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SOCIAL MEDIA - CHANGING TIMES AND INCREASING RISK

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Many technologists across the world were completely bewildered by the claim Gordon E. Moore made in 1965, when he boldly predicted the rate of change the world would undergo through the rapid development of technology. Famously known as “Moore’s Law”; it supports the notion that every two years the components found on integrated circuits would double, and the size of the components would half in the same period. Simply put, this means that the computing power in various computerised devices is doubling every two years and the size of these devices -- which most of us use on a daily basis -- is becoming more powerful, and more pervasive. Of course, Moore’s predictions have come to pass, and in fact these predictions may even have exceeded his original thinking. One just needs to consider the average computing power found in cell phones, laptops and Personal Device Assistants (‘PDAs’) which are owned by most ordinary citizens.

Today the average person has in his possession, a wide variety of PDAs and similar computerised inter-connected devices which are more powerful in computing power as compared to that which was used to place the first manned Apollo rocket on the moon. Indeed, technology of this nature has changed the world in a way that we have never seen before, and its impacts are felt at all levels of society; be this for a busy executive in New York right through to a young scholar in the heart of Africa. It’s true - we are all somehow ‘connected’ and if it’s not through family ties or sport, it’s most certainly through the World Wide Web.

It was not that long ago when the first hand-held cell phones became vogue, introduced by Motorola in the early seventies. This phenomenon certainly seemed the new way of staying connected, and it wasn’t too long before mobile phones became the pride and joy of almost every person, rich and poor, across the world. While many may have thought this new communication medium would be enough, a brand new form of communication and networking was soon to rock the world with yet another creative way in which ‘social engineers’ developed media network exchanges through applications such as Facebook, Twitter, LinkedIn and Mxit.

“Now in the age of social media, every employee has the capacity to act as the face of his or her employer. As such, every friend or contact of an employee could very well be a customer touch point - a prospect to whom to sell, an existing client to whom to provide service, or an influencer to whom to present the company in the best possible light.”

While a seeming win-win for all parties, organizations must be aware of the associated risks, too.”

**Jake Wengroff - Global Director:
Corporate Communications, Frost
& Sullivan**

And so today, in order to communicate and interact with people at a social and/or business level, we need no longer rely upon having to physically network with people on a face-to-face basis as was the case in the seventeenth century, or, for that matter, post a letter which was introduced to a select few South Africans in 1792 when the first post office was opened in Cape Town.

Time and technology has certainly changed our *modus operandi* and the speed at which we are able to collect and send information is unparalleled today. Any person who has access to, or owns a computerised device which is connected to the internet is able to communicate on social media platforms where he can, *inter alia*, exchange details about his life such as biographical data, professional information, personal photos and up-to-the-minute thoughts.

“It’s because of this fundamental shift towards user-generated information that people will listen more to other people than to traditional resources.”

Eric Schmidt, ex-CEO Google

The internet has grown remarkably since its inception in the early seventies, and the growth in its use is quite staggering. For example, researchers estimate that the internet accounts for five percent (5%) of electricity usage worldwide; that there are over one hundred (100) billion daily online ‘clicks’ worldwide; that there are approximately five (5) trillion links between all internet pages worldwide and that over two (2) million emails are exchanged every second throughout the world. And with the introduction of social media networking, there are over a billion active Facebook users worldwide, where a staggering seven hundred (700) billion minutes are spent each month by users on Facebook who share a total of seventy (70) billion pieces of content via Facebook every month.

Considering the extent to which people are now able to share information through a plethora of highly connected devices across the internet, a growing area of concern may be found in the workplace as employers weigh in the costs of their employee’s lost productivity as a result of the time spent on social media platforms. Needless to say, employers have also become very concerned in respect of *what information or messages* their employees are texting, including the audience this information is being sent to. At any point in time, employees could be ‘blogging’ or ‘podcasting’ information from their workplace and this could have a number of profoundly negative impacts for both the employee and employer. Even worse, aggrieved employees could be leaking damaging or confidential information about their employer to almost any person they choose to share this information with. Expectedly, with such a powerful and instantaneous communication platform, sharing any information which is sensitive or unfavourable could potentially have devastating implications upon any company and its stakeholders. And once the information has reached the social media platform it’s nearly impossible to retrieve - the damage is done and almost irreversible. Of course if the information has any damaging affects upon the individual and or a particular company, the information becomes ‘viral’ and it has the ability to cause massive reputational damage which could last for many years ahead.

Conversely, social media platforms used in a productive and constructive manner reportedly also bring many benefits to companies. Some of these benefits include; increasing brand awareness on a far larger scale than conventional marketing, improved business lead generation, building more 'intimate' customer relations, better brand positioning and more cost effective communications. Notwithstanding the risks associated with the use of social media in the workplace, many companies appear to be up-beat in that approximately three in ten companies report they have adopted social media into their marketing campaigns and operations.

Social media is still viewed as a relatively new phenomenon in South Africa, and legislation in this area is underdeveloped with no specific 'social media laws' having been promulgated at this point in time. In considering such laws, legislators will need to balance the wide ambit of rights extended to employees (citizens) through the Constitution, including the various legislation enacted to protect employee's *privacy and dignity* rights. In the meantime, employers can take steps to protect themselves against unscrupulous employee behaviour through the implementation of social media policies. Employers must ensure that they do not unlawfully infringe upon the rights of their employees, and they must -- amongst other actions -- comply with the provisions of the Regulation of Interception of Communications and Provision of Communication-related Information Act 70 of 2002, the Electronic Communications and Transactions Act 25 of 2002 and the Protection of Personal Information Act 2013. All these pieces of legislation will need to be taken into consideration when employers prepare their social media policies in order to *balance and protect* both themselves and their employee's rights.

Although it is still early days, employers and employees will need to ensure that neither of the parties are infringing the rights and expectations of the other. Failing to address the complex dynamics of social media which are interwoven into the fabric of our society -- where an average of 190 million tweets are made every day -- is really not an option for companies and their stakeholders.

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