

Social Media - Professional Guidance



1.0: Introduction

The following guidance is designed to assist pharmacists and pharmacy staff, when engaging with social media. It is intended to ensure that they can actively participate in online activity, while remaining safe and cognisant both of their professional and legal obligations. The guidelines are cross referenced with, and underpinned by, the Pharmaceutical Society NI's Code (henceforth referred to as "The Code"), outlining the professional standards of conduct, ethics and performance for pharmacists in Northern Ireland¹. Areas of specific reference include:

- Exercising professional judgement in the best interests of patient and public safety;
- Upholding and maintaining the reputation of the profession;
- Maintaining and protecting confidential information.

For the purposes of this guidance, the term "social media" is defined as follows:

Oxford Dictionary Definition:

Websites and applications that enable users to create and share content or to participate in social networking.

Popular Social Media sites include but are not limited to:

- *Facebook*
- *Facebook Messenger*
- *Twitter*
- *Snapchat*
- *Instagram*
- *Tumblr*
- *YouTube*
- *LinkedIn*
- *Pinterest*
- *Whatsapp*
- *Dating Apps*

It is important to remember that, while caution coupled with personal and professional judgement should be exercised at all times, social media engagement can be not only an enjoyable activity but an enormously useful communications tool for pharmacists. Similarly it can also contribute positively to several standards in respect of Principle Four of The Code.

1. The Pharmaceutical Society NI (2016); "The Code - Professional standards of conduct, ethics and performance for pharmacists in Northern Ireland" <http://www.psni.org.uk/wp-content/uploads/2012/09/22504-PSNI-Code-of-Practice-Book-final.pdf>

Principle 4 of the Code states that good communication is at the heart of effective working relationships with patients, service users, colleagues and other healthcare professionals; this builds confidence and respect across all areas of the healthcare team.

You Must:

- **Communicate effectively**
- **Establish effective partnerships with patients**
- **Work collaboratively with colleagues**
- **Supervise and delegate effectively**

(Standards 4.1-4.4, The Code – Professional standards of conduct, ethics and performance for pharmacists in Northern Ireland, 2016)

It provides a potentially highly effective method of two way communication with the public, the media and with fellow healthcare professionals, both locally and internationally. It has the potential to enhance innovation in the provision of services to the public and is both accessible and immediate. Additionally, social media can reach a target audience in a cost effective manner and can be an environment in which information, knowledge and ideas can be freely exchanged. It can also afford an opportunity to promote and support commercial and charitable activities. Effective, targeted and considered social media engagement can enhance the work of pharmacists and can contribute to positive public perceptions of the profession. However, conversely, the reach and immediacy of the medium, can also work to the disadvantage of users particularly when mistakes and/or errors in judgement are made. In those instances, the potential reputational damage to and consequences for, an individual, company, organisation, charity or public body, can be swift and significant.

It is essential therefore, that these risks should be understood and mitigated against. Professional standards must be maintained at all times when communicating via social media. In addition pharmacists must also adhere to existing laws, both civil and criminal, in respect of social media activity. Comments made on social media are in the public domain and as such priority must be given to ensuring that patient confidentiality is maintained at all times and that any negative comments received, or requests for information, particularly about medicines, are addressed appropriately and in accordance with professional standards as well as public liability.

Principle 1 of the Code states that you must 'Always put the patient first'. In adhering to this principle, the pharmacist is expected to 'consider, and act in, the best interests of the patient or service user.' *(Standard 1.1.1, The Code – Professional standards of conduct, ethics and performance for pharmacists in Northern Ireland, 2016)*

Therefore the guidance will also outline the current legal context and responsibilities in respect of online activity. (See Appendix A)

Please note that the Pharmaceutical Society NI has prepared separate guidance on Internet Pharmacy Services. The guidance pertains only to internet pharmacy services based in Northern Ireland and specifically to *'A registered pharmacy which offers to sell or supply medicines (or other pharmaceutical products) and/or provides other professional services over the internet, or makes arrangements for the supply of such products or provision of such services over the internet.'* (Jan 2016)²

