

Use of social media in a private capacity

Guidance for NSW government sector employees

March 2025



Acknowledgement of Country

The Office of the Public Service Commissioner acknowledges the traditional custodians of the land and pays respect to Elders past, present and future. We recognise Australian Aboriginal and Torres Strait Islander peoples' unique cultural and spiritual relationships to place and their rich contribution to society.

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About this guidance





This guidance has been developed to support NSW government sector employees (including those in the Teaching Service, Health Service, Transport Service, and NSW Police Force) who choose to use social media in their personal lives.

Social media can provide an opportunity to engage and interact, promote expertise, and share achievements. However, how you use social media in your personal life or private capacity can impact your work and the agency you work for. This guidance will help you do this by:

- outlining key principles to keep in mind if you choose to use social media
- discussing a range of potential scenarios you may encounter, along with some questions to ask yourself and tips to follow.

This guidance is intended to help you think, reflect and exercise good judgement if you choose to use social media. It aims to help you understand and comply with your obligations under the Ethical Framework for the government sector (the Ethical Framework) and the Code of Ethics and Conduct for NSW Government Sector Employees (the Code).

As a public servant, you have an important role to play in maintaining trust and confidence in our public institutions. You should not act in a way that casts doubt on your ability, or the ability of your agency, to act impartially, apolitically and professionally. Being mindful of your activity online is one way you can help maintain trust in our public institutions.

1.1 Knowing your obligations

The term **social media** refers to websites, tools and platforms that provide users with ways to connect and communicate with each other online. Social media includes, but is not limited to:

- professional networking platforms, e.g. LinkedIn
- social networking platforms, e.g. Facebook
- video and photo-sharing platforms, e.g. YouTube, Instagram, TikTok
- instant messaging software/applications, e.g. WhatsApp, Facebook messenger, WeChat
- micro-blogging sites, e.g. X (previously Twitter)
- forums and discussion boards, e.g. Whirlpool, Google Groups
- blogs, including corporate blogs, personal blogs and blogs hosted by traditional media outlets
- online encyclopaedias, e.g. Wikipedia
- online gaming platforms with a chat component, e.g. Discord.

There are various factors that may influence whether your social media activity is at risk of breaching your obligations under the Ethical Framework and the Code. These may include:

 <p>Your role and responsibilities</p>	 <p>Your seniority in your agency</p>	 <p>Whether your online activity directly or indirectly relates to your work</p>	 <p>The nature of your online activity</p>
 <p>The work of your agency</p>	 <p>The policies of your agency</p>	 <p>Whether your activity casts doubt on your ability to do your job</p>	 <p>Whether your activity impacts trust in your agency or other government institutions</p>

It is important to remember that your agency may also have a supplementary code of conduct, as well as policies relating to both the official and private use of social media. You should make sure you understand and comply with these, and any additional obligations that apply to you.

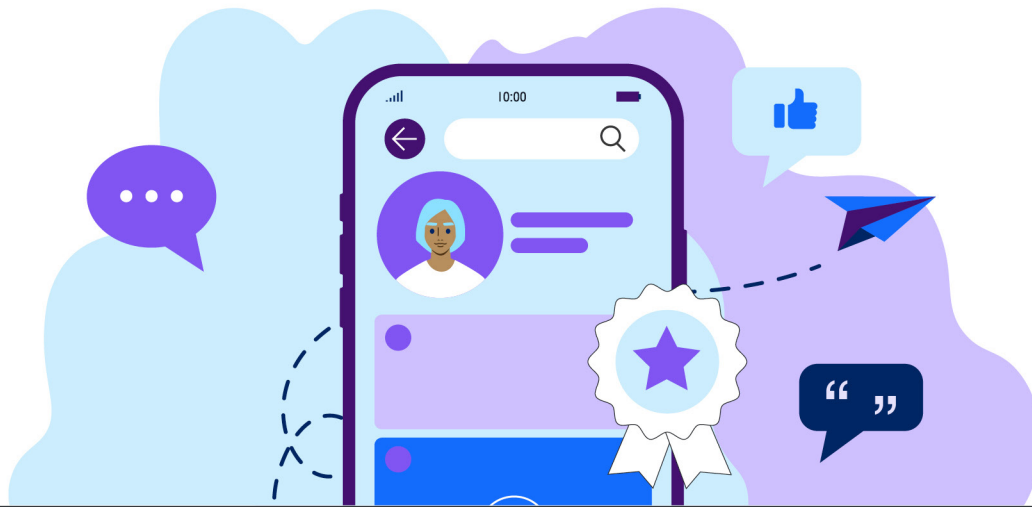
One way to make sure you are exercising care around your social media activity is by remembering the NSW government sector core values of Integrity, Trust, Accountability and Service. If in doubt, you should talk to an appropriate person within your agency. This could include your manager or someone from your agency's Legal or Governance team.



