Ethics in Digital Communication

Guidelines developed by the
Austrian PR Ethics Council (PR Ethik Rat)
and recommend by the
International Communications Consultancy Organisation (ICCO)

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INTRODUCTION

Legal and ethical foundations

Communication in the digital sphere does not happen in a legal vacuum, but is subject to regulation in the same way as communication in the wider sense. Personality and freedom rights, such as the right to privacy and freedom of speech, also apply. The principles of media, competition and criminal law, from those governing intellectual property or competition claims, through to the provisions of criminal law on defamation offences and other rights infringements, apply in the online sphere just as much as in traditional media.

Discussions on ethics start where the legal framework stops. The self-regulation of the communication industry becomes relevant as well as the rules it has set. Therefore, these rules apply to all semi-professional and professional participants in the digital value chain.

Principles of communications ethics in social media

The Austrian PR Ethics Council has defined eight principles for communication in online and social media channels:

1. Fairness – Use the power of communication with care.

2. Respect – Respect the users' personalities and opinions.

3. Responsibility – Assume responsibility for the content of a statement as a communicator.

4. Moderation – Define clear rules for discourse.

5. Clarity – Define rules and guidelines as orientation for the employees of a company.

6. Transparency – Disclose role as communicator and the motivation.

7. Courtesy – Use the right tone.

8. Privacy – Treat personal matters personally, and confidential matters as confidential.

A full description of these principles can be found in the Annex to the Online Code of Conduct. These eight principles are the basic guidelines for ethically correct conduct in online and social media channels. Based on this, the following rules of the Austrian PR Ethics Council's Online Code of Conduct apply to professional online communication in the field of public relations.

RULES OF THE ONLINE CODE OF CONDUCT

1. Objective of the Online Code of Conduct

1.1.   The objective of this Code of Conduct is to enable recipients to tell whether information on an online channel is objective and whether there are any underlying third party interests.

1.2.   The Code of Conduct is intended as a recommendation to addressees for action, for example how to present online information that is based on commercial interests to recipients in a trans- parent and objective way and thus transmit that information correctly from a communications ethics point of view.

2. Addressees

2.1.   This Online Code of Conduct is addressed to communications and marketing professionals working in companies, organisations and institutions, providers of PR services, media and advertising agencies, online and digital service providers and agencies, online publishing service providers, marketers of digital products, online media, multi-channel networks, providers of blogger/influencer relations services and seeding, as well as semi-professional and professional bloggers who are compensated financially or in kind by companies for publishing content.

2.2.   This Code of Conduct also applies to private individuals acting in commercial interests.

2.3.   Publication within the meaning of this Code of Conduct means everything which is published on online channels.

3. Labelling paid content

3.1.   Content based on a commercial agreement should be labelled as paid content. In principle, the promotional character of the content should be clear and unmistakable to the averagely in-formed recipient with a level of awareness appropriate to the situation.

3.2.   Prohibited surreptitious advertising exists if a placement fee has been charged for showing a company, a product or a service in the editorial parts of online platforms and this is not apparent to the reader.

3.3.   Return transactions and cooperations, such as competitions, are also subject to this labelling obligation. Product tests do not have to be labelled if no return services have been agreed and objective reporting is apparent in the report. Labelling of product samples is encouraged.

3.4.   The labelling obligation also applies to content in social media channels which is linked to advertisements.

3.5.   Package deals are prohibited. A package deal is if the payment of a financial grant to an online platform is made conditional upon editorial reporting or social media interactions which are not labelled, or – conversely – reporting or non-labelled social media interactions are made conditional on financial grants.

3.6. Links to third party content, such as affiliate links, which are included in content for a return service should be labelled as sponsoring. It is irrelevant whether the return service to the author of the content is of a financial nature or in kind (e.g. providing products). Content means all kinds of online commentaries, such as postings, tweets or similar.

3.7. Content should be labelled appropriately for the channel where it is published. The designations specified in section 26 Austrian Media Act may be used as labels. These are: "paid advertisement", "advertising" and "paid insertion". The following labels are also permitted: "paid cooperation", "sponsored post", "sponsored content". The common abbreviations #spon, #sponsored, #ad and #advertising are acceptable for social media channels where the number of characters per post is limited.

