

OLSH College Staff Responsible Use of Social Media policy and procedures

Rationale

The purpose of this policy is to encourage acceptable and beneficial use of social media by staff employed at OLSH College Bentleigh (the College). It is recognised that most employees may use or interact with social media at work and in a personal context.

There is great potential for the use of social media in the College communities in terms of educational outcomes and as a means of communication.

However, employees also need to understand the expectations of the College when using social media in a professional and personal capacity as there are also workplace risks that must be appropriately managed.

Social Media Risks

The following are some of the major risks associated with the use of social media:

- reputational damage to organisations and people;
- disclosure of confidential information and breach of privacy laws;
- posting of offensive, bullying, harassing, and discriminatory material;
- misuse of intellectual property and breach of copyright laws; and
- for teachers, breaching the Victorian Teaching Profession Code of Conduct issued by the Victorian Institute of Teaching.

What is Social Media?

Social media means websites and applications that enable users to create and share content or to participate in social networking, media sharing networking, bookmarking and content curation, corporate networking, blogging and micro-blogging networking, discussion forums and wikis.

Social media may include:

- Social networking sites such as Facebook, LinkedIn, X
- Video and photo sharing websites and apps such as Tik Tok, YouTube, Instagram, Pinterest, Snap Chat
- Micro-blogging apps such as X or Threads
- Wikis and online collaborations, e. g. Wikipedia
- Forums, discussion boards and groups, e.g. Google groups, Reddit

Guiding Principles

Employees must recognise:

- online behaviour should at all times demonstrate respect for the dignity of each person;
- the need to behave in an ethical manner when using social media (even for personal communication) as those communications can reflect on their role at the College and must be consistent with the Catholic beliefs and ethos of the College and professional expectations and standards;
- their ability to serve as a positive role model for students and as a representative of the College is a critical aspect of their employment; and
- social media activities may be visible to current, past or prospective staff, students and parents.

Employees will avoid the potential of breaching this policy and compromising the professional expectations of them at the College if they do not use personal social media forums to:

- post any material about the College (e.g. students, parents, policies, employees etc.); or
- post inappropriate material about themselves; or
- make inappropriate contact with members of the College community.

What is unacceptable use of social media?

Unless prior written permission is provided, when using social media under the following circumstances:

- While performing work for this organisation, regardless of where it is performed
- When using the organisations IT systems or equipment even if for personal use
- When conveying information about the organisation or a stakeholder

You must not:

- Disclose or use information that is confidential to the organisation
- Engage in excessive non work-related use of social media during work hours
- Post anything in which this organisation or any other person has intellectual property rights
- Convey information that would allow a reasonable person to ascertain the work being performed for this organisation or the identity of a stakeholder and their relationship with the organisation.
- When using IT systems, use any other person's ID or logon details or otherwise impersonate any other person
- Disparage, criticise or show disrespect for any stakeholder or this organisation
- Discriminate, harass, bully or victimise any stakeholder

Stakeholder means a person or entity that is or was a client, supplier, employee or contractor in relation to this organisation (or is a prospective client, supplier, employer or contractor in relation to this organisation).

Work-related use of Social Media

Student Learning

The use of online learning communities by employees for educational purposes must be in accordance with other relevant College policies and procedures relating to online learning.

Generally

When using social media for work related purposes, employees must:

- first obtain the consent of the Principal (which can be for a specific instance or for a general purpose or role) before:
- posting any material that may be perceived as being made “on behalf” of the College (e.g. any commentary, College information, photographs of the College, students, staff or other identifying images); and
- using the College’s logo, trademarks, official photographs or any other intellectual property of proprietary materials; and
- not post inappropriate material or commentary that breaches other policies outlining expected behaviours of employees at the College.

If there could be reasonable concerns that posting any material could be considered inappropriate (e.g. in light of potential privacy or copyright obligations), then an employee must first raise those concerns with the Principal before posting the material.

Personal use of Social Media

Generally

It is recognised that employees may use social media in their personal life. However, it is also recognised that such use may impact on the employment relationship.

