**SOCIAL MEDIA POLICY**

**Introduction**

Digital communications have increased rapidly in recent years and in order for The Active Essex Foundation (AEF) to remain current, accessible and relevant it must engage more with Essex customers via the web, and in particular via social media.

The development of the third sector presence through social media, is an increasingly important way to reach communities and talk to our residents, including sharing useful and interesting information from local media, community groups and residents. It has also become very important for organisations to monitor and respond to things that are being said about them online. Many news stories are now originating on social media platforms, making it a critical area for reputation management. However social media is not without its risks and this policy hopes to outline the continual analysis and engagement with AEF’s social media presence which is needed to make this trend a success. AEF must balance its duty, reputation and accessibility through a workable and clear Social Media Policy. The policy outlined in this document aims to support innovative digital communications whilst simultaneously developing a framework of good practice.

**Purpose**

The purpose of this policy is to:

* Preserve and protect the reputation of AEF across all digital platforms.
* To ensure the AEF is not brought into legal disrepute through affiliation with

controversial digital platforms.

* Clarify the guidance to employees and Trustees as to their use of social media within their professional capacity.
* Give guidance to employees, Trustees and representatives on potential legal issues arising from use of social media.
* Protect AEF employees, Trustees and representatives.

**Scope**

This policy applies to all AEF related material using social media assets on the

World Wide Web, including live media such as blogs and online discussion pages and should be read alongside the **AEF Safeguarding Children and Young People Policy.**

This policy also needs to be approved, verified and adhered to by any external

partners working with AEF on their web presence including activity related to X,

Facebook, Google+, YouTube, Instagram, Pinterest.

The term web 2.0 is commonly associated with web applications that facilitate interactive information sharing, interoperability and collaboration on the World Wide

Web. Examples of web 2.0 include web-based communities, social networking sites

and blogs.

This policy is also applicable to personal social media accounts where AEF employees, Trustees and representatives will comment, share, or promote the work of AEF.

It promotes the positive use of social media and other forms of electronic communication, including precautions to ensure that young people’s safety or wellbeing are not inadvertently put at risk.

**Active Essex Foundation social media platforms**

* X @AE\_Foundation
* LinkedIn <https://www.linkedin.com/company/active-essex-foundation/>

**Enforcement**

Any breach of the terms outlined in this policy will be initially addressed within the

AEF team and if necessary, referred onto the individual’s line manager and Board of Trustees for consideration of disciplinary action and can include the termination of staff, Trustee and representation with AEF.

AEF reserves the right to require the closure of any social media applications or removal of content published by AEF representatives which may adversely affect the reputation of AEF or put it at risk of legal action.

**Policy**

The ownership of external social networking remains solely the remit of

Active Essex Foundation’s Development Officer and all applications for social networking profiles, groups, etc., must be fed through the appropriate communications channel supported by Active Essex.

If you want to use social networking solutions internally to communicate to

employees you need to seek advice and guidance from the board of Trustees or Chair of Trustees.

Signoff of new external facing social media sites of any kind need to come through the Board of Trustees and be strategically fitted to campaigns and corporate objectives.

Trustees will confirm the request for access to specified social media websites and following approval from Communications and Marketing, provide additional access to social media website.

AEF employees, Trustees and partners must adhere to the following Terms of Use.

The **Terms of Use** below apply to all uses of social networking applications including any personal accounts by all AEF representatives.

**Terms of Use**

* AEF employees, Trustees or representatives must not use racist or inflammatory language on the social web.
* AEF employees and Trustees must not post any message that might be construed as likely to cause harassment, alarm or distress.
* AEF employees and Trustees using social media should be aware of the key legal pitfalls that can arise when publishing on such platforms – please see appendix 3 below on this to familiarise yourself with these legal topics.
* Social networking applications must not be used for party political purposes or

specific campaigning purposes as the AEF is not permitted to publish material which in whole or part appears to affect public support for a political party’ (LGA 1986).

