



KYSEN Social Media Update



Welcome to the January 2012 edition of our Social Media Update. This e-update details the best of the last couple of months' press articles and online discussions about digital and social media as they apply to the professions.

Some of the topics discussed here are specific to the professions; some detail developments in other sectors, included because they have a particular relevance to the professions.

We hope you find this summary helpful in keeping track of a fast-changing area of communications. As ever, we welcome your feedback.

Best regards,
Clare Rodway
Managing Director
020 7550 5506
clare.rodway@kysen.com

Press summary
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This issue

A plethora of informative studies on social media usage in business and more specifically law firms has been released in recent months. As the Law Society issued formal guidance to firms on social media for the first time, it released figures showing a doubling of LinkedIn usage in UK law firms in the past year. Another study shows 81% of UK and US SMEs dedicated a significant amount of time to social media; a global study from KPMG revealed that Western economies are lagging behind on social media usage; though a LexisNexis report suggested that the legal industry is bucking this trend with US and UK law firms ahead of the curve compared to their legal counterparts in other parts of the world. Some prescient legal cases promise to provide new precedents on the use of social media in business on questions such as who owns a Twitter following; and what employees can include on LinkedIn profiles. Legal commentators have also welcomed the LCJ clarification on rules around court reporting.

Law Society launches social media guidance

In December, the Law Society became the first regulatory body to publish guidance on the professional use of social media by lawyers. This report focuses on the ways social media should be embraced by the legal community bearing in mind professional ethics. Unsurprisingly, Law Society research has revealed there are benefits to firms engaging with social media, but also risks. A typical Top 50 law firm will have half of its staff on LinkedIn, demonstrating a doubling of law firm partner and employee usage since 2010. Benefits of using social media include: marketing and reaching a wider audience, profile and engagement with clients. Risks include the possibility of defamation and confidentiality breaches. The Law Society suggests firms should have a social media policy or at least should "think about electing one individual to be responsible for overseeing social media activity".

Information Source: Legal Week, 6 January 2012

Customised social media

Jive Software has recently successfully listed on Nasdaq, reflecting investor faith in social media companies. Jive provides software to companies including bespoke social networks for customers and collaboration networks for employees to increase workplace efficiency. Jive, along with competitors Microsoft, Lithium and salesforce.com, is currently the top provider of such technology. Big brands such as Nike, T-Mobile and Avon use such software because it allows them to create a social network that caters specifically for their company and customer needs.

Information Source: FT Tech Hub, 14 Dec 2011

Small businesses boost customer care with social media

In the Kysen Social Media Update in November 2011 we reported new figures from the *2011 Social Media Marketing Industry Report* showing that small businesses have the most to gain from social media use, with at least 59% noting a benefit. Yet it was also found that the majority were lagging behind in social media usage. However, according to a 2011 study from Constant Contact, an online marketing provider, attitudes are changing. The study of UK and US businesses found 81% dedicated a significant amount of time to social media, which is up 8% from the previous year. Facebook proved to be the most popular choice with 76% of SMEs preferring it, finance sectors though preferred LinkedIn for their marketing. The Constant Contact report stated that 60% of small businesses now respond to all comments on their social media pages, irrespective of whether the post is positive or negative. But Constant Contact suggests there is still progress to be made as 72% of companies have not included mobile marketing into their strategy even though mobile marketing is now increasingly popular with consumers.

Information Sources: CBR, 12 December 2011 and PAB News, 3 January 2012

Live tweeting from court OK, says LCJ

The Lord Chief Justice (LCJ) has announced that tweeting from court by journalists and legal commentators can go ahead without them seeking advanced permission. Legal journalist Joshua Rozenberg recently expressed his view on the matter in *The Guardian*: "If you have enough legal or journalistic training to report court proceedings consistently with the laws of contempt, you come within the guidance. If you don't, you need to ask permission. If there's any doubt, the judge will have to decide...And if you really don't know what you're doing...then you probably shouldn't be tweeting anyway".

The new guidance now in place includes the use of phones and small handheld laptops for live text-based communications. Members of the public can also tweet, but must get permission from the court in advance. Judges still have full discretion to prohibit live text-based communication from court in the interests of justice; permission from court may be withdrawn "at any time"; and anyone using electronic text is still bound by the Contempt of Court Act 1925.

Information Sources: Halsbury Law Exchange, 15 December 2011, guardian.co.uk, Wednesday 14 December 2011, and The Scotsman, 19 December 2011

Business continuity

Mike Jacobs, a Director at Biscon Planning business continuity consultancy, suggests that it is key to have a social media strategy. He says: "If you want to use social media as part of a business continuity communications strategy, it has to part of a wider organisational communications strategy. Don't expect to be able to turn the corporate use of social media on from a standing start and be able to hit your entire target audience overnight. You have to entice people to you..." He goes on to say that there is no magic solution. "Organisations of different sizes in different industries with different resources require different strategies. But it is here to stay. It is the future. And ignoring it won't make it go away."

Information Source: Continuity Central, 14 December 2011

Whitepaper on social media policy

Social networking consultancy Siteforum, law firm Osborne Clarke and the Association of Professional Staffing Companies (APSCO) have teamed up to produce a white paper

which recommends that businesses' social media policies protect not just the business itself, but employees, clients and suppliers.

The white paper lists seven areas that need protection including confidential information, brand and reputation, staff identities, business value, intellectual property and regulatory issues. David Bashford, director of Siteforum gives the following example: "We identified recruitment as an area in which social media has been readily integrated into day-to-day working, yet has no clear guidelines and policies to manage potential risk to companies, employees and candidates."

