



BIRCHAM DYSON BELL

New Social Media and Employee
Confidentiality

Presented by
Kevin Poulter - Associate

WHO AM I?

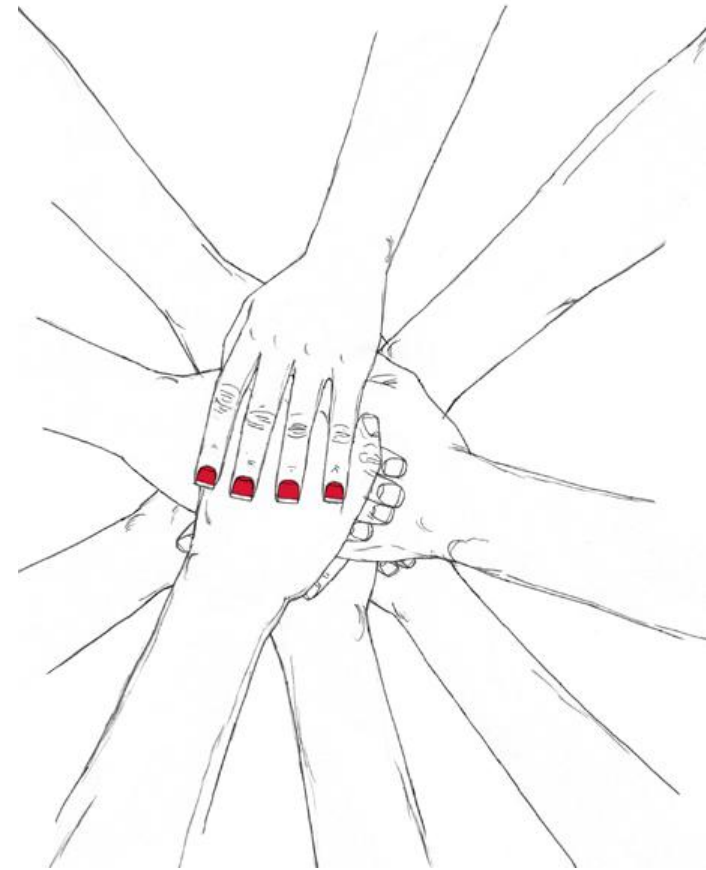
- Employment Solicitor, Bircham Dyson Bell LLP
- Columnist and legal commentator
- London Loves Business
- Solicitors Journal
- BBC news and radio



WHAT IS SOCIAL MEDIA?

A 21st Century Revolution

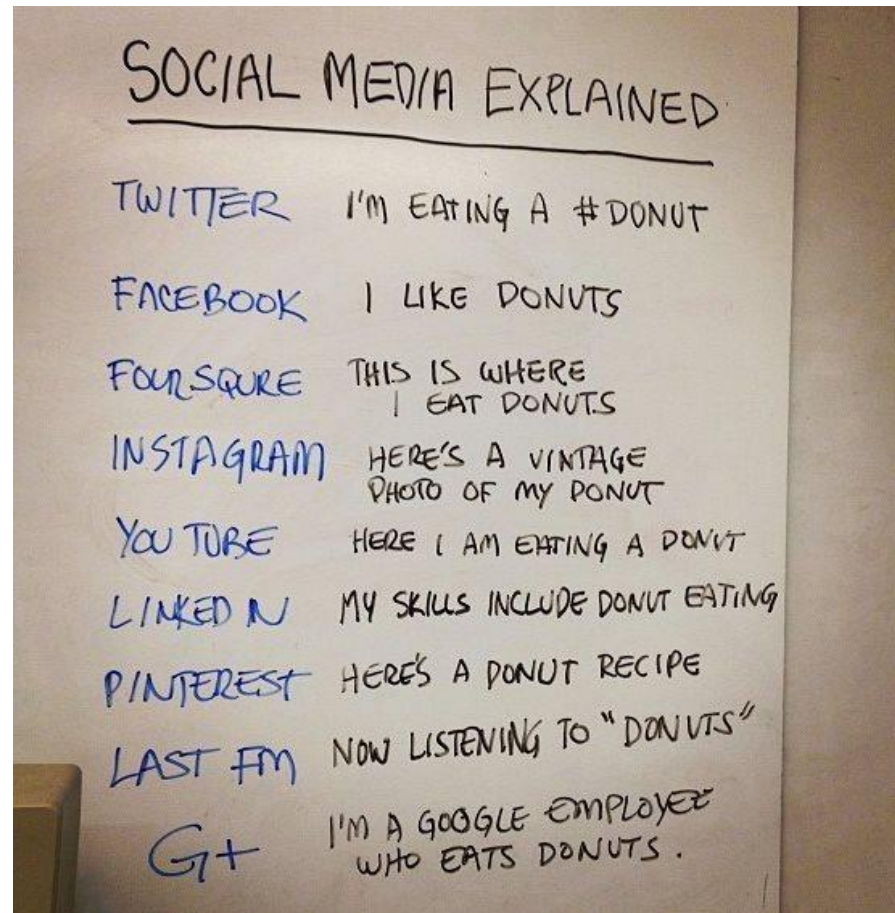
- Facebook
- Twitter
- Google +
- Blogs
- YouTube
- LinkedIn
- BBM
- Pinterest

