



**HEALTH AND WELLBEING
SUPPORT AND SERVICES
FOR SURVIVORS
OF
Mother and Baby Institutions, Magdalene
Laundries and Workhouses**

Guidance Note on Social Media

GN12/MBMLW

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1 Introduction & Background

- 1.1 The purpose of this Guidance Note is to assist VSS funded organisations to make appropriate decisions about the use of social media platforms such as Twitter, Facebook, Google+ and LinkedIn (website content is also included).

This Guidance Note outlines the standards VSS require of VSS funded organisations when using social media and the actions that will be taken in respect of non-adherence to social media protocol.

- 1.2 There are many benefits of using social media:
- It can help organisations engage with the public and be more transparent and accountable.
 - Social media/networking can give organisations the ability to communicate with wider audiences.
 - It can be used positively to raise awareness of the services provided by an organisation.
 - It can promote partnership working and enable greater collaboration between organisations.
 - It can support the promotion of the activities of the organisation.
- 1.3 This Guidance Note applies to the use of social media regardless of the method used to access it - it covers static and mobile IT/computer equipment, as well as smartphones etc.
- 1.4 It should be noted that VSS is afforded wide discretion within this policy to ensure that the highest standards are maintained by VSS funded organisations. VSS is aware of the impact that negative social media can have on the health and wellbeing of survivors of MBMLW therefore all employees of VSS funded organisations are expected to maintain and promote high standards.
- 1.5 Whilst the term 'employees' is used throughout this Policy, the same standards are required by all persons associated with the organisation, including its Board and Committee members, agents working on behalf of the organisation and volunteers.

2 General Principles

- 2.1 The overall vision of VSS is **“to improve the health and wellbeing of victims and survivors.”** All organisations in receipt of VSS funding have demonstrated that they contribute to this aim and that they share the values of VSS outlined below:

TRUST - Working confidentially, impartially and respectfully with victims and survivors and others to develop and sustain an open and honest relationship

UNDERSTANDING - Listening to and learning from victims and survivors and others

RESPONSIVE - Continually developing our people and services through growth and innovation

ACCOUNTABLE - Applying good corporate and clinical governance to all that we do

- 2.2. As a general principle all organisations must behave in a manner which is professional and in line with the vision and values under which VSS funding was provided.
- 2.3 The European Convention on Human Rights provides rights including a right to freedom of expression and a right to respect for private and family life. The VSS recognises the rights within the European Convention on Human Rights. However, the rights are qualified and the VSS retains a wide discretion to deal with breaches of this Policy accordingly.
- 2.4 All organisations should consider the following before posting any content on social media:
- **Is it legal?** – posting any inaccurate or defamatory content about any individual or organisation could result in legal action.
 - **Terms and Conditions of Grant** - is the post contrary to the terms and conditions of grant funding?
 - **Health and Wellbeing of victims and survivors** - is the post likely to cause distress and anxiety to individually survivors of MBMLW?
 - **Reputational Damage** – is the post likely to cause reputational damage to the VSS and/or the funded organisation? Does it detract from the professional support and services being provided to victims and survivors? Is it contrary to the vision, values and principles of the Victims and Survivors Service and the overall aim to improve the health and wellbeing of survivors?
 - **Leadership** – is it acceptable for an organisation in receipt of VSS funding to ‘improve the health and wellbeing of survivors’ to post content that may cause upset and distress? Organisations in receipt of funding from VSS should at all times show leadership in the promotion of VSS values.
- 2.5 Particular attention should be paid to:

- not posting or promoting content which may be considered discriminatory, harassing, derogatory, or defamatory about any other survivors as defined within *The Historical Institutional Abuse (Northern Ireland) Act 2019* which was enacted for anyone who has suffered abuse as a child whilst resident in an institution (e.g. a children's home, borstal or training school) in Northern Ireland at any time between 1922 and 1995 (inclusive).
- not posting or promoting content which may be considered discriminatory, harassing, derogatory, or defamatory of any other individual and which could reasonably be interpreted as offending against the General Principles and values of VSS.
- not posting or promoting content which fails to maintain standards of behaviour that reflect integrity, honesty, objectivity and impartiality.