* The use of social media must not breach AEF’s misconduct, equal opportunities or bullying and harassment policies.
* Where individuals from partner organisations are involved and are acting on behalf of AEF, they will be expected to sign and agree to the terms outlined in this Social media policy.

It is crucial for the protection of the corporate brand that there is a clear signposting of AEF’s presence on the web. This is to ensure citizens recognise and understand the corporate brand when it appears on the social web. To assist with this all AEF representatives must adhere to the following requirements:

* When acting in an official capacity on the web AEF employees must use their activessex.org email address on their accounts
* The use of the AEF’s logo and other branding elements should be used where appropriate to indicate the AEF’s endorsement
* AEF representatives should identify themselves as such where appropriate on social networking applications. For example, through providing further information (including job title and responsibilities) on their profile
* AEF representatives should ensure that any contributions they make on social networking sites are professional and appropriate and uphold the reputation of the charity.

In order to preserve the quality of AEF’s online communication any external communication needs to comply with the following rules of engagement.

1. **Guidelines for individuals**

* All those connected to AEF are encouraged to share posts that AEF have issued. When online in a personal capacity, you might also see opportunities to comment on or support AEF and the work we do. Where appropriate, and using the guidelines within this policy, we encourage staff, Trustees and representatives to do this as it provides a human voice and raises our profile.
* Regardless of whether you use your social media account for professional purposes, you should take care not to post anything which could undermine the integrity of AEF, bring the organisation into disrepute or break the law – for example by breaching copyright or data protection regulations, breaking confidentiality or publishing anything discriminatory.
* Be aware that any information you make public could affect how people perceive AEF. You must make it clear when you are speaking for yourself and not on behalf of AEF. If you are using your personal social media accounts to promote and talk about AEF’s work, you can make it clear that you are not speaking on behalf of AEF by stating: *“any views expressed on this account are my own and not that of AEF.”*
* Those in senior management, or a Trustee position where they may be well known in their field of expertise, must take particular care as personal views published may be misunderstood as expressing AEF's view.
* Use common sense and good judgement. Be aware of your association with AEF and ensure your profile and related content is consistent with how you wish to present yourself to the general public, colleagues, partners and funders.
* If a staff member is contacted by the press about their social media posts that relate to AEF, they should talk to an AEF Trustee and the Active Essex Comms team immediately and **under no circumstances respond directly.**
* AEF is not a political organisation and does not hold a view on party politics or have any affiliation with or links to political parties. Staff and Trustees who are politically active in their spare time need to be clear in separating their personal political identity from AEF and understand and avoid potential conflicts of interest.
* Never use AEF’s logos unless approved to do so.
* Always protect yourself online. Be careful with your privacy online and be cautious when sharing personal information.
* Think about your reputation as well as AEF’s. Express your opinions and deal with differences of opinion respectfully. Don't insult people or treat them badly. Passionate discussions and debates are fine, but you should always be respectful of others and their opinions. Be polite and the first to correct your own mistakes.
* Media attachments such as photographs or videos which contain images of young people, participants or anyone connected with AEF must never be used without prior consent in writing from the Chair of AEF.

1. **Engaging with young people online**

As many of the young people we support will not have access to a professional network, it is likely that staff, volunteers and facilitators will be approached by young people for career advice and work experience opportunities, or as a future business connection.

Some of our workshops actively encourage developing networking as a skill and offer guidance on developing community cohesion and togetherness through Asset Based Community Development.

Anyone working for or on behalf of AEF should not interact online with any young person connected with AEF or our Locally Trusted Organisations and system partners on a social media or networking site. It is not advisable to give under 18s, your personal details such as home or mobile phone number, home address or internet (IP) address or to communicate on a personal basis via social networking sites.

**Following and befriending**

**Following** is defined as when one social user ‘subscribes’ to another social media user’s feed. This is the model for Twitter and Instagram. If you have an open account on one of these platforms, people can follow you without you needing to give permission.

