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## **Rules, Prudence and Public Value: Public Servants and Social Media in Comparative Perspective**

The reach of social media is prodigious. Its ubiquitous nature has reshaped the ways in which government agencies can communicate with citizens. But amidst the rush to embrace the opportunities of Twitter, Facebook and other platforms, governments have had to lay down rules to govern how and when public service departments should use social media. This article undertakes a comparative analysis of the formal rules and guidelines in place across four Westminster jurisdictions – Australia, New Zealand, Canada and the UK – to identify the types of behaviours and activities that are seen as desirable when public servants are reaching out to the wider public through social media. The article argues that the horizontal communication patterns associated with social media are fundamentally at odds with the hierarchical structures of the Westminster system of government.

IN THE TWENTY-FIRST CENTURY, PUBLIC SERVICE DEPARTMENTS AND INDIVIDUAL public service leaders are emerging from their traditional anonymity. Communication is the lifeblood of modern governments, and the renewed emphasis on transparency, accountability and consultation has dramatically changed the environment in which public servants work. Government policy does not just encourage public servants to be open and proactive in their relationship with the public – it demands it (Grube 2015). This appetite for communication and transparency has coincided with technological advancements that have fundamentally changed the communications landscape. The sheer breadth and reach of social media platforms such as Twitter, YouTube, Facebook, Instagram and others have created new options for public servants to engage with a form of outreach that carries both enormous potential and enormous risk. With the advent of a 24/7 news media capable of amplifying any mistakes,

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public servants are faced with the need to exercise ever more prudent judgements in choosing when, what and how to communicate.

One of the challenges that social media use creates for public servants is how to reconcile the structures of Westminster government with the demands of new communication realities. The fundamentally hierarchical Westminster system, with ministers located at its peak, was created in the days when information flows were slow and certain. Under Westminster convention, ministers are responsible for the actions of their departments, and yet today the idea that they could keep up with the immense flow of information being placed into the public domain, even by their own departments, is laughable. Even permanent secretaries and assistant secretaries, with the incredibly complex demands on their time, would be hard pressed to authorize every tweet, Facebook post, internet blog and Instagram picture that emerges from their buildings. Of course, for most of these communications, the type of information being shared is not particularly controversial. But the nature of social media means it only takes one small slip-up on a Twitter posting for public servants to potentially find themselves in incredibly embarrassing and difficult situations.

The core argument of this article is that encouraging public servants to embrace social media in their official roles creates horizontal communication patterns in what remains fundamentally a hierarchical Westminster system. Under the conventions of a Westminster parliamentary democracy, public servants answer to ministers, who in turn answer to Parliament – and through Parliament to the people. It is a system designed to operate through clear vertical flows of both information and authorization. A system based on ubiquitous engagement with social media by public servants at multiple levels is fundamentally at odds with this traditional hierarchical model. Instead of information being passed up the chain and released through the top, it seeps into the public domain from multiple sources. What was once an information pipeline with ministers at its head becomes instead an information colander.

Conceptually, such a change is perfectly in keeping with contemporary political commitments to transparent governance, right-to-information laws and a citizen-centred public service. But it also fundamentally changes the relationship between a minister and her or his department. Instead of the minister being the face and voice of public communication, the department becomes porous, with information coming into the public domain from multiple levels,

targeted at different audiences. The protective shield of ministerial responsibility that once guaranteed the anonymity and impartiality of public servants is set aside, with public servants communicating directly with the public, often under their own names, with all the attendant risks and personal public accountability that such a change entails.

In this article, I define the term 'social media' as involving more than just a utilization of the internet for the passing of information to a passive receiver. It reflects the advances inherent in what has been termed 'Web 2.0' towards seeing the internet as a place where users can be creators of information as well as receivers (see Morison 2010). To quote New Zealand government guidelines on social media use, '[f]undamentally it is about conversation' (NZ Government Information Services 2011: 4). Social media is 'a set of online technologies, sites and practices which are used to share opinions, experiences and perspectives' (NZ Government Information Services 2011: 4). In other words, social media is fundamentally a two-way form of interactive communication.

The rise and rise of social media has generated increasing academic attention over the past half-decade. The literature on how governments can or should use social media has largely focused on questions around how they can best be utilized to better connect citizens with their governments (see Chadwick 2011 for a summary of this literature; Bertot et al. 2012; Kavanaugh et al. 2012; Paris et al. 2013). This has been coupled with a consideration of how far public servants can use social media to make personal political comments outside the workplace (e.g. Jacobson and Tufts 2013). The literature in this latter area is focused largely on employee rights and employment law cases which have tested how far employers are justified in acting against employees who make private posts in their personal rather than official capacity. This aspect has also attracted wide attention in the popular media through a number of high-profile cases (e.g. Mannheim 2013; Warman 2012).

