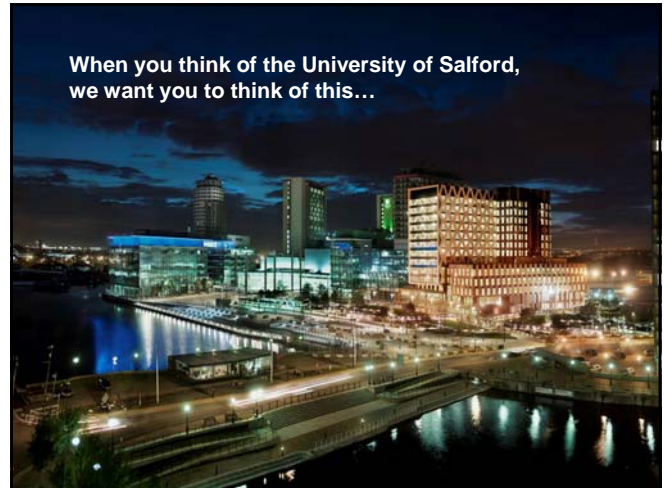


Legal aspects of Social Media

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... not this!



Problems with Social Media

- Proliferation
- All things to all people
- No rules
- Blurring of boundaries between work and personal
- No absolute answers

Use of Social Media

Should be:

- Lawful
- Aware of other risks
- Responsible
- Sensible

Lawful

Most important legislation to bear in mind:

- Copyright
- Privacy and Data Protection
- Defamation and Libel
- Court decisions
- Other laws

Copyright

- Pictures and Photos
- Pasting/ Reposting/Retweeting from copyright sources
- Streaming
- Use of illegal material you own the copyright to

Privacy and Data Protection

- Information provided by living people
- DPA is a very big act
 - Fair
 - Purpose
 - Transparency

Defamation and Libel

Very concerning in terms of Social Media use:

- Stating untrue "facts"
- Use of opinion to make allegations
- Action against individual/organisation

Court decisions

In terms of injunctions for example

- Identifying people who have injunctions preventing their identification
- Applies to doing it yourself, retweeting, or just linking to it

Other laws

Computer misuse

- Changing someone else's records
- False tagging of people in photos

Disorder and terrorism

- Inciting riots
- Encouraging terrorism

Aware of other risks

- Reputational – University
- Reputational – Personal
- Commercial
- Academic

Reputational – University

- “Please do not contact the Department of X which is closed due to vandalism”
- “Here’s proof that Professor X was having an affair with his secretary”
- “Alreet the lads, here’s pics from our Rugby Trip to the Toon”
- “Here are those notes from last weeks lecture”

Reputational - Personal

- “Had a great night at the ‘Blue Oyster’ last night”
- “Nobody is in the office so I am going home early”
- Pictures on Facebook etc.
- Links on Facebook/Blogs
 - Love Bunny S&M site?
 - Salford Mental Health Forum?

Commercial

- “Looking for another job – looks like the School is closing down”
- “For a sneak preview into our Annual Accounts, click here”
- “Just invented cold fusion, all I did was ...”
- “Student numbers are lower this year”
- “Heavens above, £400,000 for the Vice Chancellor’s new desk?!”

Academic

- Going against the traditional academic model of publication and peer review
 - Posting work on Blogs
 - Tweeting
- Needs a considered approach
 - One person against the world will not work
 - Nor will one corporate policy

Responsible

- Grey areas require users to act in a responsible manner
- Students and Staff alike
- University or Personal channels alike
- Need balance between work/non-work

Grey Area

- Social media blurs the boundaries of what is professional and personal
- It’s the personal stuff on professional sites and vice versa which can be the most interesting and insightful.
- While you need rules they must be flexible or varied

Staff and Students

- All should be covered by rules relating to use of social media as with anything
- Staff employment contracts
- Student code of conduct
- Disciplinary policies should make clear what is expected whether on University property or elsewhere
- Social Media Policy

University and personal channels

- Pasting inappropriate material on University channels is straight forward
- On non-university channels, may seem counter intuitive but all are required not to bring University into disrepute
 - Love bunny S&M site
 - Matt Stephenson's personal blog
 - Matt Stephenson's professional blog
 - University of Salford's Information Governance Blog

Work and non-work balance

- Can I post pictures of my kittens on work blog?
- Can I talk about work on my personal blog?
- Need to identify and specify a balance
 - 80% v 20%?
 - ¾ v ¼?
 - 100% v nothing?

Sensible

- By institutions
- By individuals

Sensible institutions

- Need rules
- Need different rules for different circumstances
 - Different channels
 - Different levels in institution
 - Corporate v departmental v student organised
 - Staff v Student

Rules

- For each channel
- For each level
- For staff/students
- Disclaimers
- Which rules apply
- Impact on other communication channels

Sensible people

- Keep home life mainly at home
- Keep work life mainly at work
- Abide by the rules
 - Law
 - Employer/University
 - Website AUPs etc.
- Remember that nothing on the internet is private

In Summary

- There are laws you must abide by
- More importantly, your reputation may be damaged by use of social media
- Institutions and Individuals alike must act responsibly and sensibly
- There is no magic bullet
- Rules, flexibility, responsibility and sensibility are key!