Information Source: The Recruiter, 14 December 2011

West behind on social media

According to a report by KPMG, firms in China, India and Brazil were 20-30% more likely to use social media than companies in developed countries such as the UK. "The emerging markets seem to be quickly finding that social networks offer a relatively low-cost opportunity to leapfrog the competition in developed markets," said Tudor Aw, KPMG's head of technology, Europe. The survey comes after French IT services giant Atos announced it was to scrap internal emails at the business by 2014 ([August/September 2011 Social Media Update](#)). KPMG's survey found that 98% of managers at firms in China and 95% of managers in Brazil said they use social media at least several times a week, compared with 80% of managers in the UK. 80% of respondents globally said that the use of social media tends to deliver significant returns which outweigh the risks. The most-recognised benefits include a wider knowledge pool, an increased public profile, more job satisfaction and the opportunity to cultivate relationships.

Information Sources: BBC Business, 16 December 2011 and Brand e biz, 21 December 2011

Global state of play: law firm social media

Meanwhile, another study that focused specifically on law firm engagement in social media from LexisNexis: *Global Social Media Check-up: A global audit of law firm engagement in social media methods*, found that while "many international B2B law firms have registered their presence on the networks, the legal profession overall has a reticent approach to social media engagement". Though currently Facebook is widely seen as a better fit with consumer goods companies, the report makes the interesting observation that there could be big developments in Facebook usage within the legal sector, once the Legal Services Act ushers in a boom in the promotion of consumer-facing legal services. Derek Benton, director of International Operations at Martindale-Hubbell commented: "Registering a profile is a step in the right direction, but not doing anything with it is like renting a shop on the high street and never opening the doors. Moving from registration to broadcast and on to conversation are the steps of social media engagement -- and law, just like any other sector can, and I believe, will engage for the benefit of business development." North America was found to be leading the way among law firms for social media engagement, but found that social media usage among law firms in the Middle East and Asia Pacific, with the exception of English-speaking Sydney, is very low.

Information Sources: Wall Street Journal, 18 January 2012, Law.com, 13 Dec 2011, Media Bistro, 16 December

Revolution in citizen communication

Social media could revolutionise how local government communicates with citizens and has the potential to reduce costs – proving a real boon in the current environment of

austerity across the public sector. Head of communications at Brighton & Hove City Council, John Shewell, suggests social media is providing an 'invaluable new tool' as local public services are galvanised to engage with the public in ever more cost efficient and effective ways.

Information Source: Mycustomer.com, 14 December 2011

Who owns your Twitter followers?

Guardian reporter, Robert Booth, considers whether an employer can own your Twitter followers, after the case of Noah Kravitz. Kravitz, a writer from California, amassed 17,000 Twitter followers when he worked for PhoneDog, a mobile phone news website but then took his following with him when he changed jobs. The company argued that Kravitz's list of followers constituted a customer database saying: "The costs and resources invested by PhoneDog Media into growing its followers, fans and general brand awareness through social media are substantial and are considered property of PhoneDog Media LLC...We intend to aggressively protect our customer lists and confidential information, intellectual property, trademark and brands." Legal observers believe that if damages are awarded against Kravitz, it could set a precedent for asserting the commercial value of Twitter followers acquired in a business context.

In July, the BBC's political correspondent, Laura Kuenssberg, took around 60,000 followers with her when she moved to ITV News generating debate about whether her rights to her followers were hers as an individual or as a BBC reporter.

Information source: PSFK, 2 January 2012

B2B social media strategies

Tim Cawsey who looks after Branding & Corporate Publications at Gemalto, a digital security provider, shares his learning after experimenting with social media communications and strategy. He lists the following five key steps B2B companies should follow:

1. Take time to create a strategy and think before you speak.
2. Map your audiences' online media habits and identify your influencers.
3. Share social media responsibility and train internally.
4. Focus on the right social networks for you.
5. Plan campaigns but don't forget to be reactive.

Information source: E-consultancy, 3 January 2012

Employer sued in first LinkedIn profile case

John Flexman, who was in charge of graduate recruitment at BG Group, loaded his CV onto LinkedIn and ticked a box to register an interest in "career opportunities". He was ordered by his manager to remove his CV, accused of "inappropriate use of social media", called to attend an internal disciplinary hearing and accused of putting confidential information in his CV about how he had reduced firm's the rate of staff attrition. However, Mr Flexman claims the details he posted were available in the company's annual reports and that many of his colleagues, including his manager had ticked the LinkedIn "career opportunities" box. The dispute over his profile led to Mr Flexman's resignation. The case continues.

Information Source: Telegraph.co.uk, 05 Jan 2012

Ten New Year social media resolutions

Business 2 community writer Glen Gilmore proposes these top 10 social media resolutions for 2012:

1. Get a social media corporate governance team up and running and integrate "social business into corporate culture..."
2. Create a social media policy which establishes the rules and limits of social media engagement, and keep it updated.
3. Develop a "how-to" manual for your employees.
4. Set up a social media communications crisis management plan.
5. Learn your industry/ country guidelines. For example, UK based law firms should consult the Law Society Social Media Guidelines.
6. Provide your employees with social media training so that when they are using social media their time will become an asset to your business rather than a risk.
7. Create a social media decision tree to help employees understand the dynamics of responding on behalf of a brand in social media.
8. Streamline access to compliance and legal departments for social media so the company can answer questions quickly.
9. Share regular updates on social media best practices.
10. Monitor, assess and audit social media activities.

Finally - don't forget to define clearly who owns company-related social network accounts as demonstrated by cases such as the Noah Kravitz case mentioned above (*PSFK, 2 January 2012*).

Information Source: Business 2 Community, 3 January 2012