Ethical Standards Advisory ESA-20 (September 2015)

ETHICS AND SOCIAL MEDIA

> *All Public Relations Society of America (PRSA) members pledge adherence to the Society's Member Code of Ethics. As ethical quandaries arise in the industry, the PRSA Board of Ethics and Professional Standards (BEPS), in accordance with Article XII of PRSA Bylaws provides guidance on such issues within the framework of the Code provisions. The PRSA Board of   Directors then announces these guidelines through this series of Ethical Standards Advisories (ESAs). These guidelines   are for informational purposes only and not for the purpose of providing legal advice. Please consult an attorney   to obtain legal advice regarding your specific situation. The PRSA Member Code of Ethics can be found online at http://www.prsa.org/.*

ISSUE:

Social media, and its varying channels, is a defining element in today's culture, now intricately woven into everyday society. With billions of regular users and new programs emerging often, social media platforms operating as multi-directional communication tools offer an exchange of information in an open system – one which, if not strategically approached, has the ability to quickly amplify ethical mistakes.

The speed, frequency and open accessibility of communication via social media has introduced new challenges for public relations professionals, intensifying the level of professional ethical responsibility. Organizations, brands, agencies and clients actively engage with key audiences through social media outlets, and this direct interaction-based exchange inclusive of multiple sources may lack the balanced accuracy and verification system inherent to traditional media. Consequently, social media material can be unfiltered, leading to inaccurate information and the potential for a wide range of harmful circumstances if not carefully vetted and verified. This situation is exacerbated in the 24/7 news cycle, which precipitates few gatekeepers - especially in the social media realm. As such, the public relations professional must ensure information entering this fast-paced environment is fully compliant with PRSA's Code of Ethics.

ENVIRONMENT:

Social media is a rapidly changing environment, with complex forms of communication and real-time interaction directly targeted at specific audiences. Public relations professionals have a responsibility to their publics to be honest, transparent, credible and truthful, striving for meaningful social media content that fosters trusted relationships and creates value. Promoting healthy and fair competition among professionals preserves an ethical climate within the social media ecosystem that nurtures a robust community and business environment.

Taking the time to strategically approach social media as part of a public relations plan is crucial to avoid ethical transgressions. Successfully navigating social media arenas in this manner is true to the PRSA Code of Ethics.

BACKGROUND:
Early in the 21st century with the onset of information technologies and Web 2.0 software standards, new social networking technologies such as Facebook, YouTube and Twitter marked the transformation of social information practices worldwide.

Prior to Web 2.0 standards, computers for decades were the medium for various types of social networking, including the military's ARPANET in the early 1970s, and evolving as the base for Internet news groups, electronic mailing lists, bulletin boards, chat rooms and more (*Barnes 2001, Turkle 1995*). These systems grew organically, unlike Web 2.0 technologies which purposely leveraged user-generated and collaborative content with the intent to harness the social networking power of the Internet.

Web 2.0 social platforms redefined the Internet by providing multiple avenues for integration and connections shared by individuals with online and offline networks. Initial websites deploying these new standards included MySpace, LinkedIn, Bebo and Facebook, among others, leading to the rise of video sites such as YouTube and location-based systems such as Foursquare and Google Latitude; and interest-sharing sites such as Pinterest (*Stanford Encyclopedia of Philosophy*).

More recently, real time content is being generated predominantly through mobile devices through applications such as SnapChat, where content disappears after a period of time. Other video services such as Meerkat and Periscope enable authors to publish streaming video content, also in real time, enabling authors to capture events as they happen in an unfiltered, unedited manner – creating both opportunity and risk.

Social media platforms and various management tools will continue to evolve in the communication marketplace. Despite its dynamic nature, core concepts from the PRSA Code of Ethics (Code) should guide professionals in their responsible use of social media to best serve their clients, organizations and the public's interests.

RELEVANT SECTIONS OF THE PRSA CODE:
At least five Code provisions and three professional values relate specifically to social media ethics.

- *Code Provisions*
    - <u>Disclosure of Information:</u> Open communication, or disclosure, fosters informed decision making in a democratic society especially within the fast-paced and ever-evolving social media platforms.
        - Content providers should fully disclose paid placements and all associations with a product to support informed opinions and rational decision making.
    - <u>Safeguarding Confidences:</u> Client trust requires appropriate protection of confidential and private information, especially as it pertains to social media.
        - Content providers must be aware that, while social media provides an increased ability to reach and engage various publics, it also increases the risk that confidential information, whether personal, corporate or intellectual property (IP), be improperly disclosed via social media channels.
        - Improper sharing of information, even without intent, can have serious consequences for practitioners, clients, employees, employers and others.

- - Content providers must be cognizant of an employee's right to free speech as defined by the National Labor Relations Board (NLRB).
  - o Conflicts of Interest: Avoiding real, potential or perceived conflicts of interest builds the trust of clients, employers and the publics.
    - While creating content (e.g., blogs, white papers, case studies, etc.) and taking part in online conversations (e.g., forums, Twitter chats, etc.) are excellent tactics for branding individuals (e.g., clients, CEOs, etc.) as subject matter experts, we must disclose conflicts of interest when communicating with audiences.
    - If working with social media influencers and providing product samples, require proper disclosures (per FTC guidelines) are made. If gifts are given, ensure they are nominal, legal and infrequent.
  - o Free Flow of Information: To maintain the integrity of relationships with stakeholders, professionals must ensure consumers can readily discern between sponsored content, news reporting and editorial content.
  - o Enhancing the Profession: Public relations professionals build respect and credibility with the public with author transparency related to social media content.
    - Social media should keep publics informed and educated about the issues surrounding the profession, share best practices and case studies.
- *Professional Values*
  - o Honesty: We adhere to the highest standards of accuracy and truth in advancing the interests of those we represent and in communicating with the public.
  - o Advocacy: We serve the public interest by acting as responsible advocates for our clients/companies. We best support the marketplace of ideas, facts, and viewpoints and aid informed public debate and stakeholder decision making when authors or sponsors are fully disclosed and transparent.
  - o Fairness: We support free expression and deal fairly with our clients, competitors, peers, the media, and the general public when we fully disclose authors and sponsors of content and relationships to content to ensure transparency in social media activities.