**Befriending** is defined as being where one social media user has to send a friend request to be able to follow another user’s feed. If the friend request is accepted, both users now follow each other.

If you have an open social media account, this means that young people will be able to follow it.

You should not:

* Accept any friend or follow requests from young people if you have a closed account;
* Send friend requests to young people; or
* Send follower requests to young people

Young people are, however, able to follow and befriend AEF’s corporate social media accounts.

**Commenting, liking and sharing**

Where a young person has posted about their involvement with the work of AEF from an open account, it is acceptable to comment, like or share the post in a manner in keeping with AEF’s values and social media principles. If in any doubt, speak to your Line Manager.

**Tagging in posts**

You should not tag young people’s social media handles in anything you post proactively. Young people who have a locked account should never be tagged. Where possible, it is better to tag social media handles from school social media accounts.

**Private conversations**

Many social media platforms include the functionality for private messaging – posts which can only be viewed by the selected individual(s) they are sent to. As a representative of AEF you should not be involved in any private conversations with any of the young people you come into contact with through your work with AEF.

If there is a need for contact to be made (such as for job opportunities), consider using your organisation’s official channels. Make sure to copy in your manager or relevant AEF Trustee.

For many young people we support, building their confidence to ask a question or seek advice is one of the first steps towards them discovering the career path that is right for them. Not receiving a response may reinforce feelings of self-doubt and lack of confidence.

Therefore, if you are approached by a young person in a private, online conversation please do not ignore them. Respond professionally and share the conversation with your AEF Programme Manager and send to the designated safeguarding officer Jamie.rhodes@activeessex.org.

This is both for your safety and the safety of people AEF supports.

**Rules of Engagement**

Checklist of the important dos and don’ts of engaging on social media:

* Be transparent: Be honest about your position, role and responsibilities when discussing AEF on the web.
* Write what you know: Write about your expertise on the web.
* Are you adding value? Constantly evaluate what you are writing and ask if it is something which is adding or detracting from the corporate message.
* Pause and think before sending: If you are posting content which concerns you then take a moment to review the content and if necessary consult with your line manager.
* Remember that repeating, liking, linking, sharing or reposting content from third parties can sometimes appear to be agreement or recommendation of that material
* Check the appendix on main legal risks before you begin posting. It highlights some of the main pitfalls in using social media. If in doubt about something you are about to post, ask for guidance.
* If you receive notice of a legal complaint for online engagement, notify your line manager immediately.
* Be careful to log out of AEF social media accounts once the task at hand is complete, or the end of your working day, to prevent accidental posting.

Where an employee or Trustee is moving teams or leaving the AEF they are required to provide relevant social media platform login details to a member of their team and their Communications and Marketing team lead.

**APPENDIX ONE: FREQUENTLY ASKED QUESTIONS**

**Why is social media appropriate for this campaign?**

Useful questions to consider:

Who will be the target demographic and why will they visit your account/sign up to a

particular feed?

How long will the account be live for (if the site is advertising a particular event) and

what will happen to subscribers when the site is terminated?

Who will manage the account and ensure content is live and interactivity is managed

in a timely manner.

**I just want to use social media to communicate with employees. Who should I**

**go to for advice, guidance and sign-off?**

Requests for social media channels to be used internally to communicate to

employees should go through the board of Trustees.

**APPENDIX TWO – MAIN LEGAL RISKS IN SOCIAL MEDIA USE**

The notes below briefly explain some of the laws that can be broken using social

media. It is not an exhaustive list.

Often the best advice when trying to avoid problems on social media is simply to use

common sense. However, ignorance of the law is not an excuse for breaking it and

those using AEF accounts need to be aware of these potential dangers.

If you have any worries about something you are about to post, or have already

posted, **seek guidance from your line manager**.

Trustees of Active Essex Foundation are signed up and adhere to the Nolan Principles.

1 Selflessness

Trustees should act solely in terms of the Foundation’s interest.

