



## Social Media Policy

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Target audience:	All employees
Replaces:	new

### Equality Analysis Record

Approved EA submitted	Dated: 12 October 2016
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## **1 Objectives**

- 1.1 South East Coast Ambulance Service NHS Foundation Trust (the Trust) is committed to maintaining the highest possible standards of practice and to ensuring that all its dealings and activities are ethical, transparent and compliant. To that end, this policy sets out clear, reasonable guidelines for employees on acceptable and appropriate use of social networking and social media platforms.
- 1.2 The policy sets out the actions the Trust will take where behaviour falls below the expected standards and helps to ensure that the Trust's patients, employees and reputation are protected and the Trust is not exposed to legal and/or governance risk.

## **2 Scope**

- 2.1 This policy applies to all employees of the Trust regardless of level or length of service.
- 2.2 Any social media issues regarding third parties will be referred to the employing agency/company and will be resolved under the particular contractual arrangements in place.
- 2.3 This policy applies to all social networking sites, personal web pages, blogs, personal space and mobile phone apps provided by internet providers and all social media platforms that are current and that may be developed in the future. These include but are not limited to Facebook, Google+, Twitter, YouTube, Vimeo, Flickr, LinkedIn, MySpace, Snapchat, Instagram, Bebo, Tumblr, Whisper, Pinterest etc, and any other social media platforms which make available personal views, images and videos to the general public or sections of the public. The list of social media platforms is not exhaustive and will be continuously evaluated by the Trust.
- 2.4 This policy does not apply to web pages hosted by the Trust, for example organisational, communication and marketing aspects of social media, which are covered by the Trust's separate Internet and Email Policy.

## **3 Principles**

- 3.1 In order for the Trust to maintain a good social media and digital reputation it is critical that employees act appropriately in their personal and/or professional use of social media.
- 3.2 It is not the intention of this policy to prevent employees from enjoying normal and appropriate use of social media technologies and the Trust fully appreciates the rights of employees to privacy and to freedom of expression. However, the Trust must also ensure these rights are balanced with its legal responsibilities and employees' responsibilities and duties to patients, employees, partners and the general public.
- 3.3 Social media use by employees, either privately or professionally, is covered by the same principles as any other media. Social media is a public forum, and the same considerations should be applied to it as would be applied to speaking in public or writing an item for publication either officially or outside of work.

- 3.4 Whether officially authorised to speak on behalf of the Trust or not, employees may be seen by people outside of the Trust as representatives of the Trust. Employees should represent the Trust values and core values in the NHS Code of Conduct and other relevant registering bodies whenever they choose to make social media comments.
- 3.5 Employees should always be respectful of every individual's legal right to express their opinion. When using social media, employees must respect the Trust's Equality, Diversity and Human Rights Policy - anything containing ageist, racist, sexist, homophobic, transphobic, sexually explicit, threatening, abusive, disrespectful or other unlawful comments must not be published.
- 3.6 Inappropriate comments relating to protected characteristics (for example age, sex, race, disability, religion, sexual orientation, nationality or any personal characteristic of the individual) as set out in current equality legislation, must not be posted. There must also be proper consideration of privacy and of topics that may be considered objectionable or inflammatory or that have the potential to offend, such as strong views on politics and religion.
- 3.7 It is illegal to comment on or undertake behaviours on social media which could cause harassment, malicious communications, stalking, threatening violence and incitement or crimes. This behaviour and any breaches of privacy, confidentiality or information security will be investigated in line with the Trust's Disciplinary Policy and Procedure.
- 3.8 The Trust will not actively seek to monitor employee activity on social media where this is conducted outside the workplace. However, if the Trust is alerted to inappropriate social media activity by any employee it reserves the right to investigate the matter fully and to take action if necessary.
- 3.9 The Trust does not use social media to vet or gather further information on candidates in its recruitment process.
- 3.10 Breaches of this policy will be investigated if necessary and addressed in accordance with the appropriate Trust's policy and procedure.
- 3.11 The Trust will ensure that employees are made aware of this policy, during induction of new employees and by regular reminders, particularly with regard to any changes or updates.