2.6 Social media is not an appropriate platform to raise issues or grievances. If you have any concerns or issues about any other victims or survivors as defined under the *Historical Institutional Abuse (Northern Ireland) Act 2019* or any organisation funded by VSS, please bring them to our attention. There are a number of ways you can do this:

1. Informally through your Programme Officer or any member of VSS staff.
2. Through the MBMLW Whistleblowing Policy.
3. Through the VSS Complaints Policy.

3 Specific Responsibilities

- 3.1 VSS recommends that the organisation nominate one employee or volunteer to have responsibility for posting material to the organisations social media platform, in the organisation's name and on its behalf.
- 3.2 Senior management and/or the Committee should agree an approved list of social media platforms that are permitted to be used.
- 3.3 The nominated employee or volunteer should read and understand the VSS Social Media Guidance Note and the implications to the organisation of non-adherence to it.
- 3.4 If you are a Board Member/Committee Member, an employee or a volunteer of a VSS funded organisation, the same rules as outlined above are expected to be followed on your own personal social media where the content you are sharing /commenting upon or interacting with is related to, or may reflect upon, the work of your organisation or the work of VSS.

- 3.5 VSS funded organisations should have an active Social Media policy in place. The policy should detail who can access the social media account and the type of material and content they should be posting. This policy will ensure that any individuals using social media on behalf of the organisation understands their social media expectations and responsibilities. For guidance please refer to [Annex 2: Managing Social Media in the workplace](#).

4 Breaches

- 4.1 VSS will take very seriously any misconduct on social media. We will monitor key events and victims' issues on social media. However, it is not possible to proactively monitor every instance. Therefore, when breaches of this Guidance note or any other VSS Operating Rules are brought to our attention, the VSS will investigate and if appropriate may take action as detailed in [Section 5](#).
- 4.2 VSS require all funded organisations to comply with the broad range of legislation which should be considered in relation to all social media communications.

This legislation includes, but is not limited to:

- The Computer Misuse Act 1990
 - The Human Rights Act 1998
 - The Data Protection Act 1998
 - The Malicious Communications (Northern Ireland) Order 1997
 - Protection from Harassment (Northern Ireland) Order 1997
 - The Regulation of Investigatory Powers Act 2000
 - Telecommunications (Lawful Business Practice) (interception of Communications) Regulations 2000
 - Electronic Communications Act 2000
 - Communications Act 2003
 - Employment Rights (Northern Ireland) Order 1996 (unfair Dismissal)
- 4.3 VSS may consider the following features as aggravating the nature of the breach:
- The seriousness of the breach;
 - The regularity of breaches;
 - The regularity of the same person(s) being involved in breaches;
 - The seniority of the person within the organisation involved in the breach/es;
 - Any actions taken by the person/organisation upon being notified of the allegation; and
 - The impact of the breach/es on the work of your organisation or the work of VSS.

- 4.4 A key consideration in determining whether a breach has occurred, will be the assessment of the **intention** behind the social media content. Instances which are considered to intentionally create an environment which undermines the VSS Aim and Values (detailed at section 2.1), are likely to constitute a potential breach requiring investigation. Conversely, content which is perhaps reflective of a particular narrative, but not considered to be intentionally inflammatory or deliberately harmful to other victims – is less likely to constitute a breach requiring investigation.

The role of the VSS is not to try to shape any sort of narrative around the past, but to make sure in the most practical ways possible, that the needs of the many victims and survivors are addressed, and to seek to avoid further harm arising from any of its funded activities.

Funded organisations therefore have a crucial part to play in ensuring that their actions (including social media content) do not act as an impediment to the shared aim and values.

5 Investigation

5.1 Stage 1 – Informal

Breaches of this Guidance Note or any other VSS rules on social media will be primarily investigated by the funded organisation's Programmes Officer.

Subject to 5.5 below, the Programmes Officer will investigate and prepare a report, taking into consideration the factors outlined in **Section 2** and **Section 4** with one of two possible outcomes determined:

- No case to answer – no further action required, or,
- Breach of the social media protocol has been identified therefore a first warning will be issued by the Programmes Manager.

Depending on the nature of the alleged breach, a temporary suspension of funding may be implemented pending investigation.