Note: Unless otherwise authorised, NSW government sector employees are not allowed to use TikTok on corporate issued devices or personal devices where they also access corporate information, including Microsoft Outlook, Teams, and SharePoint. Refer to the [Cyber Security NSW directive to remove the TikTok app from all NSW Government devices](#) for more information.

Understanding the *Code of Ethics and Conduct for NSW Government Sector Employees*





The Code sets out minimum expected standards of behaviour and mandatory requirements for all NSW government sector employees that are consistent with the Ethical Framework.

The Code applies at all times when NSW government sector employees are acting in the course of, or in connection with, their employment. The Code also extends to conduct outside of work hours where that conduct may affect your employment. This includes conduct that is undertaken in a private capacity, but is inconsistent with your ability (or could reasonably be perceived to be inconsistent with your ability) to fulfil your duties in your government sector role.

The Code includes minimum expected standards of behaviour when making public comment, including on social media. Public comment is any comment made where it is expected that it will be seen or heard by members of the public. It includes:

<p>Profiles or activities on social media</p>	<p>Comments on internet sites or broadcast by electronic means</p>	<p>Public speaking engagements</p>	<p>Comments to radio, television or print reporters (including letters to the editor)</p>	<p>Comments in books, journals or notices</p>	<p>Appearances before Parliamentary Committees</p>

Under the Code, you must not make any public comment on behalf of your agency or in the course of your work unless authorised to do so.

Behaviour contrary to the Code or the Ethical Framework can have serious consequences. A contravention of the Code may be misconduct for the purposes the *Government Sector Employment Act 2013*, or other legislation governing the conduct of government sector employees in the Teaching Service, Police Force, Health Service, Transport Service and other services of the Crown.

We all have a responsibility to conduct ourselves in a manner that reflects the government sector core values of Integrity, Trust, Service and Accountability in action.

Key principles

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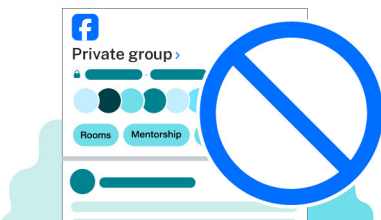


3.1 Your conduct must be lawful

The people of NSW rightly expect public servants to act lawfully, and this is required under the Code. You must ensure your social media activity is not:

- defamatory
- bullying
- harassing
- discriminatory
- in breach of privacy laws
- in contempt of court
- in breach of intellectual property rights
- in breach of criminal laws; or
- otherwise unlawful.

It is important to remember that you are accountable for your actions on social media. Certain unlawful conduct may be reportable to the NSW Police Force, or the Independent Commission Against Corruption.



Scenario

You are thinking of joining a restricted Facebook group that includes content that may be perceived as sexist, racist or homophobic.

Ask yourself

- In participating in this group, am I breaching the Ethical Framework or the Code?
- Could the content be perceived as defamatory, bullying, or otherwise discriminatory of others?
- Have I posted, liked or shared any content or comments that could be unlawful?
- Could my involvement in this community be seen to undermine trust in my agency or the NSW government sector?

Tips to follow

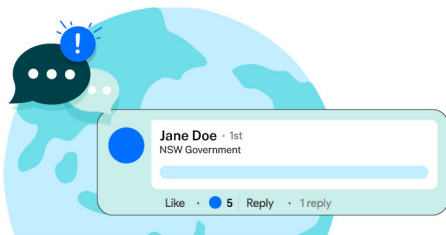
- You should not post, support, share or like content that could be considered offensive, obscene, derogatory, defamatory, threatening or hateful.
- There are additional risks if the content could be seen to be from an official source or has been sanctioned by your agency.
- Refrain from joining the group altogether if joining risks you being unable to comply with your duties as a government sector employee.
- If you see content which is distressing to you, remember you can access support from your agency’s employee assistance provider.



3.2 You should uphold institutions of government and democratic principles

As a NSW government sector employee, you are required to comply with the Ethical Framework to uphold the law, institutions of government and democratic principles. The Ethical Framework also requires you to consider people equally without prejudice or favour.