Work on social media in the public sector must also be seen in the context of the wider and much larger literature on information and communication technology (ICT) and government in areas including democratic citizenship (Coleman and Blumler 2009), political and civic engagement (Boulianne 2009) and government accountability and transparency (Pina et al. 2007) to name just a few. The impact of ICT on political campaigns, parties and communication by elected officials has also attracted a growing body of literature (e.g. Ackland and Gibson 2013; Edwards 2008; Gibson et al. 2003; Kluver et al. 2008). In the field of public administration,

scholarship has focused on discussions about ‘e-governance’, and in particular the shift towards what has been termed ‘digital-era governance’ (see Dunleavy et al. 2006; Margetts 2008). Amongst the elements of digital-era governance, according to Margetts (2008), are the ‘reintegration’ of government services, a ‘needs-based holism’ that focuses on providing information in the ways that citizens actually want it and increased ‘digitization’, leading to e-processes replacing more traditional paper-based alternatives. Similarly, work by Morison (2010) on the UK has examined the ways in which the move towards ‘Gov 2.0’ offers new ways for public servants and citizens to interact, whilst recognizing that the citizen-centred focus of official rhetoric is not necessarily always reflected in practice.

Governments are certainly aware that social media use does not come without risks attached. Public services across the Westminster world have put in place new rules and guidance as they attempt to reconcile the potential power and reach of social media with the traditions of impartiality, anonymity and hierarchical control that have been central to the Westminster system for over a century. This article adopts a comparative perspective to analyse the rules in place in four established Westminster system parliamentary democracies – Australia, New Zealand, Canada and the UK. The rules are examined to assess how far they enable social media use by public servants whilst maintaining the fundamentals of ministerial accountability and public service impartiality. The four jurisdictions have been selected under a most-similar-system approach, to isolate the ways in which outwardly similar jurisdictions are addressing the challenges of social media in different ways within a Westminster system environment.

#### PRUDENCE AND PUBLIC VALUE

In 2006, Kane and Patapan argued that the reforms encompassed within New Public Management (NPM) had liberated public service bureaucracies from traditional command and control models, but had done so without correctly understanding the extent to which the need for prudent judgement was being dispersed to a much wider range of officers. In essence, the traditional model of a Westminster bureaucracy gave the mandarins at the top a wide discretion but required little in the way of similar levels of judgement from junior officers, who followed mandated and long-established internal processes (Kane and Patapan 2006).

For the people at the top, prudent judgement was central to the successful exercise of discretion. Kane and Patapan (2006: 712), following Aristotle, argued that prudence ‘was demonstrable only in the concrete judgements made by an intelligent individual acting in specific circumstances. It was never the simple application of impersonal, universal and certain laws’.

Faced with a choice between supporting public servants in making individual judgements or seeking to regulate their behaviour tightly, modern governments have sought to have it both ways. They have encouraged the emergence of a less risk-averse breed of administrative entrepreneur (see van Wart 2003), whilst at the same time enacting an ever-widening array of guidance documents to govern the behaviour of public servants in every conceivable situation. As the empirical material below demonstrates, public servants are being encouraged to use social media to reach out to the public – to be entrepreneurial communicators – and yet at the same time to be hyper-vigilant about not saying anything that might compromise the public service or the government.

In essence, public servants are being told to be adventurous and cautious at the same time. These contradictory urges are encapsulated in a raft of internal rules designed to regulate their behaviour, often with unintended consequences. For example, an exploratory case study by Chadwick (2011) demonstrates that the operation of tight rules to police what happens online, and the fear of litigation if rules are overstepped, can contribute to public servants becoming risk averse in ways that limit the effectiveness of the online initiative being undertaken. On the flip side, public servants who act as moderators of online forums can find themselves cast in the role of censors, projecting a so-called ‘shadow of control’ over a supposedly open forum (Edwards 2002; Wright 2006; Wright and Street 2007).

One theoretical framework that provides some purchase for how public servants might respond to these contradictory pressures is public value. Derived from the work of Mark Moore (1995), public value theory has been embraced as a way of providing a sense of individual agency and motivation to public servants in a post-New Public Management environment. It conceives of public officials working towards achieving public value for citizens in the same way that company directors work for private value for shareholders. Some scholars have suggested that public value has the potential to become *the* new dominant paradigm to replace the out-of-date New Public

Management (Talbot 2009). Although public value originally applied to the work of public servants in the US, a wider body of scholarship has begun to investigate the extent to which public value can translate into the Westminster system environment (see, for example, Gains and Stoker 2009; Grant and Fisher 2011; Prebble 2012; Turrell 2014; Williams and Shearer 2011).

Rhodes and Wanna (2007, 2009), in their critique of public value theory, suggest that Westminster systems are not set up in a way that allows public servants easily to exercise any sense of entrepreneurial independence in searching for public value without risking the displeasure of ministers. In contrast, Alford (2008) argues that public servants in a Westminster system will simply factor the realities of Westminster conventions of ministerial accountability into their judgements on when and how to pursue public value. In other words, they will exercise prudence in how they go about their work. This need for prudence is particularly apparent when dealing with social media, because of its speed and reach. For example, when a public servant joins a blog discussion group in order to challenge misinterpretations of government policy, he or she is arguably pursuing public value but in a way that means millions of people can choose to follow the discussion and place their own interpretations and perceptions on what the official has said. It is taking the search for public value out of the confines of small group discussions in meeting rooms and into the public domain. Arguably, a higher level of personal judgement is required that reflects the higher risks of public embarrassment that are involved.

