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## VERSION 2.0

# BURN MEDIA GROUP (PTY) LTD EDITORIAL & SOCIAL MEDIA POLICY

*This document should be used in conjunction with Burn Media Group's Editorial Style Guide*

20.11.2018



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## 1. HOW TO USE THIS DOCUMENT

- 1.1. This document was created by the Burn Media Editorial team, based on the editorial best practice policies of the Washington Post.
- 1.2. New joiners to BURN MEDIA GROUP (BMG) need to be made aware of this document and familiarize themselves with the details.
- 1.3. All external contributors and writers need to be made aware of this document and familiarize themselves with the details.

## 2. SOURCING INFORMATION

- 2.1. BMG places a premium on original reporting, and the credibility of our journalism is the bedrock of our entire enterprise.
- 2.2. While timeliness is crucial, the overriding concern for accuracy should always prompt us to consider whether additional reporting should be undertaken before publishing and how information should be presented and, in some cases, qualified.
- 2.3. In a major news event, readers may soon forget who first broke a story, but they are less likely to forget a devastating inaccuracy.
- 2.4. Our first choice is to rely on our own reporting. There will be times, however, when we are not immediately able to verify a report. We may best serve our audience in these circumstances by either quickly posting wire copy, aggregating what credible news outlets are reporting or simply telling readers that we are chasing the first report of a potentially important story.
- 2.5. When making these judgments, we should not necessarily conclude that the information being reported elsewhere is true based on the fact that it is being reported by more than one news outlet. Whether we are prepared to repeat what others are reporting depends on the reputation of the other news outlets for accuracy and our experience in relying upon them.
- 2.6. We routinely rely upon and publish content from other quality publisher websites or wire service reports, but we would not routinely repeat what an anonymous or previously unknown blogger has to say.
- 2.7. Senior editors should be consulted if there are questions about the veracity of information being reported by others.
- 2.8. We must be careful when aggregating information that is being reported by other



news organizations based on anonymous sources. If a news outlet attributes important information to an unnamed source or sources, our report should make clear to readers that the report by this news organization was based on such a source or sources.

- 2.9. Ordinarily, we should not publish such information unless it has been approved by your ranking manager, who may then decide, on the merits of the story, to seek legal advice. As one example, we would not ordinarily name a suspect based on unnamed sources cited by other news outlets.

### **3. SOURCES**

- 3.1. Never name a source if they do not want to be named
- 3.2. Always understand the motives (“Why are you coming to us with this information?”) of a source, as this will impact the credibility of the information you receive.
- 3.3. If a source says a conversation is “Off the record” – we may not name him in the article.
- 3.4. You may use unnamed sources, but it is always preferential to name the source – and you should try and persuade the source to be named. Under no circumstance may we publish a source’s identity without their explicit permission
- 3.5. If we use unnamed sources, it’s important to secure a second source to back up and confirm the information.

### **4. KEEPING NOTES**

- 4.1. Journalists need to keep notes for all stories, preferably in digital form
- 4.2. For interviews of a contentious nature (An investigative or an adversarial article where the subject matter disagrees with the article doesn’t want to cooperate) it is particularly critical for the reporter to take notes. In some instances, the journalist may record calls for issues where there is a high risk of disagreement or the interview or subject matter is particularly contentious. A decision to record calls will be taking in conjunction with the journalists’ manager and/or the company’s legal representatives.
- 4.3. Contentious is defined as “causing or likely to cause an argument; controversial.” This means your source may not want the story published, disagrees with the questions answered, may be threatening legal action on the phone to the journalist or refusing to answer questions in part or in full.



- 4.4. For backup purposes, notes or call recordings for contentious stories can be stored on the journalists computer, but also on an offsite dropbox location, marked Notes & Call recordings, accessible in the BMG staff share folder.
- 4.5. Notes and recordings for contentious stories may be required as much as 5 years after a story, so it is important to store and archive your notes correctly

## **5. ATTRIBUTION**

- 5.1. E-mail alerts, social-media postings, and other digital news reports based on non-BMG reporting should clearly attribute the information to its specific source. Consideration should also be given to whether some qualification of the information should be included—for example, a notation that the report could not be independently verified, or that we are in the process of attempting to verify the information.
- 5.2. Attribution in articles and blog postings should be done through linking and text, if possible. Simply adding a link is not acceptable attribution. The site that is linked should be spelled out. Also, if the source is not a well-known media outlet, give a brief description in the attribution language. When linking is not possible, attribution alone is acceptable.
- 5.3. Social-media postings based on reporting by others should also begin with the attribution, and they should include appropriate qualifications if necessary.

