

Document Title:	SOCIAL MEDIA - PERSONAL USE BY STAFF		
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Contributes to HSC Act 2008 (Regulated Activities) Regulations 2014(Part 3); and CQC Regulations 2009 (Part 4) CQC Fundamental Standards of Quality and Safety:			17
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Author/Contact: (Asset Administrator)	Tanya Roberts, HR Business Partner		
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Consulted With:	Post/ Approval Committee/ Group:	Date:
Kate Thompson	IT Network Manager	21 st March 2019
Clive Edwards	Staff Side Secretary	
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Unions	JCNC	10 th April 2019
Deborah Lepley	Warner Library	29 th April 2019

Related Trust Policies (to be read in conjunction with)	04029 Disciplinary 04032 Grievance 07063 Conflict of Interest 04034 Speaking Up – How to Raise a Concern Policy MSBPO-18015 User Access & Acceptable Usage of IT Policy
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Document Review History:			
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1.0	Liz Stewart	re-order/restructure	September 2011
2.0	Laura McCullagh		15 December 2015
3.0	Tanya Roberts	Full Review	4 th June 2019

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1.0 Purpose

- 1.1 The purpose of this document is to provide guidance to all MEHT employees on social media / networking on the internet and external use of other online tools such as blogs.
- 1.2 The principles set out in this document must always be followed. The Trust also has protocols in respect of internet use at work and employees are required to follow the MSBPO-18015 DS User Access and Acceptable Usage of IT Policy whilst at work.
- 1.3 Employees who are members of professional bodies should also be aware of the need to adhere to the guidelines of their own professional body on the use of all social media. Examples of professional bodies include NMC and GMC; however this is not an exhaustive list.

2.0 Scope

- 2.1 This policy applies to all substantive Trust employees, bank workers, temporary workers, volunteers, contractors and staff from other organisations working on Trust premises.

3.0 Background

- 3.1 Social media is interactive online media that allows parties to communicate instantly with each other or to share data in a public forum.
- 3.2 Social networking includes online social forums such as Twitter, Facebook and LinkedIn. Social media also covers blogs and video and image sharing websites such as YouTube, Instagram and Flickr. Employees should be aware that there are many more examples of social media that can be listed here and this is not an exhaustive list. Employees should follow the guidelines set out in this policy in relation to any social media that they use.
- 3.3 When an employee identifies their association with the Trust and/or discusses their work via social media, they are expected to behave appropriately, and in ways that are consistent with the Trust's values and policies, their individual responsibility as Trust staff and in accordance with any relevant professional codes of conduct.
- 3.4 All employees should be aware that the Public Interest Disclosure Act 1998 gives legal protection to employees who wish to question practices or raise concerns about malpractice, also known as "whistleblowing". Any employee wishing to raise concerns should refer to the procedure set out in the Trust's Speaking Up – How to Raise a Concern Policy (Register number 04034). Using social media instead of following the correct procedure in the Speaking Up – How to Raise a Concern Policy is not appropriate and may result in disciplinary action being taken.
- 3.5 Employees should be aware that breaches of this policy will be subject to the full range of disciplinary sanctions set out in the Trust's Disciplinary Policy

(Register number 04029). Employees should use caution when engaging in online activities and be mindful of inherent dangers, whether this be inadvertent or deliberate use.

4.0 Roles and Responsibilities

4.1 Managers

- 4.1.1 Managers are responsible for ensuring that all employees are aware of this policy and their obligations under it.
- 4.1.2 Managers are responsible for initial fact finding relating to any concerns or issues brought to their attention by a member of staff under this policy. It will be the managers decision as to whether any formal action is then required under other Trust policies e.g. Trust Disciplinary Policy.
- 4.1.3 Assistance may be sought from the Human Resources Department, Communications Department or the IT Department depending on the nature of the concern or issue raised.

