



Writing a Social Media Policy: Protect your business, your brand and your employees

How to Write a Social Media Policy to Protect Your Business, Your Brand and Your Employees

Have you ever wondered?

- Can I be sacked for tweeting a rant about a customer?
- Is my personal blog my employer's business?
- Should I 'friend' my boss?

If you are an employee, you may well have asked yourself one of these questions, or a hundred others related to the way you use social media. (And if you haven't, you may want to consider how carefully you approach your social media activities.) Employers may ask themselves different, but equally tricky, questions:

- How can we protect client confidentiality when employees tweet whatever is on their minds?
- What can we do about an employee who blogs his extreme political views while identifying our company as his employer?
- Can we enforce employee social media policy with contractors and freelancers?

There's no doubt about it: Employers and employees today face legal and ethical questions when they use social media for personal and professional purposes that would have been unimaginable even a few years ago. Most companies today engage in some level of social media marketing. And virtually all companies have at least some employees who use social media on a personal level. But an American 2011 survey of 141 companies, entitled 'Social Media and its associated risks' conducted by Grant Thornton and Financial Executives Research Foundation Inc. revealed that 76% of respondents did not have a clearly defined social media policy, while over half of them (53%) believed that corporate use of social media would increase significantly over the next 12 months.¹

A social media policy is a corporate code of conduct that provides guidance to employees who engage in social media activities for either personal or professional reasons. The overall goal of most policies is to protect the company from legal problems or embarrassment that could result from employees' online activities. If your company hasn't introduced a social

¹ Thompson Jr., Thomas, Jan Hertzberg, and Mark Sullivan. *Social Media and Its Associated Risks*. Grant Thornton LLP and Financial Executives Research Foundation, 2011. PDF.



media policy, now is the time to explore what kind of a policy you need to protect your business and brand while encouraging your employees to be your best ambassadors. If you are among the fraction of companies that has introduced a policy, congratulations! But, when was the last time you reviewed it? Social media is evolving at such a hectic pace that a policy written a year ago may already be out-of-date. New sites and capabilities swell in popularity while others recede, employees raise issues that the policy doesn't cover and laws slowly attempt to catch up with technology.

This Blue Paper is a 'how-to' for writing and implementing a social media policy in the workplace. We'll explore the value of a social media policy for both employees and employers, the kinds of activities a policy may cover, the formats that a policy may take and possibilities for training and follow-up. But before we go any further, let's add a caveat to the discussion: Employer social media policies touch on issues of free speech, industrial relations, copyright, trade secrets and privacy. Therefore, before introducing any social media policy, you should review it with a lawyer first.

Why every company needs a policy - or maybe two!

If you are over 35, you may remember a time when some employers tried to restrict internet access during the workday for fear of employees wasting hours surfing the Internet. Obviously, this practice fell by the wayside as more and more jobs required Internet access. Social media presents a similar challenge to employers and employees. While it's easy to waste a lot of time posting and tweeting, social media is an indispensable tool to build brands and boost sales. Additionally, simply restricting access to social media during the working day fails to solve the problem of employees using it, from hand-held devices and home computers, in their leisure time in ways that can negatively affect a company's reputation. Without a clear and common sense policy, conscientious employees may be afraid to use social media in any way related to their employer, no matter how positive, while careless employees may blog or post detrimental, knee-jerk comments without considering the consequences of their actions.

Many organisations have (perhaps until recently) addressed the question of social media access by simply blocking access to sites like Facebook from work computers.

For one company in America this became counter-productive. When Barry Libenson started work with Land O'Lakes, an American agricultural co-operative,



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as their chief information officer he discovered that staff were banned from viewing social media websites. Despite the ban a subsidiary company went ahead and launched a Facebook page –an instant problem ensued as the page couldn't be updated from the office! Libenson had to address this immediately "Our customers use [Facebook], it's a tool we should be leveraging. And we were at a deficit for not using it."² A group of managers then worked on a social media policy. The result being once the policy was in place, all employees could access social networking sites from work, with marketing staff and other select employees chosen to represent the company on social media sites. And as an added bonus, Libenson reported that the new policy improved morale, with employees viewing the company as being more progressive.³



