Social media and attributed digital content policy

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Document Status

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1 Contents

1.   Introduction and aims

The purpose of this document is to provide guidance to all NHS England staff on social media/networking on the internet and the external use of other online tools such as blogs, discussion forums and interactive news sites. It seeks to give direction to staff, in the use of these tools and help them to understand the ways they can use social media to help achieve business goals. This is a rapidly changing area and this policy is being updated and amended as our communication strategies evolve.

'Social media' or 'social networking' are the terms commonly used to describe websites and online tools which allow users to interact with each other in some way by sharing information, opinions, knowledge and interests.

NHS England uses social media to provide opportunities for genuine, open, honest and transparent engagement with stakeholders, giving them a chance to participate and influence decision making. These tools are used to build online communities and networks in which NHS England plays the role of 'communitarian' by facilitating peer to peer interactivity

The purpose of this policy is to help protect the organisation, but also to protect your interests and to advise you of the potential consequences of your behaviour and any content that you might post online, whether acting independently or in your capacity as a representative of NHS England.

The aims of this document are:

- Provide clarity to staff on the use of social media tools when acting independently or as a representative of NHS England and give them the confidence to engage effectively;
- Ensure that the organisation's reputation is not brought into disrepute and that it is not exposed to legal risk; and
- Ensure that internet users are able to distinguish official corporate NHS England information from the personal opinion of staff.

2 Scope

This policy applies to those members of staff that are directly employed by NHS England and for whom NHS England has legal responsibility. For those staff covered by a letter of authority/honorary contract or work experience the organisations policies are also applicable whilst undertaking duties on behalf of NHS England. This document is not a social media strategy, or guidance on how to use individual social media tools and platforms, and each individual or business area should assess the value of using these tools in an official capacity, and follow this policy if they decide to do so.

3 Principles

3.1 Participating in on-line activities

Our staff are our best ambassadors. Many already use social media, interactive and collaborative websites and tools, both in a personal and professional capacity. Rather than try to restrict this activity, NHS England wishes to embrace it as a demonstrable element of our commitment to a culture of openness. The Communication team will provide guidance and training to empower staff to interact online in a way that is credible, consistent, transparent and relevant.

We recognise that there is an increasingly blurred line between what was previously considered 'corporate social networking', which could be useful to the business, and 'social networking', which is for personal use, to an extent where it may no longer be possible, or desirable, to make that distinction. For example, there is a tendency for people to maintain just one Twitter account, which is used to post a mixture of business related and personal content.

However, posts made through personal accounts that are public can be seen, and may breach organisational policy if they bring the organisation into disrepute. This includes situations when you could be identifiable as an NHS England employee whilst using social networking tools or occasions when you may be commenting on NHS England related matters in a public forum.

Staff should use their own discretion and common sense when engaging in online communication. The following guidance gives some general rules and best practices which you should abide by at all times:

- Know and follow NHS England's Standards of business conduct (which can be found on the staff intranet). The same principles and guidelines that apply to staff activities in general also apply to online activities. This includes forms of online publishing and discussion, including blogs, wikis, file-sharing, user-generated video and audio, virtual worlds and social networks;

- Employees are personally responsible for the content they publish on blogs, wikis or any other form of user-generated media. Be mindful that what you publish will be public for a long time. When online, use the same principles and standards that you would apply to communicating in other media with people you do not know. If you wouldn't say something in an email or formal letter, don't say it online;

- Identify yourself by giving your name and, when relevant, role at NHS England if you are discussing NHS England or NHS England related matters. Write in the first person. You must make it clear that you are speaking for yourself and not on behalf of NHS England (you must not use the organisation's logo on personal web pages or social media accounts);

- Be aware that people who join your networks and participate in groups that you are a member of may be colleagues, clients, journalists or suppliers. It is

also possible that people may not be who they say they are and you should bear this in mind when participating in online activities

- If you publish content to any website outside of NHS England that could be perceived to have a connection to the work you do or subjects associated with NHS England, you must display a disclaimer such as this:

  "My postings on this site reflect my personal views and don't necessarily represent the positions, strategies or opinions of NHS England."

