



SOCIAL MEDIA POLICY (External)

DKVG
ATTORNEYS

EST. 1993
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1. INTRODUCTION

El Shaddai Christian School ("El Shaddai" or "the School") recognises that social media and the use of social media networking sites is a very valuable tool for both communication and education. El Shaddai wants all its learners, their parents/guardians and employees to gain every benefit from the opportunities that social media can offer.

The School recognises that should social media not be used responsibly, it can pose certain risks. The School has a duty to protect itself, and other individuals associated with the School, against these risks.

This Social Media Policy ("Policy") describes the rules governing the online engagements of third parties (including parents/guardians) using the social media networking sites and/or services of El Shaddai Christian School. This Policy has been created to encourage the responsible use whilst at the same time reducing the risks associated with such use and protecting the School's reputation.

2. WHY THIS POLICY EXISTS

At El Shaddai, we foster an open and expressive environment, and respect every individual's right to freedom of speech. However, as an educational institution, we feel we must remind all learners, parents/guardians and employees of their obligations as citizens of South Africa, to ensure that all communications on social media is lawful, does not cause harm and does not infringe on other peoples' rights (e.g. their rights to reputation, dignity and privacy). As Christ followers, we eagerly embrace our digital citizenship responsibilities.

Social media can bring significant benefits to El Shaddai and its learners, particularly in improving communication between the School and the parents/guardians.

The guidelines laid out in this Policy serve both to encourage and extend the use of social media in a constructive and educative way, as well as limit and contain the possibilities of destructive, or counter-productive instances.

This Policy explains how parents/guardians can use social media safely and effectively.

3. POLICY SCOPE

3.1 This Policy applies to all parents/guardians or any interested persons of El Shaddai, who interact on the School's social media sites and/or services.

3.2 Social media includes (but is not limited to):

- 3.2.1 Popular social networks like **Twitter** and **Facebook**
- 3.2.2 Online review websites like **Google**
- 3.2.3 Instant messaging social networks like **WhatsApp** and **SnapChat**
- 3.2.4 Sharing and discussion sites like **Reddit**
- 3.2.5 Photographic social networks like **Instagram**
- 3.2.6 Live streaming platforms like **Live.ly** and **Music.ly**
- 3.2.7 Video platforms like **YouTube**
- 3.2.8 Gaming Platforms (including games on **Xbox** and **PlayStation**)
- 3.2.9 Question and answer social networks like **Quora** and **Yahoo Answers**
- 3.2.10 Professional social networks like **LinkedIn**

4. APPLICABLE LEGISLATION

4.1 Applicable legislation includes, but is not limited to:

- 4.1.1 **The Constitution of the Republic of South Africa, 1996.**
 - 4.1.1.1 Rights may be infringed by users of social media (right to privacy, right to dignity etc.)
- 4.1.2 **The Films and Publication Act 65 of 1996.**
 - 4.1.2.1 Posts on social media constitute "publications". The Act regulates the distribution of publications.
- 4.1.3 **Electronic Communications and Transactions Act 25 of 2002.**

- 4.1.3.1 This Act's objective is to provide for, facilitate and regulate electronic communications and transactions. (Narrow application)
- 4.1.4 **Children's' Act 38 of 2005.**
 - 4.1.4.1 Gives effect to children's rights as contained in the Constitution.
 - 4.1.4.2 Sets out principles relating to care and protection of children.
 - 4.1.4.3 Defines parental responsibilities and rights.
- 4.1.5 **Criminal Law (Sexual Offences and related matters) Amendment Act 32 of 2007.**
 - 4.1.5.1 Regulates child pornography (may be disseminated via social media).
 - 4.1.5.2 Sexual relations involving minors.
- 4.1.6 **Protection from Harassment Act 17 of 2001.**
 - 4.1.6.1 Applicable in cases where social media is used as a mechanism to harass someone.
- 4.1.7 **Promotion of Equality and Prevention of Unfair Discrimination Act 4 of 2000.**
 - 4.1.7.1 Prevention and prohibition of unfair discrimination. Social media publications can give rise to unfair discrimination.
- 4.1.8 **Trademarks Act 194 of 1993.**
 - 4.1.8.1 Trademarks and similar intellectual property vests in the School and those rights are governed by this Act.
- 4.1.9 **Copyright Act 98 of 1978.**
 - 4.1.9.1 Copyright may vest in the school which may be infringed via the social media.
- 4.1.10 **The Protection of Personal Information Act 4 of 2013.**
 - 4.1.10.1 Regulates the use and management of personal information.
- 4.1.11 **The South African Schools Act 84 of 1996.**
 - 4.1.11.1 Provides for a uniform system for the organisation, governance and funding of schools, to amend and repeal certain laws relating to schools, and to provide for matters connected therewith.