To minimise risk and to ensure that social media engagement is positive and not personally or professionally damaging, the guidance will address a number of general principles:

- Using Social Media
- If you are an employer
- Patient confidentiality
- Giving advice online
- Responding proportionately and appropriately
- Individual/Personal accounts
- Avoiding online conflict
- Be safe
- Location settings – GPS

2.0: Using Social Media – Be Strategic

As a starting point, when considering opening a social media account, whether individually, or for your pharmacy, know how you want to use it and what you want to achieve. This is also likely to influence your choice of medium. For example, if you want to exchange short, regular amounts of information, or promotional messages, quickly and to a wide audience, Twitter, with its format of 280 character messages, conversational style, easy accessibility and broad reach, may be the most appropriate format. Similarly, Facebook can be an excellent medium for business promotion, particularly as it can be used to promote to a highly targeted audience. However, if you prefer to provide greater detail on a topic, focus on specific factual information, elaborate on an issue, or engage in opinion or analysis, a platform which allows you to blog may be more appropriate.

2 The Pharmaceutical Society NI (2009); "Professional Standards and Guidance for Internet Pharmacy Services", <http://www.psni.org.uk/wp-content/uploads/documents/316/Standards+on+Internet+Pharmacy.pdf>

Areas for consideration in selecting social media platforms include:

- Who are your target audiences?
- What are your messages?
- Are you utilising the medium for promotion, awareness raising and information, networking, or a combination of approaches?
- Think about what you want to say and who you want to follow.
- Think about style. Do you want to be conversational or strictly factual?
- How often do you want to communicate?

This final point is an important one. Keeping social media accounts relevant and up to date, is key in maintaining the interest of those following the account. However, caution should be taken that your followers are not subjected to a flood of information in their timelines. This could be considered “spamming” and is likely to result in your account losing followers and could create a negative perception among other users. In extreme cases, it can result in your account being suspended.

2.1: Using Social Media - Know the Medium

Understand how each medium works and how to use them most effectively. This includes:

- Knowing how to set up and maintain an account;
- How to change privacy and security settings should you wish the content to be visible only to those who follow your account and/or are authorised to view the material;
- Knowing how to accept or reject “Followers” or “Friend” requests;
- Knowing how to “block” another user in the event of concern;
- Knowing how to report an abusive user and/or inappropriate content.

When handled responsibly and professionally, they can be great platforms to exchange information and enhance professional networks.

2.2: If you are an employer - Have a Social Media Policy

If you are setting up a shared or commercial account, a Social Media Policy is essential. All staff should be very clear on what is considered acceptable and unacceptable behaviour online. To this end, you may wish to include examples. Also consider how staff should respond if an issue arises or if they see a matter of potential concern.

As part of the policy, ensure that you appoint an individual or individuals, who will be responsible for updating and monitoring accounts (Site Administrators), also determine who will have access to passwords. A policy should be in place on the establishment and maintenance of secure passwords. Additionally, staff should be made aware of procedures

for reporting any breach of data security. Site Administrators should also ensure that all data available on the sites is relevant, appropriate and contemporary. A policy should also be in place on the closure of any and all accounts that are no longer in use.

In the case of a pharmacy account, designate an individual to cover for holidays and absences. Those responsible should be properly trained in data protection and cognisant of the requirements of copyright when sharing and exchanging published material. They should also be aware of what is considered appropriate behaviour online. This should include an awareness of tone and language and how to respond correctly to any complaints or abusive comments.

Once again, it is important to recognise the potential reputational damage that can be done by an ill-conceived, badly timed or poorly worded post. Similarly, it is important to remember that humour is subjective and should therefore be used with caution. While posts can be deleted, the impact can be felt very quickly and the consequences can be lasting both for the employer and for the individual.

