



The Ethical Challenges and Opportunities of Social Media Use

Social media has become widespread in today's society and is used in ways that shape politics, business, innovation and much more. It provides an easy platform where organisations and individuals can share news, opinions and maintain contact easily.

Social media is also the current communication medium of choice for younger generations and this provides organisations with plenty of opportunities to expand their reach and increase their business. However, there are also significant risks that come with it. In a space where the boundaries between public, private and corporate issues are increasingly blurred, responsible organisations need to focus ever more on incorporating their values into the use of social media.

This Briefing aims to raise awareness of the challenges and opportunities associated with the use of social media and considers good practice in providing guidance for organisations and employees on its use.

Social media use and business ethics

"Social media gave everyone a voice. On the other hand, it also gave everyone a voice"¹ writes the digital analyst and author Brian Solis. This is, in a nutshell, the essence of the ethical dilemma that stems from the use of social media in a business environment. What does it mean, in practical terms? There are three main areas of concern: they refer to (i) potential conflicts between personal values and corporate values; (ii) boundaries surrounding what information is considered 'private'; and (iii) the filters about what comes into the public domain.

Box 1: What is social media?

Social media is an umbrella term used to describe social interaction through technology-based tools, many of which are online. This includes, but is not limited to, internet forums, blogs and networking sites such as Facebook, Twitter, Instagram and LinkedIn.

Social media exhibits unique characteristics when compared to 'traditional' media outlets. Its speed and scope means that once content is published it is available instantaneously, to a potentially global audience. Social media tools tend to be free and require little in the way of technical knowledge.

This allows a larger number of individuals to access and publish material compared with traditional media forms. As of January 2019, there were more than 4.3 billion active internet users globally and 83% of those reported having actively engaged with or contributed to social media in the past month.²

Employers need to be alert to the consequences of social media in the workplace. This could cover both personal issues, such as the mental health of employees who may be addicted to social media, as well as workplace issues, where productivity may decrease as employees are distracted by their social media commitments. Companies should be aware of the consequences (both positive and negative) of the pervasiveness of social media in workplaces. As noted by Lesley Giles, Director of Work Foundation, "The challenge for businesses is that they really have to embrace [the] change and go with it because the boundaries are blurring between what is work and what isn't".³

Conflicting values

Having and 'living' ethical values is the key for business to obtain its social licence to operate. They define the way an organisation will achieve its purpose and how

1 See Brian Solis (25/09/2017) – Social Media Gave Everyone A Voice, On the Other Hand, It Also Gave Everyone A Voice

2 See Hootsuite – Digital 2019: Essential Insights into How People around the World Use the Internet, Mobile Devices, Social Media, and E-Commerce

3 See Financial Times (17/01/2019) – Social networking and the increasing burden on mental health

business is done in practice. They drive the shared culture. However, each individual also has their own values. These may be based on their upbringing, education and social context.

Such conflicts between corporate values and personal values are not new, but the prevalence of social media can make them more evident. For example, when employees express negative or inappropriate views about an issue or their company on personal social media profiles.

Social media is also considered to be changing the way employees think about their employers. Early research (2012) showed that 42% of active social networkers thought it was acceptable to blog or tweet negatively about their company or their colleagues, while just 6% of non-active social networkers felt the same way.⁴

Box 2: Conflicting values example

In April 2019, Rugby Australia moved to terminate the contract of player Israel Folau for a “high-level” breach of the players’ code of conduct following homophobic comments on his personal social media channels.

In the statement, Rugby Australia clarified that “whilst Israel is entitled to his religious beliefs, the way in which he has expressed these beliefs is inconsistent with the values of the sport.”

The statement continued “Israel has failed to understand that the expectation of him as a Rugby Australia and NSW Waratahs employee is that he cannot share material on social media that condemns, vilifies or discriminates against people on the basis of their sexuality.”⁵

This follows a similar incident from 2018 for which the player received a formal warning. Israel Folau has requested a code of conduct hearing, and is challenging the termination of his contract.

