**Dealing With Complaints against Schools and Settings by Parents or Carers on Social Networking Sites**

This guidance has been written by the Kent Area Education Officers (AEOs) and the Kent Education Safeguarding Team.If Kent education settings wish to discuss this document or any other online safety concerns, please contact the Education Safeguarding Adviser (Online Protection) or e-Safety Development Officer.

***Disclaimer***

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1. Introduction

The increasing number of people using social networking sites has had both a positive and adverse effect on the reputation of schools in local communities. Many schools have used social media as an effective tool for parental engagement, e.g. to forward information through Facebook and Twitter, and all parents are now encouraged to comment regularly through Parent View. However, in some cases, parents have bypassed the school's complaints procedures and taken to social networking sites to criticise and, in some cases, make malicious comments about individual members of staff or the community or regarding decisions that have been taken by the Headteacher.

In many ways the use of social networking sites to express these opinions is an extension of how people can already express their views on the internet. People use sites such as ‘Trip Advisor’ to review holiday accommodation and are encouraged to give online assessments of particular products they have purchased. However, remarks made about a school, member of staff or child can be destabilising for a community and, in particular, for the professional status of staff members who may have had allegations made against them and the emotional well-being of children and young people who may have been identified. It can also lead to a ‘whispering campaign’ which can undermine the school leadership or target a particular child or family.

A key question is how should schools and settings respond to complaints made on social networking sites by parents/carers? The vast number of social media profiles and pages means that it can be very hard for educational settings to proactively monitor issues that are being discussed by parents and carers and often, will only become aware of a concern when they are brought to the school’s attention by members of staff or parents who may have access to the comments.

There is no single effective method of dealing with parents and carers who raise issues on social networking sites. However, schools can take a proactive approach to minimise such incidents rather than having to be reactive and put together a quick response to stop the spread of rumours. This guidance gives a number of approaches educational settings can use to deal with any problems as well as preventative approaches to help ensure that parents and carers follow the appropriate complaints procedures in school.

For simplicity we have used terms such as ‘school’ within this document, but stress that its use within other educational settings is relevant and appropriate. This guide will focus on Facebook as it is currently the most common source of concern; however additional guidance for reporting and responding to concerns on other popular social networking sites can be accessed via the Education Safeguarding Adviser (Online Protection).

1. Responding to Specific Concerns

It is important to acknowledge that each situation will be different and there may be various complicating factors which need to be taken into account; however the following guidance outlines the steps that we (the Kent Area Education Officers and Education Safeguarding Team) would encourage leaders and managers of Kent Schools and Settings to take when responding to specific concerns. A simple flowchart is provided within Appendix 1.

1. Keep calm

Although sometimes difficult, it is essential that leaders ensure that their response to comments posted on social media is proportionate and impartial. Overreactions or emotionally led responses are likely to inflame the situation, which can mean that a successful positive outcome is less likely to occur for all involved.

Parents are entitled to hold opinions about schools, many of which will be positive, some however might not be so pleasant but expressing these views is not always illegal. It is important to recognise that it isn’t always possible to prevent parents posting comments online, and unless the comments make a credible threat towards someone’s safety (such as death threats or other specific threats of violence towards staff), name a teacher who is subject to an allegation, contain hate content or could be considered as harassment (and therefore a criminal offence has been committed) then the comments cannot always be removed. Please see appendix 2 for further details on the potential legal implications.

However this does not mean that this behaviour should be tolerated, especially if it is directed at specific members of the school community. The best course of action is for Headteachers to adopt a partnership approach with parents, where possible, and to speak directly with any members of the community involved when any concerns are raised.

In some cases, leaders may decide that the best response will simply be to monitor the situation. In these situations, leaders should still follow the below guidance regarding gathering evidence in case action is required at a later stage.

1. Gather evidence

When the school becomes aware of any information that is damaging towards an individual member of staff and/or the school community, it is important to gather evidence (such as [screen shots](http://www.wikihow.com/Take-a-Screenshot-in-Microsoft-Windows) and print-outs, includes times, dates and names where possible and ensuring the identity of the person who reported the issue is removed) and establish exactly what has been posted. This may have to be done through various methods as the information may have only been shared through the connections of specific people. However, it is important that evidence be submitted so that the facts can be established.

When dealing with cases involving Facebook, a group of parents may have set up a site or closed/secret group to comment about or in some cases, criticise the school or individual members of staff. This is usually done through a Facebook page which is then ‘liked’ by those with an account or via closed or secret group whereby members have to request to join or be invited by another group member. On a Facebook page the comments will always be public; however in a closed or secret group they will only be visible to other group members. It is important, where possible, to find out who has set up the page or group, as usually this is the parent or carer who has the grievance. It can sometimes be difficult to trace the owner of a Facebook “page” however a closed group will publically identify the members any members and also which members are “administrators”.

