

UMSU SOCIAL MEDIA POLICY AND PUBLISHING PROCEDURE

1. PURPOSE

The purpose of this policy and procedures is to ensure that UMSU Staff, Student Representatives and Volunteer Directors understand their obligations when using Social Media, both during Official Use and from Personal Accounts. This policy ensures that Staff, Student Representatives and Volunteer Directors are informed of the importance of managing the risks associated with use of Social Media that may:

- pose a material, legal or reputational risk to UMSU;
- may be defamatory, contravene intellectual property laws or impinge on the legal rights of other users;
- are demonstrably factually incorrect, false or likely to mislead;
- are contrary to the aims, purposes or objectives of UMSU as provided by the Constitution; and
- are contrary to the Constitution or any of its Regulations or Policies.

This policy is intended to ensure UMSU meets its obligations to users of Social Media and protects UMSU and UMSU Staff, Student Representatives and Volunteer Directors from risk. It is not intended to prevent, discourage or unduly limit the expression of personal opinion or online activities.

2. GENERAL PRINCIPLES

UMSU encourages Staff and Student Representatives using, or having a need to participate in, Social Media activity for Official Use, and through personal accounts which they have created and administer themselves, but reminds users to exercise discretion, thoughtfulness and respect for the organisation and the Social Media community.

UMSU respects the right of its Staff, Student Representatives and Volunteer Directors, as private citizens, to engage in public debate on political and social issues on Social Media sites.

At the same time, UMSU expects all of its Staff, Student Representatives and Volunteer Directors to fulfil their obligations and uphold the expected level of professional conduct and ethical behaviour when using Social Media. It is critical that Staff, Student Representatives and Volunteer Directors of UMSU exhibit a high standard of professional conduct, in order to maintain public confidence in UMSU 's operations.

2.1. Responsibility for content

As a consequence of the High Court's decision in *Fairfax Media Publications Pty Ltd v Voller*,¹ any individual or organisation that runs a Social Media page or publishes a post on social media can be held responsible for 'publishing' Social Media comments – regardless of whether they wrote the comments, approved them, or read them before they were posted.

¹ [2021] HCA 27.

This means that UMSU is obliged to put in place systems to actively monitor and moderate comments and disable comments where it is not possible to moderate them. In some cases UMSU may use available tools offered by Social Media platforms to block keywords and profanities, hide offensive comments, or restrict who can reply to posts.

2.2. Prohibited Social Media Posts

Content posted on Social Media sites is deemed the equivalent of material published in a newspaper or discussed at a public forum. Moreover, Social Media Posts have the potential to be broadcast across the entire internet and be read by a far wider audience than traditional forms of print media.

Examples of prohibited Social Media Posts include posting or reposting commentary, content, or images that:

- are defamatory;
- infringe intellectual property;
- are pornographic;
- contain proprietary or commercial in confidence information;
- constitute harassment or bullying;
- have potential to create a hostile or unsafe work environment;
- otherwise breach the UMSU Constitution, Regulations, or policies.

2.2.1. Bullying and harassment

Bullying and harassment will not be tolerated in the workplace, nor will it be tolerated on a Social Media site, regardless of whether it occurs on Official UMSU accounts or from personal accounts.

Staff, Student Representatives and Volunteer Directors are not to post any content about any other UMSU Staff, Student Representatives and Volunteer Directors or individual on Social Media sites, where such material is offensive, obscene, bullying, discriminatory, hateful, racist, sexist, abusive, harassing, threatening or potentially defamatory.

UMSU reserves the right to request that bullying and harassing posts or comments be removed from a Personal Account. Refusal to comply may result in disciplinary consequences.

Where the comments have been made on an UMSU Official account they will be removed by a moderator. Additionally, offending posts and comments may be referred for action under the UMSU Prevention of Bullying Discrimination and Harassment Policy and/or the subject of a complaint under the relevant policy or UMSU Regulations.

If Staff, Student Representatives and Volunteer Directors while using Social Media for Official Use encounter a situation that threatens to become antagonistic, they should disengage from the dialogue in a polite manner, refer to Social Media management for Trolls and/or Online Safety Guidelines and seek the advice and support from the Communications department.