People accessing government services should feel safe and confident they will have access to the same services as everyone else irrespective of their race, religion, gender, sexual orientation or other part of their identity. You should take care to ensure your activity on social media does not cause members of the community to feel less safe or confident in accessing public services when they need them.



Scenario

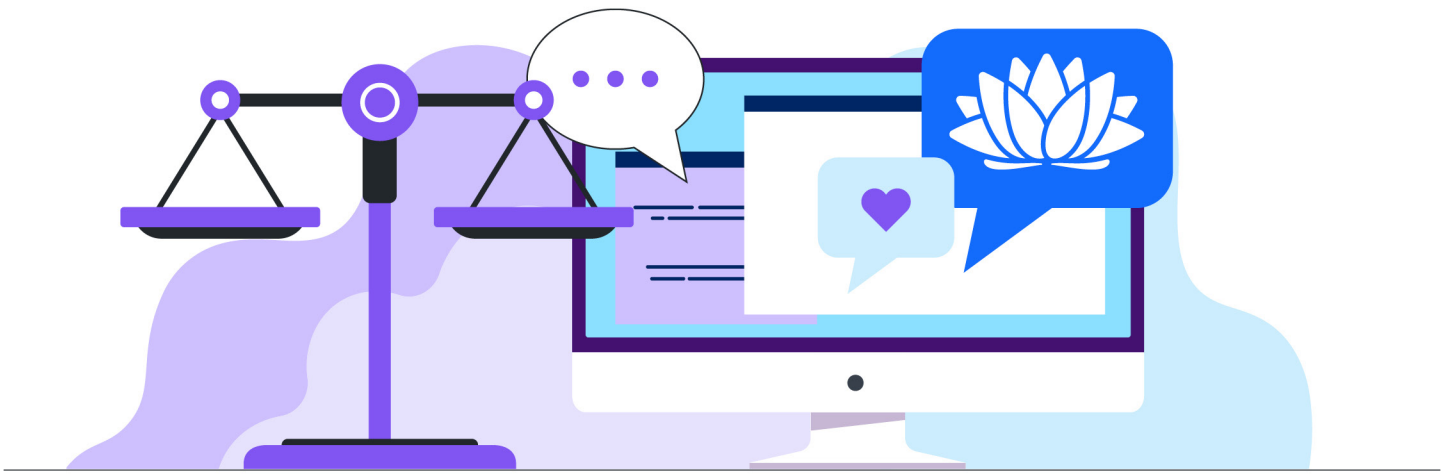
You want to post about an overseas conflict.

Ask yourself

- Am I breaching my employment obligations by posting the content?
- Could my post mean that some people in the community may be less willing to access government services?
- Does posting about this mean that some people might question my ability to do my job in a professional and impartial way?

Tips to follow

- Do not engage in hate-based conduct or other unlawful conduct, such as racial or religious vilification.
- Remember that your social media activity can go viral and be picked up by media organisations, even if that is not your intention.



3.3 You should take care expressing political views

You are able to participate in public debate on political and social issues in a private capacity, including on social media. However, you must not act in a way that casts doubt on your ability, or the ability of your agency, to act impartially, apolitically and professionally in the course of your employment.

An apolitical public service that is trusted by all sides of politics is a cornerstone of our democracy.

NSW government sector employees who choose to participate in political activities, particularly as nominated or elected representatives, should be

aware of the increased potential risks associated with a heightened public profile. You should carefully consider how social media is used, as well as how comments on issues relating to your role or broader government policy are framed.

If you are a nominated or elected spokesperson for a professional association or union, you are entitled to make public comments where it is clear that those comments represent the association or union views, and not necessarily those of your agency.



3.3.1 Using LinkedIn and other platforms

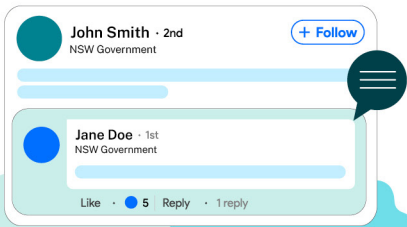
Social media activity on platforms that include information about your employment, such as LinkedIn, may carry greater risk. Posting or commenting about the work of your agency can create perceptions of bias and lead others to question your ability to do your job in an apolitical and impartial way. This includes promoting or sharing content that either supports or criticises the decisions and actions of the Government of the day.

You should consider factors such as:

- your seniority
- the relationship between the topic of your social media activity and your work
- whether your activity is consistent with your employment obligations.