1.2 Integrity

Trustees must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

1.3 Objectivity

Trustees must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

1.4 Accountability

Trustees are accountable for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

1.5 Openness

Trustees should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

1.6 Honesty

1.7 Leadership

**Defamation**

DEFAMATION law protects the reputation of individuals and corporations.

Defamation covers two civil wrongs, or torts – libel, which is defamation in print,

online or broadcast, and slanders, which is defamation by spoken word. Libel is far

more common and more of a threat to AEF as an organisation than is slander.

Defamation is punished by damages (cash) set by the court and awarded to the

claimant. Even where cases are settled before court action it can be extremely

expensive. Individuals and companies can sue for defamation.

Defamatory meaning covers any suggestion of criminal activity, dishonesty, fraud,

hypocrisy, immorality, lack of professionalism, incompetence, failing in a duty, sexual

impropriety and bullying. This is by no means an exhaustive list.

A claimant now has to show that their reputation has been seriously harmed by what

has been published about them. Recent cases suggest that a prompt, prominent

apology for defamation can undo the harm of a libellous publication. This is

something that must be dealt with by Active Essex Foundation’s and Active Essex’s Communications and Marketing team

along with appropriate legal assistance. It does mean that any complaint which

mentions libel or threat of a libel action must be reported to line managers and the

**Repetition Rule**

**It is important to note that it is not a defence to say you are just repeating what**

**others have said. The rule in defamation is that anyone who repeats a libel has**

**a liability for it. This is particularly true of sharing (this includes liking on**

**Facebook and re-posting on ‘X’ formerly Twitter or any other form of social media**

**endorsement).**

**Main defences**

**Justification** - Truth. Truth is a complete defence against a libel action.

However, the court assumes anything defamatory to be untrue and so you have

to prove truth. Truth is a tough defence and if you lose it will result in heavier

damages than if you tried another defence.

**Absolute privilege** – a defence for reporting court proceedings. Your report must

be fair, accurate and published when the case is in court, or very shortly

afterwards

**Qualified privilege** – a defence for reporting much of the material that comes out of government and governmental sources, such as local authorities and police. Protects reports of council proceedings agendas, documents for public information, and official statements. Your item must be fair, accurate, on a matter of public interest and published without malice.

**Honest comment**, formerly fair comment. This is a defence of free expression of

opinion. The comment must be clearly identified as an opinion and it must be

based on facts that are true or privileged. This defence fails when a commenter

gets their facts wrong.

**Time limit** – In England and Wales this is 12 months from publication. For online

publication this normally means 12 months from the first upload of the material

concerned to a website. However, republishing on the web in a different form

would count as a new publication and a new 12-month deadline would be set.

**Malicious falsehood**

THIS is another civil wrong related to defamation, but slightly different. You commit a

malicious falsehood if you recklessly publish something about someone, which is

false and causes them damage.

For example, you might say someone has retired, or they are dead, when they are

neither. Both suggestions are not defamatory, but if they are not true they could have

a serious impact on the claimant’s livelihood.

The claimant has to show that what has been said is false; caused them loss and

that it was made maliciously, i.e., a failure to check properly.

**Penalties**

Damages, which can be quite severe if substantial financial loss, can be shown by

the claimant.

The best way to deal with a malicious falsehood is prompt and prominent correction,

which undoes or minimises the damage and makes legal action a less rewarding

prospect for the claimant. Again, any threat or complaint of this nature must be

reported to Communications and Marketing immediately to allow prompt action to be

taken if needed.

**Copyright**

Copyright is part of the laws that protects intellectual property.

You need to know how much of other people’s words or photography you can use. A

copyright owner can claim substantial damages for material used without permission.

**What is protected?**

Literary, dramatic, artistic, musical works, sound recordings, photographs, film,

broadcast or typographical arrangement (layouts)

Copyright does not have to be registered – so just because there’s no © sign,

doesn’t mean you can copy.