It is also essential, at this stage, that members of staff, including non-teaching staff and governors, do not become embroiled in any of the discussion threads as this sometimes can inflame the situation. Headteachers/managers should ensure that members of staff are aware of how to respond to concerns - further information is contained within section 4: ’Preventative Actions’.

In some cases parents may post comments on their own personal Facebook profiles. The visibility of these comments will depend on the individual parent’s privacy settings. If a comment is public (this is indicated by the presence of a globe icon next to the post) then it will be visible to anyone who has access to the internet, even if they do not have a Facebook account. Other privacy settings may include “friends only” (only those people who are friends with the original poster can see the comment) or “friends of friends”. It is important for all Facebook users to be aware that even if a comment has been shared with “friends only” it is still possible for other users to “share” their friend’s comments with their own Facebook friends or take screenshots. In cases where comments have been shared with “friends only”, it is essential that headteachers ensure that the identity of the person who bought the concern to the schools attention is protected as far as possible.

It is important that any evidence is kept to enable schools to collate a record of events; this should include usernames, specific dates and times, as well as actions taken by the school. In many situations this will be a one off concern which can be resolved quickly, however in some situations this could be part of a bigger or ongoing issue; therefore a clear chronology will be essential if further action is required.

1. Reassuring those affected
2. ***Supporting staff***

If individual members of staff have been targeted or mentioned, then Headteachers will need to be mindful of their duty of care to those involved as there is a specific duty on employers to protect their staff from third party harassment.

Appropriate support will depend on the nature of the concerns and the reaction of the individual. If the member of staff is already aware of the comments, then Headteachers should explain to them how they intend to address the concerns and offered support to them. Headteachers should encourage staff to let them know if there is any further support that they feel they need.

* Staff may wish to contact their professional/teaching union for additional support and guidance or access support via the Education Support Network: www.educationsupportpartnership.org.uk
* Staff and Headteachers can also access help via the Professional Online Safety Helpline: [www.saferinternet.org.uk/about/helpline](file:///C%3A%5CUsers%5Caveryr01%5CAppData%5CLocal%5CMicrosoft%5CWindows%5CTemporary%20Internet%20Files%5CContent.Outlook%5CQ5LICBKV%5Cwww.saferinternet.org.uk%5Cabout%5Chelpline)
* The school may also want to take further advice on this issue from Schools’ Personnel Service ([www.the-sps.co.uk](file:///C%3A%5CUsers%5Caveryr01%5CAppData%5CLocal%5CMicrosoft%5CWindows%5CTemporary%20Internet%20Files%5CContent.Outlook%5CQ5LICBKV%5Cwww.the-sps.co.uk))
* If an allegation has been made then Headteachers will need to speak with the LADO: [www.kelsi.org.uk/child-protection-and-safeguarding/managing-staff-allegations](http://www.kelsi.org.uk/child-protection-and-safeguarding/managing-staff-allegations)

If the member of staff is unaware of the comments, then Headteachers should consider if it necessary to inform them, and if so, what would be the best approach. Depending on the nature of the comments, then this decision may require additional advice via the AEO, Education Safeguarding Team, LADO (if the comment is an allegation) or other professional body.

**Additional links and support**:

* The Professionals online safety helpline has useful guidance for schools and settings: [www.saferinternet.org.uk/news/minimising-reputational-risk-advice-for-professionals](http://www.saferinternet.org.uk/news/minimising-reputational-risk-advice-for-professionals)
* Childnet Teacher Guidance: [www.childnet.com/teachers-and-professionals/for-you-as-a-professional](file:///C%3A%5CUsers%5Caveryr01%5CAppData%5CLocal%5CMicrosoft%5CWindows%5CTemporary%20Internet%20Files%5CContent.Outlook%5CQ5LICBKV%5Cwww.childnet.com%5Cteachers-and-professionals%5Cfor-you-as-a-professional)
* The Department for Education Preventing and Tackling Bullying (November 2014) [www.gov.uk/government/publications/preventing-and-tackling-bullying](https://www.gov.uk/government/publications/preventing-and-tackling-bullying)
* Kent Education Safeguarding Team provides advice and support via the Education Safeguarding adviser (Online Protection) and Area Safeguarding Advisers and provides online templates and guidance at: [www.kelsi.org.uk/child-protection-and-safeguarding/e-safety](http://www.kelsi.org.uk/child-protection-and-safeguarding/e-safety)
* If the Headteacher is a member of the NAHT then they also have very useful guidance on their website. [www.naht.org.uk](http://www.naht.org.uk)
1. ***Supporting other members of the community***

There have been cases where negative or malicious comments posted on social media have not been about a member of staff but have been made against a child or another parent. It is important that Headteachers are aware of the need to promote the wellbeing and safety of the whole school community. However they should also be aware of some of the limitations and be clear about how achievable this may be in some cases.

