

meeting by a trade union representative or colleague. During the meeting the allegations will be explained, evidence will be presented and the individual(s) will be given the opportunity to respond and present their own evidence.

4. The individual(s) will be informed of the outcome of the meeting as soon as possible. The outcome will be one of the following; no further action, informal warning, first or final written warning, or dismissal.

Real life examples

Dismissal is the most severe outcome for a person accused of bullying or harassing through social media, however unfortunately with the growing popularity of social media there are ample examples of when a post has brought someone's career to an end.

Justine Sacco, a PR executive, lost her job when she posted a racist tweet before boarding a flight to South Africa. She later apologised for her "needless and careless tweet" (The Guardian, 2013).

David Smith made derogatory comments on Facebook about his managers, he was dismissed as a result and the dismissal was upheld at Employment Tribunal in *The British Waterways Board v Mr David Smith* (2015).

In the case of *Boyle v Portalon Ltd* (2014), Boyle recorded a video which he sent over snapchat of himself consuming class A drugs while wearing his work uniform. His manager was informed of this video and Boyle was dismissed.

Criminal offences

The consequences of bullying and harassment may not just impact employment, posting hate speech online is a criminal offence. Bullying through the use of social media falls within the Malicious Communications Act 1988. Those found guilty of sending messages which are indecent or grossly offensive could receive a prison term up to two years on indictment, or up to twelve months imprisonment. Equally, the Protection from

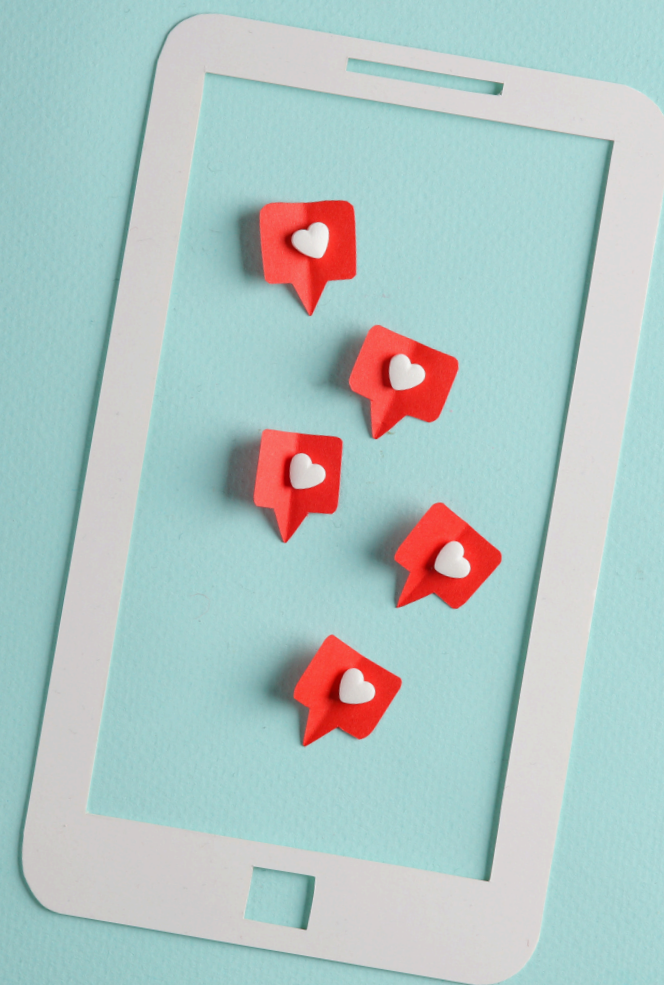
Harassment Act 1997 provides the right for every individual to be free from harassment and may result in the payment of damages, an interdict or interim interdict, or a non-harassment order. Breach of a non-harassment order could result in a prison term up to five years on indictment, imprisonment for up to six months, and/or a fine. James Newton posted racist and hateful social media comments in a Facebook group, he received a sentence of six weeks in prison suspended for twelve months and was fined (CPS, 2022). There is also a high possibility that if an individual were to serve a prison term, they would be dismissed from work under the remit of 'some other substantial reason' (GOV.UK, no date).

Impact on victims

Cyberbullying has been found to have a negative impact on the well-being of both victims and perpetrators, these include the damaging of relationships and psychological distress (Giumetti and Kowalski, 2022). For victims, symptoms can also present as physical issues such as headaches and abdominal pain (Al-Turif and Al-Sanad, 2023).