This example of designating specific employees to represent the company in social media endeavours brings up one of the 'best practices' of writing a social media policy. If a company engages in social media marketing, it actually needs two social media policies: one for employees who use social media in their personal lives only, and one for employees who use it as part of their jobs. The first policy will cover the boilerplate issues of any social media policy along with industry specifics. The second, more detailed policy is woven into a company's overall social media strategy. Both policies, however, should focus on encouraging employees to use social media in ways that promote and protect the company. There's a great example of this within The Coca Cola Company's Online Social Media Principles document which clearly states: 'The company encourages all of its associates to explore and engage in social media communities at a level at which they feel comfortable.' It continues: 'The best advice is to approach online worlds in the same way we do the physical one - by using sound judgment and common sense.' It also makes a clear differentiation between staff and agents and its official online spokespersons who have to attend the company's Social Media Certification Program before qualifying as a spokesperson.⁴

Maddie Grant, co-author of 'Open Community and Humanise: How People-Centric Organisations Succeed in a Social World,' emphasises that social media policies are about empowering action, not stopping it. "In my work with many organisations, the lack of social media policies was a hurdle we had to push through before we could even get started with the work of social media management," she says. "This was true from both the management side and the employee side. Managers worried about having policies to make sure their staff would not do anything

² Boulton, Clint. "How Land O'Lakes' CIO Freed Facebook at Work." CIO Journal. Dow Jones and Co. Inc., 7 May 2012. Web. 16 May 2012. <http://blogs.wsj.com/cio/2012/05/07/how-land-o-lakes-cio-freed-facebook-at-work/>

³ Boulton, Clint. "How Land O'Lakes' CIO Freed Facebook at Work." CIO Journal. Dow Jones and Co. Inc., 7 May 2012. Web. 16 May 2012. <http://blogs.wsj.com/cio/2012/05/07/how-land-o-lakes-cio-freed-facebook-at-work/>

⁴ <http://www.viralblog.com/wp-content/uploads/2010/01/TCCC-Online-Social-Media-Principles-12-2009.pdf>

bad, but staff were equally worried about not knowing exactly how to navigate things like the blurring boundary between their personal and professional personas online. But once we had our policies in place? Bam! They were off and running and doing great things using social media.”⁵

The do's and don'ts of writing a policy

A social media policy that empowers employees rather than hampering them will contain more do's than don'ts. Do be authentic. Do be responsive. Do be strategic. Don't disparage other people.

But first let's take a step back. If you expect employees to get on board with a new social media policy, the first step is to form a well-rounded team to both write the policy and roll it out throughout the company. There is nothing 'top down' about social media and a 'top down' policy will feel stifling instead of empowering. If possible team members could include a member of the board, a HR representative, a digital expert, staff from IT and marketing, someone with a legal knowledge and representatives from any division(s) that use or want to use social media as a part of their strategy.

Once formed, the team will want to define the goals of the policy before jumping in with specific do's and don'ts. How will the policy serve the company's overall social media strategy? How can the policy encourage employees to build our brand? What specific protections are required due to our particular industry or business situation? How do we balance those protections with the least restrictive policy possible for our employees?

With those aims in mind, the policy team may use as a template any of the hundreds of examples of social media policies that can be found online. (Many companies post their internal social media policies online as a part of their social media strategy, publically demonstrating how the company engages in social media. But be aware, just because a policy is posted online doesn't ensure that it has been vetted from a legal point of view or that it covers everything you or your industry may need.) There are plenty of examples online <http://socialmediagovernance.com/policies.php> offers over 200 templates / ideas to get you started. Policies from similar businesses in your industry will however perhaps be the most helpful. A policy should, in the end, be unique to an organisation. A solid social media policy:

⁵ Grant, Maddie. "76% of Companies Do Not Have a Social Media Policy." *Social Business News*. *Social Business News*, 4 Jan. 2012. Web. 16 May 2012. <http://www.socialbusinessnews.com/76-of-companies-do-not-have-a-social-media-policy/>



- Explains why the company and its employees need the policy. In particular, what's in it for employees who use social media for personal reasons only?
- Explains what social media is (social media is more than Facebook and Twitter).
- Explains who the policy is for. This may include employees who use social media for their job and/or employees who use it only for personal reasons. You may also need to include contractors and freelancers.
- Defines the terms used in the policy.
- Identifies social media sites the company uses and where those sites can be found.
- Provides specific examples of how employees may engage in social media that involve the company.
- Identifies who can answer questions about the policy or respond to specific issues related to social media use.
- Follows all applicable laws.