When responding to issues where parents are writing negative or unkind comments about other parents, the school may need to consider how best to mediate concerns (if appropriate) and to what extent they are able to resolve concerns if they are having a detrimental impact on the school. In cases where there is a concern regarding physical violence, Headteachers may need to involve other agencies.

In some cases there may be a requirement for Headteachers to consider the potential safeguarding impact (including emotional consequences or the potential risk to physical safety) of children if comments are made online about them by parents. This may require involvement of other external agencies in line with existing safeguarding procedures. If Headteachers are unclear about how to respond then they should seek advice from the Education Safeguarding Team.

1. Meet face to face with parents or carers involved

In the majority of incidents, a face to face meeting with the parents involved can resolve the matter. This allows the Headteacher to identify the parents’ particular concern and will help ensure that a suitable solution is put into place, or to instigate the school complaints process.

In many cases the reason why a parent or carer has made comments about the school or staff members online is due to being oblivious about the implications of making such comments, or because they are unaware of or disillusioned with the school’s complaints procedure. An immediate response in writing can occasionally inflame situations (and indeed in some cases ends up being shared on social media itself) so a face to face or “offline” discussion is likely to have a more positive outcome. If multiple parents are involved then schools should consider how best to respond safely and effectively, whilst maintaining confidentially. This may require multiple meetings with parents on an individual basis.

The Headteacher (or other appropriate member of senior leadership staff) should meet with the parents to express their disappointment with the current situation and explain that the school would like to work with them to resolve the problem that is obviously causing them distress. Headteachers should address the matter of social networking with the parents concerned and explain how this behaviour can have a detrimental impact on the school and potentially their children’s education, while not allowing the school to actually address their concerns.

It can be helpful, at this point, to discuss the importance of considering any messages they post online in the future, as these can have a detrimental impact on themselves as well as the wider school community. Parents should be made aware that comments posed online (even if made “privately”) can easily be misread or misinterpreted and can also be shared without their knowledge or consent.

At this meeting it is important that printouts of the allegations or comments are available for parents, again schools should take steps to ensure that any content which could identify the individual who bought it to the schools attention is removed.

At this stage, it is important that the Headteacher requests that any offending posts or pages are immediately removed and encourages the parents to work with the school, following the schools complaints procedure if they are unhappy. If parents refuse to remove content which then Headteachers can report the concern to website (see appendix 4 for advice regarding reports to Facebook) or escalate the concern to the Professional Online Safety helpline: [www.saferinternet.org.uk/about/helpline](http://www.saferinternet.org.uk/about/helpline) .

If the meeting does not have a successful outcome then it is important for the Headteacher to stress that the school may have to take further action to resolve the matter. Although it is essential not to cause any further problems, the professional status of staff and the school needs to be maintained and it cannot be compromised by any malicious comments or allegations. The school may want to warn the parents that any existing comments or a continuation of posts could lead to civil or criminal action being taken, although the school would prefer to avoid having to take this route.

If Headteachers think that a criminal offence has been committed, or believe that speaking directly to the parents would lead to a confrontation or offence being committed, then they should contact their Local Kent Police contact to work together to support the school in discussing this with the parent concerned in more detail.

1. Resolving Difficult Situations

If the matter is not resolved through a face to face meeting, the school has a number of options to try and address the situation. While the school will not want to escalate the matter unnecessarily, it is crucial that they try to come to a sensible and proportionate conclusion.

1. Arrange a further meeting and invite the chair of governors

To ensure that the parents understand the seriousness of the matter, a further meeting could be arranged with the chair of governors present to convey the damage that these comments are having on the school community. It is essential that the chair of governors is fully briefed before the meeting and that a common approach is taken by the school to address this matter. Again, it gives an opportunity for the parents to share any grievances and for an action plan to be established to deal with any concerns expressed by them.

If parents refuse to meet with the school, then the Headteacher/chair of governors may wish to use the final letter in appendix 2. Please note that all other options should be explored before using this letter.

1. Report content to the site involved

If the parents do not agree to remove any offending content or pages they have set up, then the school can report content to the website where it has been posted. Usually this raises a ‘ticket’ with those who monitor content on the site so they can assess this in relation to whether any of the terms and conditions have been violated. Schools have to be aware that there will be a time delay in the review of this content and that if the content does not breach the terms and conditions, then the site administrators will not remove it. Forced removal of comments may only occur if the comments break the law or break the website’s terms and conditions.