The rules applicable to how public servants should utilize social media in their official capacity provide an excellent test site for the extent to which public value can offer a public management and administration framework that can actually guide behaviour on the ground. If a more creative and entrepreneurial form of administrative behaviour is envisaged, then social media provides a vast array of such opportunities. Yet, at the same time, the very breadth and speed of social media increases the risk that public officials will find themselves rapidly exposed to negative consequences if they misstep. It is a search for public value conducted at high speed and in a very public way.

Rules governing the relationship between public servants and social media appear at two levels. The first is as part of the more generic rules that govern public service behaviour and communication. These are

the broad ‘codes of conduct’ that have now been enacted in all four jurisdictions under study here. Such codes cover broad responsibilities and values such as honesty, integrity and impartiality. The second level, which is the predominant focus of this article, are the rules and guidelines focused specifically on social media to try and keep up with the myriad of opportunities and problems that the ever-widening array of platforms provide.

In the sections that follow below, I examine in turn the guiding documents currently in place in Canada, the UK, New Zealand and Australia, before broadening into a comparative discussion of the challenge that social media use poses to the structure of a Westminster system public service. The main guiding documents in each jurisdiction have been created under governments of both ‘political colours’, with little evidence that political affiliation has affected the shaping of social media rules. The guiding documents examined here were created under Prime Minister Harper in Canada, the Rudd/Gillard Labor governments in Australia, the John Key-led National Party Government in New Zealand and the David Cameron-led coalition government in the UK.

## CANADA

‘The Communications Policy of the Government of Canada’ is available through the Treasury Board of Canada Secretariat (2012) – which carries responsibility for the majority of public service guideline documents. Section 18 of the Communications Policy deals specifically with ‘Internet and Electronic Communication’. The policy makes clear that electronic communication is now one of the core functions of the public service. ‘Institutions must maintain an active presence on the Internet to enable 24-hour electronic access to public programs, services and information. E-mail and Web sites must be used to enable direct communications between Canadians and government institutions’ (Treasury Board of Canada Secretariat 2012: Section 18). To enable this kind of effective ‘two-way’ communication through social media, the policy focuses on providing a kind of process-based checklist. For example, departments must: ‘ensure that social media icons displayed on Government of Canada Web sites link to official social media accounts’ and ‘ensure that a disclaimer is displayed in proximity to the icons, that states that no endorsement of any products

or services is expressed or implied' (Treasury Board of Canada Secretariat 2012: Section 18).

More information specifically on the internal governance of social media is covered in the 'Standard on Social Media Account Management' (Treasury Board of Canada Secretariat 2013a). This Standard reiterates the importance of social media as a communications tool and notes that social media is fast becoming the primary channel through which individuals give and receive information. It acknowledges a lack of uniformity across government in relation to social media – a problem that the Standard is intended to address. The Standard requires that each department's head of communications approves an 'overarching departmental social media strategy' (Treasury Board of Canada Secretariat 2013a: Section 6.1.1). Each department must have a designated senior official who creates and monitors social media accounts.

In October 2013, more up-to-date boundaries were introduced through the release of the 'Policy on Acceptable Network and Device Use'. The policy provides as appendices lists of acceptable and unacceptable use of devices and networks, including of social media. The examples of 'acceptable use' listed in Appendix B include internal government communication, and the watching of work-related video content such as parliamentary committee hearings. The list goes on to refer to a range of specific social media platforms and tools, including Twitter, SlideShare and LinkedIn. Public servants are encouraged to: 'Follow thought leaders and government officials on blogs or micro-blogs such as Twitter', and to themselves 'Tweet, re-tweet or share links to professional activities and events, or interesting and relevant articles' (Treasury Board of Canada Secretariat 2013b: Appendix B). This freedom extends to online discussion groups, where public servants can 'Read, contribute to, or edit articles in work-related wikis, online forums or discussion groups' (Treasury Board of Canada Secretariat 2013b: Appendix B).

Terms such as 'work-related' and 'interesting and relevant' are not defined in the definitions section of the document, leaving significant room – as ever – for the individual interpretation of public servants. The most relevant examples of 'unacceptable use', and the ones that have generated the greatest public debate through court cases, are the uses seen to be breaching the public servants' 'duty of loyalty' through criticism of the government. These include activities that are illegal without being criminal, such as: 'Revealing sensitive



government information without authorization’ (Treasury Board of Canada Secretariat 2013b: Appendix C). But they also include activities that are in breach of public service policies and guidelines without necessarily being illegal and/or criminal. These activities can be both when public servants are acting in their official capacity and when they are using networks in their own time within the ‘personal use’ provisions.