## **6. TASTE, TONE & PROFANITY**

- 6.1. Common sense, rather than a rigid set of rules, applies to the use of profanity in published content.
- 6.2. For content aggregated by BMG journalists, seniors should always be involved in the decision to publish material that contains profanities or material that some audiences may find inappropriate or offensive, including text, visuals and even links to third-party content. Reporters and bloggers should always consult their seniors or the appropriate supervisors, if they have a concern that the content might be objectionable to some readers or viewers.
- 6.3. As journalism professionals, we should weigh the content of any possibly offensive or objectionable material against the news value that it provides. We should consider how offensive the material may be to different audiences (including children), and how central the potentially offensive material is to a full understanding of the news



that is being reported. These factors should be considered when the material is graphic (i.e., violent or upsetting in nature); contains nudity or sexual situations; contains the use of obscenities or racial slurs; or could be otherwise inappropriate for some audiences.

- 6.4. If your senior decides that content containing potentially offensive material has a legitimate journalistic value, editors should use visual and/or text warnings about such material. For example, we may link to a Web page that contains material that does not meet standards for BMG original content, but we let users know what they might see before they click the link by including a warning, such as “Warning: Some images on this site contain graphic images.”

## **7. SOCIAL MEDIA POLICIES**

- 7.1. When using social networks such as Facebook, Twitter, LinkedIn, etc., for reporting or for our personal lives, we must protect our professional integrity.
- 7.2. MAINTAIN CREDIBILITY: Social-media accounts maintained by BMG journalists - whether on Facebook, Twitter, LinkedIn or elsewhere - reflect upon the reputation and credibility of BMG. Even as we express ourselves in more personal and informal ways to forge better connections with our readers, we must be ever mindful of preserving the reputation of BMG for journalistic excellence, fairness and independence. Every comment or link we share should be considered public information, regardless of privacy settings. BMG journalists must refrain from writing, tweeting or posting anything - including photographs or video - that could be perceived as reflecting political, racial, sexist, religious or other bias or favoritism. When posting content online, ask yourself: Would this posting make a reader question my ability to do my job objectively and professionally (whether you are a reporter, an editor, a developer or a producer)? If so, don't post it.
- 7.3. AVOID REAL OR APPARENT CONFLICTS: journalists should not accept or place tokens, badges or virtual gifts from political causes or story subjects on pages or sites, and should monitor information posted on their public profiles (by individuals or organizations) for appropriateness. Care should also be taken when joining, following or friending any person or organization online. BMG journalists should not be involved in any social networks related to advocacy or a special interest regarding topics they cover, unless specifically permitted by a Senior for reporting and so long as other standards of transparency are maintained while doing any such reporting.



- 7.4. **BE PROFESSIONAL:** Social networks are no place for the discussion of internal editorial issues such as sourcing, reporting of stories, and decisions to publish or not to publish. The same is true for opinions or information regarding any business activities of BMG. Such pages and sites also should not be used to criticize competitors or those who take issue with our journalism or our journalists. When it comes to your colleagues, be constructive and collegial: If you have a question or concern about something that has been published, speak to your colleague directly. Nothing in these Standards should be interpreted as prohibiting communications protected by the laws of our country.
- 7.5. **PROMOTE TRANSPARENCY:** Trust is the basis for any good relationship, and the same goes for the relationships we foster with readers through social media. Whether using social networks for reporting or personal use, we should always: Use full name and professional title in social bios; include language to indicate that links and RTs do not equal endorsements. Attribute aggregated links to their sources, preferably citing a user's online "handle." Clearly distinguish news from opinion when promoting or aggregating content.
- 7.6. **LOOK BEFORE YOU LINK:** Link-sharing is a core function of social networking. We "follow" people on social networks because we trust them to filter content on the basis of some expertise. Our fans and followers must trust our links to:  
Be informative. Social media encourages sharing of the human experience, but we should balance personal information with useful information.  
Fact-check. Information on social networks needs to be verified like any other information. Work to verify the authenticity of people and organizations before attributing facts or quotes to them. Take ownership. If you mistakenly retweet or forward erroneous information, correct your mistake in a subsequent tweet/update and make an effort to provide a more accurate link.
- 7.7. **THINK IN REAL-TIME:** Information spreads more quickly than ever on the social Web. We should be conscientious of timing by: Reacting quickly to breaking stories. If news breaks on social networks, notify your senior or editor immediately. As more fully described in the guidelines on sources, it is acceptable in some cases to attribute breaking news to a credible third-party source until BMG has produced its own story. If credibility of a social source is in question, consult your editor or senior. Being attentive to the "real-time" tense when crafting headlines. Present tense indicates breaking information, but what was breaking 20 minutes ago on Twitter might be old news by the time you post a link.
- 7.8. **MIND THE MEDIUM**