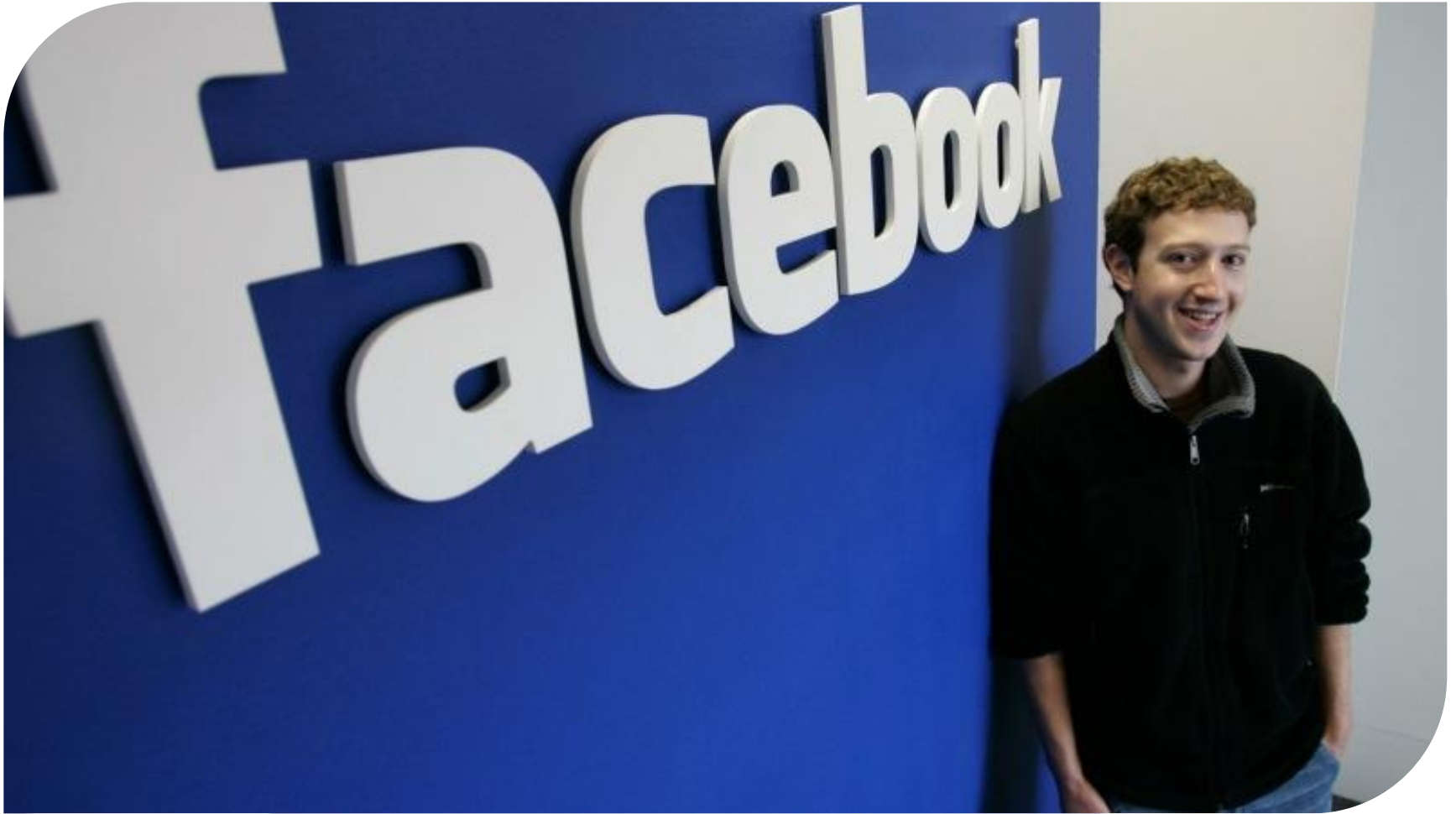


WHY IS IT IMPORTANT?

- Of 6 billion people on the planet, 4.8 billion own a mobile telephone (only 4.2 billion own a toothbrush)
- Over 70% of the internet population use social networks
- It's a conversation with your customers, clients and promoters
- Its free!!

WHICH MEDIUM DOES WHAT?





BEING SOCIABLE: FACEBOOK

- 845 million active users
- 50% of active users log on to Facebook in a given day
- Average user has 130 friends
- 900 million interactive objects (pages, groups and events)
- Average user is connected to 80 community pages, groups and events
- 2 billion posts are liked and commented on per day
- 250 million photos are uploaded per day



