



Dolphin Healthcare Services

Sheldon Community Centre, Sheldon Heath Road,
Birmingham, West Midlands, B26 2RU
Phone: 01212433384, Fax: 01212433384

Social Networking Policy and Procedure

Purpose

- To comply with the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014, Regulation 14 - 1, "Persons employed by the registered person must - (a) be of good character".
- To guide Dolphin Healthcare Services's employees on use of social media, safeguard privacy of Service Users and protect the reputation of The Agency.

Scope

- All social media including Facebook, LinkedIn, Twitter, blogs and similar interactive facilities on the Internet.
- All use of social media whatever facilities are used to access or create material (e.g. PC, Tablet, Smartphone) and whether such material is created inside (e.g. on behalf of the organisation) or outside working time.

Policy

- You are required to follow reasonable standards of behaviour in using social media so that the impact on the workplace can only be positive.
- It is important to recognise that if you can be identified as an employee of Dolphin Healthcare Services in any postings or profile, then you must be careful that your behaviour does not bring us into disrepute or impact negatively on our organisation.
- Material placed on social networking sites is public and complete privacy should never be assumed whatever the settings, as information may be passed on.
- If you choose to use our systems (outside of working time only) for social networking then such communications should not be regarded as private and may be accessed.
- Should you have already posted questionable material, i.e. material which may bring into question "good character" in the context of employment caring for vulnerable people, before this policy was published, or before you were employed by us, then you are required to declare it to your manager. Failure to do so will render you liable to disciplinary action.
- In all cases, you will be required to remove any material that contravenes this policy, or which we might reasonably request. It is recognised that this will not always be achievable, but not being able to remove material is unlikely to be a mitigating factor in any disciplinary action. Such action may include dismissal. Should it prove not possible to remove material, it is recommended to set the status of the post as "me only", or the equivalent. Media account users should however be aware that historic posts may have already been copied before being made private. For this reason it is recommended to discuss the matter with the Manager on or before recruitment, to place the information in a hopefully better context, if possible, and allow the manager assess if the engagement meets the Regulation, with the benefit of full information.



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- We reserve the right to access any information placed in the public domain, given a reasonable reason for doing so. This includes information that may be relevant to selection, promotion decisions or to discipline.
- Adverse information, identified using online or social media searches, will not be used to make decisions without you first having the opportunity to respond.

Procedure

Behaving Responsibly

- Because of the Regulation requirement placed on Dolphin Healthcare Services, be aware that judgement of the “good character” of employees is required, and that the judgement is not confined to behaviour in the workplace. Behaviour outside of time employed also contributes to a judgement of good character, in terms of behaviour in the real world and in social media.
- Do show respect to colleagues, and Dolphin Healthcare Services as a whole. Our expectations of your behaviour as a blogger or Tweeter are much the same as our expectations of you in the workplace.
- Cyber-bullying or online harassment will be taken as seriously as any other form of bullying or harassment and render you liable to disciplinary action.
- Offensive, discriminatory or derogatory remarks towards an employee, a Service User, a relative or towards us as your employer, or a sustained campaign of critical comment towards any of the above could also lead to disciplinary action.
- Social networking may foster good team work but if you want to share photographs, videos or images depicting Service Users on the Internet, then you must read the Photographs Policy and Procedure, which requires that express permission is required from every person in a photograph before publication. The Registered Manager should be asked to review the photographs to check that the images do not in any respect compromise the security of the Service User, or depict them in a manner which shows lack of dignity and respect.
- Similarly, if you want to share photographs, videos or images depicting employees in connection with work (such as a work organised social event), or the work environment, on the Internet, then you must also request and be granted permission from the Registered Manager first, and then every individual in the photo.
- Photographs that include documents or computer screens may contravene our policies on confidentiality.
- If you want to publish commentary on events or other matters appertaining to Dolphin Healthcare Services we ask that you first check your facts with the your manager. If you are asked to correct or amend details we will require that you do so and that you make those changes transparent.