- Respect copyright, fair use, data protection, defamation, libel and financial disclosure laws. Don't reveal confidential information about patients, staff, or the organisation. Never post any information that can be used to identify a patient's identity or health condition in any way;

- Don't use social media in any way to attack or abuse colleagues;

- Don't provide NHS England's or another's confidential or other proprietary information on external websites. Do not publish or report on conversations that are private or internal to NHS England (for example, do not quote such material in a discussion forum post);

- Don't cite or reference partners or suppliers;

- Respect your audience. Don't use personal insults, obscenities, or engage in any conduct that would not be acceptable in the workplace. You should also show proper consideration for others' privacy and for topics that may be considered objectionable or inflammatory, such as politics and religion;

- Be aware of your association with NHS England when using online social networks. If you identify yourself, or are identifiable, as an employee of the organisation, ensure your profile and related content is consistent with how you wish to present yourself to colleagues and stakeholders. Be aware that you may be identified as an employee by any public use of your NHSmail email address;

- If you are asked to blog or participate in a social network for commercial or personal gain, then this could constitute a conflict of interest (see "Related policies and information" section of this document). You should refrain from entering any online social networking activity for commercial gain;

- If someone from the media contacts you about posts you have made, you must talk to the Media Team (england.media@nhs.net);

- Don't pick fights, be the first to correct your own mistakes, and don't change previous posts without indicating that you have done so;

- Don't use social media to '"whistleblow" without already having raised concerns through the proper channels. All staff should be aware that the

Public Interest Disclosure Act 1998 gives legal protection to employees who wish to whistleblow any concerns.

- If you have any concerns about your position on any of the issues covered by this policy please contact the Digital Communications Team (england.web@england.nhs.uk).

Note that use of NHS England equipment and networks to participate in social media activities during your own time is covered by the Internet Usage Policy.

3.2 Safeguarding

During the course of your work for NHS England you may have cause to engage in online conversations with, and the promotion of, engagement opportunities with children, young people and adults at risk. The use of social media/networking sites introduces a range of potential safeguarding risks to these groups.

Most children, young people and adults use the internet positively, but sometimes they and others may behave in ways that pose a risk. Potential risks can include, but are not limited to:

- Online bullying
- Grooming, exploitation or stalking
- Exposure to inappropriate material or hateful language
- The vulnerable person giving away personal details, which can be used to locate them, harass them or steal their identity
- Coercion into illegal activity, such as distributing illegal content or hate crime
- Indoctrination into ideations and encouraged into terrorist activities
- Encouraging violent behaviour, self-harm or risk taking
- People's wellbeing not being promoted, as their views, wishes, feelings and beliefs are not taken into account.

In order to mitigate these risks there are steps you can take to promote safety online:

- Don't target/or engage with children who are likely to be under the minimum requirement age for the social networking service that you are promoting. This is usually 13 years, but can vary by platform so check the T&Cs of that site.

- Don't accept 'friend' requests from anyone you suspect to be underage.

- Avoid collecting, and don't ask users to divulge any personal details, including: home and email addresses, school information, home or mobile numbers.

- You should not use any information in an attempt to locate and or meet a child, young person or vulnerable adult, that is not directly to do with work.

- The Sexual Offences Act (2003) combat increasing sexual approaches to access children and young people on-line. The Act 2003 created an offence of meeting a child following sexual grooming. This makes it a crime to befriend a

child on the Internet or by other social media means and to arrange to meet or intend to meet the child or young person with the intention of abusing them.

- Be careful how you use images of children, young people or adults - photographs and videos can be used to identify them to people who wish to groom them for abuse.
  - o consider using models, stock photography or illustrations
  - o if a child, young person or adult at risk is named, do not use their image
  - o if an image is used, do not name the child, young person or adult at risk
  - o where necessary obtain parents'/carers/guardians or Lasting Power of Attorney's written consent to film, or use photographs on web sites
- Ensure that any messages, photos, videos or information comply with existing policies.
- Promote safe and responsible use of social media/networking to your audience online and consider providing links to safety and support organisations on your profile. Remind people to protect their privacy.
- Data Protection considerations - when you are collecting personal information about all users, you should always follow the requirements set out in the Data Protection Act 1998. You should not use social media to collect personal data and this should be done via alternative means, e.g. by signposting to a form on your website.