Accordingly, employees’ personal use of social media must:

- not bring the College into disrepute or interfere with, or compromise their duties or responsibilities to the College or students;
- comply with other policies of the College and professional standards that outline expected behaviours of employees when posting personal comments that relate to, or can be identified as relating to, College issues (e.g. discussing or referencing employees, students, policies or anything related to, or reflecting upon the College); and
- take steps to ensure that friends, family or other acquaintances are aware of the need to use discretion when they post images or information about the employee on their own social media forums.

To avoid potentially breaching this policy or compromising the professional expectations of them as employees at the College, it is recommended that employees’ use of social media not involve connections with the following persons on social media forums (for example, being “friends” on Facebook):

- recent former students (i.e. enrolled at the College within a two-year period before connecting); or
- parents of current students;

unless special circumstances exist (e.g. a parent is a personal friend or former student is a relative) and the employee has advised the Principal of the connection and the circumstances.

Students

Employees must NOT connect with students or interact with, or post images of, students on their own private social media forums (for example, employees must not be “friends” with students on Facebook).

An exception to this requirement is when prior approval for the connection has been obtained from the Principal on the basis that an employee and a student will appropriately interact within the valid context of a legitimate purpose (for example, both are family members/relatives or both are members of a community sporting team and interactions are purely for the purpose of participating in that sport).

Security, Privacy and Access

To avoid potentially breaching this policy or compromising the professional expectations of them as employees at the College, it is recommended that employees:

- ensure the privacy settings of their social media profiles are appropriately set to avoid putting their privacy at risk (for example, minimum recommendation for Facebook accounts: settings set to “only friends” and NOT “Friends of Friends” or “Networks and Friends” as these open your content to a large group of unknown people); and
- recognise that even if they implement the maximum security settings for their social media profiles, the security settings on social media forums cannot guarantee that communications placed online do not become more publicly available than was intended (employees should always assume that posts or communications online may become public).

Employees must understand that the type of security settings used cannot excuse breaches of this policy if the material posted is inappropriate and becomes more publicly available than was intended.

Consequences of Breaching this Policy

Non-compliance with this policy may be grounds for disciplinary action. Depending on the seriousness of the circumstances, disciplinary action can be up to and including termination of employment.

Procedure for resolving complaints

A complaint can be resolved using informal resolution processes and/or formal resolution processes. The approach taken should reflect the seriousness of the matter. For less serious matters, informal resolution processes should be explored prior to a formal resolution procedure. For more serious matters, or where informal approaches have been unsuccessful, a formal procedure may be appropriate.

If you witness another employee breaching the Staff Responsible Use of Social Media policy bring it to the attention of the Leadership Team or a Contact Officer.

If you do make a complaint about a breach of Staff Responsible Use of Social Media policy, you are responsible for ensuring that you:

- Make the complaint honestly and in good faith.
- Provide all the facts relevant to the complaint.

- Co-operate with the investigation and resolution processes

If a complaint of a breach of Staff Responsible Use of Social Media policy, has been made about you, you are responsible for ensuring that you:

- Cooperate with the investigation and resolution processes and maintain confidentiality.
- Provide a written or verbal response to the complaint which has been made.
- Provide all relevant facts to the person conducting the investigation.

The College should endeavour to commence investigations into the complaint (whether informal or formal processes are being followed) within two working days of the receipt of the complaint. The College will not ignore the complaint or make a judgement about whether the complaint is true or not, and will behave consistently with the expected workplace behaviours.

For the purposes of complaint resolution processes:

- A person who makes a complaint is a Complainant; and
- A person about whose actions or behaviour a complaint relates is a Respondent.

The outcome of the complaint will be communicated to both the Complainant and Respondent.

If the complaint is about content published to social media that may bring the College into disrepute or cause harm to another staff member or student, that content will be reviewed immediately to determine whether it needs to be removed prior to the commencement of the resolution process.