twitter



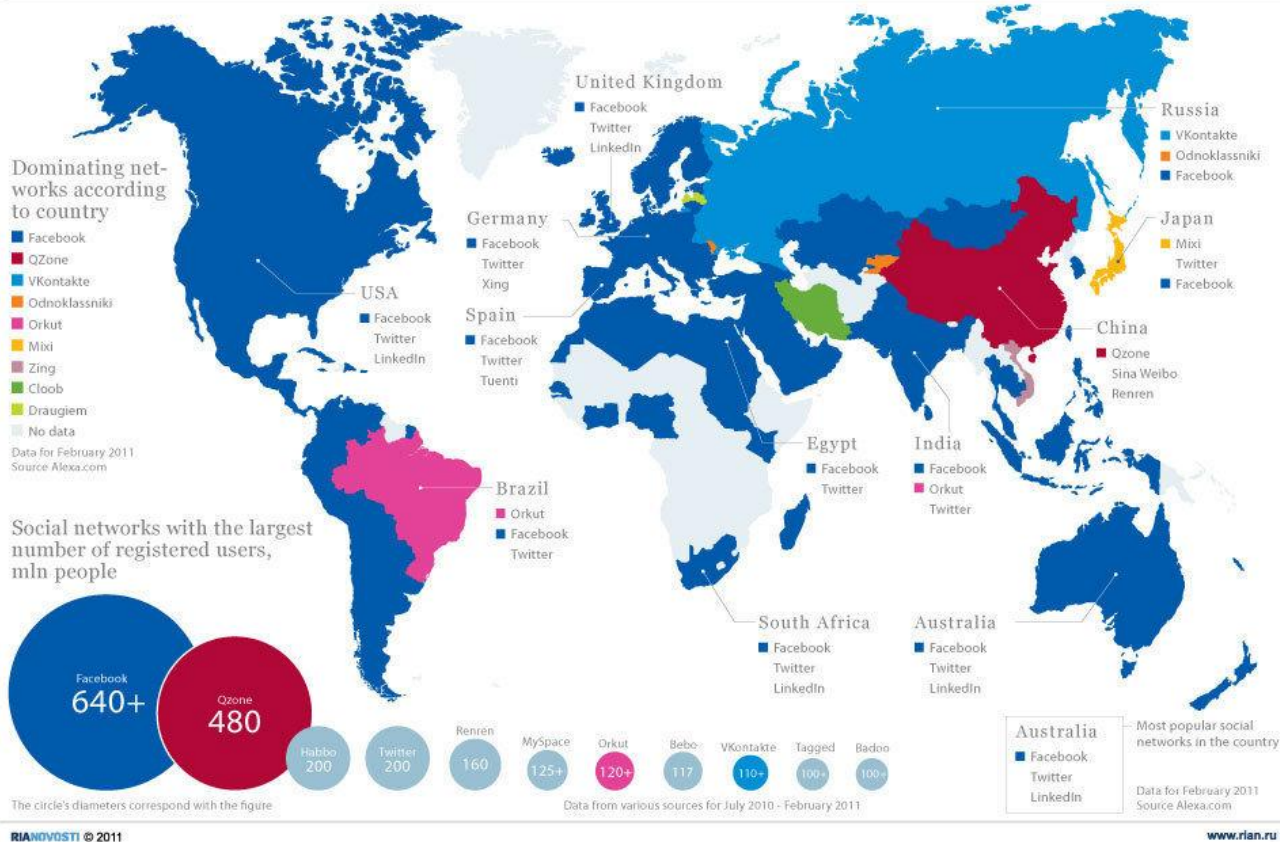
TWITTER

- Founded in 2006
- 140 character micro-blogging
- 200 million registered users
- 140 million active users
- Average user has 19 contacts
- Relationships built with followers
- 340 million tweets daily
- Who cares?
- Who is reading?



GLOBAL MEDIA: INTERNATIONAL COVERAGE

