



DISCLAIMER

The following policy is provided by BlandsLaw for informational purposes only and is intended to be used as a guide prior to consultation with a solicitor familiar with your specific legal situation. If you require legal advice tailored to you specific circumstances please contact BlandsLaw on 02-9805 5600.

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SAMPLE SOCIAL MEDIA POLICY.

These are guidelines governing the publication of and commentary on social media websites by employees of _____ *[Name of business]* and its related companies. For the purpose of this policy, social media includes any facility for online publication and commentary, including, but not limited to, blogs, wiki's, social networking sites such as Facebook, LinkedIn, Twitter, Flickr, and YouTube for example. This policy is in addition to and complements any existing or future policies regarding the use of technology generally, such as computers, email and the internet.



PURPOSE

1. _____ *[Name of business]* recognises the importance of social media tools in shaping public thinking about the company. _____ *[Name of business]* also recognises the importance of our employees joining in, and helping to shape industry conversation and direction through blogging and involvement in social media. _____ *[Name of business]* encourages our employees to interact knowledgeably, socially and responsibly on social media sites and the internet.
2. To ensure that all employees are responsible and understand their responsibilities to the company when participating in social media, the following guidelines have been established. No policy can lay down rules to cover every possible situation. Instead, it is designed to express _____'s *[name of business]* philosophy and set forth general principles when using social media.
3. _____ *[Name of business]* employees are free to publish or comment via social media in accordance with this policy. _____ *[Name of business]* employees are subject to this policy to the extent that they identify themselves as a _____ *[Name of business]* employee.

PROHIBITED COMMUNICATIONS

In line with company policy and expectations of the wider community, social media cannot be used for transmitting, retrieving, or storing any communication that is:

- Discriminatory or harassing;
- Derogatory/Defamatory to any individual or group;
- Obscene, sexually explicit or pornographic in nature;
- Engaged in for any purpose that is illegal;
- Engaged in or for any purpose that is contrary to _____ *[name of business]* policy or business interests.

Employees that engage in prohibited communications will be in violation of this policy and may also be referred to police.



SETTING UP & GENERAL USE OF SOCIAL MEDIA.

1. Social media identities, logon ID's and user names may not use _____*[name of business]* without prior approval from the General Manager.
2. Employees are not authorised to speak on behalf of the company or to purport that they do, without prior permission of the General Manager.
3. If you are communicating on social media sites that mention the company, it is courtesy to let your manger know that you are doing this. Your manager may choose to visit these sites from time to time.
4. Company logos and trademarks, or other such intellectual property may not be used without permission from the General Manager.

ACCESS TO EMPLOYEE COMMUNICATIONS.

A. _____*[Name of business]* routinely gathers logs for most electronic activities or monitor employee communications directly for reasons involving cost management and resources allocation. This monitoring also helps to detect patterns of use which may indicate that employees are violating company policies or engaging in illegal activity. _____*[Name of business]* does this in line with the provisions in the *Workplace Surveillance Act 2005* (NSW).

B. _____*[Name of business]* reserves the right, at its discretion, to review any employee's electronic files and messages to the extent necessary to ensure electronic media and services are being used in compliance with the law, this policy and other company policies.

C. Employees should not assume electronic communications are completely private. Accordingly, if they have sensitive information to transmit, they should use other means.



APPROPRIATE USE GUIDELINES.

Confidentiality: You may not share information that is confidential and proprietary about the company, suppliers, employees or clients. Confidential information can include, but is not limited to information about trademarks, future business deals, sales figures, finances, company strategy, trade secrets and other information that has not been publicly released by the company. If you are unsure as to whether information could be classified as confidential or not, speak with your manager before releasing the information.

Privacy: Privacy settings on social media platforms should be set to allow anyone to see profile information similar to what would be on the _____ *[Name of business]* website. It is important to be mindful of your own personal privacy as well and not post any personal information that you do not want to be publicly available. You also need to consider the privacy rights of other employees, customers, partners and suppliers. Seek their permission when writing about or displaying internal company activities which may be considered a breach of their privacy and confidentiality.

Honesty & Accuracy: When participating in social media forums, do not attempt to post blogs or other postings that attempt to hide the identity of the sender or represent the sender as someone else. Do not use pseudonyms, false screen names or anonymous postings. Be honest about who you are. Do not say anything that is dishonest, untrue or misleading. Strive for accuracy and get the facts straight before posting them on social media. You should not make any statements that are contradictory or in conflict with the _____'s *[Name of business]* website. If you see misrepresentations made about _____ *[Name of business]* you may respond with respect and with the facts, but avoid arguments. If you make an error, correct the posting or remove it as soon as you become aware of the error.

Competition: You may not use social media to sell or promote any product or service that would compete with any of _____'s *[Name of business]* products or services without the permission of the Managing Director.

Respect: _____'s *[Name of business]* requires that you show proper respect for the company and our current and potential employees, customers, partners and competitors. The public in general and _____'s *[Name of business]* customers and employees represent a diverse set of customs, values and points of view and employees need to be aware of this.

Fair Use: _____'s *[Name of business]* allows its employees to participate in social networking under the guidelines of this policy, however, all employees are expected to respect the company's time whilst at work and not allow themselves to become excessively distracted from their expected duties. Employees are reminded that their use of technology is monitored, and as such, excessive use of social media for personal use whilst at work will be detected and addressed as appropriate.



VIOLATIONS

Any employee who abuses the privilege of their access to e-mail, Internet and social media websites in violation of this policy will be subject to corrective action, including possible termination of employment, legal action, and criminal liability.

EMPLOYEE AGREEMENT ON USE OF E-MAIL AND THE INTERNET

I have read, understand, and agree to comply with the foregoing policies, rules, and conditions governing the use of the Company's social media policy. I am aware that violations of this policy on appropriate use social media may subject me to disciplinary action, including termination from employment, legal action and criminal liability. I further understand that my use of social media may reflect on the image of _____ [*name of business*] to our customers, competitors and suppliers and that I have responsibility to maintain a positive representation of the company. Furthermore, I understand that this policy can be amended at any time.

Dated: _____.

[Signature of employee]

[Printed name of employee]



NOTES:

As stated in the disclaimer, this policy is designed to be a guide in helping you along you with the implementation of a social media presence in your business. Even if at this stage you do not wish your business to become involved on a social media platform, the truth is that you employees are involved already. It is BlandsLaw's aim to convince businesses on the need to have such a policy in place.

Hopefully this has provided a useful template for you to begin thinking about developing your own policy. There are many important areas that haven't been addressed in this sample policy that you will need to cover such as,

- Who do you want to have access to social media in the workplace? No-one, only a select few, or everyone? How will you decide that?
- Who is responsible for the implementation and mentoring/management of social media in your workplace?
- There will be issues relating to specific areas of the business that you will want to address. For example a company selling highly technical or professional products or services may only want certain, more qualified employees to comment about certain technical questions/aspects of the business rather than leaving it up to the general masses.
- Violation consequences. The ways of dealing with violations of company policy will be different in many situations.

BlandsLaw is well positioned to work with companies on the development of their social media policy. If you require further guidance and advice on this issue, please feel free to contact us at anytime to discuss your needs.

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