## **4 Breach of Confidentiality**

- 4.1 Social media, through blogs and web forums, or sites such as Twitter or Facebook can provide Trust employees with a space in which they can discuss their experiences within clinical practice and trust duties, and enhance learning and study.
- 4.2 However as material published on the internet often exists in the public domain, it is important that all staff exercise extreme caution when discussing any details relating to specific incidents that they or their peers have attended.
- 4.3 All employees have a legal and ethical duty to protect patient privacy and confidentiality. Disclosing any identifiable information about patients with or without the consent of the patient on medical forums or any social networking sites would constitute a breach of confidentiality. Presenting clinical experiences even

hypothetically on online forums, Tweeting or other social media platforms, can be a direct breach of patient confidentiality as posts may be geo-located and inadvertently identify patients.

- 4.4 Individual pieces of information may not on their own breach patient confidentiality, however the culmination of published information could be sufficient to identify a patient, their relatives, or the location of their incident.
- 4.5 All employees must recognise and continually evaluate their ethical and legal obligation to maintain patient privacy and confidentiality at all times.
- 4.6 All employees are strictly prohibited from transmitting by way of any electronic media any patient-related image or text. In addition, all employees are restricted from transmitting any information that may be reasonably anticipated to violate patient rights to confidentiality or privacy, or otherwise degrade or embarrass the patient.
- 4.7 With awareness and caution, employees can avoid intentionally or unintentionally disclosing confidential or private information about patients. In order to minimise the risks of using social media in relation to patient confidentiality, all employees must:
  - not take photos or videos of patients, scenes or locations of incidents on personal devices, including mobile phones
  - not share, post or otherwise disseminate any patient information they have learned as a result of providing care on behalf of the Trust
  - safeguard all such information and only disclose data to colleagues for the purpose of providing care or liaison for the patient on a suitable Trust system or platform
  - follow Trust policies for taking photographs or videos of patients for treatment or other legitimate purposes using trust-provided devices

## **5 Employee's Responsibilities**

- 5.1 All employees have a responsibility to act in a professional manner at all times and the Trust expects and trusts employees to act professionally and exercise personal responsibility whenever they use social media.
- 5.2 All employees are encouraged to report any concerns to the Trust regarding inappropriate or illegal social media activity as soon as they become aware of it.
- 5.3 Employees are responsible for making sure their social media activities do not interfere with fulfilling their job requirements or their commitments to the Trust, patients and colleagues. In particular they must:
  - not share information which puts patient confidentiality at risk or which could bring the Trust, the NHS, or their profession, into disrepute
  - take care to avoid revealing confidential information or information they hold in trust
  - refrain from publishing or republishing material that may cause injury to the Trust, another person, organisation, association or company's reputation - any such

activity may result in disciplinary action and/or legal proceedings for posts, sharing of posts or retweets aimed at named individuals or an organisation, that are considered to harm their reputation

- take care not to speak or act in a way that could reasonably be seen by their colleagues or by external stakeholders as deliberately or accidentally bringing the Trust into disrepute or otherwise damaging its reputation: this includes using social media to criticise, attack, undermine, embarrass or air grievances about the Trust, its positions, programmes, employees or leadership
- consider the impact of any negative references to the Trust or any of its partner agencies by friends, colleagues and other contacts and remove any such posts on their own social media as soon as they become aware of them
- reserve caution if contacted by a journalist or an unknown individual who is asking questions about the Trust, and should speak to their line manager or seek guidance from the Trust's Communication team
- not set up office service sites, or sites which resemble an official Trust site, without the knowledge or explicit consent of the Trust's Communication team
- not engage in activities which may constitute copyright infringement, for example use the Trust's logo or crest or other professional Trust images, without the express consent and explicit approval of the Trust Communications Team
- review and where appropriate enable security settings to ensure that social media activities are compliant with this policy

5.4 Employees must maintain up to date knowledge of the implications of social media use and be aware that:

- their own safety and security, and that of others, may be at risk when images are disclosed or displayed that reveal personal information such as home address, date of birth, street name, car number plate or other similar information
- even if the highest level of privacy settings are established on social media pages, there is still the potential for posts to show on friends and family pages or for information to be forwarded on indefinitely
- once an item has been posted on any social media platform, it is then in the public domain
- when posting on social media, information is neither private nor temporary and disclosures live online indefinitely, and posts may be visible to a broad audience
- comments made on social media sites are public and searchable even if they are deleted
- they may be identified online as Trust employees, either through their own direct declaration on their social media pages, or through a general understanding within their online network of family, friends and associates – and must always consider this association in their social media activity and act appropriately

- when appearing in any images on social media in the uniform associated with the Trust, they are representing the Trust
- if they disclose that they work for the Trust, they must make clear that opinions shared on their social media platform are their own views only