In their official capacity on work time, public servants cannot: ‘make public comments about government policies, except when acting as the official spokesperson, or to engage in political activity that could impair his or her ability to perform duties in an impartial manner’ (Treasury Board of Canada Secretariat 2013b: Appendix C). Similarly, public servants cannot represent ‘personal opinions as those of the organization, or otherwise failing to comply with organizational procedures concerning public statements about the government’s positions’ (Treasury Board of Canada Secretariat 2013b: Appendix C). In terms of ‘limited personal use’ public servants can check a weather forecast or use social media sites to connect with family and friends, but cannot cause congestion to information channels by circulating chain letters or sending bulk emails of a personal nature.

The ‘Guideline for External Use of Web 2.0’ embraces social media as a public-facing communication tool to be harnessed: ‘Government of Canada departments are encouraged to use Web 2.0 tools and services as an efficient and effective additional channel to interact with the public’ (Treasury Board of Canada Secretariat 2011: Section 3.2). Amongst the ‘risks of use’, in addition to potential breaches of privacy and official language policies, are:

- Negative perceptions resulting from Web 2.0 initiatives associated with the Government of Canada, including users posting offensive or abusive comments, attempts to engage in dialogue about political decisions or direction, online vandalism, and inability to fulfill reasonable expectations of timely two-way communication;
- Misinterpretation of online activity and/or comments as the official position of the Government of Canada rather than that of an individual. (Treasury Board of Canada Secretariat 2011: Section 3.3)

The Guideline stresses that departments should put in place rigorous governance and oversight regimes and actively plan and

design their Web 2.0 presence. The Guideline breaks down employee activity into official use, professional networking use and personal use. It makes clear that even when engaging in either of the latter two types of use, public servants still need to be aware of their professional responsibilities.

By virtue of your employment, information shared through Web 2.0 tools and services may be perceived as an official Government of Canada position rather than your own opinion. You should therefore clearly state in your account profile that the views expressed are your own and not those of your employer. However, it is important to note that such a disclaimer does not absolve you of your obligations as a public servant, including your duty of loyalty to the Government of Canada. (Treasury Board of Canada Secretariat 2011: Section 5)

This is backed up by the further express, overarching instruction that: 'You must not engage in any activity that might put at risk the non-partisanship and impartiality of the public service' (Treasury Board of Canada Secretariat 2011: Section 5). Section F on 'Political Activities' stresses that employees retain the responsibility to exercise their own judgement of whether something they are engaged in crosses the line or not: 'Employees must assess their own circumstances and make reasonable decisions about their involvement in political activities and determine whether a given activity would impair or could be perceived by others as impairing their ability to perform their duties in a non-partisan and politically impartial manner' (Treasury Board of Canada Secretariat 2011: Section F).

In summary, the Canadian rules support the use of social media by public servants, but in relatively risk-averse ways. The emphasis is more on caution than innovation. They are encouraged to follow 'thought leaders' rather than to become thought leaders themselves. It is an approach that sees social media as an additional tool rather than a unique avenue through which public servants can proactively pursue public value.

## UNITED KINGDOM

In the UK, a 'Social Media Guidance for Civil Servants' was released in May 2012 as part of the UK government ICT strategy. The written introduction in the document by the minister for the Cabinet Office, Francis Maude, presents social media as a way of engaging in

‘dialogue with the public’ so that civil servants can understand ‘the real needs and concerns of citizens’ (UK Government Digital Service 2012: Introduction). The introduction from the head of the Civil Service, Sir Bob Kerslake, focuses instead on the ability of social media to enable him to reach out to civil servants who might not have the chance to meet him directly. The two introductions help to bring out a core question on how governments and public servants should view the utility of social media. Is it primarily an internal communications mechanism that the wider public can tune into if they want, or is it an outward-looking communications tool that can underpin more participative styles of democratic interaction between civil servants and the voters they serve?

The Guidance as a whole encourages a very proactive and engaged social media approach by the Civil Service. Rather than simply monitoring social media sites, the emphasis is on civil servants participating. The document sets out an ‘engagement cycle’ on page 1, incorporating activities such as the answering of questions, re-tweeting information, involvement in wider discussions and chatting socially with business contacts. ‘There is more value to be gained from engaging in the social media conversation than not – whether you are aiming for cheaper, more personalised service delivery or behaviour change’ (UK Government Digital Service 2012: 2).

A proactive social media strategy is presented as offering the chance to avoid the need for a reactive strategy down the track if some misinformation gains a hold.

5.2: Communicating 1-to-many rather than repeatedly 1-to-1 directly, quickly and cheaply is one of the major opportunities that social media offers. If you are not aware of rumours circulating within a particular citizen group who use a government service regularly, you cannot address that rumour. But if you are you can get the facts out there quickly and easily. (UK Government Digital Service 2012: 3)

The degree of proactive engagement deemed desirable extends even to the creation of online communities where they do not already exist.