The example in Box 2 above, demonstrates that conflicting corporate and personal values sometimes means that an employee cannot bring their whole self to work, and this is also true when it comes to social media use. While Israel Folau may be a great rugby

player, his personal views, as expressed on his personal social media, are out of line with his employer’s values and this creates a conflict.

Social media use means that well-articulated filters about what previously denoted the public domain are removed. This means that organisations are judged and held accountable by the public and media more easily. If something goes wrong, everyone can make it public and demand a response from the leaders of the organisation.

Being fed up with your job or one of your colleagues may be okay to talk about with your family and friends, but sharing such information on social media could be harmful both to you and your company.⁶

Organisations need to ensure that employees understand the conditions for sharing information, where it is appropriate to share any concerns or grievances related to work, and what kind of behaviour is considered to be in line with company values.

Getting employees to appreciate the potential integrity and reputational risks of careless social media use is essential in avoiding any ethical lapses. Similarly, organisations should make clear to their employees that if they wish to report any ethical misconduct within their company, this should be done through the appropriate Speak Up channels, and not be broadcasted on social media.

Recruitment practices

It is becoming commonplace for companies to advertise job vacancies and scan social media platforms, like LinkedIn, for potential candidates. Sodexo, for instance, in an attempt to take advantage of the fact that social media users spend 60% of their time on mobile devices, has created its own company career app to attract top talent, which is marketed through the company’s Facebook and Twitter pages.⁷

This demonstrates that clever use of social media can also make it easier for organisations to attract employees away from their current place of work. Having and promoting an open and ethical culture, both on social media and elsewhere, will serve to both attract and retain skilled employees.

⁴ See GIGAOM (06/01/2012) – Study: Social networkers have more ethics problems at work

⁵ See The Independent (11/04/2019) – Israel Folau sacked: Rugby Australia terminate full-back’s contract after latest anti-gay Instagram comments

⁶ See The Wall Street Journal (11/04/2013) – 10 Ways to Measure the Tone at the Top

⁷ See Nimble – 5 Companies That Have Nailed Social Media Recruiting

Box 3: Social media in recruitment

According to a survey from 2018, 70% of employers use social media to screen candidates during the hiring process, and 57% said they had found content online that caused them to reject a candidate.⁸

The figures outlined in Box 3 above raise ethical questions for employers around employees' rights to privacy and fairness. It is generally considered good practice that when an employer does use social media in recruitment screening or as a way of assessing employees, whether this is done directly or is outsourced, it should have a clear policy and make this known.

Advertising and marketing practices

The scope and speed of social media make it an effective medium through which companies can help to market their products and services. As with any form of marketing, companies have a duty to do this responsibly. The interactive nature of social media provides companies with the ability to engage with customers more directly than other forms of media, but this can pose new ethical challenges.

It has become common practice for companies to create profiles on social networking sites to advertise their goods and services. An example of where this practice went wrong is the outrage caused by H&M after it featured a 'coolest monkey in the jungle' jumper worn by a black child on its website. The image of the child wearing the jumper quickly went viral on social media, with people criticising the fashion chain for being "inappropriate, disgusting [and] negligent". H&M responded by removing the image from all of its channels and apologising for any offence caused.⁹

A company's ability to meet fair competition guidelines can also be jeopardised by employees using social media on behalf of the company. For example, if an employee, whilst representing the company, uses social media to discredit the reputation of their employer's competitors. The public may also mistake social media recommendations by employees promoting a company's products and services for someone's genuine opinion.

This applies to incidents where employees or social media influencers have marketed a company's products and services on social media without disclosing their involvement with them. An example of where this went wrong is the social media campaign where a number of supermodels and others with a significant social media following promoted the Fyre festival. The festival itself ended up falling significantly short of what attendees were paying for. The organiser of the festival is currently serving six years in prison for fraud because of the scandal, and this story has served to put "influencer marketing" on the agenda.¹⁰

To avoid misleading consumers, anyone marketing on behalf of a company should declare that they are representing or have an interest in that company. If this is done in the right way, social media influencers can be a great asset to any organisation wanting to market themselves successfully on social media platforms. This is because social media provides an outlet to the world where companies can share their experiences and values while at the same time promoting their goods and services. The example in Box 4 below provides a good example of this.