3.2.1 Safeguarding yourself

In addition to the behaviours outlined in section 3.1, if you are using corporate or personal social media/networking accounts for work related activity, you should also:

- Ensure that your privacy settings are set up so that personal information you many not want to share is not available to members of the public.
- Have a neutral picture of yourself as your profile image.
- Do not use your work contact details (email or telephone) as part of your personal profile or personal contact details as part of a profile you use for work.
- Keep yourself safe, if you are not sure then do not proceed without advice and support.
- Do not engage in intimate or sexual conversations.
- Ensure any personal pictures you upload are not intimate, compromising or sexually explicit.
- Should any employee encounter a situation whilst using social media that threatens to become antagonistic they should politely disengage and seek advice from the Digital Communications Team and/or their line manager.

3.2.2 Reporting safeguarding concerns

Any content or online activity which raises a safeguarding concern must be reported to your local safeguarding lead within the Direct Commissioning Offices for NHS England.

As a minimum you should ensure you have completed your MAST online safeguarding training and you are aware of your role and responsibilities to safeguarding children, young people and adults as outlined in the NHS England Safeguarding Policy.

Any online concerns should be reported as soon identified as law enforcement and child/adult safeguarding agencies may need to take urgent steps to support the person.

Where a child, young person or adult is identified to be in immediate danger, dial 999 for police assistance.

If you have concerns about a breach in the terms of service for a particular platform, e.g. participation of underage children, nudity in images, use of unsuitable language, grooming, stalking or ideation that could lead to terrorist activities etc. you should report this to the service provider.

You should also report this activity to your NHS England manager and the Digital Communications Team as consideration may need to be taken regarding continued use of that platform.

With regard to personal safeguarding, you should report any harassment or abuse you receive online whilst using corporate or personal accounts for NHS England related business, to the Digital Communications Team in the first instance (england.web@england.nhs.uk). They will advise you what further action should be taken and escalate to NHS England's legal, security and HR teams as required.

Keep yourself and others safe. Do not place yourself at risk and engage in risk taking behaviour on social media platforms.

3.3 Personal blogs

If you are writing a personal blog, you should adhere to the guidance given in section 3.1 if your blog touches on any work related matters. You must also include a disclaimer which says:

"Any views expressed in this blog are entirely my own and not those of my employer."

3.4 References and endorsements

For social networking sites such as LinkedIn where personal and professional references are the focus: If you are representing yourself as an NHS England employee, you may not provide professional references about any current or former

employee, contactor, vendor or contingent worker. You may provide a personal reference or recommendation for current or former NHS England employees, contractors, vendors and contingent workers provided:

- the statements made and information provided in the reference are factually accurate; and
- you include the disclaimer below:

"This reference is being made by me in a personal capacity. It is not intended and should not be construed as a reference from NHS England."

3.5 Responding to the media

As an organisation, we do not encourage staff to engage in "unofficial", spontaneous exchanges in response to published media comment e.g. Pulse, The Guardian or less traditional forms of journalistic content e.g. blogs. If you intend to do so, then you must identify yourself as an NHS England employee and make it clear that you are speaking for yourself. Wherever possible include the following disclaimer:

"These views are entirely my own and not necessarily those of my employer." When acting in your official capacity as an employee, on behalf of NHS England, you must not engage in responding to content published by third parties by adding comments, for example on Pulse, the Guardian and other websites or journalistic blogs

If you read something online that you feel is factually incorrect, inaccurate or otherwise needs an official response from NHS England, then you must refer the matter to the Media Team (england.media@nhs.net).

3.6 Representing NHS England online when acting in an official capacity

Whilst we encourage individual members of staff to use social media to reflect positively on the work of NHS England, it is important that the organisation maintains a coherent online presence through the strategic use of official communication channels. Therefore, without having developed a business case, and gained approval from the Communications Team and associated Programme Board to do so, you must not engage in setting up

- Twitter accounts, Facebook pages, YouTube channels or a presence on any other social media site that seek to represent the official views of NHS England;
- unauthorised 'official' blogs on behalf of NHS England programmes or individuals; or,
- posting video content or setting up surveys using any unapproved online channels

3.7 Establishing an official presence on social media sites

Using social networking sites to communicate with stakeholders in a professional capacity is in many cases entirely appropriate. However, it is important that the time and effort staff spend on them is justified by the value to the business, and that the inherent risks are considered before this type of media is used. Social networking platforms can offer many opportunities to reach a specific audience but there are also potential pitfalls which staff must be careful to avoid.