Workplace cyberbullying can be a significant stressor as the victim and offender can often meet in person making it more difficult to avoid the issues, leaving the victim to feel powerless and result in low levels of engagement at work (Anwar, Kee and Ijaz, 2022). For anyone who is experiencing bullying and harassment there are many ways in which you can report it and be supported. Report it to your line manager or HR who will be able to investigate and put some safeguarding in place. You can also contact the National Bullying Helpline (2022) who have a multitude of resources around bullying in the workplace and cyberbullying, they can be contacted on 0300 323 0169 Monday to Friday, 9-5pm. For serious offences a report to the police may be required to ensure the matter is dealt with appropriately. If you are experiencing bullying or harassment and it is impacting your mental health please speak to your GP for support.

Appropriate Use of Social Media



Introduction

All employees are required to understand ABC's social media policy and the importance of compliance with this policy is vital as it protects both the organisation and employees. This policy provides guidelines around what is or is not acceptable to post online to ensure what is posted does not reflect poorly on the organisation, impact our brand, or offend our clients or our colleagues. It also protects employees from being accused of posting inappropriate content. ABC is a well-known construction company within Wales and the wider United Kingdom, we are customer focused, friendly and hard-working as an organisation and this is the reputation we have built over our years of business. It is important that as a company we maintain this reputation and we all have a part to play in that through our day-to-day roles, but also through what we post online. What employees share online should reflect our company values (Indeed, 2022).

What is social media?

Social media is term used to describe any form of media which allows individuals to communicate and share information via the internet (Cambridge Dictionary, no date). Social media platforms include, but are not limited to:

- Facebook
- Instagram
- Tiktok
- X
- LinkedIn
- YouTube

Roughly 4.7 billion people use social media globally, it can help people stay in contact and share ideas, but it can also be used to share false information and negative views such as hate speech (Investopedia, 2024). Where social media accounts are not set to private, the information shared can be viewed by anyone, anywhere in the world.

It is important to be aware that there is little control over who will view a post on a public account. Even where the account is set to private, those who have permission to follow the account may share what is posted with others.

Positive Uses of Social Media in Business

There are many useful and positive ways that social media can be used for the company and personally. From a business perspective social media helps enhance ABC's brand, grow our customer base, promote our products and services, and advertise to a new audience (Hiscox, 2023). For ABC's employees, routine social media use can have positive effects on social well-being, mental health and self-rated health, but emotional connection to social media, i.e. checking apps excessively and fear of missing out have negative effects, so social media is positive in moderation (Harvard T.H. Chan, 2020). Social media gives people access to information, opportunities to network and can assist in personal and professional growth when used appropriately (Revpanda, 2023).

Key notes of the social media policy

- Do not disclose where you work, including not posting pictures of the workplace or uniform.
- Consider setting any social media accounts to private to avoid the chances of customers viewing the posts.
- Avoid posting political opinions, hateful comments about others, or anything that could be considered discriminatory. If you would not speak it out loud to others, do not post it on social media.

Legal Issues

Under the Equality Act 2010 there are nine protected characteristics, it is unlawful to discriminate against someone because of:

- Age
- Disability
- Gender reassignment

- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion and belief
- Sex
- Sexual orientation

In addition, the law describes different forms of discrimination which are unlawful under the Act, the most relevant to note are harassment and victimisation. Harassment is described in the Equality Act as when a person engages in unwanted conduct which is directly related to a protected characteristic for the purpose of violating another person's dignity, or creating an intimidating, hostile, or humiliating environment. The Act describes victimisation as when a person places someone at a detriment because they have a protected characteristic, or they have, or will do a protected act.

Consequences of Bullying and Harassment

Those who are found to be misusing social media to bully or harass others will be subject to the organisations disciplinary process as such behaviour will be deemed as misconduct or gross misconduct depending on the severity. ABC follows the ACAS code of practice (2022) for disciplinary processes, the stages of which are outlined below:

1. An investigation will be initiated, this will be undertaken by an independent individual in the organisation. The investigation will be conducted as quickly as possible but will be thorough and fair. Evidence will be collected where available and witnesses may be interviewed if required.
2. While an investigation is on-going, depending on the severity of the case, the individual(s) may be suspended on full pay. Alternatives to suspension may also be considered such as changing shifts, or working elsewhere.
3. The individual(s) will be invited to a hearing, they would have the right to be accompanied to this