Box 4: Marketing example

One Sainsbury's customer angrily explained on Facebook that a product the supermarket was advertising could not be called vegan cheese, and suggested it be called "Gary or something" instead. The post was shared and quickly went viral.

Seeing the interest the discussion was generating, Sainsbury's decided to officially rename the product, and Gary – the cheese – was born.¹¹

Duty of care

The blurring of personal and work life boundaries can make it difficult for companies to uphold their duty of care to employees. When personal opinions expressed through social media refer to a company or employees of the company, it raises ethical concerns. The previously mentioned CareerBuilder survey also found that 48% of companies said that they check the social media use of current employees, with 34% saying that they have disciplined or fired an employee based on

8 See CareerBuilder (09/08/2018) – *More Than Half of Employers Have Found Content on Social Media That Caused Them NOT to Hire a Candidate, According to Recent CareerBuilder Survey*

9 See The Telegraph (09/01/2018) – *H&M apologises for image of black child wearing 'coolest monkey in the jungle' hoodie*

10 See The Guardian (03/02/2019) – *Instagram: beware of bad influencers...*

11 See The Telegraph (30/09/2016) – *Sainsbury's has perfect response to Facebook 'Gary' rant about vegan cheese*

content found online.¹² Some indication of what is and is not acceptable is now essential.

However, taking appropriate action can be a challenge. While some will argue that as it is occurring outside of the workplace, the organisation does not have the power to act. Others will say that an organisation which takes its ethics and values seriously has a responsibility to act when issues are brought to its attention. The principle which is usually adopted is when a post or a comment 'brings the company into disrepute'.

It is also hard to monitor cases of 'cyber-bullying'. This has been defined as "any use of information and communications technology to support deliberate and hostile attempts to hurt, upset or embarrass another person."¹³ Cyber-bullying may constitute email harassment or leaving negative comments on social networking sites, but the list includes any form of negative action towards another person or a specific group of people online.¹⁴

Organisations should include guidance on the use of social media in disciplinary policies to avoid cyber-bullying occurring. Such policies should also clearly state what behaviour is considered unacceptable by the organisation, and include reference to the use of offensive or intimidating language towards other employees on social media platforms.¹⁵

Providing Guidance

The cases and issues described above provide just a few examples of why a company should put in place and embed an effective social media policy. While some companies may already have guidance in place, it is important to remember that any social media policy needs to be consistent with the company's values, be in harmony with other existing policies around communication, and be in line with current laws and regulations on the matter.

An effective policy should provide guidance on two main areas: employees' use of social media on behalf of the company, and employees' personal use of social media, including areas such as bullying and harassment, speaking up and employees' right to privacy.

Supporting individual decision-making

A high quality social media policy is developed through engagement and dialogue between the employer and its employees. This helps ensure guidance is understood by and acceptable to both parties.

Engagement may be particularly useful for companies deciding whether to monitor employees' use of social media, even if this monitoring only occurs sporadically or at specific stages of an employee's career.

It is important to help employees understand the potential risks that arise with the use of social media. The questions outlined below might help employees to do the right thing when they are wondering whether it is safe to share something on social media.

- Does it have any relation to my work?
- Could it be contrary to my organisation's values?
- Is it clear that I am speaking in my own capacity and not on behalf of my company?
- Would I be happy to share this with my boss or colleagues in person?
- Could sharing this have negative consequences for myself or my company in the future?

Companies may advise employees on security settings for personal social media accounts, encouraging them to apply high privacy settings. Alternatively, companies may prefer employees to disclose their employer to facilitate openness and mitigate risk. Guidance generally should emphasise the need for employees to reflect on their individual responsibility towards the company when using social media.