5.3: Being present in the conversation also allows us to provide a *catalyst for the creation of online communities*. The community may not exist until a government department or agency creates it. But the community can then evolve with some initial nurturing into a place that is shared with those outside of government who are interested in what you are trying to deliver. (UK Government Digital Service 2012: 3 – emphasis in the original)

Most importantly for the comparative focus of this article, the Guidance emphasizes that civil servants retain their duty of impartiality in the online social media environment as much as they do in any other aspect of their working lives. ‘Social media is a public forum and the same considerations apply as would, say, to speaking in public or writing something for publication either officially or outside of work’ (UK Government Digital Service 2012: 3).

It is argued here that the social media world is in fact qualitatively different from every other public aspect of a civil servant’s role. The inherently dynamic nature of the medium, where things can go viral in a matter of minutes and mistakes can be amplified exponentially, means that the professional judgement of civil servants in what they choose to post must be acute. The Guidance acknowledges that this can be a difficult balancing act.

7.3 In social media the boundaries between professional and personal can sometimes become more blurred – so it’s important to be particularly careful. You are of course free to use social media in your own time but you need to be mindful of your duties not to disclose official information without authority, and not to take part in any political or public activity which compromises, or might be seen to compromise, your impartial service to the Government of the day or any future government. (UK Government Digital Service 2012: 3)

The balancing act becomes even more difficult when civil servants are commenting in either their personal or official capacity on issues that are directly relevant to their departmental minister. The Guidance suggests that civil servants should: ‘Avoid commenting altogether on controversial issues affecting the responsibility of your own Ministers, and avoid personal attacks’ (UK Government Digital Service 2012: 3). The Guidance is also aware that the incredible pace of social media can make its users forget that it is much easier to put something up than it is to take it down. As the guidelines point out, ‘once you have posted something on the internet it is very difficult to remove’ (UK Government Digital Service 2012: 4).

In summary, the UK approach to social media use by public servants reflects a comparatively enthusiastic embrace. Civil servants are positioned not only as followers, but as active participants in online communities. There is even room to create new online communities where appropriate. The rules, whilst emphasizing the usual cautions, recognize that social media can allow civil servants to proactively pursue public value in how they interact with citizens.

## NEW ZEALAND

Of the four jurisdictions under study, New Zealand has the most developed range of tools to assist public servants as they engage with social media. The available documents are grouped under the heading of 'Social Media in Government', and include a 'High Level Guidance', 'How to Handle a Mishap', 'Hands-on Toolbox', and a case study of successful use of social media. Similar to the UK approach, there is considerable encouragement for public servants to see social media as an important avenue through which to engage in 'conversation' with New Zealanders. The High Level Guidance stresses at the outset that, 'In contrast with traditional media, the nature of social media is to be highly interactive' (NZ Government Information Services 2011: 3). The Guidance asserts that 'Social media is a dialogue that happens between Government and its citizens' (NZ Government Information Services 2011: 4).

The Guidance stresses the importance of having in place staff who can act as 'authorized authors' to utilize social media quickly and responsibly. The need for speed in social media use is emphasized. 'Nothing kills the effectiveness of a social media project more quickly than slow response times where each and every statement or "tweet" needs to go up the chain of command to be approved before publication' (NZ Government Information Services 2011: 7). In setting out the need for swift and authoritative social media updates, the Guidance undoubtedly sets out established best practice in social media use. But at the same time it highlights the inherent tension between the traditionally hierarchical structure of a Westminster public service and the modern demands of social media.

The Westminster system of government, with its enshrined doctrine of ministerial responsibility, is based on things going 'up the chain of command'. Traditionally, anonymous public servants quietly work in the background to build or implement policy, with work continually fed up the administrative line to the departmental permanent secretary and ultimately the minister. Social media's need for speed fundamentally exchanges this hierarchical process for a horizontal one. Trusted public servants are given authorization to independently exercise their judgement and publish as and when they deem appropriate. What is more, the New Zealand Guidelines stress that people should 'identify yourself as a public servant if you are responding on behalf of your organisation' (NZ Government Information Services 2011: 7).

Anonymity is not only no longer protected, but actively discouraged because of the very nature of social media.

As in the UK, the Guidance does not attempt to hide the dangers that are present for the individual and collective reputations of the public service when people participate online. They stress that the same rules and codes of conduct apply in all public situations. 'Staff should participate in the same way as they would with other media or public forums such as speaking at conferences' (NZ Government Information Services 2011: 8). The Guidance stresses that public servants must expressly 'seek authorisation to participate in social media on behalf of your agency' (NZ Government Information Services 2011: 8). In other words, the encouragement for the public service to become more engaged through social media does not extend to a *carte blanche* approach that encourages every employee to hit the public message boards on any matter that they wish.

Nevertheless, the Guidance also recognizes that, once information is public, there is no clear line between personal and official messages: 'Be aware that participating online may attract media interest in you as an individual, so proceed with care regardless of what capacity you are acting in' (NZ Government Information Services 2011: 8). This danger of attracting media interest is particularly acute for those who are senior leaders within the public service. The New Zealand Guidance provides 'Special Advice to Chief Executives', who can garner a public and professional profile by using social media under their own name. 'One of the most serious drawbacks for Chief Executives is the amount of time social media takes up and the risk that, if they are not familiar with social media, Chief Executives might come across as too formal and, therefore, inauthentic' (NZ Government Information Services 2011: 9).

