



## **SOCIAL MEDIA POLICY**

### **1. PURPOSE**

The purpose of this policy is to govern the use of social media platforms and smartphone applications by teachers, administrative and support staff and pupils of Durban Girls' College, as well as parents posting under the banner of DGC; (for example, Class Mums'.) The School is an independent school, with the right and a duty to operate in the best interests of the child/pupil and to uphold its ethos. Where this ethos is affected negatively by social media, the school has an obligation to uphold the vision and values of the school. Working in the school environment especially presents the opportunity to teach consequences for choices and to emphasize the responsibilities that accompany rights. Given that the school is entrusted with the care of the children/pupils in it, it is important that parents accept that the school's policies support the best interests of the child/pupil. This policy applies to any device be it iPad, smartphone, cellphone, laptop, smart watch etc.

### **2. POLICY**

In accordance with the provisions of the Constitution of South Africa, the school respects the individual privacy of teachers, administrative and support staff and pupils. However, this privacy does not extend to their work-related conduct or to the use of equipment, resources or supplies provided by the school, or to devices that are being operated on the school campus.

Although Durban Girls' College respects the Pupil's right to privacy, it reserves the right to monitor and intercept electronic communications in accordance with the provisions of The Regulation of Interception of Communications and Provision of Communications related - Information Act of 2002 which may be in breach of this policy. The Pupil and Signatories consent to such monitoring and interception is in the interests of all stakeholders. Parents are expected to cooperate with the school when asked to consent to the checking of devices where irregular or unacceptable communication, images, messages, footage is suspected. This will be exercised with discretion within the school structures but the school cannot be held liable for breaches that occur outside of its control at parental level.

Durban Girls' College runs an extensive network and pupils may not attempt to hide or otherwise avoid the School's ability to monitor their safe use of technology. This includes VPN software, Jailbreaking and Cydia, TOR browsing or any similar products or protocols.

This policy applies to all users of social media platforms and applications which are linked to Durban Girls' College. It also applies to the expression of opinions and comments by teachers, administrators, parents and pupils on social media that may in any manner be linked to the school negatively. The underlying premise is to protect the Durban Girls' College brand and all of the stakeholders associated with it. The school does not always have jurisdiction on what happens off campus, however, it becomes an issue when the school name or uniform are involved and such incidents thus require sanctioning.

### **3. SCOPE**

#### **The supporting information systems:**

- The Social Media Policy is supported by the implementation of information technology and information systems at Durban Girls' College and the regulation thereof. The school's information system is intended to support communication and learning at the school.

- In accordance with the Film and Publications Act (of 1996, currently under review/amendment) the school wishes to state that ignorance of the law is no defence. There are legal ramifications to which the school is bound. Should the school come into possession of nude pictures, for example, it has a legal obligation to report this to parents and to the police. Normally the parent is responsible for reporting this to the police, but in some instances where there is a lack of parental support, the school has a moral and a legal obligation to report this. Likewise, should pupils bring the name of the school into disrepute via indiscretions that occur off the property; this does not detract from the fact that the reputation of the brand has been damaged and repercussions will apply. (There is a collective responsibility towards maintaining the Durban Girls' College brand).
- In order to ensure the responsible and productive use of social media platforms and applications, Durban Girls' College reserves the right to uphold discipline through clear procedures and due process.
- It must be noted that each offence will be dealt with in accordance with the sanctions it carries, together with mitigating or aggravating factors. To this end, this policy will make clear those behaviours that are unacceptable, along with the applicable consequence/sanctions.

**Definition: Social media platforms:**

This term applies to any current and evolving electronic platforms allowing for the communication of ideas; social or personal commentary, uploading / downloading of images and versions of moving text (video / vlogging and 'live' feed techniques. Associated with the platforms are apps (applications) which allow for the manipulation of image / text and for sharing to individual or within groups, including Instagram, Facebook, Facebook Video Live, and Finsta amongst others. (These groups may be open or closed groups).

**Operational Activity:**

The school reserves the right to intercept material if it has been alerted to the unethical, unconstitutional use of social media platforms and applications by pupils at the school. (Pupils and parents are aware of this as it is written into the Computer Agreement Policy signed by parents at the start of each school year.) This will always be done by the school's Information Technology Technical Team and the Director of IT and/or an accompanying teacher. Such interception applications exist and will be applied in the best interests of the pupils where there is suspicion of irregular activity. The school reserves the right to take immediate action in this regard. (This is necessary given the software available to obfuscate such investigation). Similarly, the school has the right to track pupils' website histories on the school computers, especially where there is cause for concern. This is not regarded as a violation of privacy where there is sufficient cause for concern / where there is cognizance of dignity / reputation of a third party.

