

From MySpace to SpySpace

IAN WATSON looks at the career downside to social networking...

HAVING your photo taken as the party draws to an end and seeing it displayed the next day attached to an e-mail or on someone's social networking page is par for the course these days. However, would you really want a prospective employer admiring your 'cute' outfit or graphic evidence of your lecherous advances - before deciding whether or not to hire you?

There is evidence that employers are increasingly using the 'search' facility on sites such as Facebook, Bebo and MySpace to check out whether that respectable 'public' image that you are presenting to them is a wholly accurate picture of their prospective new employee.

Application forms, CV's, face to face interviews and references used to be the main methods for prospective employers to assess candidates. But using web browsers to check out applicants, according to a recent survey by a recruitment consultancy, means that one in five employers are using information gleaned from social networking sites as an aid to selection.

Of course, you may not have full control over the details being posted on the web. However, it is fairly obvious that voluntarily recording such indiscretions as:

- slagging off your current employer or disclosing confidential information about your job or boss
- expressing racist or sexist views
- admitting, on the website, that the information about your qualifications or experience, in the employer's possession, is inaccurate
- indulging in criminal activity (for example drug-taking or vandalism)

are unlikely to endear you to that employer.

The fact is – you need to assume that your postings will be open to scrutiny by

someone other than your 'best mate'.

But employers who are rubbing their hands with glee at this new resource for sorting the sober wheat from the drunken chaff need to remember that they have legal liabilities too, in this process.

For example, an employee or candidate who is gay or lesbian might reasonably wish this to remain confidential in a work context – even if they are out in their private life. If the information about the person's sexuality leads the employer to take a decision about their employment based purely on their knowledge of this element of their private life, this may contravene the sexual orientation discrimination regulations. Similar legal restrictions might apply to using information about a person's religious or philosophical beliefs (ie expressed in an online video) as the basis for less favourable treatment by an employer.

The Information Commissioner's Code on the use of personal data in vetting employees or candidates suggests that, because of the danger of employers invading the privacy of the person concerned, candidates (or employees) are told that web-checking is part of the process of assessing the suitability of candidates for posts. Even then, the nature of the post should determine whether the employer's snooping into the private lives of their employees or applicants is justified (and in compliance with the 'fair processing' principles in the Data Protection Act).