Information about how concerns can be reported to Facebook can be found in appendix 4. For other sites, it may be helpful to visit the site being used as many will have a help or report section.

1. Take further advice

The final step in some cases may be for a school to seek legal advice on comments posted on a social media site. In some cases this has resulted in a letter from a solicitor being sent out to the parents warning them that malicious allegations could result in legal action. Headteachers should be aware that in some cases this can have a detrimental impact and can inflame situations further, so it is recommended to try all other possible routes before proceeding.

In cases where a criminal offence has been committed then police advice should be sought at an early stage. This should usually take place via 101, but if there is an immediate risk of harm to any member of the school community this should be reported via 999. It is advisable that schools record any crime reference numbers etc., even if police action is not considered to be necessary.

If an allegation has been made against a member of staff then advice must be sought from the LADO service.

If Kent Schools and Settings are concerned that an issue may receive media attention, then they may also wish to seek advice from the KCC Press Office [www.kccmediahub.net/about](http://www.kccmediahub.net/about)

1. Preventative Actions

Allegations or malicious comments against members of staff or the school can have an unwanted effect on the school's ethos, which can result in a detrimental effect on children and young people. It is crucial that schools take steps to try and prevent these types of issues from reoccurring.

It is important for leaders to be realistic about what they hope to achieve when responding to negative comments or complaints on social media. Leaders should remember that isn’t always possible to prevent parents posting comments online, and comments cannot always be removed. The focus should therefore be on achieving the best outcomes for children, especially if they are at the centre of the concern.

1. Build a whole community ethos towards safe use of social networking

Schools may wish to regularly highlight awareness regarding responding use of social networking such as via school newsletters etc. Example text and letters can be found in appendix 3.

If there have been specific issues, schools could consider sending a specific letter to parents to encourage them to be mindful about what they post on social networking sites and to be aware of the impact such comments could have on the school community. The letter could also include the fact that unpleasant or hurtful comments should not be posted online as they may potentially be considered as a criminal offence. For template letters please see appendix 3.

The school may want to remind all parents of the schools official communication and complaints channels which are available to be used should they need them, as this is the most appropriate way of dealing with any concerns. Schools may also wish to remind parents that they can "report" any unpleasant comments or content to Facebook or other social networking sites, who may remove comments and block/ban users who break these rules. Parents should also be aware of the importance of role modelling appropriate behaviour for their children online, much like they should offline.

Leaders should ensure that all members of staff receive safeguarding training that is robust and up-to-date and covers online safety (as identified within ‘Keeping Children Safe in Education’ 2016). This training should include ensuring that all members of staff know how to respond to concerns they may see online in a way that supports the school and also does not compromise them. Leaders should ensure that all members of staff sign an Acceptable Use Policy (AUP) and are aware of expectations with regards their use of social media.

1. Home-School Agreements

Most schools have a contract between parents and the school to ensure that children and young people are fully supported with their learning and welfare both inside and out of the classroom. Many of the statements refer to parents reinforcing schools' policies on homework, behaviour and conduct. In order to counter any parent discussing sensitive issues about individual teachers or pupils on social networks, a number of schools have decided to include a statement on the Home-School Agreement to try and stop parents from making derogatory or malicious comments. While it is difficult to monitor all parents’ use of social networking sites, it does show that the school takes this matter seriously and, the fact that parents have signed the agreement, means that they have a responsibility to act appropriately.

*Example statements:*

*"We will support the school's approach to online safety and will not upload, share or add any pictures, video or text that could upset, offend or threaten the safety of any member of the school community".*

***OR***

*“Parents and carers are reminded to use existing structures when making any complaint about the school or a member of staff. They are advised not to discuss any matters on social networking sites'.*

***OR***

*'If at any time during your child’s time at xxxx school, you wish to make a complaint, then you are advised to follow the school's complaints procedure, which can be found on the school website [insert link]. We request that all parents and carers refrain from using social networking sites to discuss sensitive issues about the school.'*

1. Acceptable Use Policies (AUP)

All schools should have an AUP that is signed by staff and pupils to ensure that they use digital technology and the internet within school safely and understand the sanctions resulting from breaches of this policy. A number of schools have included statements that refer to parental support on this matter and these also ask parents to monitor children and young people’s use of digital technology and social media while they are out of school. The policy should be reviewed and, where necessary, updated on an annual basis; and schools could include a statement on parental use of social networking. Please be aware that this approach can sometimes be difficult to enforce. Further advice and guidance regarding AUPs can be found at [www.kelsi.org.uk/child-protection-and-safeguarding/e-safety](http://www.kelsi.org.uk/child-protection-and-safeguarding/e-safety)

