**Developing Social Media Policies for Your Agency**

By Alexi Papandon

Whatever strategies you’ve developed for your agency, your foray into social media will require a set of policies to guide your agency personnel. You’ll want to develop strategies even if you have decided not to enter the world of social media at all. That’s because, regardless of whether your agency will have a social media presence or not, some of your employees will have a personal social media presence that may mention your agency and some may want to use social media during business hours on your agency computers.

All of these facets of social media require policies to guide employees, whether they are acting on the agency’s behalf on an agency social media outpost, or whether they are posting something to their personal Facebook wall. The world of social media can create situations that may cause even the smartest of us to stumble. And when you stumble in the social media world, your words (video, audio, etc.) can have devastating consequences. Additionally, you can’t hold employees accountable for violating policies that haven’t been made available to them.

Agency personnel must not only receive the agency’s social media policies and agree to abide by them, but should receive some training in them. That training should include role playing to mimic some real life situations that may develop online. Training should also include a hands-on tutorial of how to activate the privacy controls to the preferred settings the agency has determined are appropriate. Furthermore, as individual employees encounter new wrinkles, these situations should be shared with all employees and added to the policies as necessary.

Your agency’s policies should address the agency’s overall stance on social media and what is expected of employees when they are on the job. Your policies should also address employees’ personal use of social media. Following are some specific items you may want to include in your agency’s social media policies. Please keep in mind that this is not a complete list and is specific to social media. It does not include policies that may be needed for other new forms of communication, such as texting.

**Agency Policies**

* Define social media (e.g. For purposes of these agency policies, social media includes any website or media that enables the sharing and/or discussing of ideas and information.)
* Define the agency’s general attitude and philosophy toward the use of social media. This may include:
  + How social media fits into the agency’s overall strategy.
  + What platforms the agency will use.
  + Who will act as agency representatives on the agency’s official social media outposts.
  + Who employees should go to when they have concerns about something social media related (e.g. a questionable post they have seen [whether on an agency site or another site], a response they are considering making, etc.).
  + Who the agency’s social media compliance officer is and who will enforce the agency’s policies.
* Other than those specified employees acting as agency representatives on the agency’s official social media outposts, are employees permitted to use social media during the workday?
* The agency’s official social media outposts should include the same disclaimers that would be used in other communications such as email, website, voice mail, etc. (i.e. coverage cannot be bound or written…).
* The agency’s official social media outposts should also include policies directed at visitors to those sites. These should specifically include what is acceptable to discuss on the agency’s social media website (general matters, not matters pertaining to specific individuals or entities). For those matters not appropriate to discuss on the social media site, alternate methods of communication should be provided.
* If the agency has determined that it would like its social media representatives and/or other employees to adhere to certain minimum privacy control settings, these should be spelled out. (Keep in mind that these settings can and do change frequently.)
* Information gathered via social media should be entered in the agency management system just as if it came via the phone or another communications medium.
* Make it clear that the agency is committed to protecting the intellectual property of others. This includes copyrighted works as well as trademarked materials such as logos, whether these items are owned by the agency or a third party.
* Indicate the consequences for violating the agency’s social media policies.

**Employee Policies**

* Privacy is paramount. Employees may discuss general insurance matters, but should not discuss information about specific clients, prospects or entities.
* If talking with an individual, take the conversation off the social media site into a more traditional medium.
* Don’t provide information which could be used by a competitor to their advantage.
* Don’t talk about current or past co-workers, whether at the current or a previous employer.
* Do not engage in anti-competitive behavior.
* Be very clear to differentiate between fact and opinion.
* Act in a professional manner.
* Do not write recommendations on social media sites while acting as a representative of the agency.
* Employees must respect copyrights and not post copyrighted works. Where possible, link to content on the copyright owner’s website.
* Do not say negative things about anyone or any entity, even if someone else starts the negative attacks. This might invite a lawsuit alleging defamation.
* If someone engages in negative talk on the agency’s social media properties, bring it to the attention of management immediately so they can take the appropriate measures. [Management should remove such negative posts if they reference any employees or 3rd parties.]
* Employees should notify management if they become aware of negative talk about the agency or any of its employees on 3rd party social media sites so that management can take the appropriate measures.
* Social media use is not to interfere with one’s other duties.
* Employees should identify who they are honestly and proactively. When acting on behalf of the agency or when communicating on an insurance related matter, employees should always make their role at the agency clear. Do not post anonymously and never falsify your identity.
* Employees must read and understand the Terms of Use of any social media platforms that they use in which they are acting as an official agency representative or referencing their affiliation with the agency. These Terms of Use must be provided to the agency compliance officer for their review and approval.
* Employees may only accept Terms of Use on behalf of the agency if they have been granted the authority to do so.

**Policies for Employees’ Personal Social Media Presences**

* Do not include any references to the agency if anything on the page might reflect negatively on the agency. This includes words, images, videos, audio, etc. [Please note: some companies opt to completely prohibit mentioning the company on personal social media sites, however, this can have negative business ramifications. For example, networking on LinkedIn is generally in the company’s best interests if done responsibly, but this is virtually impossible if your employees cannot mention their agency affiliation. Some companies straddle the fence, permitting references to the agency as long as the page’s content is professional and a disclaimer makes it clear that opinions expressed on the page belong to the poster, not the agency.]
* Any insurance related advice provided on a social media platform should be accompanied by the same disclaimers that would be used in other communications such as email, website, voice mail, etc. (i.e. coverage cannot be bound or written…). [Please note: you might also request that employees indicate that such advice is offered by them personally and not offered by them in their role as an agency employee.]
* If writing a recommendation for any person or entity that is currently or has previously been affiliated with the agency, or is in the insurance industry, make clear that this is your personal recommendation and does not reflect the views and opinions of the agency.

**As you would for any official agency policies, it is recommended that competent legal counsel and/or other qualified professional advisors review your new policies before they become official policies of your agency.**

Once you’ve developed your social media strategy and policies, you are just about ready to go. Before you do, this might be a good time to determine whether your agency’s insurance provides the necessary protection for the exposures that come with using social media.