

Science Council response to Charity Commission consultation on the use of social media by charities

Having read the guidance, how clear are you about the level of oversight trustees need to have about their charity's use of social media?

The Science Council and its members welcome the Charity Commission's interest in this area and its efforts to provide greater clarity. By publishing this guidance, the Charity Commission is underlining that what charities say on social media is just as important as what is published on their website or in a report, or said on stage at a conference.

The Science Council sought input from its 36 member organisations in putting together this response, and the consensus was that the guidance is not as clear as they would like. The guidance outlines that a social media policy should be agreed by trustees, but without clearly spelling out the standards that policy needs to meet, merely the range of things it needs to cover. It is implied that this policy would involve a higher level of day to day oversight by trustees than is currently commonly practised, but without much detail on what this might look like. The Charity Commission is correct to highlight the importance of proportion regulation, and the guidance needs to reflect this.

If trustees are ultimately responsible for a charity's social media output, what is an adequate level of oversight to meet this obligation? Some of our members asked whether a single trustee can hold this responsibility (in a similar manner as a charity may have a safeguarding lead trustee).

It would also be helpful to clarify who the guidance is for. The guidance talks about trustee oversight, yet much of it seems more aimed at those working directly with social media at an operational level. A clearer division in the guidance between the responsibilities of trustees and the responsibility of staff or volunteers working with social media would be more understandable.

Do you think the expectations set out in the guidance of the level of oversight that trustees should have of the charity's social media use are reasonable?

The level of expectation seems high, and its practicality will differ wildly depending on the charity in question. It is important that there is proportionality in the Charity Commission's expectations as to what is or isn't possible for different organisations.

It is important that the Charity Commission's guidance doesn't lead to reduced engagement by charitable organisations on social media due to an unrealistic or unmanageable administrative and legal burdens.

For example in a larger charity, the volume of social media output by dedicated staff is far too great for trustees to have anything more than an oversight of principles and broad messages, as opposed to content on a day to day basis. For such charities, an overriding concern can be speed of response to an emerging issue or news story, for which trustees cannot reasonably be as responsive as paid staff.

The guidance says that trustees are 'responsible for identifying and managing risks' such as staff or volunteers using their personal accounts, whether linked with the charity or not, to share content which does not reflect the views of the charity.

The potential implications of this are extremely wide ranging and has caused the most alarm amongst our member organisations. Further clarity on the extent of trustee involvement required to provide suitable oversight in this area would be useful. It is also unclear how closely and accurately trustees can monitor individuals' use of social media and how responsible they are for it.

It will be important for charities to know what constitutes appropriate levels of monitoring, engagement and reporting when it comes to breaches of the guidance. Clarifying roles and responsibilities of staff, trustees, volunteers and other stakeholders with respect to the guidance will be imperative. Not all charities will be able to apply this guidance equally, and ensuring clarity on when proportionate

measures and processes are suitable in accordance with the scale and resources of the charity would help make this guidance practicable.

Do you think the guidance covers all the relevant issues that charities need to think about to help them use social media?

Some member organisations expressed the view that the guidance could provide more information on the potential legal issues and risks, including reputational, which charities need to consider in shaping their social media policies. Some of these are listed under section 2, and it would be helpful for the Charity Commission guidance to clearly differentiate between what is legally required and what is desirable.

One of the points listed in section 2, “inconsistent with your charity’s purpose or not in its best interests”, was highlighted as being of concern. Is this a standard charities can be held to by the commission and if so, who decides whether something is inconsistent with a charity’s purpose or best interests? Can a charity’s statements on social media be challenged legally by a third party on these grounds?

For the scientific community, an important principle for us is the ability to communicate scientific evidence, and the implications of that evidence for policy. It is also important that our organisations are able to voice criticism of Government policies if they impact negatively on the Charities beneficiaries, and when they deem it appropriate in light of evidence. We would welcome reassurance from the Commission that this new guidance in no way will infringe upon that principle.

Is what the guidance says about an individual’s personal use of social media – whether a trustee, employee or volunteer – helpful?

The view of our member organisations that this is a particularly unclear element of the guidance.

A specific concern was about the freedom of trustees to have independent views and voices. We do acknowledge that trustees are responsible for the reputation of their charity and should be mindful of how they conduct themselves on social media. However, the guidance could be taken to mean that the views trustees express on social media, have to be in line with those of the charitable organisation. If this is the case, we are concerned this would narrow the pool of individuals willing to be trustees and risk shutting out divergent views and diverse voices from trustee boards.

Similarly, it may dissuade existing trustees from being willing to take part in other areas of civil society, such as standing to be a local councillor. All of this may also apply to employees too, though charities will have differing HR policies here based on the seniority of the employee and the sensitivity of their role.

As a result of reading the guidance how confident would you be that you know what to include in a social media policy?

Overall this document is a step in the right direction for giving charities some insight into what to include in their social media policies, which is particularly important for those with limited resources.

However a crucial issue is the lack of clarity within the guidance as to what is a legal requirement for a social media policy, and what is advisable or good practice. More information on that would help resource constrained organisations focus their efforts and would also alleviate concerns on areas that may be more ambiguous. The distinction between what is a requirement and what is ideal, would help concerned charities to take steps in proportion to the risks they are likely to face.

Greater clarity on the roles and responsibilities outlined and would like to see the guidance reflect more clearly who should be responsible / accountable for what aspects.

Our member organisations would also be interested to know what support the Charity Commission might be able to offer to organisations looking to implement this guidance moving forward. This could even include templates of social media policies organisations could adapt. This may also limit the burden charities feel in adapting to the new guidance.

Please provide us with any other comments you have on the draft guidance:

The Science Council is a registered charity and serves as an umbrella organisation for 36 learned societies and professional bodies in Science, which in turn have 350,000 scientists and technicians amongst their members.

This response has been drafted with extensive input from the Science Council's member organisations, and seeks to represent the consensus of the concerns members have raised. It should not be taken as the settled position of any single member organisation and some member organisations may choose to submit their own individual responses.

The full list of our member organisations and licensed bodies can be found here:

<https://sciencecouncil.org/about-us/our-members-and-licensed-bodies/>

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