5. GENERAL SOCIAL MEDIA GUIDELINES AND PRINCIPLES

- 5.1 El Shaddai recognises that social media offers a platform for the School to stay connected with parents/guardians. The School expects all parents/guardians (and carers) to ensure that they do not conduct themselves in a way that is detrimental to the School.
- 5.2 We urge parents/guardians to adopt the practices mentioned below in their online engagements on any social media networking site.

5.3 BASIC ADVICE AND PRINCIPLES

Assumptions can be made from viewing an individual's social media account such that link that individual to the School, even if they do not list El Shaddai Christian School as their School or the School their child attends (for example by most of the individual's friends attending the School, so it is likely that the individual in question attends the School or assumptions that can be made from viewing content regarding the individual on another social media account such as being "tagged" in a School photograph by a friend or by the School).

This means that these social media guidelines and other applicable policies, apply 24 hours a day, 7 days a week (including School holidays), as all individuals associated with the School act as representatives of the School at all times.

Kindly follow these simple rules and practices to help avoid the most common pitfalls of social media use:

- 5.3.1 **Know the social network.** You should spend time becoming familiar with the social network before contributing. It's important to read any FAQs and understand what is and is not acceptable on a network before posting messages or updates. Each social media site has its own acceptable use policies that you may view at any time. By using the social media site you agree to those terms and conditions.
- 5.3.2 **If unsure, don't post it.** You should be cautious when posting to social networks. Content on social media is "published" content from the moment one other person has seen the content on a social media networking site or platform (including WhatsApp). This means that

you are responsible for it, the same as a journalist who puts a headline on the front page of the newspaper. If you feel that an update or message might cause complaints or offence, or otherwise be unsuitable, you should **not** post it.

- 5.3.3 **Handle complex queries via other channels.** Social networks are not a good place to resolve complicated enquiries and issues or to lodge complaints. Please direct any concerns or complaints to the School directly via our [Contact Page](#) or through the correct channels which are by personally contacting the respective Head of either the pre-primary/primary School or the high School. Having an issue with the School and taking such issue to social media to vent/air your concerns is not acceptable and is in breach of this Policy.
- 5.3.4 **Do not share your password** with anyone else. It is also advisable to change your passwords regularly to protect your privacy.
- 5.3.5 **You are never anonymous online.** Even if you use social media under a pseudonym, it is easy to trace the identity and location of an account holder using an IP address.
- 5.3.6 **Beware of what you post and who you share digital content with,** as soon as content exists in a digital format (i.e. as a photo, or typed note), it is at risk of being distributed and seen by many other people. Even if content is not posted online, a phone may be stolen, images are backed up to the Cloud (which may get hacked) and screenshots can be taken. As a result of this, **all digital content is vulnerable**, and content that is sent to someone else or posted, is especially vulnerable, and is essentially out of the creator's control. Be particularly mindful of sharing information such as full dates of birth and current locations as nothing is private.
- 5.3.7 **Digital content a permanent record.** Everything posted and/or distributed online is there to stay, even if you delete it shortly thereafter. Screenshots may be taken and/or content copied facilitating in the widespread distribution of the content that is beyond your control.
- 5.3.8 **Chain of publication.** Remember that even if you did not create the content, in terms of the law, you are responsible for any content that you retweet, share, like or are tagged in on social media. Any comments appearing on your posts are also your responsibility, and if you are in a WhatsApp Group all of the content on that group is your responsibility (not just the responsibility of the person who put it there).
- 5.3.9 **Failure to mention the name of the School or a certain individual does not remove liability** for content that is damaging to the School and/or others. You do not have to mention a name in order to have identified someone for the purpose of the offence of defamation or crimen injuria (infringement of dignity). Similarly, you do not have to mention the name of the School for the content to be defamatory.

5.4 GUIDELINES

Our use of social media contains general updates and information of our activities and events, and is not meant to be used as a line of communication. For any specific communications or questions, please contact us via our [Contact Page](#).