Informal resolution processes

The informal options open to a Complainant to attempt to resolve a complaint include:

- Speaking directly with the Respondent about their behaviour or actions;
- Consulting with a Contact Officer for advice, support and assistance; and/or
- Reporting the matter to a member of the Leadership Team for assistance or the Board Chair if the complaint is about the Principal.

Informal resolution processes do not involve an investigation or making findings based on an investigation, but generally involve the parties coming to an understanding or agreement as to how the issues can be resolved.

Speaking directly with the Respondent

In the first instance, if the Complainant feels comfortable about speaking directly with the Respondent, this may be the quickest and easiest way of resolving the matter. The Complainant should address the issue with the Respondent in unambiguous terms and in plain language.

Consulting with a Contact Officer

If the Complainant does not feel comfortable about approaching the Respondent directly (this may be the case particularly where the Respondent is in a position of authority), preferably the Complainant should seek

the assistance of a Contact Officer. A Contact Officer can provide information and support to the Complainant and/or Respondent regarding social media use issues, including options for resolving the matter. Contact Officers do not take any action on behalf of the staff member such as approaching the Respondent or conducting mediation.

Other informal resolution options which may also be considered at this stage include:

- Facilitated discussion;
- Mediation; and
- Entering into mutual agreements on workplace practices.

Referral to formal investigation

Note that at this stage, if a matter raised is sufficiently serious such that a formal investigation is warranted, then the College reserves its right to take appropriate action in the circumstances, including referring the matter to formal internal investigation (see below).

If a matter is not able to be resolved using informal resolution methods, or for more serious matters such as online discrimination or bullying, a formal investigation process will be followed.

Lodging a formal complaint

A formal complaint can be made by a Complainant to the Principal or to the Board Chair if the complaint is about the Principal. The complaint should be in writing and set out the details of the specific allegations including dates, times, behaviours, relevant social media content, witnesses (if any), and steps already taken to attempt to resolve the matter. Wherever possible, it should be supported by relevant documentation.

Initial response

Following receipt of a formal complaint, the Principal or Board Chair (if the complaint is about the Principal) will meet with the Complainant to discuss the complaint. This will involve canvassing options for resolution which may include informal resolution processes. In the event that the complaint is to be dealt with formally, the Complainant will be informed of:

- How the complaint will be investigated (e.g. interviews, viewing documents);
- The expected timeframe for any investigation;
- Who can be present at investigation interviews;
- What support is available for persons involved in the process;
- The interim measures, if any, that will be implemented to ensure the health, safety and welfare of any person pending the resolution of the complaint; and
- If the complaint raises issues which place the College under a legal obligation to report the matter to law enforcement agencies.

Formal internal investigation

Where appropriate, a formal investigation may be conducted into a complaint. An Investigating Officer will be appointed to conduct the investigation. The Investigating Officer is someone who is independent and will conduct the investigation impartially. The Investigating Officer will:

- Interview the parties involved, and witnesses if any;
- Review relevant evidence, such as social media content; and
- Report on whether or not the complaint is substantiated.

Investigation outcomes and action to be taken

If a complaint is substantiated, appropriate action, will be taken which may include:

- An apology;
- Changes to work practices;
- Disciplinary action, which may include dismissal;
- An undertaking that the behaviour will not be repeated;
- Removal of social media content and/or deletion of social media accounts
- Reversal of an action or decision or substitution of a different action or decision; and/or
- Training and/or development.

Assistance may also be offered to a Complainant or other persons involved which may include:

- Counselling;
- Redressing any inequality resulting from the action or decision the subject of the complaint;
- Mentoring and support; and/or
- Training and/or development.

If an investigation is inconclusive (i.e. a complaint cannot be proved due to a lack of evidence) further action may nevertheless be taken which may include counselling, mediation, changed working arrangements and/or conducting training for employees on relevant policies.

Formal complaint – External

A Complainant may choose to seek assistance or information at any time during the process from statutory support agencies in Victoria. Information and contact details for the support agencies are outlined in Appendix 2. Each agency will have specific requirements for lodging a complaint and will have varied investigation procedures.

In dealing with complaints, the College may seek external advice and assistance from professional mediators, investigators, external agencies and any other appropriate persons.

