



Fostering Social Media Success with Your Legal Team

How to keep your social media strategy on the right side of the law



Working with and not against your harshest critic

Do you groan at the thought of sitting at the same table as your legal team? While these discussions are sometimes tough, having your legal team on your side while you map out your social media strategy, will keep you out of hot water and on the right side of the law.

Social media is much more than fostering relationships external of your organization, but also strengthening those relationships within your organization's walls. Go from having your legal team respond to your social media ideas with a **“No, because...”** to a **“Yes, if...”** with these easy steps. Begin fostering a positive working connection with your legal team, and we'll show you how this alliance will help you structure a sound social media strategy.

1. Building Relationships
2. Listening to the Buzz
3. Educating the Critics
4. Planning Proactively
5. Communicating Effectively
6. Empowering the Workforce
7. Engaging the Community





Building Relationships

When implementing any change management idea, learn to pick your battles. Directly confronting your legal team or side-stepping them altogether is not the best path to aligning social media efforts with business goals. Too often, the legal team is only brought into the social media planning fold after initiatives have been executed and gone awry.

Save time, money and tears and ask your legal team to have a seat at the table while planning the social media strategy. The legal team should act as a strategic adviser. Their role is to protect you and the organization.

So, begin by inviting your legal team to a working lunch and start addressing these questions:

- 1. How will your social media strategy jive with your company culture, values and existing codes of conduct?**
- 2. Should your company have a social media policy?**
- 3. Who from your organization is already engaging on the social web?**



Building Relationships

How this fits into your social media strategy:

Organizations are being pulled into many dynamic conversations requiring the research and response of more than one department. Tools are only part of the solution. The enterprise must socialize. Social media belongs to the organization because success depends on the combined skill sets of every department.

1. Build an organization of proactive collaborators
2. Think and execute beyond a linear process
3. Create a safe haven to learn about the implications of socializing your organization





Listening to the Buzz



You and your legal team should understand that the conversations about your organization, industry, and your competitors are happening with or without your participation or approval. Listen to what is being across the social web before ignoring social media as a fad or jumping to conclusions about how to participate.

Begin listening by setting up keyword searches for your company name, your industry terms, and your competitors. There are several free tools like [Google Alerts](#), [Twitter Search](#) and [Social Mention](#) to help aggregate the buzz. When you have a social media strategy in place, then you may want to consider graduating to a paid monitoring tool to assist in monitoring and social media engagement.

How this fits into your social media strategy:

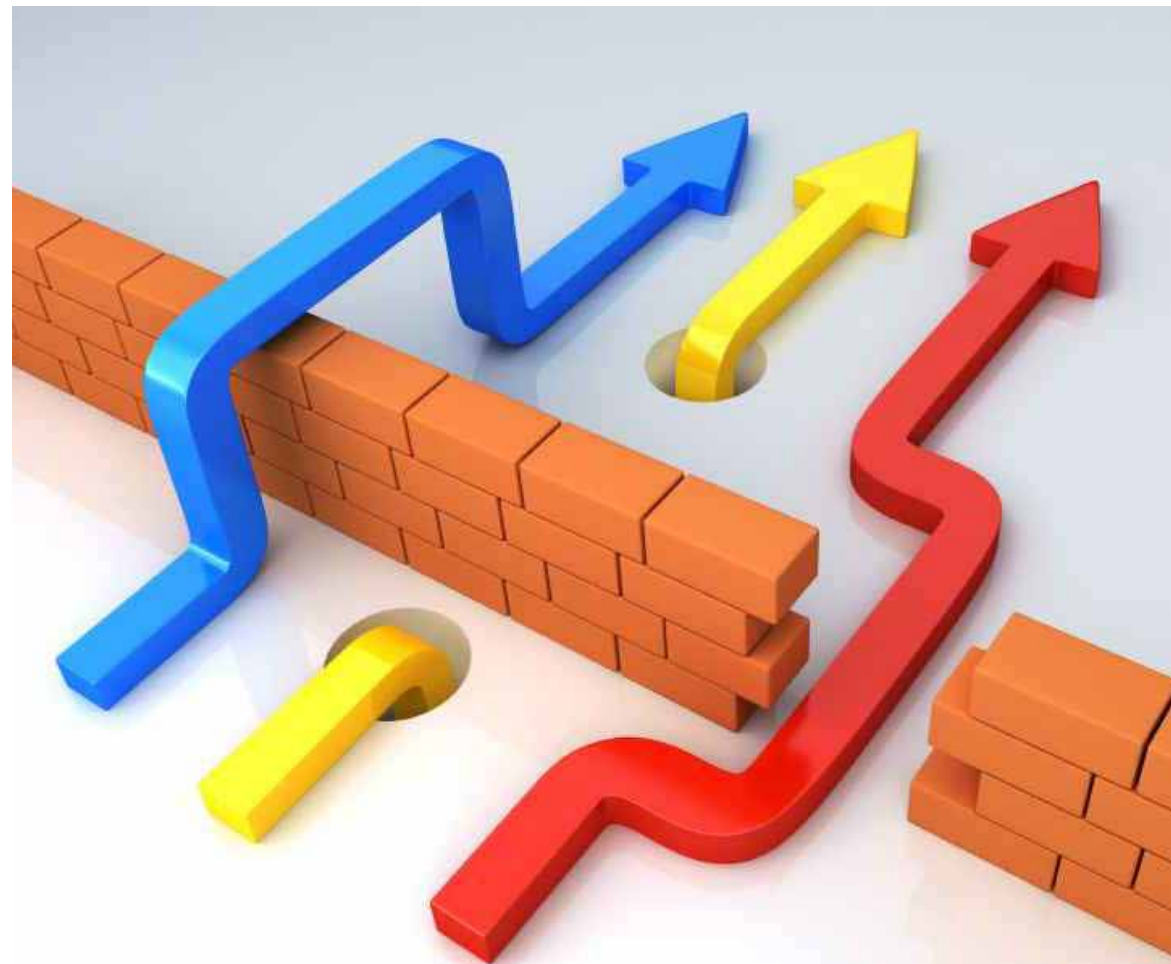
The best defense is a good offense. Ignorance is not bliss. Your legal team knows this, but needs help identifying and understanding how social networks are being used to talk about the organization, and how you're hoping to engage and respond. As you establish alerts to listen to the chatter about your organization, industry and competitors, forward your insights to the legal team and other departments who will have a stake in social media strategies and interaction.