4.2 Employees

- 4.2.1 Employees are responsible for the security of their online accounts, including social media accounts on all of devices that they use. Employees should be aware that if they allow others access to their online accounts, whether intentionally or unintentionally, they will be held personally responsible for breaches of this policy. Employees should also refer to the MSBPO-18015 User Access & Acceptable Usage of IT Policy.
- 4.2.2 Employees must not release information about patients, their visitors, colleagues or sensitive organisational information onto social media. The following are examples; however this is not an exhaustive list:
- Patient's name, address, full postcode or date of birth
 - Pictures, photographs, videos, audio-tapes or other images of patients
 - NHS number and local patient identifiable codes
 - Anything else that may be used to identify a patient directly or indirectly. For example, rare diseases, drug treatments or statistical analyses, descriptions of patients, or details of conversations which may allow individuals to be identified
- 4.2.3 Where employees have identified that they work for the Trust on social media they must act in a manner which does not bring the Trust, the NHS, or their profession, into disrepute. This applies to both open and private sections of websites if staff have identified themselves as a Trust employee.
- 4.2.4 If an employee is contacted by the media about posts they have made on a social media site that relate to the Trust, they must make their manager aware before providing any response. The manager, in turn, should consult with the Communications team before any response is made to the media.
- 4.2.5 Staff should be considerate to their colleagues and should not post

information on social media without their permission. Even if permission is given, the standards set out in this policy still apply. If an employee is asked by a Trust Manager or a work colleague to remove information they have posted on social media about the Trust or any of its employees, they should do so immediately. Failure to show consideration or to remove posts when asked may result in a breach of the Trust Values and Behaviours and subsequently lead to disciplinary action.

- 4.2.6 Under no circumstance should offensive or malicious comments be made about patients, their visitors, colleagues or the organisation on the Internet or on any social media (cyber bullying). Any such behaviour will be seen as misconduct or gross misconduct and will be progressed in line with the Trust's Disciplinary Policy; register number 04029.
- 4.2.7 Registered clinicians are advised that they may put their registration at risk if they post inappropriate information on social networking sites.
- 4.2.8 Staff should be aware that they could face personal legal proceedings for defamation of character if they post untrue comments aimed at named individuals or an organisation that are considered to harm reputation.
- 4.2.9 If an employee reads something online about the Trust that they believe to be factually incorrect, inaccurate or otherwise inappropriate, the matter should be referred to the Communications Team. If the information needs to be corrected then staff must be transparent about who they are and the capacity in which they are doing this. The Trust will respond constructively to legitimate criticism. If an employee reads any derogatory or offensive comments about the Trust on social media, they should report this to the relevant web administrators for them to take action.
- 4.2.10 The provisions stated in the above paragraphs also apply in the same way to blogs. In addition, employees should be aware that if they are offered payment to produce a blog for a third party this could constitute a conflict of interest and employees must refer to the Trust's Conflict of Interest policy before setting up the blog.

4.3 **Communications**

- 4.3.1 The Communications team are responsible for:
- Utilising the Trust social media pages in the promotion of the Trust, its events, news and any information of interest to public and staff;
 - Ensuring the pages are kept up to date, upholding a strong social media presence;
 - Ensuring that all information shared on these platforms remains impartial and does not breach Trust code or damage Trust image;
 - Investigating any causes for concern, escalating any case to the appropriate management staff and immediately removing inappropriate or derogatory content relating to patients, their visitors, staff or the organisation.
- 4.3.2 The Communications Department monitor and maintain a social media presence, with a Twitter, Facebook and YouTube account. It is the

responsibility of the communications team to keep the social media pages updated with news, events and information, and to ensure that content is continually monitored for complaints, enquiries or concerns.

- 4.3.3 Any concerns that are raised are acted upon by contacting the complainant to see how the Trust can best work with them to address the issues raised. Individuals who make complaints on our Trust social media pages are contacted privately in order for them to be referred to the PALs and Complaints team to register the complaint for formal investigation. They may be referred to the service lead or patient experience teams as appropriate, if a more informal resolution is preferred.
- 4.3.4 In any cases where there may be concern for staff members breaching patient confidentiality or damaging the Trust image, the Communications team will monitor, and as appropriate escalate to the relevant Trust Manager or Executive.