2.2.2. Conflicts of interest

UMSU Staff, Student Representatives and Volunteer Directors are required to declare any conflicts of interest and UMSU must manage any declared conflicts as appropriate.

Where UMSU Staff, Student Representatives or Volunteer Directors' Official Social Media Posts represent a conflict of interest, or are contrary to UMSU's position or interests, the post may be subject to the Takedown Procedures at section 6 of this policy.

2.2.3. Breaches of Privacy and Confidentiality

Other than where it is already in the public domain, UMSU Staff, Student Representatives and Volunteer Directors are not to divulge or discuss any confidential or private personal information unless authorised to do so. This includes information regarding UMSU operations, business, clients, services, prices, financial position, security, or activities.

Staff, Student Representatives and Volunteer Directors are not to identify or publish personal details or images about another Staff, Student Representative or Volunteer Director without express permission.

2.2.3.1. Security Risks

As Social Media sites can contain a significant amount of personal information, Staff, Student Representatives and Volunteer Directors must ensure appropriate and effective security and privacy settings are implemented to allow only restricted access to their Personal Accounts.

Regardless of any security and privacy settings, content may still be made public (e.g., a contact may cut and paste comments onto another site), consequently the individual remains responsible for any content shared in this way.

Accordingly, Staff, Student Representatives and Volunteer Directors should exercise caution with respect to the type of information that they post on public sites and do so accepting they may be held liable where such content is deemed unacceptable subject to this policy.

2.2.4. Risks to UMSU

Where UMSU allows prohibited Social Media Posts, it risks legal and other consequences which may affect the organisation's interests, including:

- Damage to reputation;
- Breach of copyright or other intellectual property rights;
- Misuse of information and breach of confidentiality or privacy;
- Breaches of funding obligations;
- Allegations of defamation.

These risks derive not only from Official UMSU Accounts, but also any material posted on Personal Social Media Accounts and the reposting or sharing of information from those Personal Social Media Accounts.

3. SCOPE

This policy applies to UMSU Staff, Student Representatives, Volunteer Directors and members of the general public and university community.

This policy covers all current and yet to be developed Social Media services, including the following sites and platforms:

- social networking sites (e.g. Facebook, Instagram);
- professional networking services (e.g. LinkedIn);
- video and photo sharing websites (e.g., YouTube, TikTok, Instagram, Flickr);
- micro-blogging (e.g. Twitter);
- forums and discussion boards (e.g. Google Groups);
- online collaborations (e.g. Wikipedia);
- podcasts;
- blogs (including blogs hosted by traditional media outlets); and
- any other websites that allow simple self-publishing by individual users.

4. GENERAL GUIDELINES

4.1. Official Use

Staff, Student Representatives and Volunteer Directors authorised to use Official UMSU accounts are responsible for that account's published content, including comments or images posted by third parties.

Although Social Media sites do use internal measures to detect some types of infringement (e.g., copyright or bullying comments), these general safeguards can fall short. Authorised Social Media administrators are required to monitor and moderate their sites carefully and take appropriate steps to remove content that breaches this policy in accordance with 5.1 of this policy.

Staff, Student Representative or Volunteer Directors conducting communication on Official UMSU Social Media accounts, or UMSU representatives commenting on behalf of UMSU on Social Media must:

- have UMSU approval to use Social Media in an Official capacity;
- avoid any statement that might present legal or reputational risk to UMSU;
- not bind UMSU to any action or initiative without appropriate authority;
- not disclose commercial in confidence information unless authorised to do so;
- be aware of laws covering defamation, privacy and the protection of intellectual property;
- ensure all activities are in line with UMSU's Constitution, Regulations and policies; and
- comply with Publisher Takedown requests.

Official UMSU channels are to adopt the naming protocol UMSU+DptName (e.g., www.facebook.com/UMSUClubs), and advise the Communications department for cross promotion and annual handover.

A full list of UMSU's Official Social Media accounts can be found in the Social Media Register on the UMSU website.