There is NO copyright in facts, news, ideas or information. What is copyrighted is the

exact words used to express those stories or ideas.

**Defences**

Fair dealing for reporting current events is not breach, but you must acknowledge the

author.

There is no fair dealing defence for news purposes if you use a photograph.

**Length of copyright**

70 years from the end of the year of the author’s death. Broadcast copyright is 50

years from date of broadcast

**Online and social media**

The presence of material online does not make it copyright free. It is in public, but

not public domain. But this makes it very easy to copy.

**Contempt of court**

Contempt laws protect the judicial process and a person’s right to a fair trial.

For publishers contempt laws sometimes punish publication of articles that might

prevent a witness giving true testimony or a jury reaching a true verdict.

For contempt to be an issue there someone needs to have been arrested or a

warrant has to have been issued for their arrest.

**How is contempt breached?**

By publishing something which causes:

**Substantial risk** of **serious prejudice** or **serious impediment** to **active**

**proceedings.**

**What does that mean?**

Avoid the following:

Pictures, video or descriptions, ‘where identity is at issue’ i.e. the defendant is denying the offence completely and the prosecution are calling eyewitnesses. Those

eyewitnesses will be involved in an ID parade and must rely on their memory of the

crime, not your publication.

Assumptions of guilt – reporting that the arrested person is the one who committed

the crime.

Character assassination – Blackening a defendant’s name, so preventing a jury from

trying him fairly.

**Court orders**

Contempt is also committed by disobeying an order of the court, such as an

injunction.

Online publication is a particular risk here. While court reporters are familiar withthese orders and contempt rules, the public often are not.

**Penalties**

Contempt is a criminal offence; it is dealt with by a heavy fine.

**Privacy**

People who live in European countries signed up to the European Convention on

Human Rights have, among others, a right to privacy. This means that a numbers of

aspects of their lives are not to be revealed unless it can be shown it is in the public

interest to do so.

Matters which are often regarded by the courts as being private are:

Family life and children

Sexual relationships

Health

Religion

Commercially confidential relationships

Employee/employer relationships

Religious confessions

AEF in various roles is party to private information about members of the public,

which should not be shared on social media without express written permission.

AEF and its staff have to be particularly mindful of the requirements of the Data

Protection Act. As a Data Controller AEF under a legal obligation to store data

securely and to process it lawfully. This means that sensitive personal data must not

be disclosed without the express permission of the person it is about, or an adequate

public interest reason for doing so – such as a criminal prosecution.

Note below the guidance in Appendix 3 concerning live platforms such as Snapchat

and Facebook Live. These apps are capable of streaming material that is in breach

of privacy instantly and the harm done would be very difficult to undo.

**Penalties**

Damages or an injunction to prevent breach.

**Victims, children and other vulnerable people**

If you publish items on crime or court proceedings you need to be careful of laws

aimed at protecting those involved.

**Sexual offences**

In the UK victims of sexual offences are given anonymity as soon as they report a

sexual offence. That report can be to any third party – a bystander, a friend or

colleague. Anonymity last for the victim’s lifetime, regardless of the outcome of any

subsequent trial of the offence.

Anonymity can be lifted if:

An adult victim gives written consent, without duress

The victim dies

A judge orders that anonymity be lifted in the interests of justice (rare)

If the victim is charged with an offence in relation to the complaint – perverting

the course of justice, or perjury

Defendants in sexual offence cases do not get any anonymity in the UK.

Sexual offending covers a wide range of offences and in the UK now includes news

offences such as voyeurism, trafficking for sexual exploitation and grooming.

You must not publish ‘any matter’ that would identify someone as a victim of a sexual

offence. The offence is committed if a detail is included which allows someone who

knows the victim to identify them as such.

**Penalties**

It is a criminal offence, a sexual offence, to identify a victim of a sexual offence.

Sometimes the prosecuting authorities with charge not only the publication, but also

its editor, or other responsible manager. The penalty is usually a fine, but a

conviction for this type of offence can have far-reaching consequences personally and is to be avoided.