Confidentiality

Anyone involved in a complaint of a breach of the Staff Responsible Use of Social Media policy or its investigation (including complainants, respondents, witnesses, and management representative), must ensure that the circumstances and facts of the complaint are disclosed only to those people who are directly involved in progressing its investigation and resolution. In particular, it is important that staff who either make

a complaint, or who may be witnesses to the circumstances giving rise to the complaint, do not discuss the matter outside the investigation and resolution processes.

Breaches of Confidentiality may lead to disciplinary action.

Counselling support

In confronting and/or resolving experiences of or allegations of social media breaches a staff member and her/his immediate family members may utilise the services of counselling support at any stage of the process. The College Employee Assistance Program is offered to support all staff. The Principal will assist staff with contact details of the College's provider.

Vexatious claims

The College will not deal with complaints under this policy that:

- are made anonymously, without sufficient detail being provided so as to allow investigation or resolution of the matter;
- do not have sufficient detail so as to allow investigation or resolution of the matter; and/or
- do not constitute social media breaches as defined by this policy.

Where a Complainant makes frivolous, vexatious or malicious claims against a Respondent, for example, where false or misleading information is provided, relevant information is withheld, facts are distorted or there is no demonstrated commitment to resolution, then depending on the circumstances, disciplinary action may be taken against a Complainant.

Outcome

On the basis of all the information gathered, the investigator will determine whether an allegation is substantiated or unsubstantiated. An unsubstantiated allegation means there is insufficient evidence or information to prove the allegation.

The complainant/s and the respondent/s of the investigation will be advised of the finding/s in writing and, where appropriate, actions arising from the investigation. The findings will advise whether the allegations are substantiated or unsubstantiated. Any disciplinary action arising out of the investigation that has been taken against a respondent will remain confidential and will not be shared.

Where an allegation is unsubstantiated, appropriate action may be proposed to facilitate positive and professional relationships in the workplace, such as a facilitated discussion or temporary changes to work practices.

In situations where a breach of the Staff Responsible Use of Social Media policy complaint is substantiated, management may take the following actions:

- Require an apology from the respondent
- Make changes to work practices
- Undertake disciplinary action including termination of employment
- Require employees to participate in training
- Place notes in personnel file