3.8. When providing videos, which transport messages with an advertising character, there should be a clear notice to the recipient about the advertising character of the content – provided before the video opens. This can be done by means of an addition to the accompanying text (e.g. "sponsored by") or insertions in the content itself (insert "advertising").

3.9. An appropriate notice should be included in video content if it contains product placements. Product tests do not have to be labelled if no return service has been agreed and it is apparent from the content that this is objective reporting. Labelling of product samples is encouraged. If the entire video can be considered as an advertisement which is based on a return service of a financial nature, the video should be labelled as advertising.

4. Author transparency in online communication

4.1. Content on social media channels, such as postings, forum entries, commentaries and other contributions should be clearly labelled with the actual author (e.g. their real name) without using a pseudonym. Authors are responsible for their own contributions and can be identified by recipients.

4.2. This also applies to contributions that are made on behalf of third parties. Contributions made on behalf of third parties should indicate the author (e.g. their real name) and the third-party principal. "Hidden" contributions that are made on behalf of third parties and do not provide any indication of the author, thus allowing misleading interpretations of the information, should be rejected.

5. Compliance with journalistic principles in editorial online communication

5.1. Editorial content on online and social media platforms should comply with journalistic principles (see the Code of Ethics of the Austrian Press Council). Information should be thoroughly re- searched and checked/counterchecked/rechecked for its plausibility before it is published. Opin- ions of those affected should be obtained and published for the purposes of objectivity.

5.2.   It should be clearly apparent to recipients whether information published – in an editorial environment but also in social media contributions – is a report of facts, an account of a third party's opinion, or a personal opinion.

5.3.   Pictures should be published with an indication of source and, in the case of picture montages, be labelled as a montage. The consent of the photographer must be obtained before using pictures belonging to third parties.

5.4.   Reviews and comparisons of products and services should be written according to journalistic and objectively comprehensible criteria, unless they are clearly labelled as paid advertising.

6. Fair and respectful communication on the internet

6.1.   Defamation, denigration, discrimination, humiliation, casting of general suspicion or making sweeping denigrating statements, mockery or making false assertions constitute breaches of ethical principles and therefore this Code of Conduct and must be unequivocally rejected.

6.2.   Neither excerpts from third party publications nor quotes may be taken out of context and should be labelled in a manner similar to citations.

7. Corporate responsibility for social media presence

7.1.   Companies that operate their own social media platforms provide a framework for public discourse and are therefore also responsible for the content published on their platform.

7.2.   Even if the author bears the direct responsibility for content published, companies also share that responsibility as providers of suitable platforms for publishing that content.

7.3.   Therefore, companies should define and publish guidelines ("netiquette") for public discourse on its social media platforms. Companies are also required to moderate the public discourse that takes place on their platforms. Decisions made as part of such moderation should be taken based on the company's published guidelines and therefore be understandable to users.

7.4.   In any case, companies bear co-responsibility for their employees' content if a connection can be made between the author and the company (e.g. as an employer).

7.5.   If no such connection can be identified, the company may assume co-responsibility for what its employees publish in its own discretion and according to its own set of values.

8. Shared responsibility of principal and agency

8.1   If companies or other organisations engage agencies or individuals to carry out online PR work, all obligations apply equally to the principal and the contractor. Both parties bear equal responsibility.

8.2.   In practice, this means that principals define the contractor's tasks and that the form of implementation should be transparent. The responsibility for attempted deception in online communication may not be shifted to the contractor.

8.3. Contractors which communicate information about such projects on their own corporate or personal social media channels should make a clear and unmistakable reference to the business relationship.

STRUCTURES, PROCESSES AND INSTRUMENTS

There are a range of other instruments and processes beside this Code of Conduct for handling ethical issues and challenges. They help to implement the Code of Conduct in everyday situations and shift the issues away from the individual and towards proper ethics management.

The following table contains a selection of possible processes and ethics instruments; the range of some of these goes far beyond the field of digital communication. They can be applied and adapted according to company size, industry and situation.