The capacity for things to go 'horribly wrong' is acknowledged by the provision in the New Zealand suite of documents of guidance on 'How to Handle a Mishap'. The kinds of risks and mishaps outlined include the use of 'questionable humour' by public servants when posting, misinterpreted messages and the unintended early release of information or documents (NZ Government Information Services 2012: 3–4). Especially when dealing with the speed and complexity of social media, a vital role remains for the individual judgement of public servants. 'They are often the challenging area for Government agencies because there are no specific rules and processes to follow for each situation. People responding to social media on behalf of the

agency need to rely on a set of general behavioural guidelines and judgements made at the time' (NZ Government Information Services 2012: 4). And those judgements can need to be made in a hurry, with the Guidance noting that 'approved authors' should be able to respond after hours if need be (NZ Government Information Services 2012: 5).

To minimize the chance of a 'mishap', the Guidance suggests that public servants: 'Identify key influencers within your social media base and keep them happy – who has the most followers and what does the influencer appear to find most valuable within the social media realm?' (NZ Government Information Services 2012: 5). From a social media control point of view, it is undoubtedly good advice. But from a Westminster system of government point of view, should it really be the role of public servants to keep key social influencers 'happy'? Furthermore, in providing information to a social media platform, public servants could very easily release information whilst policies are still being developed. 'When employees post on their social networking sites about projects they are working on or policies their agencies are developing, they don't necessarily realise they are posting government confidential information' (NZ Government Information Services 2012: 8). In other words, much of what public servants do in terms of policy development is not really suited to a social media type of interaction given the continuing role of ministers as the ultimate source of policy authorization.

In summary, the New Zealand case presents rules that understand the unique demands of a social media environment. They recognize that turnaround times need to operate at the speed expected of social media, which is why authorized authors need to be available at all hours to be able to provide immediate responses without having to clear them with managers up the line. The rules suggest that public servants actively engage in social media management by knowing who 'key influencers' are and keeping them 'happy'. It is a proactive approach to avoiding trouble and responding quickly, but it stops short of encouraging public servants to reach out ahead of existing opinion to create new online communities.

## AUSTRALIA

The Australian guidelines, as set out by the Public Service Commission, were updated in January 2012 with the release of 'Circular 2012/1: Revisions to the Commission's Guidance on Making

Comment and Participation Online'. Like its counterparts, the Australian Guidance emphasizes that public servants should view remarks on social media in the same way as any other public comment in terms of their responsibility to remain impartial. The document begins by setting out just how public a role many public servants do now have.

Some APS [Australian Public Service] employees, as part of their official duties, provide comment to the media and others in the community about agency activities and government programmes. Sometimes they are required to respond to criticism, such as about a lack of probity or competence in their agency. APS employees may also be called upon to act as the public face of their agency, or to explain the operations of particular government policies. This might occur, for example, in meetings with, or presentations to, members of the public and/or agency stakeholders; by providing comment to the media; or through participation in, or moderation of, official online forums. (Australian Public Service Commission 2012: Attachment A)

The Guidance acknowledges that some public servants may engage in public comment outside their Australian Public Service role, but in a way that still relates to their professional competence. The document cites government scientists as an example. The general provision for public servants making private comments is broad. 'APS employees may generally make public comment in a private capacity, so long as they make it clear they are expressing their own views' (Australian Public Service Commission 2012: Attachment A). But underneath this general provision, a set of 'general principles' is provided to help guide public servants making public comment in an unofficial capacity in any forum.

The nature of the general principles reflects the difficulties inherent in promulgating guidelines that can actually provide clear boundaries for public servants. Australian Public Service employees are told to avoid 'unreasonable criticism of an agency's clients' or 'compromising the APS employee's capacity to fulfil their duties in an unbiased manner' (Australian Public Service Commission 2012: Attachment A). In essence, each of these constitutes an individual judgement call that public servants have to make if they are to successfully avoid the wrath of their employer. One person's 'unreasonable criticism' is the next person's 'fair comment', after all. Ultimately what the principles demonstrate is how difficult it is for public servants to become public actors without crossing the established bounds of public service impartiality. Under Westminster convention, public servants are anonymous servants of the government of the day for a reason. As soon as they enter the public domain, others can interpret their comments in whichever way they see fit. Even if public servants are striving to be



apolitical in their comments, they cannot control how others will perceive and portray them. The 24/7 news media is constantly in need of stories to maintain its momentum, and any perception of a misstep by a public servant can quickly be portrayed as criticism of the government.

The opportunities presented by social media have changed the public administration playing field, whilst also increasing the underlying risks that public servants take when going public. The depth of that risk gets deeper the higher up the ladder of responsibility a public servant resides. As the Guidance states, members of the Senior Executive Service face extra scrutiny of their public statements because of their leadership positions. 'Because of the influence that SES employees carry with stakeholders, and because they are likely to be required to advise on or lead the implementation of government policies and programmes, SES employees should be particularly careful when making public comment' (Australian Public Service Commission 2012: Attachment A).

