

SOCIAL MEDIA FOR CHRISTIAN MINISTRY: GETTING ONLINE AND KEEPING OUT OF COURT

by Kenneth A. Hall

The explosion of social media in our society is not only changing how we communicate with each other in our personal lives, it is radically transforming the way Christian ministries spread the gospel and create relationships within their congregations and communities. However, as with print and broadcasting media in the last century, our instantaneous ability to communicate with others electronically in the 21st century has magnified the potential for the good, the bad and the ugly.

It miraculously allows families to chat or Skype with each other from across the globe, is instrumental in organizing social revolutions that can cause tyrants to fall and is capable of being used as a tool to warn of impending natural disasters that can prevent large-scale death, injury and property damage. The ugly side of this technology can also provide a

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convenient means for pedophiles to prey on minors online, give criminals an opportunity to commit financial fraud on a scale previously not possible and allow individuals to spread hatred, misinformation and gossip that can unfairly and permanently damage the reputation of others.

It can also cause individuals, businesses and organizations to end up in court at the wrong end of a lawsuit when social media and electronic communication are misused. A journalism professor at Harvard University recently concluded in a lecture that in this new age of social media, "neither privacy nor publicity is dead, but technology will continue to make a mess of both!" Balancing our moral, professional

and legal responsibilities to assure the privacy and confidentiality of donors, clients, members, participants and vulnerable persons in faith-based organizations, including safeguarding the children and youth in our care; with the tremendous potential in promoting our message and ministries online through electronic text and image; can present a big challenge for leaders in churches and other Christian agencies.

Whether it's an inappropriate text sent by an adult volunteer to a young teenager, a prayer request made by someone struggling with an illness or family situation given in confidence to a pastor or elder who in turn discloses the details online, or a youth pastor whose blog contains unsubstantiated musings or ramblings about people and events as a means to increase traffic and readership; it is cause for those in leadership to cringe.

We need to think carefully about how we communicate electronically, from blogging to email, Twitter, Google +, YouTube, Facebook, Pinterest or the next new thing. Our understanding of the potential legal implications arising from the widespread use of social media is still in its infancy, technology is constantly changing and we are all on a steep learning curve, including those of us in the insurance industry.



Following are key areas of potential online liability risk for Christian charities that have been identified as a priority to address through practical prevention guidelines by instituting an electronic communications policy, with special attention to social media, to assist board members, staff and volunteers involved in electronic communication. Here are some ideas for consideration.

Communicate Appropriately with Minors

Your policy should outline acceptable forms of electronic media and content between your organization's workers and the children and youth in your programs.

- Discourage communicating directly with minors by means of social networking media such as mobile text messages, Facebook posts, tweets, etc.
- If an allowance is made for employees under your authority to use text messaging with minors, it should only be with the formal written consent of parents/guardians and content should be limited to information and announcements to promote upcoming events.
- Questions in the text message should be kept simple, requiring only a "yes" or "no" answer (e.g. about attending an event or requiring transportation).
- Pastoral care or counselling should never be done through text messaging.
- Volunteers should be strictly prohibited from communicating directly with unrelated children or students via text messaging under any circumstances.

These guidelines should be addressed in your policy and clearly communicated to employees and volunteers so that they don't get themselves and your organization into trouble texting minors, especially in circumstances where such informal communication may be misconstrued, misinterpreted and/or considered age inappropriate. *As an alternative*, some churches maintain a policy that they will only communicate electronically with children under 16 years of age via their parent's email address, leaving parents responsible to review messages and convey the information to their kids verbally or electronically.



STOP, THINK... THEN ▶

SEND

Monitor Website Content

It is always best to restrict your website to using photographic images in which the individual faces of members, guests and participants are unrecognizable. For example, use far-away shots for group activities. If a close-up shot is needed, use a stock image of a generic program participant. Any photography of individuals used on your website should require their specific written consent on file. For example, consent can be integrated into your organization's signed registration forms, parental permission forms and membership agreements.