Example One – Damaging Tweets

1. The following tweet was posted on May 22nd 2017 by an American freelance journalist. The tweet was sent shortly after media reports emerged of a terrorist attack at the Manchester Arena shortly after the conclusion of a concert by the American singer Ariana Grande:

“MULTIPLE CONFIRMED FATALITIES at Manchester Arena. Last time I listened to Ariana Grande I almost died too.”

After a widespread outcry in which more than 30,000 people had responded to the tweet, companies that the individual listed as past and current employers, promptly responded:

CBS Tweeted that the journalist:

“...does not work for CBS News”.

AXS Tweeted:

“This person is not employed by AXS. We don’t endorse this despicable comment”. The company also insisted that he remove them from the list of employers on his twitter page.

2. Two care home workers were suspended in July 2012, for posting a picture on Facebook which mocked patients. The picture gathered momentum on Facebook and was subsequently passed to a newspaper. This resulted in the police, social services and the Care Quality Commission becoming involved. The care home then came under review and had to release a series of statements to the press and to the relatives of its patients.

3. **The Justine Sacco Case:** In 2013 Justine Sacco, a former Communications Director, went on holiday to South Africa and before boarding her flight, posted this tweet.



It went viral, with her name being searched for millions of times, with a number of media outlets picking up the story. Ms Sacco had put her employers name and her job title on her Twitter profile. The extent of concern, regarding the potential for reputational damage to her employer was such, that by the time she landed at her destination, she had lost her job.

Staff should be made fully aware of the Social Media Policy and should also be aware that it is linked directly to the employer's disciplinary processes. Any conduct online, whether in a professional or personal capacity, which breaches confidentiality and/or is deemed to bring the pharmacy and/or the profession, into disrepute, could result in disciplinary action, up to and including dismissal and in the case of Registered Pharmacists, it may constitute a breach of professional standards.

In this regard, it is also essential to avoid using language or images which imply disrespect towards any individual or group because of age, race, gender, disability, religious belief, political opinion, ethnicity, or sexual orientation.

Principle 1, standard 1.1 of the Code states that you must: *Treat those in your care with respect and dignity.*

Standard 1.1.3: *Respect diversity in the cultural differences, beliefs and value-systems of others and always act with sensitivity and understanding.*

Standard 1.1.4: *Not act in a way that unfairly discriminates against any person.*

As part of a Social Media Policy you may wish to highlight the importance of not sharing confidential or proprietary information pertaining to the pharmacy and/or business and financial matters. Additionally, while recognising the rights of employees to privacy and to freedom of speech and expression, your policy may wish to consider recommending the use of a disclaimer on any private social media accounts, particularly those profiles and accounts which identify an employer or state that the individual is a pharmacist. However it should

be noted that there is no evidence that these disclaimers protect an individual from legal or professional liability. A well-constructed and disseminated social media policy is a much more effective tool to avoid potentially damaging incidents online.

Example Two: Individual Social Media Disclaimers – Twitter Profile

*“The views expressed on this account are my own and not that of my employer.
“My opinions are my own”.*

2.3: Patient Confidentiality

This should be a key component of any social media engagement, whether as an individual, or on an employer’s account. Never post anything which may breach patient confidentiality. Be particularly careful to avoid unintentionally doing so. A general rule of thumb should be “If in doubt, leave it out”. If case studies are used for information, these should be anonymised. If photographs are being taken for use on Social Media, ensure wherever possible that consent is obtained from those appearing in the photograph, to publish it online. Ideally this consent should be in writing. Care should be taken that photographs of premises or facilities, do not include any patient information or information likely to identify a patient. This can appear inadvertently in the background via computer screens or documents, such as prescriptions, which may be visible.

Principle 1, standard 1.3 of the Code states that you must: *Maintain and protect confidential information.*

2.4: Giving Advice Online

As the public increasingly utilise online resources for advice and support, requests may be made via social media, about specific medicines and products. Where commenting would be deemed inappropriate, or a violation of professional ethics, a reply suggesting that an individual visit their local pharmacy for advice, would be appropriate. You may also wish to consider putting this advice on any online profile and accounts.