In addition to the points outlined above, most social media policies also include some version of the following guidelines. Here's where the do's and don'ts come in:

1. **Do follow all other company policies when using social media.** For example, the BBC guidelines include behaving in a way so as not to bring the BBC into disrepute, editorial staff should not indicate their political allegiance and staff should not make offensive comments about BBC colleagues – all of which cover codes of conduct which are almost certainly included elsewhere in staff behavioural guidelines.⁶ (On the issue of other company policies, the team writing the social media policy may also be tasked with reviewing the entire employee handbook to identify if other policies need to be updated or referred to in order to reflect social media use by employees.)
2. **Do speak as an individual.** Intel Corp.'s social media guidelines fall into 3 clear categories: Disclose, Protect, Use common sense. They advise employees to be transparent (Use your real name, identify that you work for Intel, be clear about your role.), to be truthful (If you have a vested interest in something you are discussing, be the first to point it out and be specific about what it is.), and to be yourself (Stick to your area of expertise; write what you know. If you publish a website



⁶ <http://www.bbc.co.uk/guidelines/editorialguidelines/page/guidance-blogs-personal-summary>

outside Intel, please use a disclaimer such as: The postings on this site are my own and don't necessarily represent Intel's positions, strategies or opinions.'⁷

3. **Do think before you post.** We've all heard the warnings: Would you be happy if your mum, or your boss, read what you have posted? Many young people forget how easy it is to find material posted online, even from several years back. It makes great sense for anyone who engages in social media ask three quick questions before posting anything: Who will see it? What can they do with it? Why do I want or need to share it? This is a guideline for which employees could especially benefit from specific examples of work-related information to share and information to not to share.
4. **Do respect copyright and fair use.** The IBM Social Computing Guidelines, considered by some to be the gold standard of social media policies, advise 'for IBM's protection as well as your own, it is critical that you show proper respect for the laws governing copyright and fair use of copyrighted material owned by others, including IBM's own copyrights and brands. You should never quote more than short excerpts of someone else's work. And it is good general blogging practice to link to others' work. Keep in mind that laws will be different depending on where you live and work.'⁸
5. **Do protect confidential and proprietary information.** Protecting the secret recipe for Vimto is probably obvious but other actions may not be. An employee who 'checks in' via a location app at a potential client's offices risks giving away information about their own company's activities and strategy, as well as the client's activities.
6. **Don't 'friend' employees, managers, colleagues and clients if an online relationship is potentially uncomfortable for one of the parties.** Awkward privacy issues can be raised when professionals attempt to friend, follow, like or link to each other or clients or customers. This is especially true when the relationship is unequal. A hospital or private medical facility, such as The Mayo Clinic, a not-for-profit medical practice in the United States whose policy 'strongly discourages



⁷ "Intel Social Media Guidelines." Intel. Intel Corp. Web. 16 May 2012. <http://www.intel.com/content/www/us/en/legall/intel-social-media-guidelines.html>

⁸ "IBM Social Computing Guidelines." IBM. IBM. Web. 16 May 2012. <http://www.ibm.com/blogs/zzlen/guidelines.html>

friending of patients on social media websites. Staff in patient care roles generally should not initiate or accept friend requests except in unusual circumstances such as the situation where an in-person friendship pre-dates the treatment relationship.' Similarly, 'Mayo Clinic discourages staff in management/ supervisory roles from initiating friend requests with employees they manage. Managers/supervisors may accept friend requests if initiated by the employee, and if the manager/supervisor does not believe it will negatively impact their working relationship.'

7. **Do manage your time wisely.** This is where an employer concerned about employees whiling the day away on Facebook can advise that during work hours, social media should not get in the way of work responsibilities.