The ease of capturing images, text, music or video clips from the Internet doesn't mean such content is necessarily in the public domain or appropriate to use on a website. For example, one church that used a poem as a theme for a fall sermon series – without permission from the author – is now facing a lawsuit for misappropriation of copyrighted material. Leaders should review any articles from other websites your organization intends to reproduce or link to. One slip and you can be responsible for material that is illegal, defamatory, immoral or injurious to your organization's reputation.



EMAIL, BLOG AND

The risk of lawsuits from third parties claiming libel, slander, defamation and invasion of privacy (known as "personal injury" in the legal world) is magnified when using email, online chat and other electronic communication. It has created unprecedented access between various individuals, subcultures and communities, providing a platform for more voices to engage in public debate, discourse and sharing of ideas, beliefs and theology. Information can be transmitted by electronic mail, in chat rooms or by posting messages on bulletin boards, or by keeping web diaries or blogs.

If your church, school, camping ministry or agency hosts a message board chat or Facebook group to share online discussions, photos, videos and other content within your group, such content should be "moderated" rather than "open". The standards of the host should be clearly communicated to users, such as discouraging off-topic discussion and prohibiting bad language, obscene texting, bullying and discrimination. Content should be monitored and if necessary, removed, by a responsible moderator on behalf of the organization.

A recent article by the Canadian Council of Christian Charities on the results of a social media survey of its member organizations stressed the importance of taking the time to create a social media policy to prevent damage to an organization's reputation and relationships because "sometimes social media can be abused as a platform for hurtful remarks and negative feedback".

Both employers and employees can be subject to discriminatory harassment, human rights and civil liability proceedings if management or workers post offensive comments about the performance, behaviour or faith beliefs of fellow employees. Organizations that encourage the use

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TWEET RESPONSIBLY

of social media by its employees to advance ministry should design a policy to reflect the organization's standards, expectations and statement of faith for use of social media tools, both at work and outside the office. Improper use (that contravenes stated employer policy and harms the organization or others) can be grounds for discipline and termination.

The famous adage about "not saying anything online that you wouldn't want plastered on a billboard with your face and name on it", also applies to Christian ministry as it adapts to the opportunities and pitfalls of spreading the gospel and building relationships through online communication and social media. From a legal liability perspective you should remind leaders and workers not to push the "send" button without thinking and not to communicate content through emails or blogs that they might regret and that might be read back to you as a defendant in a court of law.

I recently read a pastor's blog where he was chatting about his kids, their friends, where they attended school and which Starbucks they stopped by on their way home from school. Such communication may be a well-intentioned effort by ministry staff to be more approachable and to create a personal connection with readers. However, they are not always the kind of specific personal details that you would want to disclose from a privacy, personal security and safety perspective, whether with your own children, with someone else's children or with youth in your programs! Explicitly discourage staff and volunteers from blogging in a style that may be too revealing, casual, controversial, inflammatory or that verges on gossip, libel or slander.



Manage Streaming Media

Audio streaming, video streaming and podcasting worship services, sermons, education and other activities are increasingly popular ways to reach a wider audience. However these often don't have the safeguards of traditional media, such as being subject to tape delays, editing or network censoring to eliminate content that may be unintentionally offensive or intrusive. The reality is that unfiltered and unedited live streaming of sermons, teaching and other content has the potential to cause libel, slander, defamation and invasion of privacy.

When using unregulated web-based forms of media, leaders and organizers need to be extra cautious in managing live content. Care should be taken that speakers or guests are not likely to be making inflammatory statements that may cause undue harm to individuals or identifiable groups in society. Avoid close-up images of individual congregation members and guests who have not given consent to the public use of their images at times that may be very personal, emotional and introspective as they participate in a church service, worship, concert or other live event.

