

<b>Committee</b>	<b>Dated:</b>
Establishment Committee	17 September 2015
<b>Subject:</b> Social Media Policy	<b>Public</b>
<b>Report of:</b> Director of Human Resources	<b>For Decision</b>

## **Summary**

As part of the HR strategy to review and develop a suite of modern employment policies, this paper seeks endorsement for the implementation of a stand-alone Social Media Policy in accordance with Advisory, Conciliation and Arbitration Service (ACAS) recommendations and best-practice, incorporating learning from a number of social media cases heard by UK employment tribunals.

## **Recommendations**

Members are asked to:

- Approve the Social Media Policy attached as Appendix 1.
- Note the communications plan outlined at paragraph 11 which will ensure that all employees are made aware of the Policy as it relates to them.

## **Main Report**

### **Background**

1. The growth of social media in the past few years is notable, fuelled by a combination of greater internet access and the ubiquity of smart mobile devices. In 2014, 54% of adults in Great Britain had used the Internet for social networking.
2. The rapid rise and increasing prominence of social media has seen corporate organisations harness the various platforms available to engage and interact directly with customers and stakeholders. In this regard the City of London Corporation is no different, with a number of official accounts managed by authorised officers.
3. The pervasiveness of social media represents a blurring of the physical and virtual spheres which for many is not entirely recognised. For employers, this has raised a number of issues, with an array of emerging case-law in UK Employment Tribunals. While case-law on the subject is still developing, the employment issues fall broadly into two camps as follows; social media vetting

as part of the recruitment process and the potential for discrimination, and disciplinary action for inappropriate use of social media.

4. In order to minimise risks to employers, ACAS recommend that a separate Social Media Policy should be drawn up and communicated to employees to set expectations of what constitutes acceptable use. Without a policy, difficulty might arise in enforcing sanctions against inappropriate use, presenting a risk to the City of London Corporation as an employer. The launch of the Social Media Policy aims to reduce and ultimately eliminate this risk.

### **Current Position**

5. Currently, the Communications & Information Systems Use Policy contains reference to social media use. However, the Policy is somewhat limited in its scope and overall coverage and while the content would have been appropriate at the last review point, case-law has developed in recent years to the point it is now appropriate to review our Policy.
6. In addition, whilst the Code of Conduct allows us to manage misconduct in relation to social media, given the growth in its use and the perceptions that some employees may have about personal usage, we feel that a specific policy should now be adopted.
7. Generally, social media misuse centres on three distinct strands, namely; sharing confidential information unlawfully, cyber bullying, and acting in a way that brings the employer into disrepute.
8. The proposed Policy at Appendix 1 sets out four guiding principles intended to be broad enough to cover the three strands outlined above.

### **Corporate & Strategic Implications**

9. Colleagues from Town Clerks, Comptrollers & City Solicitors, Chamberlains, Department of Community and Children's Services and the Trade Unions were consulted throughout the development of this Policy. Managers within the business were also consulted on its development through HR Business Partners.
10. Chief Officers were also directly consulted in the development of the policy.

### **Implications**

11. As the Policy applies to both professional and personal contexts of social media use, HR's focus will be to educate all employees on what constitutes appropriate social media use, and educate managers on how to deal with instances of inappropriate use. For managers, the Managing People Policy will be the first reference point, but education across the organisation will include a communications plan to launch the new Policy supplemented by the employee FAQs attached as Appendix 2; e-learning content; departmental leadership and team briefings via HR Business Partners.

## **Conclusion**

12. In conclusion, the proposed Social Media Policy takes into consideration the current best-practice and learning from case-law.
13. The Social Media Policy aims to mitigate the risk of exposure to social media misuse which current policies may not necessarily provide sufficient coverage for.

## **Appendices**

- Appendix 1 – Social Media Policy (Draft)
- Appendix 2 – Employee FAQ Document (Draft)

## **Chris Formosa**

Strategic HR Project Manager

T: 020 7332 1007

E: [chris.formosa@cityoflondon.gov.uk](mailto:chris.formosa@cityoflondon.gov.uk)