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## SOCIAL NETWORKING

### WARNING:

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# SOCIAL NETWORKING POLICY AND PROCEDURE

## 1. PURPOSE

- 1.1 To guide staff including Agency Workers at Nursing Direct on the use of social media, safeguard the privacy of Service Users and protect the reputation of Nursing Direct.
- 1.2 To ensure that all staff including Agency Workers are of good character when using social media.
- 1.3 This policy and procedure apply to all use of social media, whatever facilities are used to access or create material such as: PC, Tablet, Smartphone, and whether such material is created on behalf of Nursing Direct, during working time or outside of working time.

All social media includes, but is not limited to, Facebook, LinkedIn, Instagram, Snapchat, X (formally Twitter), WhatsApp, TikTok, blogs and similar interactive facilities on the Internet. This policy applies to social media for business purposes as well as for personal use that may affect the business in any way.

- 1.4 To support Nursing Direct in meeting the following Key Lines of Enquiry and Quality Statements as set out by the Care Quality Commission (CQC).
- 1.5 To meet the legal requirements of the regulated activities that Nursing Direct Healthcare Limited is registered to provide:
  - Malicious Communications Act 1988
  - Equality Act 2010
  - Equality Act 2010: Chapter 1 (Protected Characteristics) Chapter 2 (Prohibited Conduct) and Chapter 3 (Services and Public Functions)
  - The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014
  - Human Rights Act 1998
  - Data Protection Act 2018
  - UK GDPR

## 2. SCOPE

- 2.1 The following roles may be affected by this policy:
  - All staff including Agency Workers
- 2.2 The following Service Users may be affected by this policy:
  - Service Users
- 2.3 The following stakeholders may be affected by this policy:
  - Commissioners
  - Local Authority
  - NHS / ICB

## 3. OBJECTIVES

- 3.1 To set very clear guidelines for staff including Agency Workers outlining what is and is not acceptable on social media, whilst ensuring that the Service User's health and safety is protected, as well as their right to privacy, and right not to be harassed or discriminated against.

## 4. POLICY

- 4.1 Dependent on the circumstances, breach of this policy may be considered to be a gross misconduct and, in summary, could result in dismissal. Nursing Direct takes the content of this policy very seriously given that its main duty is the protection of the health and safety of its Service Users.
- 4.2 Any data collected as part of this policy will be processed in accordance with current data protection legislation, the Privacy Notice issued to staff including Agency Workers and the Data Security and Data Retention Policy and Procedure at Nursing Direct.
- 4.3 This policy is non-contractual and may be amended at any time.

## 5. PROCEDURE

### 5.1 Social Networking

- All staff including Agency Workers are required to follow reasonable standards of behaviour when using social media, so the impact on the workplace can only be positive
- All staff including Agency Workers must recognise that if they can be identified as a member of staff including Agency Worker representing Nursing Direct in any postings or profile, then they must be careful that their behaviour does not bring Nursing Direct into disrepute or impact negatively on Nursing Direct in any way
- Material placed on social networking sites is public and complete privacy must never be assumed, whatever the settings, as information may be passed on
- If staff including Agency Workers choose to use the systems at Nursing Direct for social networking (outside working time), then such communications will not be regarded as private and may be accessed.
- If staff including Agency Workers have already posted questionable material, i.e. any material which may bring into question 'good character' in the context of caring for vulnerable people, before this policy was published, or before they were employed by Nursing Direct, then they are required to declare it. Failure to do so will make them liable to disciplinary action
- Nursing Direct reserves the right to access any information placed in the public domain, if there is 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 the individual first having the opportunity to respond
- Nursing Direct reserves the right to monitor, intercept and review any staff including Agency Workers activities which involve the use of IT resources at Nursing Direct including, but not limited to, social media postings and activities. Staff including Agency Workers will only be using the IT resources whilst working for Nursing Direct for legitimate business purposes and by using IT resources whilst working for Nursing Direct, consent to being monitored
- Breaches of this policy may result in disciplinary action, up to and including dismissal. Any staff including Agency Workers suspected of committing a breach of this policy will be required to co-operate with an investigation which may involve handing over relevant passwords and log in details. Nursing Direct may require individuals to remove a social media post that is considered a breach of this policy. Failure to comply with such a request may result in disciplinary action
- If you have any comments, questions or observations, both positive and negative, you must raise these with Nursing Direct through the appropriate channels rather than using social media outlets
- If you are concerned about a colleague's behaviour online, such concerns must be raised with management at Nursing Direct