Processes & instruments	Description and details
Internal discourse	Active discussions within the company on ethics, morals and values as well as boundaries and dilemmas. Every company and agency should create such a space for ethical reflection, which gives employees stability and orientation.
Training	Seminars and workshops based on ethics case studies, which form a part of per- sonnel development and contribute to sensitising the members of the organisation and strengthen their ethical decision-making competence.
Managing dilemmas	Establishment of a procedure for making difficult decisions. Five-phase process: identification of the problem, assessment of the problem, definition and assessment of options for action, authorisation and implementation. In this respect, it is helpful to (for example) discuss key questions when considering ethical decision-making (e.g. according to Crane/Matten).
Ethics commission	Structure and extent are dependent on the size and type of the company. The core task is to entrench ethics management at the top level of management. As a forum for communication or an administrative office for a company's management, its task (on the one hand) is to provide solutions for important decisions and conflicts and prepare the ground and the know-how for such processes. On the other hand, it is responsible for providing further internal education on relevant social issues.
Ethics council	Establishment of an advisory committee of external ethics experts to monitor the company's policies according to ethical criteria and provide support as part of the solution of industry-specific ethical conflicts and dilemma situations.
Panel discussions	Conducting internal discussions or regular panel discussions on current or com- pany-specific ethical questions with external experts, representatives of interest groups etc.

Communication instruments to entrench in the company	Dialogues: e.g. meetings, coaching, peer education, mentoring, conferences, open space method, world café method, events, hotlines, training tools such as assessments, team-building measures, role-plays etc. Unilateral communication: e.g. employee magazines, intranet, newsletters, giveaways (e.g. mousepads, brochures, flyers, posters, films), social web tools such as fora, Wikis, communities, Q&As etc.
Area-specific guidelines	Guidelines which concretise the Ethics Code of Conduct and support day-to-day decision-making in the various management areas (perhaps supplemented with practical case studies to illustrate ethical conflict situations).
Ethics Officer/Ombudsperson	A person, usually a member of top management, who is responsible for managing questions of ethics and taking care of an ethics programme etc., but who also acts as a contact person for ethically relevant problems.
Ethics hotline	Establishment of an internal or external hotline as a point of contact for ethically relevant questions from company members or (confidential) information on the potential for ethical conflicts relating to the company.
Ethical criteria in personnel management	Consideration of ethical aspects of all kinds of personnel selection procedures (recruiting, management trainees etc.), integration of appropriate criteria into assessment and personnel development programmes.
Internal ethics audit	Periodical internal audits, which – just like other audit procedures – serve to check compliance of organisational processes and structures, but also the behaviour of individual company members, with the ethical obligations the company has set for itself by means of a target/actual comparison.
Stakeholder engagement	Regular (360 degree) surveys among the company's different stakeholder groups to evaluate its ethical and social performance. The results of the surveys are communicated to all stakeholders and published and have a double effect: they promote trust and lead to improvement.

(Source: Responsible Communication, Faber-Wiener, 2013, Springer Verlag)

ANNEX: PRINCIPLES OF COMMUNICATIONS ETHICS IN SOCIAL MEDIA

This Online Code of Conduct is founded on the basic principles for using social media channels, as defined by the PR Ethics Council. As a neutral committee for the evaluation of communication measures in public relations, the PR Ethics Council must frequently deal with complaints about online publications. In many cases, these complaints involve questions about the distinction between paid publications and editorial reporting, or about commentaries and opinions expressed on online channels where the author cannot be identified, or how to define the responsibility of companies and agencies in connection with public discourse on online platforms.

Furthermore, between 2012 and 2014, the PR Ethics Council analysed the regulations available at that time concerning the online arena and defined eight basic principles for communication activities in the field of online and social media as part of a multi-step process and in cooperation with industry experts. These recommendations should serve as orientation for companies, agencies, producers of content and all other participants in the online value chain in terms of what demands apply to professional online measures (which are correct from a communications ethics point of view) and what responsibility to- wards recipients is associated with them.

