



Shape up your company's social media policy

Guidelines on social media conduct in the organisational context

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The past year has seen a number of controversies that have made headlines and in some cases, have highlighted the gaps between employee understanding and accountability. Employers have a responsibility to implement social media policies to protect employees from crossing the line and to uphold the reputation of the company.

The internet is as forgiving as it is forgetful

Social media blunders

Controversial content posted in cyber space can have serious consequences on employees as well as the organisation at which they are employed. Facebook, Twitter, Instagram and YouTube are among the usual culprits where personal content is published to public media platforms. Social media checks are frequently conducted by companies for new hires, however, employees need to tread cautiously on social media in the duration of employment.

Post-US election, social media users across the world are engaging in political debate and expressing their views. Most recently, West Virginian official of Clay County Development Corporation was dismissed after a defamatory Facebook post about Michelle Obama went viral¹. In the past year, many South Africans profiled in the media have likewise taken the rap by employers as a result of their social media blunders.

Most notably was highly-profiled real estate agent who faced legal charges for a racially charged Facebook post. Due to public association with her *former* estate agency, the company stated their intention to take legal action against her². The CEO responded in a media statement that the company was exploring legal options to ensure that she is held accountable for her words for bringing the company into disrepute³. Furthermore she was found guilty of hate speech, fined R150 000 and charged for *crimen injuria* for insulting and hurting the dignity of individuals⁴.

Empathising with the situation, a well-known radio and television personality was subsequently suspended as the media house faced widespread public backlash and boycotts⁵. Social media pressure forced the station to terminate his contract, implying that he supported hate speech and lacked sensitivity towards South Africa's history⁶. Similarly, one of the largest South African banks suspended an employee for a tweet with racial undertones as it contradicted company values to respect racial and cultural differences⁷. Employees need to tread cautiously to prevent themselves from landing in hot water. However, it is the responsibility of the employer to have clear policies in place to help guide and assist employee social media conduct.

Organisational perspective

There is increasing recognition that reputation is a valuable organisational asset. Deloitte's Reputation@Risk global survey of more than 300 C-level executives around the world found that 87% of respondents rate reputation risk as "more important" or "much more important" than other strategic risks their companies are facing⁸. Furthermore, 88% say they are explicitly focusing on reputation risk as a key business challenge.

Brand impact

The South African cases illustrate the negative brand impact that employee social media conduct can have on an organisation. The primary concern was that employees' online content can be construed to represent the organisational position which may often contradict the organisational culture, values and principles. Deloitte Consulting Director, Saleem Cassim, states that "organisations cannot ignore the degree to which employee social media may affect their business, brand value and customer relations".

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Cassim goes on to say that organisations need to become more aware of the risks associated with employee social media conduct.

Financial Impact

An earlier Deloitte survey of 192 U.S. executives identified social media as the fourth largest risk source over the next three years (after global economic environment, government spending/budget, and regulatory changes), placing it on par with financial risk partly due to its ability to accelerate other risks⁹. Cassim encourages organisations to also consider other

social media risks such as information leakage, non-compliance with regulatory requirements, third-party risks, and cyber security risks. Deloitte's Cyber Risk Services provides advisory and implementation services, spanning executive and technical functions, to help transform legacy IT security programs.

Legal implications

What does the law say?

The laws that apply to daily interactions are applicable to social media. Legally, a company is viewed as a juristic *person*¹⁰. Similarly, when employees exercise their rights, it must not infringe on the rights of the organisation. Simply put, freedom of speech can only be exercised provided that the rights of others are unharmed.

Local social media expert Emma Saidler stated, "The common law, even if there is no policy, is that anything that brings the company into disrepute can lead to disciplinary consequences up to termination. If you can be linked to your employer (because people know you work there, or because you're listed on their website, or because of your LinkedIn profile) you have the potential to bring the organisation into disrepute"¹¹. Saidler also explained that posting a disclaimer that views are not a representation of a specific company can make matters worse by deliberately bringing attention to that company.

Deloitte solutions

Employees

Deloitte advises simple guidelines for employees to keep in mind for appropriate social media conduct.

Statements that could cause harm or infringe on the dignity of others should always be avoided. It is best to steer clear of controversial and political issues and remain sensitive to South Africa's history.

Employees must be aware of their organisational culture and question whether their social media content violates these values.

Employees must also become familiar with their company's social media policy, if one exists.

Employees need to understand that social media is a public platform and privacy settings do not prevent content from being traced back to the original user. Unintended audiences must be considered as communications that are of a personal opinion may be considered as a position of a company.

Cassim says that a simple rule of thumb for employees is that employees should ask themselves, "would I be comfortable justifying this content to my leadership and can my leadership justify this position to our clients or stakeholders?" If you find that you hesitate in answering this, then you should avoid posting that content.