*Example statement:*

*'As a parent, I support school safeguarding policies and I will ensure that I monitor my child’s use of the internet (including social networking) outside of school. I will act as a positive role model to my child by ensuring that I use social networking sites responsibly.'*

1. Schools policies (including the complaints policy)

Whenever there is a dispute between a parent and a school, it is important that the complaints procedure is followed so that grievances are taken seriously and solutions can be quickly found to ensure that the child or young person’s education is not disrupted. The complaints policy should be easily accessible via the school’s website. Headteachers may also wish to draw attention to this concern in other related polices including anti-bullying, Safeguarding, online safety, data protection/security and confidentiality.

In accordance with ‘Keeping Children Safe in Education’ 2016, schools will need to have a staff code of conduct, which includes the use of social media. Schools and settings may choose to have a specific social media policy (or integrate this within existing policies such as an online safety policy). A social media policy should covers appropriate use of social media by the school and also identify appropriate behaviour on social media for all members of the community. Further advice and guidance regarding social media policies can be found at [www.kelsi.org.uk/child-protection-and-safeguarding/e-safety](http://www.kelsi.org.uk/child-protection-and-safeguarding/e-safety)

1. Promote positive use of social media

Some schools are now exploring the proactive use of social media as a positive engagement tool for parents. Many social media complaints arise out of parental frustrations and because parents may feel that they are not listened to or valued by schools. This is why many parents take the matter out of the schools hands and set up unofficial and unapproved Facebook pages or groups.

In some cases Facebook pages or groups may be set up and run (either officially or unofficially) via parent teacher associations or other similar groups. It is important that in these cases the headteacher is involved in ensuring that the groups are run in accordance with the school policies and clear boundaries are in place about appropriate online behaviour. The Kent AUP template guidance includes a template acceptable use policy for official parent run Facebook pages/groups and the “using social media” guidance includes disclaimers and advice for leaders.

If a school has an official and appropriately managed Facebook page or group then this can minimise some of the concerns or ensure that the school has a way to respond appropriately via an official and approved communication channel.

Further guidance (including template policies etc.) can be accessed via the Education Safeguarding Adviser (Online Protection) and via [www.e-safety.org.uk](http://www.e-safety.org.uk)

1. Other approaches

Headteachers may want to consider implementing a range of routes to encourage parents to raise concerns directly with the school, for example ensuring a senior member of staff is available on the gate at the start and end of the school day, dedicated email accounts etc.

1. Conclusion

In the age of social media, all institutions need to be robust against criticisms and opinions. Complaints by parents are nothing new for schools as, in the past; many have made comments on the playground or at the school gate or have gone to local media outlets such as newspapers to highlight decisions or issues in schools. The main issue is that in today’s society, these complaints can easily be shared in the public domain and a post on a social networking site can reach thousands of users instantly, damaging reputations and giving a misleading slant to any issue.

Schools and settings cannot monitor every comment posted on social networking sites, but they can be proactive in trying to ensure that parents and carers are aware of the appropriate processes in place to raise complaints or concerns, as well as their responsibility to act as a ‘positive online role model’ to their children.

Appendix 2: Legal Information relating to comments posted on social media about staff/schools

Appendix 1: What to do if a Complaint is made on Social Networking by a Parent or Carer

**What is the nature of the complaint?**

* Are they raising a valid concern?
* Does it name specific members of the community or the school itself?
* Is there a criminal offence e.g. credible threat? If so contact the Police - use 999 if there is an immediate risk of harm or 101 if not
* If it making an allegation against a member of staff? If so contact the LADO
* If unsure then access support e.g. Education Safeguarding Team, Area Education Officer, Professional Online Safety Helpline etc.

**Support, review and record**

* Provide appropriate support to those targeted
* Communicate expectations regarding use of social networking with the community e.g. newsletters, letters etc.
* Record concerns, actions and decision making
* Revisit preventative approaches
* Review current policies and procedures, and implement changes if required

**Who made the complaint?**

* Where was it posted? E.g. Facebook profile, page or group?
* Who made the comments?
* Who bought it to the schools attention?
* Do you have evidence e.g. a screenshot with names and dates?