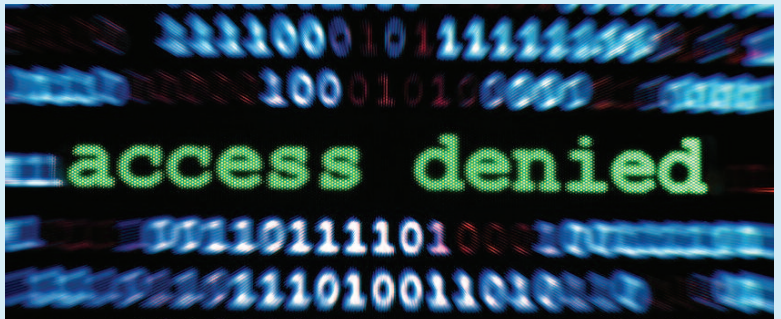


Secure Wireless Networks

Wireless internet connections are increasingly popular for the convenience of smart phone, laptop and game console users in places of business and other public spaces, including church premises. But many of these wireless networks are unsecured and therefore vulnerable to hackers, illegal use and access by minors to potentially inappropriate websites. Open internet access should not be made available to children or youth who are unsupervised. When wireless routers are installed in any premises, including plug-and-play out of the box equipment, it is important to run the setup disc to make customizations and a proper security setup. The network should be available only by password and a password (including numbers and letters) should be changed on a regular basis.

There have now been cases where unregulated free WiFi has resulted in inappropriate web surfing by minors and by illegal activities online, where the host provider has been held liable for unlawful activity and been named as a defendant in a lawsuit.

Passwords, terms of service agreements and supervision of minors are important steps in managing the risk of being an internet host, whether the service is paid or complimentary.



Check Insurance Coverage

For those Christian organizations whose primary purpose is to advertise, broadcast, publish or telecast, to design or determine web-site content, to provide internet search services, to access content or to act as a service provider, it is important to remember that most Commercial General Liability (CGL) insurance policy wordings expressly exclude coverage for legal liability arising out of such professional operations and activities. The solution is to supplement your General Liability and Directors & Officers Liability protection by speaking with your insurance provider about obtaining a separate Media Liability policy.

For the vast majority of churches and Christian agencies, media operations are only secondary to their primary ministries, operations and activities. However, it is still important to check with your insurance provider to ensure that your coverage will address liability risk arising from both traditional media activities, such as broadcasting, telecasting and publishing, and from online activities, including website content, blogs, discussion forums and internet streaming. The current standard Insurance Bureau of Canada (IBC) Commercial General Liability policy wording used by most insurance companies specifically excludes coverage for personal injury arising out of chat rooms or bulletin boards that a business or organization hosts, owns or over which it exercises control. To ensure proper coverage, a special internet streaming and web content endorsement should be added to the policy.



Church Protection Plus, available through Robertson Hall Insurance, offers customized liability solutions for Christian Ministries and their directors that modifies the standard exclusionary wording and provides full coverage for website content, including the distribution, broadcast or streaming of printed, audio, video or electronic material prepared and produced by our client organizations.

Risk Management and Christian Ministry Do Go Together!

Not only are they compatible, they are essential to both the testimony and the long-term effectiveness of any church or para-church organization. Managing social media risk responsibly is about building a more effective ministry, one that can enable leaders, ministers and volunteers to take advantage of the opportunities afforded by electronic communication. Managing risk is not about saying “no” to the ministry opportunities offered by social media; it’s about how to say “yes”, responsibly and wisely.



NOTE: For more information on Social Networking and Abuse Prevention for Christian Charities, please refer to the Robertson Hall Insurance Inc. publication entitled *Abuse Prevention Newsletter* (2011 ed.) including the articles “The Ten Commandments of Youth Abuse Prevention” and “Can Social Networking Get Us Sued?”. www.robertsonhall.com

Winning Kids Inc. and the Plan To Protect abuse prevention plan is also a helpful resource for developing a safe social media policy for any Christian ministry. www.winningkidsinc.ca