Employers

The board of directors remain ultimately accountable for the overall performance of the company, which includes brand identity and public perception. It is imperative that organisations understand the risks that social media has on business and put measures in place to protect their brand and reputation.

The "bring your own devices" trend has employees using their own devices for work and personal use, blurring the lines between ownership and usage. Deloitte provides ICT strategy and Governance expertise on best practise guidance for organisations to establish the right governance mechanism, ensure that suitable committees are in place, policies are up to date up and that social media issues are addressed by the appropriate forum.

Leadership must develop procedures and policies to manage employees' social media content and educate staff on appropriate social media behaviour. Deloitte Risk Advisory and Consulting offers Policy Review services to guide companies in creating policies suitable to their organisational context.

Employee contracts should define parameters of social media behaviour so that employees are informed in advance.

Organisations should engage with experts and up-to-date policies to train staff on appropriate social media behaviour.

Deloitte Consulting Director, Saleem Cassim, says that only a few of the many organisations he has worked with conduct training and awareness for employees on appropriate and beneficial social media conduct. Deloitte Consulting Human Capital provides training and education services to help navigate appropriate social media behaviour of employees.

Organisations can enforce the same principles applied for print and other broadcast media to social media for all employees irrespective of whether the account is in a personal or private capacity. Regulations that Public Relations departments use to associate with the press should apply to social media for all employees.

Organisations must make employees aware of the values and principles of the organisation and encourage employees to publically demonstrate these values; through daily interactions and digital media.

Think positive

Alternatively, social media can be used as a tool to benefit and enhance public perception of the organisation to add value. Social media risk should not only focus on negative and preventative measures, but also take a positive and proactive approach. Organisations can encourage employees to post social media content to positively reflect the organisation. Examples include company events, organisational achievements and recognition, charitable initiatives to illustrate that the company has the community's interests at heart, or a picture of the company canteen, portraying that the company promotes a healthy lifestyle.

As much as social media exposes organisations to risk, if harnessed correctly, it can be a huge benefit to organisations by improving public perception and customer relations, attracting new clients and increasing revenue. Posting positive personal messages of the company can create a network of positive online content for the organisation.

Conclusions

The boundaries of social media conduct are not clearly defined. There is a fine line between what is acceptable and unacceptable online. In most cases it depends on the context and interpretation of the audience, regardless of the intent. A combination of employee and organisational efforts will culminate social media risk for both the employee and organisation. Deloitte provides a variety of services that can mitigate inherent and associated social media risks.

1. *UPDATE: State takeover of Clay County Development Corporation, director removed* <http://www.wsaz.com/content/news/State-contracts-being-reviewed-with-Clay-Development-Corporation-after-racist-Facebook-post-406295745.html>
2. *Jawitz Properties to take action against #PennySparrow* <http://ewn.co.za/2016/01/04/Jawitz-Properties-to-take-action-against-racist-former-employee>
3. *'We'll ensure Penny Sparrow is held accountable for her words': Jawitz Properties CEO* <https://www.enca.com/south-africa/jawitz-properties-ceo-responds-penny-sparrow-racism-furore>
4. *Criminal charges for Penny Sparrow* <http://ewn.co.za/2016/07/20/Criminal-charges-for-Penny-Sparrow>
5. *Confirmed: Gareth Cliff fired from Idols after race comments* <http://www.channel24.co.za/The-Juice/confirmed-gareth-cliff-off-idols-20160109>
6. *What Gareth Cliff's victory means for rules of twar against racism: iLIVE* <http://www.timeslive.co.za/ilive/2016/02/03/What-Gareth-Cliffs-victory-means-for-rules-of-twar-against-racism-iLIVE>
7. *Standard bank suspends Chris Hart over 'racist' tweet* <http://mg.co.za/article/2016-01-05-standard-bank-suspends-chris-hart-over-racist-tweet>
8. *2014 global survey on reputation risk Reputation@Risk* https://www2.deloitte.com/content/dam/Deloitte/global/Documents/Governance-Risk-Compliance/gx_grc_Reputation@Risk%20survey%20report_FINAL.pdf
9. *Aftershock Adjusting to the new world of risk management* http://www.google.co.za/url?sa=t&rct=j&q=&esrc=s&source=web&cd=1&sqi=2&ved=0ahUKEwjyv-TF4s3RAhWhCsAKHaMkB4kQFggZMAA&url=http%3A%2F%2Fdeloitte.wsj.com%2Fcf%2Ffiles%2F2012%2F10%2FAftershock_Adjusting-to-the-new-world-of-risk-management.pdf&usq=AFQjCNH-8wdAMXFU6_ZnqIVE9EdxqjQ0Gg&bvm=bv.144224172,d.bGs
10. *Companies Act 2008, CIPC* http://www.cipc.co.za/files/2413/9452/7679/CompaniesAct71_2008.pdf
11. *Could your social media content be policed?* <http://www.destinyconnect.com/2015/08/18/social-media-content-policed>

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