People are following you because they are interested in engaging with you, and are interested in your reporting, expertise and voice. Credibility and influence in social media are tied to your ability to actively participate. Some useful tips on dialogue:

- Be a good listener and don't ignore people who are engaging you in productive ways.
- Foster connections (and potential tips/sources!) by responding to readers. It can be as simple as throwing out a question when you need a source or tip for a story.
- Know your voice, but remember that voice is not opinion.
- When you encounter criticism, count to 10. Don't take it personally, and never make statements on behalf of BMG.

## 8. COPYRIGHT AND THIRD-PARTY MATERIAL

- 8.1. We should assume that our audience will hold us accountable for third-party content on BMG's Media properties, whether it is embedded, copied or simply paraphrased. Follow common-sense rules: Don't embed a video without having watched the entire clip. Know exactly what a block of foreign-language text says before excerpting it. Look at the entire Web page you link to before posting a link to ensure that other headlines and posts, side modules or ads are appropriate.
- 8.2. If the content we link to - or another part of that Web page - does not meet our standards for potentially offensive material, it still may be acceptable to post the link, based on its news value. But we should let users know what they will see before they click the link. (For example: "Warning: Some images on this site are graphic.")
- 8.3. When linking to, embedding, aggregating or simply referring to non-BMG content on BMG's Media properties, the first and best rule to remember is a paraphrased version of the Golden Rule: Use and credit the content the way you'd expect other sites to use and credit BMG content. Misuse of non-BMG content can cause serious harm to our reputation and expose the company to liability.
- 8.4. On any part of BMG's media properties that is supplemented by third-party content, we must include attribution as a matter of course. It gives our users important information, makes us more transparent and properly credits other news organisations.
- 8.5. We should give credit every time we embed, excerpt or paraphrase others' work on our site - no matter the platform the third-party used (print, blog, Twitter, etc.). We

should give credit by both naming the content source and linking to the specific piece of content, if possible. When a story is being reported by many sources, we should link and credit the original report whenever it is possible to determine that source.

## 8.6. USING THIRD-PARTY COPYRIGHTED MATERIAL

8.6.1. The copyright laws of our country protect any original expression that is recorded in some way, such as text, sound recording and video recording. Facts cannot be copyrighted. Ideas cannot be copyrighted. But the original expression of an idea is protected by copyright as soon as it's recorded. Once copyrighted, the work is protected from unauthorized copying, display, or use in a derivative work. A content creator does not need to include a copyright notice in order for it to be protected. Copyright terms are very lengthy. They can last more than 100 years before a work falls into the public domain.

8.6.2. When determining whether we can use third-party content, the first question is whether the content is copyrighted. The answer is probably yes. We should assume that a work is subject to copyright protection unless it's a government work or it's really, really old, in which case it may have passed into the public domain. You should consult with a senior or your editor if you are at all uncertain about whether specific content is protected by copyright.

8.6.3. We can use copyrighted content if we have permission to do so or if we are making "fair use." Permission can be obtained directly from the copyright owner in writing or orally. Permission can also be provided from terms of use published on the content creator's Web site. For example, a third party's Web site may contain a legal notice that gives permission to users to copy or redistribute the content so long as the source is credited.