5.0 Policy

5.1 Employees are required to use discretion when engaging in online communication and to comply with the following standards. Failure to maintain these standards or breaches of confidentiality may be considered by the Trust as misconduct / gross misconduct:

- Employees must be aware that the behaviours and values expected of Trust staff in the workplace, also apply to online activities. Trust employees must uphold standards expected, in line with Trust policies and their contracts of employment. This includes all forms of online publishing and discussion, including blogs, wikis, file-sharing, user generated video and audio, virtual worlds and social networks, however this is not an exhaustive list;
- Employees are personally responsible for the content they publish or share online;
- Employees must not publish any information or opinion that has been specifically prohibited;
- If an employee publishes or posts content to any website outside of the Trust that could be perceived to have a connection to the work that they do or subjects associated with the Trust, they must display a disclaimer such as: *'My postings on this site reflect my personal views and do not necessarily represent the positions, strategies or opinions of MEHT'*. However employees should be aware that this is not a waiver if the information they publish breaches this policy;
- Employees must respect copyright, fair use, data protection, defamation, libel and financial disclosure laws;
- Employees must never reveal any information about patients, their visitors, staff or the organisation, including when the patient or visitor may be someone in the public eye and/or subject to press attention (e.g. a celebrity); all such information is confidential;
- Employees must never upload photographs, or any form of recording taken on Trust premises, to any social media unless it is part of their job role and they have been given express permission to do so;
- Employees must never bring the Trust into disrepute;

- Employees must never use social media to attack or abuse colleagues whether named or unnamed;
 - Employees should be mindful of their association with the Trust when using online social networks;
 - Employees must not use the Trust logo on personal web pages or on social media accounts.
- 5.2 If an employee takes part in any online activities associated with the Trust these should be discussed and approved in advance by a line manager. Examples of this could be if an employee wishes to display an @meht.nhs.uk or nhs.net e-mail address, join the NHS network or join any Trust-related networks on social network sites or by making reference to the Trust as your employer.
- 5.3 When using hybrid websites it should always be clear to users whether the website they are using is a Trust site, run by the Trust for NHS purposes or whether it is a personal page or website run by an individual or group for private purposes.
- 5.4 Employees should be aware of privacy settings when using social media and understand that it is their responsibility to comply with paragraph 5.1.
- 5.5 As part of the Trust's communications strategy with staff, patients, the public and external stakeholders, the Trust may choose to use social media to promote the Trust's services, to enhance the recruitment process and/or to inform relevant groups of events taking place at the Trust.
- 5.6 The Trust reserves the right to access all available information on social media as part of an informal or formal investigation, when concerns are raised about the online working practices or behaviour of an employee.

6. Monitoring of Social Media Use

- 6.1 Due to the amount of data posted on to the internet and Social Networking sites, it is not possible for the Trust to monitor this. However, if it is brought to the Trust's attention or if the Trust identifies internet/social media posts which are in breach of this policy, formal action under the appropriate Trust policy will be taken, including disciplinary action.
- 6.2 The HR Team will report to the HR Governance Group on an annual basis any formal activity in relation to disciplinary action taken against members of staff for breaches of this policy.

7.0 Equality and Human Rights Impact Statement

- 7.1 The Trust is committed to the provision of a service that is fair, accessible and meets the needs of all, respecting the needs and privacy of individuals while also protecting the interests and privacy of others.

8. Communication and Implementation

- 8.1 Staff will be made aware of this policy through reference at Corporate Induction and dissemination via Staff Focus. The document will be stored for access to all on the MEHT Intranet under HR Policies.

9.0 Equality Impact Assessment

(Refer to appendix 1)

10. References

NHS England – (2013) Social Media & Attributed Digital Content Policy, Leeds: NHS England

Simpson, S (2015) Policy on Use of Social Media. London: XpertHR

Appendix 1: Preliminary Equality Analysis

This assessment relates to: Social Media Policy (10022)

A change in a service to patients		A change to an existing policy	X	A change to the way staff work	
A new policy		Something else (please give details)			
Questions			Answers		
1. What are you proposing to change?			Full Review		
2. Why are you making this change? (What will the change achieve?)			3 year review		
3. Who benefits from this change and how?			Patients and clinicians		
4. Is anyone likely to suffer any negative impact as a result of this change? If no, please record reasons here and sign and date this assessment. If yes, please complete a full EIA.			No		
5. a) Will you be undertaking any consultation as part of this change? b) If so, with whom?			Refer to pages 1 and 2		

Preliminary analysis completed by:

Name	Tanya Rogers	Job Title	Human Resources	Date	March 2019
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