The world map of social networks

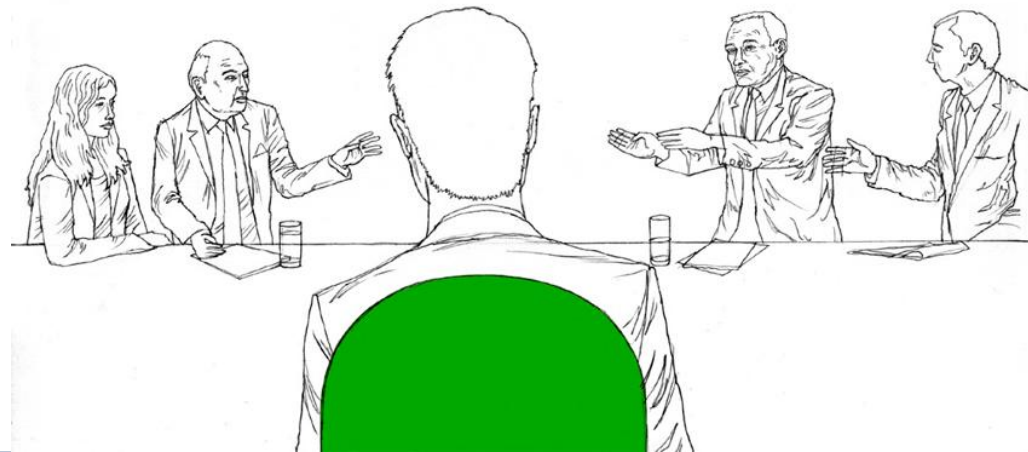


WHEN SOCIAL MEDIA GETS PROFESSIONAL



LINKEDIN

- World's largest professional network with 135 million members in over 200 countries and territories
- More than half located outside of the United States
- Two billion people searches in 2010



