Social media vetting must be legal and ethical

Issued by LexisNexis

11 Nov 2022

Objectivity and fairness from employers is key when recruiting.

Social media has significantly changed the way candidates are screened for jobs. The type of employee hired can directly influence a company's reputation and profitability; identifying anti-social online behaviour is now as important as doublechecking candidate identities and qualifications. But doing it right, and fairly, is critical.

And it works both ways; job seekers are now just as likely to vet their potential new employers by scouring relevant social media too. According to US recruitment website Glassdoor, almost 80% of job seekers use social media to get a better sense of the nature and values of an organisation and its leadership.

Social media often reveals an organisation's or individual's true character, views and the kind of company they keep. It allows people, particularly recruiters and HR professionals, to identify anti-social conduct and behaviour, including racism, sexism, and prejudice. Which makes doing it properly key for employers. For social media screening to be a fair and effective tool in finding the right people and the right fit for an organisation it has to be done fairly and within the law.

In a recent webinar hosted by LexisNexis South Africa, titled The Pitfalls and the Potential: How to Legally and Ethically Use Social Media Screening in Recruitment & HR, experts revealed that complying with existing laws such as the Protection of Personal Information Act (POPIA), the Film and Publications Act, the Hate Speech Bill, the Constitution of South Africa was key to prevent bias and ensure objectivity in the screening process.

"You are drawing data subconsciously when you are scrolling through a candidate's social media accounts, and you are making a decision. This is happening from both sides of the coin, where the candidate becomes more knowledgeable about their potential employer and the employer gets real life insights of the potential hire," said Farhad Bhyat, co-founder and CEO of media screening and auditing specialists, Farosian.

Bhyat said that people used freedom of speech as justification for their social media activity but that there was a fine line between freedom of speech and infringing a person's human rights and dignity, which was a criminal act in SA. The vetting process, he said, could reveal race, sexual orientation, national origin, religion, disability, and other protected characteristics not revealed in a CV but which increased the potential for discrimination based on a protected class.

Where there is anti-social behaviour online, such screening is very effective at flagging it. Even tagging of posts, which can influence image, sentiment, and reputation, is assessed, Bhyat added.

Panelist Lance Katz, founder and CEO of risk management firm, Intellivet, said recruiters can easily spot behavioural traits such as anti-social conduct, aggression or even racism by the way candidates engage in online groups.

"Being able to identify things like aggressive, highly reactionary behaviour and matters that are not addressed in a calm and meaningful way to get a point across gives recruiters valuable insights to better manage a person or correct behaviour in terms of people development," said Bhyat.

He warned organisations against handling such screening in-house.

"To ensure that social media screening is above board and ethical and legal, outsource it..to an external company that is objective, consistent and has documented procedures… to demonstrate information found online is a valid predictor of job performance and is used fairly. Bias and objectivity are highly important, and it is vital that a standardised process is applied," he said.

In the digital age the recruitment process had evolved from the concept of "knowledge is power" to "data is gold", Bhyat said, because recruiters were now receiving "authentic" data and insights through social media screening.

Katz said the interview process most often was heavily curated with employers being told only what they wanted to hear. However, social media screening allowed an employer to see the authentic aspects of a potential hire.

"With social media screening, you get to see the real side of the candidate which is never disclosed in a CV or in ordinary reference checking. It unlocks an additional value in the screening process," he said.

"Things like CV's are completely useless and outdated. They don't serve any purpose. There are now all sorts of digital tools available to improve the process and help the employer focus on the 'human element' to make better decisions," said Bhyat.

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