You should feel proud to work in the NSW government sector and of your agency's successes. However, before sharing your agency's initiatives and programs on social media, you should confirm with your manager that the achievement or content is not confidential and that it is appropriate for you to share in a public forum. You should also consider any social media policy or frameworks that might apply. Examples of content that may be appropriate to share include:

- advertised roles
- grant programs
- employment-related activities such as events, training or commencing a new role
- other publicly available agency initiatives.



Scenario

You want to comment on a Government policy mentioned on a Minister's LinkedIn profile.

Ask yourself

- By commenting, could I be seen to be endorsing or criticising the policy?
- Is the public policy I am commenting on connected to my job or my agency?
- Could people question my ability to do my job in a way that is consistent with the Ethical Framework?
- Am I sharing information that is not publicly available?

Tips to follow

- Consider not publicly commending or criticising Ministers or your agency.
- Don't like/share posts you would not post yourself or be comfortable with your employer seeing.
- Remember that social media activity is effectively permanent.



Scenario

You would like to participate in online activity about a federal issue.

Ask yourself

- What is the relationship between the topic of the post and the work of my agency?
- Does the post relate directly or indirectly to my work or policies of the NSW Government?
- Could my comments be perceived as expressing support for a political party?
- Is it clear I am commenting in a private capacity?
- Am I engaging respectfully?

Tips to follow

- You must not undertake public advocacy leveraging your position as a NSW government sector employee, unless you are authorised to do so.
- You should not comment on social media content as a subject matter expert if it relates to your work or the work of your agency unless you are authorised to do so.
- Be aware that your views can be taken out of context, distorted or misrepresented, and this can be worsened by reaching a broader audience than you intended.
- For social media platforms other than LinkedIn, consider not listing your workplace on your profile.



Anonymous

Scenario

You are thinking about posting anonymously or under an alias.

Ask yourself

- Why don't I want to be identified?
- Would I still post this if I was able to be identified?
- Does the post undermine the work of my agency?
- Could this post damage trust in the broader NSW government sector?

Tips to follow

- You should assume that at some point your identity, as well as your status as a NSW government sector employee, will be found out.
- You can still be held accountable for posts that you make either anonymously or under an alias.
- While appropriate security settings can reduce the risk of being identified, do not rely on this to protect you or keep your identity private.



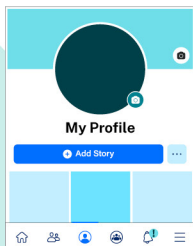
3.4 You should represent yourself, not your workplace

Unless otherwise authorised, you should ensure your personal social media accounts cannot be interpreted as having endorsement from the NSW Government or from your agency. This is particularly important if you are in a senior role or are in a role with high visibility. Regardless of your role, if you post work-related content alongside personal content, it can be hard to argue that any opinions you express are merely private.

The Code requires that you should ensure any public comments you make are clearly identified and understood to be your personal views.

However, a disclaimer will not protect you if your social media activity otherwise breaches the Code or your agency's policies.

Your social media activity can reach a wider audience than just your network. This can occur without your knowledge. For example, even if you have the strictest privacy settings, people in your network may still screenshot and share your posts or comments. You should therefore act as though anything you post will be online forever.



Scenario

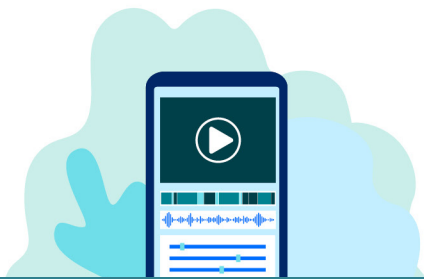
You are thinking of posting or commenting as a private individual.

Ask yourself

- Did I use my personal contact details and not those of my agency when registering for my private social media account?
- Will I make sure not to use any agency or NSW Government logos or insignia?
- Am I expressing an opinion on a policy of the NSW Government?
- Would posting this damage trust in public institutions?

Tips to follow

- Do not include information about your agency or work or images of your workplace or other staff members without prior authorisation.
- Be aware that the public may not always be able to distinguish between your private social media and your official role, particularly if you are in a senior or high-profile role.
- Public confidence and trust can still be damaged even if you add a disclaimer that your posts are your personal views.
- Consider setting your social media profiles to private and limiting the audience content is shared with.



Scenario

You are a content creator, and you would like to post a video of yourself and your colleague that you took at work.

Ask yourself

- Am I using public resources to develop this content?
- Am I making this content in my own time?
- Is anything visible that should not be seen by people outside my agency?
- Do I have prior permission from my agency to make or post the video?
- Do I have prior permission from other staff members or others to show them in the video?
- Am I misusing the intellectual property of my agency?