Principle 2, standard 2.1 of the Code states that you must: *Provide safe, effective and quality care.*

Example Four – Website Disclaimers

Version 1:

The information contained in this website is for general information purposes only. The information is provided by xxx Pharmacy and whilst we endeavour to keep the information up-to-date and correct, we make no representations or warranties of any kind, expressed or implied, about the completeness, accuracy, reliability, suitability or availability with respect to the website or the information, products, services, or related graphics contained on the website for any purpose. Any reliance you place on such information is therefore strictly at your own risk.

In no event will we be liable for any loss or damage including without limitation, indirect or consequential loss or damage, or any loss or damage whatsoever arising from loss of data or profits, arising out of or in connection with the use of this website.

Through this website you are able to link to other websites which are not under the control of xxx Pharmacy. We have no control over the nature, content and availability of those sites. The inclusion of any links does not necessarily imply a recommendation or endorse the views expressed within them.

Every effort is made to keep the website up and running smoothly. However, xxx Pharmacy takes no responsibility for and will not be liable for the website being temporarily unavailable due to technical issues beyond our control.

Version 2:

xxx Pharmacy have taken reasonable care in producing the information on this website for your convenience. The information provided is intended solely as a guide. Please seek the advice of your Pharmacist to determine whether a particular service will be of value to you. All health facts and information contained herein should not be a substitute for medical advice. The use of this site is subject to these Terms and Conditions.

Example Three – Social Media Disclaimer

Always consult your doctor or pharmacist before taking any medication. Your health care professional will be able to help you assess your needs, potential interactions, benefits, and side effects.

3.0: Individual or employer – Always respond proportionately and appropriately

The Social Media Policy should specify how to respond to negative comments and requests for information about medicines.

Consideration should be given to issuing a disclaimer, particularly if you are identifying as a pharmacist and using a private Twitter account to discuss professional matters. An example would be *“any views expressed are my own and do not represent those of (insert employer)”*. Similarly, you may wish to add that *“a re-tweet does not constitute an endorsement of any views, products or services”*. It is important to clearly establish professional and personal boundaries in your conduct online.

The issue of cyber-bullying should also be addressed in any social media policy and once again, this should be linked to existing workplace policies on bullying and harassment.

3.1: Individual/Personal Accounts

If you are posting on a private account as an individual, but are identifying as a pharmacist, please ensure that you are aware of your employer’s Social Media Policy and of their Disciplinary Policies in that regard. You should also familiarise yourself with the Code. Also, please note point 2.2 above in respect of the use of disclaimers.

For your safety, never include your phone number, email, address or other personal information in a post. In this context, you may also wish to consider the nature of any images posted on private accounts. Remember that unless the privacy settings on your account are restricted, information is publicly accessible. It is therefore potentially accessible to employers, regulatory bodies and patients.

Principle 3, standard 3.1 of the Code states that you must: *Act with honesty and integrity at all times.*

Standard 3.1.1: *Adhere to accepted and acceptable standards of personal and professional conduct at all times both inside and outside your work environment.*

3.2: Avoiding online conflict

Social Media is a venue for free speech and can be a powerful vehicle for influencing and for the exchange of views and opinions. These discussions are often robust. However, they should not be abusive. There is a commonly used term online, “Don’t feed the troll.” Unfortunately there are individuals online who will often seek to provoke argument and to be deliberately offensive. If you find yourself in a conversation which is no longer productive

or respectful but is becoming threatening or abusive, do not engage further. Block the individual and move on.

3.3: Be Safe

Ensure that all accounts have robust passwords and that security software is appropriate and kept up to date. Account logins should be changed regularly. In the case of a pharmacy account, login details should only be shared with designated staff. Login details should be changed when staff members leave their employment, or responsibilities change.