To optimise the responsible use of social media, parents are required to use social media in adherence with the following appropriate and acceptable practises/guidelines:

- 5.4.1 Parents/guardians should not abuse any privileged or confidential information (including personal information about a third party) they might have access to in any way in private social media.
- 5.4.2 If a parent/guardian identifies an employee of the School engaging in inappropriate activities/interactions on social media, please direct the complaint towards the School via email or telephone call. El Shaddai will intervene to prevent reputational damage to the School in an appropriate manner.

- 5.4.3 Please refrain from adding any employee's to your private social media accounts for purposes of communicating School information. Any communication on behalf of the School will be dealt with on the official El Shaddai social media account(s). Where you have given your voluntary consent to participate in a El Shaddai WhatsApp group, you will be able to communicate with the Staff member on the WhatsApp group.
- 5.4.4 Parents/ guardians must be security conscious and should take steps to protect themselves from identity theft, for example by restricting the amount of personal information that they give out. Be cautious about publishing photographs, providing personal details including surname, phone numbers, addresses, birthdates and pictures.
- 5.4.5 A User should abide to the particular social network's terms and conditions and/or acceptable use policy and Code of Conduct (Facebook) or community guidelines (Instagram) or any other similar rules and guidelines made available by the particular social network.

6. SAFE, RESPONSIBLE SOCIAL MEDIA USE

The rules in this section apply to any user (including you, as a parent/guardian at the School) of the El Shaddai's social media sites.

6.1 USERS MUST NOT:

- 6.1.1 submit, publish, post, upload, store, distribute or disseminate any message, status updates or links to material or **content that is inappropriate**. Inappropriate content includes (but is not limited to):
 - 6.1.1.1 pornography;
 - 6.1.1.2 racial or religious slurs;
 - 6.1.1.3 gender-specific comments;
 - 6.1.1.4 information encouraging criminal skills or terrorism, or materials relating to cults, gambling; and illegal drugs.

The definition of *inappropriate content or material* also covers any text, images or other media that could reasonably offend someone based on (but not limited to): race; age; sex; religious or political beliefs; national origin; disability sexual orientation; and or any other characteristic protected by law.

- 6.1.2 Circulate, copy or use any pictures or videos or any other Personal Information of learners, other parents/guardians or employees of the School without the consent from a competent person (i.e. the learner's parents/guardians) or from the individual themselves prior to posting. Please note that any pictures or videos of learners that are displayed on our official El Shaddai social media account(s) have been taken and posted with the consent from such learner's parent/guardian. If you have previously taken and/or posted a picture, video recording, voice recording or other recording of another individual and they ask that you delete/remove it, you must do so immediately (unless it contains evidence of wrongdoing).
- 6.1.3 Use social media for any **illegal or criminal activities** or promote any illegal or criminal activity.
- 6.1.4 Submit, publish, post, upload, store, distribute or disseminate any defamatory, infringing, offensive, obscene, indecent, harmful, confidential, hateful (including hate speech), harassing, threatening or otherwise illegal or objectionable material or information.
- 6.1.5 Broadcast **unsolicited views** on social, political, religious or other non-business related matters.
- 6.1.6 Send or post messages or material that **could damage El Shaddai's image or reputation**.
- 6.1.7 Post, upload, forward or link to **spam, junk email or chain emails and messages**.



- 6.1.8 Submit, post or upload files that contain software or other material the intellectual property rights in which are owned by any third-party or which are protected by rights of privacy or publicity of any third party without having received all necessary consents.
- 6.1.9 Upload files that contain viruses, corrupted files, or any other software or programs that may interfere with or damage the operation of the social network page or any other computer.
- 6.1.10 Impersonate any person or entity, or falsely state or otherwise misrepresent yourself in any way. This includes creating accounts that appear to belong to the School without the written permission from the Head of the School.
- 6.1.11 Submit any material which is prohibited by any applicable data protection or privacy legislation.
- 6.1.12 Submit, post, or upload any content or materials or otherwise do anything in breach of the Facebook Terms of Use.
- 6.1.13 Use software to harvest information from the social media network pages of El Shaddai or any of the School's representatives.
- 6.1.14 Use of any School social media (including but not limited to School WhatsApp Groups, the School's Facebook page etc.) for advertising of any kind.

6.2 USERS MUST:

- 6.2.1 Report any incidences of bullying, harassment, sexting or other inappropriate communications concerning or involving any learner of the School or other individual associated with our School as soon as they become aware.
- 6.2.2 Use any School WhatsApp / Hangout groups in accordance with the guidelines stated under **Annexure A**.
- 6.2.3 Only use the School logo once written permission from the Head of the School has been received to do so.