8.6.4. Permission can also be implied (or not) from the context in which the work appears (e.g., press kits).

8.6.5. EXAMPLE: Showing embedded videos from YouTube. The fact that YouTube has provided an embed code for a video does not mean that the copyright owner has given permission for the video to be streamed on the Web. In many cases, a person other than the copyright owner has posted the video to YouTube, without the copyright owner's permission.

8.6.6. BMG's legal counsel should be consulted if there is any question about whether we have express or implied permission to use a copyrighted work.

8.6.7. "Fair use" or "fair dealing" is a defense to using copyrighted work without permission. In South Africa, fair dealing is dealt with in the Copyright Act of 1978



(Act 98 of 1978, including subsequent amendments). Fair dealing itself is described in section 12(1) of the Act, whereas sections 13 to 19 explains various exceptions to copyright. Section 20 deals with the author's moral rights, which, if infringed, may also impact on a fair dealing ruling.

Any fair dealing with a literary, musical, or artistic work, or with a broadcast or a published edition, does not infringe that copyright when it is -

- for purposes of research or private study by, or the personal private use of, the person using the work (s12(1)(a) of the Act).
- for purposes of criticism or review of that work or another work (s12(1)(b) of the Act).
- for purposes of reporting current events –
  - o in a newspaper, magazine or similar periodical; or
  - o by means of broadcasting or in a cinematograph film (s12(1)(c) of the Act).
- for purposes of judicial proceedings or reporting on judicial proceedings (s12(2) of the Act).
- for purposes of quoting from the work (s12(3) of the Act ).
- for purposes of illustration for teaching (s12(4) of the Act ).

#### 8.6.8. What constitutes “Fair Dealing” or “Fair use”

- There is no definition of fair dealing in the Act, and English case law is just as unhelpful as fair dealing is decided on a case-by-case basis. Therefore, we need to look at the American approach. s107 of the United States' Copyright Act lists a set of criteria to be taken into account when assessing fair use of a work:
  - o the purpose and character of the use;
  - o the nature of the copyrighted work;
  - o the amount and substantiality of the portion used;
  - o the effect upon the copyright holder's potential market.
- These criteria have also been used in Australia with the addition of a fifth criterion - whether the work can be obtained within a reasonable time at a normal commercial price.



- There should however be a balance maintained between the interests of the author or copyright holder to inhibit reproductions of his work and the rights of the public to use the works for the purposes specified.

8.6.9. Unfortunately, there is no clear answer as to what sort of use constitutes a fair use. Courts look at multiple factors. Typically, courts weigh at least four of them. First, the purpose and character of the use. For example, is the use in the nature of commentary, criticism, or news reporting - which favors a finding of fair use - or is the use merely a reproduction of the original work (even if part of a news article). Second, the nature of the copyrighted work. Is the work highly creative or factual? Third, the amount/substantiality of the portion used in relation to the copyrighted work as a whole. It's difficult to establish fair use if you copy an entire work, though possible (e.g., Google Images thumbnails have withstood legal challenge). Fourth, what is the effect of the use on the potential market for, or value of, the copyrighted work? Courts consider whether the use would displace sales of the original work and also whether there is a market to pay for licenses.

8.6.10. Ultimately, it is very difficult to predict whether a court will find "fair use."

8.6.11. Here are some common misperceptions about copyright law:

- "It's on the Web, so it's okay to use." To the contrary, there have been many lawsuits over the use of text and graphics from Web sites.
- "It's on a user-generated content (UGC) site, so it's free to use." Not necessarily so. To take one example, a Creative Commons license does not guarantee that we can use an image on our Web site without permission. If you are at all uncertain about a photo's origins, consult a photo editor.
- We should be especially cautious with these types of photos, seeking photo advice before publishing:
  - Professional sports / sports events.
  - Government photo ops.
  - Celebrity handout photos.
  - Corporate logos.
  - Graphic images with nudity, violence or otherwise potentially offensive content .
- The following Creative Commons licenses, however, do currently permit publication on commercial sites:
  - "Public domain."



