Social Media Misconduct: A Guide for Employers

Social media incidents can affect colleagues, customers, confidential information and workplace trust. Employers should respond to real risks with a fair investigation rather than assume that every controversial post justifies discipline.

1. Have a clear and proportionate policy

Explain expectations about confidential information, bullying, harassment, identifying the employer, use of company accounts and posts made while representing the business. Avoid claiming unlimited control over employees' lawful personal expression.

2. Assess the actual work-related impact

Possible issue	What to examine
Harassment of a colleague online	Evidence, relationship with work, wellbeing and any protective steps.
Publication of customer or employee information	Confidentiality obligations, data breach risk and notification requirements.
A personal opinion that attracts criticism	Actual employment connection, proportionality and legal rights.
A post from the official company account	Account authority, reputational impact and corrective action.

3. Gather evidence lawfully

Preserve the full context, date and source of relevant posts. A screenshot may omit earlier exchanges or may be inauthentic. Do not demand access to private accounts simply because an allegation has been made. Apply employment and data protection rules when reviewing online content.

Example A | A photograph from a client site

A worker posts a public photograph taken at a site. A customer name badge and a document are visible in the background.

Employer response: Check the facts, protect any exposed information, assess confidentiality requirements and consider education or proportionate disciplinary steps based on the circumstances.

4. Follow a fair decision process

Explain the concerns, obtain the employee's response and consider seriousness, policies, consistency and mitigation. Separate capability and training gaps from deliberate misconduct. Communicate any formal outcome and provide an appeal as appropriate.

How Assyst helps employers communicate conduct expectations

Assyst can distribute current conduct, confidentiality and communications policies through the staff app, with electronic acknowledgement retained in the employee HR record. Where a formal concern arises, authorised HR staff can maintain investigation records, correspondence and decisions together in a restricted case file.

Discuss your workforce requirements with Assyst

Assyst Workforce Management is a workforce management platform for multi-site employers, bringing together HR and paperless onboarding, time and attendance, workforce scheduling, payroll calculations, task management and a mobile staff app. To find out more or discuss how Assyst could support your business, visit www.assyst.uk and contact us through the website.

Useful official sources

Acas — Disciplinary procedure step by step
https://www.acas.org.uk/disciplinary-procedure-step-by-step

ICO — Data protection and monitoring workers
https://ico.org.uk/for-organisations/uk-gdpr-guidance-and-resources/employment/monitoring-workers/data-protection-and-monitoring-workers/

GOV.UK — Data protection
https://www.gov.uk/data-protection

General guidance for employers in Great Britain, reviewed November 2026. Contract terms and individual circumstances may require professional advice.