Tips to follow

- You should understand how your agency defines public resources – this can include things like computers, work-issued mobile phones, stationery, office furniture and even your time while at work.
- Where you can, consider removing anything that identifies your workplace from your social media profile. This might include the name of your workplace or your role, images of you in your uniform, signage, equipment, and background location.
- You must not use your position, or access to public resources and information, for personal gain, including for example to accumulate followers on social media.



Scenario

Someone has criticised your agency in the comments under a news article. You feel like you should defend your agency and explain why their comments are inaccurate.

Ask yourself

- Am I the right person to respond to this?
- Is this the right way to do it?
- If I respond, how will my agency feel about it?
- Do I have permission to publicly comment on the work of my agency?
- Will people think that I am either critical or supportive of the Government or my agency?

Tips to follow

- If you see negative comments about your agency online, check with an appropriate person in your agency as to whether they need to be escalated.
- Avoid defending your agency or commenting on the work of your agency.
- If you see inappropriate comments in the comments sections of news sites, consider whether they need to be flagged with the site's administrators.



3.5 You should not share information that is not otherwise publicly available

It is important to maintain the confidentiality of all official information you have access to or are aware of, that is not already publicly available. You are not allowed to disclose, access or use official information in an unauthorised way, including for your or anyone else's personal benefit or advantage. You should only share official information when authorised or when permitted or required by law. You should also exercise care that your social media activity does not indirectly reveal confidential information that is not publicly available.

You should also remember:

- to be mindful of information security, cyber security and privacy risks
- to identify and declare any conflicts of interest that may be linked to your social media activity.

You should do this in accordance with the Code and your agency's policy framework.



Scenario

Your team recently completed a report on a key program of work. You are proud of the work and would like to post an update on the report on your LinkedIn profile.

Ask yourself

- Is this information publicly available?
- Does it contain any confidential, personal and other sensitive information?
- Do I have authorisation to release this information?
- Would I be comfortable with my manager seeing this post?
- Will this information personally benefit or give an advantage to anyone?
- Could this be seen as endorsing or criticising a government policy or the government of the day?

Tips to follow

- Remember to act professionally and with impartiality.
- Observe the restrictions on the release of official information and ensure confidentiality of information.
- Understand that by posting particular information you may be perceived to have privileged access to knowledge and influence within government or inadvertently reveal private information.
- Criticising or praising your agency can call into question your capacity to be impartial, and damage public confidence.



Scenario

You are considering commenting on a post by a supplier your branch or agency has previously engaged with, congratulating them on a new government project they have successfully tendered for.

Ask yourself

- Could my comment be perceived as endorsing the supplier's products or services?
- Could there be a potential or perceived conflict of interest or maladministration?
- Could my comment give the impression that I have influence over the supplier or am being influenced by them?

Tips to follow

- Avoid making any comments on social media that others might perceive as endorsements of a supplier or contractor's products, services or capability.
- Always disclose any conflict of interest in accordance with the Code and your agency's conflicts of interest policy (if any) as soon as you become aware of the conflict.
- Ensure you follow your agency's procurement and tender evaluation policies and processes.



Scenario

You are thinking of publicly commenting on the outcome of an investigation or other government process.

Ask yourself

- Am I authorised to comment publicly?
- Would I be breaching confidentiality by posting about this?
- Will publicly commenting on this damage public trust in my agency or these processes?

Tips to follow

- If you have concerns about either an investigative process or outcome, you can ask the agency managing that process how to raise your concerns.
- If you want to complain about an agency's decision or service in a matter concerning your private life, you should do this through the relevant agency's complaints framework.
- If you become aware of serious wrongdoing, you can report your concerns in accordance with your agency's Public Interest Disclosure policy. You can also contact the relevant oversight body (such as the NSW Ombudsman, Independent Commission Against Corruption, the Audit Office of NSW, or the Information and Privacy Commission).
- If you are involved in an investigation (including as a reporter, witness, or subject officer), you must understand and comply with any applicable confidentiality obligations. These obligations can continue after an investigation is finalised.

More information

- [Government Sector Employment Act 2013 \(NSW\)](#)
- [Code of Ethics and Conduct for NSW Government Sector Employees](#)
- [DCS-2023-01 Cyber Security NSW Directive - Protecting NSW Government information on government-issued devices](#)
- [Reporting wrongdoing](#)
- [Office of the NSW Ombudsman: In Focus Publication - Avoiding pitfalls when agencies and public servants use social media](#)

Document review

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