



NEW SOUTH WALES NURSES AND MIDWIVES' ASSOCIATION
AUSTRALIAN NURSING AND MIDWIFERY FEDERATION NEW SOUTH WALES BRANCH



SOCIAL MEDIA & ONLINE TERMS OF USE

Revised and endorsed in February 2024

NSW Nurses and Midwives' Association
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Social Media & Online Terms of Use

The New South Wales Nurses and Midwives' Association (NSWNMA) welcomes the engagement by members and the public on NSWNMA social media and online forums.

The purpose of NSWNMA social media and online forums is to empower NSWNMA members, keep the public updated with the latest news and campaigns, and to increase involvement and support.

All users must treat each other with respect and kindness. As unionists, we stand for online safety, respect and we will always fight for equality and fairness.

As social media and online activity has been the subject of legal cases, the following guidelines are to ensure professional compliance when using the NSWNMA social media and online forums including, but not limited to:

- [NSW Nurses and Midwives' Association](#) - Facebook page
- [NSWNMA Activists](#) - Facebook group
- [Ratios](#) - Facebook page
- [Aged Care Nurses](#) - Facebook page
- NSWNMA branch - Facebook pages
- [SupportNurses](#) - YouTube channel
- [The Lamp](#) website
- [The Lamp](#) - Facebook page
- @nswnma [X account](#) (formerly Twitter)
- @nswnma [Instagram](#) account
- [NSW Nurses and Midwives' Association](#) - LinkedIn page
- NSWNMA branch and campaign WhatsApp groups

SOCIAL MEDIA MODERATION

When engaging on NSWNMA social media, you understand and agree NSWNMA has full editorial control and reserves the right to monitor, edit, remove, or exercise its discretion not to accept or publish your contribution.

This includes decisions taken for legal, editorial, or operational reasons including if we consider it to be:

- defamatory¹, unlawful, or in violation of laws regarding harassment, discrimination, racial vilification, privacy, or contempt
- content in violation of NSWNMA Rules
- an infringement of intellectual property rights including copyright
- abusive, offensive, obscene, racist, sexist, homophobic or transphobic
- bullying, inappropriate, off topic, repetitive or vexatious e.g. NSWNMA may reject contributions already widely canvassed in the forum. We also reserve the right to reject contributions from participants who seek to dominate discussion
- compromising the privacy of any person, patient, or client; or containing inappropriate personal information. This includes screenshots of member contributions
- content that may put a member's employment or registration at risk
- content that brings the NSWNMA into disrepute or attacks NSWNMA members, officers or staff
- content that is considered to be spam or advertising
- content that directs members to input their data into services beyond the NSWNMA's control, such as third-party petitions and advertising
- deliberate provocation of others or impersonating someone else and/or posting on behalf of a member suspended or blocked from NSWNMA social media platforms.

To ensure discussions on NSWNMA social media platforms reflect NSWNMA values and the

¹ Defamation is a communication (oral, written, picture) from one person to at least one other that harms the reputation of an identifiable third person. A person who claims to have been defamed must prove the following:

- that the communication has been published to another person,
- that the communication identifies them, and
- that the communication lowers or harms their reputation.

Whilst it is not possible to defame a large corporation under defamation laws, corporations can commence proceedings for damage to business reputation arising from the tort of injurious falsehood. For a successful injurious falsehood claim the following must be proven:

- that a false statement was made about, or concerning, their business;
- the statement was published;
- the NSWNMA intends the statement to cause harm; and
- the corporation can prove actual damage, such as loss of business.

The damage must be damage intended or the natural and probable consequence of the false statement. [You can find the NSWNMA Defamation Policy here](#) inside Member Central.

Social Media Terms of Use policy, NSWNMA moderates contributions and content.

If you breach any page or group rules, NSWNMA will take actions which may include to hide or delete your comments, close comments on posts to deter contributions which breach these guidelines. NSWNMA will also block your account, limit your number of posts or contributions per day or remove access to a group.

Outside of moderator business hours, or where a moderator resource is not available, comments on posts may be turned off to uphold and enforce these rules.

KNOW YOUR WORKPLACE POLICIES

Always keep in mind your workplace's policies on privacy, social media usage and public comment and Code of Conduct.

For example, if you work in the NSW Public Health System, you have the right to:

- *express personal views as a private citizen through public comment on political and social issues, as long as it is clear that you are not speaking on behalf of NSW Health/other NSW Health organisations;*
- *enter public debates and comment on political, social or other issues in your capacity as a private citizen. However, you should be mindful of your obligations under the NSW Health Code of Conduct.*

Exercise caution:

- *Avoid conduct which could bring NSW Health into disrepute whether you are on or off duty;*
- *If you make comment about NSW Health on a social media site, then you are making public comment.*

REMEMBER YOUR PROFESSIONAL OBLIGATIONS

- Always keep in mind your professional obligations and responsibilities under the [Health Practitioner Regulation National Law Act 2009](#) (the National Law) and as defined and described in the Nursing and Midwifery Board of Australia (NMBA) Professional Practice Framework.
- These obligations and responsibilities are described in the [Code of Professional Conduct for Nurses in Australia](#) and [Code of Professional Conduct for Midwives in Australia](#) which are part of the NMBA Professional Practice Framework. Nurses and midwives are also subject to many other Commonwealth and state or territory laws.

When using social media, the NMBA suggests you can meet your obligations by:

- complying with confidentiality and privacy obligations
- complying with your professional obligations as defined in your Board's Code of conduct

- maintaining professional boundaries
- communicating professionally and respectfully with or about patients, colleagues and employers, and
- not presenting information that is false, misleading or deceptive, including advertising only claims that are supported by acceptable evidence.

WHAT'S OK ONLINE?

- If you are a NSWNMA member, you have a right to participate in union activities such as liking and sharing NSWNMA Facebook, and Instagram posts;
- It's OK to talk about your employment rights;
- It's OK to engage in political debate;
- You can participate in union activities online, including through participating in online forums and discussion, and organising union events and activities in a manner that does not contravene other rules.

SUMMARY OF KEY TIPS FOR POSITIVE ONLINE BEHAVIOUR

- Know your workplace social media rules
- Be sensible and courteous when posting
- When debating be respectful of other's opinions
- Be aware of your professional legal obligations
- Maximise available privacy settings on social media channels like Facebook, and ask friends to be mindful when posting photographs or information about you
- The Fair Work Act protects your ability to engage in union activities and seek advice from the NSWNMA
- Don't discuss or name individual colleagues or managers, except where speaking directly to NSWNMA staff via direct message
- Be aware anything you say or do on any social media or online forum when on sick leave may be used to cast doubt on your right to be on sick leave
- Don't use profanities in your social media monikers or in your comments.

If you are questioned or disciplined at work by management about your online activity, immediately cease that activity and contact the NSWNMA.

The NSWNMA will take all reasonable steps to remove content that does not meet these guidelines.

The NSWNMA takes seriously our obligations to be a responsible user of social media, respects online safety and reminds members about these Terms of Use regularly.

Whilst the NSWNMA is responsible for the content on NSWNMA social media channels and online forums, the comments posted thereafter are not necessarily the opinions of the NSWNMA.

By commenting on NSWNMA channels you agree the comment is your own, and you understand NSWNMA is not liable or responsible for any repercussions, damages, or liability.

The NSWNMA does not accept responsibility for actions contrary to these Terms of Use.

The Association will review this Terms of Use policy as needed.

First endorsed December 2019

Reviewed and re-endorsed October 2021

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