EXAMPLES OF IMPROPER SOCIAL MEDIA PRACTICES:
Disclosure
- Unreported/unidentified endorsements and the failure to clearly identify the source or sponsorship of paid content, whether monetary, in-kind compensation or via free products. In 2009 the FTC updated its guidelines to include social media (www.ftc.gov/opa/2009/10/endortest.shtm).

- Anonymity by blending sponsored content into editorial, news, or entertainment content or not revealing an association so as to obscure the identification of the paid, in-kind transactional relationship, competitor status or opinion-based content. While the practice is not illegal, it flies in the face of the spirit of social media and risks losing consumer trust.

- Engaging employees to spread the word about a company's good deeds may help build brand awareness, but those who engage without disclosing their association violate consumer trust.

- Failure of the content provider to clearly identify a relationship associated with the topic, product, company or content.

- Obscuring a relationship by the content provider to the topic, product, company or content.
- Burying disclosure or making it difficult to find/determine.
- Failure to disclose compensation for social media endorsements.
- Failure to clearly distinguish advertising from news and editorial content.
- Celebrity posts that do not disclose an association with a promoted product.
- Front groups or astroturfing to obscure an association to an event, group or topic.

Safeguarding Confidences
- Posting a picture of a client's product on Instagram or other social media platforms prior to it being released to the public.
- Releasing earnings information on behalf of a public company before the official earnings release.
- Prematurely posting a public company relationship prior to notifying stakeholders.
- During acquisitions, conducting key employee searches on social media, potentially alerting others prematurely of an acquisition.
- Posting private employee information via social media channels.

Conflicts of Interest
- A physician doesn't disclose ties to drug companies and provides biased advice through social media.
- A CEO comments on social media about a particular industry's issue, but doesn't disclose he or she is CEO and/or on the board of a company in that industry.
- Posting about a client on social media without disclosing your relationship.

Free Flow of Information
- The public relations practitioner does not ask or require a blogger to disclose sponsorship or other compensation for the article.
- A blogger receives gifts such as paid travel expenses to write a post, but does not disclose that information in the post or on the website.
- Choosing winners of social media contests based on how many followers the contestant has on social media channels.
- Improper reporting of social media statistics (e.g., readership, page views, click-throughs).
- Digital Ad Fraud – not having systems in place to report actual views.

Enhancing the profession
- Using online education to focus on products/services instead of strategies and tactics.
- Failure to keep abreast of new platforms, applications and publishing methodologies that are being adopted by various publics

RECOMMENDED BEST PRACTICES:
Trust is the ultimate currency of social media. In order to enhance trust, build positive relationships, and support a free and informed democratic society, the following code elements are provided as examples to guide the actions of ethical public relations professionals.

Disclosure

1. Full disclosure: Public relations professionals must work to ensure transparency and that the sponsorship of a person, news (traditional and online), blog posts, and other social media platforms is fully disclosed, consistently clear and easily identifiable to readers/viewers/users/audience.

    a. Always disclose who you are, who you work for and any relevant affiliations.
    b. Comply with all laws and regulations associated with disclosure.
    c. Be transparent. Always properly identify yourself when posting. Using a false identity or posting anonymously violates the disclosure principle.

Safeguarding Confidences

1. Understand the relevant rules and guidelines from various agencies regarding the proper disclosure of information to ensure compliance.

    a. Regularly review and keep current with the most up-to-date compliance material issued by the FTC.

2. When unsure – do not post.

    a. Seek clarification and guidance from an organizational authority and/or legal counsel.

3. Seek legal counsel to review current social media policies and training programs.

    a. Clear guidelines should be set to include training on appropriate social media use.

4. The duty to keep confidential information private survives any agency or employment relationship.

5. Immediately advise an appropriate authority if a member discovers that confidential information is being divulged by an employee of a client company or organization.

Conflicts of Interest

1. Link to a full curriculum vitae or resume in the bio of all subject matter experts.

2. Include disclosure guidelines in the social media policies for all companies and organizations, including for their boards of directors.

Free Flow of Information

1. Require bloggers and social media influencers to sign agreements to identifying proper disclosure per FTC guidelines, including disclosure of any gifts or paid sponsorships.

    a. Provide actual language/wording to bloggers or other influencers requiring disclosure within the brand.
    b. Identify to the appropriate level within each social media category a bio or statement reflecting that they are a brand advocate or consultant.

2. Develop ethical guidelines regarding sponsored content and providing annual training for employees. Revisit those guidelines regularly for updates.

Enhancing the profession

1. Use trade associations to disseminate information and lead conversations.
2. Increase access to resources and thought leaders through social media.

Social media is a useful and powerful tool for public relations professionals to directly engage interested stakeholders. Operating within the medium openly and honestly in conjunction with the PRSA Code of Ethics is critical to best serve all audience, publics and clients.

FOR FURTHER REFERENCE:

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