

# Medsana Social Medica Policy

This social medica policy is to provide information on how we manage our privacy and security on social media platforms. This social media policy is adapted from and in accordance with RACGP 5th Edition standards and AHPRA guidelines.

## Summary

When using social media, health practitioners should remember that the National Law, their National Board's code of ethics and professional conduct (the Code of conduct) and the Guidelines for advertising regulated health services (the Advertising guidelines) apply. Registered health practitioners should only post information that is not in breach of these obligations by:

- Complying with professional obligations
- Complying with confidentiality and privacy obligations (such as by not discussing patients or posting pictures of procedures, case studies, patients, or sensitive material which may enable patients to be identified without having obtained consent in appropriate situations), presenting information in an unbiased, evidence-based context, and
- Not making unsubstantiated claims.

Additional information may be available from professional bodies and/or employers, which aims to support health practitioners' use of social media. However, the legal, ethical, and professional obligations that registered health practitioners must adhere to are set out in the National Boards' respective Code of conduct and the Advertising guidelines.

## About the National Boards and AHPRA

The 14 National Boards regulating registered health practitioners in Australia are responsible for registering practitioners and students (except for in psychology, which has provisional psychologists), setting the standards that practitioners must meet, and managing notifications (complaints) about the health, conduct or performance of practitioners.

The Australian Health Practitioner Regulation Agency (AHPRA) works in partnership with the National Boards to implement the National Registration and Accreditation Scheme, under the Health Practitioner Regulation National Law, as in force in each state and territory (the National Law).

The core role of the National Boards and AHPRA is to protect the public.

## Introduction

The use of social media is expanding rapidly. Individuals and organizations are embracing user-generated content, such as social networking, personal websites, discussion forums and message boards, blogs and microblogs.

Whether an online activity can be viewed by the public or is limited to a specific group of people, our practice maintains professional standards and is aware of the implications of our actions, in all professional circumstances. We are aware that information circulated on social media may end up in the public domain, and remain there, irrespective of the intent at the time of posting.

## Context

A key objective of the National Registration and Accreditation Scheme and of the National Boards is to protect the public. The National Law and codes and guidelines developed by National Boards are relevant when considering social media.

This policy explains how the National Law and the following existing codes and guidelines relate to social media:

Section 133 of the National Law which establishes obligations about advertising by registered health practitioners and the Advertising guidelines, and

The relevant National Board's Code of conduct.

Our practice is aware of our ethical and regulatory responsibilities when we are interacting online, just as when we interact in person.

This social media policy provides guidance to our practice team members on understanding our responsibilities and obligations when using and communicating on social media. This social media policy is adapted from and in accordance with RACGP 5th Edition standards and AHPRA guidelines.

## Definition Of Social Media

'Social media' describes the online and mobile tools that people use to share opinions, information, experiences, images, and video or audio clips and includes websites and applications used for social networking. Common sources of social media include, but are not limited to, social networking sites such as Facebook and LinkedIn, blogs (personal, professional and those published anonymously), WOMO, True Local and microblogs such as Twitter, content-sharing websites such as YouTube and Instagram, and discussion forums and message boards.

## Policy Enforcement

Regardless of whether social media is used for business related activity or for personal reasons, the following standards apply to members of our practice team, including general practitioners. Practitioners and team members are legally responsible for their postings online. Practitioners and team members may be subject to liability and disciplinary action including termination of employment or contract if their posts are found to be in breach of this policy.

## Obligations In Relation To Social Media

In using social media, just as with all aspects of professional behavior, health practitioners and all practice staff should be aware of their obligations under the National Law, their Board's Code of conduct, the Advertising guidelines and other relevant legislation, such as privacy legislation.

### **Professional obligations**

The Code of conduct contains guidance about the required standards of professional behavior, which apply to registered health practitioners whether they are interacting in person or online. The Code of conduct also articulates standards of professional conduct in relation to privacy and confidentiality of patient information, including when using social media. For example, posting unauthorized photographs of patients in any medium is a breach of the patient's privacy and confidentiality, including on a personal Facebook site or group even if the privacy settings are set at the highest setting (such as for a closed, 'invisible' group).

### **Obligations in relation to advertising**

Section 133 of the National Law imposes limits on how health services delivered by registered health practitioners can be advertised. These limits apply to all forms of advertising, including through social media and on the internet. For example, the National Law prohibits the use of testimonials in advertising. The Advertising guidelines provide guidance about how the legal restrictions on advertising under the National Law and other relevant legislation apply to social media.

## Testimonials

The Health Practitioner Regulation National Law (the National Law) prohibits medical practitioners using testimonials to advertise their services. Testimonial includes reviews that recommend or make positive statements about clinical aspects of the service. Therefore, our practice do not use any positive statements or reviews that discusses any clinical aspect for advertising.

## Policy Review Statement

This privacy policy will be reviewed regularly to ensure it is in accordance with any changes that may occur.