In addition to addressing these standard issues, the team should consider whether or not site-specific policies are necessary. Sites such as Facebook and Twitter are so popular that some businesses choose to write policies specifically related to the use of those sites. The drawback to site-specific policies is that, with social media evolving so quickly, these kinds of policies can become quickly out of date. However, there are situations that warrant such policies. If your company uses a specific site in its social media strategy, employees who don't use social media in their jobs will want to understand how they may and may not interact with the site. For example, Walmart Social Media Guidelines explain that an employee may not participate in location-based promotions such as Foursquare at the store where the employee is an associate. Walmart associates may however participate in such promotions at stores where they don't work.



All of the guidelines in a social media policy for a general workforce apply to those who use social media on behalf of the company. But those employees who represent the company publically benefit from an additional, more specific policy. This policy should be woven into a company's overall social media strategy, and may involve guidelines for company blogs, website comments and questions, posting to official company Facebook and Pinterest pages, videos, podcasts and more. A policy for employees involved in a company's social media strategy will answer these kinds of questions:

- Who is designated as the 'face' of the company and is responsible for

- speaking for the company on a day-to-day basis on social media sites?
- How often are posts made to the social networking sites we use?
 - What are the goals for posting?
 - What tone do we set on our official pages?
 - When do posts need to be approved, and when can an employee who engages in social media on behalf of the company go ahead and make a post without approval?
 - Who determines topics for posts on our official blog?
 - Who responds to comments and questions on the company's website? How quickly should responses be posted?
 - In a crisis situation, who represents the company on social media, and what platforms will be used to disseminate information?

Finally, a social media policy should set a tone for positive online engagement. 123 Social Media, a corporate social media training partner, promote these general principles for social media policies:

- Treat others as you would like to be treated
- Add value to your consumers, your industry and your business
- Be respectful, professional and courteous
- Provide insight, expertise and relevant conversation.
- Communicate ethically and morally in support of your professional goals⁹

If your company doesn't have an in-house legal expert to contribute to the team, make sure you have the policy reviewed externally before introducing a final draft to employees. Balancing the rights of employees with the rights of an employer can cause problems as there are now more and more examples of cases that have gone before a tribunal and have subsequently been deemed as unfair. Laura Allner, a solicitor in the employment team of law firm Dundas & Wilson outlined the following example in Personnel Today¹⁰;

Whitham v Club 24 Limited

Club 24 was concerned that comments made by Whitham (an employee) on Facebook could affect its relationship with a key client and dismissed her. Its handbook stated that posting information on sites like Facebook may lead to disciplinary proceedings and/or dismissal.

⁹ "Social Media Policy." 123 Social Media. 123 Social Media. Web. 16 May 2012. <http://123socialmedia.com/social-media-policy/>

¹⁰ <http://www.personneltoday.com/articles/22/11/2011/58166/legal-opinion-social-media-and-unfair-dismissal.htm>



The case went to a tribunal that found that there was insufficient evidence of client pressure to dismiss Whitham and whilst Club 24 was entitled to conclude that her comments constituted misconduct, the tribunal ruled the employer could have considered alternative course of action such as demotion.

While the legal sign-off on any social media policy is necessary, the team should ensure that the policy itself is written in everyday language. Carol Rozwell of Gartner¹¹ points out that once you start throwing in legalese and technical terms most people just switch off. The language used in the social media policy needs to be precise but not stilted.

Getting employees on board

With all of the information for a company-specific policy gathered, the team's next step is to consider how to present the guidelines. It isn't enough to have a policy. Like any other workplace practice, the way a policy is presented and the approach to training employees will determine how well the policy is accepted and followed. Think about the way your employees absorb information and adopt new habits, and write the policy in a format that will take advantage of those learning styles. Here are a few approaches:

Short and sweet (or, short and tweet!): Zappos, the US online shoe and clothing retailer, is reported to have Twitter guidelines short enough to tweet: 'Be real and use your best judgment' (an echo of the Coca Cola principles mentioned earlier). While that policy may not be a broad enough for most employers, it has worked for Zappos as a social marketing strategy and they have over 500 employees tweeting on their behalf.¹²

General guidelines, then details: As previously noted, IBM has been a corporate leader on the topic of social media guidelines. In its policy, after an introduction, IBM lists 12 fairly short guidelines followed by a more detailed explanation of each. Their most current policy (it's reviewed and updated periodically) can be found by doing an internet search for 'IBM Social Computing Guidelines.'