3.4: Location Settings – GPS

In addition to being generally aware of your personal safety online, please note that social networking applications, including WhatsApp and a number of popular dating sites and applications utilise GPS location settings on devices to provide their services. This has the potential for the inadvertent disclosure and exchange of highly personal information in the workplace. Caution should therefore be taken when enabling location settings in these applications, particularly if a personal device is utilised in the workplace.

Conclusion

Social media presents pharmacists with positive opportunities to engage with patients, the wider public and with fellow healthcare professionals. It has social, commercial and professional applications. It is a highly effective method of two way communication and provides a variety of engaging platforms with which to interact. When carried out in a safe and professional manner, with an awareness of responsibilities and liabilities, it can be an enjoyable, beneficial and productive experience.

Appendix A

Criminal Law in Northern Ireland:

The following Acts and Orders are particularly relevant to the conduct of social media activity. They are accurate at time of publication. However, please note, other laws may also pertain both in the UK and other jurisdictions:

Malicious Communications (Northern Ireland) Order 1988

Under this legislation it is an offence to send an indecent, offensive or threatening letter, **electronic communication** or other article to another person with intent to cause distress or anxiety.

Under section 43 Telecommunications Act 1984 it is a similar offence to send a telephone message which is indecent offensive or threatening.

Both offences are punishable with up to six months imprisonment and/or a fine not exceeding £5000.

The Communications Act 2003

This piece of legislation deals specifically with the improper use of a public electronic communications network.

Section 127 of the Act provides as follows:

1. A person is guilty of an offence if he –
 - (a) sends by means of a public electronic communications network a message or other matter that is grossly offensive or of an indecent, obscene or menacing character;
 - (b) causes any such message or matter to be so sent.
2. A person is guilty of an offence if, for the purpose of causing annoyance, inconvenience or needless anxiety to another, he –
 - (a) sends by means of a public electronic communications network, a message that he knows to be false;
 - (b) causes such a message to be sent; or
 - (c) persistently makes use of a public electronic communications network.

A person guilty of an offence under this section shall be liable, on summary conviction, to imprisonment for a term not exceeding six months or to a fine not exceeding £5000, or to both.

Protection from Harassment (NI) Order 1997

Article 3 of the Order states that it is unlawful to cause harassment, alarm or distress by a course of conduct and states that'

'A person must not pursue a course of conduct

- (a) which amounts to harassment of another, and
- (b) which he knows or ought to know amounts to harassment of the other.'

Article 4 provides that a person guilty of an offence of harassment under Article 3 shall be liable on summary conviction to imprisonment for a term not exceeding six months, or a fine not exceeding £5000, or both.

The legislation provides that a civil claim may also be brought by a victim of harassment in the High Court or County Court and that damages may be awarded for any anxiety caused by harassment and any financial loss resulting from harassment.

The court may also grant a restraining order which shall prohibit the defendant from pursuing any further conduct which amounts to harassment or will cause a fear of violence. If without reasonable excuse the defendant does anything which breaches the court order this will amount to a criminal offence and the defendant shall be liable on summary conviction to imprisonment for a term not exceeding six months, or a fine not exceeding £5000, or both.

Civil Law:

The Defamation Act 1955 & 1996 Amendments

These acts address the law in Northern Ireland relating to libel, slander and other malicious falsehoods.

While libel law differs in Northern Ireland from that in England and Wales, there have been a number of recent high profile cases involving the application of libel laws to Social Media activity. These include the McAlpine V Bercow and Monroe V Hopkins.