### 5.2 Prohibited Use

Personal use of social media is not permitted during working hours by means of computers, networks, and other IT and communications systems at Nursing Direct. Social media can be accessed by personal devices only, limited only to staff including Agency Workers breaks.

When a role may require staff including Agency Workers to spend time at a Service User's home in order to fulfil duties, it is prohibited to use a Service User's Internet connection or devices including laptops, computers, phones and tablets for the purpose of accessing social media, unless express permission is given, and it forms part of their role.

Staff including Agency Workers must ensure that they comply with the following standards of conduct:

- Staff including Agency Workers must not encourage Service Users to join or use social media, and must not allow Service Users to use the staff including Agency Workers' own social media accounts
- Staff including Agency Workers must not make any social media communication which could damage the interests or reputation of Nursing Direct, even indirectly
- Staff including Agency Workers must not use social media to defame Nursing Direct, other staff including Agency Workers, Service Users, their families or any third party that Nursing Direct partners with, or to harass, bully, unlawfully discriminate, or make false or misleading statements
- Staff including Agency Workers must not express opinions on behalf of Nursing Direct on social media unless expressly authorised to do so
- Staff including Agency Workers must not post comments about the nature of the business or include the name or logo of Nursing Direct on any post on their own social media
- Staff including Agency Workers must not add Service Users, their families, or friends whom they have got to know during the course of employment, to any social network account. Similarly, staff including Agency Workers must not accept a 'friend request' from Service Users or members of their families, or friends. If it comes to Nursing Direct's attention that they are already 'friends' or connected with Service Users or their families, they must remove them as soon as possible
- Staff including Agency Workers are prohibited from taking photographs, videos or voice recordings of other staff including Agency Workers or Service Users. Where staff including Agency Workers are permitted to take photographs, videos or voice recordings for business purposes (with permission from management), those photographs, videos and voice recordings must not be shared on social media
- Staff including Agency Workers must not upload or share information which would put either themselves, Service Users, their families or other staff including Agency Workers at risk
- Staff including Agency Workers must not take photographs of any computer screen, file, or notes which may include information which links to Nursing Direct or Service Users
- Staff including Agency Workers must not upload any personal information of any Service User, their family, friends, or another staff including Agency Worker
- Staff including Agency Workers must not disclose affiliation with Nursing Direct and must ensure that they make it clear that their views do not represent Nursing Direct or the industry as a whole
- Staff including Agency Workers must have regard for the fact that social media can attract attention, so posts must remain professional at all times
- Staff including Agency Workers must not use social media in a way that breaches any other policy including Data Protection, Bullying & Harassment, Discrimination, or any laws or regulatory requirements

### 5.3 **Social Networking at Work on Behalf of Nursing Direct**

- If staff including Agency Workers are given specific permission to Tweet or blog or otherwise post material on behalf of Nursing Direct, or if material can be traced back, then they must respect copyright legislation and not engage in any form of defamation. Staff including Agency Workers represent Nursing Direct in these circumstances. Inclusion of this matter in this policy is not permission to post on behalf of Nursing Direct and doing so without permission could lead to disciplinary action
- If, with permission, staff including Agency Workers engage in social networking in relation to their work, for example, on LinkedIn, all of the safeguards and standards of behaviour in this policy also apply
- By default, Nursing Direct owns all the data in accounts created in connection with any work, and staff including Agency Workers are not entitled to use such data if they leave. However, a separate agreement may be entered, if appropriate