Educating the Critics

Now that you have opened the legal department's listening ears to the chatter outside your organization, it is time to break down the barriers of communication standing between your organization's management and workforce. It is extremely difficult to promote a social media strategy when there are several barriers to entry existing within the organization.

Is your organization blocking access to social networks? This may come as a news flash to your legal team, but this form of censorship is not keeping the workforce out of social media engagement, but forcing them to conduct conversations on their own mobile devices...and it is still happening on the organization's time. Have a discussion with your legal team about the realities of employee expectations and personal use of social media, and how the organization can constructively encourage that kind of participation for professional purposes.





Educating the Critics

How this fits into your social media strategy:

The fear surrounding social media begins to dissipate when the organization is properly educated about social media risks and engagement. In addition to standard copyright and intellectual property law, make sure you and your legal team are familiar with the following resources:

- **Social Media Business Counsel** – area for members to discuss social media hot topics and share best practices
- **Disclosure Best Practices Tool Kit** (drafted by the Social Media Business Council) – a series of checklists to assist organizations interact internally and externally.
- **Digital Millennium Copyright Act** – is part of United States copyright law, criminalizing production and dissemination of technology, devices, or services intended to circumvent measures (commonly known as digital rights management or DRM) that control access to copyrighted works.
- **Creative Commons** – six major licenses available allowing legal sharing, remixing and reusing of digital content.



Planning Proactively

In an era where social media can actually [start a crisis](#), you and your legal team need to be prepared to harness social media for your information gathering and response in a time of crisis. You will not have time to route your responses through a huge hierarchy. This is why it is extremely important to have a proactive crisis plan in place that already has the blessing of your legal team.



Just as social media can start a crisis, it can also fuel a crisis. You have the power to plan ahead and fuel crisis response for a positive outcome. Social media tools are extremely effective at directly informing people in a crisis. With a plan of action in place, your organization can manage communications remotely, influence the message and implement change on the fly with the aid of social media tools.

How this fits into your social media strategy:

Does your communications team already have a crisis communications plan in place? Are social media tools part of the information gathering and response plan? With the guidance from your legal team, establish who will be responding and through what channels they will be responding in a time of crisis. Make it easy for people to follow, contact and extend the conversation to your organization in times of crisis. Check out how the [American Red Cross](#) is using social media to extend their everyday communications, so they have the relationships and tools in place when a crisis erupts.



Communicating Effectively

Social media does not change the fundamental behaviors of communication, but how we communicate. Drop the legalese and talk to your workforce and community in plain language. Take a pulse of how they are already participating in social media and how they would like to see the organization use social media to communicate with them and constituents.

Buy-in does not just come from the executive management, but also from those throughout the organization who will be on the front lines of social media interaction. Allow your stakeholders a seat at the table too. This will help you and your legal team keep the jargon to a minimum.