Civil & Criminal:

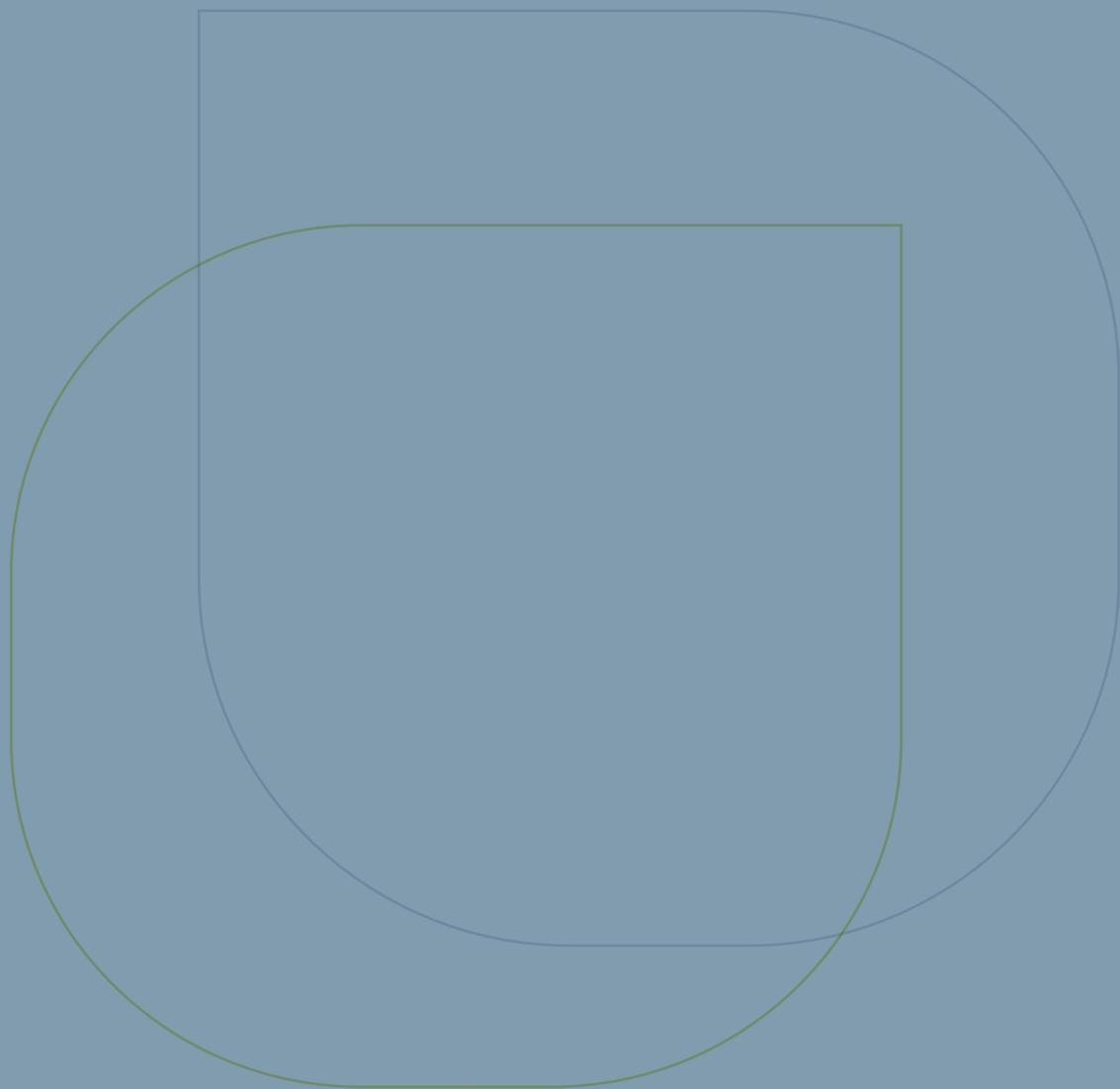
The Data Protection Act 1998

The Act defines the law on the processing of data on identifiable living people and is the main piece of legislation that governs data protection.

EU Legislation:

The General Data Protection Regulation (GDPR) – Enforcement Date: 25th May 2018

The EU General Data Protection Regulation (GDPR) replaces the Data Protection Directive 95/46/EC and was designed to harmonize data privacy laws across Europe, to protect and empower all EU citizens' data privacy and to reshape the way organizations across the region approach data privacy.



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