LINKEDIN: OPPORTUNITIES FOR BUSINESS

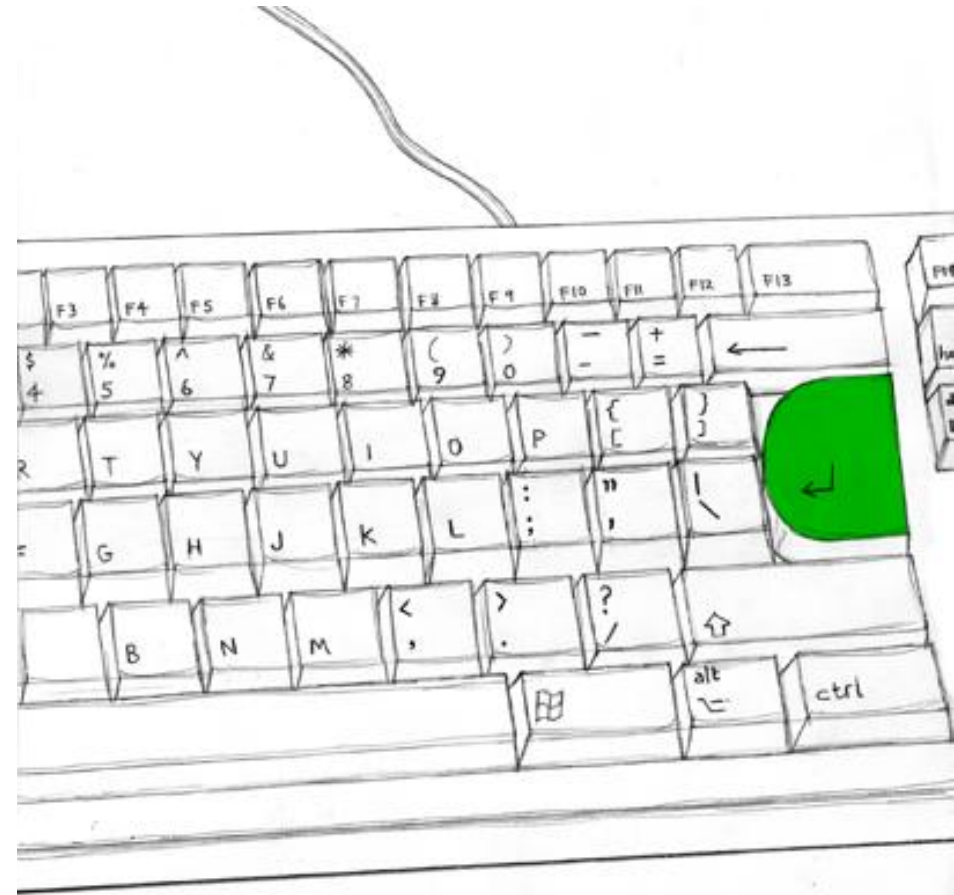
- Contacts and network building
- Recommendations
- Referrals

- Online resume
- Business Development
- Self-promotion
- Interest Groups
- Business Development
- Client lists



