

# ABERFIELD

## Social media – policies or policing?

You may have clear policies and procedures in place regarding your own social media channels – what, when and how to post – but are you one of the estimated 70% of UK companies that doesn't have a policy in place for how their employees should behave on their own social networks?

You can't just shrug and say "what they put on Facebook has nothing to do with me". What people do, or say, on social networks – whether in or outside of work – can affect their own performance, the performance of others or the company's business.

That's why you need a clear policy in place that clearly sets out the guidelines for your employees' use of social media, and takes into account the rapid pace of technological change (for instance, it's no longer enough for a policy to cover work PCs and laptops).

You don't want to be draconian, but you do need to be clear about what is acceptable and what isn't. Fundamentally, employees need to be aware of how their actions online can reflect on themselves and their employer.

Get that balance right, and your people will be great ambassadors for your business.

So what should your social media policy cover?

### **1. You can't hide from the law online.**

Anyone with a social media profile – or who has a personal blog or website – is subject to the same laws and regulations as your company.

Individuals are legally responsible for their online comments and opinions, so anything that could be defamatory, discriminatory, obscene, libellous, hateful or deemed to be harassing or threatening ("cyber-bullying") could lead to legal action. That could damage your company, as well as the individual. Likewise, the use of copyrighted materials could land them – and you – in hot water. So your policy needs to make that clear.

### **2. If you can read it, so can your competitors.**

If the employee's post or comment is legal, decent, honest and truthful they might well avoid court, but that shouldn't be the end of your policy guidelines.

Unless social media profiles are set to private, it's best to assume that your customers, competitors, suppliers and media can see what your staff are saying. Before they post, they should ask themselves: Would I be happy for everyone to read this?

### **3. Protect commercial confidentiality.**

You can get away with it in the pub, but an off-guarded comment on Facebook by an employee about your forthcoming product launch could easily be picked up by a competitor – or a journalist – so employees shouldn't be discussing work on their social channels.

### **4. Anonymity is no excuse.**

That applies whether or not employees clearly state on their profile where they work. Even if they don't, it won't take much detective work for anyone to find the information.

### **5. To ban, or not to ban?**

Do you block personal social media during work hours, or do you encourage it? Or do you turn a blind eye?

A complete ban is neither practical (do you really want to monitor what people are doing every time they pick up their smartphone?), nor good for your employees' morale. And at many companies, it's good for business for people to be actively building networks on social media.

But by the same token, you don't want to be carefree and leave people to do whatever they want, whenever they want. So be clear about what's acceptable and what isn't.

If you don't see the benefits to your company of employees being on social media – or it's not a clear part of their role – the safest bet is to use your policy to ask them to refrain from personal social media and internet use in working hours. That way it's not an outright ban, so you don't have to police it closely, but any abuses (or where it's interfering with their day-to-day responsibilities) can be covered by your standard disciplinary procedures. But hopefully that wouldn't ever be necessary.

### **6. What about LinkedIn?**

LinkedIn can be a good business research and networking tool, so it's up to you to decide whether it's useful for your employees to join, and how they use it. The same rules should apply as for any other social network.

### **7. And finally...**

Don't forget that even if every post, tweet or comment passes the "legal, decent, honest and truthful" test, it should still be clear that the opinions expressed are those of the individual, not the company. A 'disclaimer' statement on the employee's profile is good practice, but bear in mind it might not cover them – or you – in court.