EMPLOYERS: DOES YOUR SOCIAL MEDIA POLICY TICK ALL THE BOXES?

Category: Commercial Law,Media and OTT
written by Mathando Likhanya | October 10, 2017



In the digital age, social media platforms have become a valuable and effective tool to market and interact with customers and for people in general to communicate and interact with each other. Proper use of social media platforms has become imperative to avoid social media blunders. We have in recent times noticed a trend with companies and/or employers and/or employees getting themselves into hot water as a result of improper use of social media platforms.

As an employer, it is your duty to ensure that your company has a social media policy in place and that your employees are trained on proper/acceptable use of the social media platforms, be it in their personal capacity or on behalf of the company. Having a social media policy ensures that adequate measures are in place in cases of social media misconduct.

Checklist for a social media policy

- The purpose, scope and use of social media platforms should be defined;
- Acceptable standards that promote the company's objectives should be set out;
- An outline appropriate content should be provided[1];
- The policy should outline standards allowed for public interaction and the posting of comments;
- The policy should provide for an administrator to oversee and supervise social media platforms[2];
- The policy should indicate appropriate measures that are applicable in cases of breach of such policy (social media misconduct); and
- The policy should provide for proper training and refreshers.[3]

These guidelines will assist in ensuring that proper controls are in place for appropriate conduct. All employees should be required to sign a written acknowledgment that they have received, have read, understand and agree to comply with the social media policy.

[1] It should make provision for appropriate content such as informing employees that they cannot post company confidential information or informing them that information that is protected by copyright or trade mark laws should not be posted unless required permissions have been obtained. All postings should be legal and should not bring employer's name into disrepute.

[1] The administrator should be trained regarding the terms of the policy and responsibilities to review content that is shared on social media platforms to ensure that it complies with the policy and promotes the company's goals; and proper record of all company social media platforms should be kept, as well as the passwords and usernames and any necessary user information.

[1] The concept of social media misconduct must be explained, examples should be provided as well as recent case law on social media misconduct. This will aid in providing real life examples and the consequences of failures to adhere to policy.