

EMPLOYMENT POLICY

Social Media

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1. Scope & Purpose

- 1.1. This policy outlines the responsibilities of employees when using social networking websites and electronic media. As it is not possible to legislate for all evolving technology the principles stated within this document will be deemed to apply to all electronic communications and media whether specifically referred to or not.
- 1.2. It applies to the use of all forms of social media for both business and personal use, whether during office hours or otherwise. The policy applies regardless of whether the social media is accessed using Lothian IT facilities and equipment or equipment belonging to employees.
- 1.3. Lothian permits employees to access social media networking sites on the internet for personal use outside of their normal working hours, i.e. before and after work and during breaks.
- 1.4. Access to social media networking sites will be permitted during working hours where it is required in order for the employee to undertake their role. Approval must first be granted by the employee's line manager and/or Head of Department/Function.
- 1.5. Lothian respects an employee's right to a private life however it must also ensure that its commercial confidentiality and reputation are protected. In clearly setting out Lothian's position on the use of social media it aims to protect both Lothian as an organisation as well as providing a duty of care to its employees in protecting their dignity and respect.
- 1.6. This Policy applies to all employees across the Lothian Group.

2. Definition of Social Media

- 2.1. For the purposes of this policy, social media is any private and public online platform or application that allows parties to communicate instantly with each other or to share data. This includes – but is not limited to - social forums such as X, Facebook, TikTok, Snapchat, Instagram, WhatsApp and LinkedIn. Social media also covers blogs and video and image-sharing websites such as YouTube and Flickr.
- 2.2. Employees should be aware that there are many more examples of social media than can be listed here and this is a constantly evolving area. Employees should follow this policy in relation to any social media that they use.

3. Use of Social Media at Work

- 3.1. Lothian understands that employees may wish to use their own personal computers or devices to access social media while they are at work. In order to ensure that the use of social media does not interfere with their duties, employees must limit their use to their own personal equipment to their official rest breaks.

4. Monitoring use of Social Media during work time

- 4.1. Lothian reserves the right to monitor any message, file, data, document, telephone conversation, social media post or message or any other kind of communication transmitted to, received from, printed or stored or recorded on Lothian electronic information and communications systems.
- 4.2. Monitoring, as set out in paragraph 4.1, is in Lothian's legitimate interests and helps ensure that this policy is being complied with.
- 4.3. Monitoring may consist of checking the social media sites employees have visited, the duration of such visits and any comments made by employees on these sites.
- 4.4. The information obtained through monitoring may be shared internally, including with members of the People Function, an employee's line manager, managers in the business area in which the employee works and IT staff if access to the data is necessary for the performance of their roles. However, information would normally be shared in this way only if Lothian has reasonable grounds to believe that there has been a breach of this policy.
- 4.5. Information obtained through monitoring will not be disclosed to third parties (unless the organisation is under a duty to report matters to a regulatory authority or to a law enforcement agency).
- 4.6. Employees have a number of rights in relation to their data. Further details on these rights and how to exercise them can be found in Lothian's Data Protection Policy.
- 4.7. Access to particular social media sites may be withdrawn, where there is a case of misuse.

5. Misuse of Social Media

- 5.1. Lothian recognises that many employees make use of social media in a personal capacity. While they are not acting on behalf of the Company, employees must be aware that they can damage the company's reputation in a variety of ways, perhaps without realising it.
- 5.2. Employees are permitted to say that they work for Lothian, however an employee's online profile (for example, the name of a blog or a Twitter name) must not contain the company's name.

5.3. Whether an employee has or has not identified themselves as a Lothian employee on any of their social media forums, they must be mindful of the comments or views they express.

5.4. Any communications that employees make in a personal capacity through social media must not:

Bring Lothian into disrepute, for example by:

- Criticising or arguing with customers, colleagues or rivals.
- Making defamatory comments about individuals or other organisations or groups.
- Posting images that are inappropriate or links to inappropriate content.

Breach confidentiality, for example by:

- Revealing trade secrets or information owned by Lothian.
- Disclosing confidential information about an individual (such as a colleague or customer contact) or organisation (such as a rival business).
- Discussing Lothian's internal workings (including its future business plans that have not been communicated to the public).

Breach copyright, for example by:

- Using someone else's images or written content without permission.
- Failing to give acknowledgement where permission has been given to reproduce something.

Do anything that could be considered illegal, discriminatory against, or bullying and harassment of any individual, for example by:

- Engaging in any unwanted behaviour of a sexual nature which creates an intimidating, hostile, degrading, humiliating or offensive environment for other individuals, or which violates someone's dignity, whether it is intended or not.
- Making offensive or derogatory comments relating to sex, gender reassignment, race (including nationality, ethnic or national origin), disability, sexual orientation, marital status, maternity/ paternity, religion or belief or age.
- Using social media to bully another individual (such as an employee of Lothian).

- Posting images that are discriminatory or offensive or links to such content.

5.5. Any employee who disregards these guidelines may be subject to disciplinary action.

6. Use of Social Media in the Recruitment Process

6.1. Unless it is in relation to finding candidates (for example, if an individual has put his/her details on social media websites for the purpose of attracting prospective employers), the Recruitment team and managers should conduct searches, either themselves or through a third party, on social media only when these are directly relevant to the applicant's skills or claims that he/she has made in the recruitment process. For instance:

- A prospective employee might claim that he/she has used social media in his/her previous job (for example, as a publicity tool).
- A prospective employee's social media use may be directly relevant to a claim made in his/her application (for example, if he/she runs a blog based around a hobby mentioned in his/her CV or a skill in which he/she claims to be proficient).

6.2. There should be no systematic or routine checking of prospective employees' online social media activities, as conducting these searches during the selection process might lead to a presumption that an applicant's protected characteristics (for example, sexual orientation or religious beliefs) played a part in a recruitment decision.

7. Disciplinary Action due to Social Media use

7.1. All employees are expected to adhere to this policy. Employees should note that any breach of this policy may lead to disciplinary action on the grounds of misconduct with a sanction up to and including dismissal without notice. Serious breaches, for example incidents of bullying via social media or social media activity that could damage Lothian's reputation, may constitute gross misconduct and lead to an employee's dismissal.

8. Linked Policies

- Data Protection Policy
- Disciplinary Policy
- Mobile Phone Policy

9. Version Control

Version No.	Date of Change	Change made by:	Key Amendments
V1.0	24/08/2018	C Cheyne	Published
V2.0	24/02/2020	S Murphy	1.6; 2.1; 3.1; 5.3; 8.0.
V3.0	26/10/2021	S Murphy	No changes
V4.0	04/09/2024	D Calciu	Amendments to clauses 2.1 and 5.4

This policy does not form part of employees' terms and conditions of employment and may be varied from time to time in accordance with business and legislative requirements.