

Report No.  
ED12031

## London Borough of Bromley

### PART ONE - PUBLIC

---

**Decision Makers:** **Education Policy Development and Scrutiny Committee**  
**11 September 2012**

**General Purposes and Licensing Committee**  
**26 September 2012**

**Decision Type:** Non-Urgent                      Non-Executive                      Non-Key

**Title:** **SCHOOLS' SOCIAL MEDIA POLICY**

**Contact Officer:** Angela Huggett, HR Consultancy Manager  
Tel: 020 8313 4029 E-mail: angela.huggett@bromley.gov.uk

**Chief Officer:** Assistant Chief Executive HR

**Ward:** N/A

---

1. Reason for report

- 1.1 Following an increase in the number of requests from schools for guidance on employee relations issues arising from the use of social networking sites a model policy has been drafted to provide a framework and guiding principles to Head Teachers, Governing Bodies and Staff.
  - 1.2 This report details the outcome of consultation and seeks Member perspective and approval.
- 

2. **RECOMMENDATION(S)**

- 2.1 **The Education PDS Committee is requested to consider and comment on the schools' social media policy as set out in this report.**

**Members of the General Purposes and Licensing committee are asked to:**

- 2.2 **Consider the comments from the Education PDS Committee; and**
- 2.3 **Agree the schools' social media policy as outlined within the report.**

### Corporate Policy

1. Policy Status: New Policy:
  2. BBB Priority: Children and Young People Excellent Council:
- 

### Financial

1. Cost of proposal: Not Applicable:
  2. Ongoing costs: Not Applicable:
  3. Budget head/performance centre:
  4. Total current budget for this head: £
  5. Source of funding:
- 

### Staff

1. Number of staff (current and additional):
  2. If from existing staff resources, number of staff hours:
- 

### Legal

1. Legal Requirement: None: (Paragraph 3.5 below refers)
  2. Call-in: Not Applicable:
- 

### Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
- 

### Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: N/A

### 3. COMMENTARY

- 3.1 New technologies are an integral part of our lives and it is important that staff are able to embrace and use these technologies and services effectively for personal or/and business purposes, without undermining their employment relationship with the Council/School or damaging the good name of the organisation.
- 3.2 The use of social networking sites such as Facebook, Twitter, Web2, Youtube and My space has led to an increase in employee relations issues relating to staff misconduct both inside and outside of the workplace.
- 3.3 In addition we are beginning to see cases appearing in Employment Tribunals where employees have been dismissed for abuse of social networking sites which have brought the employer into disrepute.
- 3.4 Whilst acknowledging the fundamental principle that employees have the right to a private life there is an expectation that employees should maintain reasonable standards in their own behavior such that enable them to uphold public trust and confidence in them and their profession. In particular employees should avoid any conduct which is likely to bring the school, or Council into disrepute.
- 3.5 Given the pace of technological developments and the obvious instantaneous impact on organisational reputations it is vitally important that there are clear parameters and not perimeters on the use of social networking sites for business purposes or personal purposes (either during or outside of work). That way the right balance can be achieved between protecting the interest and reputation of the organisation and the individual rights of employees. Although there is no legal requirement to have a policy in place however it is widely considered best practice to have some form of policy in place. Hence the Advisory, Conciliation and Arbitration Service (ACAS) employment code (albeit non statutory but admissible in employment related litigations) stresses the importance of issuing and communicating the employer's expectations and acceptable standard of behaviours to all staff. If the rules or expectations are unclear or undefined the Employment Tribunal may substitute or dismiss the employer's decision to discipline an employee.
- 3.6 The research paper "Workplaces and Social Networking: The Implications for Employment Relations from the Institute for Employment Studies", commissioned by ACAS advises employers to:
- draw up a policy on social networking;
  - treat "electronic behaviour" in the same way you would treat "non electronic behaviour";
  - react reasonably to issues around social networking by asking "what is the likely impact on the organisation?"
- 3.7 Although there are Internet and email codes of conduct in place within schools there is currently no policy or detailed guidance on social networking.
- 3.8 Human Resources has prepared a draft social media policy for use in schools. A similar policy is also being developed for other staff in the Council. The policy provides a framework setting clear guidance around the use of social networking sites whilst achieving a balance reflecting the provisions of the Human rights Act. A copy of the draft policy is attached at (**Appendix 1**).

- 3.9 The policy is designed to be used in conjunction with the school's Internet and E-mail procedure or guidance, the school's IT policy, the school's safeguarding and child protection guidance and any other related procedure for example the Code of Conduct at the school. The policy should also be considered in line with the school's Model Disciplinary Procedure
- 3.10 The draft policy was agreed by the previous CYP SMT and circulated for consultation to all Trade Union Representatives recognised by the Council and all Head Teachers in maintained schools. The policy has been widely welcomed by Head Teachers and the NASUWT. A written formal response was received from the Staff Side Secretary and the Pro Tem Bromley Branch Secretary of UNISON and a copy of their individual responses are attached at **Appendix 2** together with management's response to the issues raised.
- 3.11 Whilst acknowledging the genuine concerns, the policy is not intended to infringe an individual's human rights. The policy equally protects the individual staff and the organisation thus achieving the right balance. In the event that a situation arises involving the potential abuse of social networking which impacts on an individual's employment every case would be considered on its merits and advice tailored to the individual circumstances in conjunction with other policies in place at the school.

#### **4. POLICY IMPLICATIONS**

- 4.1 The draft policy is consistent with the Council's Corporate Operating Principles in particular the Bromley Commitment to staff and the belief that Managers have the right to manage but should do so fairly, and people have personal accountability for their own development, behaviour and actions.

#### **5. FINANCIAL IMPLICATIONS**

- 5.1 There are no direct costs or financial implications arising from this policy. Employment Tribunals take into consideration advice issued by ACAS when considering whether an employer's actions were reasonable or not and in the determination of damages including costs. Following such advice can impact upon and potentially reduce any financial award made.

#### **6. LEGAL IMPLICATIONS**

- 6.1 As set out in the main body of this report.

#### **7. PERSONNEL IMPLICATIONS**

- 7.1 As set out in the main body of this report.

<b>Non-Applicable Sections:</b>	N/A
Background Documents: (Access via Contact Officer)	