Phoenix SMA Social Media Policy

adopted from the Cobra Martial Arts Association (CMAA)

Freedom of speech is the political right to communicate one's opinions and ideas. The term freedom of expression is sometimes used synonymously, but includes any act of seeking, receiving and imparting information or ideas, regardless of the medium used.

The right to freedom of expression is recognized as a human right under Article 19 of the Universal Declaration of Human Rights and recognized in international human rights law in the International Covenant on Civil and Political Rights (ICCPR).

However, we all have a duty to be mindful of what we say or type in order that we do not cause offence to another which could then bring our selves or our clubs into disrepute or even worse result in the 'author' being prosecuted.

Protection From Harassment Act 1997 - This is the biggest area where people get themselves into legal difficulties. Passing derogatory comments about another person on social media and internet pages on 2 or more occasions is an infringement of the Protection from Harassment Act 1997 (updated in 2012 to include 'Stalking') and if reported the following action will be taken by Police:

1. Offender issued with a Police Information Notice (PIN). This is a warning to cease and not repeat the offence within the next 12 months. Many UK based Police forces have now (2020) ceased issuing PIN warnings and are going straight to arrest.
2. Offender breaches the PIN and is then arrested and either receives a caution or charge.

Should an instructor be cautioned or charged this will then affect their insurance, as many insurance providers will not offer cover to persons with this on their 'unspent record'.

With the above in mind the following Social Media Policy was written in February 2013 in the interest of protecting every CMAA member regardless of status or grade.

1. Policy statement

1.1. This policy is intended to help members make appropriate decisions, using the guidelines set out in section 5 below, about the use of social media such as Twitter, Facebook, forums etc. and protect them against possible prosecution for miss use.

1.2. This policy outlines the standards we advise members to observe when using social media and the action we may take in respect of breaches of this policy which result in complaints being lodged directly to the Phoenix SMA and passed on to the CMAA office.

1.3. This policy does not form part of any contract, and it may be amended at any time.

2. Who is covered by the policy?

2.1. This policy covers all individuals in membership of the Phoenix School of Martial Arts and this the CMAA at all levels and grades.

3. The scope of the policy
3.1. All Members are advised to comply with this policy at all times as the Phoenix SMA will not get involved with any legal or civil issues that arise from not doing so, nor will we accept vicarious liability for the same.

3.2. Complaints will only be accepted relating to activity within a martial arts club or event and must be in writing, signed and with a full return postal address. Phoenix SMA will not get involved with personal arguments etc. on the basis that we do not own member clubs or employ Instructors and as such we hold no vicarious liability for their actions.

3.3. Phoenix SMA may impose their own sanctions, such as penalty points, on their students in lieu of informing the CMAA President being mindful that no person below the age of 13, 16 in some cases, should be using social media and that within England, Wales, Northern Ireland and Scotland a child is anyone who has not yet reached their 18th birthday**.** Parents and guardians can be held to account if an issue arises as a result of a child using a platform above their age range, a 13-year-old using WhatsApp for example. The same applies to gaming.

4. Using social media sites in the Phoenix SMA name (or any associated names)
4.1. Only the Phoenix SMA Company Director is permitted to post material on a social media in the Phoenix SMA name (or associated names) or on our behalf unless official consent is given.

5. Guidelines for use of social media
When Members use social media, they are advised to adhere to the following general guidelines:

5.1. Do not upload, forward or post a link to any abusive, obscene, discriminatory, harassing, derogatory or defamatory content.

5.2. Be honest and open but be mindful of the impact your contribution might make to people's perceptions of you personally and your club. If you make a mistake in a contribution, be prompt in admitting and correcting/deleting it.

5.3. You are personally responsible for content you post onto social media pages – be aware that what you post may be public for many years be that on a club page, your own personal one or another person/groups.

5.4. Don't escalate heated discussions, try to be conciliatory, respectful and quote facts to lower the temperature and correct misrepresentations.

5.7. Don't contribute to or start a discussion if you are angry or upset, return to it later when you can contribute in a calm and rational manner.

5.8. Don't contribute to or start a discussion while under the influence of alcohol, or any other substance which may interfere with rational thought, as being drunk is no defence.

5.9. If you feel even slightly uneasy about something you are about to post, then you shouldn’t do it. By comparison if you would not place the same content in the front room window of your home as it may cause offence then don’t post it on social media as the audience will be considerably larger.

5.8. Do not bring any person, club, style or group into disrepute by what you post, you are advised to always think of the implications of what you are going to post and what problems could be caused as a direct result.

5.9. Don’t publish anyone else's contact details as this would be direct breach of the General Data Protection Regulations (GDPR) 2018,

5.10. If you notice that any content posted on social media contains foul/abusive language (even in jest) or contains comments that could be taken as derogatory (as stated above) you should either delete the thread if on your own media account or cease involvement if on someone else’s.

5.11. Most UK insurance companies now have clauses written into their terms and conditions stating that they will invalidate burglary and car theft claims if the claimant is away from home at the time and has 'advertised' the fact of Facebook and other social media platforms as they consider doing so the same as putting an advert in the paper that your home is empty. It is suggested best practice to only place posts and photos up once you have returned home.