The guidance could also make clear that employees are not judged for personal activities or opinions as long as they are within the law, not offensive to others or the company, and do not refer to the company or work life.

It is also considered good practice to advise employees that it is worth checking with a trusted colleague and the relevant function (such as HR, Communications or the Ethics department) that a social media post will not have any adverse consequences for themselves or for the company.

12 See CareerBuilder (09/08/2018) – *More Than Half of Employers Have Found Content on Social Media That Caused Them NOT to Hire a Candidate, According to Recent CareerBuilder Survey*

13 See ACAS Research Paper (2009) – *Workplaces and Social Networking: The Implications for Employment Relations*

14 See The Independent (13/02/2019) – *Group of French male journalists accused of bullying women online with pornographic memes*

15 See ACAS – *Cyber bullying*

Box 5: Corporate social media guidance examples

Deloitte's *Code of Ethics & Professional Conduct* states the following in relation to employee use of social media: "In the use of all social media, including personal social media where you might not be identified as a Deloitte person, you should be mindful of how you present yourself and treat your audience, as well as perceptions that can be created by the use of social media".¹⁶

Similarly, *The Vodafone Code of Conduct* states the following: "Make no statements that could have a negative impact on Vodafone's reputation or brand [and] "make no personal comments that could be interpreted, even mistakenly, as a comment or endorsement made by Vodafone".¹⁷

Supporting corporate decision-making

Companies should be open about how they store and use personal data related to social media use, and which measures are in place to protect confidential information from becoming widely known.

While the opportunities for business when it comes to social media use are vast, there are also a number of pitfalls. To avoid falling foul of these, there are a number of steps companies can take beyond creating a social media policy; some of these steps are outlined below.

- Implement an effective training programme on how your employees should use social media, with an emphasis on areas of particular concern for your company, and elements such as cyber-bullying, GDPR and brand protection.
- Train your HR department, managers and anyone else making employment decisions so that they do not use information from social media sites to discriminate against anyone based on protected characteristics.
- Take reasonable measures to protect any confidential information, and include this topic in your employee social media training.
- Review all social media policies and practices against legal and regulatory requirements so that these are in line with the latest legislation.

Any guidance on social media needs to be reviewed and communicated more regularly than other policies due to the rapid pace of change and development in social media use.¹⁸

Conclusion

The use of social media provides organisations with both challenges and opportunities. To address these, companies need to assess the risks involved and be open about how they use social media to influence or monitor their employees and other stakeholders. By keeping your company's social media policy in line with your company's ethical values and your wider communication policy, the risks associated with social media use can be minimised.

The IBE would advise that companies evaluate and update their social media policy and related training more often than their wider ethics programme, as the law is still evolving and the policy can quickly become outdated. Revisiting your company's social media policy every six to nine months, as the software provider NAVEX suggests, is a good rule of thumb to keep in mind.¹⁹

Organisations need to live up to their ethical values. This is particularly true in relation to their social media policy and their wider ethics programmes. Organisations that manage to fulfil both of these criteria can be sure to take advantage of the opportunities that social media provides as well as mitigate the risks that it poses.

Further reading

- **Social Media Policy Database**, Social Media Governance.com
- **Social Media in Code of Business Ethics**, Accenture
- **How to Write a Social Media Policy for Your Company**, May 2018, Hootsuite
- **Need Social Media Policy Examples? Here Are 7 Terrific Social Media Policies to Inspire Yours**, March 2016, EveryoneSocial
- **CIPR Social Media Guidance**, December 2013, Chartered Institute of Public Relations

¹⁶ See Deloitte (2016) – *Code of Ethics & Professional Conduct: The power of shared values*

¹⁷ See Vodafone (2012) – *The Vodafone Code of Conduct*

¹⁸ See Ethical Advocate (21/08/2015) – *Social Media Ethics*

¹⁹ See NAVEX Global Ethics & Compliance Matters (01/10/2014) – *Five Strategies For Addressing Social Risks (Without Breaking the Bank or Using Up Valuable Seat Time)*