5.2 Stage 2 – Formal

Subject to 5.5 below, if a second breach of this Guidance Note or any other VSS rules on social media is alleged, the circumstances will be investigated by the Programmes Manager.

The Programmes Manager will prepare a report, taking into consideration the factors outlined in **Section 2** and **Section 4** with one of two possible outcomes determined:

- No case to answer – no further action required, or,

- Breach of the social media protocol has been identified therefore a second warning will be issued by the Head of Corporate Services.

Depending on the nature of the alleged breach, a temporary suspension of funding may be implemented pending investigation.

5.3 Stage 3 - Final Warning & Cessation of Funding

If, after investigation VSS finds that a third breach has occurred of this Guidance Note or any VSS rules on social media, a final warning will be issued. Depending on the nature of the breach, a temporary suspension of funding may be implemented pending investigation.

Investigation will be completed by the Programmes Manager.

The Programmes Manager will prepare a report, taking into consideration the factors outlined in [Section 2](#) and [Section 4](#) with one of two possible outcomes determined:

- No case to answer – no further action required, or,
- Breach of the social media protocol has been identified. A decision to suspend funding may be taken by the Head of Corporate Services and/or the Chief Executive Officer.

5.4 Decisions to permanently suspend funding will be taken by the Chief Executive Officer.

5.5 In exceptional circumstances (with discretion given to the CEO of VSS as to what such 'exceptional circumstances' may be with particular regard to 4.3 above), the CEO may ask the Programmes Manager to move immediately to a Stage 3 investigation. In such circumstances, the CEO may suspend funding permanently upon receipt of the investigator's report even where there have not been any previous breaches of the social media policy.

6 Warnings

6.1 A warning given to a funded organisation under section 5 above will remain permanently with the organisation. For the avoidance of any doubt, there is no expiration period for a warning under this Policy.

7 Appeal

- 7.1 Organisations can appeal the outcome of any investigation into breaches of this Guidance Note. The appeal will provide an independent process through which an organisation will have the opportunity to demonstrate to an Appeal Panel that:

Either:

“the outcome was a decision that no reasonable person would have made on the basis of the information provided.”

And/or:

“that there was a failure in adherence to procedures or systems that materially affected or could have materially affected the decision.”

Appeals on any other grounds will not be considered.

The procedure comprises a review of the investigation outcome by an Appeal Panel. This panel will consist of VSS Board Members

7.2 **How to Apply for an Appeal**

An Appeal of the investigation outcome should be made in writing using [Annex 3](#)

You should return the completed form ([Annex 3](#)) to the Programmes Manager, 1st Floor, Seatem House, 28-32 Alfred Street, Belfast, BT2 8EN within **28 working days** of the date of the letter from VSS informing you of the outcome of your social media investigation.

Late appeal requests will not be accepted. We are not responsible for forms being lost or delayed in the post. Proof of postage is not proof of receipt.

On receipt of [Annex 3](#), VSS will assign an Officer to your case.

7.3 **The Appeal Panel**

A review of your investigation outcome will be undertaken by an Appeal Panel of VSS Board Members.

Before considering an appeal the panel members are required to declare any conflict of interest that may arise, for example, if they have a personal interest in the case under consideration or if they are known to the funded organisation. In such situations a panel member will be excluded from that

case.

The Panel's role is to consider the representations made by you. The Panel has no discretion to operate outside this Social Media Guidance Note or any other VSS Guidance Note or the Terms and Conditions of Grant Funding. The Panel cannot make recommendations on policy or regulatory interpretation.

When a final decision has been made, a letter setting out the Panel's decision on your case will be sent to you by recorded delivery to the address that you entered in [Annex 3](#)

If you do not receive the standard of service you expect, or you are still unhappy with the decision of the VSS Appeal Panel, you have the right to complain to the Northern Ireland Public Services Ombudsman Office (NIPSO)

Any referral to the Ombudsman should be made within 6 months of the final response from the VSS Board.

