

## SOCIAL MEDIA POLICY

### 1. SOCIAL MEDIA POLICY

- 1.1 The Social Media Policy ('Policy') relates to Dark Knight Engineering Group ('DKE Group') and, where relevant, operates in conjunction with the Internet, Email and Computer Use Policy and the Contract of Employment or contract for service.

### 2. COMMENCEMENT OF POLICY

- 2.1 This Policy will commence from 16/01/2023. It replaces all other policies, if any, relating to access to social media platforms and social networking sites (whether written or not).

### 3. SCOPE

- 3.1 The Policy relates to all full-time, part-time and casual employees of DKE Group ('DKE Group Employees'), as well as contractors, temporaries and subcontractors working for or on behalf of either a company or any associated companies in the DKE Group workplace ('DKE Group Contractors').
- 3.2 The Policy also applies to DKE Group Employees and DKE Group Contractors' participation in social media inside or outside of any DKE Group workplace and includes use of a Contractor's or an Employee's own device.
- 3.3 The Policy does not form part of any contract of employment with DKE Group. Nor does it form part of any contract for service with DKE Group.

### 4. DEFINITIONS

- 4.1 In this Policy:
- (a) **'Blogging'** means the act of using web log or 'blog'. A blog is a frequently updated website featuring diary-style commentary, audio-visual material and links to articles on other websites.
- (b) **'Confidential Information'** includes but is not limited to trade secrets of DKE Group; non-public information about the organisation and affairs of DKE Group such as: pricing information such as internal cost and pricing rates, production scheduling software, special supply information; marketing or strategy plans; exclusive supply agreements or arrangements; commercial and business plans; commission structures; contractual arrangements with third parties; tender policies and arrangements; financial information and data; sales and training materials; technical data; schematics; proposals and intentions; designs; policies and procedures documents; concepts not reduced to material form; information which is personal information for the purposes of privacy law; and all other information obtained from DKE Group or obtained in the course of working or providing services to DKE Group that is by its nature confidential.
- (c) **'Computer'** includes all laptop computers and desk top computers.

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- (d) **‘Hand Held Device’** includes all such devices which are used by DKE Group Employees and DKE Group Contractors, inside and outside working hours, in the workplace of DKE Group (or a related corporation of DKE Group) or at any other place. Such devices include, but are not limited to, mobile phones, Blackberrys, Palm Pilots, PDAs, iPhones, tablets, iPads, other handheld electronic devices, smart phones and similar products, and any other device used to access social networking sites or a social media platform.
- (e) **‘Intellectual Property’** means all forms of intellectual property rights throughout the world including copyright, patent, design, trademark, trade name, and all Confidential Information and including know-how and trade secrets.
- (f) **‘Person’** includes any natural person, company, partnership, association, trust, business, or other organisation or entity of any description and a person’s legal personal representative(s), successors, assigns or substitutes.
- (g) **‘Social Networking Site’** and **‘Social Media Platform’** includes but is not limited to Facebook, My Space, Bebo, Friendster, Flickr, LinkedIn, XING, Blogger, WordPress, You Tube, Twitter, Yahoo Groups, Google Groups Whirlpool, Instant Messaging Services, Message Board, Podcasts, ‘Wikis’ (e.g., Wikipedia) and other similar sites.

## 5. REPRESENTING DKE Group IN SOCIAL MEDIA

- 5.1 In consideration of the type of business of DKE Group, any comments about or in connection with DKE Group made in a social media platform must be factual and consistent information with DKE Group’s goals and objectives. This means protecting commercially sensitive information in accordance a DKE Group Employee’s contract of employment and a DKE Group Contractor’s contract for service.
- 5.2 All DKE Group Employees and DKE Group Contractors are restricted from making comments on behalf of DKE Group or using DKE Group’s branding, (including the corporate logo, internal logo and registered trademarks), in any social media platform unless otherwise authorised.
- 5.3 Only the following DKE Group Employees are authorised to speak on behalf of DKE Group on Social media platforms:
  - (a) OWNER
- 5.4 DKE Group recognises that circumstances may arise in which DKE Group Employees and DKE Group Contractors make mention of DKE Group in social media.
- 5.5 Unless authorised by DKE Group, any comments made by DKE Group Employees and DKE Group Contractors must contain a disclaimer that they are not representing DKE Group and do not have authority to speak on behalf of DKE Group, and the views of the DKE Group Employee/DKE Group Contractor do not represent the views of DKE Group.