4.2. Personal Accounts

UMSU is permitted by law to regulate the conduct of Staff, Student Representatives, Volunteer Directors on Social Media to a certain extent, provided UMSU's policies are:

- Reasonable;
- related to the operations of UMSU; and
- related to the organisational requirements of the Staff, Student Representative, Volunteer Director.

In some circumstances, UMSU may discipline an employee, sanction a Student Representative, or end a volunteer arrangement because of their conduct on Social Media where it is demonstrated that the conduct breaches the provisions of 2.2 of this policy.

For these reasons, this policy, the *UMSU Social Media Terms of Use*, and *UMSU Acceptable Conduct Policy* collectively set out UMSU's expectations for Staff, Student Representatives, and Volunteer Directors and the procedures UMSU will employ to act ethically, meet its obligations under the law, and minimise risk to the organisation.

4.3. Public Comment from Personal Accounts identified with UMSU

UMSU Staff, Student Representatives and Volunteer Directors, as private citizens, who engage in public debate on political and social issues on Social Media sites from a Personal Account that is not identified as an Official UMSU account, but identify themselves as a representative of the organisation, are held to the same standards outlined in 4.1 Official Use.

4.4. Public Comment from Personal Accounts not identified with UMSU

UMSU Staff, Student Representatives and Volunteer Directors, as private citizens, can engage in public debate on political and social issues on Social Media sites from a Personal Account that is not identified as an Official UMSU account, but should not:

- make comment as a representative of UMSU unless authorised to do so; or
- identify as a representative of UMSU unless authorised to do so.

Staff, Student Representatives and Volunteer Directors should bear in mind that even if they do not identify themselves online as an UMSU representative they could be recognised as such on public forums.

Staff, Student Representatives and Volunteer Directors should be aware that UMSU may observe content and information made available through Social Media and should use their best judgment in posting material that is neither inappropriate nor harmful to UMSU, its employees, or associates even when material is posted anonymously, or using an 'alias' or pseudonym.

Public comment that violates UMSU's Code of Conduct or any other UMSU policy may subject Staff, Student Representatives and Volunteer Directors to disciplinary action.

If Staff, Student Representatives and Volunteer Directors publish content that involves work or subjects associated with UMSU, a disclaimer should be used, such as, *The posts on this site are my own and may not represent UMSU's position on these matters.*

4.5. **Media requests**

Social Media networks, blogs and other types of online content sometimes generate press and media attention. Staff, Student Representatives and Volunteer Directors who administer Official UMSU accounts should refer these inquiries to the UMSU President, as the authorised spokesperson.

4.6. **Use of UMSU email or logo**

Staff, Student Representatives and Volunteer Directors may only use UMSU email addresses or logos as part of an Official UMSU Social Media Account subject to 4.1 of this policy.

5. **APPROVAL AND REVIEW**

Social Media Posts published subject to 4.1 of this policy are not conditional upon Publisher approval prior to publishing. However, all material so published remains subject to moderation and the Takedown Procedures in accordance with section 6 of this policy and in conformity with the Publishing Regulations.

Public Social Media Posts made by Staff, Student Representatives and Volunteer Directors from Personal Accounts which are subject to the Takedown Procedures at section 6 of this policy may additionally be subject to disciplinary action.

5.1. **Moderation of Comments**

Official UMSU Accounts will be actively monitored and moderated during standard operating hours only: Monday to Friday 9:00am to 5:00pm AEST (unless otherwise stated and excluding public holidays).

UMSU uses a post-moderation process – that is - comments are published immediately but are subject to monitoring and moderation once published. UMSU has a zero-tolerance policy for discrimination and intimidation. Consequently, UMSU takes a strong stance on deleting content which is illegal, discriminatory, hateful or threatening, and Social Media Posts which may offend, insult, humiliate or intimidate or otherwise breach the *UMSU Social Media Terms of Use*.

6. **TAKEDOWN PROCEDURES**

6.1. **General principles**

Any UMSU Official Social Media Posts which contravene the Publishing Regulations or are Prohibited Social Media Posts subject to 2.2 of this policy may be taken down.