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- Never disclose personal information that could put yourself, Service Users or Dolphin Healthcare Services at risk.
- You must not publish material that may bring the Dolphin Healthcare Services into disrepute or may reduce respect for you in the consideration of Service Users, their family members, or your colleagues.
- You must safeguard your own personal standing. If you do not do so and, in being identified as an employee of Dolphin Healthcare Services, such failure brings us into disrepute or impacts negatively on us, then you may be subject to disciplinary action including dismissal.
- You are strongly advised not to befriend Service Users or their relatives on social media sites such as Facebook. Doing so may release information about Service Users which may compromise their safety, for instance by identifying them as vulnerable people, leaving them in turn open to exploitation. Doing so may also contravene your professional standards, such as the maintaining of professional objectivity.
- Employees who have contact with Service Users who exhibit disinhibition, or who have problems understanding social context should be particularly careful not to post information or images which may compromise their professional standing and safety.

Social Networking at Work

- If you are given specific permission to Tweet or blog or otherwise post material on our behalf, or if material can be traced to us, then you must respect copyright legislation and not engage in any form of defamation. As an employee you represent our organisation in these circumstances. Inclusion of this matter in our policy *is not permission* to post on our behalf and doing so without permission could lead to disciplinary action.
- If, with our permission, you engage in social networking in relation to your work, for example on LinkedIn, all of the safeguards and standards of behaviour in this Policy also apply.
- By default we own all the data in accounts created in connection with your work with us and you are not entitled to use such data if you leave our employment. However, we may enter into a separate agreement with you, if appropriate.
- The use of social networking is permitted during lunchtime or at the beginning or end of a shift / the use of social networking is not permitted on our premises or using our facilities at any time.
- You must not engage in social networking during work time unless it is directly related to your work. Any engagement with social networking in connection with work must not be excessive. As applies to phone calls and text, social activities outside work must not intrude into work time other than for emergencies. You must also be open and transparent with Dolphin Healthcare Services about any networking activity undertaken during the course of your work.

Your Legal Responsibilities



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- Irrespective of your obligations as an employee, you should keep in mind that you are legally responsible for commentary that you personally place online. The Internet is the ultimate public place.
- Actions that we may take notwithstanding, other parties such as Service Users or relatives of Service Users can take legal action against you for derogatory comments, breaches of data protection or copyright.

Confidentiality

- You are responsible for confidentiality and data protection as set out elsewhere in your Employee Handbook.
- There are additional clauses in your contract covering intellectual property, trade secrets and other relevant restrictive covenants, and these apply to data contained in social networking performed on our behalf, unless otherwise specified in an agreement.
- Divulging confidential, protected or restricted information on the Internet may be regarded as a disciplinary offence; breaching a covenant may make you liable by law to injunctions or claims for damages.

The Media

- Social media postings can attract attention from traditional media such as the newspapers.
- If your social networking attracts media attention, where you are identified as an employee of Dolphin Healthcare Services, then you must refer enquiries to the Registered Manager.

Guidance to the Service Provider

- Different employers take differing views on the use of social media during work time. Employees in customer services or similar roles need to know what may be being said about the service on the Internet, while for direct care staff it is not advisable for access to social media during working time to be possible, or allowed.
- It is for the service provider to decide whether the use of social networking is to be permitted during lunchtime. There may be technical risks in doing so and if you are concerned about this it is recommended that you discuss security with your IT provider.
- In some cases an absolute ban may be preferable, but where employees are permitted to bring their own devices to work (especially for work purposes) it is unlikely to be practical.
- Where social media is used on your behalf, for example in sales or marketing, it is advisable to be clear about ownership of data and contacts. Employees in these functions may be engaged for their contacts as much as for their skills, knowledge or experience. Therefore, ownership is best established on appointment and enshrined in the contract of employment or in a separate signed covenant (which endures beyond the contract of employment).



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- The statements in this open policy indicate the minimum standards likely to be required of you in relation to privacy laws, data protection and recruitment practice.
- It is particularly important that adverse information, identified using online or social media searches, is not used to make decisions without the applicant or employee first having the opportunity to respond.
- If you use social media for the purpose of recruitment vetting or selection decisions your policy should be clear and open to applicants.
- Use of information gleaned from social media, the Internet, or indeed other sources, should be used only where it is relevant to a job or position and can be definitive.
- Personal data, from any source, collected during the recruitment process should not be kept beyond the period for which it is relevant.
- Social media is increasingly pervasive and controversial. If, for example, during the induction process new employees sign to say that they have understood, accept and agree that they will follow the policy, then it brings these matters to their attention in an unambiguous way.