These eight basic principles form the foundation of the PR-Ethics Council's Online Code of Con- duct:

1. Fairness – Use the power of communication with care.

> Social media networks have given people, who, as consumers or citizens, want to express their opinions, opportunities which were previously unimaginable. Their communicative power has grown significantly. All communicators – companies and organisations as well as consumers or citizens – have an obligation to use their power carefully and not to abuse it or damage others. Attacks or emotional statements can quickly set off a dynamic of unimaginable dimensions and develop into an intense online backlash. Therefore, the following applies to everyone equally: "Think before you post!"

2. Respect – Respect the users' personalities and opinions.

> People make statements and take actions according to their own value systems and respective environments – including in social networks. This must be respected. It also means that other users may not abuse these statements either for other, or their own, interests. Quotes may not be taken out of context, nor may the users, their messages or opinions be instrumentalised for other purposes. Furthermore, data may only be used for those purposes originally communicated to the user. However, everyone has the responsibility for protecting his/her own privacy.

3. Responsibility – Assume responsibility for the content of a statement as a communicator. However, the responsibility for the dynamics in social media networks is shared among all those that contribute to it.

The communicator bears the unrestricted responsibility for statements made. However, users who repeat the statements also bear co-responsibility for the dynamics of the discussion in the social networks. Therefore, besides "Think before you post!", you should also "Think before you share!"

4. Moderation – Define clear rules for discourse.

Companies and organisations with their own presence on social networks should moderate the exchange of opinions in the communication spaces they provide (e.g. Facebook pages, blogs with comment functions). Here, the freedom of the individual users to express their opinions must be weighed against the responsibility for one's own company or organisation. Each company should define practical rules for itself as a basis for discourse and ensure that these rules are transparent, so that decisions made as part of moderation can be understood by users.

5. Clarity – Define rules and guidelines as orientation for the employees of a company.

Clear rules for employees demarcate their room for manoeuvre – it is recommended to lay these rules down in writing to help with orientation (as a set of guidelines or "netiquette") and offer training on them. The employees have the right to communicate in social networks and express opinions about their work or their employer – as long as they do not disclose confidential information and/or damage the company (the provisions of the Austrian Salaried Employees Act also apply). At the same time, the right to express one's opinion freely may not be restricted. It is important to remember: the employees talk about the company and not on behalf of the company. For the sake of clarity, employees should disclose their relationship to the company to other users.

6. Transparency – Disclose role as communicator and the motivation.

The ability to communicate anonymously on the internet can easily lead to communication and opinion-forming processes being influenced by concealment. For the sake of their own credibility, communicators working for companies and organisations should "play with an open hand" and only appear under their real identities. They speak in their own names on behalf of their companies and make the role they play in the respective company/organisation transparent. Furthermore, they should disclose the motivation behind the company's/organisation's presence on social networks.

7. Courtesy – Use the right tone.

Dialogue on the internet removes the possibility of making eye contact with the other person. Discussion partners also frequently remain anonymous. This has also led to a less formal and shorter tone of communication on social networks, with its own set of concepts. In many cases, it is unclear where the boundary to discourtesy lies. Despite this, users should always try to maintain a respectful, polite tone and answer in the same tone as they would expect

from others. They should also develop strategies for dealing with a lack of courtesy from others without de- parting from an appropriate tone themselves. Clear rules on the expected style of discussion (in the form of "netiquette", for example) allow all those involved to understand the position being taken.

8. Privacy – Treat personal matters personally, and confidential matters as confidential.

Both personal and public matters are discussed on social networks. However, there is seldom any explicit declaration on what is "personal" and what is "public". Still, the difference is mostly apparent from the dialogue's content or context. The communicators should respect this bound- ary and keep personal communication personal and confidential communication confidential. At the end of the day, each and every user bears responsibility for protecting their own privacy and deciding which information is made available on the internet or social media.

CONTACT

The 'Online Code of Conduct' of the Austrian Ethics Council for Public Relations (PR Ethik Rat) was drafted in 2015 and 2016 using these basic principles, after evaluating the applicable online regulations and academic literature and involving industry experts. In October 2017, the International Communications Consultancy Organisation shared these guidelines as a recommendation to its members.

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