



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



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# **SOCIAL MEDIA & ONLINE TERMS OF USE**

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*Re-endorsed in October 2021*

**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.

Because social media and online activity has been the subject of recent legal cases, following are some guidelines 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
- [Ratios: it's a matter of life or death](#) Facebook page
- [Aged Care Nurses](#) Facebook page
- NSWNMA branch Facebook pages
- [SupportNurses](#) on YouTube
- [The Lamp](#) website
- [The Lamp Facebook page](#)
- [@nswnma](#) Twitter Account
- [@nswnma](#) Instagram Account
- [NSW Nurses and Midwives' Association](#) LinkedIn page
- NSWNMA branch and campaign Whatsapp groups



## SOCIAL MEDIA MODERATION

The NSWNMA reserves our rights to monitor, moderate and/or remove content or comments which we consider may be inappropriate, defamatory <sup>1</sup>, or contrary to applicable laws and/or this terms of use document.

## 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.*

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### <sup>1</sup> Defamation:

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](#)

## 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.

## 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 Twitter 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's social media rules
- Be sensible and courteous when posting
- Be aware of your professional legal obligations
- Maximise available privacy settings on sites 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.

## WHAT'S NOT OK ONLINE

- Don't discuss individual clients or patients or any legal issues you personally are/were involved in.



- Don't discuss or name individual colleagues or managers, except where speaking directly to NSWNMA staff via direct message.
- Don't identify a client or patient in any way, including by photograph or video, without their express written permission.
- Don't post photographs or videos of yourself engaging in illegal, offensive, compromising or inappropriate behaviour or activity.
- Be aware that anything you say or do on any social media or online forums when absent on sick leave may be used to cast doubt on your right to be on sick leave.
- Don't use a work computer to access our social media or online forums if it puts you in conflict with your employer's computer access for personal use policy.
- Don't use swear words or obscenities in your social media monikers or in your comments.
- Don't engage in any conduct online that is illegal or inappropriate.
- Never assume you are anonymous online - there are many ways to find out your real identity. It's best to always assume that your identity and the nature of your employment can be revealed.
- Don't make derogatory or defamatory remarks, break copyright, bully, intimidate, harass other users, use insults or post content that is hateful, slanderous, threatening, discriminating or pornographic.
- Remember publishing is permanent - even if you delete a post straight away someone may have already shared it or taken a screen grab, and it may be searchable on the web.

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

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

The Association takes seriously our obligations to be a responsible user of social media and reminds members on a regular basis about these Terms of Use.

Whilst the Association is responsible for the content on NSWNMA social media channels and online forums the comments posted are not necessarily the opinions or views of the NSW Nurses and Midwives' Association.

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



**The Association will review these Terms of Use as needed from time to time.**

Read the Australian Nursing and Midwifery Federation's guidelines on [use of social media and online networking](#).

*First endorsed December 2019*

*Reviewed and re-endorsed October 2021*