ethics and compliance committee

LinkedIn & Prospect Research Update Spring 2018

Best Practices:

1) **How to use LinkedIn for Prospect Research:**
   - Use LinkedIn as a guide for research as you would with any other resource. Verify with other links (Business, news articles, etc.) Remember, LinkedIn is only as current as the user updates it.
   - Check with your organizational policy and government regulations.

2) **Terms of Service**
   - When you create an account in LinkedIn, you agree to a number of terms, including: you must be truthful and identify who you are, located in Section 8.2 of LinkedIn's user agreement.
   - As a LinkedIn Member you agree to let LinkedIn use your data. LinkedIn is a business – it's never free.
   - See - https://www.linkedin.com/legal/user-agreement
   - Recent changes – free searches are limited by a monthly cap. Be aware of the risk involved in using any free apps or websites which purport to get around this limit.
   - For anyone who opts into importing your address book "feature" of the LinkedIn mobile app available on smartphones, be mindful using that feature means the smartphone user is agreeing that LinkedIn can access of the smartphone user's contact address book. For your frontline fundraisers and other relationship managers, this could mean one is inadvertently providing confidential contact information for your organization's prospects, donors, and volunteers to LinkedIn. Keep in mind, if a user syncs email and/or calendars with LinkedIn, LinkedIn will also collect email headers and calendar meeting information, including times, places, attendees, and contacts. This contact information also includes the contact information a user's smartphone has helpfully added for the smartphone user to missing data fields in one's contact address book.

3) **Citing Social Media** (see - http://blog.apastyle.org/apastyle/2013/10/how-to-cite-social-media-in-apa-style.html for helpful hints):
   - Include a URL link and date retrieved as applicable.
   - For limited LinkedIn or social media information (privacy settings) – use Social Media Identification or Personal communication as your cite source.

- Note: Some UK institutions do not cite LinkedIn as it is a breach of their Terms of Use.
- Check international social media and organizational terms of use as applicable.

4) **To identify yourself through LinkedIn or use the anonymous privacy setting:**
   - Practice Integrity – if you are asked, always identify yourself regarding who you are and the institution for which you are working (e.g., "I work for XYC organization and we are trying to reach out to potential friends, alumni, and others who might be interested in supporting our organization's mission, cause, etc.")

5) **Can I use my personal LinkedIn account to connect with other members for work purposes?**
   - A personal LinkedIn account is an acceptable practice to use for Prospect Research and connecting with prospects. Use the same integrity and sensitivity for the prospect and organization that you would for any other communication.
   - Use common sense – who in your organization holds the direct relationship with prospective donors and volunteers? Typically, this will be a frontline fundraiser or stewardship/donor relations position.
   - Does your shop have a guideline regarding the interaction between researchers and prospects? If it does, adhere to that policy. If it does not, you have to determine which setting will put the organization and the relationship with the prospect first. Remember, there is no piece of information that is worth risking the relationship between a prospect and the organization's mission.

6) To use LinkedIn for cold calling (vs connecting through LinkedIn connect):
   - Use integrity based on what works for you and your organization.
   - Check with your legal department for guidelines or protocol for using social media.
   - Keep in mind the terms of use dictated by LinkedIn and other social networks. Many of them have a strict policy on "spam" and this may also put your organization at risk if you are not complying with laws regarding such.

7) **Anonymous searching vs. creating profiles under false names:**
   - Fake profiles are a violation of the Terms of Use for both LinkedIn and Facebook.

- Anonymous searching is a privacy setting provided by LinkedIn. The LinkedIn member whose profile you viewed knows *someone* viewed their profile; however, that LinkedIn member will not know who viewed them.

8) **Prospect Research and concerns with prospects knowing you researched them and possibly contacting you:**
   - A prospect may not know that you are researching them. We live in a world where privacy can be threatened through a number of sources. People are wary.
   - Anonymous searching isn't deception – It's a privacy setting. A LinkedIn user can limit how much of a profile is visible to non-connections. If a prospect/LinkedIn user does not wish to share their current information, he/she can hide it. More information may be read here: https://help.linkedin.com/app/answers/detail/a_id/47992/ft/eng
   - As available/viewable, use information from LinkedIn and Facebook judiciously as pertaining to the engagement and moves of prospects.
   - Reviewing public records should not present an ethical issue. There is nothing illegal, immoral, or distasteful in viewing material which has been set out for public consumption. But, just because something fails to pose an ethical dilemma does not necessarily mean that it is a good idea. An action can be ethical while still not representing a best practice. Ultimately, we all have different obligations to our respective organizations. Check with your institution's legal team if issues arise that may affect your institution and the use of social media platforms.

9) **Web Scraping** (also termed Screen Scraping, Web Data Extraction, Web Harvesting, etc.) is a technique employed to extract large amounts of data from websites whereby the data is extracted and saved to a local file in your computer or to a database in table (spreadsheet) format.
   - In August 2017, Northern District of California court ruling granted a preliminary injunction which compelled Microsoft's LinkedIn to disable any technical measures it had employed to block a data analytics company from scraping the publicly-available data on LinkedIn's website. The ruling, published on August 14, follows a lawsuit filed by startup hiQ Labs against LinkedIn, after LinkedIn issued a cease and desist letter to prevent the startup from scraping data. The hiQ v. LinkedIn litigation is currently on appeal to the Ninth

Circuit.[1] The Ninth Circuit is expected to hear oral arguments in this case in March 2018.[2]

- **To scrape or not to scrape** - you must weigh management of your organization's risk vs using this data for your database. Ask your legal counsel. Is it worth it?
- **To mini scrape** – cutting and pasting links, titles, bios etc., directly from LinkedIn. Your terms of agreement have stated that you don't. As a seasoned researcher you would always look for verifying further any data available through LinkedIn, which will enhance your profiles and keep you from mini scraping.

