is confidential, proprietary or that is not publically released. |
| Public Comment | Public Comment includes, but is not limited to, verbal comments to the media, written communication such as letters to the media, and online communication by email, blogging or interaction via Social Media sites |
| Political Office Holder | As stated in the <i>Public Sector Management Act 1994</i> , a Political Office Holder means: (a) a Minister; or (b) the Parliamentary Secretary of the Cabinet; or (c) a Parliamentary Secretary holding office under section 44A of the Constitution Acts Amendment Act 1899; or (d) the Government Whip; or (e) the Leader of the Opposition in the Legislative Council; or (f) the Leader of the Opposition in the Legislative Assembly; or (g) a person, if any, who, not being a Minister, is the leader of a party in the Legislative Assembly of at least 5 members, other than a party led by the Premier or by the Leader of the Opposition |
| Staff Member | As stated in the <i>Health Services Act 2016</i> , a staff member of a health service provider, means – (a) An employee in the health service provider (b) A person engaged under a contract for services by the health service provider. |
| WA health system entities | <ul style="list-style-type: none"> All Health Service Providers as established by an order made under section 32(1)(b) of the Health Services Act 2016 The Department of Health as an administrative division of the State of Western Australia pursuant to section 35 of the <i>Public Sector Management Act 1994</i>. Note: Contracted health entities are not considered WA health system entities. |

8. Policy contact

Enquiries relating to this Policy may be directed to:

Title: Director, Communications

Directorate: Office of the Director General

Email: Communications@health.wa.gov.au

9. Document control

| Version | Published date | Effective from | Review date | Amendment(s) |
|-------------------|-----------------|----------------|--------------|--|
| MP 0128/20 | 2 January 2020 | 2 January 2020 | January 2023 | Original version |
| MP 0128/20 v. 1.1 | 1 November 2022 | 2 January 2020 | January 2023 | <ul style="list-style-type: none">• Policy transferred from Employment to Communications Policy Framework• Policy contact/owner changed from Executive Director, Governance and System Support to Director, Communications. |

10. Approval

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| Approval by | Nicole O'Keefe, Assistant Director General, Strategy and Governance Division, Department of Health |
| Approval date | 27 December 2019 |

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