UMSU Official Social Media Posts which infringe copyright, disclose sensitive personal information, constitute harassment or bullying, or contain obscene or defamatory content will be subject to these Takedown Procedures without further notice.

In addition to Social Media Posts subject to 2.2 of this policy, UMSU Official Social Media Posts which may otherwise contravene the UMSU Constitution, Publishing Regulations, or UMSU Policy, may be subject to a takedown request in accordance with 6.2 of this policy.

A takedown request can be approved regardless of whether the Social Media Post was made in good faith or not.

Publisher takedown requests may be invoked in several ways:

1. by express request to the Publisher; or
2. as a result of the Publisher or their delegates' review of any UMSU Official Social Media Posts.

6.2. Publisher Takedown Requests

A Publisher takedown request must be made subject to R 9 of the Publishing Regulations and in accordance with part 6.2 of the policy.

6.2.1. UMSU Requests

Staff, Student Representatives and Volunteer Directors objecting to UMSU Official Social Media Posts may request the post is taken down by emailing the Publisher and providing the following information in support of the request:

- Their name and contact details;
- Details of the material concerned, including an item-specific URL, title, and name of the author where relevant;
- The reason for their objection having regard to the grounds set out under the Publishing Regulations and 2.2 of this policy; and
- An undertaking that the request is accurate and made in good faith.

6.2.2. Requests by members of the Public or University Community

Parties external to UMSU may request removal of UMSU Official Social Media Posts where they are alleged to contravene the Publishing Regulations, or otherwise contravene 2.2 of this policy.

External Takedown requests must be submitted via an online form available on the UMSU website. These requests are overseen by the Communications Department and forwarded to the Publisher for assessment in accordance with 6.2.3.

6.2.3. Assessment of requests

Upon receipt of the request, an initial assessment must be made by the Publisher or their delegate. All requests must be assessed and replied to within one [1] Business Day of receipt. The Publisher must make arrangements to support this requirement and may delegate the

responsibility to another party to ensure their responsibilities are met, however ultimate responsibility for assessment remains with the Publisher.

Where the Publisher upholds a takedown request, the Publisher or their delegate must contact the authorised Staff, Student Representatives or Volunteer Directors responsible for administering the UMSU account, requiring them to remove the relevant Social Media Post.

Where the Publisher declines a request, the relevant Social Media Post will be retained.

Upon receipt of a Publisher Takedown request, offending material must be removed from UMSU accounts within one [1] Business Day.

Where the Publisher contravenes the requirements of this policy, UMSU may of its own motion act to ensure risks to the organisation are mitigated. Additionally, the Publisher may be subject to sanctions in accordance with the UMSU Constitution if they fail to meet their obligations under this policy.

6.2.4. Disputes

Disputes regarding these Takedown Procedures may be addressed via the complaint and dispute provisions of the *Student Media Policy and Procedure*.

7. DEFINITIONS

Business Day has the same meaning as it does in the UMSU Publishing Regulations.

Official Use refers to communication carried out by authorised Staff, Student Representatives or Volunteer Directors, from one of UMSU's branded Social Media accounts, or when publicly commenting from a Personal Account when identifying as an UMSU representative, as set out at 4.1.

Personal Account means user accounts of UMSU Staff, Student Representatives, or Volunteer Directors outside of their engagement with UMSU, as set out at 4.2.

Social Media includes the various internet-based applications that allow the creation and exchange of user-generated content. Social Media enables individuals to communicate via the internet, sharing information and resources. Sites such as Facebook are a social utility that connect people with family and friends.

Social Media Post has the same meaning as in the UMSU Publishing Regulations.

8. SUPPORTING DOCUMENTS

UMSU Student Media Policy and Procedure

UMSU Publishing Regulations

UMSU Social Media Terms of Use

UMSU Acceptable Conduct Policy

UMSU Privacy Policy

Social Media Management of Trolls
Online Safety Guidelines
Social Media Register
UMSU Prevention of Bullying Discrimination and Harassment Policy