If you wish to establish an NHS England presence on Twitter, Facebook, LinkedIn or any other social networking site you must discuss your proposal with the Communications Team in the first instance, to ensure that it is appropriate and in-line with the organisations social media strategy. The team will provide advice on the types of things you will need to consider, such as: project management, time and resources needed to implement, editorial and approvals policy, evaluation process and timeframes, risks and issues, exit strategy, how to link this activity to the overall business plan for a programme or business area, and stakeholder consultation and approvals.

Before establishing a presence on any social networking media, a business case must be prepared, outlining how this activity will benefit the programme or business area and the benefits to be realised, compared to the costs in time and resources of doing so.

The business case must be closely aligned to the overall communications strategy for a programme or business area, and undergo appropriate stakeholder consultation and governance before being implemented i.e. approved by the Communications Team SMT and associated Programme Board. Given the time and resource involved in effectively managing a presence in social networking media, there must be a clearly evidenced demand from an audience for engagement activity using a particular channel, rather than engagement using existing online networks.

New social media accounts must be approved by the Communications Team SMT who will use the following acceptance criteria. Social media accounts must:

- Have clearly defined objectives and KPIs, defined as part of an approved communications plan
- Have a content plan, editorial purpose and requirement to communicate regularly with a specific group of stakeholders on an ongoing basis
- Be based on clear evidence of user needs and their use of that channel (not hearsay)
- Be sufficiently resourced to allow accounts to be checked multiple times a day with responses to questions/comments provided as appropriate
- Be managed through the corporate Hootsuite environment
- Not be used for promoting internal initiatives (staff comms)
- Not be a sub-regional (old Area Team) account

Complete the new social media account proposal template to submit a request for consideration. Please note that accounts may be closed for the following reasons:

- **Inactivity** – e.g.no original posts made for 1 month or more
- **Frequency** – e.g. less than one tweet/post a week over a 2 month period
- **Interest** – e.g. account has been active for 6 months or more but has less than 100 followers
- **Relevance** – programme or project has closed
- **Governance** – account not managed through corporate Hootsuite

Please note, requests for information made via Twitter or other online channels can be considered as freedom of information (FOI) requests where the real name of the requester is discernible. These should be passed to the FOI Team (england.foi@nhs.net).

More information on the corporate use of social media and other digital channels is available on the NHS England Intranet.

3.8 Official NHS England blogs

Blogs are a great way to share engaging content, written using an informal and personal tone, which can help to establish NHS England as a thought leader, setting the agenda, and stimulating discussion. NHS England wishes to encourage a blogging culture for all employees. NHS England blogs are published on our website.

If you wish to set up a blog to write in your capacity as an NHS England employee, then please discuss your proposal with the Communications Team in the first instance. The team can provide advice on the types of things you will need to consider, such as: content; timing; newsworthiness; time and resources to manage and maintain; editorial policy; whether this is the best medium for your message and how it might fit into the bigger engagement picture

Opportunities occasionally arise for employees to blog, in an official capacity, on alternative platforms or websites. To ensure that they are appropriate, and provide benefit to the organisation, these opportunities must be discussed, and agreed, with the Communications Team.

3.9 Video and media file sharing

Video is an excellent medium for providing stimulating and engaging content, which can potentially be seen by many people as it is easily shared on social media sites and embedded on other people's websites.

To reach the widest audience, it's important that NHS England all public video content is placed on the NHS England YouTube channel from where it can be shared, embedded on NHS England owned websites and those owned by others.

You must ensure that all video and media (including presentations) are appropriate to share/publish and do not contain any confidential, commercially sensitive or defamatory information.

If the material is official and corporate, NHS England content then it must be branded appropriately, and be labelled and tagged accordingly. It must not be credited to an individual or production company.

As an organisation we have a moral and legal responsibility to ensure that accessibility guidelines are met and that we provide material that is usable by all, regardless of disability or access to the latest technology. When publishing video content a transcript must be provided alongside the video content and closed captions should be added. For further guidance on appropriate multimedia file formats, legal and accessibility considerations, contact the Communications Team.

Collections of photos, for example, those taken at a conference or training event, can be placed on the corporate Flickr account.