Take a cue from IBM. In 2005, IBM established a wiki to form a working list of guidelines for IBMers who wanted to blog. The idea has broadened in scope and the collaborated effort has evolved into the [IBM Social Computing Guidelines](#). Don't forget to check out the [video](#) IBM created to communicate the guidelines to the workforce. Interestingly enough, the IBM's VP of Security Counsel and Chief Privacy Officer co-hosts this video with IBM's Social Media Communications Manager. Now that is team work!



Communicating Effectively

How this fits into your social media strategy:

Social media guidelines should not supplant existing codes of conduct, but work in conjunction to promote a safe and healthy business environment. Go back to the beginning when you first sat down with your legal team and asked the [questions](#) about how you foresee your social media strategy jive with your company culture, values and existing codes of conduct. Perhaps you may find a separate internal policy addressing social media is not warranted. Any conclusion, however, cannot be formed without the input of your legal team.





Empowering the Workforce

Encouraging common sense to dictate social media participation alone can leave too much room for interpretation and missteps. Your legal team should appreciate this and will want to work with you to establish the needed policy. Providing education and structure for how to engage in social media empowers your workforce to operate within those boundaries and participate in social media with more freedom and security, and without repercussions.

Here are some items to consider when reviewing current policies and drafting social media specific guidelines:

- **Who contributes content to the organization's social media outposts** (i.e. blogs, twitter, facebook)? (Copyright reflects the ownership decided.)
- **Will there be one or multiple authors?**
- **Do the social media outposts have a specific focus or niche?**
- **Will any content be restricted?** (re: links to other sites and specific positioning)
- **What is the comment policy? Will anonymity be accepted?**
- **How frequently should the social media outposts be updated?**
- **What is the role of marketing communications or other departments?**
- **Do specific ethics rules exist in your state? Specific to social media?**



Empowering the Workforce



How this fits into your social media strategy:

Just because social media appears to be informal does not justify off the cuff engagement that doesn't take into consideration the goals, information needs, and regulatory or compliance issues that may face your company. With guidance from your legal team, consider establishing:

- **Social Media Policy** – These enforceable rules should work in conjunction with existing organization codes of conduct and cover how the workforce is expected to conduct social media engagement both on and off company time. Check out [this list](#) of companies who have published their social media policies. Use this list as inspiration to create your own.
- **Legal Disclaimer** – A disclaimer is a statement that basically holds you, and all who act as voice on another social media outpost, harmless from prosecution. Check out these [examples of disclaimers](#). Format a disclaimer for the organization's outposts and also for the workforce to place on their own personal sites.



Engaging the Community

Social Media can be a bit of an unknown, even to those who have participated in the space for some time. Actively listening and engaging in social media is a necessity. It is important to show your legal team the pros and cons of engagement and what may occur, if a policy is not put into place and your organization is not educated.

We have all seen examples of businesses not responding to a negative issue with a resolution before the situation spiraled out of control and spread across the Web. Conversely, not identifying and amplifying praise amongst your fans can also damage your organization's online relationships. There are a lot of conversations to juggle and a social media policy will assist how the voice(s) of the organization should respond.

Just as it is important for the organization to establish social media guidelines internally, external rules of engagement (i.e. comment policy) and privacy policy are just as important. Clearly communicate to your community how you plan to interact with them and what you expect in return.





Engaging the Community

How this fits into your social media strategy:

With guidance from your legal team, consider establishing:

- **Rules of Engagement** – These guidelines are more tips on how the workforce should interact in social media. Check out how Intel clearly defines and makes public their Rules of Engagement.
- **Moderation/Comment Guidelines or Policy** – These guidelines should clearly communicate what is permissible on your site. Setting clear expectations fosters open dialog. Once again, check out how Intel clearly defines and makes public their Moderation Guidelines.
- **Privacy Policy** – Consumer notification of information policies is a basic element of a marketer's information practices. If you already have an online presence with an organization website, you should already have a privacy policy publicly posted explaining how you safeguard privacy while collecting certain types of information. Simply have a link to your privacy policy available on social media outposts.



Need Help?

That's what we're here for.

Stepping into social media is an exciting but very important step for your business. Bridging brands between their offline and online existence is more important than ever before. Hopefully this guide will get you started and give you practical food for thought about how social media can work for you.

Your time is limited, but relationships are always a good investment. Radian6 can help you lay a strong foundation for social media strategy with a comprehensive listening, monitoring and engagement platform, and the expertise to deploy it well. Questions, comments, or feedback for us? Just let us know.

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