THE IMPORTANCE OF SOCIAL MEDIA POLICIES IN SCHOOLS

Category: Dispute Resolution,Media and OTT,Privacy Law, Infosec, and POPIA
written by Tshepiso Hadebe | March 7, 2022

INTRODUCTION

Social media [refers](#) to forms of electronic communication through which users create online communities to share information, ideas, personal messages, videos and other content. Since the beginning of the COVID-19 pandemic, social media has proven to be a useful tool through which teachers and learners can communicate. This enables them to facilitate learning while adhering to the social distancing requirements. Schools also use social media for other purposes including marketing, sharing information about school activities, and incorporating parental involvement in school activities.

While it has significant benefits, the use of social media in the school context without appropriate policies in place carries significant risks. One such risk is the privacy of students' personal information. As the majority of pupils in South African schools are below the age of 18, this means they fall within the definition of "[child](#)" under the [Protection of Personal Information Act](#)("POPIA").

[Section 34](#) of POPIA prohibits, with certain exceptions as listed in [section 35](#), the processing of

personal information concerning a child. Personal information is [defined](#) to mean information relating to an identifiable, living, natural person. Such information includes, but is not limited to the race, gender, language, the name of a person and biometric information of the person.

THE USE OF SOCIAL MEDIA BY THE SCHOOL

A practical example of the use of social media by a school would be where after hosting a sporting or award event, the school decides to post video highlights of the events along with photos and the names of the pupils on their social media pages. Such social media posts will reveal certain personal information about the pupils, such as biometrics (their faces) and their names.

This brings the school within the definition of a [Responsible Party](#) under POPIA. This means that the school bears certain responsibilities under POPIA including refraining from the processing of the personal information of children unless such processing falls within the exceptions set out under POPIA.

In this example, if the school lacks a social media policy informed by [POPIA](#) and the [Guidance Note on Processing of Personal Information on Children](#), the posting of such videos and pictures of the schools social media pages will amount to a violation of the pupils' right to privacy and will attract sanctions under POPIA .

THE USE OF SOCIAL MEDIA BY TEACHERS DURING SCHOOL HOURS

A social media policy can also play a significant role in ensuring that the use of social media by teachers during school hours is in line with POPIA. A good example of the use of social media by teachers would be where a teacher, during school hours decides to do a fun activity that is not related to school activities. During such activity the teacher decides to take a video of the pupils and post it on their personal social media accounts. In such a video, the pupils' faces and name tags are visible.

It can be argued that during school hours, the teacher as the employee of the school, bears the same responsibilities as the school in that they are the responsible party. The presence of a social media policy that is in line with POPIA would ensure that teachers have a clear understanding of how they can use social media during school hours and what the consequences of failing to adhere to such policies are.

THE USE OF SOCIAL MEDIA BY PUPILS

The issues of children's cyber safety and [cyberbullying](#) are becoming increasingly problematic in schools. There have been cases in South Africa where cyberbullying in schools has [resulted](#) in pupils committing suicide. While cyberbullying has been criminalised under the [Cybercrimes Act](#), there is still a pressing need for social media policies in schools to address this problematic issue. Such social media policies will serve as guidelines for the use of social media by pupils during school hours.

CONCLUSION

The current economic climate and the financial constraints faced by South African schools, especially public schools, may not make it possible for each school to create and implement a social media

policy. The [Department of Basic Education](#) can endeavour to create guidelines for the use of social media in schools together with social media policy templates that schools can build on in order to address the use of social media policies. The incorporation of social media awareness campaigns in schools can also go a long way in creating awareness in schools. Other bodies such as the [South African Council for Educators](#) can also play a role by creating guidelines on the use of social media by teachers and providing training to teachers on the use of social media in school.

[Contact us](#) for more good, clear, precise advice.