**Comments are considered to be inappropriate and action is required**

* Consider whether the child is at immediate risk of harm e.g. unsafe to go home
* Access the KSCB Threshold document and procedures: [www.kscb.org.uk](http://www.kscb.org.uk)
* Refer to other agencies as appropriate e.g. LADO, Police, Early Help Notification Form or Inter-Agency Referral Form
* If unsure then consult with Area Education Safeguarding Adviser (Insert name and contact information)

**Monitor situation**

* Keep Screenshots
* Record actions and decision making

**School leaders to speak with parents/carers face to face**

* Sanitise screenshots
* Discuss concerns with parents/carers involved
* Advise of school complaints process
* Request removal
* Record decision making and action taken

**Comments are considered to be minor issue and no action required**

* Consider whether the child is at immediate risk of harm e.g. unsafe to go home
* Access the KSCB Threshold document and procedures: [www.kscb.org.uk](http://www.kscb.org.uk)
* Refer to other agencies as appropriate e.g. LADO, Police, Early Help Notification Form or Inter-Agency Referral Form
* If unsure then consult with Area Education Safeguarding Adviser (Insert name and contact information)

**If situation reoccurs, is unresolved or escalates**

* Arrange formal meeting with Chair of Governors
* Report content for removal
* Take further advice

In most circumstances where parents are expressing an opinion, it is not possible to take legal action. However if you feel that it is necessary to pursue a legal course, we would recommend that you contact the KCC Legal Team and/or Kent Police.

Issues on social media may become criminal and action may be considered under the following legislation

***This is not legal guidance and schools and settings are advised to take appropriate legal advice if required. Please note that this list is not exhaustive and in some cases other legislation may apply***.***.***

**Criminal Concerns**

* **Protection from Harassment Act 1997**: This Act is relevant for incidents that have happened repeatedly (i.e. on more than two occasions). The Protection from Harassment Act 1997 makes it a criminal and civil offence to pursue a course of conduct which causes alarm and distress, which includes the publication of words. The victim can also bring a civil claim for damages and an injunction against the abuser, although in reality this is a remedy that is only used by individuals with the financial means to litigate, and only possible if the abuser can be identified, which is not always straightforward.
* **Malicious Communications Act 1988:** Section 1 makes it an offence to send an indecent, grossly offensive or threatening letter, electronic communication or other article to another person with the intention that it should cause them distress or anxiety.
* **Public Order Act 1986 (sections 17 — 29)**: This Act makes it a criminal offence to stir up racial hatred by displaying, publishing or distributing written material which is threatening.
* **Communications Act 2003:** Section 127 covers all forms of public communications, and subsection (1) defines an offence of sending a ‘grossly offensive…obscene, indecent or menacing’ communication. Subsection (2) defines a separate offence where for the purposes of causing annoyance, inconvenience or needless anxiety, a person sends a message which that person knows to be false (or causes it to be sent) or persistently makes use of a public communications system.
* **Racial and Religious Hatred Act 2006.** This Act makes it a criminal offence to threaten people because of their faith, or to stir up religious hatred by displaying, publishing or distributing written material which is threatening.
* **The Education Act 2011** makes it an offence to publish the name of a teacher who is subject to an allegation until such a time as that they are charged with an offence. All members of the community need to be aware of the importance of not publishing named allegations against teachers online as this can lead to prosecution. If this is the case then schools should contact the LADO for further guidance.

**Civil Concerns: Libel and Privacy**

Comments made online by parents could possibly be classed as Libel in some cases. Libel is defined as 'defamation by written or printed words, pictures, or in any form other than by spoken words or gestures'. The authors of such comments can be held accountable under Defamation law, which was created to protect individuals or organisations from unwarranted, mistaken or untruthful attacks on their reputation.

Defamation is a civil “common law” tort in respect of which the Defamation Acts of 1952 and 1996 provide certain defences. It applies to any published material that damages the reputation of an individual or an organisation, and it includes material published on the internet. A civil action for defamation can be brought by an individual or a company, but not by a public authority. Libel is a civil and not criminal issue and specific legal advice may be required.

Where defamatory material is posted on a website, the person affected can inform the host of its contents and ask the host to remove it.  Once the host knows that the material is there and that it may be defamatory, it can no longer rely on the defence of innocent dissemination in the Defamation Act 1996. This means that the person affected could (if the material has been published in the jurisdiction, i.e. in England and Wales) obtain a court order (an injunction) to require removal of the material, and could sue either the host or the person who posted the material for defamation.

**Other issues**

If social media is used to publish private and confidential information (for example breaches of data protection act) about an individual, it could give rise to a potential privacy claim and it is possible to seek an injunction and damages.

Appendix 3: Template letters

**Please be aware that schools must not share any information which could compromise a live police investigation. Please seek advice from the Education Safeguarding Team if this is a concern.**

1. **Preventative approaches**

**General Awareness Information for Newsletters**

At xxxxx school we strive to achieve the best for all of our children, however we recognise that on some occasions you may feel that we could have done better. We would like to encourage you to come in and discuss any concerns with the school by (insert details e.g. speaking with the headteacher).