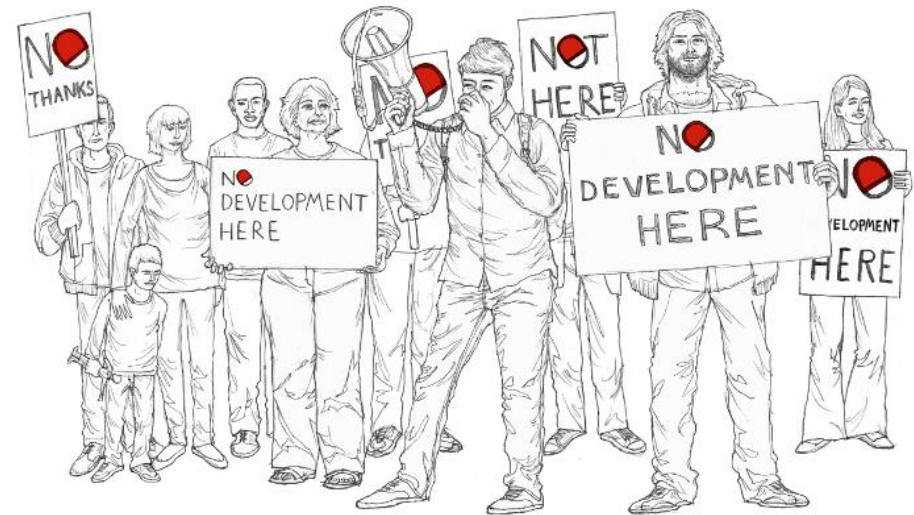
SOCIAL MEDIA MISTAKES

- Inappropriate pictures
- Conflicting information
- Losing by association
- The ‘phantom tagger’
- Security settings
- Status updates
- “Fat thumbs”



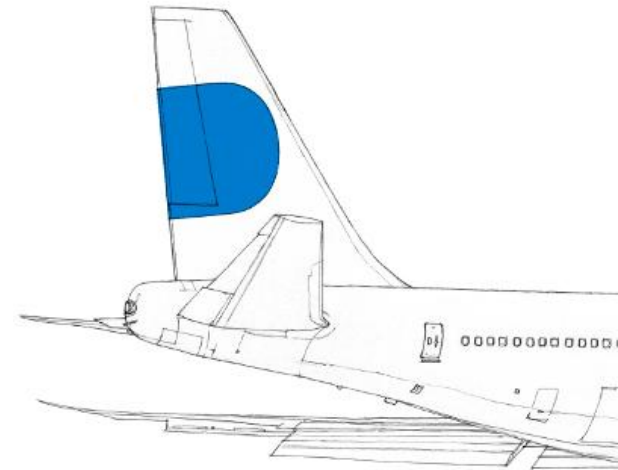
INAPPROPRIATE BEHAVIOUR

- In the workplace or outside?
- Do you have control?
- Criticising customers
- Videos of the employer's premises
- Normal misconduct policy



CRITICISING THE EMPLOYER

- Innocent complaints
 - “This job is boring”
- Intentional damage
 - Criticisms of safety record and “chav” customers
- Online facts often go unchecked but can cause significant damage

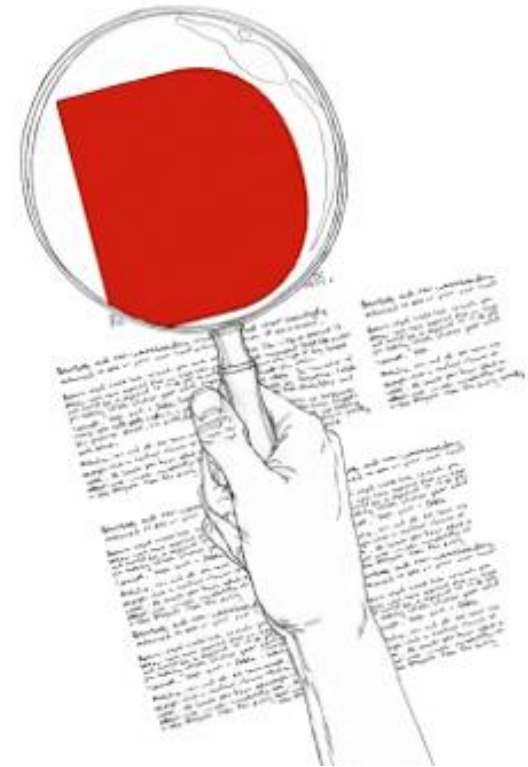


BULLYING AND HARASSMENT

- Internal relationships
- Domestic problems
- Discrimination
- Zero tolerance policies
- Vicarious liability

CONFIDENTIALITY

- Employees posting confidential information online
- Discussing customers or clients
- Intellectual Property
- Who does the information belong to?