## **6. ACKNOWLEDGEMENT**

6.1 All DKE Group Employees and DKE Group Contractors acknowledge that:

- (a) they are not to make comments which might reflect negatively on DKE Group's reputation or make deliberately false or misleading claims about DKE Group, or its products or services. Any recognised inaccurate comments must have all reasonable efforts made by the DKE Group Employee or DKE Group Contractor to correct the statement;
- (b) they must not disclose confidential or commercially sensitive information about DKE Group including DKE Group's Confidential Information or Intellectual Property. This obligation continues after the employment or engagement ceases;
- (c) they must not endorse or cite any client, partner or supplier of DKE Group without the explicit prior permission of the Peter Giugni;
- (d) they must observe the relevant privacy, defamation, and copyright laws; and
- (e) they must comply with relevant discrimination laws and DKE Group policies that relate to discrimination and harassment.

## **7. MATERIAL POSTED BY OTHERS**

- 7.1 Inappropriate or disparaging content and information stored or posted by others (including non-employees) in the social media environment may also damage DKE Group's reputation.
- 7.2 If you become aware of any such material which may damage DKE Group or its reputation, you must immediately notify your manager and Peter Giugni.

## **8. EXTERNAL SOCIAL MEDIA PLATFORMS**

- 8.1 When using external Social Media Platforms, including, but not limited to, social networks and Blogging sites, DKE Group Employees and DKE Group Contractors should not disparage or make adverse comments about DKE Group, any DKE Group Employee or any DKE Group Contractor. This includes where such comments are made whilst a DKE Group Employee or DKE Group Contractor is contributing to a Social Media Platform using a DKE Group computer and internet resources and similarly whilst using a non-DKE Group computer or handheld device.
- 8.2 DKE Group Employees and DKE Group Contractors should be aware that, in accordance with the Internet, Email and Computer Use Policy, internet usage is continuously logged and archived by DKE Group for monitoring purposes on an ongoing basis.
- 8.3 If it comes to DKE Group's attention that a DKE Group Employee or DKE Group Contractor has made inappropriate and/or unauthorised comments about DKE Group or a DKE Group Employee or DKE Group Contractor, DKE Group may choose to take action against such person as outlined in the Policy. Action will not be limited to contributions made on a Social Media Platform made whilst using DKE Group computer and internet resources but may include action taken as a consequence of inappropriate

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and/or unauthorised contributions made about DKE Group, a DKE Group Employee or DKE Group Contractor via a non-DKE Group computer or Handheld Device.

## **9. DKE Group EMPLOYEES' AND DKE Group CONTRACTORS' RESPONSIBILITIES**

- 9.1 DKE Group Employees and DKE Group Contractors are personally responsible to report any inaccurate, misleading, or deceptive information they encounter about DKE Group and its products and services to the Peter Giugni.

## **10. WARNING**

- 10.1 Apart from the potentially adverse effects a blog or social networking entry may have on DKE Group, inappropriate blogs on internal or external sites can also have adverse consequences for a DKE Group Employee or DKE Group Contractors in terms of future career prospects, as the material remains widely and permanently accessible to other site users.
- 10.2 DKE Group may use and disclose an Employee's or Contractor's social media posts where that use, or disclosure is:
- (a) for a purpose related to the employment of any employee or related to DKE Group's business activities; or
  - (b) use or disclosure to a law enforcement agency in connection with an offence; or
  - (c) use or disclosure in connection with legal proceedings; or
  - (d) use or disclosure reasonably believed to be necessary to avert an imminent threat of serious violence to any person or substantial damage to property.
- 10.3 While users are permitted to use DKE Group's computer network for limited and reasonable personal use, Employees and Contractors must be mindful that any information (personal or other) they disclose while using DKE Group's computer network may be used and/or disclosed as provided for in clause 10.2 above. An Employee or Contractor is taken to have consented to the use and disclosure of any information (personal or otherwise) that is disclosed during personal use of DKE Group's computer network.
- ## **11. CONSEQUENCES OF BREACHING THE SOCIAL MEDIA POLICY**
- 11.1 Any breach of the Policy may result in disciplinary action, including, but not limited to, issue of a warning, demotion, suspension, or termination of employment (or, for DKE Group Contractors, the termination or non-renewal of their contract for service).
- ## **12. DKE Group CONTACT**
- 12.1 Any questions about this Policy should be directed to Peter Giugni.

## **Variations**

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*DKE Group reserves the right to vary, replace or terminate this Policy from time to time.*