### 5.4 **Legal Responsibilities**

- Irrespective of obligations as staff including Agency Workers, individuals must remember that they are legally responsible for any commentary that they personally post online. The Internet is the ultimate public place
- Legal action may be taken by Nursing Direct, the Service User or relatives of the Service User against an individual for derogatory comments, breaches of data protection, or copyright

### 5.5 **Confidentiality**

- Staff including Agency Workers are responsible for confidentiality and data protection as set out in Nursing Direct policies and in the Agency Workers Handbook
- There are additional clauses in the contract covering intellectual property, trade secrets and other relevant restrictive agreements, and these apply to data contained in social networking performed on behalf of Nursing Direct, unless otherwise specified in an agreement
- Divulging confidential, protected or restricted information on the Internet may be regarded as a disciplinary offence; breaching an agreement may make individuals liable, by law, to injunctions or claims for damages

### 5.6 **Cyber Bullying**

With the increase in social media platforms, Nursing Direct is aware of the various ways in which cyber bullying is being carried out.

- Harassment
- Denigration
- Flaming
- Impersonation
- Outing and trickery
- Cyber stalking
- Exclusion
- Spreading rumours and gossip
- Threatening behaviour
- Blackmail and grooming
- Abusive comments
- Inappropriate images – tagging

Any staff including Agency Worker who witnesses this behaviour has a duty to report to the Registered Manager without delay. Bullying UK provides further resources, advice and information.

## 6. **DEFINITIONS**

### 6.1 **Staff including Agency Workers**

#### 6.1.1 **Staff**

Denotes the employees of Nursing Direct Healthcare Limited.

#### 6.1.2 **Agency Workers**

Refers to individuals who are contracted with Nursdoc Limited or another employment business as an Agency Worker (temporary worker) provided to Nursing Direct Healthcare Limited to perform care services under the direction of Nursing Direct.

### 6.2 **Nursing Direct**

Nursing Direct, also known as Nursing Direct Healthcare Limited, is the entity regulated by the CQC (Care Quality Commission) and responsible for the care service provision, contracted to provide homecare services to service users in their homes, in placements, essential healthcare facilities and in the community.

### 6.3 **Nursdoc Limited**

As the sister company to Nursing Direct Healthcare Limited, Nursdoc Limited acts as an employment business, specialising in providing staffing solutions to the healthcare sector.

### 6.4 **CQC (Care Quality Commission)**

CQC throughout this policy, the term "CQC" refers to the Care Quality Commission (CQC) which is the independent regulator of health and social care in England.

### 6.5 **Social Networking**

The use of dedicated websites and applications to interact with other users, or to find people with similar interests to one's own

6.6 **Adverse Information**

Information that reflects unfavourably on the integrity or character of an employee

6.7 **Social Networking**

The UK's independent authority set up to uphold information rights in the public interest, promoting openness by public bodies and data privacy for individuals

**OUTSTANDING PRACTICE**

To be 'outstanding' in this policy area you could provide evidence that:

- Nursing Direct Healthcare Limited has a robust whistleblowing procedure in place which staff including Agency Workers understand how to use
- Nursing Direct Healthcare Limited listens and responds to the views of the people who use the services and understands how to maintain their privacy
- Nursing Direct Healthcare Limited keeps up to date with technological advances and changes in social media trends and ensures that staff including Agency Workers understand this in the context of the Social Networking Policy and Procedure
- Nursing Direct ensures that decisions for selection are always taken by more than one manager
- Nursing Direct considers taking positive action to remedy disadvantage, meet different needs or increase the participation of people who share a protected characteristic
- Nursing Direct offers training to members of staff including Agency Workers who have been absent for a period (maternity, paternity, ill-health due to a disability, etc.) to meet any need

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<b>SIGNED:</b>	 Marc Stiff – Group Managing Director