



ANMF (Vic Branch) Policy

Use of social media

Purpose for this policy

To provide guidelines relating to all Australian Nursing and Midwifery Federation (Victorian Branch) members' professional responsibilities and legal risks when using social media and to highlight the potential ramifications of participating in the use of any form of publicly published media.

Preface

Social media is a widely used and useful means of online communication. All Australian Nursing and Midwifery Federation (Victorian Branch) [ANMF (Vic Branch)] members should be cognisant of the legal risks and Health Professionals, including nurses and midwives, their professional obligations when using all social media, including when participating or publishing on social networking, personal websites, forums, blogs and instant message boards, particularly as they relate to reputation, privacy and confidentiality.

Websites and applications used for widespread online communication and social and professional networking are termed 'social media'. These include websites that enable an individual or group to post personal, professional or anonymous information or content in the form of text or images/film. These websites include but are not limited to Facebook, LinkedIn, Twitter, YouTube, Instagram, Flickr, Wordpress and other blogging sites, discussion forums and message boards.

All ANMF (Vic Branch) members should make themselves aware of the risk and implications of using any social media sites, especially where comments may potentially or actually damage the reputation or breach the privacy or confidentiality of others, including:

- Persons in their care
- Persons formerly in their care
- Colleagues
- Managers or employers

Professional responsibilities for nurse and midwives

Nurses and midwives should be aware of their professional obligations as outlined in the *Health Practitioner Regulation National Law (Victoria) Act 2009* as well as the codes of professional conduct and ethics for both nurses and midwives¹ and various professional standards and guidelines as outlined by the NMBA. These documents provide guidance in respect to professional conduct and ethics as they relate to social media and members are encouraged to read them and apply their principles to their social media conduct.

¹ Australian Nursing and Midwifery Council. 2008 *Code of Professional Conduct for Nurses*

The Nursing and Midwifery Board of Australia (NMBA) also has an information sheet that makes reference to these codes and advises nurses and midwives to act within their professional obligations when using social media².

Policy

The ANMF (Vic Branch) endorses the following principles:

- 1) All members recognise that the laws of defamation may apply in respect to a post or comment published by them on any form of social media. You may be personally liable for damages and legal costs, including the legal costs of the person claiming to be defamed.
- 2) All members recognise that the laws of defamation may apply to posts, comments and the like made by other people on a social media site over which you exercise any form of control, including for example posts, comments and the like on your Facebook page.
All members recognise that even if their privacy settings are high, material originating from them may be forwarded or handled in unintended ways by recipients, with far reaching consequences, with the possible result that they may ultimately be held responsible for damage done by such material.
- 3) All members must be aware that the legal costs of defending a defamation claim, and any damages that may be awarded, may not be covered by the ANMF professional indemnity or legal costs policies.
- 4) All nursing and midwifery professionals should:
 - a. Understand that when using social media, the Health Practitioner Regulation National Law and the Codes of Conduct for nurses and midwives apply.
 - b. Be aware that any information posted on social media/networking websites are considered as published, may be accessible in the public domain and may not be easily deleted.
 - c. Be aware that information may be accessible to those other than for whom it is intended, even for example where security settings are set at their highest level.
 - d. Maintain patient/client/resident privacy and confidentiality at all times and in all media (including online and print) and as such must refrain from commenting about clients/patients/colleagues they come in contact with or the health services they provide to people, on social media/networking websites.
 - e. Understand that bullying behaviour used by an individual while communicating on social media to anyone else within their workplace will not be tolerated³.
 - f. Not engage in online communication or relationships with a patient/client/resident including, but not limited to inviting a patient/client/resident to become an online 'friend' or accepting an online invitation from a person they have met through their professional work.
 - g. Always act in a professional manner in the use of any social media, be respectful and avoid unjust or untrue criticism of other health practitioners or organisations.

² Nursing and Midwifery Board Social Media Information Sheet. 2010 available at: www.nursingmidwiferyboard.gov.au/documents/default.aspx?record=WD10%2F3224&dbid=AP&chksum=qhog9%2FUC accessed May 30, 2013.

³ Cyber bullying can be a form of workplace bullying, which is a serious psychological hazard that can be extremely harmful to an individual's health and may affect their ability to do their job. The Occupational Health and Safety law also place obligation upon employers to ensure that the work environment is free of risks to an employee's health and safety. Employees must also take reasonable care for their own and others health and safety and co-operate with their employers actions to comply with these laws.

Please note: the term nursing and midwifery professionals refers to registered and enrolled nurses, registered midwives and unregistered workers carrying out nursing work, including personal care workers.

- h. Never post (on social media/networking websites or through blogs) any photographs/video of themselves or others engaging in activities, including those in the workplace that may be deemed offensive, illegal or compromising. This may be deemed inappropriate by AHPRA, the employer, or the public.
 - i. Never post (on social media/networking websites) any photographs/video of patients/clients/ residents unless it is within the parameters of work and appropriate organisational clearance or approval has been obtained.
 - j. Be careful when placing personal details onto any social media website/blog or as part of their social media account/profile.
- 5) All members should be aware of the ANMF (Vic Branch) Workplace Bullying Policy⁴ and their employing organisational Bullying Policy and abide by the expected standards of behaviour in accordance with the relevant staff Code of Conduct. Failure to comply with such standards and policy may result in disciplinary action by the employer.
- 6) Exercise care before posting angry, insulting or critical comments on social media or online. Carefully consider all comments and the potential consequences before publishing, regardless of the circumstances.
- 7) Health Services have an obligation to ensure all employees are provided with organisational policy in relation to the use of information technology, inclusive of social media – however if this is not available it does not exempt nurses and midwives from their professional obligations associated with privacy and the professional treatment of others.
- 8) If your workplace does have an organisational policy in relation to use of information technology, inclusive of social media, make sure you are familiar with the contents and fully understand the policy guidelines.

Information provided online, whether photographs, video, comments or personal details is considered published and potentially in the public domain and may be viewed by people other than those for whom it was intended. Once it is posted, it may not be easily removed. Always be aware that what you are putting online – despite your privacy settings – may be viewed by others and potentially copied and republished. This information may have significant unintended professional and personal ramifications.

⁴ Workplace Bullying Policy. 2009. Australian Nursing and Midwifery Federation (Victorian Branch) available at: http://www.anmfvic.asn.au/multiversions/23858/FileName/Workplace_Bullying.pdf Accessed 7.6.13

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