In the Australian context, similar to the other jurisdictions under comparison here, there is an unequivocal starting point that there is a direct public benefit to be gained from public servants engaging with social media. In this, the Guidance follows the findings of the 2010 report by the Australian Government's 'Gov 2.0 Taskforce' – 'Engage: Getting on with Government 2.0' – which supported 'robust professional discussion as part of their duties or as private citizens' (Australian Public Service Commission 2012: Attachment A). The danger, as noted in the Guidance, is that social media is not the same as other platforms for public comment. Public servants need to exercise particular care: 'The speed and reach of online communication means that comments posted online are available immediately to a wide audience. Material online effectively lasts forever, may be replicated endlessly, and may be sent to recipients who were never expected to see it, or who may view it out of context' (Australian Public Service Commission 2012: Attachment A).

These dangers exist not only when employees are posting in their official capacity under their own name, but also when they choose to post in an unofficial capacity using an alias. 'APS employees must still uphold the APS Values and Code of Conduct even when material is posted anonymously, or using an 'alias' or pseudonym, and should

bear in mind that even if they do not identify themselves online as an APS employee or an employee of their agency, they could nonetheless be recognised as such' (Australian Public Service Commission 2012: Attachment A).

At the time of writing, the potential for Australian Public Service employees to overstep the line in social media use – in either their official or their personal capacity – has led the Department of Prime Minister and Cabinet to promulgate more restrictive internal guidelines. The new rules were leaked to media outlets in April 2014 without being formally publicly released. According to media reports, the new guidelines include an obligation on public servants to notify their managers if they know that a colleague is using social media to make criticisms of the government (see Maiden 2014; Mannheim 2014). The discussion about these new rules exposes the crucial tension that remains at the heart of public service interaction with social media – how to make the most of the communication opportunities provided without undermining the hierarchical controls that are part of the DNA of the Westminster system.

In summary, the new approach by the Department of Prime Minister and Cabinet reflects the wider concerns expressed in the Australian guidelines in general. The emphasis overall is on control and avoiding overreach by public servants on social media. Rather than being encouraged to actively pursue public value, Australian public servants are exhorted first and foremost to make sure that their behaviour does not overstep any boundaries.

#### THE PRUDENT PURSUIT OF PUBLIC VALUE

Social media is here to stay. Its reach has grown exponentially over the last five years and all the signs suggest that it will continue to do so. Any idea that governments and public servants could simply ignore social media, or opt out of its use, is fanciful. Nevertheless, social media offers new challenges to the way a public service operates within the confines of a Westminster system. Importantly, these challenges extend beyond how to make best use of social media to connect with people, and even beyond the problems of individuals overstepping the mark in their personal use of social media. At the core conceptual level, social media challenges the fundamental hierarchical structure that governs ministerial accountability within a

Westminster system. Contentious public policy decisions are always inherently political. That is why it is left to democratically elected ministers to make them and announce them. Social media creates risks because of its ability to divert traditional patterns of information flow in ways that may create political and public controversy.

What the policies, guidelines and standards examined here do not sufficiently grapple with are the political dangers involved when public servants overstep the mark. By engaging publicly in an official capacity through social media, public servants are walking into policy conversations that are inherently contentious and political, a space in which public servants have traditionally been warned not to walk. The guidance suggests that there is a 'need for care around party political comment' (NZ Government Information Services 2011: 10) but this does little to address the potential for social media use to get public servants into 'political' trouble.

Political communication is the obsession of twenty-first-century politics. Political leaders surround themselves with media advisers because they know that they cannot allow themselves to lose control of their communications environment for even a moment. The 24/7 news cycle, and the wider impact of social media, means prime ministers are increasingly centralizing government communication within their own office to avoid contradictory messages. Stray words are seen as dangerous. And yet, the capacity for such stray communications bullets to fly from public servants is magnified dramatically once departments are encouraged to engage deeply with social media in an official capacity.

As more communications go out without direct ministerial authorization or knowledge, ministers will have no choice but to criticize publicly their own departments when messages go wrong. When departments engage in their own public communications, they are changing the traditional Westminster bureaucratic bargain (see Hondgehem 2011; Hood and Lodge 2006). Under Westminster tradition, public servants are impartial and anonymous, in return for which they receive security of tenure and their minister takes the public heat for their mistakes rather than departments themselves. That model has little or no chance of surviving the move to a horizontal approach to social media in which communication responsibility will fall on the shoulders of individual public servants, who could find themselves held up for public critique in the media, with no ministerial defence in sight.