Northern Ireland Public Services Ombudsman

Progressive House
33 Wellington Place,
Belfast, BT1 6HN

Telephone: 02890 233821
Free phone: 0800 343434
Text Phone 028 90897789

Free post – Freepost NIPSO
E-mail – nipso@nipso.org.uk
Website – www.nipso.org.uk

8 Conclusion

- 8.1 VSS recognises that there are many benefits to using social media.
- 8.2 However at all times, we need to be aware of the responsibilities that come with it and to ensure we maintain standards of behaviour that reflect integrity, honesty, objectivity and impartiality, and above all, a commitment to supporting the health and well-being of all victims and survivors.

Annex 1

General Rules for Social Media Use

- **Think before posting. Check grammar and spelling. Ensure there won't be any negative effects of posting. This includes creating or encouraging confrontation and divulging sensitive information online.**
- Do not post, promote or share any abusive, discriminatory, harassing, derogatory or defamatory content.
- **Never** disclose any information in relation to VSS or VSS service users, which is private or confidential. You are personally responsible for content you publish. Be aware that it will be public for many years.
- Avoid social media communications that may be construed in a way that could damage your organisation and/or VSS reputation, even indirectly. Social media may seem like an informal communication platform, however comments can be taken out of context.
- Refrain from posting anything that you would not like to be repeated. Think before you post and if in doubt, hold off and double check.
- Have a Social Media policy in place. This plan should detail who can access the social media account and the type of material and content they should be posting. This policy will ensure that any individuals using social media on behalf of the organisation understands their social media expectations and responsibilities.
- Funded organisations should always be mindful not to disclose official information, and not to take part in any public activity which compromises or might be seen to compromise the service delivered.
- You must have approval from a senior manager or committee member to post on the organisation's social media account.
- Remember that posting content on social media should be an expression of your organisation and its values and ethos, not those of the individual posting.
- Remember that your use of your own personal social media accounts may also reflect upon your organisation, particularly where you hold a role of leadership. The same considerations should be given to the above outlined matters for your own personal social media accounts, especially when commenting on issues involving survivors of MBMLW.

Annex 2

Managing social media in the workplace

There are ways that you can effectively manage your employees' use of social media so that you can acquire the benefits without causing damage to your business.

Develop a social media policy

By creating a social media policy, your Board/Committee members, employees and volunteers will be aware of the organisation's boundaries and expectations. It also helps employees draw a line between their private and professional lives and helps you to effectively manage performance.

A social media policy also helps to protect your organisation against liability for the actions of your employees and ensures you comply with the law on discrimination and data protection.

A social media policy should include:

- **Definition and purpose of policy** – outline what the policy is about and who it applies to – including those using work-related social media and those who access it in a personal capacity.
- **Why use social media** – describe the benefits to the organisation e.g. more effective engagement with customers, promoting products.
- **Roles and responsibilities** – who will oversee social media activity and take overall responsibility for the day-to-day administration of the different activities.
- **Using work-related social media** – what the limitations are as to what can be discussed, commented on or promoted via social media to avoid potential problems or reputational damage.
- **Personal use of social media** - description of what is seen as acceptable personal use of social media during work.
- **Personal use of social media outside work** – highlighting that your employees need to be mindful of their contributions and what they disclose about your organisation even when they're at home, using their own equipment, in their own time. Also consider the greater impact any comments from leaders in your organisation may have, even on their own personal social media platforms.
- **General rules for using social media** – including examples of inappropriate content and terms of use.
- **Monitoring use of social media** – you must ensure that any monitoring is carried out in compliance with relevant legislation.
- **References to other relevant policies** – e.g. disciplinary procedure or anti-bullying policy.
- **Sanctions** - where it is believed that an employee has failed to comply with the policy, they will face the organisation's disciplinary procedure.
- **Ongoing review and update** – provide details of who will be responsible for reviewing the policy and when this will be done.

Annex 3



SOCIAL MEDIA BREACH

APPEAL FORM

It is important that anyone completing this form has read and understood the guidance note on Social Media

Organisation Name	
Reference Number	
Contact person	
Address Line 1	
Address Line 2	
Town/City	
Post Code	
Contact Telephone Number	
Email Address	

Please state the grounds upon which you wish to appeal the decision taken by the Victims and Survivors Service:

This form must be completed and returned to the VSS Programme Manager, address below within 28 working days of the date of the letter from VSS informing you of the outcome of your social media investigation.

Please return completed form to programmes@vssni.org