THE UK & THE COURTS

- The courts are taking a reactionary approach
 - Status
 - Type of business
 - Potential effect on business
 - Potential readership
- Mixed messages
- Understanding of issues

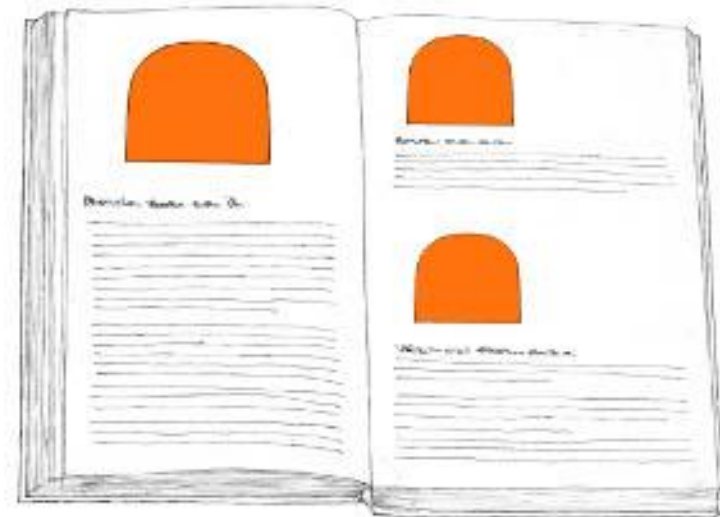


ENSURE POLICIES ARE IN PLACE

- What is your business need?
- Specific regulation or 'self-regulation' ?
- What is already in place?
 - bullying and harassment
 - Client contact
 - Confidentiality
 - Social media breaches
 - Trust and confidence

Uphold the policies

- Enforce any policy fairly and consistently



SPECIFIC ROLES

- Communications Officers
- Marketing employees
- Social media specialists

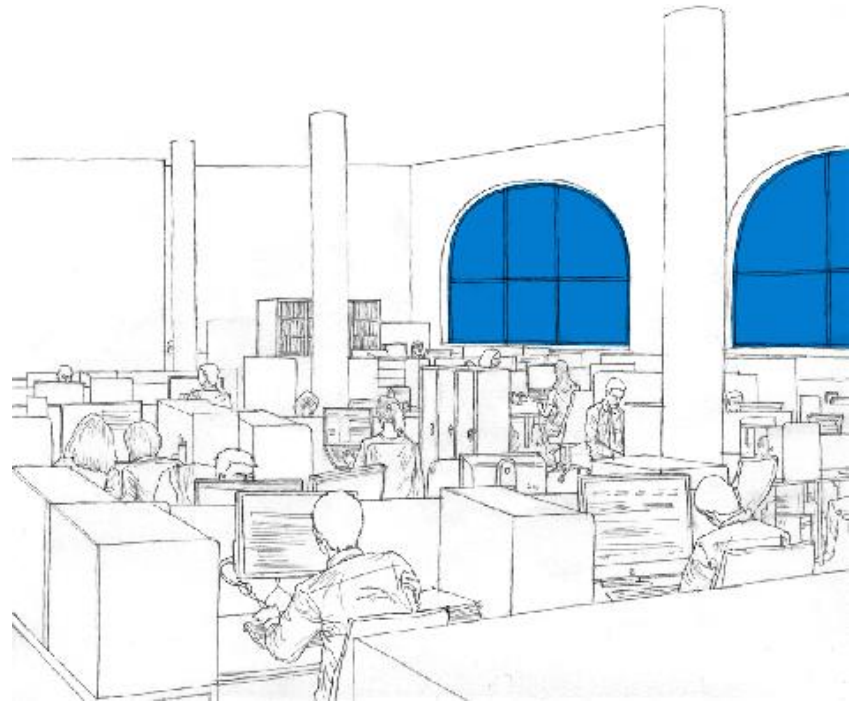
Enhanced obligations to the organisation

- Job description
- Management and review
- Measure productivity and success
- Passwords and administration
- Who does the account belong to?



ADVICE FOR EMPLOYERS

- Don't rely on common sense
- Make employees aware of any policies in place
- Introduce policies if required
- Set the boundaries and enforce them consistently
- Understand social media – it won't go away





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