**Children**

Children are often given legal protection when involved in legal proceedings either as

a defendant, victim or witness.

They are to be treated with caution. Again, the law frequently forbids publication of

any detail which might allow a member of their community to identify them as the

child involved in the case.

The age of criminality for children in England and Wales it is 10.

It is also an offence to identify a child as being the subject of care proceedings taken

by the authority, or any other authority.

Even where a child is not the subject of legal restrictions, care needs to be exercised

on ethical grounds and the impact of publicity on the child and any vulnerable

siblings ought to be considered. It is generally accepted the children should not be

interviewed on subjects concerning their welfare without the consent of a parent or guardian.

**APPENDIX THREE: PERSONAL SOCIAL MEDIA ACCOUNTS**

Many members of staff and Trustees will have a number of personal social media accounts.

If you do have such accounts, please note the following points.

1. Your personal account should not give readers/followers/friends the impression

that you are speaking for the authority, or stating AEF policy.

2. If on your biography, or in your posts, you make it known that you are an AEF

Employee, Trustee or representative, please include a disclaimer in your bio which makes it clear that any views expressed there are personal and do not state AEF policy.

3. Even with such a disclaimer in place, please be aware that should you post

material that is racist, discriminatory, or otherwise legally actionable, this could

still result in disciplinary action being taken. A guide to the most frequent legal

risks is included in this policy document.

4. Closed or private accounts can still be copied and screenshotted to allow wider

distribution, so care must be taken even if you believe you are only posting to a

very small number of people. Be particularly careful on live accounts such as

Snapchat and Facebook Live where content is instantly streamed to followers.

There is a potential for breaches of client privacy here and careful consideration

should be given to whether they should be used at all during working hours.

5. If you mention your work in any social media posts, please take care not to jeopardise the privacy and confidentiality of members of the public, your colleagues or the charity itself.

6. If you repeat the posts of others - Reposts, sharing posts etc. - please be careful

that the content does not contravene any of the above items.

7. If people contact you on your social media account to complain about the charity, or make inquiries about the authorities’ actions or policies, please refer them to the correct information channels rather than engaging them on your own social media platform.

8. If your social media account is targeted by 'trolling' or other anti-social behaviour,

because of your position with AEF, please report the matter to your line

manager and / or the Board of Trustees.

9. If you believe a post you have made any have inadvertently contravened any of

the above guidelines, please take it offline and seek advice from your line

manager in order to minimise the risk of damage.

10. All Trustees when recruited sing up to and agree to the Nolan Principles of Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership.

11. If you need further guidance on private/professional use of social media, please

email the AEF Board of Trustees.

**Privacy**

People who live in European countries signed up to the European Convention on Human Rights has, among others, a right to privacy. This means that a numbers of aspects of their lives are not to be revealed unless it can be shown it is in the public interest to do so. Active Essex in various roles may party to private information about members of the public, which should not be shared on social media without express written permission. Active Essex and its staff have to be particularly mindful of the requirements of the Data Protection Act. As a Data Controller ECC is under a legal obligation to store data securely and to process it lawfully. This means that sensitive personal data must not be disclosed without the express permission of the person it is about, or an adequate public interest reason for doing so – such as a criminal prosecution.

At all times please bear in mind that we are hosted by Essex County Council. You must adhere to the Active Essex Social Media Guidelines, but be mindful to of the guidelines of ECC. For further information about these see: <http://intranet.essex.gov.uk/Pages/Using_social_media.aspx>

**Responsibilities and authority level**

|  |  |
| --- | --- |
| Person responsible for this policy: | Rob Hayne – Board of Trustees |
| Person with authority to amend or update: | Rob Hayne – Board of Trustees |
| Authority and Responsibility to Review and Approve Policy: | Board of Trustees |

**Review**

|  |  |  |
| --- | --- | --- |
|  | Date: | Review date: |
| Version 3 | July 2023 | May 2025 |