We would be grateful if parents do not use social media to raise complaints but instead we encourage you to come into school and speak with us so that we can understand your concerns and help solve the problem. Complains on social media can be damaging for the school, its staff and most importantly the pupils.

If you still feel that the issue has not been dealt with appropriately then we will provide you with a copy of the formal complaints procedures.

**General Awareness Letter for all parents**

Dear Parent/Carers

Online Safety is an important part of keeping children safe at [school/setting]. We can only be successful in keeping all of our children safe online if we work with you to ensure that online safety messages are consistent and that all members of the community behave safely and appropriately online.

We are writing to you to request your support in ensuring that our children have responsible online role models when posting and sharing content on social media sites. Whilst we are all entitled to have our own views and opinions, we would like to ask that all members of our school community consider how our comments may be misunderstood or misinterpreted when shared online and the possible impact and consequences on others of our online actions.

If parents/carers have any concerns or complaints regarding the school/setting, then we would like to request that they be made using official channels so we can work together to help resolve any concerns that parents/carers may have. The complaints procedure and anti-bullying policy and other relevant policies (such as behaviour or child protection policies) are available online via the school website [link] or upon request at the office.

As responsible adults it’s important that we all consider the potential impact and implications of online behaviour for ourselves and our families, as well as other members of the school community Our school is keen to work in partnership with parents and carers to promote responsible internet use and acknowledge how important your role is in setting a good example of positive and responsible online behaviour for your child(ren).

More information about online safety can be found at the following places:

* [www.thinkuknow.co.uk/parents](http://www.thinkuknow.co.uk/parents)
* [www.saferinternet.org.uk](http://www.saferinternet.org.uk)
* [www.childnet.com](http://www.childnet.com)
* [www.nscpcc.org.uk/onlinesafety](http://www.nscpcc.org.uk/onlinesafety)
* [www.internetmatters.org](http://www.internetmatters.org)
* [www.getsafeonline.org](http://www.getsafeonline.org)

If parents/carers wish to discuss this matter further or have any other online safety concerns the please contact [Name] Designated Safeguarding Lead, or myself (if different).

Many thanks in advance for your support in this matter,

[Name]

Headteacher/Manager/Chair of Governors

1. **Letters Following Specific Issues**

**Template Incident Letter (following a specific issue) for all parents**

**NB – do not send this letter until after parents involved have been spoken with.**

Dear Parent/Carers

Online Safety is an important part of keeping children safe at [school/setting]. We can only be successful in keeping all of our children safe online if we work with you to ensure that online safety messages are consistent and that all members of the community behave safely and appropriately online.

Unfortunately it has been brought to our attention that some parents/carers have been using xxxx as a forum to complain and/or be abusive about the school/setting and/or members of staff/parents/children in the school/setting community. Whilst we are all entitled to have our own views and opinions, we would like to ask that all members of our community consider how this may be misunderstood or misinterpreted when shared online and the possible impact and consequences of these actions. We have spoken to those parents concerned and whilst we can continue to raise the profile of online safety within school, we need the help of the whole community to support us in keeping our wider community safe online.

It is important that all members of school/setting community understand that the use of technology (including social networking, mobile phones, games consoles and other websites) to deliberately threaten, upset, harass, intimidate or embarrass someone else could be considered to be cyberbullying or harassment. Cyberbullying is just as harmful as bullying in the real world and is not tolerated at [school/setting]. We take all instances of cyberbullying or harassment involving any members of our community very seriously as we want members of the community to feel safe and happy both on and offline. Posting threatening, obscene or offensive comments online can also potentially be considered as a criminal offence and can therefore have serious consequences.

Any complaints regarding the school/setting should be made using the correct and official channels so we can work together to help resolve any concerns that parents/carers may have. The complaints procedure and anti-bullying policy and other relevant policies (such as behaviour or child protection policies) are available online via the school website (link) or upon request at the office.

I would like to ask all parents/carers to think carefully about the information and comments they post online. As responsible adults it’s important that we all consider the potential impact and implications posting such content may have on you and your family as well as other members of the community. I would also like to remind all parents/carers about the need for us all to work in partnership to promote responsible internet use. Your role in settings a good example of positive and responsible online behaviour for your child(ren) is crucial.

If parents/carers wish to discuss this matter further, or have any other online safety concerns the please contact [Name] Designated Safeguarding Lead, or myself (if different).