**The digital footprint:**

Pupils need to be mindful of the digital footprint they create through their use of social media platforms, various apps and the accompanying social commentary. Increasingly, screening occurs in job applications and as a form of pre-investigation into potential candidates for shortlisting. This policy aims to facilitate a healthy, socially-responsible digital footprint for each of our pupils.

**Specific usage of WhatsApp groups:**

- By law, children under 13 years are not allowed to use WhatsApp.
- No parental permission is required (by law) for one-on-one conversations with teachers if the pupil is 13 or older.
- The teacher or a reliable administrator must set up the group and remove people if they impact negatively on the communication purpose of the group, or if they do not adhere to the agreed parameters and purpose.

- Should there be misuse (not adhering to the agreed upon time parameters or purpose of the groups), a pupil must be warned that continued misuse will result in removal from the WhatsApp group.
- There is a zero tolerance policy towards cyber-bullying. Should this be reported, both the bully and the target should be removed from the WhatsApp group while the investigation is underway. (This is in the interests of both parties). Once the incident has been investigated both parties should be re-added. Should the bully be found guilty, she should be spoken to about the misuse of the communication channel and closely monitored by the teacher to ensure that the situation has improved, making sure that the platform has not shifted elsewhere. If the cyber-bullying continues, then the bully should be removed from the group. The teacher would be required to follow up with the school counsellor and to investigate further to modify this behaviour. Equally important would be the counselling and support strategies provided to the target to ensure growth and increased confidence.

*With a view to establishing clarity around social media uses in particular, the following applications are unacceptable:*

- i) The publication of any material (visual, infographic or text) that contains sexist, racist and/or violent content;
- ii) Cyber-bullying in any form: exclusionary practice (via WhatsApp groups, or other platforms facilitating group communication), the sending of offensive / threatening / hurtful messages or visuals; the sharing of content intended for private consumption; and any other form of communication which may inflict hurt on the recipient. Furthermore, the sharing of such content with other parties is regarded as an offence.
- iii) The viewing or transmission of any material that violates any national, provincial or international law;
- iv) The filming of teachers and/or pupils in the classroom context without the express permission of the teacher concerned is an offence.
- v) Sexting is a statutory offence and can lead to prosecution. Sexting constitutes sexualized images as well as texts by/of people under the age of 18. Sexting constitutes child pornography. The requesting of such images/messages is regarded as solicitation; forwarding of such images constitutes distribution and the ownership of such images/texts constitutes possession.
- vi) Accessing, downloading, storing or transmitting obscene material through the school's computer network system; forwarding an inappropriate image is regarded as an offence (the circulation of inappropriate material). Being in possession of such material is an offence which is escalated when the material is shared as it then constitutes distribution.
- vii) Using the computer/device to annoy, harass, scare, intimidate, threaten, offend or bother another person by conveying obscene language, offensive pictures or other materials, or threats of bodily or psychological harm to the recipient;
- viii) Using the computer/device to contact another person repeatedly with the intent to annoy, threaten or intimidate (irrespective of whether any actual message is communicated, and/or where there is no case for purposeful and constructive communication - especially where the recipient has expressed a desire for the communication to cease.
- ix) Using the computer/device to disrupt or damage academic research, administrative or related efforts of the school or another person and/or using the computer to invade the privacy, academic or otherwise, of another, or the threatened invasion of privacy of another.
- x) Distributing offensive or abusive material. (Teachers, administrative staff and pupils may not post or distribute derogatory and offensive messages about the school, its staff or the pupils; just as the school would not publish such material about stakeholders). An offender may be found guilty of bringing the school into disrepute, which could lead to disciplinary action or legal action for defamation.
- xi) Teachers, administrative staff and pupils may not use the school's information, information systems or social media platforms in a way that breaches the school's trust.
- xii) Durban Girls' College reserves the right to disallow/restrict the use of social media platforms by pupils during the course of the academic day. Outside of the school day, postings on social media platforms must be kept legal, ethical and respectful. Teachers, administrative staff and pupils may not engage in online communication activities that could bring the school into disrepute.

- xiii) Identity theft – any attempt to hack into someone else’s profile on any social media platform for the purpose of masquerading / misleading other parties; the mere attempt of which will be regarded in a serious light.
- xiv) Teachers, administrative staff or pupils may not hack or attempt to hack into any of the school’s information systems, supporting technologies and social media platforms. This would be viewed as a serious offence. Any evidence to suggest that this has been attempted will be taken as a serious breach of trust.
- xv) ‘Liking’, ‘sharing’ and ‘following’ an offensive publication/post that is potentially defamatory is not permissible when links to Durban Girls’ College are included.
- xvi) The school reserves the right to include any offence / breach of trust regarding social media that is not itemized, but that arises in contravention of the overarching desire to protect the dignity and rights of all people who are invested in the school in the various capacities of pupil, teacher, and administrators.