From a public value point of view, the social media rules fit well into Moore's strategic triangle of factors affecting the pursuit of public value (see representation in Moore 1995; Moore and Khagram 2004; Williams and Shearer 2011: 1371–2). There is an 'authorizing environment' that actively encourages social media engagement as a good way of reaching out to citizens. The ever-increasing proliferation of forms of government engagement through social media suggests that 'operational capability' in terms of resources and innovation is high. And thirdly, in terms of the 'value circle', it is clear that governments actively expect the kind of policy and service delivery communication activities that social media enables. The difficulty here is not that social media is not a suitable site for the pursuit of public value, but rather that existing rules about its use do not sufficiently distinguish that social media does not and cannot fit into a 'business-as-usual' approach.

The social media guidelines examined here suggest that governments are applying the established conventions of Westminster public services to social media as if it is just the same as any other form of public outreach. To quote the UK Guidance, for example: 'Staff should participate in the same way as they would with other media or public forums such as speaking at conferences' (NZ Government Information Services 2011: 8). Public servants are told to remain impartial, and to refrain from behaviour that would lead to any loss of public confidence in the public service. This suggests that social media can be managed without any fundamental change in approach. In reality, social media normalizes mass communication by multiple public servants at multiple levels. Even with expectations in place that public servants need authorization to become accredited to use social media officially, the system cannot control the content of every tweet and Facebook post.

In a comparative sense, all the guidelines and rules examined here begin at the same starting point. They see social media as an important tool that public service departments and agencies can and must incorporate into their work. Social media is a positive outlet to be actively embraced, albeit with eyes open as to the potential risks. From that starting point, different jurisdictions make different judgements on how far they are willing to allow public servants to use their own prudent judgement to add 'public value' (without specifically using the term) through their social media use.

The United Kingdom rules, and to a lesser extent those in New Zealand, are the most positive and even enthusiastic in tone about what can be achieved through social media. The rules in these

jurisdictions exhort public servants to get involved in online conversations rather than focusing on warnings of the dire consequences if things go wrong. Both jurisdictions still provide the standard cautions about not overstepping political lines but do not let that overshadow the general rule that social media should be engaged with vigorously. The benefits of ‘communicating 1-to-many’ (UK Government Digital Service 2012: 3) are extolled, as are the opportunities for civil servants to become ‘a catalyst for the creation of online communities’ (UK Government Digital Service 2012: 3). Social media is presented as a ‘dialogue’ (NZ Government Information Services 2011: 4) which should not be slowed down by the cumbersome authorization procedures of traditional bureaucracy. Essentially, the rules in the UK and New Zealand are set up on the basis that public servants can be trusted to exercise prudent judgement in how to go about interacting with social media.

The Canadian and Australian guidelines certainly do encourage the public service to make use of social media as an ‘effective additional channel to interact with the public’ (Treasury Board of Canada Secretariat 2011: Section 3.2) but are overall more tentative and risk averse in their encouragement. There is no talk here of leading the creation of online communities, with a much greater focus on preventing breaches of public service obligations of impartiality. As the media reports on the new internal guidelines applied within the Australian Department of Prime Minister and Cabinet indicate, the desire to control public servant behaviour is trumping the willingness to take risks to pursue greater ‘public value’ through social media. The need for hierarchical control and authorization is trumping the opportunities for horizontal patterns of engagement.

For all four jurisdictions examined here, the core opportunities and challenges remain the same even if the rules they promulgate are not uniform. In essence, social media allows public service departments and the individuals within them to create their own unique public profile, separate from the ministers they serve. As a result, public servants are no longer sheltered by the anonymity provided by the bricks-and-mortar walls of large departments. The various guidance documents encourage public servants to get involved and engaged in a two-way dialogue with citizens. This is a fundamental horizontal levelling of the hierarchical tradition of Westminster bureaucracies. Departments, and individuals within departments, are becoming direct communicators with the public, without the traditional filters that protect ministerial accountability and

public service anonymity. This is particularly so at the pointy end, where departmental permanent secretaries and their equivalents are having to engage as public figures in their own right. Rather than creating social media rules that simply apply established Westminster principles to this evolving area, governments may need to reconceptualize their view of how 'public' a modern public service needs to become.

Public value offers scope for such a reconceptualization, but presents governments with a choice in the social media field. If they wish to authorize entrepreneurial communicators within the public service, they must provide protection rather than blame when things go wrong. It is hard to be more adventurous when the safety net has been removed. Alternatively, if they wish to maintain a 'business-as-usual' approach to official social media use, then clearer hierarchical controls need to be written into the guidelines so that authorization and accountability flows can be easily traced. At the moment, the guidelines being promulgated by Westminster system governments are having it both ways – encouraging engagement but counselling extreme caution – with the risks settling squarely on the shoulders of public servants rather than their ministerial masters.

#### ACKNOWLEDGEMENTS

The author would like to acknowledge the funding support provided by the Australian Research Council through its DECRA scheme (DE130101131) and the collegial support provided by colleagues in the Institute for the Study of Social Change at the University of Tasmania, and in the Centre for Governance and Public Policy at Griffith University.

#### SUPPLEMENTARY MATERIAL

To view supplementary material for this article, please visit <http://dx.doi.org/10.1017/gov.2015.21>.

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