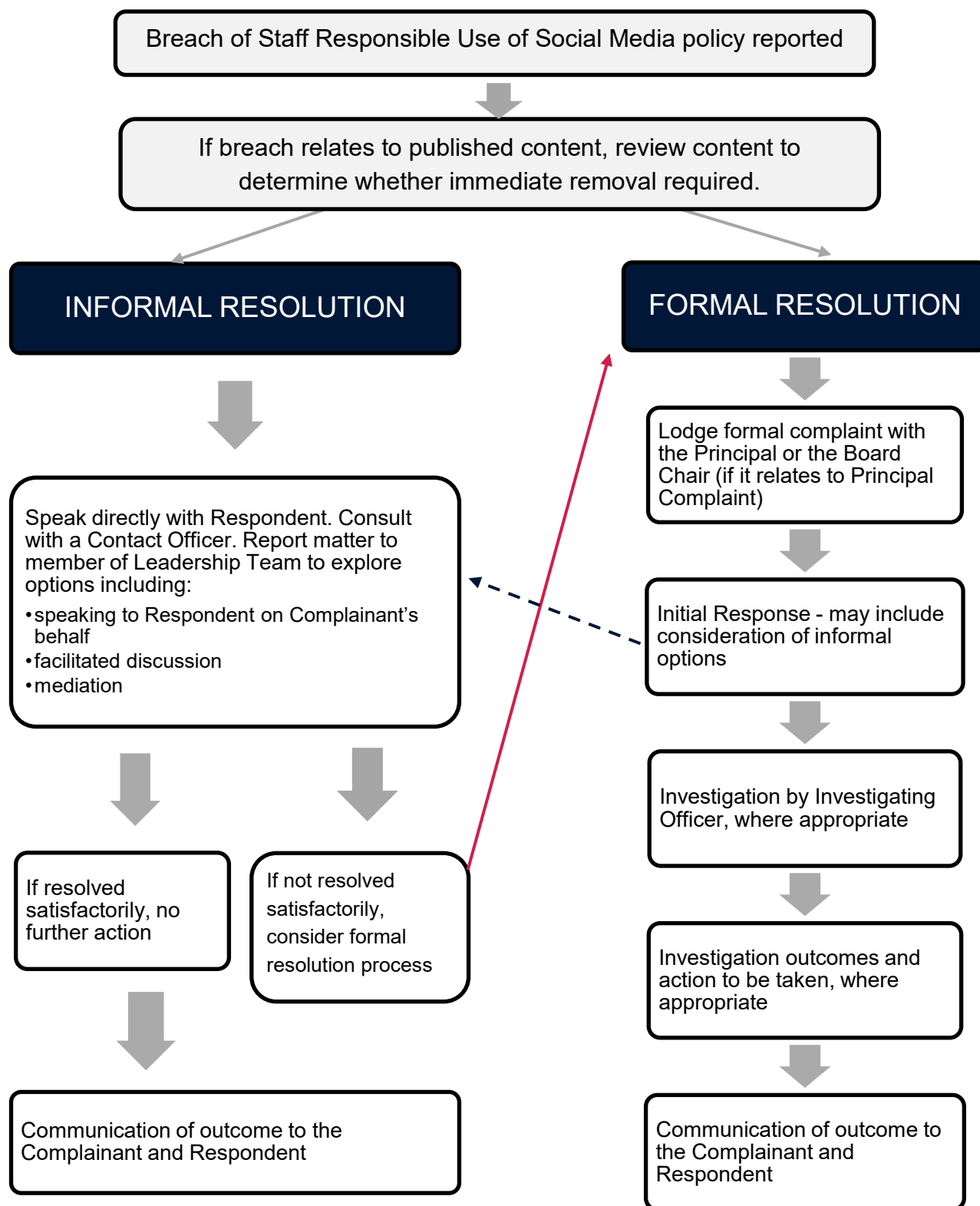
- Require removal of information contained on any social media platform that breaches policy
- Restrict access to social media
- Any other action deemed fair and reasonable.

Appendices

Appendix 1: Complaints Procedure Flowchart

Appendix 2: Support Agencies

Appendix 1: Complaints Procedure Flowchart



Note: If at this stage a matter raised is sufficiently serious such that a formal investigation is warranted, then the school reserves the right to take appropriate action in the circumstances, including referring the matter to formal internal investigation.

Contact officers: Principal, Deputy Principals

Appendix 2: Support Agencies

WorkSafe Victoria

1 Malop Street, Geelong, Vic, 3220

WorkSafe Victoria is a statutory body set up to, amongst other things, enforce Victoria's occupational health and safety laws and assist injured workers back into the workforce.

Phone: 1800 136 089

Website www.worksafe.vic.gov.au

Fair Work Commission

Level 4, 11 Exhibition Street, Melbourne, Victoria, 3000

Fair Work Commission is a statutory body set up to deal with various workplace matters, and now includes a jurisdiction to deal with complaints of bullying.

Phone: (03) 8661 7777

Website www.fwc.gov.au

Fair Work Ombudsman

Level 6, 414 La Trobe St, Melbourne Victoria, 3000

Phone: 13 13 94

Website www.fairwork.gov.au/contact-us/offices/victoria

Related Policies

The Staff Responsible Use of Social Media policy and procedure has linkages to other relevant College policies and professional expectations, for example:

- OLSH College Safeguarding Children and Young People Code of Conduct
- OLSH College Workplace Behaviours policy and procedure
- OLSH College Student Anti-Bullying Policy
- OLSH College Respectful Relationships Policy
- OLSH College Privacy Policy
- Victorian Teaching Profession Code of Conduct issued by the Victorian Institute of Teaching

Policy Review

This Policy will be reviewed every two years to take account of any changed technology, legislation, expectations or practices.