**Sanctions apply as follows:**

- The school reserves the right to ban a pupil from the network at Durban Girls’ College in the event of a major breach of trust / contravention of the above-mentioned regulations. This would occur in response to an offence deemed serious enough to warrant immediate exclusion; or where a number of offences accumulate to result in a breach of trust and confidence between a pupil and the IT department at Durban Girls’ College or where the continued use of information systems at the school could be threatened by the user. Furthermore, the school reserves the right to include in this policy applications or platforms which may be used offensively / inappropriately but which do not appear in this policy at the time of posting. (The rapid evolution of social media must be taken into account.)

**Level 1 offences and sanctions:**

- Using a device without permission in class.  
Sanction: Confiscation of the device for one night with the device being returned the following afternoon at the close of school.
- Cyber-bullying via a WhatsApp group / message on another group / via a social media posting and/or being implicated in a group bullying situation without concrete proof (a shared message / forwarding of the message).  
Sanction: A verbal warning and full disclosure of the text/image/ infographic/ message. Counselling follow-up to ensure an understanding of what constitutes cyber-bullying.

**Level 2 offences and sanctions:**

- A pupil continues to use the device in class without permission.  
Sanction: Confiscation of the phone for two nights – with the phone returned at the end of the school day. An email / phone call to the parent to report this and to say that the third occurrence will lead to the confiscation of the device for a longer period of time (a week, including the weekend). Thereafter the pupil’s device will be taken in until the end of the school term. (Devices are to be labelled with the pupil’s name and class and locked away for safe-keeping).
- A repeat offender – this escalates and requires communication with the parents and depending on the exact nature of the offence, a possible letter on file.
- Sharing of offensive material. Hiding such material. Distribution of an image / text message that may target / hurt another. Continued sniping / bullying tactics that bring sadness / stress to another pupil.
- Sanction: At Level 2, the image does not warrant legal action. It does not threaten the identity / integrity of the pupil. Confiscation of the phone and a letter of file at the discretion of the HOG / Phase Head.

### Level 3 offences and sanctions:

- These pupils are likely to be repeat offenders but may be someone who commits a serious indiscretion involving: inappropriate images / messages / postings / sharing / defamatory comments that bring the name of the school into disrepute.

Sanctions would apply using some / all of the following: This could result in a pupil with a leadership portfolio having to relinquish a headship / leadership position should her integrity be questioned. Legal counsel might apply in terms of safe-guarding the reputation of a minor. (Discretionary decision which would be situational).

A letter on file, a meeting with the pupil/s and parents, at the parents' discretion there may be repercussions around the use of the device, but this cannot be enforced by the school. Counselling would be provided.

Pupil's computer usage would be monitored closely.

A letter documenting the offence and warning of the repercussions should unacceptable activity / behaviour continue.

Possible internal suspension may apply with a second or third offence, at the discretion of the Head of Grade and Head of Phase.

The school may engage legal advice to ensure fairness and due process if the need arises.

### Level 4 offences and sanctions:

- Serious offences involving the possession of unlawful images / violent / racist / sexist images that do not fit with the ethos of our school. This includes hate speech, pornography – both the acquisition and distribution of such material - identity theft, hacking and any abuse of a platform where the rights of a pupil or staff member are infringed. Due process will run its course to protect the dignity and respect safe-guarded at Durban Girls' College.

Sanctions: The school would seek legal counsel.

- The school has the right to keep the device that holds these images (for the duration of the investigation). The school has the right to release the device for forensic investigation should the need arise. (This need would be determined by the specific context of misuse/suspected misuse through hidden files/evidence). Where pupils/parents/staff/ member of the public is at reputational risk, such action would be likely.
- The school has a responsibility to report such material to the police (if the parents do not exercise this responsibility).
- The school reserves the right to ban a pupil from the school network and to ban the use of a device at school. (The pupil has access to desktop computers at school and cannot thus argue that this is prohibitive.)
- In addition to this the School would advise the guardians/parents of the pupil/pupils as to their legal rights.
- Immediate suspension would apply.
- A disciplinary hearing would be instituted. The outcome would be determined through due process. (Process as per disciplinary procedure).
- An external mediator might be engaged to ensure objectivity in the disciplinary hearing.

**Disclaimer.** It is the school's duty/responsibility to safeguard the pupils at this school. The policy is designed with this as its guiding principle. It is also the school's intention to promote and to instil responsible digital citizenship. The policy reinforces the appropriate use of social media. The school reserves the right to apply this policy to new/emerging social media platforms that may not be specifically named here as they may not be widely known/used/may not yet exist.

3 June 2022