10) Considerations:

- Does the depth of a prospect research profile supersede the sensitivity of a prospect and their relationship to your organization?
- If a phone call or research opportunity (LinkedIn connect) could jeopardize a potential gift, don't do it.
- It's about building relationships. Focus on your mission and the prospect and their positive relationship to your organization.

11) Prospect Research vs. Fundraiser Intelligence:

- Prospect Research provides a guide for wealth, interests, and philanthropy as available publicly. Our role is to find links to help connect a fundraiser to a prospect to then build that relationship between prospect and institution.
- The opportunity for expanding and building that relationship is the Fund/Friendraiser's task. They ultimately determine the ask based on their personal experience with the prospect and their propensity, readiness, and capacity.
- The emphasis should be on Prospect Research and Fundraisers working together. Prospect research can never take the place of information gathered through a personal meeting (which should be shared with the Prospect Researcher through a call report). Prospect Research should be used as a guide for the fundraiser to ask the right questions and build meaningful partnerships with prospects and institutions.

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[1] Proskauer, *New Media and Technology Law Blog*, "Data Aggregator Seeks Ruling Allowing It to Scrape Public LinkedIn Data," 2/20/2018.

[2] Electronic Frontier Foundation, "hiQ v. LinkedIn," accessed 2/27/2018.

12) Fundraisers and LinkedIn:

- Fundraisers should be using LinkedIn as a networking tool.
- According to an August 12, 2015, *Non Profit Times* article, 4 reasons to use LinkedIn for fundraising

  1. Your prospects are already using it. LinkedIn users generally skew older, are highly educated, and have higher incomes than most other social media platforms. Almost half of LinkedIn users have salaries more than $100,000 per year, and the average salary is $83,000, more than three times the average salary of Facebook users. Your next major donor prospect could already be in your network.
  2. It's free. While there is a Premium option, a free account is fairly robust. You can use your or your organization's free account to view in-depth profiles, get contact information, see if the prospect is on any other nonprofit boards, and search by nonprofit or cause and interest. A free account allows you to filter search results by location, company, industry, past employment, school or nonprofit interest.
  3. You might find your next board member on LinkedIn. At less than $50 per posting, a LinkedIn board listing is a great option for a nonprofit. Make sure to include "Volunteer Board Member" in the title and "LinkedIn for Good Volunteering" in the description. LinkedIn's Board Member Connect program can get your board up and running through training, peer programs and access to premium tools.
  4. Groups can help you expand your network and knowledge base. With more than 2.1 million groups on LinkedIn and 200 conversations taking place every second, there's a group for every mission and every type of fundraiser.

13) Creating a LinkedIn Company Page:

- Creating an organizational LinkedIn page can enhance the work your organization does and help build relationships.
- Most often, a PR/Marketing department, Alumni Relations, and/or Friends of the XYZ org would develop this; however, anyone can create a page.
- The LinkedIn page should be used to help develop a positive information-sharing network which allows you to gather important information and highlight the work of the organization and/or prospects, and celebrate accomplishments (contact a prospect

and tell them you would like to feature a little bit about them on your page or publication, etc.). This creates an opportunity to connect in a positive way. People who are interested will participate.

Types of LinkedIn pages:

- **Personal Profile Page** (similar to Facebook in that you must be connected and accepted to view the entire profile). You can set it with different privacy settings but ultimately there are certain things that will always be public – e.g., where you currently work, where you went to school typically. Example of a personal profile page: http://linkedin.com/in/samdemuro
- **Publicly-available LinkedIn Profile:** Some profile sections will not be displayed on a public profile, which is the version of a profile people see when not signed into Linked-In. These sections are only visible to LinkedIn members who view your profile while signed into LinkedIn. These sections include:
  - *Recommendations* – The number of people that have recommended you will appear in the top section of your profile. However, the full text of the recommendations will not. The full text of your recommendations is only visible to members who view your profile after signing into LinkedIn.
  - *Additional Info* – This section, which contains interests, birthday, marital status and advice for contacting you will not display on your public profile.
  - *Rich Media Work Samples* – These items will not display on your public profile.
  - Source: https://help.linkedin.com/app/answers/detail/a_id/52959
  - Information about how to customize what is publicly-available can be found here: https://help.linkedin.com/app/answers/detail/a_id/83/~/linkedin-public-profile---overview-and-settings
- **Group Page** – these can be private or public, but you must have a profile page in order to be in a group. Alumni currently have a private group where they interact with different alumni.
- **University Page**: example of a University page (for alumni & current students of a University): http://wpunj.edu/linkedinwp
- **Company Page:** example of company page (for employees of William Paterson or whatever company) https://www.linkedin.com/company/18297

A final note from Tim Olivieri, Cornell University Alumni Affairs and Development:

With any ethics guideline there is a temptation to lay out a roadmap for every sort of acceptable or unacceptable practice. But the guideline, as a practical necessity, needs to allow for grey areas. Ethical guidelines should not be a roadmap. They should be a fence along our perimeter that help prevent us from straying off into the wilderness. Using a privacy setting for your personal social media account is not really a foray into the wilderness. Guidelines? Yes, please. Pedantics? No, thank you.

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This is a dynamic document, to be reviewed and updated by the APRA Ethics Committee based on issues that arise in the prospect development community.