Many thanks in advance for your support in this matter,

[Name]

Headteacher/Manager/Chair of Governors

**Letter to use with parents specifically involved in concerns**

**NB – This template should be used with care and only sent if schools are unable to meet with parents involved face to face**

Dear Parent/carer

It has been drawn to my attention that you have recently made comments online on [site] relating to [event]. I enclose a screenshot of the material in question, which you will note has been signed and dated.

I am disappointed that you have chosen to use this medium to express these views and

I am greatly concerned about the tone of the comments made and their abusive and threatening nature [substitute for more appropriate adjectives if necessary] relating to another member of the school community.

It is important that all members of the school/setting community understand that the use of technology (including social networking, mobile phones, games consoles and other websites) to deliberately threaten, upset, harass, intimidate or embarrass someone else could be considered to be cyberbullying or harassment. Cyberbullying is just as harmful as bullying in the real world and is not tolerated at (name, setting). (School name) take all instances of cyberbullying or harassment involving any members of our community very seriously as we want members of the community to feel safe and happy both on and offline.

I would really appreciate a meeting with you to discuss this matter in an open and constructive manner. Please contact me at your earliest convenience to arrange an appointment. I must emphasise, that the conversation will remain confidential between you and me. My colleague [insert name and role e.g. chair of governors] will be present to act as note-taker and you may also wish to be accompanied by a family member or friend (if needed).

I am sure that we will be able to resolve this situation and achieve a positive outcome.

I look forward to meeting with you.

Yours sincerely,

[Name]

Headteacher/Manager/Chair of Governors

Appendix 4: How to Report and Remove Content on Facebook

**Removal**

**To remove a Facebook post**

To remove a comment of a Facebook profile the user must access their profile and click on  in the top right of the post and then select the “delete”



**To remove a Facebook page**

Only Facebook or the page administrator can delete a Facebook page. To remove a page admin should:

1. Click Settings at the top of your Page
2. From General, click Remove Page
3. Click Delete [Page name] and follow the on-screen instructions

**To remove a Facebook group**

Only Facebook or the page administrator can delete a Facebook group. Groups are deleted when they have no members. If you've created a group, you can delete the group by removing all its members and then yourself.

1. Go to the group you want to delete and click Members below the cover photo
2. Click  next to each member's name and select Remove from Group
3. Select Leave Group next to your name once you've removed the other members

Note: An admin can't delete a group they didn't create unless the original creator chooses to leave it.

**Reporting**

When something gets reported to Facebook, they will review it and remove anything that doesn't follow the [Facebook Community Standards](https://www.facebook.com/communitystandards/). Facebook don't include any information about the person who filed the report when they reach out to the person responsible. Please keep in mind that reporting something to Facebook doesn't guarantee that it will be removed.

Headteachers/managers may wish to encourage the member of the community who bought the concern to the schools attention to report the issue themselves.

**Reporting without an Account**

If the Headteacher/manager does not have a Facebook account, then a report can be made via this form: [www.facebook.com/help/contact/274459462613911](https://www.facebook.com/help/contact/274459462613911)

To report a concern without an account then you will require the link (URL) to the specific content you're reporting. To get a URL:

1. Click the date or time link in the post or comment
2. Copy the link in the web address bar (see below)

If you're unable to provide the link to the content, Facebook may be able to find the content if you provide as much of the information below as possible:

* Link to the Facebook profile, Page or group that created the content that you're reporting, and the time and date that the content was posted
* A screenshot of the abusive content. If possible, the screenshot should include the name of the person, Page or group that created the content you're reporting and the time and date it was posted.

**To report a Facebook profile:**

1. Go to the profile you want to report
2. In the bottom right of the cover photo, click  and select **Report**
3. Follow the on-screen instructions

**To report a specific comment/post:**

1. Click  in the top right of the post you want to report and select **I don't want to see this**
2. Click **Why don't you want to see this?**
3. Choose the option that best describes the issue and follow the on-screen instructions

**To report a photo or video:**

1. Click on the photo or video to expand it
2. Click **Options** in the bottom right
3. Click **Report Photo** for photos or **Report Video** for videos

**To report a message:**

1. Open the message you'd like to report
2. Click **Actions** in the top right
3. Click **Report Spam or Abuse...** and follow the on-screen instructions

**To report an abusive Page:**

1. Go to the Page you want to report
2. Click  on the Page's cover photo
3. Select **Report Page** and follow the on-screen instructions

Facebook will review the Page and remove anything that doesn't follow the [Facebook Community Standards](https://www.facebook.com/communitystandards). Facebook may also warn or disable the person responsible.

**To report a group:**

1. Go to the group you want to report
2. Click  at the top right
3. Pick **Report Group** from the dropdown menu

**To report a comment:**

1. In the top right, click 
2. Select **Report**