- "Creative Commons, licensed for attribution."
- "Creative Commons, attribution share alike."
- "Creative Commons, attribution no derivatives."
- The terms of these licenses should be reviewed prior to publication of a specific image to make sure that they have not changed since the publication of these guidelines. If you have a question about whether we can publish a specific item of user-generated content, you should consult the Legal Department.
- "The photo [or other content] is clearly attributed to the source, so there's no copyright issue." Not so. Providing a clear and conspicuous credit to the person who created the content is not a legal defense to using that content without permission. As the USA Copyright Office says: "Acknowledging the source of the copyrighted material does not substitute for obtaining permission."
- "I used less than 30 seconds of the video" or "I used less than 250 words." Wrong. There is no 30-second rule or 250-word rule, or any other bright-line rule, about what constitutes "fair use" of copyrighted content.
- "It's in the public domain." Unless it's a government work, or a work that is really, really old, it's probably not in the public domain.
- It is imperative that you notify your editor immediately if someone is claiming that we are misusing someone else's content, the editor will then notify his or her senior, who may decide to notify BMG's Legal counsel.
- In this era of digital media, third parties may also make improper use of BMG copyrighted content. If you discover possible instances of plagiarism, copyright infringement or other misuse of BMG content, logos and other intellectual property, especially on the Web, please notify your editor or superior.

## 9. CORRECTIONS & CLARIFICATIONS

- 9.1. BMG always seeks to publish corrections and clarifications promptly after they come to our attention.
- 9.2. Reporters, producers and editors should promptly relay reports about potential corrections to originating editors or via BMG's contacts mails. Corrections and clarifications to online articles should be submitted and approved to your editor.
- 9.3. When a correction is made online, the change should be made within the article.



- 9.4. Clarifications and corrections should be clear, concise and direct. They must be comprehensible to anyone who reads them, including readers who may have missed the story that is being corrected. Anyone reading the correction should be able to understand how and why the mistake has been corrected.
- 9.5. *EXAMPLE: Earlier versions of this story about STARTUP X's funding incorrectly said that the funding came from ORGANISATION Y. It in fact came from ORGANISATION B. This version has been corrected.*
- 9.6. Major corrections (e.g., when the headline or driving premise of the article is wrong) it should be noted in the headline with the indicator words [CORRECTED] and at the top of the post as well as within the story.
- 9.7. Minor mistakes may be corrected and acknowledged within the story, using the indicator [UPDATED] in the headline. At the end of the article we must also note that there was a correction as an "editor's note". In many cases, commenters may alert journalists to mistakes. When this happens, journalists are encouraged to acknowledge the mistake and subsequent correction within the comment stream as well.
- 9.8. Very minor mistakes that are uncontested, are just typos or spelling mistakes can be changed directly within the story without an editor's note or indicator in the story headline.
- 9.9. **Social media:** When we publish erroneous information on the social Web, we should correct it promptly by publishing a new status or post acknowledging the error.  
*EXAMPLE: Correction: STARTUP A's revenue fell 7%, NOT 8% as originally stated in the following post [INSERT LINK].*  
If it is possible to edit the original post to note the error and correct the information, this is preferred. Once the information has been corrected, the incorrect post may be deleted.
- 9.10. **Take-down ("unpublish") requests:** Because of the ease with which our published content can be searched and retrieved online, even years after publication, we are increasingly being asked to take down (or "un-publish") articles from our Web site. Typically, these requests come from the subjects of unflattering or embarrassing news articles who claim that they are being harmed by the articles' ongoing availability. As a matter of editorial policy, we do not grant take-down requests. If the subject claims that the story was inaccurate, of course, we should be prepared to investigate and, if necessary, publish a correction. And there may be situations in which fairness demands an update or follow-up coverage — for example, if we reported that a founder was charged with a crime but did not report that the charges



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were later dismissed for lack of evidence. In short, our response will be to consider whether further editorial action is warranted, but not to remove the article as though it had never been published.

## **10. PROCEDURE FOR ESCALATION**

- 10.1. Should a story be deemed contentious (defined as investigative or adversarial in nature, when sources or the story subject disagree with what is being published), it is to be escalated to the most senior person in the company.
- 10.2. The most senior person in company will seek advice from BMG's legal council to ensure that the story is fair, balanced, adequately sourced and not defamatory. After BMG's legal counsel has cleared the story, it may be published.
- 10.3. A senior manager may declare a series of stories "contentious" requiring automatic checking by legal counsel.

ENDS

*These editorial policies were created by the Burn Media team, and adapted from the policies of the Washington Post.*