Commented [CGP1]: Has the school registered/considered registering a Trademark for the logo/name. We could assist herein.

7. POLICY ENFORCEMENT

- 7.1 You agree that you shall be solely responsible for all content, information or materials of whatever nature or medium that you submit, post, upload, publish or display on or through the social media network pages or transmit to or share with other users ("**User Content**") and you warrant and undertake that you own the intellectual property rights in and to all User Content or that you are otherwise entitled to submit the same to the page.
- 7.2 You agree that you may be held personally liable for breaching this Policy and hereby indemnify the El Shaddai against any claim (all damages, losses or expenses) that may result from your breach of this Policy.
- 7.3 **You acknowledge and agree that we (El Shaddai Christian School) may, but are not obligated to, monitor the content (including the User Content) on the social media network page(s) and may delete or remove from the said page immediately without notice any User Content or any other content of whatever nature, for any or no reason, including without limitation, if such content in our absolute discretion is in breach of any of the rules or guidelines made available under this Policy.**
- 7.4 You may be required and asked to remove any social media content that we consider to constitute a breach of this Policy.
- 7.5 Where Learners are identified with the School and are engaging in inappropriate fashion, the School will intervene to prevent damage either to the School or to the individuals involved. When Learners conduct themselves inappropriately without being identified as connected with the School, parents/guardians must accept their roles in managing the private activities of their



children. They should not expect the School to police the private and out-of School activities of Learners of the School, however the School reserves the right to intervene in such situations if it is in the best interests of the child to do so.

7.6 Breach of this Policy **will** result in a breach of the Learner Admission Contract.

7.7 Where appropriate, El Shaddai will involve the police or other law enforcement agencies in relation to breaches of this Policy.

8. REVIEW OF POLICY

El Shaddai reserves the right to amend this Policy at any time and present the latest version of the Policy for the users to see.

Annexure A
El Shaddai Christian School WhatsApp / Hangout Guidelines:

Please adhere to these WhatsApp and Hangout Guidelines put together by the School's Social Media Manager and Head of the School to protect both individuals and the School.

1. SET-UP OF GROUPS

- a. School WhatsApp groups must only be set-up by a Staff member of El Shaddai. Should a parent/guardian wish for a WhatsApp to be set up in relation to the School they can approach the School with an enquiry to assist in the set up of such group.

2. OTHER

- a. **No "out of hours" use of the groups.** The "hours" of all School WhatsApp Broadcast Groups are from 7 am - 7 pm. Communications must only be sent between these times. These groups must only be used outside of these hours for emergencies or by agreement of all the group users for a specific event or purpose.
- b. **School business only.** These groups are for School related activities only and for the purpose of discussion of the topic for which the group was set-up for. There must be no unrelated activities, current affairs or social issues discussed on these groups. Advertising, political endorsement, memes, jokes and the likes are prohibited on these groups.
- c. **Positive content only.** These groups are not places for the discussion of gripes with the School, teachers, parents/guardians or learners. If there is an issue that is of concern, it must be raised through the appropriate channels not on any form of social media. Always be careful with the tone of your messages and remember that context is often not clear online. Emotions can cause offence/confusion so use them wisely.
- d. **Only reply to the message if necessary.** If a message does not require a response, please do not respond. The volume of messages on these groups can become overwhelming. You do not need to acknowledge receipt unless specifically requested to do so e.g. Birthday invites - only reply to the person who invited you, not the whole group.
- e. **Cultivate responsibility.** Please do not routinely use these groups to find out about your/your child's homework assignments or tests. We want all learners to foster a sense of responsibility for their own learning, and to develop organisational skills. Reliance on these groups hinders this essential skill development.
- f. **Our Staff.** Please remember that our Staff are always available to help, but do appreciate a break too. Please do not contact them directly outside School hours (7:30 am – 3:30 pm) unless it's an emergency.
- g. **Absolutely no profanity.** Please refrain from using profanity and foul language on the group.
- h. **The common sense test.** Anyone who posts something on the group should use the common sense test and be happy for the content to be posted, stated and discussed in any public forum at the School.
- i. **Personal Information.** Should you wish to post personal information (including photos and videos) on the group please be certain to obtain the necessary consents (in writing) from the relevant competent person (parent/guardian of a learner) or data subject to do so.