## **6 Professional Use**

- 6.1 Some employees are authorised to access social media sites for either monitoring purposes or to post information on behalf of the Trust. Employees who have been given access to social media sites such as YouTube, Twitter, Facebook for work purposes:
- must only use the sites in an ethical and lawful manner
  - are subject to the same principles as set out above such as upholding patient confidentiality, posting sensitive information, and not bringing the Trust into disrepute
- 6.2 Many of the healthcare professional colleges and societies have released guidance on using social media at work. Employees are encouraged to familiarise themselves with their profession's social media guidance.
- 6.3 The Trust acknowledges there are several professional social media services or platforms that are used for both professional and private social use, for example LinkedIn and Yelp. Employees may wish to identify themselves as Trust employees for the purposes of professional networking, however the same principles of appropriate conduct apply.
- 6.4 Employees wishing to use social media in a professional context are welcome to do so. This may include corresponding with professional peers or colleagues, discussing issues relating to their professional field or participating in online communities of practice. However, good judgement should be exercised in doing so.

## **7 Privacy and Information Security**

- 7.1 Employees must comply with the Trust's policies on information governance and security, which are readily available on the Intranet.
- 7.2 Individuals have a right to their personal privacy. They have the right to keep their personal opinions, beliefs, thoughts and emotions and anything else they wish as private. Therefore employees should not share anything via social media channels that could violate a patient's or colleague's right to privacy.
- 7.3 Examples of social media disclosures that may compromise a person's right to privacy include, but are not limited to:
- pictures, video or audio recording that are shared through social media channels without the permission of any single individual featured
  - the public disclosure of private facts, or information that is likely to identify individuals

- the disclosure of information gained through privileged access or unreasonable intrusion
- 7.4 Employees must seek permission from anyone before posting personal details or images that may link them with the Trust and must not post anything about someone if they have been asked not to. Employees must always remove information about someone if they have been asked to do so.

## **8 Bullying and Harassment**

- 8.1 The Trust's Bullying and Harassment policy and procedure applies to social media as well as in the physical workplace. Workplace bullying and harassment includes any bullying or harassing comments or behaviour employees make or participate in, even on their own private social media networks or out of working hours.
- 8.2 All employees are expected to treat their colleagues with respect and dignity and must ensure their behaviour does not constitute bullying and/or harassment - see the Trust's Bullying & Harassment Policy and Procedure for more information.
- 8.3 Abusive, harassing, threatening or defaming postings are in breach of the Trust's Bullying and Harassment Policy, and may result in disciplinary action being taken.

## **9 Inappropriate Material**

- 9.1 All employees must ensure that they do not post, and their own social media does not contain, content or images that are considered inappropriate. Such material should be removed as soon as the employee becomes aware of it.
- 9.2 The following examples of inappropriate content or images are not exhaustive and include:
- material that is offensive, sexually offensive, obscene, defamatory, threatening, harassing, bullying, discriminatory, hateful, racist, sexist, infringes copyright, constitutes a contempt of court, breaches a Court Suppression Order, or is otherwise unlawful
  - material that is or might be construed as threatening, harassing, bullying or discriminatory towards another employee, patient, contractor or other person connected with the Trust
  - any comment or material that might otherwise cause damage to the Trust's reputation or bring it into disrepute

## **10 Working Relationships**

- 10.1 The Trust acknowledges that there are many business benefits to be gained from the use of social media, one of which is to demonstrate a 'human' face to the general public; another is that it can support team building.
- 10.2 As a general rule, the Trust will not actively monitor employees' social media activity and will not prevent employees creating networks with each other on social media. Managers should, however, be aware of the potential for the manager/employee relationship to become blurred and should act responsibly at all times.



- 10.3 Employees who have concerns or comments about any aspect of their employment should discuss these with their line manager, with HR or any other manager or with their trade union representative. It is not appropriate to discuss work matters on social media platforms.

## **11 Raising Concerns At Work**

- 11.1 The Trust encourages employees or others with serious concerns about any aspect of its work to come forward and express those concerns. In many cases, concerns or complaints will be dealt with through the Trust's normal procedures, such as the mechanisms for resolving grievances, disciplinary matters, complaints, or concerns relating to equal opportunities. Employees should also refer to the Trust's Raising Concerns at Work (Whistleblowing) Policy.