Chart format: The social media policy adopted by US electronics retailer Best



¹¹ Rozwell, Carol. "Why Social Media Policies Should Focus on the Do's Rather than the Don'ts." *Forbes*. Forbes.com LLC, 27 Feb. 2012. Web. 16 May 2012. <http://www.forbes.com/sites/gartnergroup/2012/02/27/why-social-media-policies-should-focus-on-the-dos-rather-than-the-donts/>

¹² <http://en.wikipedia.org/wiki/Zappos.com>

Buy begins with the tagline, 'Be smart. Be respectful. Be human'. The bulk of the policy is presented in a chart headed with two columns: 'What you should do' and 'What you should never disclose.' The policy ends with a warning of what could happen to an employee who ignores or forgets the guidelines: Get fired. Get Best Buy in legal trouble with customers or investors. Cost Best Buy the ability to get and keep customers. And finally, it concludes with another tagline: 'Remember: protect the brand, protect yourself.'¹³

A Q&A approach: If the policy team collected questions from employees in the process of gathering information, a Q&A approach that answers those questions can be a helpful format for clearly communicating the policy to employees.

Once a policy is approved and formatted, the social media policy team is ready to introduce the policy through training. This is a key step in encouraging employees to be ambassadors of a brand. US consultant Jennifer Amanda Jones recommends a two-track approach: one for employees who will engage in social media on behalf of the company, and a second track that educates all employees on internet safety, cybercrime and how to establish and protect online reputations. Through a skill-building approach, as opposed to the dictation of a new policy, employers offer a benefit to employees on an issue that nearly everyone struggles with on personal and professional levels.



"As I read the court cases that come out about social media, it seems to me that many of the cases arise out of ignorance, not malice, on the part of the employee," Jones writes in 'Social Media Examiner,' an online social media magazine. "Many employees haven't fully thought through the consequences of their cyber behaviour. By providing cyber-safety education to their staff, employers are preventing problems before they start."¹⁴

If your policy covers contractors and freelancers, ensure that they have an opportunity to review the policy as well. This is another tricky area. Dawn Lomer of US case management software provider i-Sight says that there's not much a company can do to prevent an errant tweet by a freelancer or contractor, other than to end the business relationship. "In terms of prevention, it's best to have every contractor read your policy, which should include a section that deals with

¹³ "Best Buy Social Media Policy." BestBuy.com. BBY Solutions Inc., 13 Apr. 2011. Web. 16 May 2012. <http://forums.bestbuy.com/t5/Welcome-News/Best-Buy-Social-Media-Policy/td-p/20492>

¹⁴ Jones, Jennifer Amanda. "10 Tips for Creating a Social Media Policy for Your Business." Social Media Examiner. Social Media Examiner, 9 Feb. 2012. Web. 16 May 2012. <http://www.socialmediaexaminer.com/10-tips-for-creating-a-social-media-policy-for-your-business/>

identification of the firm in profiles and comments," she says. "Your best bet is to talk to a freelancer or contractor before appointing them, to explain your expectations around social media and make it clear that you expect them to follow the same standards as regular employees."¹⁵

Finally, this is not a policy to add into the employee handbook and forget about. Social media is constantly changing, with new services and capabilities becoming available every day. The social media policy team should plan to meet to review the policy at least once every six months and ask themselves: Is anything in the policy outdated or no longer in the company's best interest? Has the company's social media strategy changed? What new issues or questions have arisen? Have court decisions or legislation affected the rights of employers and employees who engage social media? What kind of new training or review might the company offer employees?

To paraphrase the Best Buy Social Media Policy, employers and employees need to continually monitor how they protect the brand and protect themselves.



¹⁵ Wisniewski, Dan. "Answers to Tricky HR Questions: Does Our Social Media Policy Apply to Contractors." *HR Morning.comsm*. PBP Media, 1 May 2012. Web. 16 May 2012. <http://www.hrmorning.com/answers-to-tricky-hr-questions-does-our-social-media-policy-apply-to-contractors/>

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