Contact the Communications Team for further details by emailing england.web@england.nhs.uk

3.10 On-line surveys

If you wish to run an externally facing online survey please contact the Digital Communications Team by emailing england.web@england.nhs.uk. It is important that the organisation takes a joined-up approach to contacting stakeholder groups, so survey activity may need to be considered in the context of other pieces of work.

3.11 Sharing slides and presentations

If you wish to share slides or presentations, this must be done via the NHS England SlideShare account. To request your presentation is uploaded please contact the Digital Communications Team by emailing england.web@england.nhs.uk.

3.12 Participation in collaborative communities of practice

If you wish to participate in online collaboration using externally facing web based tools, with NHS colleagues or suppliers, on NHS England projects and documents, you must carefully consider security. In the majority of cases, when involved in collaborative working, discussion and the sharing of work related information and documents must take place in a closed environment, behind a secure login, to minimise the risk of unapproved or commercially sensitive material reaching the public domain.

All information stored on internal or external websites must be held in accordance with the NHS England Information Governance Policies.

If you have a requirement to set up a new collaboration, community of practice or consultation space, you must contact the Digital Communications Team to discuss your needs in the first instance. They will be able to advise on the tools available which fit your requirements - england.web@england.nhs.uk.

3.13 Non compliance

NHS England's policies apply to all forms of communication, whether it be verbal, in print or online. Staff should remember that they are ultimately responsible for what they publish online and that there can be consequences if policies are broken. If you are considering publishing something that makes you even slightly uncomfortable, review the policy above and ask yourself why that is. If you're in doubt or in need of further guidance, please contact the Communications Team to discuss.

Non-compliance with the policies associated with this guidance may lead to disciplinary action in accordance with the NHS England Disciplinary Policy. You are also reminded that actions online can be in breach of the harassment/IT/equality policies and any online breaches of these policies may also be treated as conduct issues in accordance with the Disciplinary Procedure.

3.14 Further information and assistance

The Digital Communications Team (england.web@england.nhs.uk) are available to give help and advice, and must be consulted in the early stages of the planning process.

Guidance on the use of specific social media tools is available on the NHS England Intranet.

4 Accountability, responsibilities and training

Overall accountability for procedural documents across the organisation lies with the Chief Executive who has overall responsibility for establishing and maintaining an effective document management system, for meeting all statutory requirements and adhering to guidance issued in respect of procedural documents.

Overall responsibility for the social media and attributed content policy lies with the Director for Transformation and Corporate Operations who has delegated responsibility for managing the development and implementation of social media and attributed content procedural documents.

Staff will receive instruction and direction regarding the policy from a number of sources:

- Policy/Strategy and Procedure Manuals
- Advice and guidance from the Communications Team
- Articles and guidance on the staff Intranet

4 Monitoring & review

Performance against Key Performance Indicators will be reviewed on an annual basis and used to inform the development of future procedural documents.

Because of the rapidly evolving nature of digital communications this Policy will be reviewed on a six monthly basis, and in accordance with the following on an as and when required basis:

- Legislative changes
- Good practice guidance
- Case law
- Significant incidents reported
- New vulnerabilities
- Changes to organisational infrastructure

Equality Impact Assessment –NHS England aims to design and implement services, policies and measures that are fair and equitable. As part of its development, this policy and its impact on staff, patients and the public have been reviewed in line with the Trust's Legal Equality Duties. The purpose of the assessment is to improve service delivery by minimising and if possible removing any disproportionate adverse impact on employees, patients and the public on the grounds of race, socially excluded groups, gender, disability, age, sexual orientation or religion/ belief.

The Equality Impact Assessment has been completed and has identified no detirment.

5 Legislation and related documents

This Policy is located on the NHS England staff intranet.

Staff will be made aware of procedural document updates as they occur via team briefs, team meetings and notification via the NHS England staff website.

A number of other policies in the General Policy/Strategy Manual are related to this policy and all employees should be aware of the full range before undertaking any social networking activity. The key linked policies are:

- Standards of Business Conduct Policy
- Information Governance Policy
- Confidentiality Policy
- Acceptable use of ICT and User Obligations
- Equality and Human Rights Policy
- Disciplinary Policy

See also the "Social media and comment moderation policy", which gives guidance to stakeholders about how we moderate and respond to comments received through publically visible digital communication channels.