## **12 Associated Documentation**

Disciplinary Policy and Procedure  
Bullying and Harassment Policy  
Health and Safety Policy  
Supporting Transgender Employees & Service Users Procedure  
Equality Diversity and Human Rights Policy  
Raising Concerns at Work (Whistleblowing) Policy  
Information Governance Policy  
Information Governance Strategy  
Information Security and Risk Management Policy  
Network Security Policy  
Data Protection Policy  
Email and Internet Usage Policy  
EOC Code of Conduct  
Your Guide to Using Social Media in the NHS [www.nhsemployers.org](http://www.nhsemployers.org)

## Document Control

### Manager Responsible

Name:	Steve Graham
Job Title:	HR Director
Directorate:	Workforce Transformation

Committee/Working Group to ratify	Executive Committee		
Version No. 1.00	Final	Date: 11 November 2016	

### Draft/Evaluation/Approval (Insert stage of process)

Person/Committee	Comments	Version	Date
JPF	For approval	1.00	21/10/2016
Snr HR & Policy Mgr	Incorporate info	0.04	11/10/2016
Staffside/Management	Confidentiality info	0.03	10/10/2016
Snr HR & Policy Mgr	Incorporate changes	0.02	30/09/2016
People Policy Subgroup	Review and comment	0.01	22/09/2016
Snr HR & Policy Mgr	Restructure	0.01	12/09/2016
HR Advisor	Draft	0.01	July 2016

### Circulation

Records Management Database	Date:
Internal Stakeholders	
External Stakeholders	N/A
<b>Active from (30 days after above signature):</b>	Date:

### Review Due

Manager	HR Business Partner		
Period	Every three years or sooner if new legislation, codes of practice or national standards are introduced	Date: October 2019	

### Record Information

Security Access/Sensitivity	
Publication Scheme	
Where Held	Records Management database
Disposal Method and date:	In accordance with records management policy and records management retention & disposal guidance

### Supports Standard(s)/KLOE

	NHS Litigation Authority (NHSLA)	Care Quality Commission (CQC)	Auditors Local Evaluation (ALE)	IG Toolkit	Other
Criteria/KLOE:					

## Equality Analysis Record

<b>1. Trust policies, procedures and guidelines must not be contrary to the requirements of the Equality Duty within the Equality Act:</b>	<ul style="list-style-type: none"> <li>• Eliminate discrimination, harassment and victimisation;</li> <li>• Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;</li> <li>• Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.</li> </ul>	<p>When designing the processes in your document, have you taken care not to contravene the Equality Act?</p> <p>Yes. The principles of this policy and related policies include mandatory respect and fair treatment of all patients, employees and colleagues and guidance and responsibilities for this are clearly set out.</p>
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<b>2. When considering whether the processes outlined in your document may adversely impact on anyone, is there any existing research or information that you have taken into account?</b>	<p>For example:</p> <ul style="list-style-type: none"> <li>• Local or national research</li> <li>• National health data</li> <li>• Local demographics</li> <li>• SECAMB race equality data</li> <li>• Work undertaken for previous EAs</li> </ul>	<p>If so, please give details:</p> <p>Results of consultation and engagement with equality advice and user groups including Foundation Council and the People Policy Subgroup which consists of operational managers, trade union representatives and HR representatives. Benchmarking activities with other 'like' organisations.</p>
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<b>3. Do the processes described have an impact on anyone's human rights?</b>	If so, please describe how (positive/negative etc): No impact
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<b>4. What are the outcomes of the EA in relation to people with protected characteristics?</b>			
<b>Protected characteristic</b>	<b>Impact</b> Positive/Neutral/ Negative	<b>Protected characteristic</b>	<b>Impact</b> Positive/Neutral/ Negative
Age	Neutral	Race	Neutral
Disability	Neutral	Religion or belief	Neutral
Gender reassignment	Neutral	Sex	Neutral
Marriage and civil partnership	Neutral	Sexual orientation	Neutral
Pregnancy and maternity	Neutral	<b>Date the EA was undertaken:</b> <b>12 October 2016</b>	

<b>5. Mitigating negative impacts:</b>
If any negative impacts have been identified, an Equality Analysis Action Plan must be completed and attached to the EA Record. A template for the action plan is available in the Equality Analysis Guidance on the Trust's website. Please contact <a href="mailto:inclusion@secamb.nhs.uk">inclusion@secamb.nhs.uk</a> for support and guidance.